

FACT SHEET

Executive Order: Reviewing Abuses of the Antiquities Act of 1906

BACKGROUND

- The Antiquities Act of 1906, (Pub. L. 59–209, 34 Stat. 225, 54 U.S.C. § 320301–320303), is an act of Congress, signed into law by Theodore Roosevelt on June 8, 1906. The Act grants the President the authority to designate as national monuments “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest” on federal lands.
- Concerned about potential federal overreach, Congress limited monument designations to the “smallest area compatible with proper care and management of the objects to be protected.”
- The Act was first used in 1906 to designate Devils Tower National Monument on 1,193.9 acres in Wyoming. Since 1906, 16 Presidents have designated more than 185 monuments covering more than 747 million acres of land and marine areas.
- The President’s authority under the Act is subject to few procedural constraints. There is no requirement for public input before the designation of a monument. There is also no National Environmental Policy Act requirement.

HISTORIC TRENDS

- The average size of monuments has exploded in recent decades. When the Act was first used in the early 1900s, the average size of a national monument was a mere 422 acres. Now it is common for a monument to be more than a million acres.
- President Obama designated more areas of land and water than any previous President. Added up, Obama has established or expanded land use limits on more than [550 million acres](#) (according to the Washington Post).
- The designations of the Grand Staircase-Escalante National Monument (GSENM) in 1996 and the Bears Ears National Monument (BENM) in 2016 represent the book-ends of modern Antiquities Act overreach.

LOCAL CONCERN: Abuse of the Antiquities Act

- Over the last ten years in particular, the Antiquities Act has been used to designate tens of millions of acres of land and marine areas, putting these areas “off limits” for traditional multiple-uses like farming, ranching, timber harvest, mining, oil and gas exploration, fishing, and motorized recreation.
- Designating too much land for a national monument harms the economies of communities near the affected land by eliminating grazing, timber harvesting, and mining opportunities.
- President Obama designated more areas of land and water ([550 million acres](#)) than any previous President. This was often done over the opposition of states, counties, and local officials.

EXECUTIVE ORDER: Reviewing Abuses of the Antiquities Act of 1906

The Antiquities Act of 1906 authorizes the president to declare federal lands of historic or scientific value to be “National Monuments” and thereby restrict the types of uses to which those lands can be put. Past administrations have overused this power and designated large swaths of land well beyond the areas in need of protection. The Antiquities Act Executive Order directs the Department of the Interior to review prior monument designations and suggest legislative changes or modifications to the monument proclamations.

- The Executive Order directs the Department of the Interior to review monuments designated using the Antiquities Act since January 1, 1996, that are in excess of 100,000 acres, or that were expanded without adequate public outreach and coordination with relevant stakeholders.
- There are 24 DOI-managed national monuments that were designated within the past 21 years. (full list of reviewable monument designations attached)
- What the Executive Order does:
 - Directs the Secretary of the Interior to conduct a review of monuments designated in the last 21 years that are more than 100,000 acres or that were designated with insufficient input from affected communities.
 - Directs the Secretary of the Interior to make recommendations to the President on whether a monument should be rescinded or resized.
 - Directs the Secretary of the Interior to consult and coordinate with, as appropriate, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Energy, the Secretary of Homeland Security, and the heads of any other executive departments or agencies concerned with areas designated under the Act.
 - Directs the Secretary of the Interior to consult and coordinate with the Governors of States affected by monument designations or other relevant officials of affected State, Tribal, and local governments.
 - Directs the Secretary of the Interior to provide an interim report to the President within 45 days of the date of the order.
 - Directs the Secretary of the Interior to provide a final report to the President within 120 days of the date of the order.
- What the Executive Order does not do:
 - It does NOT strip any monument of a designation.
 - It does NOT loosen any environmental or conservation regulations on any land or marine areas.

Monument	Location	Year	Acreage
Papahānaumokuākea Marine National Monument	Pacific Ocean	2006/2016	89,600,000.00
Marianas Trench Marine National Monument	Pacific Ocean	2009	60,938,240.00
Pacific Remote Islands Marine National Monument	Pacific Ocean	2009	55,608,320.00
Rose Atoll Marine National Monument		2009	8,609,045.00
World War II Valor in the Pacific National Monument	Hawaii, Alaska, California	2008	4,038,400.00
Northeast Canyons & Seamounts Marine National Monument	Atlantic Ocean/Massachusetts	2016	3,144,320.00
Grand Staircase-Escalante National Monument	Utah	1996	1,700,000.00
Mojave Trails National Monument	California	2016	1,600,000.00
Bears Ears National Monument	Utah	2016	1,353,000.00
Grand Canyon-Parashant National Monument	Arizona	2000	1,014,000.00
Basin and Range National Monument	Nevada	2015	703,585.00
Organ Mountains-Desert Peaks National Monument	New Mexico	2014	496,330.00
Sonoran Desert National Monument	Arizona	2001	486,149.00
Upper Missouri River Breaks National Monument	Montana	2001	377,346.00
Berryessa Snow Mountain	California	2015	330,780.00
Giant Sequoia National Monument	California	2000	327,769.00
Gold Butte National Monument	Nevada	2016	296,937.00
Vermilion Cliffs National Monument	Arizona	2000	279,568.00
Rio Grande del Norte National Monument	New Mexico	2013	242,555.00
Carrizo Plain National Monument	California	2001	204,107.00
Hanford Reach National Monument	Washington	2000	194,450.93
Canyons of the Ancients National Monument	Colorado	2000	175,160.00
Sand to Snow National Monument	California	2016	154,000.00
Ironwood Forest National Monument	Arizona	2000	128,917.00