

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

July 9, 2019

The Honorable T.J. Cox
Chairman
House Committee on Natural Resources
Subcommittee on Oversight and Investigations
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Cox:

Earlier today, we wrote to the Department of the Interior (DOI) requesting documents on the decision by the Obama Administration, during its final months in office, to deny renewal applications for two decades-long mineral leases in northern Minnesota. Recent reporting suggests the decision to deny these previously renewed leases and withdraw the formerly leased areas from future mineral development were politically motivated.¹ We write to request that you, as Chairman of the Oversight and Investigations Subcommittee, investigate the highly irregular actions taken by the Obama Administration which, had the Trump Administration not reversed, would have deprived northern Minnesota of an opportunity to generate thousands of well-paying jobs.²

As you will see from the enclosed copy of our letter, the circumstances surrounding the denial of the lease renewals and the mineral withdrawal application were unusual, secretive, and suggest a political or malicious motivation. To justify denying the lease renewals, DOI's Office of the Solicitor drafted a legal opinion interpreting the identically worded prior lease renewals "very differently."³ Similarly, the Forest Service (USFS) published notice of its mineral withdrawal application to DOI's Bureau of Land Management (BLM) and officially announced a two-year temporary mineral withdrawal on January 19, 2017, one day before President Trump's inauguration.⁴ The temporary mineral withdrawal was imposed pending the completion of an

¹ Kimberly A. Strassel, *A Democrat Deflates Another Trump 'Scandal'*, THE WALL ST. J. June 6, 2019, <https://www.wsj.com/articles/a-democrat-deflates-a-trump-scandal-11559862259>.

² Press Release, Twin Metals Minnesota, Twin Metals Receives Support from Minnesota Officials and Labor and Community Allies (Dec. 15, 2016); *see also* John Myers, *U.S. House Approves Bill to Ease Way For Twin Metals Mining Near BWCA*, TWIN CITIES PIONEER PRESS, Nov. 30, 2017.

³ OFFICE OF THE SOLICITOR, U.S. DEP'T. OF THE INTERIOR, M-37049, REVERSAL OF M-37036, "TWIN METALS MINNESOTA APPLICATION TO RENEW PREFERENCE RIGHT LEASES (MNES-01352 AND MNES-01353)" (Dec. 22, 2017) (<https://www.doi.gov/sites/doi.gov/files/uploads/m-37049.pdf>).

⁴ Notice of Application for Withdrawal and Notification of Public Meeting; Minnesota, 82 Fed. Reg. 12, 6639 (Jan. 19, 2017).

environmental impact statement (EIS) by the USFS and BLM to determine *if* the requested 20-year withdrawal should be approved.⁵

Emails from Senator Amy Klobuchar (D-MN) to then-Secretary of Agriculture Tom Vilsack, published by *The Wall Street Journal*, criticized the withdrawal process and the political motivations driving the Obama Administration's decision-making.⁶ More troublingly, Senator Klobuchar evidently believed that the EIS was started with a predetermined conclusion that the withdrawal be for the maximum period allowed under law.⁷ Senator Klobuchar's emails suggest that the Obama Administration misled Congress while acting in the interests of unnamed "activists" to initiate a bad faith environmental review designed to reach a predetermined outcome.

Senator Klobuchar specifically identified comments to that effect made by then-DOI Secretary Sally Jewell, who had deep ties to the outdoor recreation industry which opposed the mineral leases at issue.⁸ Secretary Jewell's public calendar suggests that she had at least one meeting regarding the mineral withdrawals.⁹ Her public calendar, however, does not consistently document her external meetings, nor does it list attendees from external parties. Contrary to current DOI practice, Secretary Jewell did not seek approval from career DOI ethics officials to avoid possible conflicts of interest before meeting with external parties.

Given these revelations, the Obama Administration's decision process to deny renewal applications for two decades-long mineral leases and begin the mineral withdrawal process are inconsistent with the best practices of transparency. This matter demands oversight by your subcommittee. We urge you, as a fellow rural westerner aware of the impacts of federal land management decisions on State and local communities, to exercise your responsibilities as a subcommittee chairman. We look forward to working together to investigate whether the Obama Administration's last-minute decisions to withdraw and deny these previously renewed leases were, in fact, politically motivated and inappropriately executed.

⁵ *Id.*

⁶ Emails from Sen. Amy Klobuchar to Hon. Tom Vilsack, Sec'y, U.S. Dep't of Agriculture (Dec. 16, 2016, 08:19 CST) (available at http://wsj.com/public/resources/documents/AK060719.pdf?mod=article_inline).

⁷ *Id.*

⁸ Press Release, Outdoor Industry Assoc., Help Protect the Boundary Waters Today (Nov. 28, 2017) (<https://outdoorindustry.org/article/help-protect-boundary-waters-today/>).

⁹ Schedule Dec. 2, 2016 of Hon. Sally Jewell, Sec'y, U.S. Dep't of the Interior (<https://www.doi.gov/sites/doi.gov/files/uploads/17-00185ca.pdf>).

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Sincerely,



Rob Bishop
Ranking Republican



Louie Gohmert
Ranking Republican
Subcommittee on
Oversight and Investigations



Paul Gosar
Ranking Republican
Subcommittee on
Energy and Mineral Resources