

House Engrossed

urging Congress; Antiquities Act; repeal

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HOUSE CONCURRENT MEMORIAL 2008**

A CONCURRENT MEMORIAL

URGING THE UNITED STATES CONGRESS AND PRESIDENT TO REPEAL OR AMEND THE  
ANTIQUITIES ACT OF 1906.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 To the President and Congress of the United States of America:

2 Your memorialist respectfully represents:

3 Whereas, the Antiquities Act of 1906 (Antiquities Act) directs the  
4 President of the United States to limit the designation of national  
5 monuments to the smallest area compatible with the proper care and  
6 management of the objects to be protected; and

7 Whereas, the Antiquities Act is inconsistent with the principles of  
8 a government by and for the people; and

9 Whereas, the Antiquities Act was intended to preserve only historic  
10 landmarks, historic and prehistoric structures and other objects of  
11 historic or scientific interest; and

12 Whereas, the Antiquities Act has been misused repeatedly to set  
13 aside enormous parcels of real property; and

14 Whereas, 46% of all land in the coterminous Western States is  
15 already under federal management, and the majority of Arizona's lands are  
16 restricted from public access and recreation; and

17 Whereas, the establishment in 1996 of the Grand Staircase-Escalante  
18 National Monument in southern Utah set aside 1.7 million acres of land  
19 despite the objections of public officials in the State of Utah, making it  
20 the largest national monument in the continental United States; and

21 Whereas, in 2017, Grand Staircase-Escalante National Monument and  
22 Bears Ears were reduced by 50% and 85%, respectively; and

23 Whereas, the 2021 overreaching restoration of the Grand  
24 Staircase-Escalante National Monument and Bears Ears will result in the  
25 loss of significant economic resources for the public schools and the  
26 taxpayers of the State of Utah; and

27 Whereas, this designation clearly violates the spirit and letter of  
28 the Antiquities Act, which requires monument lands to "be confined to the  
29 smallest area" necessary to preserve and protect historical areas or  
30 objects; and

31 Whereas, the greatest threat to the lands of Arizona is the  
32 intrusion and overreach of the federal government, including the  
33 economically harmful 30x30 initiative, which will only further prevent  
34 Arizona from deciding what is best for its citizens; and

35 Whereas, land is a significant asset for states, and the President  
36 and the United States Congress should repeal the Antiquities Act or at the  
37 very least amend it to require congressional approval of, as well as state  
38 and local approval and consent of, any future monument of federal  
39 designation.

40 Wherefore your memorialist, the House of Representatives of the State of

41 Arizona, the Senate concurring, prays:

42 1. That the United States Congress act by repealing the Antiquities  
43 Act of 1906 or amending it to reaffirm that entire landscapes, animate  
44 life, such as birds and mammals, and common plants and vegetation not be  
45 considered landmarks, structures or objects under federal law.

- 1           2. That any proclamation made by the President of the United States  
2 be stated publicly and shall specifically name and describe the location  
3 of each landmark, structure and object to be protected.
- 4           3. That the limitation on extending or establishing a national  
5 monument, which requires the express authorization of Congress and is  
6 currently offered only to the State of Wyoming, be offered to all Western  
7 States.
- 8           4. That no new national monument or federal reservation or  
9 expansion of an existing national monument or federal reservation be  
10 established in Arizona, unless with:
- 11           (a) The express authorization of the Arizona State Legislature  
12 while in session.
- 13           (b) The express authorization of the members of the county board of  
14 supervisors in all the counties that would be impacted by the monument or  
15 reservation.
- 16           5. That the Secretary of State of the State of Arizona transmit  
17 copies of this Memorial to the President of the United States, the  
18 President of the United States Senate, the Speaker of the United States  
19 House of Representatives and each Member of Congress from the State of  
20 Arizona.

PASSED BY THE HOUSE FEBRUARY 28, 2024.

PASSED BY THE SENATE APRIL 1, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 2, 2024.