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To: Randal_Bowman@ios.doi.gov
Subject: DCN: EST-00002780 - Antiquities Act
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Tasked to OCL.

Congress of the United States

Washington, DC 20510

May 25, 2017

The Honorable Ryan Zinke
Secretary
c/o Mr. Micah Chambers
Acting Director, Office of Congressional and Legislative Affairs
U.S. Department of Interior
1849 C Street, NW
Washington, DC 20240

Dear Mr. Secretary:

We write you in response to your May 12, 2017 letter requesting congressional input regarding executive action(s) to be taken pursuant to President Donald J. Trump's April 26, 2017 Executive Order 13792 (the Order), which charges you with the task of a thorough review of national monuments created under the Antiquities Act—specifically, those designated since January 1, 1996 with footprints greater than 100,000 acres.

As a united delegation, we would like to begin by thanking you and the President for this long overdue Order, which begins a critical examination of previously designated national monuments and establishes a new precedent for future monument proclamations. Our support rests upon a shared view that this action represents a significant step in addressing decades of Antiquities Act abuses, which have occurred time and time again against the will of the people, at great expense to regional prosperity, and contrary to the original intent of Congress when it delegated this authority to the President.

We applaud your review because our home state of Utah has repeatedly fallen victim to overreaching use of the Antiquities Act—a law that has become a tool of political advocacy rather than public interest. As you well know, the original intent of the Antiquities Act was to identify and protect objects of “historic or scientific interest” that are “limited to the smallest area compatible” with protection thereof. Regrettably, as you mentioned in your remarks, this guidance has become, “the exception, rather than the rule,” and many of Utah’s most rural and remote communities have suffered as a result.

Under the guise of protecting our nation’s antiquities, massive restrictions in access to our public lands discount Congressional intent. Congress—which holds sole authority under the Constitution to manage federal lands—granted the President only narrow authority to designate national monuments, specifically to protect objects of antiquities, such Native American burial grounds, relics, and artifacts. Designating massive monuments that are larger than some states is a gross abuse of executive power.

Unfortunately, these colossal abuses have soured the appetite for national monument designations, making the Antiquities Act synonymous with overreach rather than a tool to be celebrated for protecting our national heritage. Restoring the legitimacy of Antiquities Act authority in the eyes of the public requires a responsible and collaborative approach to monument designations—an approach that takes into account the needs of local communities and restores trust between states and the federal government.

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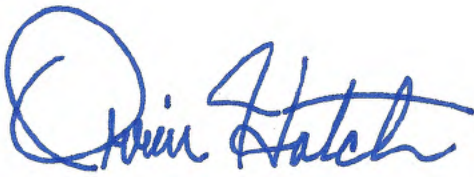
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We stand unified in our recommendation for a full rescission of Utah's most excessive monuments. Know that, as you conclude your review, you have our full support. We trust that your process will be fair, responsible, and thorough. To be clear, our top priority is the establishment of a new precedent for designating national monuments—one that corrects past abuses and remains consistent with the original intent of the Antiquities Act by limiting monument designations to the smallest area compatible with the protection of the antiquities within.

We welcome the review of the monuments in our state that failed to properly take into account the views of the most impacted local communities. We appreciate you taking the time to meet with a wide array of various stakeholders in Utah during your most recent visit, and we stand ready to support you as you finalize your review.

Sincerely,



Orrin G. Hatch
U.S. Senator



Mike Lee
U.S. Senator



Rob Bishop
Member of Congress



Jason Chaffetz
Member of Congress



Chris Stewart
Member of Congress



Mia Love
Member of Congress