

.....
(Original Signature of Member)

113TH CONGRESS
1ST SESSION

H. R. _____

To ensure that the National Environmental Policy Act of 1969 applies to the declaration of national monuments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on _____

A BILL

To ensure that the National Environmental Policy Act of 1969 applies to the declaration of national monuments, and for other purposes.

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 “Ensuring Public In-
5 volvement in the Creation of National Monuments Act”.

1 **SEC. 2. NEPA APPLICABILITY TO NATIONAL MONUMENT**

2 **DECLARATIONS.**

3 Section 2 of the Act of June 8, 1906 (16 U.S.C. 431;
4 commonly known as the “Antiquities Act of 1906”) is
5 amended—

6 (1) by striking “That the President” and in-
7 serting the following:

8 “(a) That the President”;

9 (2) by striking “discretion, to declare” and in-
10 serting “discretion, subject to the National Environ-
11 mental Policy Act of 1969 (42 U.S.C. 4321 et seq.),
12 to declare”;

13 (3) by inserting before the final period the fol-
14 lowing “. No more than one declaration shall be
15 made in a State during any presidential four-year
16 term of office without an express Act of Congress”;
17 and

18 (4) by adding at the end the following:

19 “(b) A declaration under this section shall—

20 “(1) not include private property without the
21 informed written consent of the owner of the private
22 property affected by the declaration;

23 “(2) be considered a major Federal action
24 under the National Environmental Policy Act of
25 1969 (42 U.S.C. 4321 et seq.), if it affects more
26 than 5,000 acres;

1 “(3) be categorically excluded under the Na-
2 tional Environmental Policy Act of 1969 (42 U.S.C.
3 4321 et seq.) and expire three years after the date
4 of the declaration (unless specifically designated as
5 a monument by Federal law), if it affects 5,000
6 acres or less; and

7 “(4) be followed by a feasibility study that in-
8 cludes an estimate of the costs associated with man-
9 aging the monument in perpetuity, including any
10 loss of Federal and State revenue, which shall be
11 submitted to the Committee on Natural Resources of
12 the House of Representatives and the Committee on
13 Energy and Natural Resources of the Senate and
14 made available on the website of the Department of
15 the Interior not later than one year after the date
16 of the declaration.”.