

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

November 20, 2023

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 NW
Washington, D.C. 20240

Dear Secretary Haaland and Director Stone-Manning:

Following reports of secret meetings between high-ranking Department of the Interior (DOI) officials and lead plaintiffs challenging one of America's largest critical minerals projects,¹ the House Committee on Natural Resources (Committee) seeks information from DOI and the Bureau of Land Management (BLM) regarding the cancellation² 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.³

The information will assist the Committee with its ongoing oversight efforts to ensure America's access to essential minerals and the potential manipulation of U.S. tax-exempt organizations to influence America's environmental, natural resource, and energy policies. Moreover, the Committee is alarmed with the Biden administration elevating policies championed by radical eco-activists and far-left nonprofits at the expense of national security, economic, and energy interests.

¹ 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>.

² *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.

³ 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>.

In May 2018, the federal government reinstated mineral leases for a prospective copper-nickel-cobalt mine project in in Northeast Minnesota (Twin Metals).⁴ In December 2019, the company developing Twin Metals formally submitted a Mine Plan of Operation to begin the federal permitting process, with the Minnesota Department of Natural Resources also conducting its own environmental impact review.⁵

On August 5, 2020, various activist environmental groups—including The Wilderness Society (TWS)—sued BLM, Fish and Wildlife Service, and the Forest Service for the decision to renew the permits for Twin Metals.⁶

While the litigation was ongoing, in January 2022, the Biden administration canceled the leases for Twin Metals.⁷ The Twin Metals cancellation occurred despite years of environmental review; a pending Mine Plan of Operations at the Bureau of Land Management;⁸ and a myriad of comments and letters from Members of Congress, mineral developers, local residents, union workers, and many other parties stating their support for the project.

A few months before cancelling the Twin Metals leases, the Biden administration also announced plans to withdraw the surrounding mineral-rich land in the Superior National Forest from mining (Superior Withdrawal).⁹ Then, on January 26, 2023, the Biden administration finalized the Superior Withdrawal, totaling 225,504 mineral-rich acres.¹⁰ Subsequently, Rep. Pete Stauber, whose district includes the Superior Withdrawal and Twin Metals, introduced two pieces of legislation to end the withdrawal and reinstate the cancelled Twin Metals leases.¹¹

⁴ *Rescission of December 15, 2016, Lease Renewal Application Rejection. Reinstatement of Mineral Leases MNES 01352 & MNES 01353 as Issued in 2004. Reinstatement of Twin Metal's 2012 Lease Renewal Application*, U.S. DEP'T OF THE INTERIOR (May 2, 2018), <https://www.twin-metals.com/wp-content/uploads/2018/05/2018.05.02-Twin-Metals-Lease-Reinstatement-Decision-002.pdf>.

⁵ Steve Karnowski, *Steve Twin Metals Minnesota files formal mine plan with regulators*, Associated Press, (Dec. 18, 2019), <https://apnews.com/3cb7d821267e8ada06e1817b5c380eef>.

⁶ Press Release, *Lawsuit challenges mining permits near Boundary Waters Wilderness in Minnesota*, THE WILDERNESS SOCIETY (Aug. 5, 2020), <https://www.wilderness.org/articles/press-release/lawsuit-challenges-mining-permits-near-boundary-waters-wilderness-minnesota>; Complaint, *Center for Biological Diversity et al., v. Leverette et al.*, Case 1:20-cv-02132, (D.D.C. Aug. 5, 2020), https://www.biologicaldiversity.org/programs/public_lands/mining/Minnesota_mining/pdfs/Twin-Metals-Minnesota-20-08-05-Complaint.pdf.

⁷ *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.

⁸ BLM National NEPA Register, *Twin Metals Project and Preference-Right Lease in the Superior National Forest*, NEPA number: DOI-BLM-Eastern States-0030-2020-0006-EIS, BUREAU OF LAND MANAGEMENT (last updated Jan. 27, 2022), <https://eplanning.blm.gov/eplanning-ui/project/1503233/510>.

⁹ Press Release, *Biden Administration Takes Action to Complete Study of Boundary Waters Area Watershed*, U.S. DEP'T OF THE INTERIOR, (Oct. 20, 2021), <https://www.doi.gov/pressreleases/biden-administration-takes-action-complete-study-boundary-waters-area-watershed>.

¹⁰ *Public Land Order No. 7917*, *supra* note 3.

¹¹ H. Con. Res. 34 (Stauber) and H.R. 3195 (Stauber), the Superior National Forest Restoration Act.

Recent reports, based on information obtained through a Freedom of Information Act (FOIA) request,¹² indicate that in July 2021, before the Superior Withdrawal and Twin Metals lease cancellation, high-ranking members of DOI held private meetings with plaintiffs suing the federal government over Twin Metals.¹³ Notably, DOI Deputy Secretary Tommy Beaudreau (Beaudreau) and Deputy Chief of Staff Kate Kelly (Kelly) purportedly held a meeting with lobbyists from TWS, a lead plaintiff in the decision to renew the permits for Twin Metals.¹⁴ The meeting does not appear on Beaudreau's public calendar.¹⁵

Recent reports and corresponding documents also indicate that the meeting between Beaudreau, Kelly, and TWS occurred around the same time that TWS sought to coordinate with one of DOI's top lawyers, Deputy Solicitor Natalie Landreth.¹⁶ DOI officials were seemingly aware of potential ethical concerns associated with holding private meetings on active litigation by planning a "lawyers only" meeting that was "more litigation focused."¹⁷ Nonetheless, DOI officials proceeded to plan the meetings and potentially labeled some of the meetings as "policy" meetings to disguise their true purpose and minimize any ethical, legal, or political pitfalls.¹⁸ Moreover, communications indicate that at least one planned meeting between DOI and TWS attorneys focused on both "legal & policy pathways" over mining in Northern Minnesota.¹⁹

The Committee is deeply concerned that Biden administration officials potentially held private, undocumented meetings with plaintiffs suing the federal government over the Twin Metals mining permits. The Committee is especially concerned with the Biden administration's general hostility to domestic mining projects as the world continues to require minerals at a growing, unprecedented rate. Indeed, the Committee is alarmed by the Biden administration's ongoing prioritization of the radical demands of radical activists and far-left nonprofits over America's energy and economic interests.

As such, the Committee is interested in learning more about the Twin Metals lease cancellation, the Superior Withdrawal, and any related meetings the Biden administration had with

¹² *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/>.

¹³ *Id.*; Northey, *supra* note 1.

¹⁴ *Id.*

¹⁵ Deputy Secretary Tommy Beaudreau's Calendar, DEP'T OF THE INTERIOR (June 23, 2021 to July 16, 2021 and July 18, 2023 to July 24, 2021), https://www.doi.gov/sites/doi.gov/files/beaudreau-calendar-6.23-7.17_0.pdf, <https://www.doi.gov/sites/doi.gov/files/beaudreau-calendar-7.18-7.30.pdf>.

¹⁶ Functional Government Initiative, *supra* note 12; Northey, *supra* note 1.

¹⁷ Email from Natalie Landreth, Deputy Solicitor for Land and Resources, Dep't of the Interior, to Alison Flint, Senior Legal Director, The Wilderness Society, and Drew McConville, Senior Fellow, The Wilderness Society, and Mariagrazia Caminiti, Executive Assistant, Office of the Solicitor, Dep't of the Interior (July 19, 2021, 11:41am), <https://functionalgovernment.org/wp-content/uploads/2023/10/October-25-2023-released-docs.pdf>.

¹⁸ See Email from Alison Flint, Senior Legal Director, The Wilderness Society, to Natalie Landreth, Deputy Solicitor for Land and Resources, Dep't of the Interior, Mariagrazia Caminiti, Executive Assistant, Office of the Solicitor, Dep't of the Interior, and Drew McConville, Senior Fellow, The Wilderness Society, (July 19, 2021, 2:57pm), <https://functionalgovernment.org/wp-content/uploads/2023/10/October-25-2023-released-docs.pdf>;

¹⁹ *Id.*

nonprofit entities, especially given the potential manipulation of U.S. tax-exempt organizations to influence America's environmental, natural resource, and energy policies.

To assist the Committee with the oversight and management of federal lands and responsible development of America's mineral resources, please provide the following documents and information—from January 20, 2021 to the present—by December 8, 2023:

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.

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. 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. Thank you for 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