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

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May 1, 2015

The Honorable Neil Kornze
Director
Bureau of Land Management
U.S. Department of the Interior
1849 C Street NW, Room 5665
Washington, D.C. 20240

Dear Director Kornze:

The Subcommittee on Oversight and Investigations (“Subcommittee”) recently learned that a number of reclamation bonds for renewable energy projects on federal lands managed by the Bureau of Land Management’s (“BLM”) Rawlins Field Office were removed from a safe and shredded. The wrongful destruction of these bonds, which are intended to cover the removal costs of improvements and facilities, as well as re-vegetation, restoration, and soil stabilization of the project area, is deeply concerning and raises questions about gross mismanagement on the part of BLM.

In order for the Subcommittee to better understand the circumstances surrounding the destruction of these bonds, and the policies, procedures, and safeguards BLM has in place to ensure the safekeeping of sensitive financial instruments, the following information and documents are necessary and required to be furnished:

- 1) Please answer the following questions regarding the destroyed bonding instruments stored at the Rawlins Field Office:
 - a. On what date were the bonds shredded?
 - b. Who removed the bonds from the safe?
 - c. Who destroyed the bonds?
 - d. Are the individuals responsible for removing and destroying the bonds currently employed by BLM?

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- e. Who had access to the safe?
 - f. Why were the bonds removed from the safe?
 - g. Were the entire contents of the safe removed at the time the bonds were removed?
 - h. Were the entire contents of the safe destroyed at the time the bonds were destroyed?
 - i. When did the Rawlins Field Office notify the State Office that the bonds had been destroyed? How was notification provided? Who provided the notification?
 - j. When was the Washington, D.C. BLM Office, the Department of the Interior, the Department of Justice, or any other federal agency notified that the bonds had been destroyed? How was notification provided? Who provided the notification?
 - k. At the time the bonds were removed and destroyed, were valuables or cash kept in the Rawlins Field Office safe? What is the total actual or estimated value of any such valuables or cash that were maintained in the safe?
- 2) Please describe how BLM determined which bonds were kept in the safe and which were not.
- 3) Please describe how BLM identified which bonds were destroyed.
- 4) Please describe any policies in effect at the time the bonds were destroyed governing access to the safe in the Rawlins Field Office (e.g., who has the combination, what documents are to be kept there, destruction of documents kept in the safe, etc.) and provide copies of any such policies.
- 5) Please describe any policies in effect at the time the bonds were destroyed governing the proper receipt and storage of bonds for renewable energy right-of-ways and provide copies of any such policies.
- 6) Please provide a list of the bonds that were destroyed, including:
- a. The amount of the bond;
 - b. The type of bond instrument (e.g., letter of credit, surety bond, U.S. treasury securities, etc.);

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- c. The right-of-way holder who provided the bond;
 - d. The project or site covered by the bond; and
 - e. The issuer of the bond, if applicable.
- 7) Please confirm that a number of bonds kept in the Rawlins Field Office were not secured in the safe and were not destroyed. Please provide a list of any such bonds, including:
 - a. The amount of the bond;
 - b. The type of bond instrument (e.g., letter of credit, surety bond, U.S. treasury securities, etc.);
 - c. The right-of-way holder who provided the bond;
 - d. The project or site covered by the bond; and
 - e. The issuer of the bond, if applicable.
- 8) Please provide copies of the LR2000 and B&SS records for each renewable energy bond kept by the Rawlins Field Office since January 2012.
- 9) Please confirm the current bonding status for each right-of-way for which a bond was destroyed, and describe any steps BLM has taken to replace the bonds.
- 10) Please confirm that BLM halted operations on sites for which the applicable bond was destroyed, until such time as BLM obtained a replacement bond.
- 11) Please provide all emails and communications between the Rawlins Field Office, the Wyoming State Office, and the Washington, D.C. BLM Office concerning the destruction of the bond instruments. For all individuals involved in such communications, please identify their titles and contact information.
- 12) Please provide all emails between BLM and the Department of the Interior or its bureaus, the Department of Justice, or other federal agencies concerning the destruction of the bond instruments. For all individuals involved in such communications, please identify their titles and contact information.
- 13) Please provide all emails and communications concerning the destruction of the bonds between BLM officials or staff and the right-of-way holders whose bonds were shredded.

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It is expected that all requested documents and information will be provided to the Committee by May 15, 2015. Instructions for complying with this request are attached. Please contact Jessica Conrad, Counsel for the Subcommittee on Oversight and Investigations, at (202) 225-7107 with any questions.

Sincerely,



Rob Bishop
Chairman
Committee on Natural Resources



Louie Gohmert
Chairman
Subcommittee on Oversight &
Investigations

cc: The Honorable Raúl Grijalva, Ranking Member, Committee on Natural Resources
The Honorable Debbie Dingell, Ranking Member, Subcommittee on Oversight and Investigations

Responding to Committee Document Requests

A. Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, recorded notes, letters, notices, confirmations, receipts, checks, envelopes, presentations, pamphlets, brochures, interoffice and intra office communications, electronic mails (e-mails), notations of any type of conversation, telephone call, voice mail, phone mail, meeting or other communication, diaries, analyses, summaries, messages, correspondence, circulars, opinions, work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and electronic, mechanical, and electric records or representations of any kind, and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, e-mail, discussions, releases, personal delivery, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this document request. The singular includes the plural. The masculine includes the feminine.
4. As used herein, “referring” or “relating” means and includes “constituting,” “pertaining,” “evidencing,” “reflecting,” “describing,” or “having anything to do with,” and in each instance, directly or indirectly. These terms mean, without limitation, any reference or relationship which either (a) provides information with respect to the subject of the inquiry, or (b) might lead to individuals who, or documents which, might possess or contain information with respect to the subject of the inquiry.

B. Instructions

1. In complying with this document request, you are required to produce all responsive documents, materials, or items that are in your possession, custody, or control, whether held by you or your past or present agents, employers, employees, representatives, subsidiaries, affiliates, divisions, partnerships, and departments acting on your behalf. You are also required to produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. No records, documents, data or information called for by this request shall be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.

2. In the event that any entity, organization, or individual denoted in this document request has been, or is also known by any other name than that herein denoted, the document request shall be read also to include them under that alternative identification.
3. Each document produced shall be produced in a form that renders that document capable of being printed or copied.
4. Documents produced in response to this document request shall be produced together with copies of file labels, dividers, envelopes, or identifying markers with which they were associated when this document request was served. Documents produced to this document request shall also identify to which paragraph from the document request such documents are responsive. Moreover, please include with your response, an index identifying each record and label (preferably by bates stamping) the documents. The Committee prefers, if possible, to receive all documents in electronic format.
5. It shall not be a basis for refusal to produce documents that any other person or entity also possesses documents that are non-identical or identical copies of the same document.
6. If any of the requested information is available in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, memory stick, or computer back-up tape), state the form in which it is available and provide sufficient detail to allow the information to be copied to a readable format. If the information requested is stored in a computer, indicate whether you have an existing program that will print the records in a readable form.
7. If compliance with the document request cannot be made in full, compliance shall be made to the extent possible and shall include a written explanation of why full compliance is not possible.
8. In the event that a document is withheld, in whole or in part, based on a claim of privilege, provide the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter of the document; (d) the date, author, and any recipients; and (e) the relationship of the author and recipients to each other. Claims of privileges are considered under Committee on Natural Resources Rule 4(h) and, similar to all common-law privileges, are recognized only at the discretion of the Committee.
9. If any document responsive to this document request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
10. If a date or other descriptive detail set forth in this document request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.

11. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon location or discovery subsequent thereto.

12. Production materials should be delivered to:

Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington D.C. 20515