

# The Far-Right Campaign to Destroy Our National Monuments

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On December 4, Donald Trump swaggered onto a stage in Utah’s sprawling granite capitol building and declared before an adoring crowd of local politicians and conservative activists that he would radically shrink two national monuments in the state’s wild and arid southeastern region.

“I don’t think it is controversial, actually,” he told his audience, without irony. “I think it is so sensible.”

The audience laughed and clapped and cheered. Then the president sat down and signed an order that dismembered both the 1.3-million-acre Bears Ears National Monument and the 1.8-million-acre Grand Staircase-Escalante National Monument. Designated for protection by President Obama and President Clinton respectively, the two monuments were meant to preserve red-rock landscapes rich in intricate topography, ancient artifacts and Native American sacred sites. They were meant to protect forever federal land owned by all Americans. But with a stroke of his pen, Trump eradicated those protections, shrinking the monuments by a collective 2 million acres and raising the prospect that the terrain they occupied may someday be open to uranium mining, coal extraction, or oil and gas drilling.

As the ink on his presidential order dried, Trump mingled onstage with prominent county commissioners, Utah’s congressional delegation and the governor. The Rolling Stones’ “You Can’t Always Get What You Want” blared over loud speakers in the background.

*The Salt Lake Tribune*, in a blistering editorial later that week, called the gleeful event “downright sickening.” It was, according to the *Tribune*, a “disgraceful display of hubris” that showed Utah “at its very worst.”

But the conservative operatives and politicians onstage were apparently too pleased to care about optics—and not without reason. Trump’s attack on the two national monuments, after all, wasn’t just a lucky break, a gift that fell from the sky. Rather, it was the result of a savvy, multi-year campaign by a network of far-right organizations with powerful friends in Washington and financial backing from dark money funds tied to the billionaire Koch brothers and their political kin.

Led by organizations like Utah’s Sutherland Institute, the American Legislative Exchange Council (ALEC), the Heritage Foundation and an array of allies, this network has labored assiduously over the last few years to undermine the legitimacy of federal lands across the

American West. It has done this, in part, by working to erode public support for key conservation laws and institutions, including the Antiquities Act of 1906. And it has had great success.

Trump's trip to Utah, his decision to destroy the Bears Ears and Grand Staircase-Escalante monuments, is a consequence of that deeper, long-game campaign to chip away at America's conservation system.

The Antiquities Act is one of this country's oldest conservation statutes. It empowers the executive branch to unilaterally protect "objects of historic or scientific interest" on public land by declaring them national monuments. Theodore Roosevelt signed it into law in 1906, and since then every president save Ronald Reagan and George H.W. Bush have used it to designate national monuments on federal lands across the country. The act was instrumental in establishing the progressive conservation paradigm that later gave birth to public interest laws like the Wilderness Act, the Endangered Species Act and the National Environmental Policy Act. And in this era of intractable partisan polarization, the Act has been one of the few reliable tools presidents can use to preserve portions of this nation's vast public estate.

This is precisely what President Obama did when he established the Bears Ears National Monument on December 28, 2016, after months of deliberation and a campaign by a coalition of Native American nations. The monument preserved public access and prohibited most commercial activity on more than 1.3 million acres of Bureau of Land Management and Forest Service land in southeastern Utah.

"The protection of the Bears Ears cultural landscape is powerful medicine for healing—of the land, of plants and animals, and for all people," wrote a coalition of tribal governments, including the Hopi, Navajo, Ute and Zuni Nations, at the time of the designation. "The Bears Ears National Monument will also ensure continued access to tribal ceremonies, firewood and herb collection, hunting, grazing and outdoor recreation."

But even as the tribes were celebrating their historic achievement, conservative groups in Utah and Washington were gearing up to rollback the designation, tapping into a long tradition of trying to rip monument protections from the public domain. From the beginning, the Antiquities Act—and the monuments it protects—has had powerful enemies: When Teddy Roosevelt used the law in 1908 to protect more than 800,000 acres of the Grand Canyon, mining, cattle and other commercial interests were enraged; the prospector-turned-US Senator Ralph Cameron fought the federal government for control over portions of the canyon for years, ultimately losing the battle when the Supreme Court ruled against him in 1920.

**Trump's decision to destroy the Bears Ears and Grand Escalante monuments is a consequence of a deep, long-game campaign to chip away at America's conservation system.**

In the century since, the struggle between commercial interests and conservationists has never really ceased. Our country's 640 million acres of federal land are a titanic repository of natural wealth and scenic splendor—a grand, albeit imperfect, social-democratic experiment. Laws like the Antiquities Act constrain the ability of powerful interests to do as they please on these lands. By banning or limiting activities like mining, drilling and grazing in order to promote conservation values, they enshrine the notion that the public interest takes precedence over private and even local concerns.

As a result, both the public lands and the conservation laws that protect them are constantly under attack. From the Sagebrush Rebellion in the 1970's and '80s to the militant occupation of Malheur National Wildlife Refuge early last year to the many local lawmakers and activists today who seek to transfer federal lands to state and local control, the dedicated foes of the federal domain have always been with us. The attack on the Antiquities Act is just the latest iteration of this anti-public-land legacy. This iteration, though, has had astonishing success—and powerful supporters.

The state of Utah, with its world-renowned canyonlands, is the ground zero of the anti-public-land movement today. Since at least 2012, right-wing politicians and activists there have been leaders of the so-called land transfer movement, an effort across the West to force the federal government to relinquish ownership over the public lands to state and local governments. And the state has also been the site of vigorous and ongoing anti-monument activity. So it's not altogether surprising that it was in Utah that a well-connected far-right think tank called the Sutherland Institute largely led the charge against both the Bears Ears National Monument and the Antiquities Act itself.

From its headquarters in Salt Lake City, Sutherland launched a flagship website called [rescindbears.org](http://rescindbears.org), filling it with a constant squall of anti-monument content. It produced an array of video clips that cultivated and amplified the voices of local residents opposed to the monument, including the local county commission and members of the Aneth Chapter of the Navajo Nation. It maintained a constant social media presence, organized a petition drive and sent staffers to Capitol Hill to rally against the proposed monument. Its operatives flooded news outlets with op-eds, publishing regularly in *The Hill*, *The Salt Lake Tribune* and *Deseret News*, among other places.

“What would you think if you found out that one individual could take away your home, ruin your livelihood and destroy your culture—all in the name of securing his legacy and furthering his political agenda?” wrote Matthew Anderson, director of the Sutherland Institute's Coalition for Self-Government in the West, of the Antiquities Act in a November 2016 *Daily Caller* op-ed. “Such a proposition seems impossible in the land of the free and the home of the brave. But an antiquated law makes this a reality for countless Americans every day.”

The Institute also worked in the Utah state legislature. According to emails obtained by the Western Values Project, Sutherland's Matthew Anderson actually *wrote the draft* language of a controversial resolution the Utah Legislature passed in February 2017 that called on President Trump to rescind the Bears Ears National Monument designation.

The Sutherland Institute's campaign was a multifaceted and far-reaching attempt to shape the public narrative about Bears Ears, and the group had the influence to pull it off. The Institute's president, Boyd Matheson is the former chief of staff to Utah's junior US Senator, Mike Lee, and an oft-mentioned prospect for high office himself. (In October, he met with Steve Bannon and Citizens United President David Bossie to discuss a potential challenge to Utah Senator Orrin Hatch but ultimately decided to pass on the chance.)

According to tax filings, the Institute has also received at least \$1.3 million between 2010 and 2015 from Donors Trust and Donors Capital Fund, two dark money funds that have taken millions of dollars from the billionaire fossil fuel tycoons Charles and David Koch and their network of corporate magnates and conservative donors. *Mother Jones* magazine has described

the two entities as the “dark money ATM of the conservative movement”—multimillion-dollar donor-advised funds that strive to conceal the identity of their benefactors.

The Sutherland Institute is also a member of the State Policy Network, or SPN, an association of state-based think tanks and advocacy groups that the Center for Media and Democracy describes as “the tip of the spear” of a “nationally funded policy agenda in the states that undergirds extremists in the Republican Party.” SPN and its member groups have together received large cash contributions over the years from corporate interests and conservative billionaires, including the Donors Trust, Donors Capital Fund, the Bradley Foundation and the Scaife Foundations.

Sutherland did not respond to multiple requests for comment, but, in a written statement last May, a spokesperson told me that the group “has not received any out-of-state funds for research or communications related to the Bears Ears issue.” According to tax filings, however, many of the donations the group typically receives from Donors Trust and Donors Capital Fund are earmarked for “general operations.”

By spring, it was clear that Sutherland’s message, and that of its allies, had been well received in Washington, DC. Their efforts were shepherded along by Utah’s congressional delegation, including Senator Orrin Hatch, who once described Obama’s Bears Ears designation as a “massive land grab,” and Representative Mike Lee, who has taken a pro-environment stance on just 9 percent of his congressional votes, according to the League of Conservation Voters. Representative Rob Bishop, the powerful chair of the House Natural Resources Committee and a long-time opponent of environmental laws and regulations, also played a crucial role in stoking animosity toward the Antiquities Act and Bears Ears in particular.

On April 26, Trump held a press conference at the Interior Department headquarters in Washington D.C. where he announced that his administration planned to “review” and possibly resize or rescind dozens of national monuments across the West, including Bears Ears and Grand Staircase-Escalante. During the conference, Trump singled out Utah’s senior senator, Orrin Hatch, for praise.

“Believe me he’s tough,” said Trump of Hatch, who is perhaps Utah’s most powerful political figure, a man that has taken more than \$870,000 in career campaign contributions from the fossil fuel industries. “He would call me and call me and say, ‘you got to do this.’” And Trump did it.

Upon news of the White House’s national monument review, staffers at the Sutherland Institute rejoiced. From a chic office building, the Institute’s Matthew Anderson celebrated the announcement in a video broadcast over the group’s website and social media accounts.

“As the dust settles from President Trump’s executive order calling for review of national monuments, Western rural communities wake up to a brighter and more hopeful future,” he said. In May, when Secretary of the Interior Ryan Zinke traveled to the Bears Ears National Monument as part of his review, photos of the event showed Anderson by his side.

As the Sutherland Institute continued its anti-monument campaign over the summer and fall of 2017, it had a notable assortment of allies at the local, regional and national level.

In Utah, a group called Strata Policy stands out. A research institution which takes a “liberty-minded” approach to the issues of “the environment, energy, and public lands,” the group has published a number of anti-monument op-eds and submitted a lengthy public comment to the

Interior Department opposing Bears Ears. In November, it unveiled a slick, professionally produced fourteen-minute documentary that features local opponents of the monument and frames the Bears Ears designation as a tyrannical imposition.

As with Sutherland, Strata has close ties to what is often described as the Koch network. The group has received more than \$500,000 in recent years from Donors Trust. It also received a \$310,000 grant from the Charles Koch Foundation in 2015 for general operating support, and a \$1.1 million grant in 2014. Strata's co-founder and president, Randy Simmons, is a professor at Utah State University (USU), where he served as the Charles G. Koch Professor of Political Economy from 2008 to 2012, according to LinkedIn. Simmons also runs USU's Koch-funded Institute of Political Economy. (After a number of requests for comment, Strata informed *The Nation* that its president was away on holiday.)

The Property and Environment Research Center (PERC), in Bozeman, Montana, which describes itself as “the home of free market environmentalism,” has also been a stalwart voice against the Antiquities Act. Its many fellows have churned out a regular stream of anti-monument op-eds this year. In late September a PERC adjunct fellow and Pacific Legal Foundation lawyer named Jonathan Wood published an opinion piece in the *Washington Post* arguing that Trump has a legal right to shrink Bears Ears and other monuments like it. And in May the House Committee on Natural Resources, which is chaired by the powerful Utah Republican Representative Rob Bishop, posted on its website an op-ed published in Montana newspapers in which PERC staffer Shawn Regan calls for the “modernization” (i.e. dismantling) of the Antiquities Act.

PERC, meanwhile, received more than \$130,000 from Donors Trust between 2010 and 2015 alone. It also gets support from the Charles Koch Foundation, which gave it a \$150,000 grant for general operating support in 2015. PERC's executive director, Reed Watson, worked as an associate at the Charles G. Koch Charitable Foundation between 2008 and 2009. One of the members of its board of directors, Kimberly Dennis, is also chairman of the board of Donors Trust and vice chairman of the board of Donors Capital Fund. And PERC counts among its many fellows Randy Simmons, the director of Strata Policy in Utah.

This close-knit network of anti-monument activists, however, is not confined to the western side of the 100th meridian. Powerful people with close Koch ties have also been agitating passionately against the Antiquities Act in Washington DC.

The American Legislative Exchange Council, a network of state elected officials and private sector operatives that receives consistent funding from Donors Trust and Donors Capital Fund, has long had its gun sight set on the Antiquities Act. In 2000, the group approved a model bill that legislators could use to denounce potential national monuments within their state's borders. ALEC re-approved that bill in 2013. The model bill has a similar objective, if different language, as a resolution passed by the Utah legislature in 2016 that urged President Obama not to designate the Bears Ears National Monument and called on Congress to prevent future presidents from independently designating national monuments in the state. Meanwhile, the floor sponsor of the legislature's February 2017 anti-Bear's Ears resolution—the one that the Sutherland Institute helped draft—was a state senator named Wayne Niederhauser. Niederhauser is the Second Vice Chair on ALEC's board of directors. ALEC, meanwhile, received \$500,000 from the Charles Koch Foundation in the years 2014 and 2015 alone.

The Heritage Foundation—that 100-pound gorilla of far-right policymaking—is also out to destroy the Antiquities Act. With its bank accounts flush with funding from a wide variety of corporate entities and wealthy individuals, it has enormous sway in Washington DC. At least three of its former employees currently work at the highest levels of the Interior Department. According to her LinkedIn page, Elinor Renner, a special assistant to the Interior Secretary, worked in a variety of roles at the Heritage Foundation from December 2012 until July 2017, when she took a job in the federal government. Lori Mashburn, who began serving as Interior’s White House liaison in May, has worked on and off for Heritage since 2011.

The Foundation’s influence is indisputable. And it has used that influence to rail against Bears Ears as well as other national monuments. In 2015, for instance, it published a report called “The Antiquated Act,” in which it called on Congress to repeal the executive branch’s ability to independently designate national monuments. And in October of this year, it partnered with the Sutherland Institute to hold a summit in Washington called “National Monuments and The Communities They Impact.” The event featured speeches by Representative Rob Bishop of Utah, Senator Mike Lee of Utah, Hannah Downey of PERC and the Sutherland Institute’s Boyd Matheson and Matthew Anderson, who also formerly worked in Congressman Bishop’s office. The gathering’s central message was simple: Obama and others have abused the Antiquities Act’s intent and so it must be abolished in its current form.

When *The Nation* reached out to Heritage to inquire about its involvement in the campaign to shrink Bears Ears, as well as its connection to groups like the Sutherland Institute and ALEC, a Heritage spokesperson responded with a statement saying that the organization’s “experts have long-argued that antiquities designations strip economic opportunities away from local communities, with often little-to-no input from them. For far too long these designations have exceeded their statutory limitations and President Trump is right to shrink this abuse of power.”

Other Koch-backed groups that have militated against national monuments in recent months include Americans for Prosperity, the Cato Institute and the Competitive Enterprise Institute. Many of these organizations, from the Sutherland Institute and ALEC to Heritage and Cato, are also major proponents of transferring federal land to state and local government, thereby depriving millions of Americans of their stake in the public domain.

In June, almost every single one of the groups named above came together to send a letter to President Trump. They called on the White House to “reduce or rescind egregious national monuments where local support exists to do so.” The letter’s signatories included the Sutherland Institute, Strata Policy, ALEC, Heritage Action for America, Americans for Prosperity, the Competitive Enterprise Institute, numerous members of the State Policy Network, and the American Energy Alliance.

On August 24, 2017, after many months of lobbying and agitation, these groups finally got their way: Interior Secretary Ryan Zinke completed his national monument review and recommended that the President shrink or otherwise alter a slew of national monuments across the country. Just three months later, during that gloating rally in December, Trump made his first move on those recommendations, shrinking Bears Ears by 85 percent and shrinking Grand Escalante by nearly 50 percent. It was the largest cutback of land conservation protections in American history. And the President will likely modify or shrink a half dozen other sites in the months ahead, including the Cascade-Siskiyou National Monument in southern Utah.

The billionaire-backed far right was not the only faction opposed to Bears Ears and the Antiquities Act, of course. As the *Washington Post* reported this month, a Canadian-owned uranium subsidiary called Energy Fuels Resources waged a lobbying effort to rollback the boundaries of the Bears Ears National Monument. The *Post* also published a map showing that some of the parcels cut out of Bears Ears and Grand-Escalante contain significant reserves of coal and uranium as well as moderate to high oil and gas development potential.

Secretary of Interior Ryan Zinke has publicly denied that the monument review had anything to do with promoting the desires of corporate entities or conservative ideologues. Indeed, in a recent CNN op-ed he argues that the Trump administration's anti-monument actions are about listening "to the voices of the people, not Washington D.C. special interests."

The White House's attack on national monuments, though, is deeply unpopular. In a 2017 poll of voters in seven western states, Colorado College found that 80 percent of respondents favor keeping national monument designations in place. The Trump administration's Bears Ears decision, meanwhile, has been met with protest, including a recent rally on the steps of the Utah state capitol in which thousands of people denounced the move. Dozens of groups, including the Bears Ears Inter-Tribal Coalition that advocated for the monument, have filed suit to block President Trump's rollback of the designation. And over the summer, the country's largest outdoor industry trade show, a massive biannual affair that features products from companies like Patagonia, REI and The North Face, decided to leave its home in Salt Lake City to protest the state government's attack on federal land. Future trade shows, which generate tens of millions of dollars in local economic activity, will take place in Denver.

Even in the midst of this passionate public backlash, however, the conservative machine that destroyed two national monuments in Utah is clamoring for more. The Sutherland Institute and its allies have quickly expanded their aims and are supporting action in Congress to effectively gut the 111-year-old Antiquities law.

In early October, Rep. Rob Bishop of Utah, who has taken more than \$400,000 in career campaign cash from the fossil fuel industries, introduced a bill that would enable future presidents to shrink national monuments. (The executive branch's ability to rollback national monuments has never been tested in court, and so Trump's move remains legally dubious.) Bishop's bill would sharply limit the amount of acreage the executive branch can protect under the Act as well. The legislation is working its way through the House Committee on Natural Resources.

In her book *Dark Money: The Hidden History of the Billionaires Behind the Rise of the Radical Right*, Jane Mayer says that billionaire donors like the Koch brothers and their allies in the fossil fuel and other industries harbor an agenda that argues for "'limited government,' drastically lower corporate and personal taxes, minimal social services for the needy, and much less oversight of industry, particularly in the environmental arena. They said they were driven by principle, but their positions dovetailed seamlessly with their personal financial interests."

With their lush forests, grasslands, mountains and mineral deposits, our public lands contain an astonishing accumulation of natural riches. It's no wonder that the wealthy and the powerful covet control over these lands, or that they labor relentlessly to remove the legal obstacles that hamper their acquisitive aims.

Ultimately, though, the public domain does not belong to the one percent and its political representatives. Their beauty and biodiversity and general abundance represent a kind of *collective* wealth that earlier generations recognized and fought to conserve. The land belongs to all Americans—and laws like the Antiquities Act are meant to keep it that way.