April 26, 2022

The Honorable Ron Wyden
Chairman
Committee on Finance
United States Senate
Washington, DC 20510

The Honorable Mike Crapo
Ranking Member
Committee on Finance
United States Senate
Washington, DC 20510

Dear Chairman Wyden and Ranking Member Crapo:

At the Committee on Finance’s hearing on the President’s Fiscal Year 2023 Budget and 2021 Filing Season on April 7, a request was made for the Committee to hold a hearing to get to the bottom of abusive syndicated conservation easement transactions. As representatives of the national land conservation, appraisal, and historic preservation communities, we wholly endorse that request.

It is time to set the record straight about the profiteering taking place using a program designed to preserve our open lands, wildlife habitat, productive farms and ranches, and historic resources through charitable giving. It is also time for Congress to enact bipartisan, bicameral legislation introduced by Senators Stabenow, Daines, Wyden and Grassley – the Charitable Conservation Easement Program Integrity Act – to halt further abuse.

After an extensive bipartisan investigation into these abusive transactions, the Committee released a report in August 2020 concluding that they could not be characterized as anything other than abusive tax shelters. Recent federal criminal indictments describe transactions similar in structure and nature to those investigated by the Committee and many others subject to ongoing enforcement actions by the IRS. A hearing would reveal for senators and the public the truly egregious nature of these syndicated transactions and the need to shut down the small group of bad actors behind them all.
We thank you in advance for considering the request for a Committee hearing. We look forward to working with the Committee to help protect this critical charitable conservation program and are prepared to provide assistance as the hearing is organized.

Sincerely,

American Society of Farm Managers and Rural Appraisers
American Society of Appraisers
Appalachian Trail Conservancy
Appraisal Institute
Ducks Unlimited

Land Trust Alliance
National Trust for Historic Preservation
Partnership of Rangeland Trusts
Pheasants Forever Quail Forever
The Conservation Fund

The Nature Conservancy
Theodore Roosevelt Conservation Partnership
The Trust for Public Land

CC: Senate Finance Committee members

For further information, feel free to contact:

Stephen Frerichs, American Society of Farm Managers and Rural Appraisers, sfrerichs8@comcast.net
John Russell, American Society of Appraisers, jrussell@appraisers.org
Brendan Mysliwiec, Appalachian Trail Conservancy, bmysliwiec@appalachiantrail.org
Bill Garber, Appraisal Institute, bgarber@appraisalinstitute.org
Kellis Moss, Ducks Unlimited, kmoss@ducks.org
Lori Faeth, Land Trust Alliance, lfaeth@lta.org
Shaw Sprague, National Trust for Historic Preservation, ssprague@savingplaces.org
Erik Glenn, Partnership of Rangeland Trusts, eglenn@ccalt.org
Bethany Erb, Pheasants Forever & Quail Forever, berb@pheasantsforever.org
Kelly Reed, The Conservation Fund, kreed@conservationfund.org
Kameran Onley, The Nature Conservancy, konley@tnc.org
Pat Donovan, Theodore Roosevelt Conservation Partnership, pdonovan@trcp.org
Myke Bybee, The Trust for Public Land, myke.bybee@tpl.org