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/ About Archeology (<https://www.nps.gov/subjects/archeology/about-archeology.htm>)

/ Laws, Regulations, & Guidelines (<https://www.nps.gov/subjects/archeology/laws-regulations-guidelines.htm>) / Antiquities Act of 1906

Antiquities Act of 1906

An Act for the Preservation of American Antiquities (<https://www.govinfo.gov/content/pkg/USCODE-2011-title16/pdf/USCODE-2011-title16-chap1-subchapLXI-sec431.pdf>) (Antiquities Act) was signed into law on June 8th, 1906. The Act was the first U.S. law to provide general legal protection of cultural and natural resources of historic or scientific interest on federal lands.

Why was the Antiquities Act passed?

In the last quarter of the 19th century, Europeans and European Americans who moved into or travelled west of the Mississippi River generated public and scholarly interest in the “antiquities” they encountered. Scientists funded by the federal government or private benefactors began expeditions to study archeological areas and form collections for museums and other institutions. Private citizens, at the same time, collected objects in haphazard ways and sold them for personal gain. Concern over the loss of information galvanized a scientific and political coalition to pass a federal law to preserve America’s archeological places and the information they contained on public lands.

What did the Antiquities Act do?

The Antiquities Act established several tools for archeological resource protection on public lands. These tools included:

- Requirement to secure permission from federal land managers to conduct archeological investigations and remove objects from federal lands.
- Penalties upon conviction for unauthorized activities, such as excavation and removal of objects.
- Authority to the President of the United States to establish national monuments from existing federal lands.
- Authority to the Secretaries of Agriculture, Interior, and War to review and grant permits to qualified institutions.
- Requirement that excavated materials be permanently preserved in public museums.
- Authority to develop uniform rules and regulations to carry out the Act.

What is the significance and impact of the Antiquities Act?

The Antiquities Act established that preservation of archeological and historical sites on public lands is in the federal government’s purview and in the public’s interest. It obligated federal land-managing agencies to carry out measures to protect archeological and historical sites on their lands by implementing a permitting process and ensuring that any resulting collections went to educational institutions. As a result, the Act recognized the potential of American archeology to increase knowledge through science for the public’s benefit.

Since 1906, U.S. presidents have used their authority under the Antiquities Act to set aside land almost 300 times. Many iconic units of the National Park Service were first established under the Antiquities Act, such as Grand Canyon National Park (1908) and Acadia National Park (1916), protecting their archeological resources in the process. Other units were set aside specifically to protect their archeological resources, such as Chaco Culture National Historical Park (1907), Casa Grande National Monument (1918) and

Hopewell Culture National Historical Park (1923). [Facts and figures for national monuments](https://www.nps.gov/subjects/archeology/national-monument-facts-and-figures.htm) (<https://www.nps.gov/subjects/archeology/national-monument-facts-and-figures.htm>) demonstrate the impact of the Antiquities Act on public lands, as well as the preservation and protection of the archeological resources they contain.

The Antiquities Act stands as an important achievement in the progress of conservation and preservation efforts in the United States. The Act created the basis for the federal government's efforts to protect archeological sites from looting and vandalism. It provided a foundation of public policy from which more specific public attention to and preservation of historic places and structures, cultural landscapes, and other cultural resources developed over the 20th and 21st centuries. And because the Antiquities Act applied to all federal lands, an extraordinary record of America's history has been preserved for scientific study for the public's benefit.

What are the citations for the law, amendments, and regulations?

The original source for the Antiquities Act was June 8, 1906, ch. 3060, §2, 34 Stat. 225 or [16 U.S.C. 431, et seq](https://www.govinfo.gov/content/pkg/USCODE-2011-title16/pdf/USCODE-2011-title16-chap1-subchapLXI-sec431.pdf) (<https://www.govinfo.gov/content/pkg/USCODE-2011-title16/pdf/USCODE-2011-title16-chap1-subchapLXI-sec431.pdf>). In 2014, the Antiquities Act was recodified pursuant to P.L. 113-287 at [54 U.S.C. §§320301-320303](https://www.govinfo.gov/app/details/USCODE-2014-title54/USCODE-2014-title54-subtitleIII-divsnC-chap3203-sec320301) (<https://www.govinfo.gov/app/details/USCODE-2014-title54/USCODE-2014-title54-subtitleIII-divsnC-chap3203-sec320301>).

The Antiquities Act was amended twice. In 1950, the enabling legislation to incorporate Jackson Hole National Monument into Grand Teton National Park amended the Act to require Congressional approval for any future national monuments created or enlarged in Wyoming (Public Law 81-787, 64 Stat 849). In 1980, the Act was amended by the Alaska National Interest Lands Conservation Act to require Congressional approval for any future national monument over 5,000 acres created within the state of Alaska (Pub. L. 96-487, 94 Stat. 2441).

The implementing regulations for the Antiquities Act are [43 CFR 3, "Preservation of American Antiquities](https://www.ecfr.gov/current/title-43/subtitle-A/part-3) (<https://www.ecfr.gov/current/title-43/subtitle-A/part-3>)".

For More Information

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7/10/25, 1:48 PMAntiquities Act of 1906 - Archeology (U.S. National Park Service)

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