My name is Richard Averitt and my family homestead in Nelson County is in the proposed path of the ACP but I am here today to give voice to those who cannot be here.

In Paris, on December 10th in 1948 the Universal Declaration of Human Rights was signed specifically to establish a global compact among free nations to protect the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world.

#### Article 17 of that declaration has two points:

(1) Everyone has the right to own property alone as well as in association with others.
(2) No one shall be arbitrarily deprived of his property.

In 1996 the UN General Assembly adopted the International Covenant on Economic, Social and Cultural Rights

**PART I**

***Article 1 of this Covenant says:***

All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice…**In no case may a people be deprived of its own means of subsistence.**

**Why are we talking about this? Because as** Calvin Coolidge said :

“Ultimately property rights and personal rights (Human rights) are the same thing. “

And our Human Rights are under assault by our corporations who want to strip mine the wealth and resources of our people as they have stripped mined our natural resources for decades. And they are aided and abetted by a government that has sold its vote and its conscience to the highest bidder.

Our economic and human freedom is founded on individual property rights; government should never be permitted to take those away.

I understand that eminent domain is an important tool for building a cohesive Society. And still, it is an extraordinary power for the State to take the private property of an individual for ANY public need.  And with such great power, comes great responsibility.

The founding fathers were specific when they defined the use of Eminent domain. In short – this power requires that at least two key conditions are met. First, the state must demonstrate that there is true public NEED and second, the value of the asset or property which is transferred must go into the hands of the community: a city, a county, a state or even the federal government for the benefit of all.

But over the years, our elected officials and our courts have been persuaded by corporations to extend the idea of NEED first to “purpose” – a shift that meant the state would take land because it would LIKE to have this new use of the land but it may not be actually necessary. And finally with the Kelo decision in 2005, we extended the power of eminent domain even further from NEED or Purpose to “Benefit”. This opened to door to any argument by virtually any business or government entity to allow seizure of your land for any purpose they deem is a better use of that land than the use you desire for your own property.

So the effect of this ruling was to open the floodgates to seize the land of poor, rural, or economically disadvantaged communities for the sake of redevelopment and exploitation.

As Justices O’Connor and Thomas predicted, “extending the concept of public purpose to encompass any economically beneficial goal guarantees that these losses (or takings) will fall disproportionately on poor communities.”

The efficacy of property rights and free societies depends on our ability to build and maintain barriers against takings.

America’s Founders clearly understood that private property is the foundation not only of prosperity but of freedom itself. So, through the common law, state law, and the Constitution they protected property rights—the rights of people to freely acquire, use, and dispose of property.

These same Founders would be appalled to see what we did to property rights over the course of the 20th century. One would never know that their status, in the Bill of Rights, was equal to that of any other right. The time has come to restore respect for these most basic of rights, the foundation of all of our rights.

Despotic governments have long understood that if you control property, you control the media, the churches, the political process itself. We may not be at that point yet, but if regulations allow the public to seize land for capricious public benefit, the poor will pay an increasingly heavy price.

In Virginia, these despots have a name - we call them Dominion. To quote other citizens I admire in this fight: I can tell you today that Dominion Energy will never have dominion over me.

I will not cede my rights, my water, or my land. I will not give up the rights that are the foundation of a free people.

Eminent domain abuse is essentially Robin Hood in reverse:  taking from the poor to give to wealthy, politically connected developers.

The only real solution to this is ending eminent domain for any private gain. Those with the least means need the most robust protection of constitutional rights."

So- when the laws of the land promote violence, and repression, and degradation of our rights and our land and our fellow man - in clear conflict with our constitution and the UN Declaration on Human Rights, then the laws are wrong. I am here to ask that the UN and the global community stand with us and express righteous outrage.

Our government institutions are designed to serve us - not to subjugate us. No company, no law, not even a government can overcome the will of a people who will not quit until they have restored decency and respect and justice in their land. History is clearly on OUR side on this point.

We the People will not stand down.

Thank you.