

113TH CONGRESS  
2D SESSION

# S. 2608

To provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 15, 2014

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improved National  
5 Monument Designation Process Act”.

1 **SEC. 2. DESIGNATION OF NATIONAL MONUMENTS.**

2 The Act of June 8, 1906 (commonly known as the  
3 “Antiquities Act of 1906”) (16 U.S.C. 431 et seq.), is  
4 amended—

5 (1) in section 2 (16 U.S.C. 431)—

6 (A) by striking “**SEC. 2.** That the Presi-  
7 dent is hereby authorized, in his discretion to”  
8 and inserting the following:

9 **“SEC. 2. DESIGNATION OF NATIONAL MONUMENTS.**

10 “(a) IN GENERAL.—After obtaining congressional  
11 approval of the proposed national monument and certi-  
12 fying compliance with the National Environmental Policy  
13 Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the  
14 proposed national monument and subject to subsection  
15 (b), the President may”; and

16 (B) by adding at the end the following:

17 “(b) REQUIREMENTS FOR DECLARATION OF MARINE  
18 NATIONAL MONUMENTS.—

19 “(1) DEFINITION OF EXCLUSIVE ECONOMIC  
20 ZONE.—In this subsection, the term ‘exclusive eco-  
21 nomic zone’ means the zone established by Procla-  
22 mation Number 5030, dated March 10, 1983 (16  
23 U.S.C. 1453 note).

24 “(2) REQUIREMENTS.—The President may not  
25 declare any area of the exclusive economic zone to  
26 be a national monument unless—

1           “(A) the declaration is specifically author-  
2           ized by an Act of Congress;

3           “(B) the President has submitted to the  
4           Governor of each State and each territory, any  
5           part of which is located within 100 nautical  
6           miles of the proposed national monument, a  
7           proposal to make the declaration;

8           “(C) the Governor of each State and terri-  
9           tory described in subparagraph (B) submits to  
10          the President notice that the legislature of the  
11          State or territory has approved the proposal  
12          submitted under that paragraph; and

13          “(D) the declaration is substantially the  
14          same as the proposal submitted under subpara-  
15          graph (B).”; and

16          (2) by adding at the end the following:

17       **“SEC. 5. RESTRICTIONS ON PUBLIC USE.**

18       “The Secretary of the Interior, or the Secretary of  
19       Commerce, with respect to any area of the exclusive eco-  
20       nomic zone (as defined in section 2(b)(1)) designated as  
21       a national monument, shall not implement any restrictions  
22       on the public use of a national monument until the expira-  
23       tion of an appropriate review period (as determined by the  
24       Secretary of the Interior or the Secretary of Commerce,

1 as applicable) providing for public input and congressional  
2 approval.”.

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