

Background on

“Improved National Monument Designation Process Act”

- The Obama Administration’s recent announcement to expand the scope and boundaries of the Pacific Remote Islands Marine National Monument (from 77,020 to more than 782,000 square miles) is a stark reminder of the sweeping, unilateral actions that the executive branch can take.
- There are already 109 National Monuments in the U.S., ranging in size from 0.0074 acres for the Father Millett Cross National Monument in New York, to 139,797 square miles for the Papahānaumokuākea Marine National Monument in Hawaii.
- Despite strong concerns raised by diverse stakeholders, the Executive Branch is showing increasing interest in establishing new National Monuments, or substantially expanding existing boundaries.
- This bill would amend the Antiquities Act of 1906 (16 U.S.C. 431 *et seq.*) to require:
 - Congressional approval prior to designation of any National Monument; and
 - Application of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) to any proposed National Monument.
- With respect to any National Monument proposed within the exclusive economic zone as defined by Proclamation Number 5030 (16 U.S.C. note), the bill would require:
 - Specific authorization by an Act of Congress;
 - Approval by each State legislature within 100 miles of the proposed National Monument; and
 - A stakeholder review process prior to the implementation of any restrictions on public uses within the designated area.