

106TH CONGRESS
1ST SESSION

H. R. 1487

To provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1999

Mr. HANSEN introduced the following bill; which was referred to the Committee on Resources

A BILL

To provide for public participation in the declaration of national monuments under the Act popularly known as the Antiquities Act of 1906.

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 “National Monument
5 NEPA Compliance Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) National monument designations, when
9 done properly, are an important method of pre-

1 serving historic landmarks, and objects and antiq-
2 uities of historic or scientific interest.

3 (2) Because national monuments affect the peo-
4 ple of the United States, it is important for the pub-
5 lic to have an opportunity to participate in the na-
6 tional monument designation process.

7 (3) Requiring the President to comply with re-
8 quirements of the National Environmental Policy
9 Act of 1969 in designating national monuments
10 would help insure that national monument designa-
11 tions are in the public interest and that the public
12 has an opportunity to participate in the designation
13 process.

14 **SEC. 3. COMPLIANCE WITH NATIONAL ENVIRONMENTAL**
15 **POLICY ACT OF 1969 IN DECLARING NA-**
16 **TIONAL MONUMENTS.**

17 Section 2 of the Act of June 8, 1906 (34 Stat. 225,
18 16 U.S.C. 431; popularly known as the Antiquities Act
19 of 1906), is amended—

20 (1) by striking “That the President of the
21 United States is hereby authorized, in his discretion,
22 to” and inserting “(a) IN GENERAL.—The Presi-
23 dent, subject to subsections (b) and (c), may”; and

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

1 “(b) COMPLIANCE WITH NATIONAL ENVIRON-
2 MENTAL POLICY ACT OF 1969.—

3 “(1) IN GENERAL.—For purposes of section
4 102 of the National Environmental Policy Act of
5 1969 (42 U.S.C. 4332), a declaration by the Presi-
6 dent under this Act of an area to be national monu-
7 ment shall be treated as—

8 “(A) an action by an agency of the Federal
9 Government; and

10 “(B) a major Federal action significantly
11 affecting the quality of the human environment.

12 “(2) PREPARATION OF ENVIRONMENTAL IM-
13 PACT STATEMENT.—The President shall direct the
14 Secretary of the Interior to prepare the environ-
15 mental impact statement required under section 102
16 of the National Environmental Policy Act of 1969
17 (42 U.S.C. 4332; in this section referred to as a
18 ‘monument impact statement’) for any declaration of
19 a national monument under this section.

20 “(3) PUBLIC REVIEW AND COMMENT.—(A) The
21 Secretary shall provide sufficient time for the public
22 to review and comment on each monument impact
23 statement, including—

1 “(i) at least 6 months to review and com-
2 ment on the draft monument impact statement;
3 and

4 “(ii) 4 months to review and comment on
5 the final monument impact statement before
6 the issuance of the record of decision for the
7 monument impact statement.

8 “(B) The Secretary shall also hold appropriate
9 public hearings, on the record, during all phases of
10 preparation of the monument impact statement, in-
11 cluding during scoping.

12 “(C) The President may not declare a national
13 monument before the expiration of the 30-day period
14 beginning on the date on which the record of deci-
15 sion for the monument impact statement is issued.

16 “(c) PROTECTION OF RESOURCES DURING DELIB-
17 ERATIONS.—

18 “(1) IN GENERAL.—If directed by the Presi-
19 dent, the Secretary shall make an emergency with-
20 drawal of lands under section 204(e) of the Federal
21 Land Management and Policy Act of 1976 (43
22 U.S.C. 1714(e)) to protect resources on the lands
23 during deliberations on a proposal to declare the
24 lands to be a national monument. The area of the
25 lands withdrawn shall be no larger than the smallest

1 area compatible with the proper care and manage-
2 ment of the objects to be protected by the monument
3 designation.

4 “(2) 24-MONTH LIMITATION.—The duration of
5 a withdrawal under this subsection shall not exceed
6 24 months.”.

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