

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

January 8, 2024

The Honorable Deb Haaland
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

The Honorable Tracy Stone-Manning
Director
Bureau of Land Management
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Haaland and Director Stone-Manning:

The House Committee on Natural Resources (Committee) is continuing to investigate the cancellation¹ of two decades-old mineral leases in the Superior National Forest in Minnesota and the withdrawal of 225,504 acres of mineral-rich land in the same area from mineral exploration and development.² The Committee is deeply disappointed by the non-responsiveness from the Department of the Interior (DOI) and the Bureau of Land Management (BLM) to our prior request for documents and information. With global mineral demand to grow nearly fivefold by 2050,³ the Committee is alarmed by the Biden administration's continued efforts to reduce domestic mineral production and evade congressional oversight.

As you know, following reports of secret meetings between high-ranking DOI officials and the lead plaintiffs challenging one of America's largest critical minerals projects,⁴ on November 20, 2023, the Committee sent you a letter requesting information, documents, and records critical to our investigation (Committee Letter).⁵ The requested documents and information will assist the Committee with its ongoing

¹ *Leases Canceled, Decision of Tommy Beaudreau, Deputy Secretary of the Interior*, DEP'T OF THE INTERIOR (Jan. 26, 2022), https://www.blm.gov/sites/blm.gov/files/docs/2022-01/2022.01.26%20Twin%20Metals%20Lease%20Cancellation%20Decision_0.pdf.

² Bureau of Land Management, *Public Land Order No. 7917 for Withdrawal of Federal Lands; Cook, Lake, and Saint Louis Counties, MN*, 88 F.R. 6308, BUREAU OF LAND MANAGEMENT (Jan. 31, 2023), <https://www.federalregister.gov/documents/2023/01/31/2023-01969/public-land-order-no-7917-for-withdrawal-of-federal-lands-cook-lake-and-saint-louis-counties-mn>.

³ Climate Smart Mining Facility, *Minerals for Climate Action: The Mineral Intensity of the Clean Energy Transition*, THE WORLD BANK (2020), <https://pubdocs.worldbank.org/en/961711588875536384/Minerals-for-Climate-Action-The-Mineral-Intensity-of-the-Clean-Energy-Transition.pdf>.

⁴ Hannah Northey, *Interior emails tied to Boundary Waters spark questions*, E&E NEWS (Oct. 25, 2023), <https://subscriber.politicopro.com/article/eenews/2023/10/25/interior-emails-tied-to-boundary-waters-sparks-questions-00123227>; *Interior Officials Secretly Met with Environmental Plaintiffs in Critical Minerals Project They Later Cancelled*, FUNCTIONAL GOVERNMENT INITIATIVE (Oct. 25, 2023), <https://functionalgovernment.org/interior-officials-secretly-met-with-environmental-plaintiffs-in-critical-minerals-project-they-later-cancelled/>.

⁵ Letter from Rep. Bruce Westerman, Chairman, H. Comm. on Natural Resources, Rep. Paul A. Gosar, Chairman, Subcomm. on Oversight and Investigations, H. Comm. on Natural Resources, and Rep. Pete Stauber, Chairman, Subcomm. on Energy

oversight efforts examining America's access to essential minerals and investigating the potential manipulation of U.S. tax-exempt organizations to influence America's environmental, natural resource, and energy policies. On November 20, 2023, staff for DOI confirmed receipt of the Committee Letter. Since then, DOI and BLM have not communicated with the Committee on this matter. The silence from DOI and BLM ignores the deadline for the requested information, documents, and records, which passed on December 8, 2023. To date, the Committee has yet to receive a substantive reply or production responsive to our requests and this is unacceptable.

To assist the Committee with the effective management of federal lands and responsible development of America's mineral resources, we look forward to working with you and your staff to ensure the Committee can receive a fully responsive production. For reference, below are the specific requests from the Committee Letter. We expect to receive the following records, documents, and communications, in electronic format, as soon as possible, but no later than January 19, 2024:

1. Please describe how the Superior Withdrawal and cancellation of the Twin Metals leases help the United States reduce its dependence on foreign adversaries for minerals.
2. All documents and communications regarding any nonprofits, nongovernmental agencies, and any individuals affiliated with any nonprofits or nongovernmental agencies DOI and BLM consulted with regarding Twin Metals, the Superior Withdrawal, and/or the Boundary Waters watershed. For any entities or individuals listed, please describe the nature of the coordination and provide any communications and/or documents related to the coordination.
3. Documents and communications sufficient to show all stakeholders, small businesses, nonprofits, local governments, tribal entities, and state officials DOI and BLM met with regarding the Superior Withdrawal, including, but not limited to, meetings that do not appear on public calendars.
4. Documents and communications sufficient to show the potential economic costs of the Superior Withdrawal, including, but not limited to, costs to stakeholders, small businesses, nonprofits, local governments, tribal entities, or state governments.
5. Documents and communications sufficient to show the analysis on the impacts the Superior Withdrawal will have on stakeholders, small businesses, nonprofits, local governments, tribal entities, and state governments.
6. Documents and communications sufficient to show all stakeholders, small businesses, nonprofits, local governments, tribal entities, and state officials DOI and BLM met with regarding the leases for Twin Metals, including, but not limited to, meetings that do not appear on public calendars.
7. Documents and communications sufficient to show the potential economic costs of cancelling the leases for Twin Metals, including, but not limited to, costs to stakeholders, small businesses, nonprofits, local governments, tribal entities, or state governments.

8. Documents and communications sufficient to show the analysis on the impacts that cancelling the leases for Twin Metals will have on stakeholders, small businesses, nonprofits, local governments, tribal entities, and state governments.

As you are aware, the Supreme Court has long recognized that Congressional oversight power is broad and far-reaching. *Barenblatt v. United States*, 360 U.S. 109 (1959). The Supreme Court has also established that Congress has a duty “to look diligently into every affair of government” and “use every means of acquainting itself with the acts and the disposition of the administrative agents of the government.” *Doe v. McMillan*, 412 U.S. 306 (1973). Hence, a “legislative inquiry may be as broad, as searching, and as exhaustive as is necessary.” *Townsend v. United States*, 95 F.2d 352, 361 (D.C. Cir. 1938). Moreover, under House Rule X, the Committee on Natural Resources has “general oversight” of any matter relating to its jurisdiction, including the management of federal land and development of mineral resources.

Your non-responsiveness suggests that DOI and BLM are deliberately engaging in obstruction to frustrate the oversight power of Congress. This is unacceptable. The American public deserves transparency, and the Committee will use every tool at its disposal to administer effective oversight and fulfill the Committee’s responsibility to the American people.

An attachment to this letter provides additional instructions for responding to the requests from the Committee on Natural Resources. Please contact the Majority staff for the Oversight and Investigations Subcommittee at (202) 225-2761 or HNRR.Oversight@mail.house.gov with any questions. We look forward to your cooperation.

Sincerely,



Bruce Westerman
Chairman
Committee on Natural Resources



Paul A. Gosar, D.D.S.
Chairman
Subcommittee on Oversight and Investigations



Pete Stauber
Chairman
Subcommittee on Energy and Mineral Resources

Enclosure