

One Republican's Hollywood detour

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By Richard Miniter

It says something when a congressman would rather listen to movie stars than his own constituents.

Rep. Wayne Gilchrest is a Maryland Republican who has made a career out of trying to stop conservative attempts to reform environmental laws. Now he is trying to de-rail reform of the Endangered Species Act, a 1973 law as controversial as it is unsuccessful. (More than 1,200 species listed, less than a dozen "recovered.") His main weapon against reform? A stacked hearing.

There are two ways to hold a congressional hearing; the old way, when Congress calls on the usual anointed Washington interest groups, and the new way, when Congress travels to listen to ordinary people and real experts. Rep. Gilchrest is firmly committed to doing things the old fashioned way.

Several weeks ago, Mr. Gilchrest handed Rep. Richard Pombo, the chairman of the House's Endangered Species Act Task Force, a proposed list of four panels with 28 speakers. Mr. Gilchrest's list, for a hearing to be held in the part of his district closest to Washington, included such environmental experts as actors Robert Redford and Ted Danson. (No Maryland property owners who have been harmed by regulation were listed.)

Mr. Gilchrest couldn't be more out of step with the mood of Republican reformers. Mr. Pombo's task force has been holding an extremely popular series of "field hearings." The idea was to talk to ordinary people affected by laws and local experts, not the usual Washington talking heads. (The environmental community has labeled this "censorship," in part because they have few genuine grass-roots members.) Some reporters have complained that the hearings "inconvenient" because they were scheduled on weekends and not always in major cities, but a spokesman for Mr. Pombo explained that was precisely the point. "Ordinary people can't afford to take a day or two off and fly to Washington," said Mike Hardiman, Mr. Pombo's press secretary.

A recent hearing in New Bern, North Carolina, demonstrates how the conservatives have changed the way government works. Congressmen flew into rural North Carolina without a large entourage of whispering aides and paper shufflers and listened to folks who (mostly) were not professional witnesses. Of the eight witnesses on two panels, only Melvin Shepard, president of the North Carolina Coastal Federation, an environmental front group, had even spoken before a congressional panel in the past.

The county court house had become a congressional hearing room for the day and the room was packed. Bob Goodale, North Carolina's Deputy Secretary of Commerce, thanked Mr. Pombo for "scheduling your meeting in the real world." Some of the poorest counties in America are in

coastal plains of North Carolina and almost all of those counties are "wetlands," under the current broad, bureaucratic definition. Most of the land in question is not actually wet. Thus, the ecological benefit of halting development on the land is minimal. If the land so valuable it can't be used, ask Mr. Goodale, "why don't the feds buy it?"

While ponytailed protesters from out of town waved printed signs and bumper stickers, local folk held aloft hand-lettered signs that the media missed: "DON'T TAKE OUR LAND THRU REGULATION" and "GIVE US OUR LAND BACK." While green activists boarded their vans as soon as their spokesman was through and the cameras packed up, the local property-rights advocates stayed until the end.

Certainly lawmakers got to hear a side to environmental debate they don't often hear in Washington - and local citizens came armed with ideas to fix environmental laws. Craig Sawyer, a farmer, told the congressional panel that wetlands bureaucrats use computer models to trump actual on-site data. It should work the other way around, he says. Robert Kidd, president, Citizens Rights Over Wolves Now (CROWN), explained that the U.S. Fish & Wildlife Service released wolves, which eat large amounts of deer and prey on pet dogs. Mr. Kidd wondered: Why release wolves so close to farms?

These are good questions, but environmentalists and their friends in the press corps responded by changing the subject. First, they claimed Congress was censoring them by not calling on the usual well-heeled "experts." This backfired when Rep. James B. Longley Jr. revealed that the man leading the protest (Melvin Shepard) was one of the first panelists to sign up to testify.

(Later Rep. Helen Chenoweth asked Mr. Shepard where his groups get its money and he had to admit mostly "from the Sierra Club and the Audubon Society.") Some censorship.

Then came a new line of attack. Compensation for landowners who lose their property when it suddenly declared a wetland or habitat for an endangered species is a nothing more than a plot to enrich hog farmers. Hog farmers? Sen. Lauch Faircloth is a hog farmer and a reformer. Which is enough to get most conspiratorial minds working. To add to the drama, Mr. Faircloth's bill would force the regulators to cease regulating dry land and irrigation ditches as nationally important swamps. Therefore, Mr. Faircloth only advocates reform so that he and other hog farmers can benefit. The Charlotte Observer put this conspiracy theory on Page One. Of course most of the people affected by wetlands and other environmental regulations own small plots and can't afford lawyers, who can convince federal agencies to lighten the burden. That's why the support is so strong among owners of small farms and retirees and so weak among large landowners. "We have over 17,000 members who desperately need wetlands reform and not one of them is a hog farmer," says Peggy Reigle, chairman of the Fairness to Land Owners Committee, who helped draft the Faircloth bill.

Mr. Gilchrest as well as the Democratic members of the Endangered Species Act Task Force couldn't take the time to leave the nation's capital on a weekend. They missed a chance for a real education on the issue they say they care so much about.

Mr. Gilchrest, who wants a hearing in his district, doesn't want to hear from ordinary people. Especially he wants to ignore the people from the Eastern Shore of Maryland, who make up more

than half of his constituency. That picturesque area has been devastated by federal wetlands regulations and residents are crying out for reform. But a hearing on their turf where they are allowed to speak, might embarrass Mr. Gilchrest and friends from the silver screen.

Richard Minter is developing a book and documentary on the property rights movement.

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