

STATE OF ALASKA  
THE LEGISLATURE

1998

Source  
HJR 39

Legislative  
Resolve No.  
47



Urging the United States Congress to enact legislation that prohibits the President of the United States from extending or establishing national monuments without the express authorization of the Congress.

---

**BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

**WHEREAS** the Antiquities Act of 1906 (16 U.S.C. 431 - 433) grants authority to the President of the United States to establish national monuments; and

**WHEREAS** the Antiquities Act was intended to preserve only historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest; and

**WHEREAS** the Antiquities Act has been misused repeatedly to set aside enormous parcels of real property; and

**WHEREAS** the establishment in 1996 of the Grand Staircase-Escalante National Monument in southern Utah set aside 1,700,000 acres of land, despite the objections of public officials in the State of Utah, making it the largest national monument in the continental United States; and

**WHEREAS** this designation clearly violates the spirit and letter of the Antiquities Act that requires monument lands to "be confined to the smallest area" necessary to preserve and

protect historical areas or objects; and

**WHEREAS** the creation of the Grand Staircase-Escalante National Monument has resulted in the loss of significant economic resources for the public schools and the taxpayers of the State of Utah; and

**WHEREAS** the power to establish national monuments can be checked only in limited circumstances; and

**WHEREAS**, in 1950, the State of Wyoming obtained statutory relief from the further establishment of national monuments without the express authorization of the Congress (16 U.S.C. 431a);

**BE IT RESOLVED** that the Alaska State Legislature respectfully requests that the United States Congress enact legislation prohibiting the President of the United States from further extending or establishing national monuments without the express authorization of the Congress; and be it

**FURTHER RESOLVED** that the Alaska State Legislature encourages the Governor to take action to encourage the federal government to provide the state with statutory relief from the establishment of national monuments in Alaska.

**COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the United States; the Honorable Al Gore, Jr., Vice-President of the United States and President of the U.S. Senate; the Honorable Strom Thurmond, President Pro Tempore of the U.S. Senate; the Honorable Trent Lott, Majority Leader of the U.S. Senate; the Honorable Thomas Daschle, Minority Leader of the U.S. Senate; the Honorable Newt Gingrich, Speaker of the U.S. House of Representatives; the Honorable Dick Arney, Majority Leader of the U.S. House of Representatives; the Honorable Richard A. Gephardt, Minority Leader of the U.S. House of Representatives; the Honorable Orin Hatch and the Honorable Robert Bennett, U.S. Senators of the Utah delegation; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.