

From: Chambers, Micah
To: [Bowman, Randal](#); [Magallanes, Downey](#)
Subject: Fwd: Letter: Re. Monuments
Date: Friday, June 09, 2017 11:17:07 AM
Attachments: [Response to May 12, 2017 re. Monuments.pdf](#)

----- Forwarded message -----

From: **Haskins, Audrey** <audrey_haskins@ios.doi.gov>
Date: Fri, Jun 9, 2017 at 12:13 PM
Subject: Letter: Re. Monuments
To: Micah Chambers <micah_chambers@ios.doi.gov>

Audrey P. Haskins
Secretarial Assistant
Office of Congressional & Legislative Affairs
1849 C Street NW, Room 6256
Washington, DC 20240

Phone: 202-208-7264

--

Micah Chambers
Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

To: Micah Chambers
Acting Deputy Director of Congressional and Legislative Affairs
U.S. Department of the Interior

From: Rep. Colleen Hanabusa
422 Cannon House Office Building
Washington, D.C. 20515
Staff contact: Elizabeth Songvilay (Elizabeth.Songvilay@mail.house.gov)

Re: Response to May 12, 2017 Secretary Zinke letter re Monuments

COLLEEN HANABUSA

1ST DISTRICT, HAWAII

422 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
TELEPHONE: 202-225-2726
FAX: 202-225-0888

1132 BISHOP STREET, SUITE 1910
HONOLULU, HI 96813
TELEPHONE: 808-541-2570

<http://Hanabusa.house.gov>

Congress of the United States
House of Representatives
Washington, DC 20515-1101

June 8, 2017

The Honorable Ryan K. Zinke
Secretary
Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Secretary Zinke:

I am in receipt of your letter dated May 12, 2017 regarding President Trump's Executive Order (EO) 13792 and your Review of Certain National Monuments Established Since 1996: Notice of Opportunity for Public Comment, published in the Federal Register, Vol. 82, No. 90, on May 11, 2017.

I appreciate your request for my position on Papahānaumokuākea, the relevant monument in the State of Hawaii for the purposes of EO 13792, and I am providing a copy of my response to Mr. Micah Chambers per your request.

By way of history, President George W. Bush created the Northwestern Hawaiian Islands Marine National Monument, later named Papahānaumokuākea Marine National Monument, in 2006 via Proclamation 8031. In 2016, President Barrack Obama expanded the boundaries of Papahānaumokuākea via Proclamation 9478.

In addition to advising my Hawaii constituents of your review and process for public comments, I wanted to advise you of my continuing position, as expressed in a letter from the Congress of the United States dated May 25, 2017, a copy of which is attached hereto, that the Constitution of the United States reserves to Congress the authority to "revoke or shrink a national monument." Specifically, the Antiquities Act of 1906 contains no language empowering the President to abolish or reduce the size of a monument, nor has any Act of Congress conferred upon the President an implied power of this nature. As such, while the President has the power to establish national monuments under the Antiquities Act of 1906, only Congress is empowered to revoke or reduce a monument's designation.

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SPACE, AND TECHNOLOGY
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STEERING AND POLICY
COMMITTEE

In closing, while I understand you have been ordered to conduct a review of national monuments created under the Antiquities Act of 1906, I do not believe the President has the actual or implied power to revoke or reduce any such monument.

Sincerely,

A handwritten signature in black ink, appearing to read 'Colleen Hanabusa', written over a horizontal line.

Colleen Hanabusa
Member of Congress

Attachment

cc: Mr. Micah Chambers, Acting Director, Office of Congressional and Legislative Affairs,
U.S. Department of Interior

Congress of the United States
Washington, DC 20515

May 25, 2017

Hon. Ryan Zinke
Secretary
Department of the Interior
1849 C Street, NW
Washington, DC 20240

Dear Mr. Secretary:

While stewardship of America's national monuments is your solemn responsibility, the continued existence of those national monuments is ours.

Article IV of the United States Constitution reads in relevant part: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States . . ."

Congress has delegated significant federal land management responsibilities to the Executive, including broad authorization to the President through the Antiquities Act to designate national monuments on federal land. Over more than a century, however, Congress has not delegated authority to significantly diminish or abolish an existing national monument. This includes consideration and enactment of amendments to the Antiquities Act, and the decision by the 94th Congress to enact the Federal Lands Policy and Management Act (P.L. 94-579), which left the Antiquities Act intact.

The Constitutional authority to revoke or shrink a national monument lies with the Congress.

Wildfire, drought, sprawl, invasive species, unmet maintenance needs, and more threaten the unique natural, cultural, and historical resources you manage on behalf of the American people. Families living on Indian Reservations face among the highest rates of poverty and illness in the world. A changing climate is melting the glaciers for which the National Park near your hometown is named.

Given these significant and growing challenges, developing a report to the President regarding the use of authority he does not possess is a misuse of your time and the public's money.

Sincerely,

Raúl M. Grijalva
 Raúl M. Grijalva
 Ranking Member
 House Committee on Natural Resources

Jim Costa
 Jim Costa
 Member of Congress

Jared Huffman
 Jared Huffman
 Member of Congress

Donald S. Beyer Jr.
 Donald S. Beyer Jr.
 Member of Congress

Colleen Hanabusa
 Colleen Hanabusa
 Member of Congress

Darren Soto
 Darren Soto
 Member of Congress

A. Donald McEachin
 A. Donald McEachin
 Member of Congress

William Lacy Clay Jr.
 William Lacy Clay Jr.
 Member of Congress

Bennie G. Thompson
 Bennie G. Thompson
 Member of Congress

Grace F. Napolitano
 Grace F. Napolitano
 Member of Congress

Niki Tsongas
 Niki Tsongas
 Member of Congress

Alan Lowenthal
 Alan Lowenthal
 Member of Congress

Norma J. Torres
 Norma J. Torres
 Member of Congress

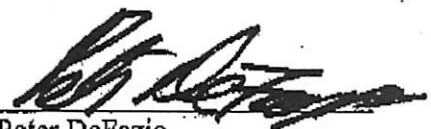
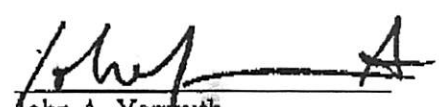
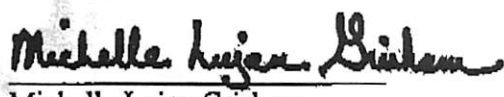
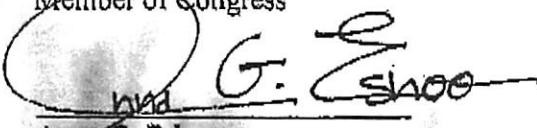

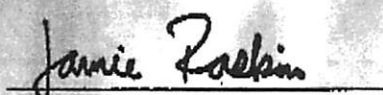
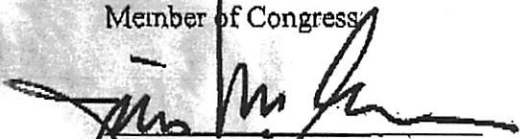
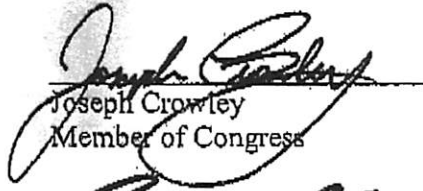

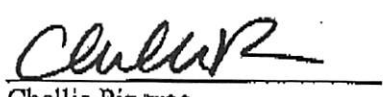
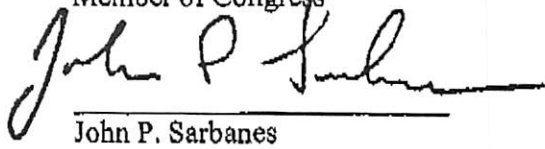
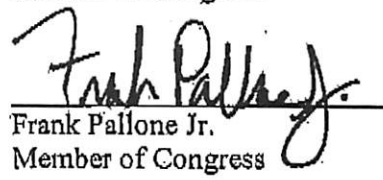

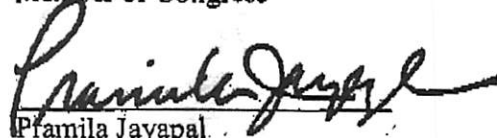

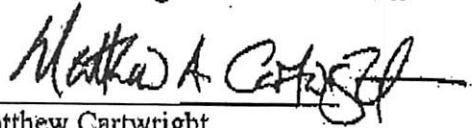
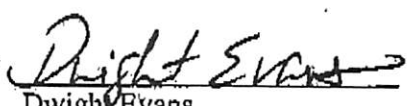
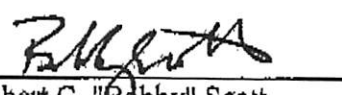
Nanette Diaz Barragan
 Nanette Diaz Barragan
 Member of Congress

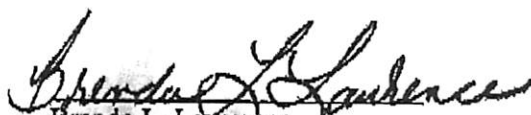
Jimmy Panetta
 Jimmy Panetta
 Member of Congress

Anthony Brown
 Anthony Brown
 Member of Congress

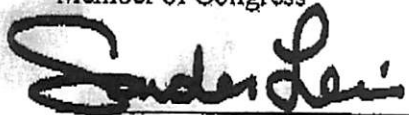
Judy Chu
 Judy Chu
 Member of Congress

Salud Carbajal
 Salud Carbajal
 Member of Congress

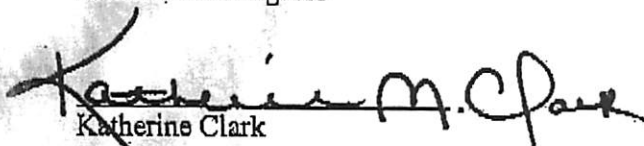

Peter DeFazio
Member of Congress
John A. Yarmuth
Member of Congress
Michelle Lujan Grisham
Member of Congress
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Member of Congress
Ruben J. Kihuen
Member of Congress
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Earl Blumenauer
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Chellie Pingree
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Frank Pallone Jr.
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James E. Clyburn
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Pramila Jayapal
Member of Congress
Joseph P. Kennedy, III
Member of Congress
Matthew Cartwright
Member of Congress
Dwight Evans
Member of Congress
Robert C. "Bobby" Scott
Member of Congress



Brenda L. Lawrence
Member of Congress



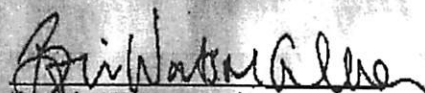
Sander M. Levin
Member of Congress



Katherine Clark
Member of Congress



Tony Cardenas
Member of Congress



Bonnie Watson Coleman
Member of Congress



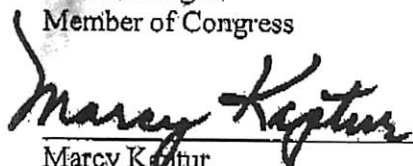
Lucille Roybal-Allard
Member of Congress



Mark DeSaulnier
Member of Congress




Debbie Dingell
Member of Congress



Marcy Kaptur
Member of Congress



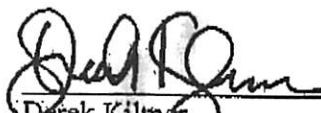
Bill Foster
Member of Congress



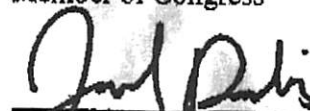
Beto O'Rourke
Member of Congress



Mark Pocan
Member of Congress



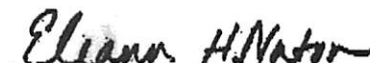
Derek Kilmer
Member of Congress



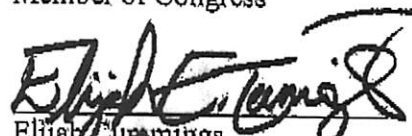
Jared Polis
Member of Congress



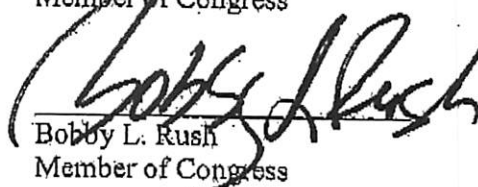
Jerrold Nadler
Member of Congress



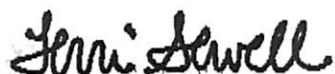
Eleanor Holmes Norton
Member of Congress



Elijah Cummings
Member of Congress



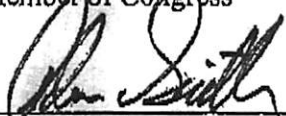
Bobby L. Rush
Member of Congress



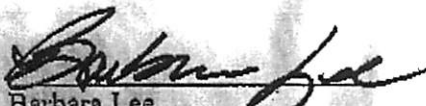
Terri A. Sewell
Member of Congress



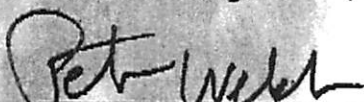
Betty McCollum
Member of Congress



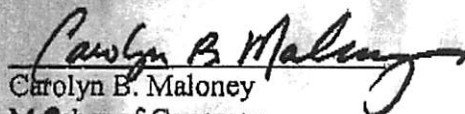
Adam Smith
Member of Congress



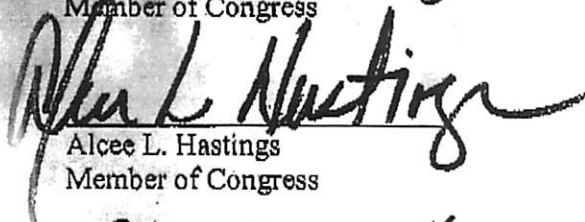
Barbara Lee
Member of Congress



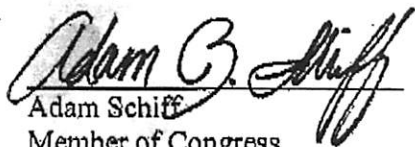
Peter Welch
Member of Congress



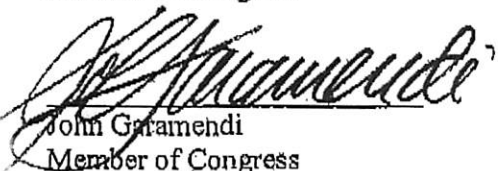
Carolyn B. Maloney
Member of Congress



Alcee L. Hastings
Member of Congress



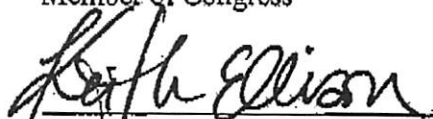
Adam Schiff
Member of Congress



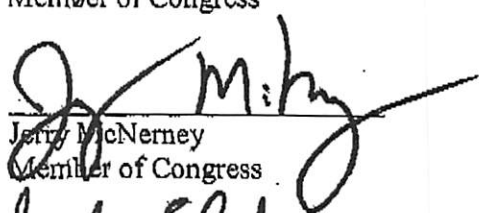
John Garamendi
Member of Congress



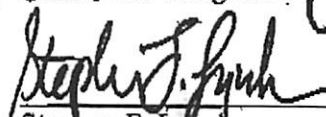
Gerald E. "Gerry" Connolly
Member of Congress



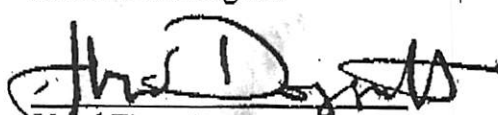
Keith Ellison
Member of Congress



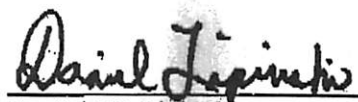
Jerry McNerney
Member of Congress



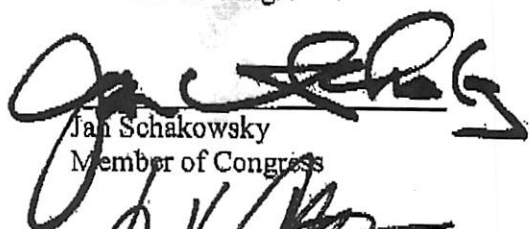
Stephen F. Lynch
Member of Congress



Lloyd Doggett
Member of Congress



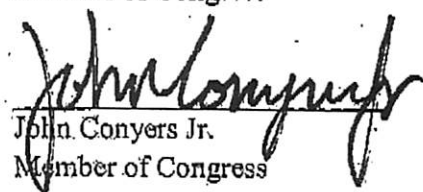
Daniel W. Lipinski
Member of Congress



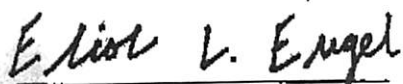
Jan Schakowsky
Member of Congress



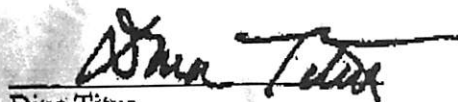
Luis V. Guterrez
Member of Congress



John Conyers Jr.
Member of Congress



Eliot Engel
Member of Congress



Dina Titus
Member of Congress



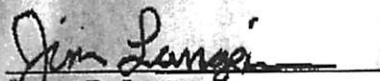
Suzan DelBene
Member of Congress



Mike Quigley
Member of Congress



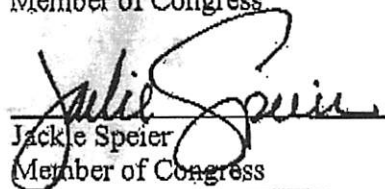
Doris Matsui
Member of Congress



James R. Langevin
Member of Congress




Paul D. Tonko
Member of Congress



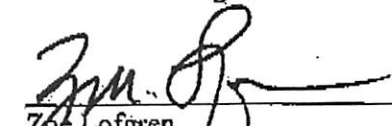
Jackie Speier
Member of Congress



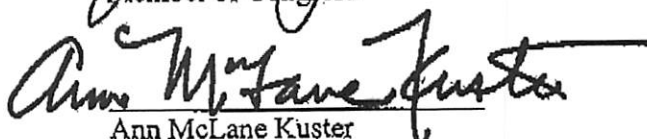
John K. Delaney
Member of Congress



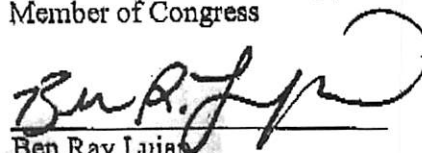
Yvette Clarke
Member of Congress



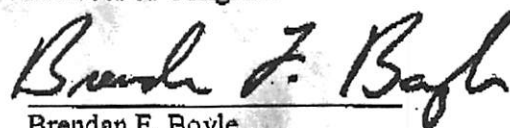
Zoe Lofgren
Member of Congress



Ann McLane Kuster
Member of Congress



Ben Ray Lujan
Member of Congress



Brendan F. Boyle
Member of Congress