

105TH CONGRESS  
1ST SESSION

# S. 477

To amend the Antiquities Act to require an Act of Congress and the consultation with the Governor and State legislature prior to the establishment by the President of national monuments in excess of 5,000 acres.

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## IN THE SENATE OF THE UNITED STATES

MARCH 19, 1997

Mr. HATCH (for himself and Mr. BENNETT) 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 amend the Antiquities Act to require an Act of Congress and the consultation with the Governor and State legislature prior to the establishment by the President of national monuments in excess of 5,000 acres.

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       Fairness Act of 1997”.

1 **SEC. 2. CONSULTATION WITH THE GOVERNOR AND STATE**  
2 **LEGISLATURE.**

3 Section 2 of the Act of June 8, 1906, commonly re-  
4 ferred to as the “Antiquities Act” (34 Stat. 225; 16  
5 U.S.C. 432) is amended by adding the following at the  
6 end thereof: “A proclamation under this section issued by  
7 the President to declare any area in excess of 5,000 acres  
8 to be a national monument shall not be final and effective  
9 unless and until the Secretary of the Interior submits the  
10 Presidential proclamation to Congress as a proposal and  
11 the proposal is passed as a law pursuant to the procedures  
12 set forth in article 1 of the United States Constitution.  
13 Prior to the submission of the proposed proclamation to  
14 Congress, the Secretary of the Interior shall consult with  
15 and obtain the written comments of the Governor of the  
16 State in which the area is located. The Governor shall have  
17 90 days to respond to the consultation concerning the  
18 area’s proposed monument status. The proposed procla-  
19 mation shall be submitted to Congress 90 days after re-  
20 ceipt of the Governor’s written comments or 180 days  
21 from the date of the consultation if no comments were re-  
22 ceived.”.

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