

WESTERN SLOPE NO-FEE COALITION

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Kill The RAT

Next time you go hiking, fishing, hunting, picnicking, or for a scenic drive, get ready to pay the RAT. A nasty RAT (Recreational Access Tax) that has been foisted on the American public by an ambitious congressman from Ohio.

The stinky critter was attached to the massive omnibus-spending bill passed in the waning moments of the 108th Congress. Such bills are considered “must-pass” because they provide the funding to keep government running, and they are notoriously used as vehicles for pork-barrel projects attached to them as riders.

Substantive legislation, especially legislation that includes criminal penalties, has by tradition not been attached to omnibus bills. Such a tactic is considered, even by the relatively low standards of Congress, to be unfair to the public, even a little sleazy.

But sleazy tactics are a specialty of Congressman Ralph Regula from Canton, Ohio who has no federal public lands in his district but nevertheless styles himself as the champion of the USDA-Forest Service and the Department of Interior. Regula is in line to become chairman of the powerful House Appropriations Committee and not many members of the House have the courage to oppose any bill he sponsors. That gives him tremendous power, and he has wielded it like a Mafia don.

Eight years ago, Regula pushed the Recreational Fee Demonstration Program (Fee Demo) through as a rider on that year’s omnibus bill. Ever since, he and his special-interest pals in the American Recreation Coalition and at the Property and Environment Research Center have tried to convince us that user fees are a viable and even popular way to fund public lands.

They failed miserably. Everywhere Fee Demo went, grassroots groups sprang up to oppose it. Relations between the federal agencies and the recreational public became adversarial instead of cooperative. Non-compliance ran rampant, and penalties had to be increased. Visitation declined even as the agencies claimed an ever-increasing demand for recreational amenities.

Fee Demo was unpopular, and the public made sure their elected officials knew it. States, counties, and municipalities passed resolutions opposing it and thousands of letters descended on Washington declaring opposition to the program. Support in Congress for a permanent fee program waned. Fee Demo’s days were numbered.

That’s when Regula waded into the fray with a new fee bill, HR 3283. Although his bill failed to attract a single western sponsor, he strong-armed it through the House Resources Committee. Knowing that it might not survive a floor vote in the House and would

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certainly be stopped by the Senate, he simply attached it to the “must-pass” spending bill in the lame duck session following the election. It was passed on December 6, 2004.

Thus does a bill that was opposed by the majority of Americans, but supported by one man, become the law of the land.

The failed “demonstration” is over. It has been replaced with a permanent new tax, the Recreational Access Tax (RAT). The RAT is a double tax that puts the burden of funding our public lands squarely on the backs of rural and western citizens. The RAT is a black hole into which Americans will pour their hard-earned dollars for the benefit of agencies that have long been guilty of fiscal mismanagement. Congress has given up trying to get accountability from land managers. They have abdicated their responsibility to provide the agencies with adequate appropriations, and then to ensure that those appropriated dollars make it onto the ground for the public’s benefit.

You may agree or disagree that the general public should be charged a user fee for public lands. But it is indefensible for such a fundamental change in policy to be done behind closed doors, without public debate or congressional approval. That is simply wrong.

Americans look at Regula’s handiwork and smell a RAT. We will be calling on the new Congress kill it quickly before it destroys our precious heritage of public lands.

-Kitty Benczar, Co-founder, Western Slope No-Fee Coalition

(HR 3283 was enacted as Section 801 of Title VIII of the omnibus spending bill, HR 4818. It can be read at <http://thomas.loc.gov>.)