



## H.R. 382 – The Preserve Land Freedom for Americans Act

### Summary:

- H.R. 382, the *Preserve Land Freedom for Americans Act*, would require approval by a state's legislature and governor prior to the proclamation of a National Monument by the President through his *Antiquities Act* authority. H.R. 382 would also require state approval and a public review period prior to the implementation of any restrictions on the public use of a National Monument.

### About the *Antiquities Act*:

- Originally enacted to protect often-vandalized archeological sites, the *Antiquities Act of 1906* authorizes the President to unilaterally proclaim National Monuments provided they are "confined to the smallest area compatible with proper care and management."

### Why Reform is Needed:

- Local citizens and state governments should have a voice in the process of re-designating federal lands within their boundaries. The public, democratic process of garnering state approval and soliciting public input, outlined in the *Preserve Land Freedom for Americans Act*, is the best way to ensure oversight and limit unilateral federal land grabs.
- Since 1906, over 130 National Monuments of varying sizes have been proclaimed by 16 Presidents. Many of these National Monuments, such as two massive monuments – spanning more than 10 million acres – proclaimed by President Carter, and two – spanning more than one million acres – created by President Clinton, clearly appear to challenge the *Antiquities Act's* "smallest area" requirement.
- Nearly all of the 630+ million acres of federal land are available for the President to designate as National Monuments without any required local input or analysis.
- Public access to National Monuments is frequently restricted, particularly for certain recreational uses, energy development, grazing, and other job creation purposes.
- In 2010, a Bureau of Land Management [memo](#) leaked exposing plans by the Obama Administration to unilaterally designate at least 13 million acres across eleven Western states as national monuments. Strong congressional oversight in the immediate wake delayed Executive action.
- On March 25, 2013, however, the President designated five new National Monuments, including two from the leaked memo. The larger of the two, the Rio Grande del Norte National Monument, is over 240,000 acres and was designated without adequate public input. There have also been new proposals for a National Monument in Utah totaling over 1.4 million acres.

### Support for H.R. 382:

- 28 Members of the House of Representatives have cosponsored H.R. 382.
- Ten National Motorized Recreation Organizations sent a letter of support for H.R. 382.
- Similar language to H.R. 382 offered by Rep. Foxx as an amendment to H.R. 4089, the Sportsmen's Heritage Act, passed the House with bipartisan support on April 17<sup>th</sup>, 2012.