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The Honorable Lisa Murkowski
Chairman
Senate Energy and Natural Resources Committee
Washington, DC 20515

The Honorable Rob Bishop
Chairman
House Natural Resources Committee
Washington, DC 20515

Dear Chairman Murkowski and Chairman Bishop:

As Washington changes with a new administration and the start of the 115th Congress, a few things remain constant: the increased economic opportunity, and enhanced national security and energy affordability that have resulted from our country's 21st century energy revolution. Advances in technology have helped the U.S. become the world's leading producer of oil and natural gas and future energy policy will determine if we remain on this prosperous path. To further this energy revolution, it is imperative that we maintain and increase access to our nation's abundant federal onshore and offshore resources in a safe and responsible manner.

The American Petroleum Institute (API) has been monitoring President Obama's use of the Antiquities Act of 1906 to set aside acreage from development by designating extensive areas of public lands as national monuments. Many of our members explore for and produce oil and natural gas resources on federal offshore and onshore lands. President Obama's large designations under the Antiquities Act and suggestions of additional withdrawals before his term in office expires, present a threat to balanced management of America's non-park, non-wilderness public lands onshore and offshore.

API and its members approach a critical examination of the Antiquities Act in the same manner that we approach all questions concerning the use – and the regulation of use – of America's public lands. Will stewardship of these lands and the resources they contain be guided by the principles of multiple use and sustained yield, as reflected in the Outer Continental Shelf Lands Act (OCSLA) and the Federal Land Policy and Management Act (FLPMA)? These lands – whether onshore or offshore, or in the contiguous 48 states or Alaska – hold an abundance of oil and natural gas resources. Laws, regulations and policies that allow access to federal lands for the responsible development of these energy resources will benefit American families, consumers and businesses with secure sources of affordable energy, hundreds of thousands of well-paying jobs, hundreds of millions of dollars in revenues to the federal treasury, and increased energy security in a challenging world.

America's energy renaissance has strengthened our national security and provides the direct benefit of affordable energy to Americans. The question is not whether the United States has the resources to maintain our position as a world energy leader; the question is whether we have access to develop those resources which result in myriad economic and security benefits. The time is right to implement policies that capitalize on our ample oil and natural gas supplies, not only on federally controlled offshore acreage, but also on lands the federal government controls onshore.

This is the context in which we consider the Antiquities Act, a law whose original purpose was to provide a means to protect certain geographic, cultural or scientific features located on federal lands that are of significance to our nation's natural, historic or Native American heritage. In most every instance, designation of formerly multiple use public land as a new national monument has resulted in a prohibition of the search for or development of energy resources from such land, generally accompanied by restrictions or prohibitions on other human activities as well. The combination of the latent executive power in the Act and the precedents arising from more frequent and more sweeping use of the Antiquities Act present threats to responsible and balanced use of federal lands offshore and onshore, the economic future of the communities near these lands, and to the states where these lands are located.

API and its members believe in the importance of continued access to energy and other resources for safe and responsible development. We strongly urge Congress to re-examine the role and purpose of the Antiquities Act with a focus on the economic consequences to the affected states and communities, and to provide Congress and the affected states where the new national monuments are proposed a voice in these decisions. We also believe that it will be important to design any amendments to the Antiquities Act to focus on the kinds of analysis necessary to make prudent and balanced decisions about Antiquities Act designations.

We look forward to working with the Committees to share further ideas on legislation by which the original purposes of the Antiquities Act can be the guideposts for its use in the future. We serve as a resource to provide additional recommendations on legislation to assure that access to clean, affordable, and reliable energy for the American people remains a central principle in the management of federal lands and resources.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Erik Milito', with a stylized, cursive script.

Erik Milito