

Property Rights Foundation of America, Inc.

Congressional Update - March 22, 2001:

AMERICAN LAND SOVEREIGNTY PROTECTION ACT REINTRODUCED

H.R. 883 would protect private property rights and national sovereignty from UN designation of Biosphere Reserves and World Heritage Sites

By Carol W. LaGrasse

The House Resources Committee has again introduced the American land Sovereignty Protection Act, as H.R. 883. In the 106th Congress, this all-important bill to protect private property rights and national sovereignty received excellent support in the House of Representatives, but failed to move in the Senate. But grassroots activists are not giving up, and the House Resources Committee, chaired by Rep. Don Young (R., Alaska) has again taken the lead in moving this bill.

The American Land Sovereignty Protection Act would repeal the existing UNESCO Biosphere Reserve designations and require that all Biosphere Reserve Designations and require that any new World Heritage Sites be ratified by Congress before being designated in the future.

The 47 Biosphere Reserves in the U. S. have been designated through the U. S. Department of State and the Paris-based United Nations Educational, Scientific and Cultural Organization, without knowledge or scrutiny of local or state government, or Congress. No treaty enables the Biosphere Reserves to be designated, and twenty years ago the Congress specifically refused to pass legislation formally recognizing the Biosphere Reserves. The system of World Heritage Sites, on the other hand, was established by the 1972 UNESCO "Convention for the Protection of the World Cultural and Natural Heritage," to which the U. S. is a party, and therefore cannot be easily repealed. However, future World Heritage Sites can be subjected to Congressional ratification.

Although the United States no longer participates in UNESCO, the U. S. Department of State, in conjunction with the National Park Service and other agencies, administers the program.

When I testified before the U. S. Senate Subcommittee on Forests and Public Lands Management in Washington, D.C. in May 1999, I explained that Biosphere Reserve designations are a long-term threat to private property rights and rural communities.

Although Biosphere Reserve proponents deny the impetus toward more regulation spurred by the designations, the examples disproving their arguments are numerous. During my eleven years of observations, I have witnessed many examples from official U. S. Department of State documents and the writings and statements of environmental groups substantiating how the innocent-sounding designations are used to foster strict land-use regulation that runs counter to the future viability of rural communities.

The most important argument against continuing to allow the U. S. Department of State and the Secretary of Interior to unilaterally make these designations of Biosphere Reserves and World heritage Sites without review and approval by Congress is that they designations create an atmosphere for the future.

The designation of a Biosphere Reserve or World heritage Site adds an overlay of almost a spiritual quality, a sense of the significant, which generates a movement toward preservation and a sense that modern home-life, normal farming, forestry, mining, industry, and commerce are somehow incongruous.

Our freedoms and our economy, both in rural America and nationally, are being damaged by this cultivation of the irrational impulse toward nature. The long-term impact of this atmosphere is unknowable. The Biosphere Reserve and World Heritage Site designations, in cultivating this atmosphere, can ultimately have momentous impact, which is inhospitable to the rural life and toward our country's tradition of representative local government and private property ownership.

Over much of the time that designations have been in place in the United States the use of Biosphere Reserves has been restricted to advocacy for extreme preservation that would ultimately result in depopulation, but the designations have been used more aggressively abroad. Two examples of Biosphere Reserves being used forcefully to depopulate an area and close down the local economy are the Mexican Highlands Biosphere Reserve to protect the monarch butterfly and the Wolong Biosphere Reserve in the Tibetan Plateau to protect the panda.

During recent years, environmental groups have become more aggressive in the United States, using Biosphere Reserve status as an argument in lawsuits to try to block timber harvests. In 1998 an environmental group brought a lawsuit to block a harvest in the Land Between the Lakes area owned by the TVA in Kentucky. In 1993 four environmental groups sued a private owner near Icy Bay, Alaska, to stop his logging.

International environmentalists have used World Heritage Site status to block the New World Mine near Yellowstone Park; the Jabiluka mine adjacent to Kakadu National Park, Australia; and the Aginskoe Gold Project on the Kamchatka Peninsula in the Russian Far East.

The American Land Sovereignty Protection Act is one of the most important property rights measures to come before Congress, and enjoys support from the populous Northeast and Alaska, as well as from the rural heartland. With 183 co-sponsors, the same measure passed the House of Representatives in 1999 by a voice vote, but failed to pass the Senate.

