

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-3305

September 12, 2011

**Testimony of Representative Virginia Foxx (NC-5) on H. R. 302, The Preserve Land Freedom For Americans Act of 2011. Delivered in front of the Subcommittee on National Parks, Forest and Public Lands, Committee on Natural Resources**

Mr. Chairman, Ranking Member Grijalva, thank you for the opportunity to come here and talk about an issue deserving of attention from all of our colleagues.

The Antiquities Act, enacted during the presidency of Theodore Roosevelt, allows the President to proclaim areas of federal lands he determines contain "historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest" as a national monument, and to "reserve" parcels of land within the monument. Presidents have used the Antiquities Act to create national monuments more than 120 times over the past century.

When President Carter attempted to establish fifteen new national monuments in Alaska and expanded two more, containing fifty-six million acres of federal land, Congress enacted the Alaska National Interest Lands Conservation Act, overturning most of the designations, altering the status of some and confirming a few, and included a congressional veto on future land withdrawals in the state.

President Clinton unilaterally deemed nineteen new national monuments and expanded three more, reserving 5.9 million acres of land. All but one of these proclamations came in the last year of his presidency, and eleven occurred in the twilight period between the 2000 election and the end of the term.

It has become public that the Obama administration is attempting yet another land grab that would add over 13 million acres to federal real estate land holdings.

Considering the size of the federal government's existing real estate portfolio, there is no need to continue unilaterally acquiring new lands without any regard to states right's or economies. The federal government owns over a third of the land in western states including 84.5 percent of Nevada, 69.1 percent of Alaska and 57.5 percent of Utah.

Four federal agencies--the Bureau of Land Management, the US Forest Service, the US Fish and Wildlife Service and the National Park Service--manage most of the federal real estate portfolio. These agencies collectively own 630 million acres which is the size of 10 European countries--including France, Spain, Germany, Poland, Italy, the United Kingdom, Austria, Switzerland, the Netherlands and Belgium--combined.

Given the size of the portfolio, the cost of managing federal lands is in the billions. Simply adding more lands will increase costs to already strained budgets. The Antiquities Act fails to protect state's rights with regard their own land. With the stroke of a pen and in secrecy, the President can ignore pleas from state officials and their citizens in order to claim more land on behalf of the federal government. With the current challenging fiscal conditions, we all can agree that now, more than ever the states are in need of resources to sustain their own budgets and fiscal needs. When the federal government takes lands from the states, it also takes away a potential source of revenue and economic growth.

H. R. 302, the Preserve Land Freedom for Americans Act, seeks to give the states a voice and power by requiring state approval for national monument designations by the federal government. State governments are prepared and best qualified to make these decisions. They do not need Washington taking lands and revenue away from them. If states agree that there is a need for the federal government to preserve and protect lands, they will not hesitate to seek assistance.

States rights are key to the strength of our nation.

Mr. Chairman, thank you for the opportunity to visit the committee and talk about H. R. 302. I'll be glad to answer any question that you or members of the committee may have.

Virginia Foxx  
Member of Congress

###