

Summary of S. 2354, “The ANTIQUITIES Act of 2018”

Title: America’s Natural Treasures of Immeasurable Quality Unite, Inspire, and Together Improve the Economies of States Act of 2018

Background:

On December 4, 2017, President Trump announced that he will rescind Utah’s Bears Ears and Grand Staircase-Escalante national monuments and replace them with three much smaller monuments. The decision is the largest rollback of federally protected land in U.S. history – altogether, he eliminated 2 million acres of protections. President Trump has indicated that he intends to continue his attack on public lands in the near future by rolling back protections for more national monuments. The removal of these protections came after President Trump directed Interior Secretary Ryan Zinke, through an executive order, to conduct a review of all national monuments designated since 1996. During the 60 days of public comment on this review, over 2.8 million comments were received, of which 99% were in support of protecting our national monuments.

National monuments can either be established by Congress through legislation or by the president as authorized by Congress under the Antiquities Act of 1906. Once national monuments are established, only Congress has the authority under the Property Clause of the U.S. Constitution to abolish or modify them.

What this legislation does:

S. 2354, the ANTIQUITIES Act of 2018, protects and enhances national monuments in three main provisions:

- It officially declares Congress’ support for the 51 national monuments established by presidents in both parties between January 1996 and April 2017 under their authority established by the Antiquities Act of 1906.
- It reinforces that existing law clearly states that presidential proclamations designating national monuments are valid and cannot be reduced or diminished, except by an act of Congress.
- It further enhances protections for the presidentially designated national monuments by 1) requiring that they be surveyed, mapped and that management plans be completed in two years—in the same manner as congressionally designated national monuments—and 2) that they receive additional resources to ensure that they will continue to meet their full potential of providing unmatched economic, recreational, and cultural benefits to their states and to the nation.

The bill also expands protection for the Bears Ears National Monument to over 1.9 million acres, directing that it be composed of the lands identified in the Bears Ears Tribal Coalition’s original proposal. In addition, it would designate over 249,000 acres of federal public lands in New Mexico as wilderness and add over 111,000 acres of wilderness in southern Nevada, building on the monument protections in these states. This legislation preserves opportunities for hunting, tourism, scientific research, conservation, and cultural uses in national monuments and ensures they are properly resourced.

Groups Supporting: National Parks Conservation Association, Conservation Lands Foundation, Natural Resources Defense Council, The Wilderness Society, League of Conservation Voters, EarthJustice, Southern Utah Wilderness Alliance, and Sierra Club.

Current Cosponsors: Udall, Durbin, Blumenthal, Wyden, Heinrich, Feinstein, Schatz, Harris, Cortez Masto, Duckworth, Gillibrand, Hirono, Merkley, Cardin, Booker, Van Hollen, Smith, and Bennet.