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Monument Proclamations Under Executive Order Review: Comparison of Selected Provisions

-name redacted-

Specialist in Natural Resources Policy

-name redacted-

Senior Research Librarian

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Monument Proclamations Under Executive Order Review: Comparison of Selected Provisions

The Antiquities Act of 1906 (54 U.S.C. §§320301-320303) authorizes the President to proclaim national monuments on federal lands that contain “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.” The President is to reserve “the smallest area compatible with the proper care and management of the objects to be protected.” From 1906 to date, Presidents have established 157 monuments and have enlarged, diminished, or otherwise modified previously proclaimed monuments. Presidential establishment of monuments has sometimes been contentious, based on the size of the areas and types of resources protected; the effects of monument designation on land uses; and the lack of requirements for public participation, congressional and state approval, and environmental review, among other issues.

On April 26, 2017, President Trump issued an executive order requiring the Secretary of the Interior to review national monuments established or expanded by presidential proclamation since 1996 that meet certain criteria. The review arises in the context of current controversy over the President’s monument authority and is to determine conformance of monument designation with a policy set out in the executive order. On May 5, 2017, the Department of the Interior (DOI) identified 27 national monuments that would be reviewed. One of the 27 monuments, Katahdin Woods and Waters National Monument, is under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument. The other 26 monuments are under review because the size at establishment or after expansion exceeded 100,000 acres. Of these 26 monuments, 5 are marine based and 21 are land based. The Secretary is to issue a final report on the review of monuments within 120 days of the issuance of the executive order—August 24, 2017. In his final report, the Secretary is to include recommendations for presidential actions, legislative proposals, or other actions. Congress has authority to alter the President’s authority to proclaim monuments and to establish, abolish, or amend monuments (including regulating uses of monument lands).

To facilitate congressional decisionmaking and oversight of national monuments, including consideration of uses of monument lands, this report provides a compilation and summary of provisions of proclamations for the 21 land-based monuments with sizes exceeding 100,000 acres. It focuses on provisions related to six topics important in the debate on national monuments: energy, livestock grazing, use of motorized and non-motorized mechanized vehicles, timber, hunting and fishing, and tribes. These provisions are summarized to provide an overview of their emphasis and variation, and the verbatim text of the pertinent provisions is provided in six separate tables. An analysis of monument proclamations in the context of other authorities would be necessary to determine the extent to which activities are authorized on particular lands and the effect (if any) on changes in land management on the ground.

The proclamations for the 21 national monuments generally bar new mineral and geothermal leases, mining claims, and prospecting or exploration activities, subject to valid existing rights. For all but one of the 21 monuments—Sand to Snow—the proclamations address livestock grazing. They typically express that legal authorities governing livestock grazing on agency lands also apply to lands within the monument. Most of the proclamations prohibit the use of motorized and non-motorized mechanized vehicles off-road except for emergency or administrative purposes. Only four of the monument proclamations address timber on monument lands, directly or possibly as part of language on vegetative management. The proclamations appear to recognize the primary authority of states to manage fish and wildlife, by generally specifying that the proclamations do not enlarge or diminish the jurisdiction of the relevant state with regard to fish and wildlife management. The proclamations for 14 of the 21 national monuments expressly state that they do not enlarge or diminish the rights of any Indian tribe.

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name redacted

Specialist in Natural Resources Policy
-re-acte--@crs.loc.gov

name redacted

Senior Research Librarian
-re-acte--@crs.loc.gov

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Introduction

The Antiquities Act of 1906 (54 U.S.C. §§320301-320303) authorizes the President to proclaim national monuments on federal lands that contain “historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest.” The President is to reserve “the smallest area compatible with the proper care and management of the objects to be protected.” The act does not further specify the process to be used by Presidents in proclaiming monuments. From 1906 to date, Presidents have established 157 monuments and have enlarged, diminished, or otherwise modified previously proclaimed monuments.

Presidential establishment of monuments sometimes has been contentious, based on the size of the areas and types of resources protected; the effects of monument designation on land uses; and the lack of requirements for public participation, congressional and state approval, and environmental review, among other issues. Congress continues to face a variety of national monument issues. Whether to establish, amend, or abolish national monuments is of current interest. Congress has broad authority to take these actions,¹ and it has exercised this authority on numerous occasions.² In establishing and amending national monuments, questions for Congress include the optimal size of the areas to be protected and the extent to which various land uses and activities will be allowed, barred, or restricted.³ Congress also oversees presidential exercise of authority to proclaim monuments and has considered measures to alter this authority.

Executive Review of Monuments

On April 26, 2017, President Trump issued an executive order requiring the Secretary of the Interior to review national monuments established or expanded by Presidents since 1996.⁴ The order requires review of national monuments where the size at establishment or after expansion exceeded 100,000 acres or where the Secretary determines that the action was taken “without adequate public outreach and coordination with relevant stakeholders.” The Antiquities Act does not specifically require public outreach and coordination in monument designations. The executive order sets out a policy with regard to monument designation, including that designations are made “in accordance with the requirements and original objectives” of the Antiquities Act and “appropriately balance the protection of landmarks, structures, and objects against the appropriate use of Federal lands and the effects on surrounding lands and communities.” The review is to determine if the establishment or expansion of post-1996 monuments conforms to the policy in the executive order and to develop any recommendation for presidential actions, legislative proposals, or other actions to carry out the policy.

In a May 5, 2017, press release, the Department of the Interior (DOI) identified 27 national monuments that would be reviewed under the President’s executive order.⁵ One of the 27 monuments, Katahdin

¹ For a summary of congressional authority, as well as presidential authority with regard to national monuments, see CRS Report R44687, *Antiquities Act: Scope of Authority for Modification of National Monuments*, available to congressional clients upon request.

² For information on congressional actions on national monuments, including to establish, redesignate, and abolish monuments, see the website of the National Park Service at <https://www.nps.gov/archeology/sites/antiquities/MonumentsList.htm>.

³ For an overview of issues for Congress related to national monument designation, including effects on land uses, see CRS Report R41330, *National Monuments and the Antiquities Act*, by (name redacted).

⁴ Executive Order 13792, “Review of Designations Under the Antiquities Act,” April 26, 2017, at <https://www.whitehouse.gov/the-press-office/2017/04/26/presidential-executive-order-review-designations-under-antiquities-act>.

⁵ Department of the Interior (DOI), “Interior Department Releases List of Monuments Under Review, Announces First-Ever Formal Public Comment Period for Antiquities Act Monuments,” press release, May 5, 2017, at <https://www.doi.gov/pressreleases/interior-department-releases-list-monuments-under-review-announces-first-ever-formal>.

Woods and Waters National Monument, is under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument. The other 26 monuments are under review because the size at establishment or after expansion exceeded 100,000 acres. Five of the 26 monuments are marine based, and the Secretary of Commerce is taking the lead in reviewing these monuments. Twenty-one of the 26 monuments are land based, and the Secretary of the Interior is taking the lead in their review.

The Administration sought public comment on monuments under review through July 10, 2017. A total of 1,410,857 comments were received.⁶

On June 10, 2017, the Secretary of the Interior issued an interim report on one of the land-based monuments—Bears Ears National Monument. This report was due within 45 days of the issuance of the executive order.⁷ A final report on the secretarial review of monuments is due within 120 days of the issuance of the executive order—August 24, 2017.

Overview of Land-Based Monument Proclamations

This report provides a compilation and summary of provisions of monument proclamations that could facilitate congressional decisionmaking on monuments and oversight of presidential monument authority. As noted, in establishing and amending monuments, Congress can set the size of monument areas and regulate uses of monument lands. This report covers the 21 land-based national monuments established or expanded since 1996 in which the size exceeded 100,000 acres, which are being reviewed under President Trump’s executive order. Monument proclamations provide presidential direction on management of federal lands and resources within the monument boundaries. Although proclamations vary as to the number and type of topics covered, they typically address particular uses and activities on monument lands as well as management planning. This report focuses on provisions of proclamations related to six topics that have been important in the debate on national monuments: energy, livestock grazing, use of motorized and non-motorized mechanized vehicles,⁸ timber, hunting and fishing, and tribes. The major provisions on each of these topics are summarized to provide an overview of their emphasis and variation. An analysis of the impact (if any) on changes in land management on the ground resulting from the proclamations is beyond the scope of this report.

This report does not reflect more general provisions of the proclamations that may bear on the six topics discussed. As examples of the more general provisions, the proclamations typically “warn” against destroying or removing any “features” of the monument and make the monument the dominant reservation of the land without revoking existing reservations or withdrawals.⁹ The proclamations also usually establish the monuments subject to valid existing rights; this report addresses valid existing rights only in the context of the energy-related activities. An examination of the provisions on the six topics in the context of these more general provisions and the entirety of the proclamations might provide additional insights on monument management.

⁶ For information on the process for submitting public comments or to review comments submitted, see <https://www.regulations.gov/document?D=DOI-2017-0002-0001>.

⁷ A press release on the interim report is on the DOI website: DOI, “Secretary Zinke Submits 45-Day Interim Report on Bears Ears National Monument and Extends Public Comment Period,” press release, June 12, 2017, at <https://www.doi.gov/pressreleases/secretary-zinke-submits-45-day-interim-report-bears-ears-national-monument-and-extends>. The interim report is available at Darryl Fears and Juliet Eilperin, “Interior Secretary Recommends Trump Consider Scaling Back Bears Ears National Monument,” *Washington Post*, June 12, 2017, at https://www.washingtonpost.com/news/energy-environment/wp/2017/06/12/interior-secretary-recommends-delaying-a-final-decision-on-changing-bears-ears-national-monument/?utm_term=.5a936a8bd9c1.

⁸ The term *non-motorized mechanized vehicle* generally refers to a human-powered mechanical device, such as a bicycle.

⁹ A reservation dedicates or sets aside federal land for a specific purpose or program.

The summaries of provisions on the six topics are not intended to capture all textual differences (or nuances) in the language of the proclamations. For this purpose, the verbatim text of the pertinent provisions for the 21 monuments is provided in six separate tables. Monuments are listed in the tables in alphabetical order.

A few caveats about the tables deserve note. First, the tables provide the text of the provisions of monument proclamations, as noted, rather than characterizations or legal interpretations of the provisions. Second, although the tables may show differences in the text of provisions on a particular topic, these textual differences may not necessarily reflect differences in meaning. Third, the tables do not reflect other authorities pertaining to monument lands, such as laws, regulations, and agency land management plans. These other authorities govern use and protection of resources on agency lands, the development of land management plans, and public and other participation in agency decisionmaking, among other topics. The authorities vary from agency to agency, with Bureau of Land Management and Forest Service lands generally managed for multiple uses, Fish and Wildlife Service lands managed under a dominant use mission, and National Park Service lands governed by a dual-use mission.¹⁰ An analysis of the monument proclamations in the context of other authorities would be necessary to determine the extent to which activities are authorized on particular lands and the role of the public, states, and tribes in decisionmaking by the four agencies.

Topical Summary of Provisions of Land-Based Monument Proclamations

Energy

The proclamations for the national monuments generally bar new mineral and geothermal leases, mining claims, and prospecting or exploration activities, subject to valid existing rights.¹¹ This is typically accomplished by language to withdraw the lands within the monuments from entry, location, selection, sale, leasing, or other disposition under public land laws, including mining laws and mineral and geothermal leasing laws. A few of the proclamations contain exceptions. For instance, Canyons of the Ancients National Monument is to remain open for oil and gas leasing and development because most of the lands have already been leased and development is occurring, according to the proclamation. However, the Secretary of the Interior is authorized to issue new leases only for specified purposes. Another example is the proclamation for the San Gabriel Mountains National Monument, which allows for the disposal of materials under the Materials Act of 1947.¹²

In addition to the general protections for valid existing rights for land uses, the proclamations for three of the monuments—Canyons of the Ancients, San Gabriel Mountains, and Upper Missouri River Breaks—also specify how energy development or energy-related rights are to be managed. Although monument proclamations (at least since 1996) typically contain protections for valid existing rights, the extent to which monument designations may affect existing rights is not always clear. A common concern is that monument designation potentially could result in new constraints on development of existing mineral and energy leases, claims, and permits. Some fear that mineral exploration and extraction activities may have

¹⁰ For a brief description of each of the four agencies and the authorities under which they administer their lands, see CRS In Focus IF10585, *The Federal Land Management Agencies*, by (name redacted)

¹¹ Valid existing rights generally are determined with reference to the law under which the rights are alleged to have arisen, such as mining and mineral leasing laws. For example, the term “valid” has been interpreted by the Supreme Court in the context of a mine within a national monument as meaning there were valuable, workable deposits of ore present. *Cameron v. United States*, 252 U.S. 450 (1920).

¹² 30 U.S.C. §§ 601–604. The act allows for disposal of certain mineral and vegetative materials under specified conditions.

to adhere to a higher standard of environmental review, and may have a higher cost of mitigation, to ensure compatibility with the monument designation.

Several of the monument proclamations also contain provisions pertaining to facilities and/or rights-of-way, such as for pipelines, utilities, and other purposes. The extent to which such facilities or rights-of-way pertain to energy-related land uses or other activities, such as telecommunications, has not been analyzed for this report. The provisions vary across monuments. Some contain broad assertions that the proclamations are not to be construed as interfering with these structures and uses. As an example, the proclamation for the Sand to Snow National Monument states that it is not to be construed as interfering with the operation, maintenance, replacement, or modification of existing water resource, flood control, utility, pipeline, or telecommunication facilities; existing facilities may be expanded; and new facilities may be constructed—to the extent consistent with the proper care and management of monument resources. Other proclamations appear more restrictive. For instance, the proclamation for the Basin and Range National Monument states that no new rights-of-way for electric transmission or transportation will be authorized in the monument except as necessary for the care and management of the protected objects or for livestock grazing.¹³

Table 1 provides the energy-related provisions of the proclamations for the 21 national monuments. The table does not identify the extent to which there have been determinations of valid existing rights on monument lands or the status of any rights, such as if there is development activity under such rights or federal government efforts to buy out the rights.

Livestock Grazing

For all but one of the 21 monuments—Sand to Snow—the proclamations address livestock grazing. The most common language among the proclamations provides that legal authorities governing livestock grazing on agency lands also apply to lands within the monument.¹⁴ The precise text on this point varies among monuments. However, the proclamation for Ironwood Forest National Monument is an example: “Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument.” Some of the provisions within proclamations make explicit that the application of livestock grazing authorities is to be consistent with the care and management of objects in the monument that were identified for protection (e.g., Berryessa Snow Mountain).

For a couple of monuments, the proclamations appear to authorize grazing only under existing permits and leases at the time of monument designation. However, further research or analysis, such as of other authorities governing the lands at issue, might be needed to determine if grazing could be authorized under new permits and leases. For example, the proclamation for the Grand Staircase-Escalante National Monument provides that “[n]othing in this proclamation shall be deemed to affect existing permits or leases for, or levels of, livestock grazing on Federal lands within the monument; existing grazing uses shall continue to be governed by applicable laws and regulations other than this proclamation.” This proclamation does not expressly ban future permits and leases while affirming that existing permits and leases are unaffected by the proclamation.

¹³ Other rights-of-way may be authorized if consistent with the care and management of objects identified in the proclamation.

¹⁴ The proclamation expanding the Craters of the Moon National Monument identified the expansion area as 661,287 acres. Accompanying documents detailed that approximately 410,000 acres would be managed by the National Park Service (NPS), and 251,000 acres would be managed by the Bureau of Land Management (BLM). The proclamation provided that authorities governing livestock grazing on BLM lands would continue to apply to lands within the monument managed by BLM. It did not similarly provide for grazing on lands within the monument to be managed by the NPS. Unlike BLM lands, NPS lands are not generally open to and managed for livestock grazing, although livestock grazing is an authorized use in some NPS units.

Livestock grazing is prohibited in two of the monuments analyzed. It is banned in the Hanford Reach National Monument to protect the objects identified in the proclamation. Hanford Reach is managed by the Fish and Wildlife Service and the Department of Energy. Lands of these agencies are not generally open to and managed for livestock grazing. Livestock grazing is also barred in the Gold Butte National Monument, where livestock grazing has not been permitted since 1998, according to the proclamation.

A couple of monument proclamations condition or restrict livestock grazing. For example, in the Sonoran Desert National Monument, grazing permits in a particular area of the monument cannot be renewed, and grazing in another area could continue only if the managing agency determines grazing to be compatible with the protective purposes of the monument. In another example, the Secretary of the Interior is to study the impacts of livestock grazing on biological objects in the Cascade-Siskiyou National Monument. Existing grazing may continue with “appropriate terms and conditions.” If existing permit holders and leaseholders relinquish their permits and leases, the Secretary of the Interior can reallocate the forage only under specified conditions. If grazing is determined to be incompatible with protecting the biological objects in the monument, the Secretary of the Interior is to retire the grazing allotments. **Table 2** lists the livestock grazing provisions of the proclamations reviewed for this report.

Use of Motorized and Non-Motorized Mechanized Vehicles

All but one of the monument proclamations—Grand Staircase-Escalante National Monument—addresses the use of motorized vehicles on monument lands. All but two of the monument proclamations—Grand Staircase-Escalante and the San Gabriel Mountains—address the use of non-motorized mechanized vehicles on monument lands. Most of the proclamations prohibit the use of motorized and non-motorized mechanized vehicles off-road except for emergency or administrative purposes. This is accomplished by either a direct prohibition against using vehicles off-road (with the specified exceptions), or by limiting the use of vehicles to designated roads and/or trails. Some of the proclamations generally limit the use of motorized vehicles to roads existing at the time of monument designation (e.g., Basin and Range, Mojave Trails, and Sand to Snow), or roads designated as open at the time of monument designation (Gold Butte).

Many of the proclamations call for development of transportation or management plans to address motorized and non-motorized mechanized use of vehicles. Some of them require planning to designate roads and trails where motorized and/or non-motorized mechanized vehicles are allowed (e.g., Basin and Range, Bears Ears, Mojave Trails). Several proclamations require plans to address actions, including road closures or travel restrictions, necessary to protect objects in the monuments (e.g., Canyons of the Ancients, Carrizo Plain, Cascade-Siskiyou, Craters of the Moon, Ironwood Forest, San Gabriel Mountains, Sonoran Desert, Upper Missouri River Breaks, and Vermilion Cliffs).

A few proclamations authorize the Secretary to allow off-road areas to be open to motorized use, such as in the Cascade-Siskiyou expansion area (for snowmobiles and non-motorized mechanized use) and San Gabriel Mountains (for off-highway vehicle areas existing on the date of the proclamation). In contrast, a few of the proclamations direct or authorize certain areas to be closed, as for the Cascade-Siskiyou National Monument (for a particular road) and the Giant Sequoia National Monument (for trails after a specified date, prior to issuance of the management plan). **Table 3** identifies the provisions of monument proclamations on use of motorized and non-motorized mechanized vehicles for the 21 national monuments.

Timber

Relatively few of the monument proclamations address timber on monument lands. Specifically, the proclamations for the following four monuments address timber directly or possibly as part of language on vegetative management: Cascade-Siskiyou, Giant Sequoia, Grand Canyon-Parashant, and San Gabriel Mountains. The proclamation for the Cascade-Siskiyou National Monument bars the commercial harvest

of timber or other vegetative material except under certain conditions. Further, both Cascade-Siskiyou National Monument and Giant Sequoia National Monument ban the removal of trees, except under specified circumstances, and bar monument lands from being “considered to be suited for timber production” or used in determinations of sustained yield of timber. Giant Sequoia contains additional provisions on completion of timber sales under contract when the monument was proclaimed.

In the San Gabriel Mountains National Monument, the Secretary is authorized to carry out vegetative management treatments, with timber harvest and prescribed fire allowed only under certain circumstances. San Gabriel Mountains as well as Grand Canyon-Parashant also allow for the sale of vegetative materials under specified laws or conditions—for instance, if part of a science-based ecological restoration project in the case of Grand Canyon-Parashant.¹⁵ The extent to which vegetative sales might relate to timber versus other types of materials has not been determined for this report. **Table 4** identifies the timber-related provisions of the national monuments examined for this report. **Table 4** does not reflect provisions of several monument proclamations pertaining to the traditional collection of monument resources, such as vegetation, tree and forest products, firewood, seeds, and other natural materials.

Hunting and Fishing

The proclamations for the national monuments appear to recognize the primary authority of states to manage fish and wildlife. Proclamations for 20 of the monuments specify that they do not enlarge or diminish the jurisdiction of the relevant state with regard to fish and wildlife management, whereas the proclamation for Grand Staircase-Escalante references only “diminish.” For several monuments, these provisions on fish and wildlife management are included in broader statements regarding state jurisdiction. For example, the proclamation for Basin and Range National Monument states, “Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Nevada, including its jurisdiction and authority with respect to fish and wildlife management.” The proclamations for two of the monuments—Gold Butte and Grand Staircase-Escalante—explicitly say that the state authority regarding fish and wildlife management includes hunting and fishing. For instance, the proclamation for Gold Butte provides that “[n]othing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Nevada, including its jurisdiction and authority with respect to fish and wildlife management, including hunting and fishing.” **Table 5** provides the provisions on hunting and fishing as contained in the proclamations for the 21 national monuments.

Tribes

The proclamations for 14 of the 21 national monuments contain provisions pertaining to tribal (or Indian) rights, land uses, or roles in monument management. All 14 proclamations state that they do not enlarge or diminish the rights of any Indian tribe; two of the 14 (for Bears Ears and Gold Butte) reference both Indian “rights or jurisdiction.” Two of the proclamations, for Organ Mountains-Desert Peaks and Rio Grande del Norte, specify the rights of both Indian tribes and pueblos. Nine of the 14 proclamations also include language regarding protection of Indian sites and access to sites by members of Indian tribes for traditional cultural and customary uses,¹⁶ consistent with relevant authorities.¹⁷ The text of these protection provisions differs in a number of ways. For example, eight of the nine proclamations require protection by the relevant Secretary in consultation with Indian tribes, whereas the proclamation for the

¹⁵ For the San Gabriel Mountains National Monument, this authority stems from provisions of the Materials Act of 1947 on the disposal of materials.

¹⁶ The proclamations pertain to the following nine monuments: Basin and Range, Bears Ears, Berryessa Snow Mountain, Gold Butte, Mojave Trails, Organ Mountains-Desert Peaks, Rio Grande del Norte, Sand to Snow, and San Gabriel Mountains.

¹⁷ All nine proclamations cite the authorities as Executive Order 13007 of May 24, 1996 (Indian Sacred Sites), and all but San Gabriel Mountains also cite the American Indian Religious Freedom Act (42 U.S.C. 1996).

San Gabriel Mountains National Monument provides for the management plan to protect sites. Among other differences, the nine proclamations highlight different types of sites as protected (e.g., sacred, cultural, and/or religious), and some of them contain additional provisions on traditional collection of materials from monument lands.

The nine proclamations also require the relevant agency or department head to seek public input in the development of the monument management plan, including consultation with tribes (among other governments and entities). The proclamation for Bears Ears National Monument has additional provisions providing for tribal involvement. It establishes a Bears Ears Commission with members from several tribes “to provide guidance and recommendations on the development and implementation of management plans and on management of the monument.” The Secretary of Agriculture and the Secretary of the Interior are to “meaningfully engage” the commission or a successor entity composed of tribal government officers should the commission cease to exist. If the Secretaries decide not to incorporate recommendations of the commission (or comparable entity) in developing or revising management plans, the Secretaries are to provide a written explanation of their reasoning.

Bears Ears National Monument further directs the Secretaries to establish an advisory committee to provide information and advice on developing the management plan and, “as appropriate, management of the monument.” The membership of the advisory committee is to be drawn from tribes and a variety of other stakeholders. **Table 6** reflects the tribal-related provisions of the proclamations for the 21 national monuments.

Summary

The proclamations for the 21 national monuments generally bar new mineral and geothermal leases, mining claims, and prospecting or exploration activities, subject to valid existing rights. For all but one of the 21 monuments—Sand to Snow—the proclamations address livestock grazing. They typically express that legal authorities governing livestock grazing on agency lands also apply to lands within the monument. Most of the proclamations prohibit the use of motorized and non-motorized mechanized vehicles off-road except for emergency or administrative purposes. Only four of the monument proclamations address timber on monument lands, directly or possibly as part of language on vegetative management. The proclamations appear to recognize the primary authority of states to manage fish and wildlife. Twenty proclamations specify that they do not enlarge or diminish the jurisdiction of the relevant state with regard to fish and wildlife management, whereas one proclamation (for Grand Staircase-Escalante National Monument) references only “diminish.” The proclamations for 14 of the 21 national monuments state that they do not enlarge or diminish the rights of any Indian tribe. Nine of these 14 proclamations also include language regarding protection of Indian sites and access to sites by members of Indian tribes for traditional cultural and customary uses. This analysis of provisions of monument proclamations pertaining to land uses within monuments may be useful to Congress in establishing, amending, and overseeing national monuments and assessing presidential actions under the Antiquities Act.

Table I. Energy Related Provisions in Selected National Monument Proclamations

National Monuments	Energy Related Provisions (Taken Directly from Proclamations)
Basin and Range National Monument (Proc. #9297 – established)	<p>The establishment of the monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.</p> <p>Except as necessary for the care and management of the objects identified above or for the purpose of permitted livestock grazing, no new rights-of-way for electric transmission or transportation shall be authorized within the monument. Other rights-of-way may be authorized only if consistent with the care and management of the objects identified above.</p>
Bears Ears National Monument (Proc. #9558 – established)	<p>The establishment of the monument is subject to valid existing rights....^a</p> <p>All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws or laws applicable to the U.S. Forest Service, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.</p> <p>Nothing in this proclamation shall be construed to interfere with the operation or maintenance, or the replacement or modification within the current authorization boundary, of existing utility, pipeline, or telecommunications facilities located within the monument in a manner consistent with the care and management of the objects identified above.</p>
Berryessa Snow Mountain National Monument (Proc. #9298 – established)	<p>The establishment of the monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries described on the accompanying map are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws or laws applicable to the U.S. Forest Service, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that facilitates the remediation, monitoring, or reclamation of historic mining operations under applicable law or otherwise furthers the protective purposes of the monument.</p>

National Monuments**Energy Related Provisions (Taken Directly from Proclamations)**

Canyons of the Ancients National Monument

(Proc. #7317 – established)

The establishment of this monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral leasing, other than by exchange that furthers the protective purposes of the monument, and except for oil and gas leasing as prescribed herein.

Because most of the Federal lands have already been leased for oil and gas, which includes carbon dioxide, and development is already occurring, the monument shall remain open to oil and gas leasing and development; provided, the Secretary of the Interior shall manage the development, subject to valid existing rights, so as not to create any new impacts that interfere with the proper care and management of the objects protected by this proclamation; and provided further, the Secretary may issue new leases only for the purpose of promoting conservation of oil and gas resources in any common reservoir now being produced under existing leases, or to protect against drainage.

Carrizo Plain National Monument

(Proc. #7393 – established)

The establishment of this monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

Cascade-Siskiyou National Monument

(Proc. #7318 – established, Proc. #9564 – enlarged)

#7318: The establishment of this monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

#9564: The enlargement of the boundary is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries described on the accompanying map are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

National Monuments	Energy Related Provisions (Taken Directly from Proclamations)
Craters of the Moon National Monument (Proc. #7373 – enlarged)	<p>The establishment of this monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.</p>
Giant Sequoia National Monument (Proc. #7295 – established)	<p>The establishment of this monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from entry, location, selection, sale, leasing, or other disposition under the public land laws including, but not limited to, withdrawal from locating, entry, and patent under the mining laws and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.</p>
Gold Butte National Monument (Proc. #9559 – established)	<p>The establishment of the monument is subject to valid existing rights...^a</p> <p>All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.</p> <p>Consistent with the care and management of the objects identified above, nothing in this proclamation shall be construed to preclude the renewal or assignment of, or interfere with the operation, maintenance, replacement, modification, or upgrade within the physical authorization boundary of existing flood control, pipeline, and telecommunications facilities, or other water infrastructure, including wildlife water catchments or water district facilities, that are located within the monument. Except as necessary for the care and management of the objects identified above, no new rights-of-way shall be authorized within the monument.</p>
Grand Canyon-Parashant National Monument (Proc. #7265 – established)	<p>The establishment of this monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.</p>

National Monuments	Energy Related Provisions (Taken Directly from Proclamations)
Grand Staircase-Escalante National Monument (Proc. #6920 – established)	<p>The establishment of this monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from entry, location, selection, sale, leasing, or other disposition under the public land laws, other than by exchange that furthers the protective purposes of the monument.</p>
Hanford Reach National Monument (Proc. #7319 – established)	<p>The establishment of this monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.</p> <p>Nothing in this proclamation shall interfere with the operation and maintenance of existing facilities of the Columbia Basin Reclamation Project, the Federal Columbia River Transmission System, or other existing utility services that are located within the monument. Existing Federal Columbia River Transmission System facilities located within the monument may be replaced, modified and expanded, and new facilities constructed within the monument, as authorized by other applicable law. Such replacement, modification, expansion, or construction of new facilities shall be carried out in a manner consistent with proper care and management of the objects of this proclamation, to be determined in accordance with the management arrangements previously set out in this proclamation.</p>
Ironwood Forest National Monument (Proc. # 7320 – established)	<p>The establishment of this monument is subject to valid existing rights.</p> <p>All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.</p>

National Monuments**Energy Related Provisions (Taken Directly from Proclamations)**

Mojave Trails National Monument
(Proc. #9395 – established)

The establishment of the monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument or disposal for the limited purpose of providing materials for repairing or maintaining roads and bridges within the monument consistent with care and management of the objects identified above.

Nothing in this proclamation shall be construed to preclude the renewal or assignment of, or interfere with the operation or maintenance of, or with the replacement, modification, or upgrade within or adjacent to an existing authorization boundary of, existing flood control, utility, pipeline, or telecommunications facilities that are located within the monument in a manner consistent with the care and management of the objects identified above. Existing flood control, utility, pipeline, or telecommunications facilities located within the monument may be expanded, and new facilities may be constructed within the monument, but only to the extent consistent with the care and management of the objects identified above.

Organ Mountains-Desert Peaks
National Monument
(Proc. #9131 – established)

The establishment of the monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

Nothing in this proclamation shall be construed to preclude the Secretary from renewing or authorizing the upgrading of existing utility line rights-of-way within the physical scope of each such right-of-way that exists on the date of this proclamation. Other rights-of-way shall be authorized only if they are necessary for the care and management of the objects identified above. However, watershed restoration projects and small-scale flood prevention projects may be authorized if they are consistent with the care and management of such objects.

National Monuments**Energy Related Provisions (Taken Directly from Proclamations)**

Rio Grande del Norte National Monument

(Proc. #8946 – established)

The establishment of this monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land laws, including withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of this proclamation.

Nothing in this proclamation shall be construed to preclude the Secretary from renewing or authorizing the upgrading of existing utility line rights-of-way within the physical scope of each such right-of-way that exists on the date of this proclamation. Additional utility line rights-of-way or upgrades outside the existing utility line rights-of-way may only be authorized if consistent with the care and management of the objects identified above.

San Gabriel Mountains National Monument

(Proc. #9194 – established)

The establishment of this monument is subject to valid existing rights.... To the extent allowed by applicable law, the Secretaries of Agriculture and the Interior shall manage valid Federal mineral rights existing within the monument as of the date of this proclamation in a manner consistent with the proper care and management of the objects protected by this proclamation.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land or other Federal laws, including location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument, or disposition of materials under the Materials Act of 1947 in a manner that is consistent with the proper care and management of the objects protected by this proclamation.

Nothing in this proclamation shall be construed to interfere with the operation or maintenance, nor with the replacement or modification within the existing authorization boundary, of existing water resource, flood control, utility, pipeline, or telecommunications facilities that are located within the monument, subject to the Secretary of Agriculture's special uses authorities and other applicable laws. Existing water resource, flood control, utility, pipeline, or telecommunications facilities located within the monument may be expanded, and new facilities may be constructed within the monument, to the extent consistent with the proper care and management of the objects protected by this proclamation, subject to the Secretary of Agriculture's special uses authorities and other applicable law.

National Monuments**Energy Related Provisions (Taken Directly from Proclamations)**

Sand to Snow National Monument
(Proc. #9396 – established)

The establishment of the monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws or laws applicable to the U.S. Forest Service, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

Nothing in this proclamation shall be construed to interfere with the operation or maintenance, or with the replacement or modification within the existing authorization boundary, of existing water resource, flood control, utility, pipeline, or telecommunications facilities that are located within the monument. Existing water resource, flood control, utility, pipeline, or telecommunications facilities located within the monument may be expanded, and new facilities may be constructed within the monument, to the extent consistent with the proper care and management of the objects identified above.

Sonoran Desert National Monument
(Proc. #7397 – established)

The establishment of this monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

Upper Missouri River Breaks National Monument
(Proc. #7398 – established)

The establishment of this monument is subject to valid existing rights. The Secretary of the Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

Vermilion Cliffs National Monument
(Proc. #7374 – established)

The establishment of this monument is subject to valid existing rights.

All Federal lands and interests in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument.

Source: The monuments in this table are identified in the May 5, 2017, press release of the Department of the Interior as exceeding the 100,000-acre threshold for review under the President's April 26, 2017, executive order. The press release also identifies an additional monument not reflected here, Katahdin Woods and Waters National Monument, under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument.

Notes: The text in this table is taken verbatim from the pertinent proclamations. Consulting the entire text of the proclamations may provide a broader perspective of the provisions identified here.

The proclamations usually establish the monuments subject to valid existing rights. Valid existing rights generally are determined with reference to the law under which the rights are alleged to have arisen, such as mining and mineral leasing laws.

References in tables in this report to “Secretary” refer to the head of the department(s) that manages the monument, to USFS refer to the U.S. Forest Service, to BLM refer to the Bureau of Land Management, and to n/a refer to “not applicable” to indicate that no relevant provision was identified.

a. The use of “ ... ” reflects the omission here of text as not directly pertinent.

Table 2. Livestock Grazing Related Provisions in Selected National Monument Proclamations

National Monuments	Livestock Grazing Related Provisions (Taken Directly from Proclamations)
Basin and Range National Monument (Proc. #9297 – established)	Nothing in this proclamation shall be deemed to affect authorizations for livestock grazing, or administration thereof, on Federal lands within the monument. Livestock grazing within the monument shall continue to be governed by laws and regulations other than this proclamation. Except as necessary for the care and management of the objects identified above or for the purpose of permitted livestock grazing, no new rights-of-way for electric transmission or transportation shall be authorized within the monument.
Bears Ears National Monument (Proc. #9558 – established)	Laws, regulations, and policies followed by USFS or BLM in issuing and administering grazing permits or leases on lands under their jurisdiction shall continue to apply with regard to the lands in the monument to ensure the ongoing consistency with the care and management of the objects identified above.
Berryessa Snow Mountain National Monument (Proc. #9298 – established)	Laws, regulations, and policies followed by USFS or BLM in issuing and administering grazing permits or leases on lands under their jurisdiction shall continue to apply with regard to the lands in the monument, consistent with the care and management of the objects identified above.
Canyons of the Ancients National Monument (Proc. #7317 – established)	Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument.
Carrizo Plain National Monument (Proc. #7393 – established)	Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument.

National Monuments	Livestock Grazing Related Provisions (Taken Directly from Proclamations)
Cascade-Siskiyou National Monument (Proc. #7318 – established, Proc. #9564 – enlarged)	<p>#7318: The Secretary of the Interior shall study the impacts of livestock grazing on the objects of biological interest in the monument with specific attention to sustaining the natural ecosystem dynamics. Existing authorized permits or leases may continue with appropriate terms and conditions under existing laws and regulations. Should grazing be found incompatible with protecting the objects of biological interest, the Secretary shall retire the grazing allotments pursuant to the processes of applicable law. Should grazing permits or leases be relinquished by existing holders, the Secretary shall not reallocate the forage available under such permits or for livestock grazing purposes unless the Secretary specifically finds, pending the outcome of the study, that such reallocation will advance the purposes of the proclamation.</p> <p>#9564: n/a</p>
Craters of the Moon National Monument (Proc. #7373 – enlarged)	Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument administered by the Bureau of Land Management.
Giant Sequoia National Monument (Proc. #7295 – established)	Laws, regulations, and policies pertaining to administration by the Department of Agriculture of grazing permits and timber sales under contract as of the date of this proclamation on National Forest System lands within the boundaries of the monument shall continue to apply to lands within the monument.
Gold Butte National Monument (Proc. #9559 – established)	Livestock grazing has not been permitted in the monument area since 1998 and the Secretary shall not issue any new grazing permits or leases on lands within the monument.
Grand Canyon-Parashant National Monument (Proc. #7265 – established)	The Bureau of Land Management shall continue to issue and administer grazing leases within the portion of the monument within the Lake Mead National Recreation Area, consistent with the Lake Mead National Recreation Area authorizing legislation. Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing leases on all lands under its jurisdiction shall continue to apply to the remaining portion of the monument.
Grand Staircase-Escalante National Monument (Proc. #6920 – established)	Nothing in this proclamation shall be deemed to affect existing permits or leases for, or levels of, livestock grazing on Federal lands within the monument; existing grazing uses shall continue to be governed by applicable laws and regulations other than this proclamation.
Hanford Reach National Monument (Proc. #7319 – established)	For the purpose of protecting the objects identified above, the Secretary of the Interior shall prohibit livestock grazing.

National Monuments	Livestock Grazing Related Provisions (Taken Directly from Proclamations)
Ironwood Forest National Monument (Proc. # 7320 – established)	Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument.
Mojave Trails National Monument (Proc. #9395 – established)	Laws, regulations, and policies followed by the BLM in issuing and administering grazing permits or leases on lands under its jurisdiction, including provisions specific to the California Desert Conservation Area, shall continue to apply with regard to the lands in the monument, consistent with the care and management of the objects identified above.
Organ Mountains-Desert Peaks National Monument (Proc. #9131 – established)	Laws, regulations, and policies followed by the BLM in issuing and administering grazing permits or leases on lands under its jurisdiction shall continue to apply with regard to the lands in the monument, consistent with the protection of the objects identified above.
Rio Grande del Norte National Monument (Proc. #8946 – established)	Laws, regulations, and policies followed by the BLM in issuing and administering grazing permits or leases on lands under its jurisdiction shall continue to apply with regard to the lands in the monument, consistent with the purposes of this proclamation.
San Gabriel Mountains National Monument (Proc. #9194 – established)	Laws, regulations, and policies followed by the United States Forest Service in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument in a manner consistent with the proper care and management of the objects protected by this proclamation.
Sand to Snow National Monument (Proc. #9396 – established)	n/a
Sonoran Desert National Monument (Proc. #7397 – established)	Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument; provided, however, that grazing permits on Federal lands within the monument south of Interstate Highway 8 shall not be renewed at the end of their current term; and provided further, that grazing on Federal lands north of Interstate 8 shall be allowed to continue only to the extent that the Bureau of Land Management determines that grazing is compatible with the paramount purpose of protecting the objects identified in this proclamation.

National Monuments	Livestock Grazing Related Provisions (Taken Directly from Proclamations)
Upper Missouri River Breaks National Monument (Proc. #7398 – established)	Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument.
Vermilion Cliffs National Monument (Proc. #7374 – established)	Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument.

Source: The monuments in this table are identified in the May 5, 2017, press release of the Department of the Interior as exceeding the 100,000-acre threshold for review under the President’s April 26, 2017, executive order. The press release also identifies an additional monument not reflected here, Katahdin Woods and Waters National Monument, under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument.

Notes: The text in this table is taken verbatim from the pertinent proclamations. Consulting the entire text of the proclamations may provide a broader perspective of the provisions identified here.

The proclamations usually establish the monuments subject to valid existing rights. Valid existing rights generally are determined with reference to the law under which the rights are alleged to have arisen, such as mining and mineral leasing laws.

References in tables in this report to “Secretary” refer to the head of the department(s) that manages the monument, to USFS refer to the U.S. Forest Service, to BLM refer to the Bureau of Land Management, and to n/a refer to “not applicable” to indicate that no relevant provision was identified.

Table 3. Motorized and Non-Motorized Mechanized Vehicle Related Provisions in Selected National Monument Proclamations

National Monuments	Motorized and Non-Motorized Mechanized Vehicle Related Provisions (Taken Directly from Proclamations)
Basin and Range National Monument (Proc. #9297 – established)	Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on roads existing as of the date of this proclamation. Non-motorized mechanized vehicle use shall be permitted only on roads and trails designated for their use consistent with the care and management of the objects identified above. The Secretary shall prepare a transportation plan that designates the roads and trails where motorized or non-motorized mechanized vehicle use will be permitted.
Bears Ears National Monument (Proc. #9558 – established)	For purposes of protecting and restoring the objects identified above, the Secretaries shall prepare a transportation plan that designates the roads and trails where motorized and non-motorized mechanized vehicle use will be allowed. Except for emergency or authorized administrative purposes, motorized and non-motorized mechanized vehicle use shall be allowed only on roads and trails designated for such use, consistent with the care and management of such objects. Any additional roads or trails designated for motorized vehicle use must be for the purposes of public safety or protection of such objects.

National Monuments	Motorized and Non-Motorized Mechanized Vehicle Related Provisions (Taken Directly from Proclamations)
Berryessa Snow Mountain National Monument (Proc. #9298 – established)	Except for emergency or authorized administrative purposes, motorized and mechanized vehicle use in the monument shall be allowed only on roads and trails designated for such use, consistent with the care and management of the objects identified above.
Canyons of the Ancients National Monument (Proc. #7317 – established)	For the purpose of protecting the objects identified above, the Secretary of the Interior shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes. The Secretary of the Interior shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.
Carrizo Plain National Monument (Proc. #7393 – established)	For the purpose of protecting the objects identified above, the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes. The Secretary of the Interior shall prepare a management plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.
Cascade-Siskiyou National Monument (Proc. #7318 – established, Proc. #9564 – enlarged)	#7318: For the purpose of protecting the objects identified above, the Secretary of the Interior shall prohibit all motorized and mechanized vehicle use off road and shall close the Schoheim Road, except for emergency or authorized administrative purposes. The management plan shall include appropriate transportation planning that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation. #9564: The Secretary of the Interior (Secretary) shall manage the area being added to the monument through the Bureau of Land Management as a unit of the National Landscape Conservation System, under the same laws and regulations that apply to the rest of the monument, except that the Secretary may issue a travel management plan that authorizes snowmobile and non-motorized mechanized use off of roads in the area being added by this proclamation, so long as such use is consistent with the care and management of the objects identified above.
Craters of the Moon National Monument (Proc. #7373 – enlarged)	For the purpose of protecting the objects identified above, the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes. The Secretary of the Interior shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.

National Monuments	Motorized and Non-Motorized Mechanized Vehicle Related Provisions (Taken Directly from Proclamations)
Giant Sequoia National Monument (Proc. #7295 – established)	The management plan shall contain a transportation plan for the monument that provides for visitor enjoyment and understanding about the scientific and historic objects in the monument, consistent with their protection. For the purposes of protecting the objects included in the monument, motorized vehicle use will be permitted only on designated roads, and non-motorized mechanized vehicle use will be permitted only on designated roads and trails, except for emergency or authorized administrative purposes or to provide access for persons with disabilities. No new roads or trails will be authorized within the monument except to further the purposes of the monument. Prior to the issuance of the management plan, existing roads and trails may be closed or altered to protect the objects of interest in the monument, and motorized vehicle use will be permitted on trails until but not after December 31, 2000.
Gold Butte National Monument (Proc. #9559 – established)	Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on roads designated as open to such use as of the date of this proclamation, unless the Secretary decides to reroute roads for public safety purposes or to enhance protection of the objects identified above. Non-motorized mechanized vehicle use shall be permitted only on roads and trails, consistent with the care and management of the objects identified above.
Grand Canyon-Parashant National Monument (Proc. #7265 – established)	For the purpose of protecting the objects identified above, all motorized and mechanized vehicle use off road will be prohibited, except for emergency or authorized administrative purposes.
Grand Staircase-Escalante National Monument (Proc. #6920 – established)	n/a
Hanford Reach National Monument (Proc. #7319 – established)	For the purpose of protecting the objects identified above, the Secretary of the Interior and the Secretary of Energy shall prohibit all motorized and mechanized vehicle use off road, except for emergency or other federally authorized purposes, including remediation purposes.
Ironwood Forest National Monument (Proc. # 7320 – established)	For the purpose of protecting the objects identified above, the Secretary of the Interior shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes.
Mojave Trails National Monument (Proc. #9395 – established)	The Secretary of the Interior shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.
Mojave Trails National Monument (Proc. #9395 – established)	Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on roads existing as of the date of this proclamation. Non-motorized mechanized vehicle use shall be permitted only on roads and trails designated for their use consistent with the care and management of the objects identified above. The Secretary shall prepare a transportation plan that designates the roads and trails where motorized or non-motorized mechanized vehicle use will be permitted.

National Monuments	Motorized and Non-Motorized Mechanized Vehicle Related Provisions (Taken Directly from Proclamations)
Organ Mountains-Desert Peaks National Monument (Proc. #9131 – established)	Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on designated roads, and non-motorized mechanized vehicle use shall be permitted only on roads and trails designated for their use; provided, however, that nothing in this provision shall be construed to restrict the use of motorized vehicles in wilderness study areas beyond the requirements of section 603 of the Federal Land Policy and Management Act. No additional roads or trails shall be established for motorized vehicle or non-motorized mechanized vehicle use unless necessary for public safety or protection of the objects identified above.
Rio Grande del Norte National Monument (Proc. #8946 – established)	Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on designated roads and non-motorized mechanized vehicle use shall be permitted only on designated roads and trails.
San Gabriel Mountains National Monument (Proc. #9194 – established)	The Secretary shall prepare a transportation plan that specifies and implements such actions necessary to protect the objects identified in this proclamation, including road closures and travel restrictions. For the purpose of protecting the objects identified above, except for emergency or authorized administrative purposes, the Secretary shall limit all motor vehicle use to designated roads, trails, and, in the Secretary's discretion, those authorized off-highway vehicular use areas existing as of the date of this proclamation.
Sand to Snow National Monument (Proc. #9396 – established)	Except for emergency or authorized administrative purposes, motorized vehicle use in the monument shall be permitted only on roads existing as of the date of this proclamation. Non-motorized mechanized vehicle use shall be permitted only on roads and trails designated for their use consistent with the care and management of the objects identified above.
Sonoran Desert National Monument (Proc. #7397 – established)	For the purpose of protecting the objects identified above, all motorized and mechanized vehicle use off road will be prohibited, except for emergency or authorized administrative purposes.
Upper Missouri River Breaks National Monument (Proc. #7398 – established)	<p data-bbox="560 1008 1745 1057">The Secretary of the Interior shall prepare a management plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.</p> <p data-bbox="560 1114 1839 1162">For the purpose of protecting the objects identified above, the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes.</p> <p data-bbox="560 1211 1766 1268">The Secretary of the Interior shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.</p>

National Monuments	Motorized and Non-Motorized Mechanized Vehicle Related Provisions (Taken Directly from Proclamations)
Vermilion Cliffs National Monument (Proc. #7374 – established)	For the purpose of protecting the objects identified above, the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes. The Secretary of the Interior shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects identified in this proclamation.

Source: The monuments in this table are identified in the May 5, 2017, press release of the Department of the Interior as exceeding the 100,000-acre threshold for review under the President’s April 26, 2017, executive order. The press release also identifies an additional monument not reflected here, Katahdin Woods and Waters National Monument, under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument.

Notes: The text in this table is taken verbatim from the pertinent proclamations. Consulting the entire text of the proclamations may provide a broader perspective of the provisions identified here.

The proclamations usually establish the monuments subject to valid existing rights. Valid existing rights generally are determined with reference to the law under which the rights are alleged to have arisen, such as mining and mineral leasing laws.

References in tables in this report to “Secretary” refer to the head of the department(s) that manages the monument, to USFS refer to the U.S. Forest Service, to BLM refer to the Bureau of Land Management, and to n/a refer to “not applicable” to indicate that no relevant provision was identified.

Table 4. Timber Related Provisions in Selected National Monument Proclamations

National Monuments	Timber Related Provisions (Taken Directly from Proclamations)
Basin and Range National Monument (Proc. #9297 – established)	n/a
Bears Ears National Monument (Proc. #9558 – established)	n/a
Berryessa Snow Mountain National Monument (Proc. #9298 – established)	n/a
Canyons of the Ancients National Monument (Proc. #7317 – established)	n/a

National Monuments	Timber Related Provisions (Taken Directly from Proclamations)
Carrizo Plain National Monument (Proc. #7393 – established)	n/a
Cascade-Siskiyou National Monument (Proc. #7318 – established, Proc. #9564 – enlarged)	#7318: The commercial harvest of timber or other vegetative material is prohibited, except when part of an authorized science-based ecological restoration project aimed at meeting protection and old growth enhancement objectives. Any such project must be consistent with the purposes of this proclamation. No portion of the monument shall be considered to be suited for timber production, and no part of the monument shall be used in a calculation or provision of a sustained yield of timber. Removal of trees from within the monument area may take place only if clearly needed for ecological restoration and maintenance or public safety. #9564: n/a
Craters of the Moon National Monument (Proc. #7373 – enlarged)	n/a
Giant Sequoia National Monument (Proc. #7295 – established)	Timber sales under contract as of the date of the proclamation and timber sales with a decision notice signed after January 1, 1999, but prior to December 31, 1999, may be completed consistent with the terms of the decision notice and contract. No portion of the monument shall be considered to be suited for timber production, and no part of the monument shall be used in a calculation or provision of a sustained yield of timber from the Sequoia National Forest. Removal of trees, except for personal use fuel wood, from within the monument area may take place only if clearly needed for ecological restoration and maintenance or public safety. Laws, regulations, and policies pertaining to administration by the Department of Agriculture of grazing permits and timber sales under contract as of the date of this proclamation on National Forest System lands within the boundaries of the monument shall continue to apply to lands within the monument.
Gold Butte National Monument (Proc. #9559 – established)	n/a
Grand Canyon-Parashant National Monument (Proc. #7265 – established)	Sale of vegetative material is permitted only if part of an authorized science-based ecological restoration project.

National Monuments	Timber Related Provisions (Taken Directly from Proclamations)
Grand Staircase-Escalante National Monument (Proc. #6920 – established)	n/a
Hanford Reach National Monument (Proc. #7319 – established)	n/a
Ironwood Forest National Monument (Proc. # 7320 – established)	n/a
Mojave Trails National Monument (Proc. #9395 – established)	n/a
Organ Mountains-Desert Peaks National Monument (Proc. #9131 – established)	n/a
Rio Grande del Norte National Monument (Proc. #8946 – established)	n/a
San Gabriel Mountains National Monument (Proc. #9194 – established)	<p data-bbox="558 1130 1864 1243">All Federal lands and interests in lands within the boundaries of the monument are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, leasing, or other disposition under the public land or other Federal laws, including location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument, or disposition of materials under the Materials Act of 1947 in a manner that is consistent with the proper care and management of the objects protected by this proclamation.</p> <p data-bbox="558 1292 1864 1373">The Secretary may carry out vegetative management treatments within the monument, except that timber harvest and prescribed fire may only be used when the Secretary determines it appropriate to address the risk of wildfire, insect infestation, or disease that would endanger the objects identified above or imperil public safety.</p>

National Monuments	Timber Related Provisions (Taken Directly from Proclamations)
Sand to Snow National Monument (Proc. #9396 – established)	n/a
Sonoran Desert National Monument (Proc. #7397 – established)	n/a
Upper Missouri River Breaks National Monument (Proc. #7398 – established)	n/a
Vermilion Cliffs National Monument (Proc. #7374 – established)	n/a

Source: The monuments in this table are identified in the May 5, 2017, press release of the Department of the Interior as exceeding the 100,000-acre threshold for review under the President’s April 26, 2017, executive order. The press release also identifies an additional monument not reflected here, Katahdin Woods and Waters National Monument, under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument.

Notes: The text in this table is taken verbatim from the pertinent proclamations. Consulting the entire text of the proclamations may provide a broader perspective of the provisions identified here.

The proclamations usually establish the monuments subject to valid existing rights. Valid existing rights generally are determined with reference to the law under which the rights are alleged to have arisen, such as mining and mineral leasing laws.

References in tables in this report to “Secretary” refer to the head of the department(s) that manages the monument, to USFS refer to the U.S. Forest Service, to BLM refer to the Bureau of Land Management, and to n/a refer to “not applicable” to indicate that no relevant provision was identified.

Table 5. Hunting and Fishing Related Provisions in Selected National Monument Proclamations

National Monuments	Hunting and Fishing Related Provisions (Taken Directly from Proclamations)
Basin and Range National Monument (Proc. #9297 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Nevada, including its jurisdiction and authority with respect to fish and wildlife management.
Bears Ears National Monument (Proc. #9558 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Utah, including its jurisdiction and authority with respect to fish and wildlife management.
Berryessa Snow Mountain National Monument (Proc. #9298 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of California, including its jurisdiction and authority with respect to fish and wildlife management.
Canyons of the Ancients National Monument (Proc. #7317 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Colorado with respect to fish and wildlife management.
Carrizo Plain National Monument (Proc. #7393 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of California with respect to fish and wildlife management.
Cascade-Siskiyou National Monument (Proc. #7318 – established, Proc. #9564 – enlarged)	#7318: Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Oregon with respect to fish and wildlife management. #9564: Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Oregon or the State of California with respect to fish and wildlife management.
Craters of the Moon National Monument (Proc. #7373 – enlarged)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Idaho with respect to fish and wildlife management.

National Monuments	Hunting and Fishing Related Provisions (Taken Directly from Proclamations)
Giant Sequoia National Monument (Proc. #7295 – established)	Nothing in this proclamation shall be deemed to diminish or enlarge the jurisdiction of the State of California with respect to fish and wildlife management.
Gold Butte National Monument (Proc. #9559 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Nevada, including its jurisdiction and authority with respect to fish and wildlife management, including hunting and fishing.
Grand Canyon-Parashant National Monument (Proc. #7265 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Arizona with respect to fish and wildlife management.
Grand Staircase-Escalante National Monument (Proc. #6920 – established)	Nothing in this proclamation shall be deemed to diminish the responsibility and authority of the State of Utah for management of fish and wildlife, including regulation of hunting and fishing, on Federal lands within the monument.
Hanford Reach National Monument (Proc. #7319 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Washington with respect to fish and wildlife management.
Ironwood Forest National Monument (Proc. # 7320 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Arizona with respect to fish and wildlife management.
Mojave Trails National Monument (Proc. #9395 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of California, including its jurisdiction and authority with respect to fish and wildlife management.
Organ Mountains-Desert Peaks National Monument (Proc. #9131 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of New Mexico, including its jurisdiction and authority with respect to fish and wildlife management.

National Monuments	Hunting and Fishing Related Provisions (Taken Directly from Proclamations)
Rio Grande del Norte National Monument (Proc. #8946 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of New Mexico with respect to fish and wildlife management.
San Gabriel Mountains National Monument (Proc. #9194 – established)	Nothing in this proclamation shall be construed to enlarge or diminish the jurisdiction of the State of California with respect to fish and wildlife management.
Sand to Snow National Monument (Proc. #9396 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of California, including its jurisdiction and authority with respect to fish and wildlife management.
Sonoran Desert National Monument (Proc. #7397 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Arizona with respect to fish and wildlife management.
Upper Missouri River Breaks National Monument (Proc. #7398 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife management.
Vermilion Cliffs National Monument (Proc. #7374 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Arizona with respect to fish and wildlife management.

Source: The monuments in this table are identified in the May 5, 2017, press release of the Department of the Interior as exceeding the 100,000-acre threshold for review under the President’s April 26, 2017, executive order. The press release also identifies an additional monument not reflected here, Katahdin Woods and Waters National Monument, under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument.

Notes: The text in this table is taken verbatim from the pertinent proclamations. Consulting the entire text of the proclamations may provide a broader perspective of the provisions identified here.

The proclamations usually establish the monuments subject to valid existing rights. Valid existing rights generally are determined with reference to the law under which the rights are alleged to have arisen, such as mining and mineral leasing laws.

References in tables in this report to “Secretary” refer to the head of the department(s) that manages the monument, to USFS refer to the U.S. Forest Service, to BLM refer to the Bureau of Land Management, and to n/a refer to “not applicable” to indicate that no relevant provision was identified.

Table 6. Tribal Related Provisions in Selected National Monument Proclamations

National Monuments	Tribal Related Provisions (Taken Directly from Proclamations)
<p>Basin and Range National Monument (Proc. #9297 – established)</p>	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe. The Secretary shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).</p>
<p>Bears Ears National Monument (Proc. #9558 – established)</p>	<p>For purposes of the care and management of the objects identified above, the Secretary, through BLM, shall within 3 years of the date of this proclamation prepare and maintain a management plan for the monument and shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with State, tribal, and local governments.</p> <p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights or jurisdiction of any Indian tribe. The Secretaries shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and traditional cultural properties in the monument and provide access by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites), including collection of medicines, berries and other vegetation, forest products, and firewood for personal noncommercial use in a manner consistent with the care and management of the objects identified above.</p> <p>The Secretaries shall provide for maximum public involvement in the development of that [management] plan including, but not limited to, consultation with federally recognized tribes and State and local governments.</p> <p>In recognition of the importance of tribal participation to the care and management of the objects identified above, and to ensure that management decisions affecting the monument reflect tribal expertise and traditional and historical knowledge, a Bears Ears Commission (Commission) is hereby established to provide guidance and recommendations on the development and implementation of management plans and on management of the monument. The Commission shall consist of one elected officer each from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe, designated by the officers' respective tribes. The Commission may adopt such procedures as it deems necessary to govern its activities, so that it may effectively partner with the Federal agencies by making continuing contributions to inform decisions regarding the management of the monument.</p> <p>The Secretaries shall meaningfully engage the Commission or, should the Commission no longer exist, the tribal governments through some other entity composed of elected tribal government officers (comparable entity), in the development of the management plan and to inform subsequent management of the monument. To that end, in developing or revising the management plan, the Secretaries shall carefully and fully consider integrating the traditional and historical knowledge and special expertise of the Commission or comparable entity. If the Secretaries decide not to incorporate specific recommendations submitted to them in writing by the Commission or comparable entity, they will provide the Commission or comparable entity with a written explanation of their reasoning. The management plan shall also set forth parameters for continued meaningful engagement with the Commission or comparable entity in implementation of the management plan.</p> <p>The Secretaries, through the BLM and USFS, shall establish an advisory committee under the Federal Advisory Committee Act (5 U.S.C. App.) to provide information and advice regarding the development of the management plan and, as appropriate, management of the monument. This advisory committee shall consist of a fair and balanced representation of interested stakeholders, including State and local governments, tribes, recreational users, local business owners, and private landowners.</p>

National Monuments	Tribal Related Provisions (Taken Directly from Proclamations)
Berryessa Snow Mountain National Monument (Proc. #9298 – established)	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe. The Secretaries shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and traditional cultural properties in the monument and provide access by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).</p> <p>The Secretaries shall provide for public involvement in the development of the management plan including, but not limited to, consultation with tribal, State, and local governments.</p>
Canyons of the Ancients National Monument (Proc. #7317 – established)	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe.</p>
Carrizo Plain National Monument (Proc. #7393 – established)	<p>n/a</p>
Cascade-Siskiyou National Monument (Proc. #7318 – established, Proc. #9564 – enlarged)	<p>#7318: n/a #9564: n/a</p>
Craters of the Moon National Monument (Proc. #7373 – enlarged)	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe.</p>
Giant Sequoia National Monument (Proc. #7295 – established)	<p>n/a</p>

National Monuments	Tribal Related Provisions (Taken Directly from Proclamations)
Gold Butte National Monument (Proc. #9559 – established)	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights or jurisdiction of any Indian tribe. The Secretary shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and traditional cultural properties in the monument and provide for access by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).</p> <p>Nothing in this proclamation shall be construed to preclude the traditional tribal collection of seeds, natural materials, salt, or materials for stone tools in the monument for personal noncommercial use consistent with the care and management of the objects identified above.</p> <p>For purposes of protecting and restoring the objects identified above, the Secretary, through the BLM, shall prepare and maintain a management plan for the monument and shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with State, tribal, and local governments.</p>
Grand Canyon-Parashant National Monument (Proc. #7265 – established)	n/a
Grand Staircase-Escalante National Monument (Proc. #6920 – established)	n/a
Hanford Reach National Monument (Proc. #7319 – established)	Nothing in this proclamation shall enlarge or diminish the rights of any Indian tribe.
Ironwood Forest National Monument (Proc. # 7320 – established)	Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe.

National Monuments	Tribal Related Provisions (Taken Directly from Proclamations)
Mojave Trails National Monument (Proc. #9395 – established)	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe. The Secretary shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).</p> <p>For purposes of the care and management of the objects identified above, the Secretary, through the BLM, shall within 3 years of the date of this proclamation prepare and maintain a management plan for the monument and shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with tribal, State, and local governments.</p>
Organ Mountains-Desert Peaks National Monument (Proc. #9131 – established)	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe or pueblo. The Secretary shall, in consultation with Indian tribes, ensure the protection of religious and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (92 Stat. 469, 42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).</p> <p>For purposes of protecting and restoring the objects identified above, the Secretary, through the BLM, shall prepare and maintain a management plan for the monument and shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with tribal, State, and local governments.</p>
Rio Grande del Norte National Monument (Proc. #8946 – established)	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe or pueblo. The Secretary shall, in consultation with Indian tribes, ensure the protection of religious and cultural sites in the monument and provide access to the sites by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (92 Stat. 469, 42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).</p> <p>Nothing in this proclamation shall be construed to preclude the traditional collection of firewood and pinon nuts in the monument for personal noncommercial use consistent with the purposes of this proclamation.</p> <p>For purposes of protecting and restoring the objects identified above, the Secretary, through the BLM, shall prepare and maintain a management plan for the monument and shall provide for maximum public involvement in the development of that plan including, but not limited to, consultation with tribal, State, and local governments as well as community land grant and acequia associations.</p>

National Monuments	Tribal Related Provisions (Taken Directly from Proclamations)
<p>San Gabriel Mountains National Monument (Proc. #9194 – established)</p>	<p>Nothing in this proclamation shall be construed to enlarge or diminish the rights of any Indian tribe as defined in section 1 (b) of Executive Order 13007.</p> <p>To the maximum extent permitted by other applicable law and consistent with the purposes of the monument, the plan shall protect and preserve Indian sacred sites, as defined in section 1 (b) of Executive Order 13007 of May 24, 1996, and access by Indian tribal members for traditional cultural, spiritual, and tree and forest product-, food-, and medicine-gathering purposes.</p> <p>The Secretary shall provide for maximum public involvement in the development of that [management] plan, including, but not limited to, consultation with tribal, State, and local government, as well as community environmental conservation, health, and justice organizations.</p>
<p>Sand to Snow National Monument (Proc. #9396 – established)</p>	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe. The Secretaries shall, to the maximum extent permitted by law and in consultation with Indian tribes, ensure the protection of Indian sacred sites and traditional cultural properties in the monument and provide access by members of Indian tribes for traditional cultural and customary uses, consistent with the American Indian Religious Freedom Act (42 U.S.C. 1996) and Executive Order 13007 of May 24, 1996 (Indian Sacred Sites).</p> <p>The Secretaries shall provide for public involvement in the development of the management plan including, but not limited to, consultation with tribal, State, and local governments.</p>
<p>Sonoran Desert National Monument (Proc. #7397 – established)</p>	<p>n/a</p>
<p>Upper Missouri River Breaks National Monument (Proc. #7398 – established)</p>	<p>Nothing in this proclamation shall be deemed to enlarge or diminish the rights of any Indian tribe.</p>
<p>Vermilion Cliffs National Monument (Proc. #7374 – established)</p>	<p>n/a</p>

Source: The monuments in this table are identified in the May 5, 2017, press release of the Department of the Interior as exceeding the 100,000-acre threshold for review under the President’s April 26, 2017, executive order. The press release also identifies an additional monument not reflected here, Katahdin Woods and Waters National Monument, under review based on the adequacy of public outreach and coordination with stakeholders in establishing the monument.

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Author Contact Information

(name redacted)
Specialist in Natural Resources Policy
fedactedj@crs.loc.gov , 7-....

(name redacted)
Senior Research Librarian
fedactedj@crs.loc.gov 7-....

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