United States Department of the Interior
OFFICE OF THE SECRETARY
WASHINGTON, DC 20240

IN REPLY REFER TO:
7202.4-OS-2019-00546
7202.4-OS-2019-00777

December 4, 2019

Hart W. Wood, Esq.
American Oversight
1030 15th Street, NW
Suite B255
Washington, DC 20005

Re: American Oversight v. U.S. Dep't of the Interior, 1:19-cv-01857-JEB (D.D.C.)

Dear Mr. Wood:

This communication concerns the FOIA lawsuit captioned *American Oversight v. U.S Dep't of the Interior*, No. 19-cv-01857-JEB (D.D.C.). As we understand matters, at issue in the lawsuit are FOIA requests tracked as OS-2019-00546 (regarding communications between Department of the Interior political appointees and multiple entities concerning Twin Metals) and OS-2019-00777 (regarding communications between specific Department of the Interior employees and members of Congress along with Congressional staff concerning mining leases of Twin Metals in Minnesota). At this time, enclosed please find a partial release consisting of one (1) file and consisting of three hundred ten (310) pages. This release is being made from five hundred thirty nine (539) pages that were initially reviewed in this period. One hundred ninety (190) pages were found to be duplicates and have been withheld. Twenty three (23) pages are undergoing consultation prior to release and sixteen (16) pages were determined to be non-responsive. All pages of released records relate to OS-2019-00777.

In reviewing the released records, the government has also made certain redactions pursuant to FOIA Exemption 6, found at 5 U.S.C. § 552(b)(6), to preclude the public release of personal telephone numbers. The information that we are withholding consists of personal information, and we have determined that the individuals to whom this information pertains have a substantial privacy interest in it. Additionally, we have determined that the disclosure of this information would shed little or no light on the performance of the agency's statutory duties and that, on balance, the public interest to be served by its disclosure does not outweigh the privacy interest of the individuals in question, in withholding it. Nat'l Ass'n of Retired Fed. Employees v. Horner, 879 F.2d 873, 879 (D.C. Cir. 1989). In summation, we have determined that release of the information that we have withheld would constitute a clearly unwarranted invasion of the privacy of these individuals, and that it therefore may be withheld, pursuant to Exemption 6. Moreover, we reasonably foresee that disclosure would harm an interested protected by Exemption 6.

You may appeal this decision to the Department's FOIA Appeals Officer. The FOIA Appeals Officer must receive your FOIA appeal no later than 90 workdays from the date of this final

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letter responding to your FOIA request. Appeals arriving or delivered after 5 PM Eastern time, Monday through Friday, will be deemed received on the next workday. Your appeal must be in writing and addressed to:

FOIA Appeals Officer
U.S. Department of the Interior
1849 C Street, N.W., MS 6556
Washington, D.C. 20240

Fax: 202-208-6677

E-mail: FOIA.Appeals@sol.doi.gov

You must include with your appeal copies of all correspondence between you and the Office of the Secretary concerning your FOIA request, including a copy of your original FOIA request and the denial letter. Failure to include this documentation with your appeal will result in the Department's rejection of your appeal. All communications concerning your appeal, including envelopes, should be clearly marked with the words "FREEDOM OF INFORMATION APPEAL." Your letter should include in as much detail as possible any reason(s) why you believe the Office of the Secretary's response is in error. For more information on FOIA Administrative Appeals, you may review Subpart H of the Department's FOIA regulations, 43 C.F.R. Part 2, Subpart H.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c). This response is limited to records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Finally, please be assured that the Office of the Secretary is working to release all responsive records at issue in this lawsuit consistent with the contours of the Freedom of Information Act, 5 U.S.C. § 552. Should you have concerns about our production, we will timely communicate through our attorney of record, Marsha W. Yee of the U.S. Attorney's Office.

Sincerely,

JUSTIN DAVIS

Digitally signed by JUSTIN DAVIS
Date: 2019.12.04 09:12:40 -05'00'

Justin Davis
Office of the Secretary

Enclosure

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From:	Small, Jeff
To:	cole_rojewski@ios.doi.gov; Aaron Thiele; taylor_playforth@ios.doi.gov; katharine_macgregor@ios.doi.gov; todd_willens@ios.doi.gov
Subject:	[EXTERNAL] Draft Gosar questions and lead-in for today"s budget hearing
Date:	Wednesday, May 15, 2019 5:54:19 AM
Attachments:	image001.png image002.png image003.png image004.png Gosar leadin and questions 5.15.19 Bernhardt Hearing.docx

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Attached are the questions and statements I drafted for Rep. Gosar for today's "budget hearing."

Wanted to pass along so the Secretary wasn't caught off-guard.

He probably won't get to the round two questions but included just in case.

Apologies for not sending this over sooner.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
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Gosar Lead-in Statement

- Thank you, Mr. Chairman.

- First of all, I would like to commend you Mr. Secretary for the excellent job you are doing at the Department.

- During your tenure at DOI, you have worked diligently to increase hunting and fishing access, ensure clean water for future generations and empower local decision-making amongst other remarkable accomplishments.

- I often tell people, I wish other agencies were functioning as well and doing as much as the Department has done with your calling the shots.

- Just imagine what we could get done if the Chairman and other Democrats on this Committee worked with you, instead of against you.

- Mr. Secretary, I would also like to apologize for my friends on the other side of the aisle that decided to waste your time with this ridiculous hearing.

- Once again, the Democrats on the Committee aren't being transparent about their real agenda here today.

- Once again, Democrats on the Committee failed to produce a public hearing memo, in violation of their own Committee rules, so the media and American people know what is supposed to occur today.

- Once again, Democrats want to talk about anything other than the point of the hearing, which is supposed to be about the excellent budget produced by the Department of the Interior.

- Mr. Chairman, this circus you are running here today is embarrassing and you and your staff should be ashamed.

- This hearing should really be called, "Let's try to tear down a good man and waste his time by throwing out a bunch of bogus allegations and claims that have absolutely no merit."

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Gosar potential 1st Round of Questions

- Mr. Secretary, let's talk about actual things in the Department's budget.

- Myself and numerous members of this Committee support the administration's proposed reorganization and moving some operations out West. I have an appropriation's submission here (*hold up letter*) submitted by nearly a dozen of my colleagues and I that supports DOI's reorg. Mr. Chairman, I ask permission to submit this signed request for the Committee record? (*Wait for Grijalva to say without objection*).

  Mr. Secretary, a government closest to the people serves the people best. DOI's reorg will save taxpayer money and increase efficiency. Can you quickly elaborate on why the Department's reorganization is so important?

- Let's talk forestry. I also have an appropriation's submission here (*hold up letter*) submitted by 16 of my colleagues and I supporting DOI and the Forest Service's proposed legislative forestry packages that were included in the budget. Mr. Chairman, I ask permission to submit this signed request for the Committee record? (*Wait for Grijalva to say without objection*).

  Mr. Secretary, 2017 and 2018 were bad wildfire seasons with more than 120,000 fires burning more than 18 million federal acres. The Camp Fire cost more than $12.5 billion in insured losses, claimed 88 lives and destroyed nearly 14,000 homes. I applaud the Administration for recognizing the system is broken and including these legislative active management reforms in the budget. Can you elaborate on why these reforms are important and how they will help protect our communities?

- Mr. Secretary, you testified that strong ethics within DOI and compliance with the law are such a priority that DOI has hired 42 professional ethics advisors under the Trump Admin. and has already doubled the number of career ethics officials hired by the Obama Administration. I would argue that under your leadership, DOI is probably the most transparent, ethical and lawful agency out there. Anything you would like to add in that regard?

- Mr. Secretary, anything said earlier that you would like to respond to?

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Gosar potential 2nd Round of Questions

- Mr. Secretary, I was pleased to see yesterday that the House Democratic Appropriations Committee accepted the Department's proposed separation of the Bureau of Indian Affairs and the Bureau of Indian Education and included this proposal in their appropriation's bill. Can you elaborate on why this will save taxpayer money and improve efficiency and why this proposal will yield important benefits for Indian country?

- Mr. Secretary, I understand Democrats sent DOI a letter prior to the hearing with a bunch of false and ridiculous claims that have nothing to do with the budget, yet they are still bringing up here today. If these false claims had any merit, then they would have been transparent and provided a copy to Republicans on this Committee or included in a hearing memo. I'd like to run through some of the bogus claims and give you an opportunity to respond.

  Your decision to find a way to keep many of our National Parks open during the shutdown was very important to my district and the state of Arizona. It prevented significant harm to our tourism economy and local businesses. And it is a clear contrast between the way this administration operates and the way the Obama Administration operated by wasting taxpayer money erecting barriers to keep our veterans out of their memorials. Can you elaborate on why what you did there was important and a lawful use of FLREA funds?

  Mr. Secretary, the Dems falsely claim the Department doesn't respond to their litany of FOI requests and document demands. DOI provided 19,982 pages of requested info in relation to the Trump Administration's National Monument review, U.S. Fish and Wildlife Service has provided 8,500 pages of requested info in relation to Twin Metals. The list goes on and on. Can you elaborate on how transparent DOI has been and what all you have done to improve this process and respond to this flood of ridiculous requests?

(Continued on next page)

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Mr. Secretary, the Dems falsely claim you aren't being transparent about who you are meeting with. DOI has produced 27,000 pages of schedules, calendars, and daily cards just responding to the Committees' requests. I know you are extremely responsive, meet with folks on both sides of the aisle and ultimately make your decisions based on the merits and your principles. But can you quickly discuss why your calendar of all things isn't a concern and reiterate that you don't give any special favors to anyone that you meet with?

One of the bogus claims extreme groups and Dems on this Committee try to make is that you are selling out to special interests or the oil and gas industry. I know you are a Coloradan that cares deeply about protecting the environment. I know you have led multiple initiatives to ensure the preservation of some of our nation's treasures for sportsmen. I know you are a big hunter and fisherman. I have heard you talk about how the 1980s shale bust in your hometown deeply impacted you and have heard you publicly state that some areas just aren't appropriate for oil and gas development. Only 9.3% of the 700-million-acre federal mineral estate is leased for oil and gas development and I know you don't give special favors to anyone. Anything you'd like to add or did I do ok addressing that false narrative?

- Thank you again for being here Mr. Secretary. I don't lose a minute of sleep worrying about these absurd claims against you and DOI by extremist groups and people as I know you know the law and Department better than anyone that has ever been in your position and that you are an honest man, full of integrity. Put simply, you are the leader the Department and the American people deserve. I wish my friends on the other side of the aisle would realize these things and work with you as opposed to against you. America, would be much better off if they did. With that, I yield back.

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From: Small, Jeff
To: "John Tanner"; "amanda_kaster@ios.doi.gov"; "Deeley, Blake (blake_deeley@ios.doi.gov)"; "Chambers, Micah"; "katharine_macgregor@ios.doi.gov"; "Todd_Willens@ios.doi.gov"; "james_cason@ios.doi.gov"
Cc: Hanson, Tanner
Subject: [EXTERNAL] Final Signed Obama Mineral Withdrawal Letter and Press Release
Date: Wednesday, May 2, 2018 9:09:02 PM
Attachments: image003.png
image001.png
image002.png
5.2.18 Final Signed Mineral Withdrawal.pdf

Attached is the final signed letter from more than 50 Members and stakeholders calling on the Administration to scrap the political Obama Mineral withdrawals.

Below is our press release that went out.

Our Members appreciate the Department's consideration of this request.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
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jeff.small@mail.house.gov

From: Hanson, Tanner
Sent: Wednesday, May 02, 2018 6:20 PM
To: Hanson, Tanner
Cc: Small, Jeff
Subject: More than 50 Members, Stakeholders Call on Admin to Scrap Obama Mineral Withdrawals

For Immediate Release
Contact: Tanner Hanson

Date: May 2, 2018
Tanner.Hanson@mail.house.gov

More than 50 Members, Stakeholders Call on Admin to Scrap Obama Mineral Withdrawals

WASHINGTON, D.C. – Today, Congressional Western Caucus Chairman **Paul A. Gosar D.D.S. (AZ-04)**, Chief Infrastructure and Forestry Officer **Bruce Westerman (AR-04)**, Western Caucus Member **Tom Emmer (MN-06)**, and representatives for the **Competitive Enterprise Institute**, the **American Exploration & Mining Association**, the **National Mining Association**, the **American Resources Policy Network**, the **Arizona Mining Association**, the **Southern**

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Arizona Business Association, the **Yavapai Cattle Growers Association** as well as **Apache County Supervisor Doyel Shamley** released the following statements after 23 Members of Congress sent a letter to President Trump and agency heads requesting that they initiate a comprehensive review of all mineral withdrawals implemented by the previous Administration - and reverse any that are shown to be without merit:

Chairman Paul Gosar stated, "Today, we implore this Administration to take a closer look at several improper mineral withdrawals that were planned behind closed doors and executed in unprecedented haste by the last Administration. These massive mineral estate removals proved devastating to local communities, imperiling good-paying jobs and shattering investor and mining company confidence. The Trump Administration has done an incredible job signalling that it supports responsible job creation and opposes arbitrary or political violations of the rule of law. The next natural step in acting on that agenda is to reverse these withdrawals in the Superior National Forest, Arizona Strip and Southwest Oregon regions - as well as any of the other Obama-era withdrawals the Administration deems unnecessary and harmful. President Trump: Believe it or not, some of our people still aren't tired of wining. Do this, and you may get Rural America to love you even more than it already does."

Chief Infrastructure and Forestry Officer Bruce Westerman said, "Domestic minerals are critical to both our national security and economic well being. At no point should either be needlessly harmed for partisan gain. My colleagues and I encourage the swift and thorough review of these clearly political domestic mineral withdrawals."

Congressman Emmer stated, "In their final hours, without hesitation or merit, the Obama Administration put thousands of jobs on notice, threatened the economic foundation of communities around the country, including in Minnesota, and took steps to make it harder for the United States to access minerals and materials critical to our national security. These actions blocked responsible projects from proving they can be done while protecting our environment. It's time this Administration take a deeper look into these politically motivated moves. I look forward to swift action from the Department of Interior and the President to undo the damage of the former administration."

"With more than one-half of the U.S. mineral estate already off limits or subject to severe restrictions, allowing these withdrawals to remain will only increase our Nation's reliance on foreign sources of strategic and critical minerals while shipping high paying jobs overseas," said the **American Exploration & Mining Association**.

"The negative effects of large-scale withdrawals of federal lands from mineral entry extend far beyond depressing mineral production in the United States. These withdrawals also destroy high-paying jobs, undermine rural economies, and contribute to locking up the vast federal estate. Revoking the withdrawals made by the previous administration is a good first step, which should be followed by a comprehensive review of all the lands that have been withdrawn over many decades," said, **Myron Ebell, Director for the Center for Energy and Environment at the Competitive Enterprise Institute**.

"America's supply chain is at risk thanks, in part, to political decision-making in recent years that had little to do with good stewardship and everything to do with short-term political expediency," said **Hal Quinn, President and CEO of the National Mining Association**. "Despite being home to rich mineral deposits, less than half of the mineral needs of U.S. manufacturing are met domestically, leaving key domestic industries vulnerable to foreign sources. While some land withdrawals may be necessary, a comprehensive review of mineral withdrawals executed under the previous administration is merited given the unprecedented frequency and scope of past actions locking up important strategic resources."

"Northern Arizona's unique breccia pipe geological formations represent the nation's largest

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source of high-grade uranium ore. The current reality is that America's nuclear power industry imports approximately 92 percent of the uranium it uses from foreign sources. Given domestic availability of this uranium, importing this material defies all reason. America has more than enough uranium within our borders to supply our own needs. Responsible domestic uranium mining followed by reclamation will provide great benefits for our country's electric power needs, local economies and the environment. America's nuclear power plants are clean and release no carbon emissions, making these deposits in northern Arizona an almost perfect remedy for our electricity-dependent nation," stated **Steve Trussell, Executive Director of the Arizona Mining Association**.

"If we do not repair the damages done by erroneous blockading of mineral utilization, this country will continue to allow itself to be subject to increased threats to our strategic position. Further, failing to overturn political mineral withdrawals by the previous administration will block tens of thousands of jobs and cause significant harm to our economy," said **Doyel Shamley, Apache County Supervisor**.

"Without a strong economic environment and self-sustaining resource development effort the US will not have the ability to lead and support the very freedoms that all want to embrace. The withdrawal of our much needed mineral resources by the previous administration leaves this country, the leader of freedom and environmental around the world vulnerable to governments that don't respect the human or natural environment," stated the **Southern Arizona Business Coalition**.

"In this day and age, and given our standing in the eyes of the world, it is ridiculous that we should be dependent on so many important minerals and subject to the whim of foreign countries when we can develop most of these resources right here in America. Accordingly, the Trump Administration should act to scrap political mineral withdrawals by the Obama Administration," said **Larry Parker, President of the Yavapai Cattle Growers Association**.

Background:

Today, May 2, 2018, the Western Caucus led 23 Members of Congress in sending a letter addressed to President Trump, Secretaries Zinke and Perdue and U.S. Forest Service Acting Secretary Christiansen respectfully requesting that they initiate a comprehensive review of all mineral withdrawals implemented by the previous Administration, and that they reverse any withdrawals determined to be without merit or to have been initiated in order to block specific development.

Members asked that a review confirm the withdrawals' statutory compliance as well as consider their practicality, necessity and economic and national security impacts.

Read the letter with all signers HERE.

The prior Administration was responsible for more significant withdrawals of the federal mineral estate from exploration, location and entry than any other to date. Tens of millions of acres were withdrawn, with some of the most consequential actions coming at the very end of the Obama Administration in a flurry of rushed orders that wreaked devastation on the communities and companies that were abruptly targeted.

Rather than there being a sudden, increased danger posed by mining that was entirely unknown prior to the last Administration's arrival in 2008, it is clear from the Obama Administration's land selection choices that they leveraged executive power to lock up land from legitimate development in order to appease environmentalist and other special interest demands.

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As House Committee on Natural Resources Chairman Rob Bishop noted in a September 28, 2017 letter to Secretaries Zinke and Perdue, "Under the prior Administration, mineral access on Federal land was regularly and systemically blocked, harming our nation's economic and strategic potential. Indeed, millions of acres of Federal lands were inappropriately withdrawn from mineral access due to false premises of environmental protectionism and the intentional misuse of statutory authority." He also observes that these withdrawals seem to have been inconsistent with statutory requirements regarding mineral withdrawals under the Federal Land Management Policy Act (FLMPA), both in their size as well as by potentially failing to meet the FLMPA's "consideration" standard for such withdrawals.

It's the long-stated position of the Trump Administration, on the other hand, that the United States must embark on a policy of securing the domestic production of critical and strategic minerals with sensitive supply chains in order to ward off foreign influence and control over our nation's physical and economic security.

- -

Letter signers (23):
Paul Gosar, Tom Emmer, Bruce Westerman, Rob Bishop, Roger Marshall, Brian Babin, Doug LaMalfa, Chris Stewart, Jody Hice, Mark Amodei, Jackie Walorski, Ted S. Yoho, D.V.M., Mark Meadows, Scott Perry, Paul Cook, Alex X. Mooney, Randy Weber, Kevin Cramer, John Duncan, Jeff Duncan, Scott DesJarlais, Doug Lamborn, Ron Estes

Endorsed by:
American Exploration & Mining Association, National Mining Association, Women's Mining Coalition, Competitive Enterprise Institute, Americans for Limited Government, American Resources Policy Network, Alaska Miners Association, APEX, Arizona Mining Association, Arizona Pork Council, Arizona Rock Products Association, AZ BASS Nation, Bass Federation-AZ, Hibbing Area Chamber of Commerce, Hudbay Rosemont Copper Project, Idaho Mining Association, Jobs For Minnesotans, MiningMinnesota, New Mexico Cattle Growers' Association, New Mexico Wool Growers Inc., SRT Outdoors, Sulphur Springs Valley Electric Cooperative, Utah Mining Association, Yavapai Cattle Growers Association, Arizona District 6 Senator Sylvia Allen and Yavapai County Supervisors Rowle Simmons and Thomas Thurman

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Congress of the United States

House of Representatives

Washington, DC 20515-0301

May 2, 2018

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue
Washington, DC 20002

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

The Honorable Vickie Christiansen
Acting Secretary
U.S. Forest Service
1400 Independence Avenue SW
Washington, DC 20250

Dear President Trump, Secretary Zinke and Secretary Perdue,

We write to request a comprehensive review of all mineral withdrawals executed under the previous administration. Further, we ask that you take action to scrap any mineral withdrawals determined to be without merit and whose purpose served to block responsible development.

We also write to express gratitude to the Administration for cancelling the previous Administration's proposed 10-million-acre mineral withdrawal in six Western states. As you know, that massive mineral withdrawal proposal included more than 7,000 active mining claims that was erroneously said to be necessary in order to protect the non-endangered Sage Grouse. While this proposed mineral withdrawal was being analyzed, an immediate two-year moratorium was put in place with an additional 20-year moratorium was considered. This withdrawal was political – it was designed to appeal to donors and radical environmentalist groups rather than solve a statutory or policy problem – as BLM's draft EIS documented that less than 0.1% of the proposed 10 million acre withdrawal area would be affected by mining in the next 20 years.

Domestic minerals are critical to our nation's national security, economic growth and manufacturing. Almost every product and component of infrastructure we use in our everyday lives depends inextricably on processed minerals. Minerals that are mined right here in the U.S. make possible the production of cell phones and other high-end electronics, solar panels, bridges and cars.

Despite the vital importance of minerals, the previous Administration took dozens of anti-mining actions which, if left in place, will stifle job creation, decimate local economies and disrupt public education funding streams. This overreach locked up millions of acres of Federal lands under false pretenses and harmed our nation's domestic mineral supply.

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In fact, the Obama Administration proposed at least 31 domestic mineral withdrawals. The fact that many of these mineral withdrawals were designed to appease extremist special interest groups means they should be rejected on that premise alone. However, Members should be equally concerned about these actions given U.S. dependence on strategic and critical minerals from foreign countries. This op-ed points out that "of the 88 mineral commodities tracked by the U.S. Geological Survey, the United States is now at least 25 percent import dependent on 62 of them." Further, a recent Department of the Interior (DOI) and (USGS) U.S. Geological Survey published a 2018 mineral commodities summary report that found the U.S. is **100 percent net import reliant** on foreign countries, including China, for **21 different critical minerals**.

This dependency is incredibly dangerous for our national security and the country's future prosperity. As illustrated in the DOI and USGS report, "The sometimes-tenuous nature of the mineral supply chain received world attention in 2010 when China suddenly drastically cut its export quota for the rare-earth elements. The move highlighted the fact that China had a virtual monopoly on the short-term supply of rare-earth elements—elements that are essential to the renewable energy sector and many other high-tech applications globally."

A few glaring examples of political mineral withdrawals intended to block responsible development include:

1. **The Arizona Strip Mineral Withdrawal**
   Following the discovery of highly valuable uranium deposits in the Arizona Strip in the late 1970s, job creators and energy advocates approached Congress to encourage a legislative solution that would allow new exploration and production in the area by releasing some of the 44 different Wilderness Study Areas (WSA's) on Forest Service and Bureau of Land Management lands.

   Pam Hill of the American Clean Energy and Resources Trust provided testimony on these events stating, "We were told that the only way to speed up the 10-year wilderness designation process was to obtain the approval of all of the stakeholders in the region and return to Washington, D.C. with a compromise that would then be included in a wilderness bill. After several months of negotiation among ideologically disparate interest groups and governmental entities, including the National Parks and Conservation Association, the Wilderness Society, the Arizona Wildlife Federation, the Sierra Club, grazers, timber companies, local businesses, civic groups, regulatory agencies, and local, county and state governments, a unique piece of legislation was forged. The compromise added 387,000 acres to the National Wilderness Preservation System and released 540,000 acres to multiple-use (including mining)."

   In 1984, the historic Arizona Strip Wilderness Act was signed into law in the form of Public Law 98-406. The bill was cosponsored by the entire Utah and Arizona Congressional delegations, including Interior Committee Chairman Morris Udall, Congressman Bob Stump as well as Senators John McCain and Orin Hatch.

   Unfortunately, many of the same organizations involved in passing the groundbreaking Arizona Strip Wilderness Act went back on their word. In order to appease these

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extremist groups that double-crossed industry, elected officials and the people of Arizona and Utah; the Obama Administration unilaterally acted to upend the bipartisan and bicameral bill passed by Congress. As the American Clean Energy and Resources Trust points out, "Using inaccurate, outdated, unrelated, often downright fabricated 'arguments' as well as more than a little 'in your face' chutzpah, environmental groups including the Center for Biological Diversity (CBD), the Grand Canyon Trust (GCT) and the Sierra Club pressured the then new Secretary of the Interior, Ken Salazar, to withdraw almost one million acres of land in northern Arizona from any and all mining activities."

As a result of this mineral withdrawal, tens of millions of dollars spent by companies on exploration were wasted, more than 2,000 mining claims became essentially worthless overnight and hundreds of high-paying jobs in an extremely rural area were killed. The Mohave County Board of Supervisors claim this withdrawal will cost local economies $29 billion over a 42-year period. The Board also pointed out that uranium is used by our military in tanks, bullets and missiles as well as to power Navy ships. The reality is that domestic utilities now import 95% of the uranium to power America's 100 reactors whereas 40 years ago 100% of U. S. nuclear electricity was generated solely with U.S. mined uranium.

The Arizona-Utah Economic Coalition has passed a resolution calling for revocation of this mineral withdrawal stating, "The withdrawal eliminated opportunities to create over 2000 direct and indirect jobs…the withdrawal area includes between 325-375 million pounds (the equivalent electricity generating capacity for the entire state of California's 40 million people for 22.4 years)." The U.S. Department of Agriculture also identified this mineral withdrawal as a potential burden to domestic energy production in its final report in response to President Trump's energy independence executive order.

Deposits in the Arizona Strip mineral withdrawal area are the highest grade in the United States and the region has successfully yielded uranium ore for multiple decades. The Arizona Daily Star reported, "By the 1980s, there were eight mines on the Arizona Strip producing 19 million pounds of U3O8 from 7 breccia pipes. Extensive drilling in the region revealed ore-grade mineralization from 71 breccia pipes averaging 5 million pounds of uranium each. The Hack Canyon Mine produced some of the highest-grade and most profitable uranium in the U.S, an average grade of 0.64% U3O8 for a total of 9.5 million pounds."

These Arizona Strip uranium deposits are strategic in that access to them provides a high quality current and future domestic source for nuclear fuel and weapons requirements. This is particularly important as we see the Russian Federation's growing efforts to dominate, control and potentially limit access to uranium ore and nuclear fuels supplies.

Article IV, Section 3 of our Constitution gives Congress "the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." Unfortunately, the will of Congress and the needs of the American people were ignored with this unilateral mineral withdrawal.

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2. **The Superior National Forest Land Grab**
In the waning days of the Obama Administration, federal land management agencies took several actions that would stifle job creation, decimate local economies, and even cause significant harm to K-12 education in Minnesota. On January 5, 2017, the U.S. Forest Service (USFS) formally proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. Education will be significantly harmed, as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless local businesses and individuals have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the more than 50 Members of the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

3. **The Revested Oregon & California Railroad Lands**
On January 13, 2017, the Obama Administration's Bureau of Land Management (BLM) published a Public Land Order withdrawing more than 100,000 acres of BLM and Forest Service lands in Southwest Oregon for 20 years.

According to BLM's Federal Register Notice proposing the Oregon withdrawal, the lands encompassed by the withdrawal are "home to some of the most diverse, complex, and potentially economic geology in Oregon. Multiple deposits containing gold, silver, chrome, cobalt, nickel, platinum group elements, manganese, mercury, coal, limestone, and quarry rock exist within the area....Withdrawal of these lands from location and entry under the mining law could substantially hinder mineral development of these strategic minerals in the future."

Further, this political land grab targeted two specific projects that hold large quantities of nickel, cobalt and scandium. Scandium is one of the most valuable and useful rare earth metals. It is used in fighter planes, lasers, electronics, ceramics, sporting equipment, radioactive isotopes and for research purposes. The U.S. was 100 percent net import reliant on foreign countries for scandium in 2017 and most scandium metals and

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compounds are imported from China. Cobalt is used in jet engines, solar panels, wind turbines and batteries. The United States is more than 70% important reliant on other countries for cobalt. Nickel is essential to making stainless steel. It also is critical to numerous defense technologies and weapons' platforms. The U.S. is 59% import reliant on foreign countries for nickel despite world class undeveloped resources.

Given the importance of the strategic and critical minerals targeted by this withdrawal, we are troubled by a February 21, 2018 letter from Secretary Perdue that indicated the Administration plans to leave this withdrawal in place.

* * *

In addition to the three withdrawals detailed above, we ask that you stand up for communities negatively impacted by unwarranted political attacks by taking action to reject any other mineral withdrawals from the Obama Administration found to be without merit and that were implemented to discourage production.

We are honored to have the support of the following organizations and individuals that agree with our position and have endorsed this letter: American Exploration & Mining Association, National Mining Association, Women's Mining Coalition, Competitive Enterprise Institute, Americans for Limited Government, American Resources Policy Network, Alaska Miners Association, APEX, Arizona Mining Association, Arizona Municipal Power Users Association, Arizona Pork Council, Arizona Rock Products Association, AZ BASS Nation, Bass Federation-AZ, Hibbing Area Chamber of Commerce, Hudbay Rosemont Copper Project, Idaho Mining Association, Jobs For Minnesotans, MiningMinnesota, New Mexico Cattle Growers' Association, New Mexico Wool Growers Inc., Southern Arizona Business Coalition, SRT Outdoors, Sulphur Springs Valley Electric Cooperative, Utah Mining Association, Yavapai Cattle Growers Association, Arizona District 6 Senator Sylvia Allen, Apache County Supervisor Doyel Shamley and Yavapai County Supervisors Thomas Thurman and Rowle Simmons.

Thank you for your consideration of this request. We look forward to your timely response.

Sincerely,

Paul A. Gosar, D.D.S.
Member of Congress

Tom Emmer
Member of Congress

Bruce Westerman
Member of Congress

Rob Bishop
Member of Congress

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Roger Marshall
Member of Congress

Brian Babin
Member of Congress

Doug LaMalfa
Member of Congress

Chris Stewart
Member of Congress

Jody Hice
Member of Congress

Mark Amodei
Member of Congress

Jackie Walorski
Member of Congress

Ted S. Yoho, D.V.M.
Member of Congress

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Mark Meadows
Member of Congress

Scott Perry
Member of Congress

Paul Cook
Member of Congress

Alex Mooney
Member of Congress

Randy Weber
Member of Congress

Kevin Cramer
Member of Congress

John Duncan
Member of Congress

Jeff Duncan
Member of Congress

AMERICAN OVERSIGHT

Scott DesJarlais
Member of Congress

Doug Lamborn
Member of Congress

Ron Estes
Member of Congress

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From:	Small, Jeff
To:	cole_rojewski@ios.doi.gov
Cc:	Van Flein, Tom
Subject:	[EXTERNAL] FW: Deadline Today: WC Visit to Minnesota
Date:	Wednesday, June 12, 2019 11:51:45 AM
Attachments:	image002.png image003.png image004.png image005.png image006.png Western Caucus Northeast Minnesota Mine Tours.pdf

Cole,

Here is the agenda for the trip that Rep. Gosar and Tom requested you all send someone on.

Let me know if you have questions.

Thanks,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
https://westerncaucus house.gov
(202) 225-2315 main
jeff.small@mail.house.gov

From: Small, Jeff
Sent: Wednesday, June 12, 2019 11:42 AM
To: Small, Jeff
Cc: Morley, Andrew; Igo, Spencer
Subject: Deadline Today: WC Visit to Minnesota



Western Caucus Northeastern Minnesota Mine Tours
6/28/19

Final reminder that Reps. Stauber and Gosar **invite Members of Congress and staff** to join

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them on an upcoming Western Caucus mine tour trip to the Iron Range in Northeastern Minnesota.

We have four Members attending so far and more than a dozen staffers. This is going to be a great mining trip and we hope you and your boss can join!

The initial deadline to RSVP and make your reservations is today, June 12.

The trip includes visiting U.S. Steel's Minntac mine for a presentation and tour, visiting PolyMet for a presentation and tour, and a presentation from Twin Metals' leadership.

We'll be staying at Giant's Ridge on Thursday night, a resort in the region. We have a block of rooms reserved. The reservation number is 30527 and the total is $169.25 for the night with taxes. Once we have concluded the tours on Friday, we have reserved another block of rooms at the Holiday Inn in Hermantown which is a great place to stay to prepare for the return home and stay Friday night. You can call the hotel directly to make the reservation 218-722-0909 using the group code: USA. A room is $259 dollars a night. Busy time has hit in the Northland!

Apart from the lodging details, here is a good flight for the evening that would bring you to Duluth.
Delta:
Flight #DL1589
Departs-5:44pm
Arrives-8:36pm

Itinerary for Friday 6/28/19
8:00am-Wake up and light breakfast
8:30am-Depart for U.S Steel MinnTac
9:00am-Arrive at U.S Steel MinnTac for Presentation and Tour
12:00pm-Depart U.S Steel MinnTac for The Quarry Overlook and media interviews
12:30pm-Arrive at The Quarry for interviews
1:00pm-Lunch at Giants Ridge
2:00pm-Depart for PolyMet
2:30pm-Arrive at PolyMet for Presentation and Tour
4:30pm-Depart PolyMet
5:00pm-Arrive at Giants Ridge
5:30pm-Dinner with Presentation from Twin Metals
7:30pm-End of Day

In case you missed it, there was an excellent story recently published by the Wall Street Journal in relation to the Twin Metals project.

Please contact Andrew Morley at Andrew.Morley@mail.house.gov, Spencer Igo at Spencer.Igo@mail.house.gov or Jeff Small Jeff.Small@mail.house.gov to RSVP or with questions.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515

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https://westerncaucus house.gov
(202) 225-2315 main
jeff.small@mail.house.gov


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Western Caucus Northeast Minnesota Mine Tours
6/28

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Please contact Andrew Morley at Andrew.Morley@mail.house.gov, Spencer Igo at Spencer.Igo@mail.house.gov or Jeff Small Jeff.Small@mail.house.gov to RSVP or with questions.

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From:	Small, Jeff
To:	(b)(6) - David Bernhardt .gov"
Subject:	[EXTERNAL] FW: Draft Gosar questions and lead-in for today"s budget hearing
Date:	Wednesday, May 15, 2019 5:59:53 AM
Attachments:	image001.png image002.png image003.png image004.png Gosar leadin and questions 5.15.19 Bernhardt Hearing.docx

FYI

From: Small, Jeff
Sent: Wednesday, May 15, 2019 5:53 AM
To: cole_rojewski@ios.doi.gov; Aaron Thiele; taylor_playforth@ios.doi.gov; katharine_macgregor@ios.doi.gov; todd_willens@ios.doi.gov
Subject: Draft Gosar questions and lead-in for today's budget hearing

Attached are the questions and statements I drafted for Rep. Gosar for today's "budget hearing."

Wanted to pass along so the Secretary wasn't caught off-guard.

He probably won't get to the round two questions but included just in case.

Apologies for not sending this over sooner.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
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Gosar Lead-in Statement

- Thank you, Mr. Chairman.

- First of all, I would like to commend you Mr. Secretary for the excellent job you are doing at the Department.

- During your tenure at DOI, you have worked diligently to increase hunting and fishing access, ensure clean water for future generations and empower local decision-making amongst other remarkable accomplishments.

- I often tell people, I wish other agencies were functioning as well and doing as much as the Department has done with your calling the shots.

- Just imagine what we could get done if the Chairman and other Democrats on this Committee worked with you, instead of against you.

- Mr. Secretary, I would also like to apologize for my friends on the other side of the aisle that decided to waste your time with this ridiculous hearing.

- Once again, the Democrats on the Committee aren't being transparent about their real agenda here today.

- Once again, Democrats on the Committee failed to produce a public hearing memo, in violation of their own Committee rules, so the media and American people know what is supposed to occur today.

- Once again, Democrats want to talk about anything other than the point of the hearing, which is supposed to be about the excellent budget produced by the Department of the Interior.

- Mr. Chairman, this circus you are running here today is embarrassing and you and your staff should be ashamed.

- This hearing should really be called, "Let's try to tear down a good man and waste his time by throwing out a bunch of bogus allegations and claims that have absolutely no merit."

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Gosar potential 1st Round of Questions

- Mr. Secretary, let's talk about actual things in the Department's budget.

- Myself and numerous members of this Committee support the administration's proposed reorganization and moving some operations out West. I have an appropriation's submission here (*hold up letter*) submitted by nearly a dozen of my colleagues and I that supports DOI's reorg. Mr. Chairman, I ask permission to submit this signed request for the Committee record? (*Wait for Grijalva to say without objection*).

  Mr. Secretary, a government closest to the people serves the people best. DOI's reorg will save taxpayer money and increase efficiency. Can you quickly elaborate on why the Department's reorganization is so important?

- Let's talk forestry. I also have an appropriation's submission here (*hold up letter*) submitted by 16 of my colleagues and I supporting DOI and the Forest Service's proposed legislative forestry packages that were included in the budget. Mr. Chairman, I ask permission to submit this signed request for the Committee record? (*Wait for Grijalva to say without objection*).

  Mr. Secretary, 2017 and 2018 were bad wildfire seasons with more than 120,000 fires burning more than 18 million federal acres. The Camp Fire cost more than $12.5 billion in insured losses, claimed 88 lives and destroyed nearly 14,000 homes. I applaud the Administration for recognizing the system is broken and including these legislative active management reforms in the budget. Can you elaborate on why these reforms are important and how they will help protect our communities?

- Mr. Secretary, you testified that strong ethics within DOI and compliance with the law are such a priority that DOI has hired 42 professional ethics advisors under the Trump Admin. and has already doubled the number of career ethics officials hired by the Obama Administration. I would argue that under your leadership, DOI is probably the most transparent, ethical and lawful agency out there. Anything you would like to add in that regard?

- Mr. Secretary, anything said earlier that you would like to respond to?

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Gosar potential 2nd Round of Questions

- Mr. Secretary, I was pleased to see yesterday that the House Democratic Appropriations Committee accepted the Department's proposed separation of the Bureau of Indian Affairs and the Bureau of Indian Education and included this proposal in their appropriation's bill. Can you elaborate on why this will save taxpayer money and improve efficiency and why this proposal will yield important benefits for Indian country?

- Mr. Secretary, I understand Democrats sent DOI a letter prior to the hearing with a bunch of false and ridiculous claims that have nothing to do with the budget, yet they are still bringing up here today. If these false claims had any merit, then they would have been transparent and provided a copy to Republicans on this Committee or included in a hearing memo. I'd like to run through some of the bogus claims and give you an opportunity to respond.

  Your decision to find a way to keep many of our National Parks open during the shutdown was very important to my district and the state of Arizona. It prevented significant harm to our tourism economy and local businesses. And it is a clear contrast between the way this administration operates and the way the Obama Administration operated by wasting taxpayer money erecting barriers to keep our veterans out of their memorials. Can you elaborate on why what you did there was important and a lawful use of FLREA funds?

  Mr. Secretary, the Dems falsely claim the Department doesn't respond to their litany of FOI requests and document demands. DOI provided 19,982 pages of requested info in relation to the Trump Administration's National Monument review, U.S. Fish and Wildlife Service has provided 8,500 pages of requested info in relation to Twin Metals. The list goes on and on. Can you elaborate on how transparent DOI has been and what all you have done to improve this process and respond to this flood of ridiculous requests?

(Continued on next page)

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Mr. Secretary, the Dems falsely claim you aren't being transparent about who you are meeting with. DOI has produced 27,000 pages of schedules, calendars, and daily cards just responding to the Committees' requests. I know you are extremely responsive, meet with folks on both sides of the aisle and ultimately make your decisions based on the merits and your principles. But can you quickly discuss why your calendar of all things isn't a concern and reiterate that you don't give any special favors to anyone that you meet with?

One of the bogus claims extreme groups and Dems on this Committee try to make is that you are selling out to special interests or the oil and gas industry. I know you are a Coloradan that cares deeply about protecting the environment. I know you have led multiple initiatives to ensure the preservation of some of our nation's treasures for sportsmen. I know you are a big hunter and fisherman. I have heard you talk about how the 1980s shale bust in your hometown deeply impacted you and have heard you publicly state that some areas just aren't appropriate for oil and gas development. Only 9.3% of the 700-million-acre federal mineral estate is leased for oil and gas development and I know you don't give special favors to anyone. Anything you'd like to add or did I do ok addressing that false narrative?

- Thank you again for being here Mr. Secretary. I don't lose a minute of sleep worrying about these absurd claims against you and DOI by extremist groups and people as I know you know the law and Department better than anyone that has ever been in your position and that you are an honest man, full of integrity. Put simply, you are the leader the Department and the American people deserve. I wish my friends on the other side of the aisle would realize these things and work with you as opposed to against you. America, would be much better off if they did. With that, I yield back.

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DOI-19-0538-F-000028

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From: Small, Jeff
To: john_tanner@ios.doi.gov; micah_chambers@ios.doi.gov; "katharine_macgregor@ios.doi.gov"
Subject: [EXTERNAL] FW: Western Caucus and Trump Administration Reverse Obama Land Grab
Date: Saturday, September 8, 2018 11:01:32 AM
Attachments: image001.png
image002.png
image003.png
image004.png

Fyi. Thanks!

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
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jeff.small@mail.house.gov

From: Western Caucus [mailto:WesternCaucus@mail.house.gov]
Sent: Friday, September 07, 2018 5:58 PM
To: Small, Jeff
Subject: Western Caucus and Trump Administration Reverse Obama Land Grab

For Immediate Release
Contact: Emilio Navarrete

Date: September 7, 2018
Emilio.Navarrete@mail.house.gov

Western Caucus and Trump Administration Reverse Obama Land Grab

WASHINGTON, D.C. – Today, Congressional Western Caucus Chairman **Paul Gosar (AZ-04)**, Chief Infrastructure and Forestry Officer **Bruce Westerman (AR-04)**, and Chief Rules Officer **Andy Biggs (AZ-05)**, and Western Caucus Members **Frank Lucas (OK-03)** and **Tom Emmer (MN-06)** released the following statements after the Trump Administration canceled the Obama Administration's proposed land grab in Northern Minnesota:

Congressman Tom Emmer stated, "The Department of Agriculture's move today [yesterday] to cancel the federal withdrawal is a major victory for Minnesota. My MINER Act demonstrated the strong bipartisan support that exists for unleashing our state's full mining potential. Despite arguments that Washington should make these decisions for us, now, Minnesota's mineral rights are finally restored back to the people of our great state. I am grateful to the President, Secretary Zinke, Secretary Purdue and the entire administration for their support in our efforts to fully restore Minnesota's right to explore."

Chairman Paul Gosar stated, "In the final days of the Obama Administration, President Obama used the arm of the federal government to lockup a large swath of land in Northern Minnesota. With one fell swoop, Washington bureaucrats deprived thousands of Minnesotans of good-paying jobs and economic prosperity for the sake of an extreme agenda. The truth is that we can protect our environment while securing robust growth within the region; this is not a zero sum situation. This decision accomplishes exactly that. I applaud President Trump, USDA Secretary Sonny Perdue, and DOI Secretary Ryan Zinke for working with the Western Caucus to overturn President Obama's Minnesota land grab. This is a historic win for the Caucus and the people of Minnesota."

Congressman Bruce Westerman said, "Unilateral decision making has no place in federal land management. When Washington bureaucrats pass down sweeping regulations to please special interests, they ignore the needs and the expertise of the local communities who survive off of these lands. We see time and time again that local control results in the best management, more family-wage jobs, and the greatest prosperity for local economies. I am pleased with USDA's decision to cancel the Obama-era land withdrawal in the Superior National Forest. It is a win for Minnesotans, and a win for those who believe that Americans have the right to manage their own backyard. I applaud Secretary Purdue for prioritizing local control and want to thank the Trump Administration for putting local economies first in their decision making."

Congressman Andy Biggs stated, "The previous administration's regulatory overreach harmed countless Americans, including many around Minnesota's Superior National Forest. By canceling the political regulation for this region, President Trump and his administration have taken another bold step that will produce jobs and sustain a booming economy for the American people. I applaud Congressman Emmer and Chairman Gosar for winning this fight."

Congressman Frank Lucas said, "I applaud USDA's announcement that they are canceling the application for the Rainy River Watershed Withdrawal. This withdraw application was a last ditch effort by the Obama administration to stop the people of Minnesota from developing this land for the next twenty years. If allowed to continue, this withdraw would have done incredible harm to the local economies that depend on this projected development. I thank Secretary Perdue and Congressman Emmer for their leadership on this issue."

Background:

On September 6th, the U.S. Department of Agriculture, specifically the U.S. Forest Service, announced that it has canceled the application for the Rainy River Watershed Withdrawal, which would have drastically impeded mining in Northern Minnesota and caused significant harm to local economies.

To see the 9/6/18 letter from Northeastern Area and Regional Forester Kathleen Atkinson making this announcement click HERE.

Under the December 14, 2016 withdrawal application, approximately 234,000 acres of federal land in the Superior National Forest was proposed to be removed from mineral leasing laws for a 20-year period, immediately placing this vast area off limits to development for up to two years while the 20-year withdrawal was considered. The total withdrawal application boundary spanned approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

17,000 jobs, $3 billion for education, $1.5 billion in annual wages, $2.5 billion annually for our economy and a total of four billion tons of strategic-and-critical-mineral-containing ore were at risk if the withdrawal application was not canceled. The Obama Administration's arbitrary termination of two hardrock mineral leases and politicized mining withdrawal – coming only the day before President Obama left office – aimed to set a terrible precedent for sweeping executive power grabs that could threaten the livelihoods of communities throughout the country.

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Congress passed two separate laws authorizing mining in the Superior National Forest, and the 1986 Forest Service and 2004 Forest Plans both concluded that mining is 'a desired condition.' No one is proposing to mine in the 1.1 million acre Boundary Waters Wilderness Area, an area that already has significant buffers, and mining in the forest will occur only after job creators have gone through the full NEPA environmental process.

An awesome video produced by the people of Minnesota on these issues can be viewed HERE.

In June of 2017, Reps. Gosar, Emmer, Westerman and Nolan toured several mining operations, held a stakeholder meeting and visited the proposed federal withdrawal area. The comments they heard on the ground from American families, businesses and individuals who want good-paying jobs and support mining projects in the area led to a Congressional effort to overturn the Obama Administration's land grab.

Accordingly, Members of the Western Caucus took several actions to reverse the previous administration's proposed mineral withdrawal including:

- A press release and letter signed by 26 Members calling for rescission of the 234,328-acre mineral withdrawal application and renewal of two improperly terminated leases can be found HERE.
- An Interior Appropriations Request signed by 9 members including House Committee on Natural Resources Chairman Rob Bishop can be viewed HERE.
- The press release on the Natural Resources hearing on H.R.3905 can be found HERE.
- A press story on Rep. Emmer's Interior Appropriations Amendment passing the House can be found HERE.
- A press release on passage of H.R. 3905 through the House of Representatives can be found HERE.
- A press release and letter supported by more than 50 Members and Stakeholders calling on the Trump Administration to review the 30+ mineral withdrawals from the Obama Administration can be found HERE.

###

As always, you can follow everything Western Caucus on our Website, Twitter, Facebook and Instagram.

For Immediate Release
Contact: Emilio Navarrete

Date: September 7, 2018
Emilio.Navarrete@mail.house.gov

Western Caucus and Trump Administration Reverse Obama

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Land Grab

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###

As always, you can follow everything Western Caucus on our Website, Twitter, Facebook and

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Instagram.

Click Here to view this email in your browser
Click Here to be removed from this list

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From:	Small, Jeff
To:	taylor_playforth@ios.doi.gov; cole_rojewski@ios.doi.gov; Aaron Thiele
Subject:	[EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview
Date:	Wednesday, May 15, 2019 5:16:28 PM
Attachments:	image001.png image002.png image003.png image004.png

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Thanks guys!

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
https://westerncaucus.house.gov
(202) 225-2315 main
jeff.small@mail.house.gov



From: Emilio Navarrete [mailto:emilio.l.navarrete@gmail.com]
Sent: Wednesday, May 15, 2019 4:36 PM
To: Small, Jeff; Navarrete, Emilio
Subject: Fwd: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview

---------- Forwarded message ---------
From: **Emilio Navarrete** <Emilio.Navarrete@mail.house.gov>
Date: Wed, May 15, 2019 at 4:35 PM
Subject: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview
To: (b) (6) [redacted]

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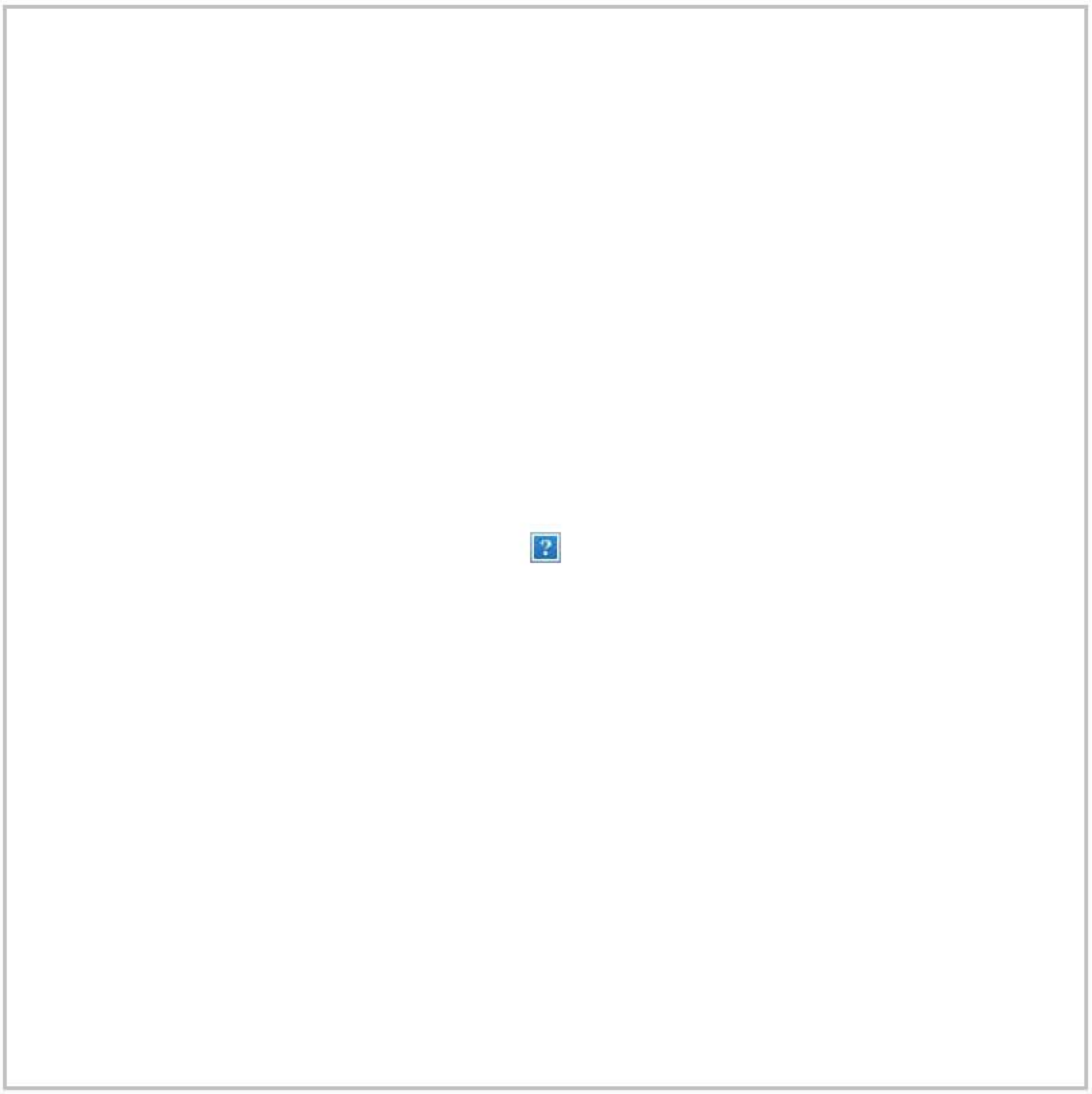
For Immediate Release

Date: May 15, 2019

Contact: Emilio Navarrete | Emilio.Navarrete@mail.house.gov

Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration

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WASHINGTON, D.C. – Today, U.S. Department of the Interior's Assistant Secretary for Land and Minerals Management Joe Balash and Members of the Western Caucus released statements following the reinstatement of two Twin Metals Minnesota LLC-held hardrock mineral leases located on the Superior National Forest in Northern Minnesota:

U.S. Department of the Interior's Assistant Secretary for Land and Minerals Management Joe Balash: "Mining on public lands balances conservation strategies and policies with the need to produce minerals that add value to the lives of all Americans by providing raw materials used in the manufacture of medical aids, automobiles, smart phones and computers, and household appliances. Under President Trump's leadership and direction from the Secretary, this action may reduce the vulnerability to disruption of critical mineral supplies if it leads to the

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development and production of critical minerals in an environmentally responsible, regulatory-consistent, and economically feasible manner. Mining strategic metals in the United States is beneficial to national security, national and local economies, and job creation."

Rep. Pete Stauber (MN-08): "In northern Minnesota, mining is our past, our present, and our future. With 21st century technology, we can responsibly develop the resources needed for the modern world and unleash the economic engine of northeastern Minnesota. Unfortunately, misinformed policies of the past have not only prevented the responsible development of our resources but have even prohibited companies like Twin Metals from even submitting a proposed mining plan. I applaud Secretary Bernhardt and the Trump Administration for putting politics aside and rightfully giving our miners the opportunity to meet or exceed all environmental standards."

Chairman Paul Gosar (AZ-04): "Thanks to the Trump Administration, thousands of hard-working Americans in Northern Minnesota, that were negatively impacted by the previous Administration's political anti-mining actions, are one step closer to employment and economic prosperity as a result of today's action by the Department of the Interior. My colleagues on the other side of the aisle like to talk about how local voices are being forgotten. Yet, under the previous administration, the voices of many Northern Minnesotans were not only forgotten, but were outright ignored and attacked. These include teachers, labor unions, miners and local citizens who depend on revenues generated by mining for their very survival. But the Western Caucus did not forget and neither did the Administration. Thanks to the work of President Trump, Secretary Bernhardt, Assistant Secretary Balash, Congressman Stauber and Congressman Emmer thousands of Northern Minnesotans will have the opportunity to reclaim their livelihoods and get back to work."

House Natural Resources Republican Leader Rob Bishop (UT-01): "The actions taken under the Obama administration to unilaterally impair valid federal mineral leases and block responsible development in the Superior National Forest are finally in the past. This action is an appropriate course correction for the

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Department to realign policy with Congressional intent in mineral management and development. It's also another welcome signal from the Trump administration that the federal bureaucracy actually can promote responsible land stewardship while promoting jobs and economic growth."

Chief Infrastructure and Forestry Officer Bruce Westerman (AR-04): "On the last day of his administration, former President Obama enacted a politically-charged mineral withdrawal that met nationwide bipartisan criticism. This unilateral decision threatened stable, family-wage jobs in Northern Minnesota, locking up nearly 200,000 acres of public land. I applaud President Trump for not only reversing this political withdrawal, but also continuing to prioritize rural economies nationwide by today renewing the Twin Metals Mineral leases. This decision is the first step towards allowing a full environmental study of the project, and the first step towards the hundreds of jobs and economic development that this project will bring. This project will also provide a domestic supply of critical rare earth minerals necessary to support our booming tech industry, which currently relies on supplies from China and other foreign producers."

Rep. Tom Emmer (MN-06): "Following the Interior's announcement today, I am pleased that the Trump Administration acknowledges that we can responsibly develop our state's resources - bringing jobs back to this region - while preserving the forests, lakes and streams that all Minnesotans hold dear. Our state and local economies deserve to prosper, and we can ensure that, while also protecting Minnesota's beauty for future generations. When it comes to protecting the environment and developing our economic assets, nobody does it better than Minnesota."

Background:

Today, U.S. Department of the Interior's Assistant Secretary for Land and Minerals Management, Joe Balash, renewed two Twin Metals Minnesota LLC-held hardrock mineral leases located on the Superior National Forest in Northern Minnesota that were cancelled by the Obama Administration to appease extremists.

In the waning days of the Obama Administration, federal land management

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agencies took several actions that would decimate local economies, stifle job creation and cause significant harm to K-12 education in Northern Minnesota.

Specifically, the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hardrock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

In conjunction with cancelling these leases, on January 19th, 2017, the day before President Trump was sworn in, the previous administration published a 234,328-acre federal mineral withdrawal application in the Federal Register, to restrict for a 20-year moratorium, lands within the Superior National Forest in Northeast Minnesota.

This action immediately placed this vast area off limits to future mineral leasing, exploration and potential development for two years while a 20-year withdrawal was being considered. The total withdrawal application boundary spanned approximately 425,000 acres and included 95,000 acres of state school trust fund lands.

17,000 jobs, $3 billion for education, $1.5 billion in annual wages, $2.5 billion annually for our economy and a total of four billion tons of strategic-and-critical-mineral-containing ore were at risk if these political anti-mining actions by the Obama Administration were not over overturned.

The Western Caucus has played a key role in correcting these injustices. In June of 2017, Reps. Paul Gosar, Tom Emmer and Bruce Westerman toured several mining operations, held a roundtable and visited the proposed federal withdrawal area. The comments they heard on the ground from American families, businesses and individuals who want good-paying jobs and support mining projects in the area led to a Congressional effort to overturn the Obama Administration's land grab.

On November 30, 2017, the House passed H.R. 3905, the "Minnesota's Economic Rights in the Superior National Forest Act" which was introduced by Rep. Tom Emmer (MN-06) and cosponsored by numerous members of the Western Caucus. It's primary purpose was to overturn the Obama Administration's withdrawal in the

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Superior National Forest and reinstate the two leases that were arbitrarily cancelled.

On September 6, 2018, the U.S. Department of Agriculture, announced that it has canceled the application for the Superior National Forest Withdrawal.

An awesome video produced by the people of Minnesota on these issues can be viewed HERE.

Previous Caucus releases can be found HERE, HERE, HERE and HERE.

Courtesy of the Department of the Interior

Consistent with Executive Order 13817, A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals, signed by President Trump on March 26, 2017 and Secretarial Order 3359, Critical Mineral Independence and Security, Interior has renewed these hard rock mineral leases for the purpose of developing "world-class" deposits of copper, nickel, and palladium minerals on the Superior National Forest. The Bureau is entrusted with managing these onshore federal mineral resources on the basis of multiple use and sustained yield, which includes facilitating their development while also requiring mitigation of environmental impacts. The BLM currently oversees 41 additional mineral applications in the Superior National Forest. These include existing prospecting permits, new prospecting permit applications, applications to extend prospecting permits, and three Preference Right Lease Applications. A list of these permits and applications can be found HERE.

Courtesy of the Bureau of Land Management

The BLM manages more than 245 million acres of public land located primarily in 12 Western states, including Alaska. The BLM also administers 700 million acres of sub-surface mineral estate throughout the nation. Diverse activities authorized on these lands generated $96 billion in sales of goods and services throughout the American economy in fiscal year 2017. These activities supported more than 468,000 jobs.

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From: Small, Jeff
To: cole_rojewski@ios.doi.gov
Subject: [EXTERNAL] FW: Western Caucus Members Probe Politically-Motivated Obama Northern Minnesota Land Grab
Date: Tuesday, July 9, 2019 8:42:43 PM
Attachments: image001.png
image002.png
image003.png
image004.png

FYI.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
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From: Goldey, Ben
Sent: Tuesday, July 09, 2019 6:57 PM
To: Goldey, Ben
Cc: Small, Jeff
Subject: Western Caucus Members Probe Politically-Motivated Obama Northern Minnesota Land Grab

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For Immediate Release

Date: July 9, 2019

Contact: Ben Goldey | Ben.Goldey@mail.house.gov

Western Caucus Members Probe Politically-Motivated Obama Northern Minnesota Land Grab

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WASHINGTON, D.C. – Today, Members of the Western Caucus released the following statements after sending a Freedom of Information Act (FOIA) request and letter urging further investigation of an Obama administration scandal-plagued land grab in northern Minnesota:

Congressional Western Caucus Chairman Paul Gosar (AZ-04): "President Obama's politically motivated land grab in northern Minnesota was not merit based and was another misguided attempt to appease anti-mining extremists during the final hours of his presidency. Emails from Democratic Senator Klobachur prove this fact. Today, my colleagues and I demanded documents and communications related to this land grab as we continue to pull back the curtain on the unusually shady

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practices of the Obama administration's final days. I applaud Reps. Stauber and Emmer for their leadership in exposing this scandal and for seeking to provide the truth to the people of Minnesota. 17,000 jobs, $3 billion for education, $1.5 billion in annual wages, $2.5 billion annually for our economy and a total of four billion tons of strategic-and-critical-mineral-containing ore were at risk if these political anti-mining actions by the Obama administration were not over overturned."

Rep. Pete Stauber (MN-08): "I am glad to join Ranking Republican Bishop of the House Natural Resources Committee, Ranking Republican Gosar of the Energy and Mineral Resources Subcommittee, and Ranking Republican Gohmert of the Oversight and Investigations Subcommittee in uncovering the truth about these politically-motivated actions by the Obama Administration. I agree with Senator Klobuchar and others in the Minnesota delegation that this mineral withdrawal was clearly a subversion of the process. Twin Metals will offer a mine plan of operation in the coming months, illustrating their intention to follow our environmental laws, the strongest in the world. I look forward to these documents coming to light so our family, friends, and neighbors will have the opportunity to work in high-wage jobs in our home."

Rep. Tom Emmer (MN-06): "The decision to withdraw hundreds of thousands of acres of Minnesota from development was made just days before the Obama administration left office. This clearly political action blocked Minnesota's right to demonstrate that we can utilize our resources while preserving our state's beauty. I am proud to have worked to reverse this decision and let the normal environmental review process continue. I appreciate Congressman Stauber and the administration's ongoing efforts to bring jobs and economic development to Minnesota."

Background:

Today, Members of the Western Caucus led two efforts urging further investigation of an Obama administration scandal-plagued land grab in northern Minnesota.

The first effort was a FOIA request sent to the Department of the Interior seeking all documents and communications involving federal agency employees and external organizations (including environmental and conservation groups) relating

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to two lease denials and a mineral withdrawal in northern Minnesota imposed by the Obama administration.

The second letter sent to the House Natural Resources Subcommittee on Oversight and Investigations Chairman TJ Cox urging investigation of this matter.

These investigative requests are in response to recently-disclosed findings that the Obama administration misled Congress while acting in the interests of unnamed "activists" by initiating a bad faith environmental review designed to reach a predetermined outcome and by denying two noncontroversial leases, preventing responsible mining in an area twice authorized by Congress for such activity. In contrast, the Trump Administration acted based on policy merits to overturn the politically motivated Obama land grab.

Kim Strassel of the Wall Street Journal recently reported on emails obtained from Democratic U.S. Senator Amy Klobuchar (MN) to then then-Agriculture Secretary Tom Vilsack which stated: "Trump will reverse this. When you guys leave and are out talking about a job message for rural America, I will be left with the mess and dealing with the actual jobs. But you guys sure got a good story in the New York Times. It should have been handled through the normal process. It wasn't… I am not for or against this project but I just wanted a fair process based on science that told us the truth. That is not how this feels."

Signatories include: House Committee on Natural Resources Ranking Republican Rob Bishop (UT-01), Subcommittee on Oversight and Investigations Ranking Republican Louie Gohmert (TX-01), Subcommittee on Energy and Minerals Ranking Republican Paul Gosar (AZ-04) and U.S. Rep. Pete Stauber (MN-08).

In the waning days of the Obama Administration, federal land management agencies took several actions that would decimate local economies, stifle job creation and cause significant harm to K-12 education in northern Minnesota.

Specifically, the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

In conjunction with cancelling these leases, on January 19th, 2017, the day before

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President Trump was sworn in, the previous administration published a 234,328-acre federal mineral withdrawal application in the Federal Register, to restrict for a 20-year moratorium, lands within the Superior National Forest in Northern Minnesota.

This action immediately placed this vast area off limits to future mineral leasing, exploration and potential development for two years while a 20-year withdrawal was being considered. The total withdrawal application boundary spanned approximately 425,000 acres and included 95,000 acres of state school trust fund lands.

The Western Caucus has played a key role in correcting these injustices. In June of 2017, Reps. Paul Gosar, Tom Emmer and Bruce Westerman toured several mining operations, held a roundtable and visited the proposed federal withdrawal area. The comments they heard on the ground from American families, businesses and individuals who want good-paying jobs and support mining projects in the area led to a Congressional effort to overturn the Obama administration's land grab.

On November 30, 2017, the House passed H.R. 3905, the "Minnesota's Economic Rights in the Superior National Forest Act" which was introduced by Rep. Tom Emmer and cosponsored by numerous members of the Western Caucus. This bill's primary purpose was to overturn the Obama Administration's withdrawal in the Superior National Forest and reinstate the two leases that were arbitrarily cancelled. In June of 2019, Rep. Stauber organized a follow-up mining tour and briefings for Western Caucus on this issue. Rep. Stauber has also led multiple initiatives to prevent Democratic Members from imposing unnecessary riders that would undermine these important projects and reinstate the political policies of the Obama administration. In September of 2018, the Trump administration's U.S. Department of Agriculture announced it had canceled the Obama administration's application for the Superior National Forest mineral withdrawal. In May of 2019, the Trump administration's Department of the Interior renewed two Twin Metals Minnesota LLC-held hardrock mineral leases located on the Superior National Forest in Northern Minnesota that were cancelled by the Obama administration to appease anti-mining extremists.

An awesome video produced by the people of Minnesota on these issues can be

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viewed HERE.

Previous Caucus releases on this issue can be found HERE, HERE, HERE, HERE and HERE.

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From:	Small, Jeff
To:	"John Tanner"; "amanda_kaster@ios.doi.gov"; "Deeley, Blake (blake_deeley@ios.doi.gov)"; "Chambers, Micah"; "katharine_macgregor@ios.doi.gov"; "Todd_Willens@ios.doi.gov"; james_cason@ios.doi.gov
Subject:	[EXTERNAL] Heads up: Letter to investigate political Obama Administration mineral withdrawals
Date:	Wednesday, May 2, 2018 2:58:25 PM
Attachments:	image001.png image002.png image003.png Dear Colleague and Draft Mineral Withdrawal Letter.pdf

Wanted to give you a heads up on this letter going out today.

Will be sure you all get our final letter and press release.

Apologies for the short notice. We appreciate the Secretary and your team's consideration.

1. **Reps. Westerman, Emmer and Gosar seek signers on letter calling for the Department of Interior (DOI) to investigate political Obama Administration mineral withdrawals**. As Chairman Bishop accurately pointed out in this September 2017 letter, "Under the prior Administration, mineral access on Federal land was regularly and systemically blocked, harming our nation's economic and strategic potential. Indeed, millions of acres of Federal lands were inappropriately withdrawn from mineral access due to false premises of environmental protectionism and the intentional misuse of statutory authority." Specifically, the Obama Administration proposed at least 31 domestic mineral withdrawals. The largest mineral withdrawal included approximately 10 million acres containing more than 7,000 active mining claims that was falsely claimed to be necessary in order to protect the not-endangered Sage Grouse. This withdrawal was shamefully political in nature, as less than 0.1% or 171,000 acres of actual Sage Grouse habitat existed in the 10 million acre withdrawal area. Our letter asks for a comprehensive and expedited review of all mineral withdrawals proposed by the Obama Administration and asks the Trump Administration to act on mineral withdrawals found to be without merit.

   a. **Endorsed by:** American Exploration & Mining Association, National Mining Association, Women's Mining Coalition, Competitive Enterprise Institute, Americans for Limited Government, American Resources Policy Network, Alaska Miners Association, APEX, Arizona Mining Association, Arizona Pork Council, Arizona Rock Products Association, AZ BASS Nation, Bass Federation-AZ, Hibbing Area Chamber of Commerce, Hudbay Rosemont Copper Project, Idaho Mining Association, Jobs For Minnesotans, MiningMinnesota, New Mexico Cattle

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Growers' Association, New Mexico Wool Growers Inc., SRT Outdoors, Sulphur Springs Valley Electric Cooperative, Utah Mining Association, Yavapai Cattle Growers Association, Arizona District 6 Senator Sylvia Allen and Yavapai County Supervisors Rowle Simmons and Thomas Thurman

b. **Current signers (23):** Amodei, Babin, Rob Bishop, Cook, Cramer, DesJarlais, Jeff Duncan, John Duncan, Emmer, Estes, Gosar, Hice, LaMalfa, Lamborn, Marshall, Meadows, Mooney, Perry, Stewart, Walorski, Weber, Westerman, Yoho

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
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Call on Administration to Review and Act on Political Mineral Withdrawals

Overturn misguided anti-mining efforts that kill jobs and decimate local economies

Deadline: COB Tuesday, May 1, 2018

Current Signers (23): Amodei, Babin, Rob Bishop, Cook, Cramer, DesJarlais, Jeff Duncan, John Duncan, Emmer, Estes, Gosar, Hice, LaMalfa, Lamborn, Marshall, Meadows, Mooney, Perry, Stewart, Walorski, Weber, Westerman, Yoho

Endorsed by: American Exploration & Mining Association, National Mining Association, Women's Mining Coalition, Competitive Enterprise Institute, Americans for Limited Government, American Resources Policy Network, Alaska Miners Association, APEX, Arizona Mining Association, Arizona Municipal Power Users Association, Arizona Pork Council, Arizona Rock Products Association, AZ BASS Nation, Bass Federation-AZ, Hibbing Area Chamber of Commerce, Hudbay Rosemont Copper Project, Idaho Mining Association, Jobs For Minnesotans, MiningMinnesota, New Mexico Cattle Growers' Association, New Mexico Wool Growers Inc., Southern Arizona Business Coalition, SRT Outdoors, Sulphur Springs Valley Electric Cooperative, Utah Mining Association, Yavapai Cattle Growers Association, Arizona District 6 Senator Sylvia Allen, Apache County Supervisor Doyel Shamley and Yavapai County Supervisors Thomas Thurman and Rowle Simmons

Dear Colleague:

Domestic minerals are critical to our nation's national security, economic growth and manufacturing. Almost every product and component of infrastructure we use in our everyday lives depends inextricably on processed minerals. Minerals that are mined right here in the U.S. make possible the production of cell phones and other high-end electronics, solar panels, bridges and cars.

Despite the vital importance of minerals, the previous Administration took dozens of anti-mining actions which, if left in place, will stifle job creation, decimate local economies and disrupt public education funding streams. This overreach locked up millions of acres of Federal lands under false pretenses and harmed our nation's domestic mineral supply.

Specifically, the Obama Administration proposed at least 31 domestic mineral withdrawals. The largest mineral withdrawal included approximately 10 million acres containing more than 7,000 active mining claims that was erroneously said to be necessary in order to protect the not-endangered Sage Grouse. While these proposed mineral withdrawal were being analyzed, an immediate two-year moratorium was put in place with an additional 20-year moratorium was considered. This withdrawal was political – it was designed to appeal to donors and radical environmentalist groups rather than solve a statutory or policy problem – as BLM's draft EIS documented that less than 0.1% of the proposed 10 million acre withdrawal area would be affected by mining in the next 20 years.

The fact that many of the Obama Administration mineral withdrawals were designed to appease extremist special interest groups means they should be rejected on that premise alone. However, Members should be equally concerned about these actions given U.S. dependence on strategic and critical minerals from foreign countries. A recent op-ed points out that "of the 88 mineral

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commodities tracked by the U.S. Geological Survey, the United States is now at least 25 percent import dependent on 62 of them." Further, a recent Department of the Interior (DOI) and (USGS) U.S. Geological Survey published a 2018 mineral commodities summary report that found the U.S. is **100 percent net import reliant** on foreign countries, including China, for **21 different critical minerals**.

Please join us in sending a letter to President Trump, Secretary Zinke and Secretary Perdue requesting a comprehensive review of all mineral withdrawals executed under the previous administration in order to determine those of merit and those that were political attacks utilized to block responsible development.

The full letter is below. If you have questions or to sign on, please email Landon Zinda at landon.zinda@mail.house.gov or Jeff Small at jeff.small@mail.house.gov.

Sincerely,

Bruce Westerman Member of Congress	Tom Emmer Member of Congress	Paul A. Gosar, D.D.S Member of Congress

April 27, 2018

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue
Washington, DC 20002

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear President Trump, Secretary Zinke and Secretary Perdue,

We write to request a comprehensive review of all mineral withdrawals executed under the previous administration. Further, we ask that you take action to scrap any mineral withdrawals determined to be without merit and whose purpose served to block responsible development. We also write to express gratitude to the Administration for cancelling the previous Administration's proposed 10-million-acre mineral withdrawal in six Western states. As you know, that massive mineral withdrawal proposal included more than 7,000 active mining claims that was erroneously said to be necessary in order to protect the non-endangered Sage Grouse. While this proposed mineral withdrawal was being analyzed, an immediate two-year moratorium was put in place with an additional 20-year moratorium was considered. This withdrawal was

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political – it was designed to appeal to donors and radical environmentalist groups rather than solve a statutory or policy problem – as BLM's draft EIS documented that less than 0.1% of the proposed 10 million acre withdrawal area would be affected by mining in the next 20 years.

Domestic minerals are critical to our nation's national security, economic growth and manufacturing. Almost every product and component of infrastructure we use in our everyday lives depends inextricably on processed minerals. Minerals that are mined right here in the U.S. make possible the production of cell phones and other high-end electronics, solar panels, bridges and cars.

Despite the vital importance of minerals, the previous Administration took dozens of anti-mining actions which, if left in place, will stifle job creation, decimate local economies and disrupt public education funding streams. This overreach locked up millions of acres of Federal lands under false pretenses and harmed our nation's domestic mineral supply.

In fact, the Obama Administration proposed at least 31 domestic mineral withdrawals. The fact that many of these mineral withdrawals were designed to appease extremist special interest groups means they should be rejected on that premise alone. However, Members should be equally concerned about these actions given U.S. dependence on strategic and critical minerals from foreign countries. This op-ed points out that "of the 88 mineral commodities tracked by the U.S. Geological Survey, the United States is now at least 25 percent import dependent on 62 of them." Further, a recent Department of the Interior (DOI) and (USGS) U.S. Geological Survey published a 2018 mineral commodities summary report that found the U.S. is **100 percent net import reliant** on foreign countries, including China, for **21 different critical minerals**.

This dependency is incredibly dangerous for our national security and the country's future prosperity. As illustrated in the DOI and USGS report, "The sometimes-tenuous nature of the mineral supply chain received world attention in 2010 when China suddenly drastically cut its export quota for the rare-earth elements. The move highlighted the fact that China had a virtual monopoly on the short-term supply of rare-earth elements—elements that are essential to the renewable energy sector and many other high-tech applications globally."

A few glaring examples of political mineral withdrawals intended to block responsible development include:

1. **The Arizona Strip Mineral Withdrawal**
   Following the discovery of highly valuable uranium deposits in the Arizona Strip in the late 1970s, job creators and energy advocates approached Congress to encourage a legislative solution that would allow new exploration and production in the area by releasing some of the 44 different Wilderness Study Areas (WSA's) on Forest Service and Bureau of Land Management lands.

   Pam Hill of the American Clean Energy and Resources Trust provided testimony on these events stating, "We were told that the only way to speed up the 10-year wilderness designation process was to obtain the approval of all of the stakeholders in the region and return to Washington, D.C. with a compromise that would then be included in a wilderness bill. After several months of negotiation among ideologically disparate

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interest groups and governmental entities, including the National Parks and Conservation Association, the Wilderness Society, the Arizona Wildlife Federation, the Sierra Club, grazers, timber companies, local businesses, civic groups, regulatory agencies, and local, county and state governments, a unique piece of legislation was forged. The compromise added 387,000 acres to the National Wilderness Preservation System and released 540,000 acres to multiple-use (including mining)."

In 1984, the historic Arizona Strip Wilderness Act was signed into law in the form of Public Law 98-406. The bill was cosponsored by the entire Utah and Arizona Congressional delegations, including Interior Committee Chairman Morris Udall, Congressman Bob Stump as well as Senators John McCain and Orin Hatch.

Unfortunately, many of the same organizations involved in passing the groundbreaking Arizona Strip Wilderness Act went back on their word. In order to appease these extremist groups that double-crossed industry, elected officials and the people of Arizona and Utah; the Obama Administration unilaterally acted to upend the bipartisan and bicameral bill passed by Congress. As the American Clean Energy and Resources Trust points out, "Using inaccurate, outdated, unrelated, often downright fabricated 'arguments' as well as more than a little 'in your face' chutzpah, environmental groups including the Center for Biological Diversity (CBD), the Grand Canyon Trust (GCT) and the Sierra Club pressured the then new Secretary of the Interior, Ken Salazar, to withdraw almost one million acres of land in northern Arizona from any and all mining activities."

As a result of this mineral withdrawal, tens of millions of dollars spent by companies on exploration were wasted, more than 2,000 mining claims became essentially worthless overnight and hundreds of high-paying jobs in an extremely rural area were killed. The Mohave County Board of Supervisors claim this withdrawal will cost local economies $29 billion over a 42-year period. The Board also pointed out that uranium is used by our military in tanks, bullets and missiles as well as to power Navy ships. The reality is that domestic utilities now import 95% of the uranium to power America's 100 reactors whereas 40 years ago 100% of U. S. nuclear electricity was generated solely with U.S. mined uranium.

The Arizona-Utah Economic Coalition has passed a resolution calling for revocation of this mineral withdrawal stating, "The withdrawal eliminated opportunities to create over 2000 direct and indirect jobs…the withdrawal area includes between 325-375 million pounds (the equivalent electricity generating capacity for the entire state of California's 40 million people for 22.4 years)." The U.S. Department of Agriculture also identified this mineral withdrawal as a potential burden to domestic energy production in its final report in response to President Trump's energy independence executive order.

Deposits in the Arizona Strip mineral withdrawal area are the highest grade in the United States and the region has successfully yielded uranium ore for multiple decades. The Arizona Daily Star reported, "By the 1980s, there were eight mines on the Arizona Strip producing 19 million pounds of U3O8 from 7 breccia pipes. Extensive drilling in the region revealed ore-grade mineralization from 71 breccia pipes averaging 5 million

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pounds of uranium each. The Hack Canyon Mine produced some of the highest-grade and most profitable uranium in the U.S, an average grade of 0.64% U3O8 for a total of 9.5 million pounds."

These Arizona Strip uranium deposits are strategic in that access to them provides a high quality current and future domestic source for nuclear fuel and weapons requirements. This is particularly important as we see the Russian Federation's growing efforts to dominate, control and potentially limit access to uranium ore and nuclear fuels supplies.

Article IV, Section 3 of our Constitution gives Congress "the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." Unfortunately, the will of Congress and the needs of the American people were ignored with this unilateral mineral withdrawal.

2. **The Superior National Forest Land Grab**
In the waning days of the Obama Administration, federal land management agencies took several actions that would stifle job creation, decimate local economies, and even cause significant harm to K-12 education in Minnesota. On January 5, 2017, the U.S. Forest Service (USFS) formally proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. Education will be significantly harmed, as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless local businesses and individuals have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the more than 50 Members of the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

3. **The Revested Oregon & California Railroad Lands**
On January 13, 2017, the Obama Administration's Bureau of Land Management (BLM) published a Public Land Order withdrawing more than 100,000 acres of BLM and Forest Service lands in Southwest Oregon for 20 years.

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According to BLM's Federal Register Notice proposing the Oregon withdrawal, the lands encompassed by the withdrawal are "home to some of the most diverse, complex, and potentially economic geology in Oregon. Multiple deposits containing gold, silver, chrome, cobalt, nickel, platinum group elements, manganese, mercury, coal, limestone, and quarry rock exist within the area….Withdrawal of these lands from location and entry under the mining law could substantially hinder mineral development of these strategic minerals in the future."

Further, this political land grab targeted two specific projects that hold large quantities of nickel, cobalt and scandium. Scandium is one of the most valuable and useful rare earth metals. It is used in fighter planes, lasers, electronics, ceramics, sporting equipment, radioactive isotopes and for research purposes. The U.S. was 100 percent net import reliant on foreign countries for scandium in 2017 and most scandium metals and compounds are imported from China. Cobalt is used in jet engines, solar panels, wind turbines and batteries. The United States is more than 70% important reliant on other countries for cobalt. Nickel is essential to making stainless steel. It also is critical to numerous defense technologies and weapons' platforms. The U.S. is 59% import reliant on foreign countries for nickel despite world class undeveloped resources.

Given the importance of the strategic and critical minerals targeted by this withdrawal, we are troubled by a February 21, 2018 letter from Secretary Perdue that indicated the Administration plans to leave this withdrawal in place.

* * *

In addition to the three withdrawals detailed above, we ask that you stand up for communities negatively impacted by unwarranted political attacks by taking action to reject any other mineral withdrawals from the Obama Administration found to be without merit and that were implemented to discourage production.

We are honored to have the support of the following organizations and individuals that agree with our position and have endorsed this letter: American Exploration & Mining Association, National Mining Association, Women's Mining Coalition, Competitive Enterprise Institute, Americans for Limited Government, American Resources Policy Network, Alaska Miners Association, APEX, Arizona Mining Association, Arizona Municipal Power Users Association, Arizona Pork Council, Arizona Rock Products Association, AZ BASS Nation, Bass Federation-AZ, Hibbing Area Chamber of Commerce, Hudbay Rosemont Copper Project, Idaho Mining Association, Jobs For Minnesotans, MiningMinnesota, New Mexico Cattle Growers' Association, New Mexico Wool Growers Inc., Southern Arizona Business Coalition, SRT Outdoors, Sulphur Springs Valley Electric Cooperative, Utah Mining Association, Yavapai Cattle Growers Association, Arizona District 6 Senator Sylvia Allen, Apache County Supervisor Doyel Shamley and Yavapai County Supervisors Thomas Thurman and Rowle Simmons.

As always, we ask that this request be handled in strict accordance with existing rules, regulations and ethical guidelines. Thank you for your consideration of this request.

AMERICAN OVERSIGHT

We look forward to your timely response.

Sincerely,

AMERICAN OVERSIGHT

From: Zinda, Landon
To: "Blake R Deeley (blake_deeley@ios.doi.gov)"
Subject: [EXTERNAL] McCollum/Paulsen Letter
Date: Friday, May 18, 2018 9:57:26 AM
Importance: High

From: e-Dear Colleague
Sent: May 18, 2018 8:00 AM
To: Zinda, Landon <Landon.Zinda@mail.house.gov>
Subject: e-DearColleague: SUPPORT MINING WITHDRAWAL STUDY TO PROTECT THE BOUNDARY WATERS WILDERNESS

SUPPORT MINING WITHDRAWAL STUDY TO PROTECT THE BOUNDARY WATERS WILDERNESS

Sending Office: McCollum, Betty
Sent By: Rebecca.Taylor@mail.house.gov

Current Signers: *McCollum,* Paulsen, *Ellison*, Costello, *Grijalva*

Dear Colleague,

Please join me in sending the following bipartisan letter to Interior Secretary Zinke and Agriculture Secretary Perdue to express support for a comprehensive and rigorous study of the proposed mineral withdrawal that would protect our nation's most visited wilderness area, the Boundary Waters Canoe Area (BWCA).

The U.S. Forest Service is currently conducting an environmental assessment of the proposal to withdraw federal minerals on 234,328 acres of Superior National Forest lands from the federal mineral leasing program for the maximum period of twenty years. The federal lands proposed for withdrawal are all within the watershed that contains the BWCA Wilderness and Voyageur's National Park, which are essential parts of the robust $1.4 billion outdoor recreation economy in northeastern Minnesota. This vast, interconnected system of pristine lakes, rivers, and wetlands is a unique and precious natural treasure. It is also uniquely vulnerable to the acid mine drainage that results from sulfide-ore copper mining, which is why three tribal nations, the Governor of Minnesota, and seventy percent of Minnesota's voters have all supported completing a thorough scientific review of the proposed twenty-year mineral withdrawal.

The full text of the letter is below. For any questions, or to sign on to the letter, please contact Rebecca Taylor in my office at Rebecca.Taylor@mail.house.gov or 202-225-6631.

Sincerely,

Betty McCollum

Member of Congress

May XX, 2018

Hon. Ryan Zinke, Secretary of the Interior

U.S. Department of the Interior

1849 C Street, N.W.

Washington, DC 20240

Hon. Sonny Perdue, Secretary of Agriculture

U.S. Department of Agriculture

AMERICAN OVERSIGHT

1400 Independence Avenue, S.W.

Washington, DC 20250

Dear Secretaries Perdue and Zinke,

As Members of Congress, we write to express our strong support for a comprehensive and rigorous study by the U.S. Forest Service and the Bureau of Land Management that considers a twenty-year ban on hardrock (including sulfide-ore copper) mining on Superior National Forest lands in the watershed of the Boundary Waters Canoe Area Wilderness ('SNF Study'). The SNF Study commenced on January 13, 2017 and will be completed by January 2019. This study will be the basis for a decision by Secretary Zinke on the request by the U.S. Forest Service to withdraw federal minerals on 234,328 acres of Superior National Forest lands from the federal mineral leasing program for the maximum period of twenty years. Because of the extremely high ecological, economic, and social value of the Boundary Waters to the people of the nation, the public interest requires a careful review of facts and the best available science to inform Secretary Zinke's decision.

We urge you to continue the century-long bipartisan federal and state support for protecting the Boundary Waters. As you know, Minnesota's Governor has imposed a state ban on state mining approvals and mineral leases near the Boundary Waters.

The Governor's views are consistent with your recent comments and those of the U.S. Forest Service Chief.

At a U.S. House hearing on May 25, 2017, Secretary Perdue responded to a question about the SNF Study as follows: *"...your statement there regarding the two-year study over the sound science.... [W]e are absolutely allowing that to proceed."* U.S. Forest Service Chief Tidwell added *"You do raise the question about sulfide-ore. That is more challenging, especially in areas where we have as much water as we do up in that part of the state. The balance where mining needs to occur...and for other areas that it's just potentially...too hazardous, then those...decisions can come out of this study."*

More recently, Secretary Zinke responded to a question about the SNF Study during an April 11, 2018 U.S. House hearing as follows: *"I agree that there are some areas that are too precious to mine."*

The Boundary Waters covers 1.1 million acres of lakes and forests in northeastern Minnesota. The Superior National Forest, which includes the Boundary Waters, contains 20 percent of all the freshwater in the 193 million-acre National Forest System. The Boundary Waters is the largest wilderness east of the Rocky Mountains and north of the Everglades. The Boundary Waters is the most popular wilderness in the National Wilderness Preservation System; more people have visited the Boundary Waters every year since 1964 than any other national Wilderness Area. Downstream from the Boundary Waters are Voyageurs National Park and Canada's Quetico Provincial Park.

The Boundary Waters is intensely water-based, with interconnected groundwater, wetlands, rivers, and lakes. Water is so clean that visitors drink out of the lakes. Because travel is by canoe, visitors of all abilities, ages, and income enjoy a world-class experience unique in the nation. But the very abundance and interconnected nature of ground and surface water, and water chemistry that provides little buffer to acid, also make the Boundary Waters uniquely vulnerable to sulfide-ore copper mining pollution. Once this pollution enters the Boundary Waters, the damage cannot be mitigated, remedied, or fixed.

The Boundary Waters is an important part of the regional economy, and much of the economic infrastructure – businesses, resorts, lodges, outfitters, campgrounds, homes, Boundary Waters entry points, and more – is located in the Boundary Waters watershed, the area under review in the SNF Study. Proposals to transform this area in the Superior National Forest to a sulfide-ore copper mining district would displace local residents and many businesses, resulting in a potential loss of more than 27,000 jobs, $1.4 billion in economic activity, and over $500 million in lost property value in northeastern Minnesota. Nearly one-quarter of local residents say they will be forced to move away from the region if this mining occurs.

We write this letter to urge the Department of the Interior and Department of Agriculture to conduct a rigorous review of the proposed twenty-year mineral withdrawal requested by the U.S. Forest Service and to bear in mind the extremely high value and importance of the Boundary Waters to Minnesota and the nation. Seventy percent of Minnesota voters oppose sulfide-ore copper mining near the Boundary Waters, and opposition crosses all party lines. Three Indian tribes, beneficiaries of the 1854 Treaty, and one Canadian First Nation (in the path of pollution) have requested a twenty-year ban to protect treaty rights in the Ceded Territory, which includes all of the SNF Study area.

Sincerely,

Related Legislative Issues

Selected legislative information: Agriculture, Environment, Natural Resources, Science

AMERICAN OVERSIGHT



AMERICAN OVERSIGHT

From: Small, Jeff
To: "cole_rojewski@ios.doi.gov"; "Aaron Thiele"; "taylor_playforth@ios.doi.gov"; "john_tanner@ios.doi.gov"
Cc: "todd_willens@ios.doi.gov"
Subject: [EXTERNAL] RE: Friday"s Western Caucus Staff Policy Meeting
Date: Tuesday, June 11, 2019 11:12:11 AM
Attachments: image001.png
image002.png
image003.png
image004.png
image006.png
Upcoming Western Caucus & Foundation Events updated 6.10.19.pdf

---

Hope you guys are having a good week.

Checking in to see if anyone from the Department can attend Friday's Western Caucus staff breakfast and if you all would like time on the agenda?

More details below. Our current list of events for the year is attached.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.

From: Small, Jeff
Sent: Monday, June 10, 2019 12:13 PM
To: Small, Jeff
Cc: Levine, Doug
Subject: This Friday: Western Caucus Staff Policy Meeting



By now you should have received the below invite from the Western Caucus Foundation to this Friday's Western Caucus staff policy meeting.

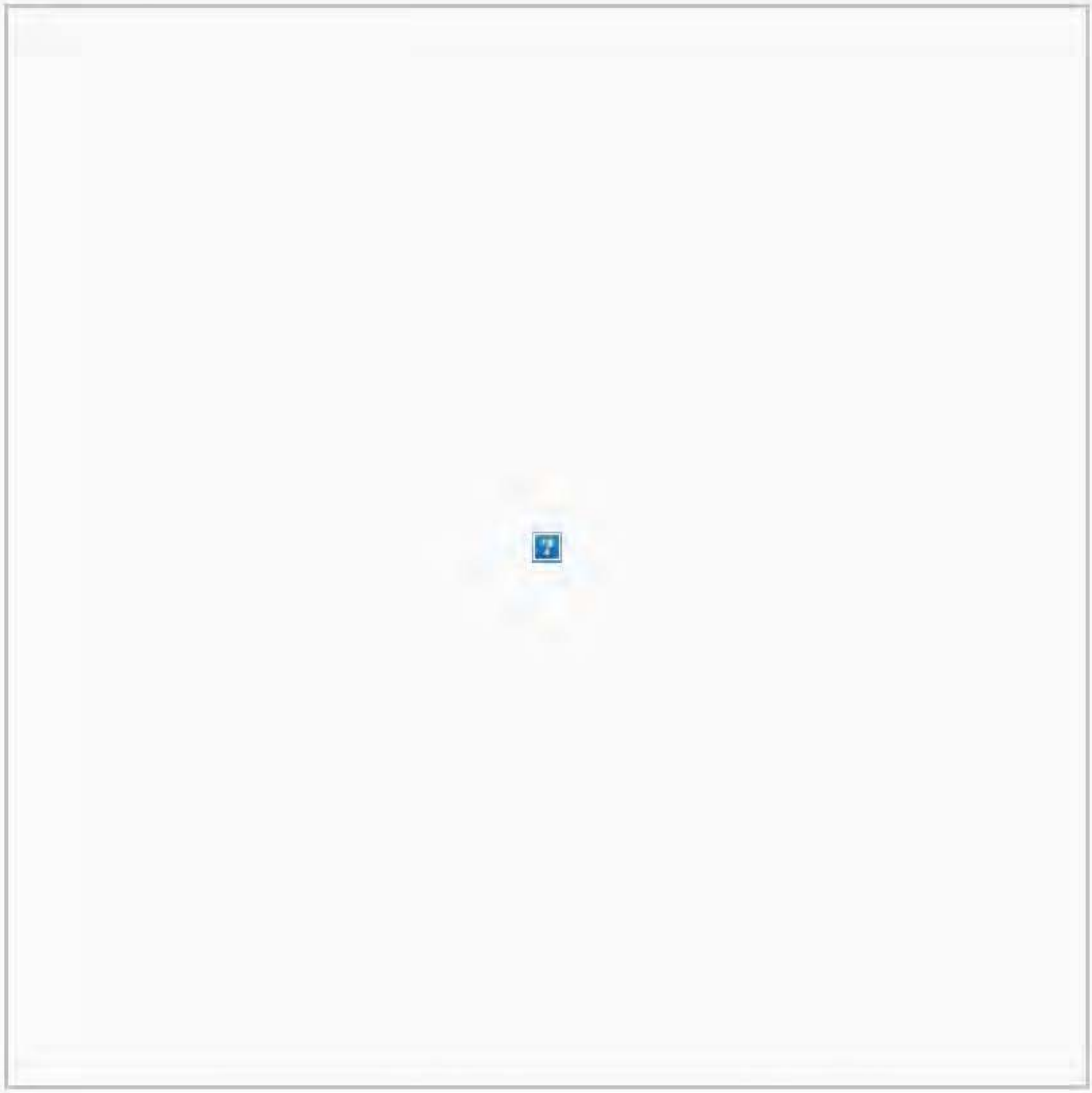
Western Caucus Staff-Only Monthly Bicameral Policy Meeting | Friday, June 14th | 9:30 – 10:45 a.m. | SVC 212-10 | Breakfast provided
100-120 House and Senate staffers, staff from multiple federal agencies, leadership and committee staff as well as speakers from industry attend this monthly staff policy meeting.

- This Breakfast is intended for staff and invited presenters.
- No RSVP necessary.

Our other upcoming events for the year are attached.

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Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
https://westerncaucus.house.gov
(202) 225-2315 main
jeff.small@mail house.gov



Monthly Policy Breakfast Briefing

Friday, June 14th, 2019

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9:30 a.m. – 10:45 a.m.
Senate Visitors Center: SVC 212-10

www.westerncaucusfoundation.org

The Western Caucus Foundation (WCF), is a charitable and education organization operated under Section 501(c) (3) of the Internal Revenue Code, and dedicated to western public policy issue education.

****This event is planned to fully comply with Congressional Ethics Rules and Other Applicable Laws****

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2019 Congressional Western Caucus and Western Caucus Foundation Events (Updated 6.10.19)



Congressional Western Caucus Member-Only Lunch Meetings and Speaker Series

~~Tue 1/29/19: 12:00-1:00 p.m. Location: 2247 Rayburn with ConocoPhillips VP Dabbar and CTO Leveille~~
~~Tue 2/12/19: 1:00-2:00 p.m. Location: 2247 Rayburn w/ DOI Acting Secretary Bernhardt~~
~~Tue 3/12/19: 12:00-1:00 p.m. Location: 2247 Rayburn with USDA ENR Undersecretary Jim Hubbard~~
~~Thurs 5/9/19: 12:00-1:00 p.m. Location: 2203 Rayburn Acting BLM Director Casey Hammond~~
Thurs 6/20/19: 12:00-1:00 p.m. Location: TBA w/ DOT Secretary Elaine Chao
Tues 6/25/19 12:00-1:00 p.m. Location: TBA w/ DOI Secretary Bernhardt
Tue 7/16/19: 12:00-1:00 p.m. Location: TBA w/ NRECA CEO Matheson & Western Governors' Jim Ogsbury
Tue 9/10/19: 12:00-1:00 p.m. Location: TBA
Tues 10/22/19: 12:00-1:00 p.m. Location: TBA
Thurs 11/14/19: 12:00-1:00 p.m. Location: TBA w/ Forest Service Chief Vicki Christiansen

WESTERN CAUCUS FOUNDATION

Foundation Staff-Only Monthly Bicameral Policy Meetings

Location: U.S. Capitol, SVC Rooms
~~Fri 1/18/19: 9:30-10:45 a.m. Location: SVC 212-10~~
~~Fri 2/15/19: 9:30-10:45 a.m. Location: SVC 212-10~~
~~Fri 3/8/19: 9:30-10:45 a.m. Location: SVC 212-10~~
~~Fri 4/5/19: 9:30-10:45 a.m. Location: SVC 212-10~~
~~Fri 5/3/19: 9:30-10:45 a.m. Location: SVC 212-10~~
1. Fri 6/14/19: 9:30-10:45 a.m. Location: SVC 212-10
Fri 7/19/19: 9:30-10:45 a.m. Location: TBA
Fri 9/13/19: 9:30-10:45 a.m. Location: TBA
Fri 10/25/19: 9:30-10:45 a.m. Location: TBA
Fri 11/22/19: 9:30-10:45 a.m. Location: TBA

Congressional Western Caucus Trips

1. Minnesota Mining Trip | Includes demonstration and tours of U.S. Steel's Minntac mine as well as PolyMet and Twin Metals locations | June 28th | NE Minnesota | RSVP by 6/12/19
2. Western Caucus Panel at Western Conservative Summit | July 12-13th | Denver

Foundation Trips and Other Events, Members, Staff and Supporters all invited

~~2019 Taste of the West | Tuesday, January 29th | 5:30 – 7:00 p.m. | 2168 Rayburn~~
~~House Staff Only Policy Retreat | Friday, February 1st | 9:45 a.m. – 1:30 p.m. | 432 First St. SE~~
~~Foundation Trip | Energy Roundtable and Field Tours | March 29th and 30th | Houston, Texas~~
~~Event w/ FERC Chairman Neil Chatterjee | June 4th | Member-Only Meet & Greet/Photo Op 3:30-3:45p.m. 632 Dirksen | Coffee & Policy Discussion 3:30-4:30 p.m. 628 Dirksen~~
1. Foundation Trip | Western Roundtable and Field Tours | August 13th-16th | Lake Tahoe, Nevada
2. Foundation Trip | Western Roundtable and Field Tours | October 10th-12th | Utah
3. Western Caucus Chiefs of Staff Reception on the Hill | November 14th
4. Holiday Reception | December 11th | The Hotel George, Washington, DC

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Briefings, Special Orders, Press Conference and Other Events

~~Western Caucus Green New Deal Forum and Press Conference | Wednesday, February 27th~~

~~Appropriations 101 Staff Briefing | Friday, March 15th | 9:30a.m. – 10:30 a.m. | 2456 RHOB~~

~~Western Caucus Green New Deal Special Order | Monday, March 25th~~

~~Western Caucus Green New Deal Press Conference | Tuesday, March 26th~~

~~Wildfire Staff Briefing | Friday, May 3rd | 1:00 p.m. | 1324 LHOB~~

~~Hardrock Mining Staff Briefing | Monday, May 6th | 1:00 p.m. | 1327 LHOB~~

~~Green New Deal Policy Impact from the States Staff Briefing | Thursday, May 23 | 11:30 a.m. | 2168 RHOB~~

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From:	Small, Jeff
To:	Van Flein, Tom; cole_rojewski@ios.doi.gov
Subject:	[EXTERNAL] RE: Minnesota
Date:	Wednesday, June 12, 2019 12:01:13 PM
Attachments:	image001.png image002.png image003.png image004.png Western Caucus Northeast Minnesota Mine Tours.pdf

See attached.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
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jeff.small@mail.house.gov

From: Van Flein, Tom
Sent: Wednesday, June 12, 2019 11:50 AM
To: cole_rojewski@ios.doi.gov
Cc: Small, Jeff
Subject: RE: Minnesota

Looping in Jeff for the itinerary.

From: Van Flein, Tom
Sent: Wednesday, June 12, 2019 10:10 AM
To: cole_rojewski@ios.doi.gov
Subject: Minnesota

Hello Cole—

The Congressman asked me to reach out to see if you could assist us in getting your top DOI representative in Minnesota to join the Western Caucus tour of some mines outside of Duluth. There will be several members of Congress and staff.

This is for Friday June 20.

Let me know if you think this is possible and I can also send a detailed itinerary.

AMERICAN OVERSIGHT

Thomas Van Flein, Esq.
Chief of Staff
Chief Legal Counsel
Office of Congressman Paul Gosar (AZ-04)
General Counsel—Western Caucus
2057 Rayburn HOB
Washington, DC
Tom.vanflein@mail.house.gov
202-595-4942

AMERICAN OVERSIGHT



Western Caucus Northeast Minnesota Mine Tours
6/28

Final reminder that Reps. Stauber and Gosar **invite Members of Congress and staff** to join them on an upcoming Western Caucus mine tour trip to the Iron Range in Northeastern Minnesota.

We have four Members attending so far and more than a dozen staffers. This is going to be a great mining trip and we hope you and your boss can join!

The initial deadline to RSVP and make your reservations is today, June 12.

The trip includes visiting U.S. Steel's Minntac mine for a presentation and tour, visiting PolyMet for a presentation and tour, and a presentation from Twin Metals' leadership.

We'll be staying at Giant's Ridge on Thursday night, a resort in the region. We have a block of rooms reserved. The reservation number is 30527 and the total is $169.25 for the night with taxes. Once we have concluded the tours on Friday, we have reserved another block of rooms at the Holiday Inn in Hermantown which is a great place to stay to prepare for the return home and stay Friday night. You can call the hotel directly to make the reservation 218-722-0909 using the group code: USA. A room is $259 dollars a night. Busy time has hit in the Northland!

Apart from the lodging details, here is a good flight for the evening that would bring you to Duluth.
Delta:
Flight #DL1589
Departs-5:44pm
Arrives-8:36pm

Itinerary for Friday 6/28/19
8:00am-Wake up and light breakfast
8:30am-Depart for U.S Steel MinnTac
9:00am-Arrive at U.S Steel MinnTac for Presentation and Tour
12:00pm-Depart U.S Steel MinnTac for The Quarry Overlook and media interviews
12:30pm-Arrive at The Quarry for interviews
1:00pm-Lunch at Giants Ridge
2:00pm-Depart for PolyMet
2:30pm-Arrive at PolyMet for Presentation and Tour
4:30pm-Depart PolyMet
5:00pm-Arrive at Giants Ridge

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5:30pm-Dinner with Presentation from Twin Metals
7:30pm-End of Day

In case you missed it, there was an excellent story recently published by the Wall Street Journal in relation to the Twin Metals project.

Please contact Andrew Morley at Andrew.Morley@mail.house.gov, Spencer Igo at Spencer.Igo@mail.house.gov or Jeff Small Jeff.Small@mail.house.gov to RSVP or with questions.

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From:	Small, Jeff
To:	amanda_kaster@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov); John Tanner; micah_chambers@ios.doi.gov; katharine_macgregor@ios.doi.gov; Todd_Willens@ios.doi.gov
Subject:	[EXTERNAL] Twin Metals Issue and tomorrow"s budget hearing
Date:	Tuesday, April 10, 2018 5:01:28 PM
Attachments:	image001.png image002.png image003.png Final Signed FY19 MN Withdrawal.pdf H.R. 3905 Legislative Analysis.pdf Updated MINER Act - Myth v. Fact.pdf BLM0013635 outgoing.pdf

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Know the Secretary is well versed on this issue but wanted to send some helpful documents and links on the Twin Metals issue in relation to the Budget Hearing tomorrow as Rep. McCollum will likely bring this up in some capacity as I'm sure you all know.

Press Release Here:

1. New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama
2. House RESTORES Minnesota Mining

Let me know if there is anything else we can send over to be helpful.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



AMERICAN OVERSIGHT

Congress of the United States
Washington, DC 20515

March 15, 2018

The Honorable Ken Calvert
Chairman
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
2007 Rayburn HOB
Washington, DC 20515

The Honorable Betty McCollum
Ranking Member
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
1016 Longworth HOB
Washington, DC 20515

Dear Chairman Calvert and Ranking Member McCollum:

As you begin crafting the Fiscal Year 2019 Interior, Environment, and Related Agencies Appropriations bill, we encourage the subcommittee to statutorily cancel the Obama Administration's last-minute application for withdrawal of 234,328 acres of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws.

The application has already begun to sour future investment in the state and will have enormous adverse impacts on the entire region's economy. If approved, it will kill several environmentally responsible development projects currently being studied while restricting future development of a broad swath of northern Minnesota, negatively affecting the region's employment and economic growth.

Countless individuals and local businesses have weighed-in against the application. The Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal. One company that has already invested hundreds of millions of dollars for potential development in the area acknowledged, "The withdrawal of federal minerals from future development, and the related impacts of negating future development of state and private minerals, will have a devastating impact on the region's economy, eliminating the promise of thousands of good-paying jobs and billions of dollars in local investment."

The federal government owns nearly seven percent of the land in Minnesota. However, the protections provided to Minnesota's pristine landscape are largely the result of its citizens and their desire to preserve their way of life. If all development and economic activity is prohibited, that way of life will come to a grinding halt. Sound environmental stewardship and positive economic growth are not mutually exclusive.

Severe economic losses to the state of Minnesota, the surrounding region and the U.S. economy that take place in the short and long term if this misguided withdrawal is implemented. 17,000 jobs, $3 billion for education, $1.5 billion in annual wages, $2.5 billion annually for our economy and a total of four billion tons of strategic-and-critical-mineral-containing ore – this is what is at risk if the Obama land grab is not overturned.

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PRINTED ON RECYCLED PAPER

DOI-19-0538-F-000071

Cancellation of the proposed application for withdrawal is the most efficient and fair way for mineral contracts in the region to move forward and receive due consideration. Regulatory means of cancelling the withdrawal process are available to the Bureau of Land Management and the United States Forest Service, and may not require a separate NEPA process. However, regulatory and administrative actions in that direction could be subject to enduring litigation. Ultimately, these abrupt, unfair and politically motivated mineral withdrawals should not be tied up in courts for years – they should be cancelled, immediately, such that Congress finally exercises oversight to correct the mistreatment of Minnesota workers by the past Administration.

Accordingly, we ask that you include the following language – similar to Section 449 of the engrossed version of the FY 2018 House Interior, Environment, and Related Agencies Appropriations bill– which states as follows:

SEC____. The proposed application for withdrawal of approximately 234,328 acres of National Forest System (NFS) lands, for a twenty year term, within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws as published by the United States Forest Service in the Federal Register on January 13, 2017 (82 Fed. Reg. 4282 et seq) is cancelled.

SEC____. None of the funds made available by the Act may be used to withdraw National Forest System lands within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws.

An equally satisfactory fix would be to include in the FY 2019 House Interior Appropriations bill the text of Congressman Tom Emmer's H.R. 3905 as passed by the House of Representatives on November 30, 2017.

We thank you for your consideration of this request, and for your leadership on the Committee.

Tom Emmer
Member of Congress

Paul A. Gosar, D.D.S.
Member of Congress

Rob Bishop
Member of Congress

Doug LaMalfa
Member of Congress

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Jason Lewis
Member of Congress

Roger Marshall
Member of Congress

Bruce Westerman
Member of Congress

Andy Biggs
Member of Congress

Tom McClintock
Member of Congress

Jeff Duncan
Member of Congress

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CONGRESSIONAL WESTERN CAUCUS

Legislative Analysis

H.R. 3905, the Minnesota's Economic Rights in the Superior National Forest Act (MINER Act)

Rep. Tom Emmer (MN-06)

On the House Floor:

On Wednesday, November 29, 2017, the House will consider H.R. 3905, the Minnesota's Economic Rights in the Superior National Forest Act (MINER Act), a bipartisan bill introduced by Reps. Tom Emmer (MN-06), Colin Peterson (MN-07), Jason Lewis (MN-02) and Chairman Paul Gosar (AZ-04).

Short Summary:

The MINER Act halts last-minute political mineral withdrawals by requiring Congressional approval for any future withdrawal actions in Minnesota, renews two mineral leases that were denied for political reasons under the same terms they were renewed twice previously and ensures any future mining projects in Minnesota National Forests will have to satisfy all existing environmental permitting requirements including NEPA.

Article IV of the Constitution vests Congress with authority over public lands. This legislation secures the opportunity for job creators to present mining plans in an area *already authorized for mining* twice by Congress and rejects political and unwarranted actions taken by the previous administration that will harm responsible mineral production, kill jobs and decimate education revenues. No one is proposing to mine in the 1.1 million acre Boundary Waters Wilderness Area, an area that already has significant buffers, and the bill actually protects this area. 17,000 jobs, $3 billion for education, $1.5 billion in annual wages and $2.5 billion annually for our economy are at risk if we don't pass H.R. 3905. Further, there are more than four billion tons of ore containing copper, nickel and other metal resources within the area the previous Administration tried to shut down, which represents the largest known undeveloped deposit of strategic and critical metals in the world.

An awesome video produced by the people of Minnesota on the issues addressed by the bill can be viewed **HERE**.

Bill text can be found **HERE.** The Committee Report can be found **HERE**. The Committee one pager can be found **HERE**. A printable list of endorsements and supporters can be found **HERE**.

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Background:

On January 19th, 2017, the day before President Trump was sworn in, the previous administration published a 234,328-acre federal mineral withdrawal application in the Federal Register, to restrict for a 20-year moratorium, lands within the Superior National Forest in Northeast Minnesota.

This action immediately placed this vast area off limits to future mineral leasing, exploration and potential development for two years while the 20-year withdrawal is being considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management inappropriately rejected Twin Metals Minnesota's application to renew two hardrock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

These bureaucratic decisions could decimate local economies, stifle job creation as well as cause significant harm to K-12 education and mining in Minnesota. These were political, anti-mining and anti-education actions taken by the Obama Administration.

The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015.

Education will be significantly harmed as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

To date, Twin Metals has invested upward of $400 million – a significant investment – in reliance on the two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

In 1950, Congress took action to make land available for mineral exploration and development within the Superior National Forest. Then, in 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act, a compromise that prohibited mining within the 1.1 million acre Boundary Waters Wilderness Area but again specifically authorized mining in the Superior National Forest. The 1986 Forest Service and 2004 Forest Plans both concluded mining in this area is "a desired condition."

The MINER Act halts last-minute political mineral withdrawals by requiring Congressional approval for any future withdrawal actions in Minnesota, renews two mineral leases that were denied for political reasons under the same terms they were renewed twice previously and ensures any future mining projects will have to satisfy all existing environmental permitting requirements including NEPA.

Article IV of the Constitution vests Congress with authority over public lands. This legislation secures the opportunity for job creators to present mining plans in an area *already authorized for mining* twice by Congress and rejects political and unwarranted actions taken by the previous administration that will harm responsible mineral production, kill jobs and decimate education revenues. No one is proposing to mine in the 1.1 million acre Boundary Waters Wilderness Area, an area that already has significant buffers, and the bill actually protects this area. 17,000 jobs, $3 billion for education, $1.5 billion in annual wages and

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$2.5 billion annually for our economy are at risk if we don't pass H.R. 3905. Further, there are more than four billion tons of ore containing copper, nickel and other metal resources within the area the previous Administration tried to shut down, which represents the largest known undeveloped deposit of strategic and critical metals in the world.

Other Congressional Actions on these issues:

- A release and letter signed by 26 Members calling for rescission of the 234,328-acre mineral withdrawal application and renewal of two improperly terminated leases can be found HERE.
- The Interior Appropriations Request letter signed by 9 members including House Committee on Natural Resources Chairman Rob Bishop can be viewed HERE.
- The press release on the hearing on H.R.3905 can be found HERE.
- A press story on the Emmer Interior Appropriations Amendment passing can be found HERE.
- A press release on passage of H.R. 3905 by the Resources Committee can be found HERE.

What H.R. 3905 doesn't do:

- Supersede current federal, state, or local environmental review. Any project proposed in areas that allow mining (all outside the Boundary Waters Canoe Area) must still undergo the normal NEPA environmental analysis, which we also require for any lease issuances under the bill.
- Mine in the boundary waters. In fact, the legislation clarifies that "*nothing should be construed to permit prospecting for development and utilization of mineral resources within the Boundary Waters Canoe Area Wilderness or Mine Protection Area*." (Section 4(f))

What They Are Saying:

- **53 bipartisan state legislators** (including leadership of both parties) – "*As elected leaders of the Minnesota Legislature, we are writing in strong support of H.R. 3905. This legislation supports jobs, economic development and industry in Northeast Minnesota, and will reverse an onerous, overreaching and politically-motivated decision by the Obama Administration. H.R. 3905 has our bipartisan support, and it is our sincere hope that it will become law for the well-being of our state and its citizens."*
- **Competitive Enterprise Institute** – *"The bipartisan H.R. 3905 is a welcome reassertion of congressional authority over public lands. Article IV of the Constitution vests Congress—not the President—with plenary power over public lands. Members on both sides of the aisle should take umbrage at President Obama's lame duck machinations to withdraw from the multiple use framework more than 230,000 acres of public lands in Minnesota—with the mere stroke of a pen. By treating public lands regulation as a means to build a presidential legacy through midnight regulation, the previous administration flouted the spirit of participatory and inclusive lands-use statutes as designed by Congress. Lawmakers should correct the course by passing the excellent H.R. 3905."*

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- **International Union of Operating Engineers, Local 49** – *"Unfortunately, the economic future of the region is now threatened by federal agency actions initiated in December 2016 that would cancel valid, long-standing federal mineral leases and withdraw 235,000 acres of federal land in the region from future mining development, contrary to previous directives by Congress. If allowed to stand, these agency actions will eliminate the possible creation of thousands of good-paying construction jobs, billions of dollars in economic growth, and billions more in revenues for Minnesota's public schools through mineral development on state school trust lands."*

- **Range Association of Municipalities and Schools** – "*The results of the withdrawal and a potential 20 year moratorium would have a devastating impact on the financial support for our state wide public school system and future generations of Iron Rangers who would be employed in any future mining developments. It has been estimated that within 20 years of mining for precious metals, our Permanent School Trust Fund would reap nearly $3 billion dollars in royalties. The Miner Act does not infringe or restrict the very strenuous and stringent environmental review and enforcement process and specifically re-emphasizes that there will be no mining in the Boundary Waters (BWCAW) or the buffer zone surrounding the BWCAW."*

- **American Exploration & Mining Association** – *"H.R. 3905 will eliminate delays, return to good stewardship of fair process and restore the opportunity to explore strategic metals critical to our economy and national security in one of the richest mineral deposits in the nation…The emerging mining industry is an investment in the future well-being of our state and nation; without this legislation, that future is at risk."*

- **Associated General Contractors of Minnesota** – "*H.R. 3905 changes no environmental review processes, relaxes no environmental standards, and specifically restates Congress' prohibition on any mining activity in the BWCAW and surrounding protective buffer. H.R. 3905 would reaffirm long-standing Congressional intent in the management and development of critical minerals in Minnesota, eliminate bureaucratic delays in developing environmentally-responsible mine projects proposals, and restore the promise of future job growth and economic opportunity to an economically distressed region of the state."*

- **National Mining Association** – *Northern Minnesota is blessed with a world class, economically significant, mineral deposit containing copper, nickel and precious metals. In an unprecedented move — one clearly motivated by politics rather than science — the previous administration denied two mineral lease renewal applications that had been renewed several times without issue dating back to 1966. Furthermore, the previous administration initiated a full-scale mineral withdrawal of nearly 240,000 acres just days before leaving office...Importantly, the mineral deposits under these leases are critical to our domestic manufacturing, infrastructure and defense needs. The U.S. has become increasingly reliant on foreign imports with only 50 percent of the needs of our manufacturing industry being sourced from domestic mineral supplies.*

- **House Committee on Natural Resources Energy and Minerals Chairman and Western Caucus Chairman Paul Gosar (AZ-04)** – *"17,000 jobs, $3 billion for education, $1.5 billion in annual wages and $2.5 billion annually for our economy are at risk if we don't pass H.R. 3905. Further, there are four billion tons of ore containing strategic and critical minerals in the area the Obama Administration tried to shut down. If left unchallenged, these political anti-mining actions will set a terrible precedent that could negatively impact communities throughout the country."*

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- **Conservatives for Property Rights** – *"This legislation would remedy the broad bureaucratic discretion that led to unilateral government action limiting private mineral rights on several hundred-thousand acres of land in the Superior National Forest in northeastern Minnesota. The government's limitation on reasonable public lands use deprives the nation, the state of Minnesota, and surrounding localities of important benefits from valuable deposits of copper, nickel, and other minerals. Royalty revenues upward of $3 billion for the state's school fund alone will be lost should the government's land grab not be reversed."*

- **Congressman Tom Emmer MN-06** – *"Passage of the MINER Act ensures Minnesotans have a say in sweeping bureaucratic decisions made by Washington bureaucrats. Environmentally responsible mining and exploration in Northern Minnesota will unleash our ability to tap into our abundance of natural resources, and provide for a better way of life for our children, just as those in Northern Minnesota have done for decades. We can preserve our state's natural beauty without permanently destroying any future job creation or economic development. We can utilize the largest untapped copper-nickel deposit in the world, and do so in an environmentally sound way. Nothing in this legislation will circumvent any of the numerous strict local, state and federal environmental regulations and permitting requirements currently in place, including those that prohibit mining in the Boundary Waters. Instead, passage of this legislation simply rolls back unnecessary, politically motivated actions by the previous administration and returns power to Minnesota while bringing jobs to communities in Northern Minnesota who desperately need them, and boosting our local, state and federal economies."*

The bill is endorsed by:

- 53 bipartisan state legislators (including leadership of both parties)
- AFL-CIO International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers Local Union 512
- Agribusiness & Water Council of Arizona
- ALLETE
- American Exploration & Mining Association
- Americans for Limited Government
- Apache County (Arizona)
- Apache Sun Golf Club
- APEX
- Arizona Association of Conservation Districts
- Arizona Cattle Feeders Association
- Arizona Golf Association
- Arizona Pork Council
- Arizona Liberty
- Arizona State Rep. Bob Thorpe
- Associated General Contractors of Minnesota
- AZ BASS Nation
- AZ Deer Association
- The Bass Federation
- Better in our Back Yard
- Cactus and Pine Golf Superintendents Association supports H.R. 3905
- City of Ely
- Colorado Mining Association
- Competitive Enterprise Institute
- Concerned Citizens for America (Arizona)

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- Conservatives for Property Rights
- Dena Cordova Jack, Executive Vice President, Mountain States Lumber and Building Material Dealers Association
- Global Minerals Engineering LLC
- Golden Vertex Corporation
- Grand Rapids Area Chamber of Commerce
- Hibbing Area Chamber of Commerce
- International Brotherhood of Electrical Workers Local Union 31
- International Union of Operating Engineers, Local 49
- The Jamar Company
- Jefferson County Commissioner Donald Rosier, P.E.
- Jobs for Minnesotans
- Laborers District Council of MN & ND
- Laborers International Union of North America
- Laurentian Chamber of Commerce
- Minnesota Building and Construction Trades Council
- Minnesota Chamber of Commerce
- MiningMinnesota
- Minnesota Pipe Trades Association
- Minnesota Power
- Minnesota State Rep. Josh Heintzeman
- Montana Mining Association
- National Mining Association
- National Stone, Sand & Gravel Association
- New Mexico Cattle Growers' Association
- New Mexico Federal Lands Council
- New Mexico Wool Growers, Inc.
- North America's Building Trade Unions
- Plumbers and Pipefitters Local 589
- Range Association of Municipalities and Schools
- Scott W. Yates, President, Denver Lumber Co.
- Shake Rattle & Troll Outdoors
- Sulphur Springs Valley Electric Cooperative
- Twin Metals Minnesota
- United Brotherhood of Carpenters and Joiners of America
- Water Resource Institute
- Women's Mining Coalition
- Yavapai County Cattle Growers
- Yavapai County Supervisor Board Chairman Thomas Thurman
- Yuma County (AZ) Chamber of Commerce

Cost:

According to **Congressional Budget Office Analysis**, enacting H.R. 3905 would reduce direct spending by $2 million over the 2018-2027 period by increasing offsetting receipts.

Amendments:

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I. **Grijalva (D-AZ)** – Increases taxes (royalty rates) on responsible mineral production by 16.66 percent. If adopted, this amendment would dry up investment and kill jobs.
Chairman Gosar recommends a '**NO'** vote

Constitutional Authority:

The sponsor has stated that Congress has the power to enact this legislation pursuant to Article IV, Section 3, Clause 2 (the Property Clause), which confers on Congress the power to make all needful Rules and Regulations respecting the property belonging to the United States.

More Information:

If you have questions about H.R. 3905, please contact Landon Zinda in Congressman Emmer's office at **landon.zinda@mail.house.gov**.

If you have questions about this policy analysis or for the Congressional Western Caucus, please contact Jeff Small at **jeff.small@mail.house.gov** or Tanner Hanson at **tanner.hanson@mail.house.gov**.

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Myth vs. Fact

Minnesota's Economic Rights in the Superior National Forest (MINER) Act (H.R. 3905)

False Claim: Mining will contaminate the Boundary Waters.

Truth: This bill alters no current environmental laws or protections. Mining companies will still have to comply with the Clean Water Act, Clean Air Act, NEPA and all state and federal laws.

Again, Minnesotans been mining the same sulfide ore body for nearly 150 years with zero damage to their water – Literally thousands of private wells drilled into the same ore body.

Remember that the Twin Metals project will be proposed as an underground mining project, with very minimal surface impacts. Opponents clearly want people to think the Twin Metals project will be some sort of massive open pit mining operation (They use pictures of open pits, etc.).

Watch this video produced by the people of Minnesota **HERE**. In it, Dave Lislegard states that local communities want mining in Minnesota because it results in cleaner water following reclamation by the mining companies.

In fact, the city of Aurora has some of the cleanest water in Minnesota which comes from a reclaimed mine. Local communities are literally fighting to have mining because it results in cleaner drinking water for communities in the long-term.



False Claim: There is no such thing as a pollution-free sulfide-ore mine, the type of mine proposed by Twin Metals.

Truth: There is no mine proposal or even a project vision for a mine project as near as ½ mile from the Boundary Waters as falsely claimed by anti-mining extremists. The Twin Metals project will be proposed as an underground mining project, with very minimal surface impacts.

The sulfide content of the ores in the authorized mining area is .08 percent, within the legal limits. A Michigan mine has 30 percent sulfide content and they are successfully mining in exponentially higher sulfide content while still protecting the environment. Minnesotans been mining the same sulfide ore body for nearly 150 years with zero damage to their water – Literally thousands of private wells drilled into the same ore body.

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False Claims: Mining will occur in the Boundary Waters. The mine and leases go right up to the border of the Boundary Waters Wilderness Area (BWCAW).

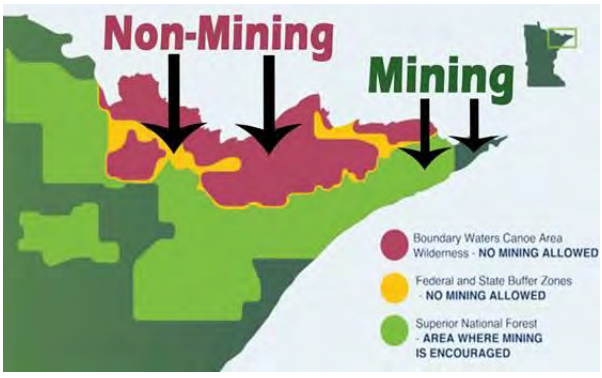
Truth: The Mining Protection Area was established by Congress for the very purpose of protecting the Boundary Waters (area in red). No one is proposing to mine in the 1.1 million acre Boundary Waters Wilderness Area or surrounding buffer zones (The buffer zone areas are in yellow on the below map).

H.R. 3905 explicitly prohibits mining in the Boundary Waters and buffer zones stating, "*nothing should be construed to permit prospecting for development and utilization of mineral resources within the Boundary Waters Canoe Area Wilderness or Mining Protection Area*." (Section 4(f)).

There is no mine proposal yet or even a project vision for a mine project as near as ½ mile from the BWCAW as falsely claimed. The Twin Metals project location is approximately 6 miles from the nearest BWCAW boundary. Proposals within the authorized mining area (green area), including the Twin Metals project proposal, will have to be submitted to state and federal agencies for formal environmental review and permitting under applicable state and federal environmental laws. Therefore, any claims of specific impacts before projects are even proposed are speculative and irresponsible. Any mining proposal will have to meet state and federal environmental standards and go through NEPA.

There are several companies exploring the green area, twice authorized for mining by Congress. Teck has nonferrous mineral holdings within the proposed withdrawal area from the previous administration, the potential development of which would be greatly impacted by withdrawal. Encampment Minerals Inc. also has nonferrous mineral holdings within the withdrawal area and is awaiting federal agency action on a submitted Preference Right Lease application. Future expansion of the North Shore Mining taconite mine could extend into the withdrawal area, and thus be impacted by withdrawal.

As Chairman Gosar said, green means go. Yellow and red mean absolutely no mining.



False Claim: The bill will cause harm to monuments throughout the country and the 1906 Antiquities Act.

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Truth: Presidents from both sides of the aisle have used the stroke of a pen and the Antiquities to unilaterally lock up hundreds of millions of acres. President Obama abused the Antiquities Act more than any other president in history, designating or expanding 34 national monuments and locking-up 553.6 million acres of total land and water. President Obama was not alone in his abuse though of the Antiquities Act. If you look at the boundaries of Ironwood National Monument designated by Clinton, it encircles the Silver Bell Mine and several other mining claims. This was clearly a political designation in order to prevent mining. If this were not the case, the monument would be much smaller and only protect a few artifacts. Just about all national monument proclamations explicitly prohibit mining.

Section 3 of the legislation requires Congressional approval before any lands within the national forest system in Minnesota can be designated as national monuments. **Section 3 only applies to the state of Minnesota and won't impact any other states. Only two national monuments exist in Minnesota. Neither were designated under the 1906 Antiquities Act. They were both designated by Congress as still allowed by H.R. 3905.** The Grand Portage National Monument was established in 1960 by an act of Congress (P.L. 85-910) and the Pipestone National Monument established in 1937 by an act of Congress (The Act of August 25, 1937, Establishing the Pipestone and National Monument).

Clearly, the last Administration demonstrated the lengths it would go to push its environmental agenda via the Antiquities Act. We are not opposed to the establishment of national monuments in Minnesota. Given the extensive use and abuse of the powers granted to the executive under the law, however, we are forced to include this provision to ensure a future, hostile administration, cannot unilaterally undercut thousands of jobs and economic opportunities in our state.

The Antiquities Act provision is necessary to prevent future political abuse that would lock-up lands (Congress has twice authorized for mining) with the stroke of the pen from a future President. Article IV of the Constitution vests Congress with authority over public lands.

False Claim: H.R. 3905 solely benefits a foreign mining company with a history of polluting.

Truth: Ask that of the American people. Ask the numerous members of Congress, more than 53 bipartisan state representatives, industry, education, labor, chambers of commerce, local citizens and more that support the bill.

Twin Metals is a Minnesota company with Minnesota employees, and has been part of the NE Minnesota community for 10 years. The company has invested more than $400 million in project development activities, investing in new facilities in the City of Ely, providing local employment opportunities and supporting hundreds of local jobs in the construction, consulting and contracting sectors. Twin Metals has also contributed more than $320,000 to local philanthropic needs and organizations.

There are several other companies exploring the area that would have to adhere to all environmental standards if they opened a mine. Teck has nonferrous mineral holdings within the proposed withdrawal area, the potential development of which would be greatly impacted by

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withdrawal. Encampment Minerals Inc. also has nonferrous mineral holdings within the withdrawal area and is awaiting federal agency action on a submitted Preference Right Lease application. Future expansion of the North Shore Mining taconite mine could extend into the withdrawal area, and thus be impacted by withdrawal. Further, the withdrawal proposal will seriously hinder the state's ability to seek mineral development of more than 90k acres of state school trust fund lands within the withdrawal area.

Further, Antofagasta produces copper responsibly, putting people, safety and the environment first, and working closely with local communities to ensure that its mines are developed sustainably. Antofagasta is committed to open and continuous dialogue with local communities and all stakeholders to find craft operations and solutions that minimize social and environmental impacts. Antofagasta adheres to all environmental laws as well as the International Council on Mining and Metals (ICMM) Principles and the United Nations Guiding Principles on Business and Human Rights, amongst others.

False Claim: H.R. 3905 stops an important two-year study of the risk of copper mining to the Boundary Waters, Quetico Park, and Voyageurs National Park.

Truth: This bill stops no environmental review process. The opposition forgets that mining in the forest will occur only after job creators have gone through stringent and lengthy environmental reviews including NEPA. The proposed withdrawal immediately placed this vast area off limits to future mineral leasing, exploration and potential development for two years while the 20-year withdrawal is being considered without mining plans even being proposed. All this bill does is secure the opportunity to present mining plans for an area already authorized for mining by Congress.

False Claim: H.R. 3905 is a radical jobs-killing bill.

Truth: The MINER Act is a responsible, jobs-creating bill. Not only will we see 17,000 new jobs in or related to mining, but the economic boost will propel a resurgence of greater Minnesota, ensuring everyone in the state and the nation truly benefits from the hard work done by those in Northern Minnesota. And by protecting the Boundary Waters, the MINER Act ensures the thriving tourism industry and tranquil gem of Minnesota remains intact.

There are no objective economic studies of potential copper-nickel mining projects in NE Minnesota that predict job losses in the region's tourism or other economic sectors. To the contrary, a recent economic study undertaken by the Praxis Strategy Group found a positive correlation between mining jobs and tourism jobs in the region: "In 2015, the 4,226 jobs in the iron ore and copper and nickel ore sectors supported a significant number of jobs in tourism and recreation. Without this mining activity in the region, the Duluth-Arrowhead region could expect to lose 415 jobs in food service, 79 jobs in all types of travel accommodations, 50 jobs in arts and sports sectors, and 45 jobs in amusement and recreation businesses."

These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. Meanwhile tourism jobs in Minnesota are seasonal and often bring in $15,000 per year. A

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labor union member accurately stated “tourism jobs are the desert, they look good, taste good but you can’t live off them. Mining is the meat and potatoes.”

More than 50 percent of the 17k tourism jobs cited by anti-mining opponents are more than 100 miles away from the Boundary Waters. Responsible mining projects will increase jobs in the area and provide significant additional local dollars for regional/BWCA area tourism and hospitality.

17,000 jobs, $3 billion for education, $1.5 billion in annual wages and $2.5 billion annually for our economy are the actual benefits of this bill.

False Claim: H.R. 3905 changes five federal laws for Minnesota’s national forests.

Truth: This bill alters no current environmental laws or protections. The Federal Land Policy and Management Act, NEPA, and all other laws still apply to Minnesota.

In 1950, Congress took action to make land available for mineral exploration and development within the Superior National Forest. Then, in 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act, a compromise that prohibited mining within the 1.1 million acre Boundary Waters Wilderness Area but again specifically authorized mining in the Superior National Forest. The 1986 Forest Service and 2004 Forest Plans both concluded mining in this area is “a desired condition.”

The Mining Law of 1872 governs most mining on federal lands. However, the Weeks Act controls the projects in this area because they are located on acquired national forest land. Mineral leases on these lands, though not indefinite agreements, typically retain a nondiscretionary right to renewal every 20 years. The two leases for the mineral deposit in question began in 1966 and were renewed in 1989 and again in 2004 without controversy.

McCollum claims H.R. 3905 specifically weakens provisions of NEPA. There are not any changes to NEPA in the bill.

The MINER Act halts last-minute political mineral withdrawals by requiring Congressional approval for any future withdrawal actions in Minnesota, renews two mineral leases that were denied for political reasons under the same terms they were renewed twice previously and ensures any future mining projects will have to satisfy all existing environmental permitting requirements including NEPA.

Essentially, the bill rejects the political actions by the previous Administration and returns the conditions in Minnesota to the same conditions in place prior to these arbitrary actions not based on science.

False Claim: H.R. 3905 endangers the most-visited Wilderness in America, and will prevent outdoor opportunities for veterans and recreationalists.

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Truth: The MINER Act ensures the Boundary Waters remain protected, while giving those that shepherd and protect its beauty a say in what goes on in Washington. The true danger to the Boundary Waters and those who have found a way of life in Northern Minnesota are the bureaucrats in Washington and at the Forest Service, who think they know better than the people's elected representatives. If we aren't careful, we will sacrifice our economy, way of life, and children's future.

Section 4 of the bill states: *"Nothing in this section may be construed as permitting the prospecting for development and utilization of mineral resources within the Boundary Waters Canoe Area Wilderness or Mine Protection Area."*

No specific mining project proposals within the withdrawal area, including the Twin Metals project proposal, have been submitted to state and federal agencies for formal environmental review and permitting under applicable state and federal environmental laws. Therefore, any claims of specific impacts are speculative and irresponsible. Any mining proposal will have to meet state and federal environmental standards as assessed by state and federal regulatory agencies before the proposal would be allowed to move forward. The potential impacts of any mining proposal to private and public lands would be a major component of state and federal environmental review.

The bill is endorsed by conservationists, outdoor organizations and others who know the bill protects outdoor opportunities by explicitly preventing mining in the Boundary Waters.

False Claim: Minnesotans strongly oppose mining near the Boundary Waters than the total of those in favor of it.

Truth: Minnesota's Democrat Governor was for mining projects in the withdrawal area before he was against them. Several polls over the years consistently show strong support for copper-nickel mining in general and for allowing companies to explore and propose projects. In November 2016, a poll of 400 registered voters in the 8th Congressional District found (among other results):

- By greater than a 3-1 margin survey respondents support environmentally-responsible mining in the region.
- By greater than 2-1 margins respondents support the building of new copper-nickel mines and believe copper-nickel mining can be done in an environmentally-responsible way.
- More than 60 percent support the TMM underground copper-nickel project.

In October 2013 a poll of more than 600 registered Minnesota voters statewide found (among other results):

- A majority of voters (56 percent) favor expanding Minnesota's mining industry.
- A plurality of voters (48 percent) support expanding the copper-nickel mining industry in the state.

All mayors, state legislators and county commissioners that represent the Iron Range region and the area proposed for withdrawal are pro-mining advocates.

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- 53 bipartisan state legislators (including leadership of both parties) have endorsed the bill and support its passage.

False Claim: Many agencies and academic institutions have produced extensive scientific studies in the proposed Twin Metals copper mining district documenting the vulnerability of the Boundary Waters to sulfide-ore copper mining."

Truth: The claim of determinative scientific studies related to the TMM project is FALSE. No scientific studies have been conducted that meet standards normally applied for supporting regulatory agency decisions, including the use of extensive project-specific and site-specific data.

No specific mining project proposals within the withdrawal area, including the Twin Metals project proposal, have been submitted to state and federal agencies for formal environmental review and permitting under applicable state and federal environmental laws. Therefore, any claims of specific impacts are speculative and irresponsible. Any mining proposal will have to meet state and federal environmental standards and go through NEPA. This bill alters no current environmental laws or protections.

Again, the sulfide content of the ores in the authorized mining area is .08 percent, within the legal limits. A Michigan has 30 percent sulfide content and they are successfully mining in exponentially higher sulfide content while still protecting the environment.

Minnesotans been mining the same sulfide ore body for nearly 150 years with zero damage to our water – Literally thousands of private wells drilled into the same ore body.

False Claim: H.R. 3905 would automatically grant a Chilean mining conglomerate near-perpetual leases in these locations, despite the fact the leases expired in 2014 and renewal was denied.

Truth: The Twin Metals leases would not be perpetual. In order to maintain the leases, Twin Metals would have to continue to meet all the lease and environmental requirements, as negotiated and agreed to by the federal agencies. In short, Twin Metals would need to maintain the leases in good standing.

The Mining Law of 1872 governs most mining on federal lands. However, the Weeks Act controls the Twin Metals project because it is located on acquired national forest land. Mineral leases on these lands, though not indefinite agreements, typically retain a nondiscretionary right to renewal every 20 years. The two leases for the mineral deposit in question began in 1966 and were renewed in 1989 and again in 2004 without controversy. When the current holder of the leases filed to renew, having spent more than $400 million on project development, the Obama Administration denied the application for political reasons because they wanted to prevent mining.

Again, Twin Metals is a Minnesota company with Minnesota employees, and has been part of the NE Minnesota community for 10 years. The company has invested more than $400 million in

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project development activities, investing in new facilities in the City of Ely, providing local employment opportunities and supporting hundreds of local jobs in the construction, consulting and contracting sectors. Twin Metals has also contributed more than $320,000 to local philanthropic needs and organizations.

False Claim: The proposed mineral withdrawal is ONLY for federal forest lands. Minnesota's school trust fund lands are all located on state lands.

Truth: It is indisputable that the withdrawal affects more than the targeted 235,000 federal acres. Another 190,000 acres of state and federal lands are located within the proposed withdrawal area. The potential impacts to these non-federal lands have been documented by the Minnesota Department of Natural Resources (DNR) in maps and in their comments to the U.S. Forest Service (attached – see page 2 HERE).

Also, in the most recent state mineral lease sale, the DNR offered no state leases for public bid within the proposed withdrawal area, but did offer leases outside of the withdrawal area but still within the BWCAW watershed. And further, **Encampment Minerals in late October turned back to the State of Minnesota state mineral leases held in the area of the proposed withdrawal and ceased plans for further investment and possible development. Encampment cited the uncertain regulatory impacts of the withdrawal proposal as the reason for their action** (see attached letter HERE).

Dale Lueck, Chair of the Minnesota Legislative Permanent School Fund Commission, released a press release supporting the bill stating, "There are severe ramifications for Minnesota's school trust lands located adjacent to the federal lands should the federal lease withdrawals stand. Over the long-term, Minnesota's school children could be denied billions of dollars in future royalty revenues for the state's Permanent School Trust Lands."

In fact, education will be significantly harmed as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

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United States Department of the Interior
BUREAU OF LAND MANAGEMENT
Washington, D.C. 20240
http://www.blm.gov

Mr. Tony Tooke
Chief, U.S. Forest Service
Department of Agriculture
201 14th Street, NW
Washington, DC 20250

FEB 16 2018

Dear Mr. Tooke:

In 2012, Twin Metals Minnesota (TMM) applied to renew its two existing mineral leases (MNES 01352 and MNES 01353) in northeastern Minnesota. The U.S. Forest Service is the surface management agency for the lands where these two leases are located, and the Bureau of Land Management (BLM) has jurisdiction over the subsurface mineral estate. The BLM previously issued renewals of the leases in 1989 and 2004 after consulting with the Forest Service.

In processing the pending application for renewal, the BLM identified the need for a legal opinion to determine whether TMM has a non-discretionary right to renew the two leases. On March 8, 2016, the Department of the Interior's former Solicitor issued a legal opinion (M-37036) which concluded that TMM did not have a non-discretionary right to renewal of the leases; rather, the government retained discretion to grant or deny the renewal application. After the issuance of M-37036, the BLM requested the Forest Service's decision on whether to consent to the renewal of the leases for a third time. By letter dated December 14, 2016, the Chief of the Forest Service issued a non-consent determination. Given the lack of consent, the BLM rejected TMM's third renewal application in a letter dated December 15, 2016.

TMM filed suit in the U.S. District Court for the District of Minnesota. The company also requested that the Department review and reconsider the legal conclusion of M-37036. The Office of the Solicitor has since reviewed M-37036 and has concluded that the opinion's analysis was incorrect. On December 22, 2017, the Acting Solicitor issued a new opinion entitled, "Reversal of M-37036, 'Twin Metals Minnesota Application to Renew Preference Right Leases (MNES-01352 and MNES-01353)'" (M-37049), which reverses and replaces M-37036. The revised M-Opinion concludes that the original 1966 leases gave the lessee a non-discretionary right to a third renewal of the leases, subject to reasonable changes to the terms and conditions of the leases at renewal.

In light of M-37049, we are writing to notify you that the BLM will be issuing a decision that rescinds its December 15, 2016, decision rejecting the lease renewal application, thereby reinstating TMM's renewal application as it was before the decision was issued and also reinstating the two leases that were issued in 2004. Once BLM issues that decision, the reinstated leases will remain in effect as written in 2004, until such time as the BLM approves the application for a third lease renewal, subject to appropriate, updated terms and conditions.

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Because the BLM's prior request for the Forest Service to consent was based on the legal error that the United States had discretion whether to renew the leases, we will no longer treat the Forest Service's December 2016 non-consent determination as a valid determination. Consistent with the process followed for the first and second lease renewals in 1989 and 2004, the BLM would like to consult with the Forest Service and requests any appropriate surface protection stipulations to be incorporated into the terms of the third lease renewal, subject to environmental review in accordance with the National Environmental Policy Act.

We appreciate your continued partnership in this process and in managing the public lands in northern Minnesota. If you need additional information, please contact me at (202) 208-3801.

Sincerely,

Joseph R. Balash
Assistant Secretary
Land and Minerals Management

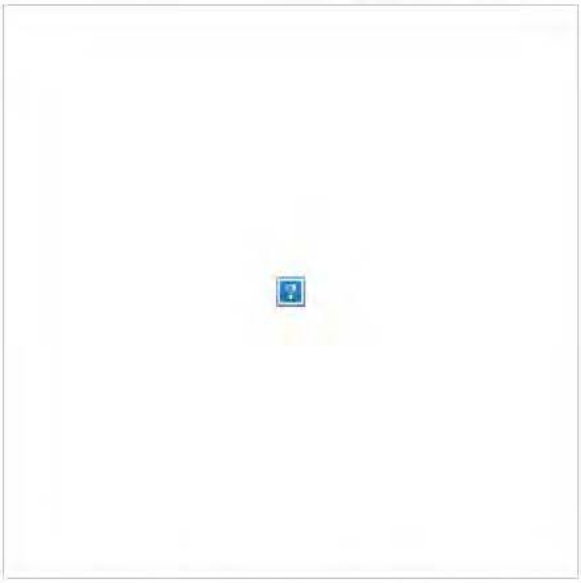
Enclosure

cc: Ms. Kathleen Atkinson, Regional Forester, Eastern Region, U.S. Forest Service
Ms. Connie Cummins, Forest Supervisor, Superior National Forest

AMERICAN OVERSIGHT

From: Jeff Small
To: cole_rojewski@ios.doi.gov
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:14 PM

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Upcoming Western Caucus Events

Western Caucus Foundation Staff-Only Monthly Bicameral Policy Meeting *(Congressional staff, agency officials and staff, and invited outside speakers are invited)*

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1. Foundation Trip | Western Roundtable and Field Tours | August 13th-16th | Lake Tahoe, Nevada

Please let us know if you have questions.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
https://westerncaucus.house.gov
(202) 225-2315 main
jeff.small@mail.house.gov



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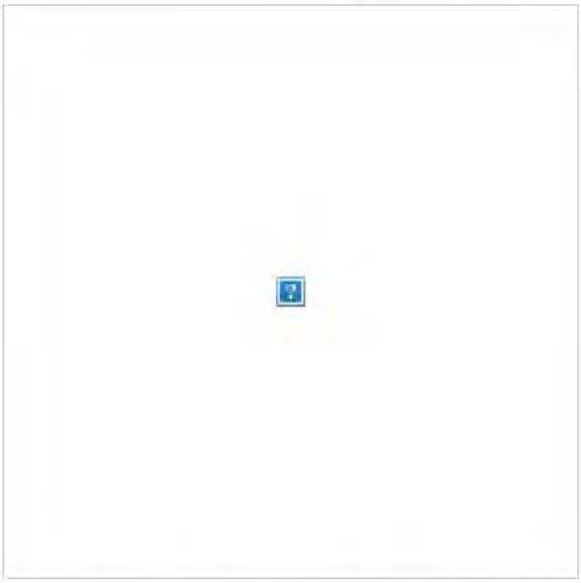
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AMERICAN OVERSIGHT

From: Jeff Small
To: Gary Lawkowski
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:13 PM

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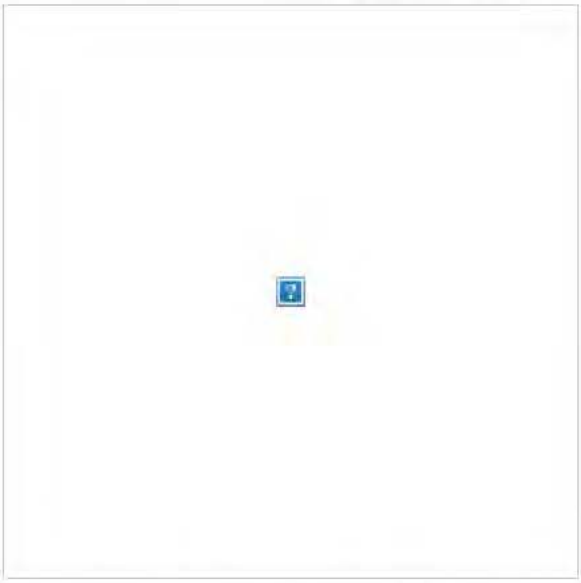
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From: Jeff Small
To: katharine_macgregor@ios.doi.gov
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:13 PM

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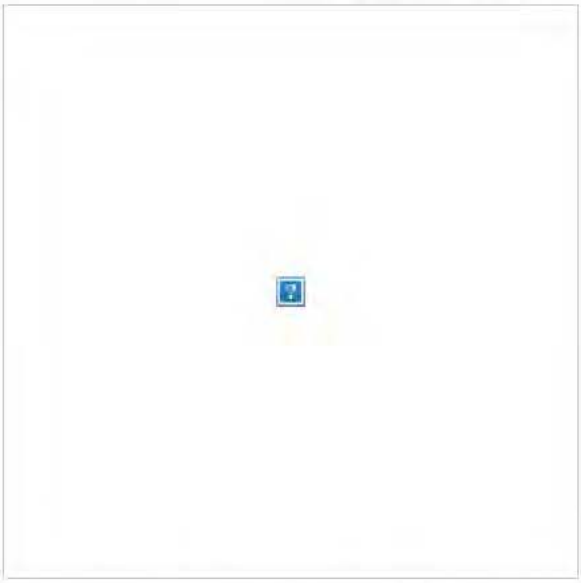
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From: Jeff Small
To: casey_hammond@ios.doi.gov
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:12 PM

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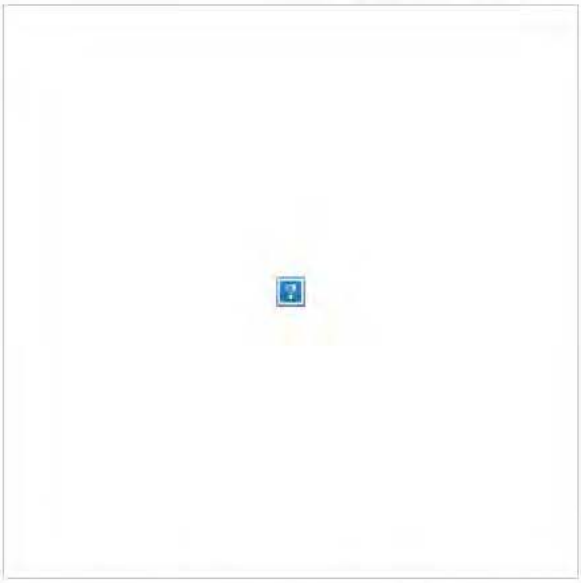
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From: Jeff Small
To: john_tanner@ios.doi.gov
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:11 PM

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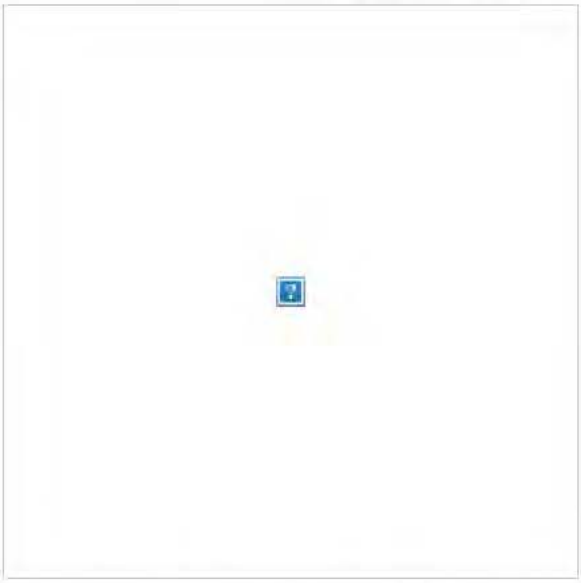
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From: Jeff Small
To: todd_willens@ios.doi.gov
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:09 PM

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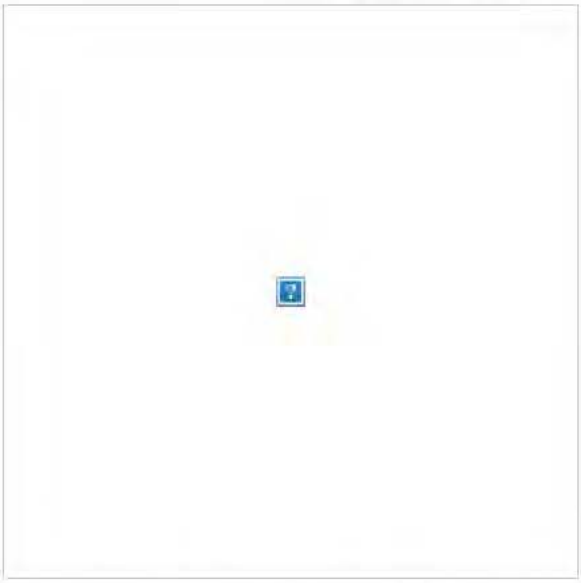
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From: Jeff Small
To: Lori Mashburn
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:07 PM

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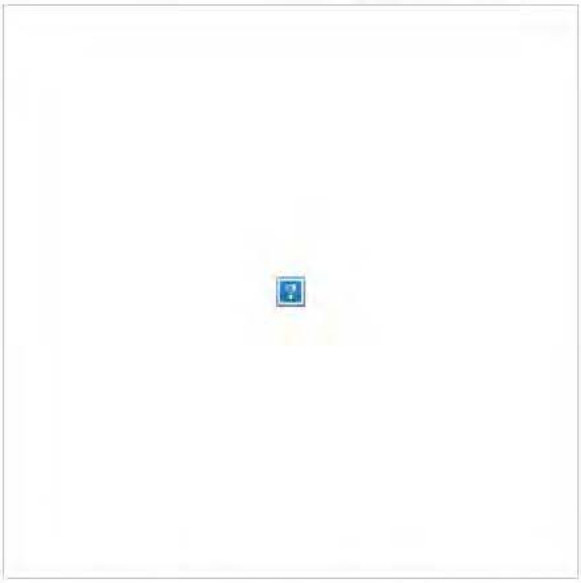
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From: Jeff Small
To: Andrea Travnicek
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:06 PM

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Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
https://westerncaucus.house.gov
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From: Jeff Small
To: (b)(6) - David Bernhardt .gov
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:04 PM

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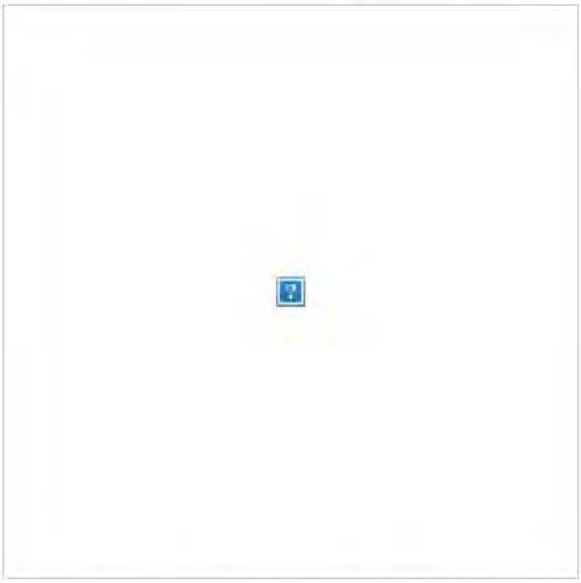
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From: Jeff Small
To: David Bernhardt
Subject: [EXTERNAL] Upcoming Western Caucus Events
Date: Monday, June 10, 2019 5:07:37 PM

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From: Small, Jeff
To: micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; katharine_macgregor@ios.doi.gov; kathleen_benedetto@ios.doi.gov
Cc: Van Hein, Tom
Subject: 26 Bipartisan Members Urge Zinke and Perdue to Rescind 425,000-acre Mineral Withdrawal and Renew Leases in Minnesota
Date: Friday, June 30, 2017 3:42:34 PM
Attachments: image001.png
image002.png
image003.png
6.30.17 Final Signed MN withdrawal letter to Secretary Zinke and Perdue.pdf

---

Micah, Amanda, Kate and Kathy,

Happy Friday to you all.

Wanted to pass along an electronic copy of the attached letter and below press release.

Let me know if you all want to discuss this issue more. Chairman Gosar and I are happy to meet or provide more info.

We will pass along a video from our trip soon.

Have a great holiday weekend.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 **main**
jeff.small@mail.house.gov

From: Small, Jeff
Sent: Friday, June 30, 2017 2:38 PM
To: Small, Jeff
Subject: 26 Bipartisan Members Urge Zinke and Perdue to Rescind 425,000-acre Mineral Withdrawal and Renew Leases in Minnesota

For Immediate Release
Contact: Jeff Small

Date:6/30/17
Jeff.small@mail.house.gov

26 Bipartisan Members Urge Zinke and Perdue to Rescind 425,000-acre Mineral Withdrawal and Renew Leases in Minnesota

AMERICAN OVERSIGHT

WASHINGTON, D.C. – Today, Congressional Western Caucus **Chairman Paul A. Gosar D.D.S. (AZ-04), Chief Infrastructure and Forestry Officer Rep. Bruce Westerman (AR-04),** Western Caucus members **Rep. Tom Emmer (MN-06)** and **Doug LaMalfa (CA-01),** and **Rep. Rick Nolan (MN-08)** released the following statements after sending a bipartisan letter to Secretary of the Interior Ryan Zinke and Secretary of Agriculture Sonny Perdue calling for the rescission of a 234,328-acre federal mineral withdrawal application and the renewal of two improperly terminated leases:

"After putting boots on the ground last week in Minnesota, I am confident, beyond a shadow of a doubt that President Obama shamelessly scapegoated responsible mining operations for his own anti-mining agenda by canceling these no-brainer leases and taking inappropriate actions that could result in nearly half a million acres being withdrawn from responsible development," remarked **Chairman Gosar**. "Instead of prioritizing good-paying jobs, public education and local economies, the Obama Administration put the misguided agenda of extremist special-interest groups first, to the detriment of the people of Minnesota. I look forward to working with Secretaries Zinke and Perdue to right this wrong, create jobs and ensure good education funding for future generations in the Gopher State."

"Last week, I was honored to lead a group of my colleagues on a tour of Northern Minnesota to showcase the incredible natural resources, mining opportunities, and job potential within our grasp," said **Congressman Emmer**. "Unfortunately, in their last days, the Obama Administration remained adamant in their anti-mining stance by withdrawing approximately 425,000 acres of Minnesota land and refusing to renew-mineral leases. This decision will result in the loss of thousands of good paying jobs and have a drastic impact on our local economy for decades to come. Today, more than two dozen members joined me in sending a letter to Secretary Zinke and Secretary Perdue to urge the reversal of a decision that could be detrimental to the future success of our great state. It is imperative we undue this harmful action leftover from the Obama Administration, and get the federal government out of the way so responsible mining can proceed and help communities across Northern Minnesota."

"To be clear, I will never support or allow mining within the Boundary Waters Canoe Area Wilderness (BWCA) under any circumstances. That said, prohibiting exploration outside of the BWCA buffer zone, before a project proposal is even made, is simply irresponsible," **Congressman Nolan** said. "We should never be afraid of exploration and discovery, or using science and facts to dictate important decisions. We must allow mining initiatives to proceed through the proper, rigorous and thorough environmental review process – using science, facts and technology to guide our review of actual projects and environmental technology. Our efforts have grown from a group of four Members of Congress to more than 20 – and we will continue working to bring good-paying jobs to northeastern Minnesota while protecting our environment."

"Unnecessary rules handed down by unelected Washington, D.C., bureaucrats that violate agreements going back to the 1950s threaten the future of mining and economic development in Minnesota. After visiting the operation and meeting with stakeholders in Northern Minnesota, I understand this project's value to our country and our economy. I ask Secretaries Zinke and Perdue to honor long-standing agreements between the federal government and our citizens by lifting these last minute rules handed down by the Obama Administration, allowing Americans to continue investing in jobs, economic development, and education," remarked **Congressman Westerman**.

Congressman LaMalfa said, "This type of Executive overreach by the Obama Administration is exactly the type of job-killing decision that stifles our economy, not only in Minnesota or California, but nationwide. We are talking about thousands of good-paying jobs at stake. I join my Western Caucus colleagues in urging Secretary Zinke and Secretary Perdue to look into this matter and rescind the previous administration's decision."

Background:

Today, Congressional Western Caucus Chairman Gosar (AZ-04), Chief Forestry Officer Rep. Bruce Westerman (AR-04), Caucus Member Tom Emmer (MN-06) and Rep. Rick Nolan (MN-08) led a letter signed by 26 Members of Congress calling on Secretary Zinke and Secretary Perdue to rescind a

AMERICAN OVERSIGHT

234,328-acre mineral withdrawal application and renew two improperly terminated leases.

Signers of the letter include: Representatives Mark Amodei (NV-02), Andy Biggs (AZ-05), Ken Buck (CO-04), Kevin Cramer (ND-AL), John Culberson (TX-07), Warren Davidson (OH-08), Scott DesJarlais (TN-04), Jeff Duncan (SC-03), Tom Emmer MN-06), Trent Franks (AZ-08), Bob Gibbs (OH-07), Paul Gosar (AZ-04), Mike Kelly (PA-03), Doug LaMalfa (CA-01), Doug Lamborn (CO-5), David McKinley (WV-01), Alex Mooney (WV-02), Rick Nolan (MN-08), Steve Pearce (NM-02), John Shimkus (IL-15), Glenn Thompson (PA-05), Scott Tipton (CO-03), Daniel Webster (FL-11), Bruce Westerman (AR-04), Ted Yoho (FL-03), Don Young (AK-AL).

Click **HERE** to read the letter.

Last week, Reps. Gosar, Emmer, Westerman and Nolan toured several mining operations, held a stakeholder meeting and visited the proposed federal withdrawal area adjacent to the Boundary Waters Canoe Area Wilderness outside of the city of Ely, Minnesota. The comments they heard on the ground from American families, businesses and individuals who want these jobs and support these mining projects led to this effort.

In the waning days of the Obama Administration, federal land management agencies took several actions that could decimate local economies, stifle job creation and cause significant harm to K-12 education in Minnesota.

On January 5, 2017, the U.S. Forest Service (USFS) proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

To date, Twin Metals has reportedly invested upward of $400 million – a significant investment – in reliance on two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

According to Twin Metals, BLM's refusal to renew the leases was based on a March 2016 opinion by the then-Solicitor of the Department of the Interior, concluding – based on flawed legal analysis - that BLM had the discretion to deny the renewal of the mineral leases.

In addition, Minnesota's Constitution mandates that state trust lands ensure a long-term source of funds for K-12 education. In fiscal years 2014 and 2015, revenues from state mineral leases derived from school trust lands in Minnesota totaled $51.6 million and $36.8 million, respectively. All told, Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected by the new administration.

If left unchecked, the anti-mining actions pursued by the Obama Administration will block the creation of thousands of American jobs and cost the U.S. economy billions of dollars. The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. These projects are also estimated to generate $2.5 billion annually for the economy.

The proposed withdrawal also contradicts the legislative intent of Congress. In 1950, Congress took action to make minerals available for mineral exploration and development within the Superior National Forest. In 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act (BWCAW), a historic compromise that prohibited mining within the Boundary Waters Area but explicitly permitted mining to occur in the Superior National Forest.

Environmental stewardship and positive economic growth are not mutually exclusive. Our members We support regulations that ensure environmentally-responsible mining in order to protect water quality and preserve the scenic beauty of the Boundary Waters area, where significant buffer zones

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already exist, including areas created by the BWCAW Act and the Minnesota Outdoor Recreation Act. Furthermore, any new mines proposed in the region will have to undergo, and adhere to, strict mandates and requirements under the National Environmental Policy Act (NEPA), state laws and other regulations. Unfortunately, the environmental study affiliated with the withdrawal pre-empts this comprehensive review from taking place, blocking the opportunity for a project to even be considered.

Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless individuals and local businesses have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

###

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Congress of the United States
Washington, DC 20515

June 30, 2017

The Honorable Ryan Zinke
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

The Honorable Sonny Perdue
Secretary
Department of Agriculture
1400 Independence Ave, S.W.
Washington, DC 20250

Dear Secretary Zinke and Secretary Perdue,

In the waning days of the Obama Administration, federal land management agencies took several actions that would stifle job creation, decimate local economies, and even cause significant harm to K-12 education in Minnesota. We ask that you reconsider these job-killing decisions by rescinding the 234,328-acre mineral withdrawal application and renewing two improperly terminated leases.

In 1950, Congress took action to make minerals available for mineral exploration and development within the Superior National Forest. In 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act (BWCAW), a historic compromise that prohibited mining within the wilderness but explicitly permitted mining to occur in the Superior National Forest.

On January 5, 2017, the U.S. Forest Service (USFS) formally proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

We believe the proposed withdrawal not only goes against Congressional intent, but it would also have a significant impact on Minnesota and the nation's economy. If left unchecked, the proposed mineral withdrawal pursued by the Obama Administration will block the creation of thousands of American jobs and cost the U.S. economy billions of dollars. The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. These projects are also estimated to generate $2.5 billion annually for our economy.

In addition, Minnesota's Constitution mandates that state trust lands ensure a long-term source of funds for K-12 education. In fiscal years 2014 and 2015, revenues from state mineral leases derived from school trust lands in Minnesota totaled $51.6 million and $36.8 million, respectively.

All told, we understand that Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students

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statewide if the withdrawal application and cancelled leases are not rejected by the new administration. Harm has likely already been inflicted on Minnesota's K-12 beneficiaries as no bids were placed on state mineral parcels within the application boundary during the recent Department of Natural Resources auction due to the uncertainty associated with the Obama Administration's actions.

Allowing the withdrawal application to move forward would also prevent access to some of the world's largest deposits of valuable raw materials that include copper, nickel, platinum, gold and silver. The U.S. is already import-dependent on countries like China for more than 50 different metals and minerals. In fact, domestically mined resources are meeting less than half of mineral demand by U.S.-based manufacturers. There are significant leases and rights held by multiple companies, the State of Minnesota and private owners within the withdrawal application.

As you know, environmental stewardship and positive economic growth are not mutually exclusive. We support regulations that ensure environmentally-responsible mining in order to protect water quality and preserve the scenic beauty of the Boundary Waters area. As noted earlier, mining is already prohibited in the one million acre plus Boundary Waters area. No one is advocating to mine in the wilderness or its surrounding buffer zones, which were established by the BWCAW Act and the Minnesota Outdoor Recreation Act.

Furthermore, any new mines proposed in the region will have to undergo, and adhere to, strict mandates and requirements under the National Environmental Policy Act (NEPA), state laws and other regulations. Unfortunately, the environmental study affiliated with the withdrawal pre-empts this comprehensive review from taking place, blocking the opportunity for a project to even be considered.

This pre-emptive halt to project development is especially harmful when you consider America's 21st Century mining industry is one of the safest and most regulated professions in our country. Employees live in local communities, drink the water and go out of their way to ensure there are no long-term negative impacts from company operations.

In conjunction with this massive mineral withdrawal, we believe the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

To date, Twin Metals tells us that it has invested upward of $400 million – a significant investment – in reliance on two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

According to Twin Metals, BLM's refusal to renew the leases was based on a March 2016 opinion by the then-Solicitor of the Department of the Interior, concluding – based on flawed legal analysis – that BLM had the discretion to deny the renewal of the mineral leases. We disagree with this opinion and urge reconsideration based on existing law, rules, and regulations.

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Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless individuals and local businesses have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

We ask that you stand up for these communities and take action to reject these attacks on responsible American mining by reconsidering the decision and giving full and fair consideration of permitting the renewal of the two aforementioned leases.

As always, we ask that this request be handled in strict accordance with existing rules, regulations and ethical guidelines. Thank you for your consideration of this request. We look forward to your timely response.

Sincerely,

Paul A. Gosar, D.D.S.
Member of Congress

Tom Emmer
Member of Congress

Rick Nolan
Member of Congress

Bruce Westerman
Member of Congress

Scott R. Tipton
Member of Congress

Glenn Thompson
Member of Congress

Doug LaMalfa
Member of Congress

Mark E. Amodei
Member of Congress

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Ted S. Yoho, D.V.M.
Member of Congress

Warren Davidson
Member of Congress

Ken Buck
Member of Congress

Daniel Webster
Member of Congress

Alex Mooney
Member of Congress

Mike Kelly
Member of Congress

Kevin Cramer
Member of Congress

John Culberson
Member of Congress

John Shimkus
Member of Congress

Jeff Duncan
Member of Congress

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David B. McKinley, P.E.
Member of Congress

Scott DesJarlais
Member of Congress

Don Young
Member of Congress

Doug Lamborn
Member of Congress

Steve Pearce
Member of Congress

Trent Franks
Member of Congress

Bob Gibbs
Member of Congress

Andy Biggs
Member of Congress

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From:	Maneval, Christopher
To:	micah_chambers@ios.doi.gov
Subject:	Call with Sec. Zinke
Date:	Monday, March 27, 2017 8:27:38 AM
Attachments:	Letter to Zinke re Withdrawal Application and Twin Metals Renewal Opinio....pdf Zinke Twin Metals request.pdf

Micah –

Hope you had a smooth transition over to Interior and congrats again for making the jump. I wanted to see if we can schedule a time next week for my boss to speak with Secretary Zinke about an issue they had been discussing prior to his confirmation. I think you guys have been in touch with a few of the stakeholders interested in the Twin Metals lease issue as well as the application for withdrawal of over 200,000+ acres of land in MN.

Both of these items are important to my boss and it'd be great to get him on the line with the Secretary to discuss options on how we might be able to address some of these issues moving forward.

I know you guys are slammed so thank you for whatever you might be able to accommodate. Let me know what works for you guys.

-Chris

Chris Maneval
Legislative Director
Representative Tom Emmer (MN-06)
315 Cannon House Office Building
Washington, D.C. 20515
(202) 225-2331

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TOM EMMER
6TH DISTRICT, MINNESOTA

COMMITTEES
FINANCIAL SERVICES

REPUBLICAN WHIP TEAM

Congress of the United States
House of Representatives
Washington, DC 20515–2306

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SUITE 206
OTSEGO, MN 55330
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SUBCOMMITTEES
FINANCIAL INSTITUTIONS AND CONSUMER CREDIT
MONETARY POLICY AND TRADE

March 17, 2017

Secretary Ryan Zinke
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Re: Withdrawal application of 234,328 acres of National Forest System lands within the Rainy River Watershed on the Superior National Forest (82 FR 6639), and Memorandum M-37036

Secretary Zinke,

Congratulations on your appointment to the U.S. Department of the Interior. I am pleased a fellow colleague will safeguard Minnesota's natural beauty, and I look forward to an ongoing relationship that ensures the protection and sound management of our nation's resources.

I write today to reiterate my concerns on a matter we discussed prior to your confirmation. The Department of Interior received an application from the United States Forest Service (USFS) that the outgoing administration initiated just days before they left office, requesting withdrawal of approximately 234,328 acres of National Forest System lands within the Rainy River Watershed on the Superior National Forest. The Interior Department also issued a memorandum last year which established new authority for the Bureau of Land Management to deny renewal of preference right leases. Both of these actions will cause significant economic harm to the state of Minnesota and our nation.

Therefore, I urge an immediate rejection of USFS' application to withdrawal and request the process of responsible development and environmental impact review be allowed to continue. The application has already begun to sour future investment in the state and could have enormous impacts on the entire region's economy. If approved, it will kill several potential environmentally responsible development projects currently being studied and restrict the future development of a broad swath of northern Minnesota, negatively affecting the region's employment and economic growth.

I also urge you reject the Bureau of Land Management's March 2016 opinion (M-37036) that creates preferential discretion to deny renewal of existing mineral leases where no such authority was statutorily given. The process of mineral extraction, including regulatory compliance, can take decades and requires certainty as to whether holders of a right in land will still hold that right when development begins. Intermittent interruptions in leaseholds will damage any plans to establish projects in Minnesota and severely impact future investments into the state.

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Congress of the United States
Washington, DC 20515

Attached is a copy of the letter I sent to the acting administrators of your department that was sent prior to your arrival. Again, I am pleased to see you fill this position and urge an immediate rejection of this application.

Thank you for your consideration and I look forward to having the opportunity to discuss this matter further. Please contact my Legislative Counsel, Landon Zinda, at Landon.Zinda@mail.house.gov if you require more information. I look forward to your response.

Sincerely,

Tom Emmer

Tom Emmer
Member of Congress

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TOM EMMER
6TH DISTRICT, MINNESOTA

COMMITTEES
FINANCIAL SERVICES

REPUBLICAN WHIP TEAM

Congress of the United States
House of Representatives
Washington, DC 20515–2306

January 5, 2017

503 CANNON HOUSE OFFICE BUILDING
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SUBCOMMITTEES
FINANCIAL INSTITUTIONS AND CONSUMER CREDIT
MONETARY POLICY AND TRADE

Honorable Ryan Zinke
Member of Congress
1419 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Zinke,

Congratulations on your nomination for Secretary of the Department of the Interior. As you navigate what I pray will be a swift and straightforward confirmation process, I would like to bring to your attention to an issue that is of great importance to thousands of Minnesotans and critical to our nation's economy.

On December 15th, the U.S. Bureau of Land Management (BLM) and the United States Forest Service (USFS) denied the renewal of two federal mineral leases [MNES 01352 & MNES 01353] long-held by Twin Metals in the Iron Range region of northeastern Minnesota. Additionally, BLM and USFS' decision took aim at the future of mineral exploration and development on hundreds of thousands of acres of federal land across the country.

Twin Metals, a Minnesota company, is in the early stages of developing a proposal for an underground copper, nickel and platinum group metals mine in the region. Accessing and developing these resources will support billions of dollars of investment, hundreds of jobs, and will provide resources that are critical to the nation's infrastructure, manufacturing, technology and green-energy sectors. These arbitrary and unreasonable decisions seriously dampen domestic and international investment in the nation's mineral resources, stunt our economy, and have an adverse impact on our national security.

Therefore, I respectfully ask you to review and consider the proposals included in the documents enclosed with this letter which highlight the devastating impact this Administration's last-ditch efforts will have on our region and our country.

Thank you for your consideration and please do not hesitate to contact my Legislative Director, Christopher Maneval (Christopher.Maneval@mail.house.gov) if you or your team has questions or needs additional information. I look forward to working with you and the President-elect to truly Make America Great Again.

Sincerely,

Tom Emmer

Tom Emmer
Member of Congress

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From:	Small, Jeff
To:	cole_rojewski@ios.doi.gov
Cc:	Van Flein, Tom
Subject:	FW: Deadline Today: WC Visit to Minnesota
Date:	Wednesday, June 12, 2019 11:50:58 AM
Attachments:	image002.png image003.png image004.png image005.png image006.png Western Caucus Northeast Minnesota Mine Tours.pdf

Cole,

Here is the agenda for the trip that Rep. Gosar and Tom requested you all send someone on.

Let me know if you have questions.

Thanks,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
https://westerncaucus house.gov
(202) 225-2315 main
jeff.small@mail.house.gov

From: Small, Jeff
Sent: Wednesday, June 12, 2019 11:42 AM
To: Small, Jeff
Cc: Morley, Andrew; Igo, Spencer
Subject: Deadline Today: WC Visit to Minnesota



Western Caucus Northeastern Minnesota Mine Tours
6/28/19

Final reminder that Reps. Stauber and Gosar **invite Members of Congress and staff** to join

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them on an upcoming Western Caucus mine tour trip to the Iron Range in Northeastern Minnesota.

We have four Members attending so far and more than a dozen staffers. This is going to be a great mining trip and we hope you and your boss can join!

The initial deadline to RSVP and make your reservations is today, June 12.

The trip includes visiting U.S. Steel's Minntac mine for a presentation and tour, visiting PolyMet for a presentation and tour, and a presentation from Twin Metals' leadership.

We'll be staying at Giant's Ridge on Thursday night, a resort in the region. We have a block of rooms reserved. The reservation number is 30527 and the total is $169.25 for the night with taxes. Once we have concluded the tours on Friday, we have reserved another block of rooms at the Holiday Inn in Hermantown which is a great place to stay to prepare for the return home and stay Friday night. You can call the hotel directly to make the reservation 218-722-0909 using the group code: USA. A room is $259 dollars a night. Busy time has hit in the Northland!

Apart from the lodging details, here is a good flight for the evening that would bring you to Duluth.
Delta:
Flight #DL1589
Departs-5:44pm
Arrives-8:36pm

Itinerary for Friday 6/28/19
8:00am-Wake up and light breakfast
8:30am-Depart for U.S Steel MinnTac
9:00am-Arrive at U.S Steel MinnTac for Presentation and Tour
12:00pm-Depart U.S Steel MinnTac for The Quarry Overlook and media interviews
12:30pm-Arrive at The Quarry for interviews
1:00pm-Lunch at Giants Ridge
2:00pm-Depart for PolyMet
2:30pm-Arrive at PolyMet for Presentation and Tour
4:30pm-Depart PolyMet
5:00pm-Arrive at Giants Ridge
5:30pm-Dinner with Presentation from Twin Metals
7:30pm-End of Day

In case you missed it, there was an excellent story recently published by the Wall Street Journal in relation to the Twin Metals project.

Please contact Andrew Morley at Andrew.Morley@mail.house.gov, Spencer Igo at Spencer.Igo@mail.house.gov or Jeff Small Jeff.Small@mail.house.gov to RSVP or with questions.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515

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https://westerncaucus house.gov
(202) 225-2315 main
jeff.small@mail.house.gov


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Western Caucus Northeast Minnesota Mine Tours
6/28

Final reminder that Reps. Stauber and Gosar **invite Members of Congress and staff** to join them on an upcoming Western Caucus mine tour trip to the Iron Range in Northeastern Minnesota.

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Please contact Andrew Morley at Andrew.Morley@mail.house.gov, Spencer Igo at Spencer.Igo@mail.house.gov or Jeff Small Jeff.Small@mail.house.gov to RSVP or with questions.

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From:	Small, Jeff
To:	micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov)
Subject:	FW: Letter to Secretaries Ryan Zinke and Sonny Perdue
Date:	Friday, September 1, 2017 8:39:22 AM
Attachments:	image001.png image002.png image003.png Cover Letter to Sec Zinke and Sec Perdue (2).docx Memorandum only, Secretaries Interior, Agriculture_FINAL, FINAL, FINAL August 18, 2017.docx

Passing along per Gerald's request.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov

From: Gerald Tyler [mailto:upnorthjobs354@gmail.com]
Sent: Thursday, August 24, 2017 3:29 PM
To: Small, Jeff
Subject: Letter to Secretaries Ryan Zinke and Sonny Perdue

Dear Congressman Gosar,

We met during your recent visit to Virginia, Minnesota on a fact-finding mission concerning the mining industry and specifically Twin Metals Minnesota. I also met your Senior Advisor and Executive Director of the Congressional Western Caucus, Jeff Small.

During your talk in Virginia you expressed the fact that you were disgusted with the USFS/BLM and their over-regulated approach to the mining industry and that you intended to go "head hunting." We agree that it is time to go head hunting and have begun our head hunt with the assertions set forth in the attached documents.

Please find our letter (with attachment) to Secretaries Ryan Zinke and Sonny Perdue, with a request that they rescind the decision made by the previous administration to withdraw from mineral development, 234,000 acres of Forest System Lands within the Rainy River Watershed of the Superior National Forest in Northeastern Minnesota and renew Twin Metals Minnesota's two mineral leases.

We have asked members of our congressional delegation and are also asking you to present Secretary Zinke and Secretary Perdue with these documents.

For the reasons set forth in the memorandum, the 234,000 acre withdrawal application should be rescinded, the two terminated Twin Metals Minnesota leases should be renewed and the Environmental Impact Statement study should be terminated.

I am available at all times to answer any questions you may have regarding the aforementioned documents.

Gerald M. Tyler

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Chairman
Up North Jobs Inc.
40 N. First Ave. East
Ely, MN 55731

218-365-3324
upnorthjobs354@gmail.com

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Up North Jobs

40 N. First Avenue E. | Ely, MN 55731 | Phone: (218) 365-3324
Email: upnorthjobs354@gmail.com | Website: upnorthjobs.org

August 15, 2017

The Honorable Ryan Zinke
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

The Honorable Sonny Perdue
Secretary
Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Zinke and Secretary Perdue:

Up North Jobs Inc. is an Ely, Minnesota based nonprofit membership organization incorporated in 2013 to promote economic development and job growth in Northeastern Minnesota. We are members of Jobs For Minnesotans, a state wide organization committed to advancing the goal of job creation and investment in Minnesota by responsible industries. Both of our organizations are comprised of members and supporters that represent Minnesota businesses, labor organizations and thousands of Minnesota residents.

Up North Jobs has been prominently involved and especially active in the effort to create jobs in the mining industry, actively supporting Polymet's NorthMet proposed mining project located near Hoyt Lakes, MN and Twin Metals Minnesota's proposed copper-nickel mining project located near Ely, MN.

On January 13, 2017 the U. S. Forest Service submitted an application to then Secretary of the Interior Sally Jewell to withdraw, for a 20-year term, 234,328 acres of Forest Service lands from "disposition" under U. S. mineral leasing laws and provided a Notice of Intent to prepare an environmental impact statement that is not expected to be completed until January 2019.

The attached Memorandum is offered in opposition to the aforementioned decision of the U. S. Forest Service to withdraw the National Forest System lands and its refusal to renew two leases of federal mineral lands held by Twin Metals Minnesota. We respectfully ask that you act to rescind the *Application for Withdrawal* of the 234,328 acres of Forest System Lands from "disposition" and renew Twin Metal Minnesota's two mineral leases.

Sincerely,

Gerald M. Tyler,
Chairman, President & CEO

Attachment

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Cc: Senator Amy Klobuchar
302 Hart Senate Office Building
Washington, DC 20510

Senator Al Franken
309 Hart Senate Office Building
Washington, DC 20510

Congressman Rick Nolan
2366 Rayburn House Office Building
Washington, DC 20515

Congressman Tom Emmer
315 Cannon House Office Building
Washington, DC 20515

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MEMORANDUM OFFERED IN OPPOSITION TO THE DECISION OF THE U.S. FOREST SERVICE TO WITHDRAW 234,328 ACRES OF FEDERAL LANDS IN THE RAINY RIVER WATERSHED FROM MINERAL ENTRY AND DEVELOPMENT

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IV. Summary and Conclusion 10

I

INTRODUCTION

On January 5, 2017, the United States Forest Service (USFS) submitted an application to then Interior Secretary Sarah Margaret "Sally" Jewell proposing a withdrawal of approximately 234,328 acres of National Forest System (NFS) lands within the Rainy River Watershed in the Superior National Forest (SNF), in Northeastern Minnesota, from disposition under United States mineral and geothermal leasing laws, subject to valid existing rights. Further, the USFS intends to amend the Superior National Forest Land and Resource Management Plan to reflect the withdrawal. *See,* 82 Fed. Reg. 4282, 4284

The 234,328 acres of federal mineral lands to be withdrawn from mineral development pursuant to the January 13, 2017 *Application for Withdrawal* are located within the Rainy River Watershed of the Superior National Forest in Cook, Lake and Saint Louis Counties, Minnesota, located adjacent to the Boundary Waters Canoe Area Wilderness (BWCAW) and the Mining Protection Area, in Northeastern Minnesota. *See,* Id.

The *Application for Withdrawal* by the USFS is a Notice of Intent to prepare an Environmental Impact Statement. The Draft EIS is expected to be completed by June 2018 and

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the Final EIS is expected to be completed by January 2019. The preparation of an environmental impact statement, documenting the information and analysis is necessary to support a decision on withdrawal, and to support an amendment to the Superior National Forest Land and Resource Management Plan. The USFS acknowledged that its withdrawal application subjects the NFS lands to "temporary segregation for up to 2 years from entry under the United States mineral . . . leasing laws." *See,* Id.

This Memorandum is offered in opposition to the decision of the USFS to withdraw the NFS lands from mineral development for a 20-year term, and its refusal to renew two leases of federal mineral lands held by Twin Metals Minnesota (TMM). If the withdrawal application is not rescinded, it will stifle job creation and cause further harm to local economies and K-12 education in Minnesota.

II

FACTS REGARDING THE JANUARY 13, 2017 WITHDRAWAL APPLICATION SUBMITTED TO THEN INTERIOR SECRETARY SALLY JEWELL BY THE USFS

On **April 15, 2015**, Congresswoman Betty McCollum (D-MN), responding to and on behalf of anti-mining activists, introduced the National Park and Wilderness Waters Protection Act (H.R. 1796). The Act would withdraw all federal lands in the Rainy River Watershed from the mining laws, the mineral leasing laws, and the laws governing the disposal of mineral materials, subject to valid existing rights. The Act also would impose additional restrictions on the issuance of any lease or permit for mineral related activities.

In a **February 2, 2016**, letter to the Secretaries of Agriculture and Interior and the Director of CEQ (Council on Environmental Quality), Congresswoman McCollum urged them "to immediately take action to protect two of America's natural treasures – the BWCAW and Voyageurs National Park." Specifically, Congresswoman McCollum requested the denial of TMM's requested lease renewals and administrative withdrawal of federal lands in the Rainy River Watershed of the Superior National Forest. (Thomas L. Tidwell (Chief/USFS) letter to Neil Korneze (Director, BLM) p. 19, December 14, 2017)

On **March 6, 2016**, in collusion with anti-mining activists, without notice or a hearing and contrary to the Minnesota Constitution and the laws of Minnesota, Governor Mark Dayton wrote Ian Duckworth, Chief Operating Officer, Twin Metals Minnesota:

> "Thank you for taking the time to meet with Commissioner Landwehr, [Minnesota Department of Natural Resources] our staff, and me on February 17, 2016, about Twin Metals' operations in northeastern Minnesota and its desire to access state land to advance its mining proposal.

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> "Last Monday morning, I called the Director of the Bureau of Land Management (BLM) to discuss the importance of the BWCAW to Minnesotans. I apprised the Director of my strong opposition to mining in close proximity to the BWCAW. I was informed that the BLM is in the process of making a determination pertaining to the renewal of Twin Metals' federal lease holdings. I believe that the BLM decision will offer further guidance on the future of mining in the area.
>
> "In light of my concern about using state lands to advance mining operations in close proximity to the BWCAW and given the uncertainty surrounding Twin Metals' federal mineral leases, I wish to inform you that I have directed the [Minnesota] DNR not to authorize or enter into any new state access agreements or lease agreements for mining operations on those state lands." (cc: Commissioner Tom Landwehr, Department of Natural Resources).

In a **March 8, 2016** letter by Interior Department Solicitor Hilary C. Tompkins to BLM State Director Ms. Mouritsen, Ms. Tompkins instructed the Director that the BLM can deny renewal of Twin Metal's 1966 mineral leases, MNES-01352 and MNES-01353.

A **June 3, 2016** letter from BLM State Director Ms. Mouritsen, directed Ms. Atkinson, Regional Forester in Milwaukee, WI to do the following:

> Dear Ms. Atkinson:
>
> "As you know, the Bureau of Land management has been considering an application by Twin Metals Minnesota (TMM) to renew its two existing mining leases (MNES 1352 and MNES 1353. The USDA Forest Service is the surface management agency for the lands where these two leases are located, and the BLM has jurisdiction over the mineral rights.
>
> "In processing the pending application, the BLM identified the need for a legal opinion to determine whether TMM has a non-discretionary right to renew the two leases. The Department of the Interior's Office of the Solicitor examined the issue and determined that TMM does not have a right to the automatic renewal of the leases; rather, the government has discretion to decide whether to grant or deny the application for renewal.
>
> "In light of the legal determination that the government has discretion in granting or denying the TMM lease renewal application, . . . the BLM requests that the USDA Forest Service provide, in writing, a decision on whether it consents or does not consent to renewal of the leases."

On **June 13, 2016**, the United States Forest Service issued a media release, announcing a 30 day period for public input and that a listening session would be held in Duluth, MN on July

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12, 2016. After being publicly criticized for scheduling only one listening session in Duluth, a second listening session was held in Ely, MN on July 19, 2016.

On **September** 12, 2016, Twin Metals Minnesota filed a lawsuit in U.S. District Court in Minnesota to affirm and protect its federal mineral rights in Northeastern Minnesota. The lawsuit challenged the opinion by Interior Department Solicitor Hilary C. Tompkins that it can deny renewal of Twin Metal's federal mineral leases, MNES-01352 and MNES-01353.

On **December 14, 2016** Thomas L. Tidwell, Chief, United States Forest Service wrote Neil Kornze, Director, BLM, in Washington, DC:

> "The [USFS] has considered the environmental conditions, nature and uses of the BWCAW by the public and tribes, economic benefits of mineral development and wilderness recreation, potential environmental consequences of mineral development on the leases, public opinion, rarity of copper-nickel sulfide ore mining in this region, and current laws and policy to inform the agency's decision.
>
> Based on this analysis, I find unacceptable the inherent potential risk that development of a regionally-untested copper-nickel sulfide ore mine within the same Watershed as the BWCAW might cause serious and irreplaceable harm to this unique, iconic, and irreplaceable wilderness area. Therefore, the [USFS] does not consent to renewal of Preference Right leases MNES-01352 and MNES-01353. A summary of the basis for my decision follows."

In a **December 15, 2016** letter, Ms. Mouritsen, State Director, Eastern States Office, BLM advised Mr. Ian Duckworth, Twin Metals Chief Operating Officer, that, "I hereby reject the application for renewal of Preference Right Leases MNES 01352 and MNES 01353.

On **January 13, 2017**, the USFS published a Notice of intent in the Federal Register to prepare an environmental impact statement. A summary of the *Application for Withdrawal* submitted to Interior Secretary Sally Jewel, as published in the Federal Register, follows.
82 Fed. Reg. 4282, 4282

DEPARTMENT OF AGRICULTURE

Forest Service

Superior National Forest; Minnesota;
Application for Withdrawal

Agency: Forest Service, USDA
Action: Notice of intent to prepare an environmental impact statement

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- The USFS has submitted an application to the Secretary of Interior proposing a withdrawal of approximately 234,328 acres of National Forest System lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest from disposition under United States, mineral and geothermal leasing laws.

- **The purpose of the withdrawal request is protection of National Forest System lands located in the Rainy River Watershed** and preservation of National Forest System lands within the BWCAW, **from the potential adverse environmental impacts arising from exploration and development of Federally-owned minerals conducted pursuant to the Federal mineral leasing laws.** (emphasis provided)

- The proposal will include an amendment to the Superior National Forest Land and Resource Management Plan to reflect their withdrawal.

- The request subjects the NFS lands to temporary segregation for up to 2 years.

- The Notice of Intent initiates the scoping process, which guides the development of the EIS.

- A draft EIS is expected to be completed by January 2018 and the Final EIS by January 2019.

The decision made by the USFS during the last several weeks of the Obama administration, to prepare another EIS pertaining to the Rainy River Watershed of the Superior National Forest, will replicate an EIS completed in May 2012.

III

FACTS REGARDING THE MAY 2012 ENVIRONMENTAL IMPACT STATEMENT COMPLETED BY THE USFS/BLM UNDER THE OBAMA ADMINISTRATION

A meeting was held in Duluth, MN in November, 2006, attended by David C. Oliver, then Project Manager and Senior Staff Geologist for Duluth Metals. Also attending the meeting was H. J. Sandri, then Duluth Metals President and CEO. Harry Noyes attended the meeting representing Encampment Resources. Others were present representing mining companies who had gathered to meet in the offices of the U. S. Forest Service in Duluth, MN with James Sanders, then District Forest Supervisor, Superior National Forest. Also attending the meeting was Frank Ongaro, representing the trade association, Mining Minnesota. (Mr. Oliver is presently a resident of Ely, MN and serves as an advisor to various mining companies) (Mr. Ongaro presently serves as the Executive Director of Mining Minnesota, headquartered in Duluth) (Mr. Noyes now resides in Colorado).

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The meeting was held in regard to requests by the mining companies to be issued prospecting permits for copper, nickel, platinum and related minerals in the Superior National Forest in Northeastern Minnesota. In recounting what was discussed at the meeting, Mr. Oliver recalls that James Sanders told those assembled that he had been contacted by an anti-mining environmental organization and was told that if the USFS moved forward supporting the issuance of prospecting permits without completing an EIS, that they intended to file a lawsuit. Further, Mr. Oliver recalls, Mr. Sanders told those assembled that he did not have the personnel nor funds available to complete an EIS.

The warning that a lawsuit would be brought against the U.S. Forest Service if an Environmental Impact Statement wasn't completed brought the intended result. Following the meeting in Duluth in November 2006, no prospecting permits were issued, the mineral lands were not opened for exploration and the Notice of Intent to complete an EIS was not published in the Federal Register until December 19, 2008 as required by 43 C.F.R. Sec. 2310.3-1(b)(1). (73 Fed. Reg. 77605).

Further, although 43 U.S.C. Sec 1714(b)(1) provides that National Forest System lands may be segregated from the operation of the mineral leasing laws for a maximum period of two years, the Final EIS was not published until May, 2012, approximately three and one-half years after the Notice of Intent was published in the Federal Register in December 2008. The USFS, failing to comply with 43 U.S.C. Sec. 1714(b)(1), extended the study beyond the two years authorized by the Code, which resulted in the wrongful imposition of a more than 5 year moratorium on mineral exploration on thousands of acres of federal mineral lands within the Rainy River Watershed of the Superior National Forest.

In September 2012, almost six years after the mining companies were told in November 2006 that no permits could be issued until the EIS was completed, the BLM finally issued 28 prospecting permits to DMC (USA) Corporation; Twin Metals Minnesota LLC; Lehmann Exploration Management Inc.; Encampment Resources, LLC; and Prime Meridian Resources Inc.

The 318 page *Environmental Impact Statement* published in May 2012 covered 38,545 acres of the Superior National Forest in Cook, Lake, St. Louis and Koochiching counties in Northeastern Minnesota. (*Final Environmental Impact Statement, Federal Hardrock Mineral Prospecting Permits, May 2012*). Excerpts taken from the 318 page EIS are presented below:

Final Environmental Impact Statement, Federal Hardrock Mineral Prospecting Permits, May 2012

Lead Agency	USDA Forest Service
Cooperating Agencies	Bureau of Land Management
Responsible Officials	Tim Dabney, Acting Forest Supervisor 8901 Grand Avenue Place Duluth, MN 55808

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Steven Wells, Deputy State Director
8901 East Wisconsin Avenue, Suite 200
Milwaukee, WI

A. **"Abstract"**

The BLM proposes to issue 29 prospecting permits." "Recommendations from the Forest Service on conditions of approval for operating plans will be provided." "These actions are needed because the federal agencies are mandated by Federal law and mineral regulations to facilitate access to federally held mineral resources to continue to meet the nation's demand for mineral commodities."

"The Final Environmental Impact Statement (FEIS) includes analysis of projected impacts derived from potential prospecting permit applications and operating plans. This Forest-wide analysis will be considered for use in analysis by the Forest Service and BLM if and as future proposals are received."

B. **"Summary"** "The presence and abundances of minerals in northeastern Minnesota such as iron ores has been known and mined for well over 120 years and has played a pivotal role in the development of local communities in the region." "Exploration for hardrock minerals has occurred since 1948 on the SNF (Miller 2002). Exploratory drilling, such as is considered in the proposed prospecting permits and operating plans, is used to determine the extent and location of ore bodies.

C. **"Purpose and Need for Action"** "The purpose of the agencies' actions is to facilitate exploration for various mineral resources in an environmentally sound manner. The proposed action responds to the federal government's overall policy to foster and encourage the development of economically sound and stable industries, in the orderly and economic development of domestic resources to help assure satisfaction of industrial, security and environmental needs (Mining and Minerals Policy Act of 1970)."

"The proposed action responds to the overall guidance of the Superior National Forest Plan to ensure that the exploration of federal hardrock mineral resources is conducted in an environmentally sound manner (Forest Plan D-MN-2, page 2-9) and in compliance with the stipulations on the permits and operating plans."

"This project will analyze both the potential effects of 29 permit applications currently under consideration, and the potential impact of mineral prospecting activity Forest-wide in about a twenty year time frame." (Emphasis provided)

D. **"Decisions to be Made"** "The Forest Service is the lead agency for this EIS and the BLM is a cooperating agency. As a cooperating agency, the BLM will adopt the FEIS to support their own Record of Decision (ROD)."

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"The responsible official for the BLM, the Eastern States Deputy State Director, will decide the following in a Record of Decision: Whether or not to approve 29 federal hardrock mineral prospecting permits with the associated stipulations."

E. **"U.S. Forest Service Record of Decision (ROD)"**

"Background Information " "There are a number of laws that guide the overall Forest Service mission to sustain the health, diversity, and productivity of the Nation's forests and grasslands to meet the needs of present and future generations."" "These laws include the Organic Administration Act (Act of June 4, 1897) that set aside and reserved national forests to furnish a continuous supply of timber for the use and necessities of citizens of the United States' and provided for mineral exploration within the national forest reserves; the Multiple Use Sustained Yield act of 1960 that states the national forests shall be administered for a variety of uses including timber watershed and wildlife and fish purposes, and . . . .;" "and the National Forest Management Act of 1976 that states the national forests shall be administered for a variety of uses on a sustained basis to ensure in perpetuity a continuous supply of goods and services to the American people. The Mining and Minerals Policy Act of 1070 states the following:"

"The congress declares that it is the continuing policy of the Federal Government in the national interest to foster and encourage private enterprise in

(1) The development of economically sound and stable domestic mining, minerals, metal and mineral reclamation industries,

(2) The orderly and economic development of domestic mineral resources, reserves, and reclamation of metals and minerals to help assure satisfaction of industrial, security and environmental needs."

"Forest Service Manual 2802 on Minerals Management states it is an agency objective to:

Ensure that exploration, development, and production of mineral and energy resources are conducted in an environmentally sound manner and that these activities are integrated with the planning and management of other National Forest Resources."

"The Superior National Forest Land and Resource Management Plan (Forest Plan), approved in 2004, embodies not only the provisions of the National Forest Management Act and regulations on Forest Plan implementation , but these other laws as well."

F. **"Decision Summary"** *"This Record of Decision (ROD) documents my [Timothy Dabney, Acting Forest Supervisor, Superior National Forest] decision to implement Alternative 4 from the Final Environmental Impact Statement (FEIS) for the Federal Hardrock Minerals Prospecting Permits Project which gives Forest Service consent to the BLM issuing 29 prospecting permits,*

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and identifies stipulations for use and protection of the national forest system lands involved. (Emphasis provided) I selected Alternative 4 because it best addresses the balance between resource use and resource protection and responds to the noise issue analyzed in the FEIS and other concerns raised in public comment."

G. **Bureau of Land Management Record of Decision**

"Rationale:" "Factors considered in this decision include:"

1) "The Federal government has a policy of fostering and encouraging private enterprise in the development of a stable domestic minerals industry and the orderly and economic development of domestic resources."

2) "The BLM has a minerals policy that "except for Congressional withdrawals, public lands shall remain open and available for mineral exploration and development unless withdrawal or other administrative action is clearly justified in the national interest.""

3. "The Forest Service has a program policy for minerals management that states "the availability of minerals and energy resources within the National Forests and Grasslands significantly affects the development, economic growth and defense of the Nation. The mission of the Forest Service in relation to minerals management is to encourage, facilitate and administer the orderly exploration, development, and production of mineral and energy resources on National Forest System lands to help meet the present and future needs of the Nation." "

4. **"Minerals exploration may be conducted in an environmentally sound manner with the application of stipulations shown in the Forest Service ROD, . . . along with State of Minnesota rules for exploratory drilling. Therefore, the decision to issue the permits, subject to the prospecting permit stipulations (Forest Service ROD), . . . will not result in any undue or unnecessary environmental degradation."** (Emphasis provided)

H. **Bureau of Land Management Decision**

"Selected Alternative" "Alternative 4" "The SFN [sic?] based its consent decision on the implementation of Alternative 4. This alternative best meets the goals of fostering and encouraging mineral exploration, in an environmentally sound manner, and best responds to issues raised by the public, state, tribal and local governments. Alternative 4 would reduce impacts to the greatest degree of all the action alternatives for the Boundary Waters Canoe Area Wilderness (BWCAW) for drill sites located near the wilderness by requiring maximum limits for sound levels reaching the wilderness."

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"Alternative 4" *"The BLM will issue 28 prospecting permits and reject 1 overlapping prospecting permit application (MNES-054233), ... The issuance of the prospecting permits is in accordance with the Forest Service ROD for the Federal Hardrock Minerals Prospecting Permits FEIS signed May 18, 2012. The 28 prospecting permits will cover approximately 38,545 acres of the Superior National Forest in northeastern Minnesota and include stipulations for use and protection of the NFS lands involved." (*Authorized Officer, Dr. John G. Lyon, State Director, BLM Eastern States, September 20, 2012)

IV

SUMMARY AND CONCLUSIONS

In April 2015, collaborating with anti-mining activists, Minnesota Fourth District Congresswoman Betty McCollum (D-MN) introduced a bill to ban mining on all federal lands within the Rainy River Watershed in the Superior National Forest. In March 2016, Minnesota Governor Mark Dayton, in collusion with the anti-mining activists, directed the Minnesota DNR not to authorize or enter into any new state access agreements on state lands in the Rainy River Watershed of the Superior National Forest. Governor Dayton's unlawful directive prohibits mineral development on approximately 147,600 acres of state owned lands. The 147,600 acres include 95,000 acres of Minnesota Public School Trust Lands. These lands are owned by the state in trust for all public schools of Minnesota. Revenues generated from school trust lands are credited to the permanent school fund managed by the State Board of Investment including royalty payments. The Governor's wrongful and unlawful directive prohibiting mineral entry and development on School Trust Lands will deny Minnesota schools of millions of dollars of revenues to operate and maintain the public schools.

Following a well-orchestrated, pre-conceived plan, only two days after Governor Dayton's unlawful directive was issued to the Minnesota DNR, the Interior Departments' Solicitor instructed the BLM state director that the BLM could deny renewal of Twin Metals Minnesota mineral leases. Finally, In December 2016, the BLM notified Twin Metals Minnesota that it would not renew its leases.

In January 2017 the USFS submitted an Application to the Secretary of Interior proposing a withdrawal, for a 20-year term of approximately 234,328 acres of National Forest System lands, within the Rainy River Watershed on the Superior National Forest and published a Notice of Intent in the Federal Register of its intent to prepare an Environmental Impact Statement. The decision made by the USFS to prepare an EIS was made by the previous administration, just 7 days before the Trump administration took office. The decision by the USFS to prepare an EIS will replicate the EIS completed by the USFS in May 2012 and prohibit mineral development on all federal lands within the Rainy River Watershed for at least 2 years, i.e., until at least 2019; and the cost of the aforementioned study will be borne by the taxpayers.

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The decisions by the USFS and Minnesota Governor Mark Dayton to prohibit mineral entry and development of federal and state lands in the Rainy River Watershed of the Superior National Forest, prohibits mineral development on over 418,000 acres of land in Northeastern Minnesota. (USFS and Minnesota DNR statistics as of January 20, 2017)

The decision by the Obama administration and its agencies to conduct a study and complete an environmental impact statement *"documenting the information and analysis necessary to support a decision on withdrawal, and to support an amendment to the Superior National Forest Land and Resource Management Plan"*, is a shameless attempt by the anti-mining activists and their federal agency "friends" to pre-emptively quash the development of Twin Metals Minnesota's proposed project by delaying exploration until at least 2019, and perhaps for an additional 20 years if a moratorium on prospecting is imposed.

The RODs published in 2012 by the USFS and BLM are clear, unambiguous and irrefutable.

> **"Minerals exploration may be conducted in an environmentally sound manner with the application of stipulations shown in the Forest Service ROD, Attachment 2, along with State of Minnesota rules for exploratory drilling. Therefore, the decision to issue the permits, subject to the prospecting permit stipulations (Forest Service ROD, Attachment 2), will not result in any undue or unnecessary environmental degradation."** (Emphasis provided) (BLM Record of Decision, p. 5, September 20, 2012)

Given that a Final EIS was completed by the USFS in May 2012, following a 5 year study to determine the potential effects of issuing prospecting permits, exploration and mineral development on the Forest lands, the Obama administration's decision to use its agencies to conduct yet another study and prepare yet another Environmental Impact Statement only 5 years later, is tantamount to a costly fraud perpetrated upon and at the expense of Northeastern Minnesota citizens.

For the reasons set forth herein, the 234,000 acre withdrawal application should be rescinded, the two terminated Twin Metals Minnesota leases should be renewed and the Environmental Impact Statement study should be terminated.

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From: Small, Jeff
To: Deeley, Blake (blake_deeley@ios.doi.gov)
Subject: FW: New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama
Date: Friday, December 22, 2017 6:12:43 PM
Attachments: Fact Sheet - TMM Leases.docx
FAQ - DOI Replaces M Opinion.docx
Twin Metals Statement on DOI Action 12-22-17.docx

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fyi

From: Bob McFarlin [mailto:bmcfarlin@twin-metals.com]
Sent: Friday, December 22, 2017 6:08 PM
To: Small, Jeff
Subject: RE: New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama

Jeff

Here is TMM's new press statement and two supporting documents that will be posted on the website.

Bob McFarlin
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612-655-2099 (c)

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From: Small, Jeff [mailto:Jeff.Small@mail.house.gov]
Sent: Friday, December 22, 2017 4:42 PM
To: Bob McFarlin <bmcfarlin@twin-metals.com>; 'Deeley, Blake (blake_deeley@ios.doi.gov)' <blake_deeley@ios.doi.gov>; 'amanda_kaster@ios.doi.gov' <amanda_kaster@ios.doi.gov>; 'katharine_macgregor@ios.doi.gov' <katharine_macgregor@ios.doi.gov>; 'Todd_Willens@ios.doi.gov' <Todd_Willens@ios.doi.gov>; 'downey_magallanes@ios.doi.gov' <downey_magallanes@ios.doi.gov>; 'jason_funes@ios.doi.gov' <jason_funes@ios.doi.gov>
Subject: FW: New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama

Our release below.

Thanks for all your help!

Feel free to forward and share.

Have a Merry Christmas.

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Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.

For Immediate Release
Contact: Jeff Small

Date: December 22, 2017
jeff.small@mail.house.gov

New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama

WASHINGTON, D.C. – Today, Congressional Western Caucus Chairman **Paul A. Gosar D.D.S. (AZ-04)** and Western Caucus Member **Tom Emmer (MN-06)** released the following statements after the United States Department of the Interior's Office of the Solicitor issued a new legal opinion concluding that Twin Metals Minnesota has a non-discretionary right to a third renewal of its two federal mineral leases held in Northeast Minnesota for more than 50 years and determined that the BLM does not have discretion to deny the company's renewal application:

Congressman Emmer said, "Minnesotans send our gratitude to the Department of the Interior for their action to reverse course set by the Obama Administration and allow our great state to regain control of our mineral leases to advance responsible mining. This action today, coupled with the passage of the MINER Act last month, demonstrate a commitment to unwind the politically motivated actions by the previous Administration and put Minnesota and the nation on a path to prosperity for local economies and communities for generations to come."

Western Caucus and House Committee on Natural Resources Subcommittee on Energy and Minerals Chairman Paul Gosar said, "Today's legal opinion confirms that President Obama and his agency minions had no legal authority to cancel two mineral leases in order to appease anti-mining extremists. I thank Secretary Zinke, Deputy Secretary Bernhardt and their team as well as President Trump and his staff at the White House for hearing the concerns of the people of Minnesota and working diligently to overturn the Obama Administration's lawless land grab."

Background:

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Courtesy of the Department of the Interior:

Today, the United States Department of the Interior's Office of the Solicitor issued a new legal opinion concluding that Twin Metals Minnesota has a non-discretionary right to a third renewal of its two hardrock mining leases, located in the Superior National Forest in northern Minnesota. The new M-Opinion (Memorandum Opinion) M-37049 reverses and replaces a prior opinion on the topic which was issued in March 2016.

Under the new legal opinion, the Bureau of Land Management (BLM) will work together with the surface management agency, USDA Forest Service, to reconsider a 2016 decision in which the BLM denied Twin Metals' pending lease renewal application. The agencies will conduct the appropriate environmental analysis under the National Environmental Policy Act (NEPA) to make a final agency decision on the application and to identify appropriate terms and conditions for surface protection.

The M-Opinion is available HERE.

Courtesy of the Western Caucus

On November 30, the House took action to reject the Obama Administration's Minnesota land grab by passing H.R. 3905, the Minnesota's Economic Rights in the Superior National Forest Act.

The full press release can be found HERE.

On January 19th, 2017, the day before President Trump was sworn in, the previous administration published a 234,328-acre federal mineral withdrawal application in the Federal Register, to restrict for a 20-year moratorium, lands within the Superior National Forest in Northeast Minnesota.

This action immediately placed this vast area off limits to future mineral leasing, exploration and potential development for two years while the 20-year withdrawal is being considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management inappropriately rejected Twin Metals Minnesota's application to renew two hardrock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

These bureaucratic decisions could decimate local economies, stifle job creation as well as cause significant harm to K-12 education and mining in Minnesota. These were political, anti-mining and anti-education actions taken by the Obama Administration.

The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average

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annual mining wage in Minnesota was $78,635 in 2015.

Education will be significantly harmed as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

To date, Twin Metals has invested upward of $400 million – a significant investment – in reliance on the two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

Today's action was the first of three actions by the Trump Administration that need to occur to reverse the Obama land grab.

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TWIN METALS MINNESOTA FEDERAL PREFERENCE RIGHT LEASES IN NORTHEAST MINNESOTA

FACT SHEET

FALL 2017

- In mid-2012, Twin Metals Minnesota filed an application with the U.S. Bureau of Land Management (BLM) seeking renewal of two 50-year federal mineral Preference Right Leases. Twin Metals' leases are located south of Ely and north of Babbitt, Minnesota. The leases are important components of the underground mine project proposal Twin Metals is preparing for submittal to state and federal agencies for extensive review through an Environmental Impact Statement.
- Twin Metals' leases were first issued by the federal government in 1966 and have been held in good standing for more than 50 years. The leases were renewed by BLM with the concurrence of the U.S. Forest Service (USFS) without controversy in 1989 and again in 2004.
- Twin Metals has invested $400 million to develop its future proposal and has a legal right to renewal of the leases. Renewal of the leases is important to validate Twin Metals' legal mineral and property rights, and continue project development activities.
- In March 2016, the Department of Interior (DOI) issued a legal opinion (aka, "M Opinion") granting the BLM and the U.S. Forest Service discretion in renewing Twin Metals' leases.
- In September 2016, Twin Metals filed suit in federal court challenging the "M Opinion" as being contrary to federal law, the expressed language of the leases, and relevant federal regulations.
- In December 2016, the BLM and the USFS jointly rejected Twin Metals' lease renewal application.
- On December 22, 2017, the U.S. Department of Interior (DOI) issued a new legal opinion reaffirming Twin Metals' right to renewal of its two federal leases. The DOI action withdraws and replaces the March 2016 DOI legal opinion that laid the foundation for the Dec. 2016 action to deny renewal of the leases. The new DOI opinion re-establishes prior long-standing legal precedent recognizing the rights responsible federal mineral lease holders have to the renewal of valid federal leases.
- The DOI announcement paves the way for the BLM and the USFS to reverse their previous actions denying lease renewal.
- Also on December 22, 2017, in response to the DOI's new legal opinion, Twin Metals dismissed its federal lawsuit challenging the March 2016 "M Opinion and the December 2016 denial of lease renewal."
- Renewal of Twin Metals' leases would affirm the company's valid property rights established in the leases, but would not allow mining to proceed. Renewal of Twin Metals' leases poses no threat to the environment and simply allows for the development of a project to be proposed to state and federal agencies for further review under the Environmental Impact Statement process in federal and state law.
- Twin Metals must propose a mine project that, in the judgement of multiple state and federal agencies, meets all state and federal environmental standards, or the project will not be allowed to move forward.

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U.S. Department of Interior Withdraws and Replaces March 2016 Legal Opinion Re: Twin Metals Minnesota Federal Mineral Leases in Northeast Minnesota

FAQ

December 22, 2017

On December 22, 2017, the U.S. Department of Interior (DOI) issued a legal opinion reaffirming Twin Metals' right to renewal of two federal mineral leases held in Northeast Minnesota for more than 50 years. The DOI action withdraws and replaces a March 2016 DOI legal opinion that laid the foundation for the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS), in December 2016, to deny the renewal of the two Twin Metals leases. The new DOI legal opinion re-establishes prior long-standing legal precedent recognizing the rights responsible federal mineral lease holders have to the renewal of valid federal leases. Following is Twin Metals' response to the DOI action and answers to common questions.

TMM Response to DOI Action: Twin Metals has issued the following public statement in response to today's action by the U.S. Department of Interior (DOI) to reaffirm Twin Metals' right to renewal of two federal mineral leases held in Northeast Minnesota for more than 50 years. The DOI action withdraws and replaces a March 2016 DOI legal opinion that served as the basis for the December 2016 action by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) to deny the renewal of the two Twin Metals leases. Twin Metals' federal leases are important components of the underground mine project proposal the company is preparing for submittal to state and federal agencies for extensive review through an Environmental Impact Statement.

> *"Twin Metals is pleased with today's action by the U.S. Department of the Interior to reaffirm Twin Metals' right to renewal of federal mineral leases held in Northeast Minnesota for more than 50 years. The decision is an important first step to ensure the certainty of investments in U.S. mining projects and to reaffirm long-standing property rights and the rule of law. The DOI's new legal position also paves the way for federal agencies to reverse previous actions denying renewal of Twin Metals' federal leases. In response to the DOI's action, Twin Metals today dismissed its federal lawsuit challenging the Department's previous legal opinion and denial of lease renewal. Twin Metals looks forward to working with the agencies through the proper process of renewing the company's leases."*

Answers to Common Questions about the DOI Action

Q1: *Explain the actions taken by the federal agencies.*

A1: The U.S. Department of Interior (DOI) has issued a new legal opinion reaffirming Twin Metals' right to renewal of two federal mineral leases held in Northeast Minnesota for more than 50 years. The DOI action withdraws and replaces a March 2016 DOI legal opinion that laid the foundation for the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS), in December 2016, to deny the renewal of the two Twin Metals leases. The new DOI legal opinion re-establishes prior long-standing legal precedent recognizing the rights responsible federal mineral lease holders have to the renewal of valid federal leases.

380 St. Peter Street, Suite 705 Saint Paul, MN 55102
Tel: 651-842-6800 Fax: 651-842-6801
http://www.twin-metals.com

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Q2: *What is the impact of the agencies' actions on Twin Metals?*

A2: The DOI's action is beneficial to Twin Metals. In replacing the March 2016 legal opinion, the DOI's new legal position re-establishes prior long-standing legal precedent recognizing the rights responsible federal mineral lease holders have to the renewal of valid federal leases.

Q3: *What happens now with Twin Metals' federal mineral leases?*

A3: The new DOI legal position paves the way for the BLM and the USFS to reverse their previous action denying renewal of those leases. Twin Metals looks forward to continuing to work with the BLM and the USFS to resolve the specific issues related to renewing Twin Metals' leases.

Q4: *Does the DOI action mean the Twin Metals project is approved?*

A4: No, the DOI's new legal position is not an approval of the Twin Metals project. Twin Metals must continue to develop an environmentally-responsible mine project proposal and submit that proposal to state and federal agencies for thorough and rigorous review through the Environmental Impact Statement (EIS) process required under federal and state law. The rigorous EIS process will be followed by Twin Metals applying for numerous state and federal permits. All this must happen before construction and operation of TMM's mine project can move forward. Twin Metals must propose a mine project that, in the judgement of multiple state and federal agencies, meets all state and federal environmental standards, or the project will not be allowed to move forward.

Q5: *When will Twin Metals submit its mine project proposal?*

A5: Twin Metals is hoping to submit a project proposal to state and federal agencies for review through the Environmental Impact Statement (EIS) process within the next two years. It is expected the EIS process will take several years, followed by additional time to work through the permitting process. Twin Metals must propose a mine project that, in the judgement of multiple state and federal agencies, meets all state and federal environmental standards, or the project will not be allowed to move forward.

Q6: *Did the DOI take any action on the federal proposal to withdraw federal lands in northern Minnesota from future mining activity?*

A6: No. the action taken today by DOI pertains only to the issue of Twin Metals' federal mineral leases. The proposal by USFS and BLM to withdraw 235,000 acres of federal lands and minerals in northern Minnesota from future mining activity, with impacts to more than 420,000 acres, remains intact. The agencies are currently going through the process of reviewing public input on that proposal gathered during 2017. Twin Metals remains opposed to the federal withdrawal proposal.

AMERICAN OVERSIGHT

News Release
Twin Metals Minnesota
380 St. Peter Street, Suite 705
St. Paul, MN 55102

Contact:
Bob McFarlin
bmcfarlin@twin-metals.com
612-655-2099

Twin Metals Minnesota Statement on Action by Interior Department to Reaffirm Renewal Rights for Federal Mineral Leases in Northeast Minnesota

Company Dismisses Federal Lawsuit Challenging Earlier Legal Opinion

ST. PAUL, Minn., December 22, 2017 – Twin Metals Minnesota issued the following statement in response to today's action by the U.S. Department of Interior (DOI) to reaffirm Twin Metals' right to renewal of two federal mineral leases held in Northeast Minnesota for more than 50 years. The DOI action withdraws and replaces a March 2016 DOI legal opinion that served as the basis for the December 2016 action by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) to deny the renewal of the two Twin Metals leases. Twin Metals' federal leases are important components of the underground mine project proposal the company is preparing for submittal to state and federal agencies for extensive review through an Environmental Impact Statement.

> **"Twin Metals is pleased with today's action by the U.S. Department of the Interior to reaffirm Twin Metals' right to renewal of federal mineral leases held in Northeast Minnesota for more than 50 years. The decision is an important first step to ensure the certainty of investments in U.S. mining projects and to reaffirm long-standing property rights and the rule of law. The DOI's new legal position also paves the way for federal agencies to reverse previous actions denying renewal of Twin Metals' federal leases. In response to the DOI's action, Twin Metals today dismissed its federal lawsuit challenging the Department's previous legal opinion and denial of lease renewal. Twin Metals looks forward to working with the agencies through the proper process of renewing the company's leases.**"

Twin Metals' federal mineral leases were first issued by the federal government in 1966 with a right of unlimited, successive 10-year renewals. The leases were renewed by BLM and USFS without controversy in 1989 and again in 2004. Twin Metals filed for the third renewal of the leases in late 2012. The legal opinion issued by the DOI in March 2016 served as the foundation for the government denying the company's lease renewal application. Twin Metals filed a federal lawsuit challenging the DOI's legal opinion in September 2016.

Twin Metals has invested more than $400 million to date in acquisition, exploration, technical, environmental, and other project development activities. The Twin Metals project will meet all state and federal environmental standards, provide hundreds of jobs for generations of Minnesotans, and result in billions of dollars of environmentally-responsible economic growth in the region.

#####

About Twin Metals Minnesota: Twin Metals Minnesota is a Minnesota company focused on developing and operating an underground copper, nickel, platinum, palladium, gold and silver mining project (TMM Project) in the Iron Range region of Northeast Minnesota. Twin Metals is owned by Antofagasta plc, one of the top ten copper producers in the world.

AMERICAN OVERSIGHT

From:	Maneval, Christopher
To:	Deeley, Blake (blake_deeley@ios.doi.gov)
Subject:	FW: Reversal of Twin Metals Minnesota Application to Renew Preference Right Leases (MNES-01352 and MNES-01353)
Date:	Friday, December 22, 2017 4:01:52 PM

It doesn't matter at this point, but I wanted to flag that whomever wrote MN Speaker Daudt's release must've had help from one of your people. Look at the highlighted section below in their release and the highlighted in BLM's statement. You may want to have your folks modify it a bit before you send out if asked.

Solicitor's Opinion Reverses Decision, Allows Renewal of Twin Metals Mineral Leases

ST. PAUL, MN—The Solicitor's Office for the Department of the Interior informed House Speaker Kurt Daudt Friday of a forthcoming opinion reversing President Obama's previous decision denying renewal of mineral leases held by Twin Metals Minnesota. The new opinion concludes that the two leases that Twin Metals has from the United States granted them a non-discretionary right to a third renewal and, therefore, the Bureau of Land Management (BLM) did not have the discretion to deny Twin Metals' lease renewal application in December 2016. The BLM and the Forest Service, which is the surface management agency, will now move forward to review their December 2016 decisions according to the M-Opinion's advice. They will then reconsider Twin Metals' 2012 lease renewal application, including the appropriate environmental analysis under the National Environmental Policy Act (NEPA), to identify appropriate terms and conditions for surface protection and to make a final agency decision on the application.

The opinion will allow the proposed Twin Metals project to continue to move forward, which is good news for Minnesota as the project is expected to generate billions in revenue for communities and schools, and generate approximately 650 good- paying mining jobs and 1,300 spin-off jobs. House Speaker Kurt Daudt, R-Crown, issued the following statement regarding the Solicitor's opinion.

"It's refreshing to have an administration that understands the importance of mining to Minnesota – and the entire United States," Daudt said. "I hope this is just the start of federal efforts to remove unnecessary obstacles to job creation and economic development so we can grow jobs and paychecks in Minnesota and across the country."

In January, a bipartisan group of lawmakers sent a letter to outgoing Agriculture Secretary Tom Vilsack and Interior Secretary Sally Jewell expressing outrage over the last-minute lease withdrawal and denial of lease renewals, urging its reversal. In October, Speaker Daudt and lawmakers sent a letter of support for Congressman Emmer's HR3905, which would have reversed the lease withdrawals legislatively in the absence of action by the executive branch. HR3095 passed the US House on November 30, and awaits action in the Senate.

"This move brings Minnesota one step closer to thousands of good-paying jobs and billions in revenue that will be a boon to Northeast Minnesota's economy," added Rep. Chris Swedzinski, R-Ghent, Chair of the House Subcommittee on Mining, Forestry and Tourism. "We need government at every level to be a partner and referee rather than an adversary for job creating projects line the Line 3 Replacement Pipeline, PolyMet, Twin Metals, and others."

AMERICAN OVERSIGHT

From: Blake Deeley [mailto:blake_deeley@ios.doi.gov]
Sent: Friday, December 22, 2017 3:56 PM
To: Small, Jeff <Jeff.Small@mail.house.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>
Subject: Fwd: Reversal of Twin Metals Minnesota Application to Renew Preference Right Leases (MNES-01352 and MNES-01353)

Sent from my iPhone

Begin forwarded message:

TMM M-Opinion is now up on the web page at **https://www.doi.gov/solicitor/opinions** for the M-Opinion homepage and **https://www.doi.gov/sites/doi.gov/files/uploads/m-37049.pdf** for the TMM M-opinion

Daniel H. Jorjani
Principal Deputy Solicitor
U.S. Department of the Interior
Main Interior Building, Suite 6356
202-219-3861 (Voice)
202-706-9018 (Cell)
daniel.jorjani@sol.doi.gov

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On Fri, Dec 22, 2017 at 3:10 PM, Newell, Russell <russell_newell@ios.doi.gov> wrote:

> All - below is the if asked statement for Twin Metals. An earlier version of this was approved by SOL - I added the name and M number, as well as the correct press contact box for BLM.
>
> **Reversal of Twin Metals Minnesota Application to Renew Preference Right Leases (MNES-01352 and MNES-01353)**

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BLM PRESS STATEMENT (IF ASKED):

Today, the United States Department of the Interior's Office of the Solicitor issued a new legal opinion concluding that Twin Metals Minnesota has a non-discretionary right to a third renewal of its two hardrock mining leases, located in the Superior National Forest in northern Minnesota. The new M-Opinion (Memorandum Opinion) M-37049 reverses and replaces a prior opinion on the topic which was issued in March 2016.

Under the new legal opinion, the Bureau of Land Management (BLM) will work together with the surface management agency, USDA Forest Service, to reconsider a 2016 decision in which the BLM denied Twin Metals' pending lease renewal application. The agencies will conduct the appropriate environmental analysis under the National Environmental Policy Act (NEPA) to make a final agency decision on the application and to identify appropriate terms and conditions for surface protection.

The M-Opinion is available at this link: https://www.doi.gov/solicitor/opinions.

CONTACT: BLM Public Affairs at BLM_PRESS@blm.gov

AMERICAN OVERSIGHT

From: Maneval, Christopher
To: "micah_chambers@ios.doi.gov"
Subject: FW: Scalise: WHIP FLOOR UPDATE
Date: Wednesday, November 29, 2017 2:25:55 PM
Attachments: image001.png

From: Napier, Ben
Sent: Wednesday, November 29, 2017 1:51 PM
To: Napier, Ben <Ben.Napier@mail.house.gov>
Subject: Scalise: WHIP FLOOR UPDATE

STEVE SCALISE
MAJORITY WHIP

We are voting **NOW:**

1) Previous Question (15 minutes) – *Leadership recommends a YES VOTE*
2) Adoption of the Combined Rule Providing for Consideration of H.R. 3017 and H.R. 3905 (5 minutes) – *Leadership recommends a YES VOTE*

Following the vote series, we will debate our one scheduled suspension bill, here.

Next, we will have general, followed by amendment debate on *H.R. 3905 - Minnesota's Economic Rights in the Superior National Forest Act.*

This will bring us to **approximately 3:45-4:15 p.m.**, when we will have our second and final vote series of the day on the amendment and passage of *H.R. 3905.*

Walk off the Floor: 4:30-5:00 p.m.

###

Majority Whip Scalise's Floor Office H-329, The Capitol | **202-225-0197**
Matt Bravo, Floor Director | 202-225-6517
Ben Napier, Deputy Floor Director | 202-577-3968

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From:	Small, Jeff
To:	katharine_macgregor@ios.doi.gov; kathleen_benedetto@ios.doi.gov; micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov
Subject:	FW: Timely Minnesota Mineral Withdrawal Interior Approps Letter
Date:	Thursday, March 30, 2017 1:11:30 PM
Attachments:	image001.png image002.png image003.png draft MN withdrawal letter without signatures.docx
Importance:	High

FYI.

From: Small, Jeff
Sent: Thursday, March 30, 2017 1:09 PM
To: Vecera, Andrew; Hoffman, Josh
Subject: Timely Minnesota Mineral Withdrawal Interior Approps Letter
Importance: High

Hey guys,

FYI on this MN withdrawal letter we want to submit for Interior Approps today. Emmer's office reached out so I cranked out a draft.

We are doing a targeted approach where I am reaching out to four or five other offices to see if I can get them to sign on.

But figured I'd pass along to you all and see if you would do the same.

We need confirmation by 3 p.m. today so we can get this letter signed and submitted.

If you have any other suggested tweaks to letter or language let me know that too.

I also sent to NMA since we chatted about this issue previously.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov

From: Maneval, Christopher
Sent: Thursday, March 30, 2017 12:46 PM
To: Small, Jeff

AMERICAN OVERSIGHT

Cc: Zinda, Landon; Roberson, Kelly
Subject: Re: Draft Withdrawal Interior Approps Letter

Sounds good on all fronts. Give us two more min on the wolf letter

Sent from my iPhone

On Mar 30, 2017, at 12:31 PM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:

Sounds good! Great edits and good with them all.

Should we say need to know by 3p.m. today?

Then start collecting signatures right at 3 hopefully and ideally send instructions and final signed letter to signers by 4:30p.m.?

Also, let us know on the wolf letter if you would when you guys know. We are good just submitting that with our boss and yours but also happy to help with a targeted approach on that one too.

From: Small, Jeff
Sent: Thursday, March 30, 2017 12:31 PM
To: Zinda, Landon <Landon.Zinda@mail.house.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Roberson, Kelly <Kelly.Roberson@mail.house.gov>
Subject: RE: Draft Withdrawal Interior Approps Letter

Sounds good! Great edits and good with them all.

Should we say need to know by 3p.m. today?

Then start collecting signatures right at 3 hopefully and ideally send instructions and final signed letter to signers by 4:30p.m.?

Also, let us know on the wolf letter if you would when you guys know. We are good just submitting that with our boss and yours but also happy to help with a targeted approach on that one too.

From: Zinda, Landon
Sent: Thursday, March 30, 2017 12:27 PM
To: Maneval, Christopher; Roberson, Kelly
Cc: Small, Jeff
Subject: RE: Draft Withdrawal Interior Approps Letter

Hey Jeff and Kelly,

AMERICAN OVERSIGHT

Really appreciate you pulling this together under our time constraints. Let's go ahead with the targeted approach you suggested, and see who we can get. We made some edits to the letter, so feel free to review and send out after all the track changes are gone.

Landon Zinda
Legislative Counsel
Congressman Tom Emmer (MN-06)
Office: (202) 225-2331

AMERICAN OVERSIGHT

March 30, 2017

The Honorable Ken Calvert
Chairman
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
2007 Rayburn HOB
Washington, DC 20515

The Honorable Betty McCollum
Ranking Member
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
1016 Longworth HOB
Washington, DC 20515

Dear Chairman Calvert and Ranking Member McCollum:

As you begin crafting the Fiscal Year 2018 Interior, Environment, and Related Agencies Appropriations bill, we encourage the subcommittee to prevent funding for the Obama Administration's last-minute application to withdrawal 234,328 acres of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws.

The application has already begun to sour future investment in the state and could have enormous impacts on the entire region's economy. If approved, it will kill several potential environmentally responsible development projects currently being studied and restrict future development of a broad swath of northern Minnesota, negatively affecting the region's employment and economic growth.

Countless individuals and local businesses have weighed-in against the application. The Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal. One company that has already invested hundreds of millions of dollars for potential development in the area acknowledged, "The withdrawal of federal minerals from future development, and the related impacts of negating future development of state and private minerals, will have a devastating impact on the region's economy, eliminating the promise of thousands of good-paying jobs and billions of dollars in local investment."

The federal government owns nearly seven percent of the land in Minnesota. However, the protections provided to Minnesota's pristine landscape are largely the result of its citizens and their desire to preserve our way of life. If all development and economic activity is prohibited, that way of life will come to a grinding halt. Sound environmental stewardship and positive economic growth do not have to be mutually exclusive.

Congress must act to prevent severe economic losses to the state of Minnesota, the surrounding region and the U.S. economy that will occur if this misguided withdrawal is implemented.

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Section 114 of the engrossed version of the FY 2017 Interior, Environment and Related Agencies Appropriations bill contained language which aimed to block this report.

Accordingly, we ask that you include language similar in this fiscal year's bill:

None of the funds made available by this Act may be used to finalize, implement or enforce the the proposed application to withdrawal approximately 234,328 acres of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws as published by the United States Forest Service in the Federal Register on January 13, 2017 (82 Fed. Reg. 4282 et seq.).

We thank you for your consideration of this request, and for your leadership on the committee.

Sincerely,

_____	_____
Tom Emmer	Paul A. Gosar, D.D.S.
Member of Congress	Member of Congress
_____	_____
Member of Congress	Member of Congress
_____	_____
Member of Congress	Member of Congress
_____	_____

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Member of Congress

Member of Congress

_____

_____

Member of Congress

Member of Congress

AMERICAN OVERSIGHT

From: Small, Jeff
To: "Todd_Willens@ios.doi.gov"
Subject: FW: Trump Administration Curtails Minn. Mining Ban Review: W.Post
Date: Tuesday, January 30, 2018 9:43:47 AM

---

fyi

From: Small, Jeff
Sent: Tuesday, January 30, 2018 9:35 AM
To: Deeley, Blake (blake_deeley@ios.doi.gov)
Subject: FW: Trump Administration Curtails Minn. Mining Ban Review: W.Post

Hi Blake,

Good chatting.

Here is the action that happened Friday in relation to Twin Metals that I was trying to get more info on.

Assuming with this and the new m-opinion, things are trending in the right direction.

But some of the stakeholders are concerned about the amount of time they are still going to have to wait even with an EA and are weighing whether to be vocal about it or not.

Anyway, if you could check into and provide some of the back story on what this action means that would be helpful to all.

Thank you.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.



Trump Administration Curtails Minn. Mining Ban Review: W.Post

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By Joi Preciphs | January 26, 2018 03:20PM ET | Bloomberg First Word

Trump administration on Friday reined in a detailed review of how cordoning off more than 234k acres of U.S. Forest Service land in Minnesota from mining development would affect a wilderness area, Washington Post reports, citing agency officials.

- The decision to convert the study, launched in the final days of the Obama administration, into a less-stringent environmental assessment could have major policy implications, Wash. Post reports
    - Last January, the Interior Dept blocked mineral extraction for two years in the swath of forest near Minnesota's Boundary Waters Canoe Area Wilderness, a glacially carved region west of Lake Superior

To contact the reporter on this story:
Joi Preciphs in Washington at jpreciphs1@bloomberg.net

To contact the editors responsible for this story:
Derek Wallbank at dwallbank@bloomberg.net
Catherine Dodge

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From:	Small, Jeff
To:	John Tanner; micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov)
Subject:	Gosar script and ?"s for tomorrow
Date:	Thursday, March 15, 2018 12:20:04 AM
Attachments:	image001.png image002.png image003.png 3.15.18 Gosar Zinke script.docx

---

Sorry for sending these over so late. Been slammed this week with approps stuff. Wanted to give you all a heads up on where Rep. Gosar is going tomorrow.

Look forward to seeing Secretary Zinke in the House.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



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3.15.17 DOI Budget Hearing

Questions/Comments for Secretary Zinke from Rep. Gosar

Secretary Zinke, it's good to see you. Under your leadership, the Department of the Interior hit the ground running and accomplished more than most during your first year. We are very grateful for what you have done for the West and the country to date.

Ending the Obama-era coal lease moratorium, scrapping the 10-million acre Obama mineral withdrawal, taking action to build the life-saving 12-mile road in King Cove, rescinding the duplicative fracking rule, reversing the political Twin Metals M-opinion, repealing the job-killing ONRR Valuation Rule, overturning the ban on lead ammo and directing BLM to process Applications for Permits to Drill (APDs) in a more timely manner are all commonsense things you got done or are improving, that the previous Administration screwed up.

I could go on, but do have some priorities I want to quickly discuss.

1. **Grand Canyon Beefalo Issue**. Over the last 10 to 15 years, the cross-breed of cattle and bison, "the beefalo", have migrated from the Kaibab National Forest and found sanctuary inside the Grand Canyon National Park. These 600-800 beefalo are wreaking havoc on the parklands, eating native grasslands and polluting wetlands with their waste. The Park Service has been dragging their feet on this issue for 4-5 years. They even tried to undermine my bill the day before it passed the House. Sportsmen throughout the country, support our bicameral, bipartisan bill. NPS shouldn't be spending millions of dollars each year on expensive sharp shooters, when we can put hunters to work doing what they love and also bring in new revenues. I hope you will look at my bill, which you cosponsored by the way when you were in the House, and move something very similar forward in a timely manner. What do you say?

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2. **Twin Metals and the Superior National Forest Withdrawal**. I greatly appreciate the new M-opinion. But we have to keep moving on this issue. Little has happened since then and contracts need to be negotiated. Further, the massive political mineral withdrawal proposal in an area twice authorized for mining by Congress. That still needs to be cancelled. 17,000 jobs, $3 billion for education, $1.5 billion in annual wages and $2.5 billion annually for our economy are at risk unless the Department takes further action. Any new updates you can share?

3. **5 year offshore plan.** What you proposed was a breath of fresh air and what America needs. Don't cave to extremist enviros or liberal politicians. Please put forth a final plan that closely resembles what you proposed. Hundreds of Members of Congress in both bodies on both sides of the aisle asked for a strong, bold offshore plan and that is what America deserves. Will you commit to a strong offshore plan today and are any other comments you want to make on the DPP?

4. **DOI Reorganization Plan.** First, thank you for putting that out there and starting the conversation. I agree that we need to get the bureaucracy out of the D.C bubble and in touch with real Americans. A government closest to the people serves the people best. I ask you to keep moving forward on this effort. However, if you do make some additional tweaks, please please please don't lump Arizona with California. Our states couldn't be any different.

5. **Critical minerals**. Love what you and the president are doing on critical minerals. There is no reason the U.S. should be 100 percent net import reliant on foreign countries, including China, for 21

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different critical minerals. Few requests however. Add copper to the list. Find a more streamlined approach for adding minerals to the list moving forward. Finally, look at some of those other political mineral withdrawals by the Obama Administration and overturn them. Any other comments on critical minerals and the Department's efforts?

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From:	Zinda, Landon
To:	Katharine_macgregor@ios.doi.gov
Subject:	Minnesota Withdrawal
Date:	Monday, November 6, 2017 4:23:50 PM
Attachments:	image001.png image002.png image003.png

Hey Katharine,

I've been meaning to reach out for a while, as I've been handling the MN Superior national forest withdrawal and efforts to renew leaseholds in the area while ensuring at specific mining proposals still receive environmental review. A few people have recommended we connect.

Your bosses have been very helpful and eager to stay in touch with Rep. Emmer, and we really appreciate it. I don't have any asks at this point, just wanted to thank you for anything you've done on this issue, and hope we can keep in touch! If we can help on anything as well, let us know.

Landon Zinda
Legislative Counsel
Congressman Tom Emmer (MN-06)
Office: (202) 225-2331
Sign up for Rep. Emmer's Newsletter



AMERICAN OVERSIGHT

From: Small, Jeff
To: "john_tanner@ios.doi.gov"
Subject: Potential Draft Western Caucus Letters
Date: Wednesday, January 10, 2018 2:48:05 PM
Attachments: image001.png
image002.png
image003.png
final_draft_doi_fed_register_letter.docx
CEMEX_Draft Final.pdf
Final Draft Mineral Withdrawal Letter.pdf

Heads up on these.

Let me know if you have concerns or suggested edits. My direct is 202-226-827 and believe you have my cell.

1) **Letter Lead Opportunity**: **Western Caucus seeks WC Members to lead already-drafted letter calling for Department of Interior (DOI) to reduce unnecessary bureaucratic hurdles in Federal Register publications**. **Deadline: COB January 30, 2018**. DOI currently employs a notice review process which requires all non-exempt Federal Register notices be sent to the BLM Washington Office for additional review prior to publication. As a consequence, routine notifications are subject to unnecessarily lengthy 24-step review in a manner that departs from the more successful practice of agencies like USDA, which have no such requirements and can do this process in one step. The American Exploration & Mining Association has produced a graphic that illustrates this point. In addition to guaranteed unnecessary delays, the process is also open to abuse by Washington bureaucrats who oppose a project's progress but have no substantive means of delaying or stopping it. To co-lead or sign the letter contact Tanner.Hanson@mail.house.gov.

2) **Letter Lead Opportunity: Western Caucus seeks WC Members to lead already-drafted letter to Appropriators requesting that any negotiated Omnibus or comprehensive funding bill not include a political mineral withdrawal provision that would have devastating consequences for CEMEX**. **Deadline: COB Thursday, January 18th**. The draft version of the Senate's Interior Appropriations bill includes in Section 124(a) the withdrawal of the mineral estate in two CEMEX contracts approved by the BLM. This misguided provision, included at the behest of a Democrat Senator, represents another political attempt to short-circuit CEMEX's Soledad operations and prevent the company from fulfilling two mining contracts. A similar amendment put forth in the House was withdrawn due to overwhelming opposition and impending failure. The letter asks Appropriators to strip this language during negotiations and allow the established procedures to proceed without political interference. To co-lead or sign the letter contact jeff.small@mail.house.gov.

3) **Letter Lead Opportunity**: **Western Caucus seeks WC Members to lead already-drafted letter calling for Department of Interior (DOI) supporting House Committee on Natural Resources Chairman Rob Bishop's request for DOI to investigate political Obama Administration mineral withdrawals**. **Deadline: COB January 30, 2018**. As Chairman Bishop

AMERICAN OVERSIGHT

accurately pointed out in this September 2017 letter, "Under the prior Administration, mineral access on Federal land was regularly and systemically blocked, harming our nation's economic and strategic potential. Indeed, millions of acres of Federal lands were inappropriately withdrawn from mineral access due to false premises of environmental protectionism and the intentional misuse of statutory authority." Specifically, the Obama Administration proposed at least 31 domestic mineral withdrawals. The largest mineral withdrawal included approximately 10 million acres containing more than 7,000 active mining claims that was falsely claimed to be necessary in order to protect the not endangered Sage Grouse. This withdrawal was shamefully political in nature, as less than 0.1% or 171,000 acres of actual Sage Grouse habitat existed in the 10 million acre withdrawal area. Our letter asks for a status update on Rep. Bishop's request for "a comprehensive and expedited review of all mineral withdrawals" proposed by the Obama Administration and asking for the Trump Administration to act on mineral withdrawals found to be without merit. To co-lead or sign the letter contact landon.zinda@mail.house.gov or jeff.small@mail.house.gov.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



AMERICAN OVERSIGHT

Reduce Unnecessary Bureaucratic Permitting Delays Stifling Job Creation

Deadline: COB January 30, 2018

Endorsed by: American Exploration & Mining Association

Dear Colleague:

Since 2001, the Department of the Interior (DOI) has employed a notice review process which requires all non-exempt Federal Register notices be sent to the Bureau of Land Management (BLM) Washington Office for additional review prior to publication. As a consequence, routine notifications are subject to unnecessarily lengthy review in a manner that departs from the more successful practice of agencies like the United States Department of Agriculture (USD), which have no such requirements.

The American Exploration & Mining Association has produced a graphic that illustrates this point, indicating that what is often a 24-step process for the BLM can be done in one step by the U.S. Forest Service. In addition to unnecessary delays, the process is also open to abuse by Washington bureaucrats who oppose a project's progress but have no substantive means of delaying or stopping it. Returning to procedures that more closely resemble policies in place prior to 2001, will facilitate the creation of good jobs and move important projects forward in a timelier manner. If you have questions or to cosign the letter, please contact Tanner.Hanson@mail.house.gov.

Sincerely,

Xxx	yyy	Paul A. Gosar, D.D.S.
Member of Congress	Member of Congress	Member of Congress

January____,2018

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

Dear Mr. Secretary,

We write to bring to your attention to a Department of Interior (DOI) policy that continues to impose bureaucratic permitting delays and prevent job creation. Specifically, Bureau of Land Management (BLM) Instruction Memorandum No. 2010-043 requires that all non-exempt *Federal Register* notices be sent to the BLM Washington Office for additional review prior to publication. DOI's process now comprises 24 reviews at separate offices under DOI and BLM for an individual notice, including 7 reviews at the DOI Regulatory Affairs Division alone. At a

AMERICAN OVERSIGHT

time when job creation is a top priority, a return to simpler, more effective practices already employed by other agencies would streamline the permitting process for energy and mineral development.

Prior to 2001, BLM State Offices had the authority to send notices required to be published in the *Federal Register* for activities in their state directly to the *Federal Register*, including items such as a Notice of Intent to prepare an Environmental Impact Statement (EIS) or Notice of Availability of an EIS. This was a practice that worked well for the routine procedural notices to which it was applied.

In February 2009, the Department of Agriculture (USDA) adopted a similarly straightforward process that permits Forest Supervisors and Regional Foresters to send routine National Environmental Policy Act NEPA notices directly to the *Federal Register* without Washington Office review.

Ultimately, the current DOI process remaining in place means that unnecessary delays are *always* guaranteed, with additional bureaucratic abuse eminently possible. Countless constituents have shared their experiences and examples of how this practice often results in six or more months of unnecessary delay. In some especially concerning cases, it has halted hundreds of jobs from ever coming online. USDA faces a structurally similar reporting need, and has addressed it effectively and with no downside.

The United States currently has one of the longest permitting processes in the world for energy and mineral development. In August, Alaska Miners Association Executive Director Deantha Crockett told members of Congress that it takes 10 years to permit a new mine in the U.S. if everything goes to plan. As you know, a recent Department of the Interior and U.S. Geological Survey report found the U.S. is 100 percent net import reliant on China for 20 different critical minerals. This op-ed also points out that "of the 88 mineral commodities tracked by the U.S. Geological Survey, the United States is now at least 25 percent import dependent on 62 of them." Given U.S. demand for minerals, we must take commonsense steps to reduce permitting times and encourage domestic production.

Accordingly, we ask you take swift action via Instruction Memorandum to return to procedures that resemble policies in place prior to 2001. Your action will have an immediate result of facilitating the creation of good jobs and moving important projects forward in a timelier manner.

Sincerely,

Cc:

AMERICAN OVERSIGHT

Protect Property Rights By Rejecting Political Mineral Withdrawal

Deadline: COB Thursday, January 18th.

Dear Colleague:

Please join us in sending a letter to the Appropriations Committees urging them not to include a political mineral withdrawal provision that would have devastating consequences for CEMEX in any comprehensive funding bill or Omnibus.

Specifically, the draft version of the Senate's Interior Appropriations bill includes in Section 124(a) the withdrawal of the mineral estate in two CEMEX contracts approved by the BLM. This misguided provision, included at the behest of a Democrat Senator, represents another political attempt to short-circuit CEMEX's Soledad operations and prevent the company from fulfilling two contracts issued by the BLM. A similar amendment put forth in the House was withdrawn due to overwhelming opposition and impending failure.

CEMEX's U.S. network includes 11 cement plants, 43 strategically located distribution terminals, 57 aggregate quarries and more than 270 ready-mix concrete plants. CEMEX's two contracts in question are a result of two leases put out for competitive bid by the BLM to mine sand and gravel. The BLM subsequently approved CEMEX's project and these two contracts by issuing a Record of Decision following a lengthy review process which lasted more than 10 years. The cancellation of these contracts could constitute a taking and expose taxpayers.

The full letter is below. To sign on, please email Jeff Small at (jeff.small@mail.house.gov).

Sincerely,

Xxx Member of Congress	yyy Member of Congress	Paul A. Gosar Member of Congress

January _____, 2018

The Honorable Thad Cochran
Chairman
United States Senate
Committee on Appropriations
S-128, the Capitol
Washington, DC 20510

The Honorable Patrick Leahy
Vice-Chairman
United States Senate
Committee on Appropriations
S-146A, the Capitol
Washington, DC 20510

The Honorable Rodney Frelinghuysen
Chairman
U.S. House of Representatives
Committee on Appropriations
H-305, the Capitol
Washington, DC 20515

The Honorable Nita Lowey
Ranking Member
U.S. House of Representatives
Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

AMERICAN OVERSIGHT

Dear Chairmen Cochran and Frelinghuysen, Vice-Chairman Leahy and Ranking Member Lowey,

We write to urge you to reject any provisions in any comprehensive funding bill or Omnibus which include language authorizing a mineral withdrawal or the withholding or prohibition of use of agency funds in relation to Bureau of Land Management (BLM) contracts number CA 20139 and CA 22901 issued to CEMEX for sand and gravel mining.

The draft version of the Senate Interior, Environment, and Related Agencies Appropriations bill includes in Section 124(a) the withdrawal of the mineral estate of the aforementioned contracts. This misguided provision, included at the behest of a Democrat Senator, represents another political attempt to short-circuit CEMEX's Soledad operations and prevent the company from fulfilling two contracts issued by the BLM. A similar amendment put forth in the House was withdrawn due to overwhelming opposition and impending failure.

CEMEX's U.S. network includes 11 cement plants, 43 strategically located distribution terminals, 57 aggregate quarries and more than 270 ready-mix concrete plants. CEMEX's two contracts in question are a result of two leases put out for competitive bid by the BLM to mine sand and gravel. The BLM subsequently approved CEMEX's project and these two contracts by issuing a Record of Decision following a lengthy review process which lasted more than 10 years. The cancellation of these contracts could constitute a taking and expose taxpayers.

Further, the established procedures for mineral production are subject to robust safeguards and protocols exercised by agencies, states and local governments which are governed by extensive statutory requirements – these are technical rather than political actions, and as such proceed according to the law.

In this case, it is clear that the attempts to cancel these contracts occur on the basis that the politicians who have worked to do so find it politically advantageous. But it is improper for political preferences to impinge upon the orderly, statutory-guided process. In fact, the very purpose of agency review guided by statute is for decisions to be regular and not subject to haphazard political infiltrations.

The process in question has proceeded uniformly for the contracts in question, and has also been subject to extensive litigation, which to-date CEMEX has prevailed in. Litigation is the opportunity for parties claiming damages or statutory deficiency in the mineral development and review process to press their case. It is inappropriate for politics to intervene in the case of the failure of any substantive basis on which development would be halted. The meaning of such an intervention is that an individual politician has decided it is in their best interest to disrupt the normal functioning of the law. While that self-interest incentive can appear compelling to a politician, their actions that result are the antithesis of good public policy.

You may notice we have made no argument in this letter concerning the merits or benefits of the development of the contracts in question – for the State of California, for the mining industry, or otherwise. Though a cursory glance seems to indicate those benefits would be substantial, the actual question at hand has nothing to do with whether development is sufficiently beneficent in this case, or whether the resultant projects would be safe, etc. Those considerations are incredibly important, but they are already accounted for in the profit calculations of individual companies, and the statutes underlying mineral proposal assessments, respectively. The only consideration that is relevant here is whether a given public servant's political advantage should be attached greater priority than the established, effective workings of the law – a question that we believe answers itself in a public policy context.

Accordingly, we ask that you take these considerations seriously when negotiating a final appropriations package and work to depoliticize our agency processes by ensuring such language does not make it into negotiated base text.

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Sincerely,

Cc: Secretary of the department of the Interior Ryan Zinke
Senate Interior, Environment, and Related Agencies Chairman Lisa Murkowski
Senate Interior, Environment, and Related Agencies Tom Udall
House Interior, Environment, and Related Agencies Chairman Ken Calvert
House Interior, Environment, and Related Agencies Ranking Member Betty McCollum

AMERICAN OVERSIGHT

Call on Administration to Review and Act on Political Mineral Withdrawals

Overturn misguided anti-mining efforts that kill jobs and decimate local economies

Deadline Noon on Thursday, November 16th

Endorsements:

Current Signers:

Dear Colleague:

Domestic minerals are critical to our nation's national security, economic growth and manufacturing. Almost every product and component of infrastructure we use in our everyday lives depends inextricably on processed minerals. Minerals that are mined right here in the U.S. make possible the production of cell phones and other high-end electronics, solar panels, bridges and cars. Despite the vital importance of minerals, the previous Administration took dozens of anti-mining actions that, if left in place will stifle job creation, decimate local economies and disrupt public education funding streams.

Specifically, the Obama Administration proposed at least 31 domestic mineral withdrawals. The largest mineral withdrawal included approximately 10 million acres containing more than 7,000 active mining claims that was erroneously said to be necessary in order to protect the not-endangered Sage Grouse. While this proposed mineral withdrawal was being analyzed, an immediate two-year moratorium was put in place with an additional 20-year moratorium was considered. This withdrawal was political – it was designed to appeal to donors and radical environmentalist groups rather than solve a statutory or policy problem - as less than 0.1% or 171,000 acres of actual Sage Grouse habitat existed in the 10 million acre withdrawal area.

Chairman Bishop's description from his September 2017 letter encompasses this problem perfectly: "Under the prior Administration, mineral access on Federal land was regularly and systemically blocked, harming our nation's economic and strategic potential. Indeed, millions of acres of Federal lands were inappropriately withdrawn from mineral access due to false premises of environmental protectionism and the intentional misuse of statutory authority."

In fact, the Obama Administration proposed at least 31 domestic mineral withdrawals. The fact that many of these mineral withdrawals were designed to appease extremist special interest groups means they should be rejected on that premise alone. However, Members should be equally concerned about these actions given U.S. dependence on strategic and critical minerals from foreign countries. This op-ed points out that "of the 88 mineral commodities tracked by the U.S. Geological Survey, the United States is now at least 25 percent import dependent on 62 of them." Further, a recent Department of the Interior (DOI) and (USGS) U.S. Geological Survey report found the U.S. is **100 percent net import reliant** on China for **20 different critical minerals**.

AMERICAN OVERSIGHT

Please join us in sending a letter to President Trump, Secretary Zinke and Secretary Perdue supporting House Committee on Natural Resource Chairman Rob Bishop's request for "a comprehensive and expedited review of all mineral withdrawals executed in in the past eight years to determine those of merit and those whose purpose served only to block appropriate development."

The full letter is below. If you have questions or to sign on, please email Landon Zinda at landon.zinda@mail.house.gov or Jeff Small at jeff.small@mail.house.gov.

Sincerely,

Tom Emmer
Member of Congress

Member of Congress

Paul A. Gosar, D.D.S.
Member of Congress

Member of Congress

January ___, 2018

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue
Washington, DC 20002

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

The Honorable Ryan Zinke
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear President Trump, Secretary Zinke and Secretary Perdue,

We write in support of House Committee on Natural Resource Chairman Rob Bishop's request for "a comprehensive and expedited review of all mineral withdrawals executed in the past eight years to determine those of merit and those whose purpose served only to block appropriate development." We seek a status update on his inquiry, and request that you share any findings with the signers of this letter. Further, we ask that you take action to scrap any mineral withdrawals determined to be without merit whose purpose served only to block appropriate development.

We also write to express gratitude to the Administration for cancelling the previous Administration's proposed 10-million-acre mineral withdrawal in six Western states that would

AMERICAN OVERSIGHT

have stifled job creation, decimated local economies and caused significant harm to K-12 education.

As you know, the largest mineral withdrawal included approximately 10 million acres containing more than 7,000 active mining claims that was erroneously said to be necessary in order to protect the not-endangered Sage Grouse. While this proposed mineral withdrawal was being analyzed, an immediate two-year moratorium was put in place with an additional 20-year moratorium was considered. This withdrawal was political – it was designed to appeal to donors and radical environmentalist groups rather than solve a statutory or policy problem - as less than 0.1% or 171,000 acres of actual Sage Grouse habitat existed in the 10 million acre withdrawal area.

Chairman Bishop's description from his September 2017 letter encompasses this problem perfectly: "Under the prior Administration, mineral access on Federal land was regularly and systemically blocked, harming our nation's economic and strategic potential. Indeed, millions of acres of Federal lands were inappropriately withdrawn from mineral access due to false premises of environmental protectionism and the intentional misuse of statutory authority."

In fact, the Obama Administration proposed at least 31 domestic mineral withdrawals. The fact that many of these mineral withdrawals were designed to appease extremist special interest groups means they should be rejected on that premise alone. However, Members should be equally concerned about these actions given U.S. dependence on strategic and critical minerals from foreign countries. This op-ed points out that "of the 88 mineral commodities tracked by the U.S. Geological Survey, the United States is now at least 25 percent import dependent on 62 of them." Further, a recent Department of the Interior (DOI) and (USGS) U.S. Geological Survey report found the U.S. is **100 percent net import reliant** on China for **20 different critical minerals**.

This dependency is incredibly dangerous for our national security and the country's future prosperity. As illustrated in the DOI and USGS report, "The sometimes-tenuous nature of the mineral supply chain received world attention in 2010 when China suddenly drastically cut its export quota for the rare-earth elements. The move highlighted the fact that China had a virtual monopoly on the short-term supply of rare-earth elements—elements that are essential to the renewable energy sector and many other high-tech applications globally."

A few glaring examples of political mineral withdrawals intended only to block appropriate development include:

1. **The Arizona Strip Uranium Withdrawal**
   In January 2012, then Obama Secretary of the Interior Ken Salazar withdrew more than one million acres of land containing valuable uranium deposits and more than 3,200 active mining claims. The Mohave County Board of Supervisors claim this withdrawal will cost their local economy $29 billion over a 42-year period. The Board also pointed out that uranium is used by our military in tanks, bullets and missiles as well as to power Navy ships. The Board claims domestic utilities now import 90% of the uranium to

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power America's 104 reactors and that 30 years ago 100% of American reactors produced electricity from U.S. uranium.

The Arizona-Utah Economic Coalition has passed a resolution calling for revocation of this mineral withdrawal stating, "The withdrawal eliminated opportunities to create over 2000 direct and indirect jobs… the withdrawal area includes between 325-375 million lbs (the equivalent electricity generating capacity for the entire state of California's 40 million people for 22.4 years)." The U.S. Department of Agriculture also identified this mineral withdrawal as a potential burden to domestic energy production in its final report in response to President Trump's energy independence executive order.

2. **The Superior National Forest Land Grab**
In the waning days of the Obama Administration, federal land management agencies took several actions that would stifle job creation, decimate local economies, and even cause significant harm to K-12 education in Minnesota. On January 5, 2017, the U.S. Forest Service (USFS) formally proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. Education will be significantly harmed, as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless local businesses and individuals have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the more than 50 Members of the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

3. **The Revested Oregon & California Railroad Lands**
As Chairman Bishop accurately pointed out in this September 2017 letter**,** the "two projects affected by this illegal withdrawal are believed to hold significant quantities of several strategic and critical minerals including nickel, scandium and cobalt." Chairman Bishop also pointed out that the Obama Administration improperly tried to say this mineral withdrawal is valid under the Federal Land Policy and Management Act. This is not the case. Chairman Bishop concludes, "Unfortunately, the immediate action was one

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of the many baseless withdrawals carried out by the prior Administration."

4. **The California Desert Area Withdrawal**
   On December 28, 2016, the Obama Administration proposed to withdrawal 1,337,904 acres of public lands located within the California Desert and threatened a phase 2 withdrawal that could include an additional 1.6 million acres. Media reports indicate Acting BLM Director Mike Nedd "has already submitted a draft memorandum to senior Interior officials proposing the cancellation of the withdrawal of roughly 1.3 million acres within the planning area" citing the $4-$6 million Environmental Impact Study as being cost prohibitive as one of the many factors.

In addition to the four withdrawals detailed above, we ask that you stand up for communities negatively impacted by unwarranted political attacks by taking action to reject any other mineral withdrawals from the Obama Administration found to be without merit and that were implemented to discourage production.

As always, we ask that this request be handled in strict accordance with existing rules, regulations and ethical guidelines. Thank you for your consideration of this request. We look forward to your timely response.

Sincerely,

AMERICAN OVERSIGHT

From: Small, Jeff
To: "Rojewski, Cole"
Cc: Van Flein, Tom
Subject: RE: [EXTERNAL] FW: Deadline Today: WC Visit to Minnesota
Date: Wednesday, June 12, 2019 7:38:38 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png

Just tried you.

Sorry for the delay. Busy day.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
https://westerncaucus house.gov
(202) 225-2315 main
jeff.small@mail.house.gov

From: Rojewski, Cole [mailto:cole_rojewski@ios.doi.gov]
Sent: Wednesday, June 12, 2019 5:07 PM
To: Small, Jeff
Cc: Van Flein, Tom
Subject: Re: [EXTERNAL] FW: Deadline Today: WC Visit to Minnesota

Tried calling you. Give me a shout if you have a second

On Wed, Jun 12, 2019 at 11:51 AM Small, Jeff <Jeff.Small@mail.house.gov> wrote:

> Cole,
>
> Here is the agenda for the trip that Rep. Gosar and Tom requested you all send someone on.
>
> Let me know if you have questions.
>
> Thanks,
>
> **Jeff Small**
> *Executive Director | Congressional Western Caucus*
> *Senior Advisor | Congressman Paul A. Gosar, D.D.S.*
> 2057 Rayburn HOB | Washington, DC 20515
> https://westerncaucus.house.gov
> (202) 225-2315 main
> jeff.small@mail house.gov

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From: Small, Jeff
Sent: Wednesday, June 12, 2019 11:42 AM
To: Small, Jeff
Cc: Morley, Andrew; Igo, Spencer
Subject: Deadline Today: WC Visit to Minnesota



Western Caucus Northeastern Minnesota Mine Tours
6/28/19

Final reminder that Reps. Stauber and Gosar **invite Members of Congress and staff** to join them on an upcoming Western Caucus mine tour trip to the Iron Range in Northeastern Minnesota.

We have four Members attending so far and more than a dozen staffers. This is going to be a great mining trip and we hope you and your boss can join!

The initial deadline to RSVP and make your reservations is today, June 12.

The trip includes visiting U.S. Steel's Minntac mine for a presentation and tour, visiting PolyMet for a presentation and tour, and a presentation from Twin Metals' leadership.

We'll be staying at Giant's Ridge on Thursday night, a resort in the region. We have a block of rooms reserved. The reservation number is 30527 and the total is $169.25 for the night with taxes. Once we have concluded the tours on Friday, we have reserved another block of rooms at the Holiday Inn in Hermantown which is a great place to stay to prepare for the return home and stay Friday night. You can call the hotel directly to make the reservation 218-722-0909 using the group code: USA. A room is $259 dollars a night. Busy time has hit in the Northland!

Apart from the lodging details, here is a good flight for the evening that would bring you to Duluth.
Delta:
Flight #DL1589
Departs-5:44pm
Arrives-8:36pm

Itinerary for Friday 6/28/19

AMERICAN OVERSIGHT

8:00am-Wake up and light breakfast
8:30am-Depart for U.S Steel MinnTac
9:00am-Arrive at U.S Steel MinnTac for Presentation and Tour
12:00pm-Depart U.S Steel MinnTac for The Quarry Overlook and media interviews
12:30pm-Arrive at The Quarry for interviews
1:00pm-Lunch at Giants Ridge
2:00pm-Depart for PolyMet
2:30pm-Arrive at PolyMet for Presentation and Tour
4:30pm-Depart PolyMet
5:00pm-Arrive at Giants Ridge
5:30pm-Dinner with Presentation from Twin Metals
7:30pm-End of Day

In case you missed it, there was an excellent story recently published by the Wall Street Journal in relation to the Twin Metals project.

Please contact Andrew Morley at Andrew.Morley@mail.house.gov, Spencer Igo at Spencer.Igo@mail.house.gov or Jeff Small Jeff.Small@mail.house.gov to RSVP or with questions.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
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(202) 225-2315 main
jeff.small@mail house.gov



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Cole Rojewski
Director, Office of Congressional and Legislative Affairs
U.S. Department of the Interior



NOTE: Every email I send or receive is subject to release under the Freedom of Information Act.

AMERICAN OVERSIGHT

DOI-19-0538-F-000194

AMERICAN OVERSIGHT

From: Maneval, Christopher
To: "Micah Chambers"
Subject: RE: [EXTERNAL] Trump: "I will be CANCELLING the Superior National Forest Mineral Withdrawal"
Date: Friday, June 22, 2018 9:53:40 AM

Yeah man thanks for all of your help. We're almost there and need to keep pushing USDA, but you've been a huge help. Thanks for everything

From: Micah Chambers [mailto:micah_chambers@ios.doi.gov]
Sent: Friday, June 22, 2018 9:23 AM
To: Maneval, Christopher <Christopher.Maneval@mail.house.gov>
Subject: Fwd: [EXTERNAL] Trump: 'I will be CANCELLING the Superior National Forest Mineral Withdrawal'

Glad this worked out

Sent from my iPhone

Begin forwarded message:

From: "Hanson, Tanner" <Tanner.Hanson@mail.house.gov>
Date: June 21, 2018 at 5:42:33 PM EDT
To: "Hanson, Tanner" <Tanner.Hanson@mail.house.gov>
Cc: "Small, Jeff" <Jeff.Small@mail.house.gov>
Subject: [EXTERNAL] Trump: 'I will be CANCELLING the Superior National Forest Mineral Withdrawal'

For Immediate Release
Contact: Tanner Hanson

Date: June 21, 2018
Tanner.Hanson@mail house.gov

Trump: 'I will be CANCELLING the Superior National Forest Mineral Withdrawal'

Caucus: 'You're the best'

WASHINGTON, D.C. – Today, Members of the Congressional Western Caucus including Chairman **Paul Gosar (AZ-04)**, Chief Infrastructure and Forestry Officer **Bruce Westerman (AR-04)** and Members **Tom Emmer (MN-06)** and **Kevin Cramer (ND-At Large)** released statements after President Trump announced at a rally last night in Duluth, Minnesota that he would be cancelling the Obama Administration's political mineral withdrawal in the Superior National Forest:

Congressman Emmer stated, "The President's announcement last night is great news for Minnesota. My MINER Act demonstrated strong bipartisan support for unleashing our state's mining potential and now, by reversing the politically motivated and short-sighted actions from

the Obama administration on their way out the door, President Trump is stepping in to restore local control of Minnesota's mineral rights. I am hopeful that the steps needed to ensure a full reversal of the former administration's harmful actions are taken soon, specifically ending the withdrawal proposal that has now dragged on for 18 months, to dramatically revitalize local communities and their economies."

Congressman Gosar said, "When the Minnesota mineral withdrawal was first announced in the twilight hours of the last Administration, we in the Western Caucus knew it would be an uphill battle to bring enough attention to it to get something done. So, we banded together, amplified the issue and worked to avert the terrible precedent and economic turmoil that would ensue if the withdrawal was left in place. Ultimately, piece by piece, these efforts have prevailed, with word of the problem making its way to President Trump just yesterday. When the President heard the numbers - 17,000 jobs, $3 billion for education, $1.5 billion in annual wages, $2.5 billion annually for the economy - he recognized that the obviously right thing to do was to reverse the action. And, it just so happens that policy created with a pen can be wiped away by one, too - thanks, Obama. We appreciate President Trump for immediately seeing that the right thing for Minnesota workers and families is to strike this withdrawal from the books, and I look forward to seeing the region's economy and education flourish as a consequence."

Congressman Westerman stated, "Unnecessary rules handed down by unelected Washington, D.C., bureaucrats that violate agreements going back to the 1950s threatened the future of mining and economic development in Minnesota. I visited the operation and met with the Minnesotans affected by this political move, where I got to feel the impact that decision had on both our country and our economy. I thank President Trump for reversing heavy-handed rules handed down by the Obama Administration, allowing Americans to continue investing in jobs, economic development, and education."

Congressman Cramer concluded, "I commend President Trump for rolling back this misguided Obama-era land grab which took away our Minnesota neighbor's ability to develop minerals in the state. I've been working with my colleagues in Congress, including Members from both parties in the Minnesota delegation, since President Obama proposed putting these hundreds of thousands of acres off limits. President Trump's action will allow for jobs, increased wages, and reignite economic development in the Iron Range."

Background:

Last night at a campaign rally in Minnesota, President Donald Trump announced that his Administration will be rescinding a mineral withdrawal initiated by the Obama Administration affecting the Superior National Forest in northern Minnesota. Click here or on the tweet by NBC below to watch:

On January 19th, 2017, the day before President Trump was sworn in, the previous Administration published a 234,328-acre federal mineral withdrawal application in the Federal Register to restrict for a 20-year moratorium lands within the Superior National Forest in northeast Minnesota.

It is being reported that, upon being briefed on the situation, the President immediately saw the importance to Minnesota workers and families of rescinding the massive withdrawal.

The Western Caucus - led by members Tom Emmer and Bruce Westerman as well as Chairman Gosar - has advocated for this outcome since the withdrawal was first put in place.

On June 30th, 2017, 26 bipartisan Members of Congress sent a letter asking for the Administration to cancel this political land grab. The robust Member turnout for this regional

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issue demonstrated the extent to which Members who had no immediate interest in the policy saw clearly the unfairness, unjustified damage to the regional economy and harm to education funding streams the withdrawal would impose.

Legislative solutions to the withdrawal offered by Congressman Emmer were proposed and accepted by the full House of Representatives with the backing and support of the Western Caucus. The House passed H.R. 3905 to cancel the Obama mineral withdrawal and reinstate the two leases that were arbitrarily denied (the leases have since been reinstated). A press release can be found here. The House also passed an amendment to cancel the political land grab to the Interior Appropriations bill. A story about the amendment passing can be found here.

The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands. 17,000 jobs, $3 billion for education, $1.5 billion in annual wages, $2.5 billion annually for the economy were at risk if the mineral withdrawal was allowed to stand.

The withdrawal also contradicted established legislative intent of Congress. In 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act (BWCAW), a historic compromise between interested parties that prohibited mining within the Boundary Waters Area but explicitly permitted mining to occur in the Superior National Forest. Unfortunately, debate surrounding mining in the Superior National Forest has often conflated the buffer of the Boundary Waters - in which mining will not be taking place under any proposed plan - with authorized mining in designated areas of the Forest. The President's announcement indicates he and his Administration were not mislead by those distortions.

The area comprises the largest copper-nickel deposit in the world. There are billions of pounds of copper, nickel, and cobalt and millions of ounces of platinum, palladium, gold and silver. The market value of these resources is estimated to be $500 billion.

###

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AMERICAN OVERSIGHT

From: Rees, Gareth
To: Thaler, Shelbie
Cc: Zinda, Landon
Subject: Re: 12 EST Call with Rep. Tom Emmer (MN-06) Confirmed
Date: Thursday, September 28, 2017 2:52:22 PM
Attachments: image001.png
image003.png
image002.png

Hi Shelpie

I think I can do Tuesday at 10:30am but I have something from 4-5pm. Could do after 5pm on Tuesday too.

Gareth

On Thu, Sep 28, 2017 at 2:33 PM, Thaler, Shelbie <Shelbie.Thaler@mail.house.gov> wrote:

> Hi Gareth,
>
> On Monday, we could set up a call with the Deputy Secretary at 2pm.
>
> Tuesday, Rep Emmer has availability that afternoon around 4:15pm. I could also try to do a time around 10:30am and he can step outside of committee.
>
> We are pretty flexible so please let me know if any of these times work.
>
> Thanks!
>
> Shelbie
>
> ---
>
> **From:** Zinda, Landon
> **Sent:** Thursday, September 28, 2017 2:25 PM
> **To:** Rees, Gareth
> **Cc:** Thaler, Shelbie
> **Subject:** RE: 12 EST Call with Rep. Tom Emmer (MN-06) Confirmed
>
> Thanks Gareth. Our understanding is Associate Deputy Secretary Cason has met and continued discussions with many involved on this issue, but the Congressman would like to speak with the next in charge, following his personal meeting with Secretary Zinke. Sorry that we did ask for this so quickly, but I think contact with the Deputy Secretary would be more beneficial than a rapid turnaround time. Looping in our scheduler Shelbie to see if there is a time that will work

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sometime in the near future.

Landon

From: Rees, Gareth [mailto:gareth_rees@ios.doi.gov]
Sent: September 28, 2017 2:09 PM
To: Zinda, Landon <Landon.Zinda@mail.house.gov>
Subject: Re: 12 EST Call with Rep. Tom Emmer (MN-06) Confirmed

Unfortunately there is an event at the White House on Monday which is causing the scheduling issues. I know Mr. Cason has been working on this issue since he arrived at DOI and has been in close contact with BLM and Kate MacGregor in Land and Minerals Management. He is probably more up to speed on the issue than anyone.

On Thu, Sep 28, 2017 at 1:55 PM, Zinda, Landon <Landon.Zinda@mail.house.gov> wrote:

> Thanks for the notice, Gareth, and appreciate the potential alternative. Would there be any way to find another time that works in the near future with the Deputy Secretary? The Congressman's schedule tomorrow is fairly flexible, and it may work at certain times Monday too.
>
> Landon Zinda
>
> Legislative Counsel
>
> Congressman Tom Emmer (MN-06)
>
> Office: (202) 225-2331
>
> Sign up for Rep. Emmer's Newsletter
>
> 
>
> **From:** Rees, Gareth [mailto:gareth_rees@ios.doi.gov]
> **Sent:** September 28, 2017 1:52 PM
> **To:** Zinda, Landon <Landon.Zinda@mail.house.gov>
> **Subject:** Re: 12 EST Call with Rep. Tom Emmer (MN-06) Confirmed

AMERICAN OVERSIGHT

Hi Landon

Unfortunately something has come up tomorrow and Dep Sec Bernhardt will not be able to make the call. Associate Deputy Secretary Jim Cason who is our lead on Twin Metals is available and would welcome the opportunity to speak with the Congressman. I know that he has spoken with a number of the Congressman's colleague on the same issue. Does that work?

Thanks

Gareth

On Tue, Sep 26, 2017 at 1:42 PM, Zinda, Landon <Landon.Zinda@mail.house.gov> wrote:

> Hey Gareth,
>
> Thanks for your help. Just wanted to confirm the call for Friday the 29th at noon EST. We'll give you a call then.
>
> Landon Zinda
>
> Legislative Counsel
>
> Congressman Tom Emmer (MN-06)
>
> Office: (202) 225-2331
>
> Sign up for Rep. Emmer's Newsletter

--

AMERICAN OVERSIGHT

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202-208-6291

Fax: 202-208-1873

Cell: 202-957-8299

--

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202-208-6291

Fax: 202-208-1873

Cell: 202-957-8299

--

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202-208-6291

AMERICAN OVERSIGHT

Fax: 202-208-1873

Cell: 202-957-8299

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From: Small, Jeff
To: micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov)
Cc: Foti, Leslie
Subject: RE: 26 Bipartisan Members Urge Zinke and Perdue to Rescind 425,000-acre Mineral Withdrawal and Renew Leases in Minnesota
Date: Wednesday, October 4, 2017 3:15:38 PM
Attachments: image001.png
image002.png
image003.png
6.30.17 Final Signed MN withdrawal letter to Secretary Zinke and Perdue.pdf

Micah, Amanda and Blake,

Hope you are having a good week.

Rep. Gosar would like to request a short call with Secretary Zinke to discuss the below issue.

Can one of you help us make that happen?

Thank you for your consideration.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov

From: Small, Jeff
Sent: Friday, June 30, 2017 3:36 PM
To: Small, Jeff
Subject: 26 Bipartisan Members Urge Zinke and Perdue to Rescind 425,000-acre Mineral Withdrawal and Renew Leases in Minnesota

For Immediate Release
Contact: Jeff Small

Date:6/30/17
Jeff.small@mail.house.gov

26 Bipartisan Members Urge Zinke and Perdue to Rescind 425,000-acre Mineral Withdrawal and Renew Leases in Minnesota

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WASHINGTON, D.C. – Today, Congressional Western Caucus **Chairman Paul A. Gosar D.D.S. (AZ-04), Chief Infrastructure and Forestry Officer Rep. Bruce Westerman (AR-04),** Western Caucus members **Rep. Tom Emmer (MN-06)** and **Doug LaMalfa (CA-01),** and **Rep. Rick Nolan (MN-08)** released the following statements after sending a bipartisan letter to Secretary of the Interior Ryan Zinke and Secretary of Agriculture Sonny Perdue calling for the rescission of a 234,328-acre federal mineral withdrawal application and the renewal of two improperly terminated leases:

"After putting boots on the ground last week in Minnesota, I am confident, beyond a shadow of a doubt that President Obama shamelessly scapegoated responsible mining operations for his own anti-mining agenda by canceling these no-brainer leases and taking inappropriate actions that could result in nearly half a million acres being withdrawn from responsible development," remarked **Chairman Gosar**. "Instead of prioritizing good-paying jobs, public education and local economies, the Obama Administration put the misguided agenda of extremist special-interest groups first, to the detriment of the people of Minnesota. I look forward to working with Secretaries Zinke and Perdue to right this wrong, create jobs and ensure good education funding for future generations in the Gopher State."

"Last week, I was honored to lead a group of my colleagues on a tour of Northern Minnesota to showcase the incredible natural resources, mining opportunities, and job potential within our grasp," said **Congressman Emmer**. "Unfortunately, in their last days, the Obama Administration remained adamant in their anti-mining stance by withdrawing approximately 425,000 acres of Minnesota land and refusing to renew-mineral leases. This decision will result in the loss of thousands of good paying jobs and have a drastic impact on our local economy for decades to come. Today, more than two dozen members joined me in sending a letter to Secretary Zinke and Secretary Perdue to urge the reversal of a decision that could be detrimental to the future success of our great state. It is imperative we undue this harmful action leftover from the Obama Administration, and get the federal government out of the way so responsible mining can proceed and help communities across Northern Minnesota."

"To be clear, I will never support or allow mining within the Boundary Waters Canoe Area Wilderness (BWCA) under any circumstances. That said, prohibiting exploration outside of the BWCA buffer zone, before a project proposal is even made, is simply irresponsible," **Congressman Nolan** said. "We should never be afraid of exploration and discovery, or using science and facts to dictate important decisions. We must allow mining initiatives to proceed through the proper, rigorous and thorough environmental review process – using science, facts and technology to guide our review of actual projects and environmental technology. Our efforts have grown from a group of four Members of Congress to more than 20 – and we will continue working to bring good-paying jobs to northeastern Minnesota while protecting our environment."

"Unnecessary rules handed down by unelected Washington, D.C., bureaucrats that violate agreements going back to the 1950s threaten the future of mining and economic development in Minnesota. After visiting the operation and meeting with stakeholders in Northern Minnesota, I understand this project's value to our country and our economy. I ask Secretaries Zinke and Perdue to honor long-standing agreements between the federal government and our citizens by lifting these last minute rules handed down by the Obama Administration, allowing Americans to continue investing in jobs, economic development, and education," remarked **Congressman Westerman**.

Congressman LaMalfa said, "This type of Executive overreach by the Obama Administration is exactly the type of job-killing decision that stifles our economy, not only in Minnesota or California, but nationwide. We are talking about thousands of good-paying jobs at stake. I join my Western Caucus colleagues in urging Secretary Zinke and Secretary Perdue to look into this matter and rescind the previous administration's decision."

Background:

Today, Congressional Western Caucus Chairman Gosar (AZ-04), Chief Forestry Officer Rep. Bruce Westerman (AR-04), Caucus Member Tom Emmer (MN-06) and Rep. Rick Nolan (MN-08) led a letter signed by 26 Members of Congress calling on Secretary Zinke and Secretary Perdue to rescind a

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234,328-acre mineral withdrawal application and renew two improperly terminated leases.

Signers of the letter include: Representatives Mark Amodei (NV-02), Andy Biggs (AZ-05), Ken Buck (CO-04), Kevin Cramer (ND-AL), John Culberson (TX-07), Warren Davidson (OH-08), Scott DesJarlais (TN-04), Jeff Duncan (SC-03), Tom Emmer MN-06), Trent Franks (AZ-08), Bob Gibbs (OH-07), Paul Gosar (AZ-04), Mike Kelly (PA-03), Doug LaMalfa (CA-01), Doug Lamborn (CO-5), David McKinley (WV-01), Alex Mooney (WV-02), Rick Nolan (MN-08), Steve Pearce (NM-02), John Shimkus (IL-15), Glenn Thompson (PA-05), Scott Tipton (CO-03), Daniel Webster (FL-11), Bruce Westerman (AR-04), Ted Yoho (FL-03), Don Young (AK-AL).

Click **HERE** to read the letter.

Last week, Reps. Gosar, Emmer, Westerman and Nolan toured several mining operations, held a stakeholder meeting and visited the proposed federal withdrawal area adjacent to the Boundary Waters Canoe Area Wilderness outside of the city of Ely, Minnesota. The comments they heard on the ground from American families, businesses and individuals who want these jobs and support these mining projects led to this effort.

In the waning days of the Obama Administration, federal land management agencies took several actions that could decimate local economies, stifle job creation and cause significant harm to K-12 education in Minnesota.

On January 5, 2017, the U.S. Forest Service (USFS) proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

To date, Twin Metals has reportedly invested upward of $400 million – a significant investment – in reliance on two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

According to Twin Metals, BLM's refusal to renew the leases was based on a March 2016 opinion by the then-Solicitor of the Department of the Interior, concluding – based on flawed legal analysis - that BLM had the discretion to deny the renewal of the mineral leases.

In addition, Minnesota's Constitution mandates that state trust lands ensure a long-term source of funds for K-12 education. In fiscal years 2014 and 2015, revenues from state mineral leases derived from school trust lands in Minnesota totaled $51.6 million and $36.8 million, respectively. All told, Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected by the new administration.

If left unchecked, the anti-mining actions pursued by the Obama Administration will block the creation of thousands of American jobs and cost the U.S. economy billions of dollars. The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. These projects are also estimated to generate $2.5 billion annually for the economy.

The proposed withdrawal also contradicts the legislative intent of Congress. In 1950, Congress took action to make minerals available for mineral exploration and development within the Superior National Forest. In 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act (BWCAW), a historic compromise that prohibited mining within the Boundary Waters Area but explicitly permitted mining to occur in the Superior National Forest.

Environmental stewardship and positive economic growth are not mutually exclusive. Our members We support regulations that ensure environmentally-responsible mining in order to protect water quality and preserve the scenic beauty of the Boundary Waters area, where significant buffer zones

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already exist, including areas created by the BWCAW Act and the Minnesota Outdoor Recreation Act. Furthermore, any new mines proposed in the region will have to undergo, and adhere to, strict mandates and requirements under the National Environmental Policy Act (NEPA), state laws and other regulations. Unfortunately, the environmental study affiliated with the withdrawal pre-empts this comprehensive review from taking place, blocking the opportunity for a project to even be considered.

Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless individuals and local businesses have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

###

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Congress of the United States
Washington, DC 20515

June 30, 2017

The Honorable Ryan Zinke
Secretary
Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

The Honorable Sonny Perdue
Secretary
Department of Agriculture
1400 Independence Ave, S.W.
Washington, DC 20250

Dear Secretary Zinke and Secretary Perdue,

In the waning days of the Obama Administration, federal land management agencies took several actions that would stifle job creation, decimate local economies, and even cause significant harm to K-12 education in Minnesota. We ask that you reconsider these job-killing decisions by rescinding the 234,328-acre mineral withdrawal application and renewing two improperly terminated leases.

In 1950, Congress took action to make minerals available for mineral exploration and development within the Superior National Forest. In 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act (BWCAW), a historic compromise that prohibited mining within the wilderness but explicitly permitted mining to occur in the Superior National Forest.

On January 5, 2017, the U.S. Forest Service (USFS) formally proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

We believe the proposed withdrawal not only goes against Congressional intent, but it would also have a significant impact on Minnesota and the nation's economy. If left unchecked, the proposed mineral withdrawal pursued by the Obama Administration will block the creation of thousands of American jobs and cost the U.S. economy billions of dollars. The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. These projects are also estimated to generate $2.5 billion annually for our economy.

In addition, Minnesota's Constitution mandates that state trust lands ensure a long-term source of funds for K-12 education. In fiscal years 2014 and 2015, revenues from state mineral leases derived from school trust lands in Minnesota totaled $51.6 million and $36.8 million, respectively.

All told, we understand that Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students

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DOI-19-0538-F-000206

statewide if the withdrawal application and cancelled leases are not rejected by the new administration. Harm has likely already been inflicted on Minnesota's K-12 beneficiaries as no bids were placed on state mineral parcels within the application boundary during the recent Department of Natural Resources auction due to the uncertainty associated with the Obama Administration's actions.

Allowing the withdrawal application to move forward would also prevent access to some of the world's largest deposits of valuable raw materials that include copper, nickel, platinum, gold and silver. The U.S. is already import-dependent on countries like China for more than 50 different metals and minerals. In fact, domestically mined resources are meeting less than half of mineral demand by U.S.-based manufacturers. There are significant leases and rights held by multiple companies, the State of Minnesota and private owners within the withdrawal application.

As you know, environmental stewardship and positive economic growth are not mutually exclusive. We support regulations that ensure environmentally-responsible mining in order to protect water quality and preserve the scenic beauty of the Boundary Waters area. As noted earlier, mining is already prohibited in the one million acre plus Boundary Waters area. No one is advocating to mine in the wilderness or its surrounding buffer zones, which were established by the BWCAW Act and the Minnesota Outdoor Recreation Act.

Furthermore, any new mines proposed in the region will have to undergo, and adhere to, strict mandates and requirements under the National Environmental Policy Act (NEPA), state laws and other regulations. Unfortunately, the environmental study affiliated with the withdrawal pre-empts this comprehensive review from taking place, blocking the opportunity for a project to even be considered.

This pre-emptive halt to project development is especially harmful when you consider America's 21st Century mining industry is one of the safest and most regulated professions in our country. Employees live in local communities, drink the water and go out of their way to ensure there are no long-term negative impacts from company operations.

In conjunction with this massive mineral withdrawal, we believe the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

To date, Twin Metals tells us that it has invested upward of $400 million – a significant investment – in reliance on two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

According to Twin Metals, BLM's refusal to renew the leases was based on a March 2016 opinion by the then-Solicitor of the Department of the Interior, concluding – based on flawed legal analysis – that BLM had the discretion to deny the renewal of the mineral leases. We disagree with this opinion and urge reconsideration based on existing law, rules, and regulations.

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Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless individuals and local businesses have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

We ask that you stand up for these communities and take action to reject these attacks on responsible American mining by reconsidering the decision and giving full and fair consideration of permitting the renewal of the two aforementioned leases.

As always, we ask that this request be handled in strict accordance with existing rules, regulations and ethical guidelines. Thank you for your consideration of this request. We look forward to your timely response.

Sincerely,

Paul A. Gosar, D.D.S.
Member of Congress

Tom Emmer
Member of Congress

Rick Nolan
Member of Congress

Bruce Westerman
Member of Congress

Scott R. Tipton
Member of Congress

Glenn Thompson
Member of Congress

Doug LaMalfa
Member of Congress

Mark E. Amodei
Member of Congress

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Ted S. Yoho, D.V.M.
Member of Congress

Warren Davidson
Member of Congress

Ken Buck
Member of Congress

Daniel Webster
Member of Congress

Alex Mooney
Member of Congress

Mike Kelly
Member of Congress

Kevin Cramer
Member of Congress

John Culberson
Member of Congress

John Shimkus
Member of Congress

Jeff Duncan
Member of Congress

AMERICAN OVERSIGHT

David B. McKinley, P.E.
Member of Congress

Scott DesJarlais
Member of Congress

Don Young
Member of Congress

Doug Lamborn
Member of Congress

Steve Pearce
Member of Congress

Trent Franks
Member of Congress

Bob Gibbs
Member of Congress

Andy Biggs
Member of Congress

AMERICAN OVERSIGHT

From: caroline_boulton@ios.doi.gov on behalf of SIO, Scheduling
To: Braun, Kate
Cc: Brown, Taryn; Chambers, Micah; Maneval, Christopher; Scheduling SIO; Newgaard, Luke
Subject: Re: Call with Sec. Zinke
Date: Wednesday, April 26, 2017 1:48:50 PM

They're right on C Street between 18th and 19th, just pull into one. They'll be coned off.

On Wed, Apr 26, 2017 at 1:14 PM, Braun, Kate <Kate.Braun@mail.house.gov> wrote:

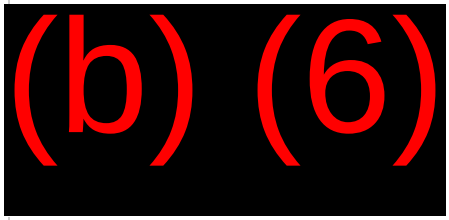
> Do you know how we'll identify which spot is the correct one?
>
> Kate Braun
>
> Director of Operations and Scheduler
>
> Congressman Tom Emmer (MN-06)
>
> 315 Cannon –*New Location*
>
> Office: 763-241-6848
>
> Cell: 202-309-4901
>
> *Please note that all meetings with the Congressman are subject to change with little or no notice.*
>
> ---
>
> **From:** Brown, Taryn
> **Sent:** Wednesday, April 26, 2017 11:03 AM
>
> **To:** Braun, Kate <Kate.Braun@mail.house.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>
> **Cc:** SIO, Scheduling <scheduling_sio@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
> **Subject:** RE: Call with Sec. Zinke
>
> Hi all,
>
> Do we have update on parking?

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Taryn

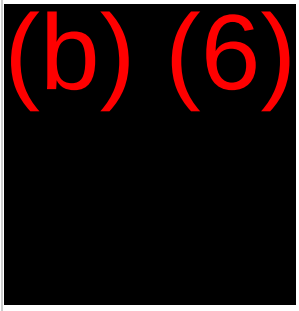
From: Brown, Taryn
Sent: Tuesday, April 25, 2017 3:47 PM
To: Braun, Kate <Kate.Braun@mail.house.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>
Cc: SIO, Scheduling <scheduling_sio@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
Subject: RE: Call with Sec. Zinke

Here is Rep. Nolan's car info:



From: Braun, Kate
Sent: Tuesday, April 25, 2017 12:21 PM
To: Chambers, Micah <micah_chambers@ios.doi.gov>; Brown, Taryn <Taryn.Brown@mail.house.gov>
Cc: SIO, Scheduling <scheduling_sio@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
Subject: RE: Call with Sec. Zinke

Here's the on the car Rep. Emmer is arriving in:



AMERICAN OVERSIGHT

Kate Braun

Director of Operations and Scheduler

Congressman Tom Emmer (MN-06)

315 Cannon –*New Location*

Office: 763-241-6848

Cell: 202-309-4901

Please note that all meetings with the Congressman are subject to change with little or no notice.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, April 24, 2017 6:03 PM
To: Brown, Taryn <Taryn.Brown@mail.house.gov>
Cc: SIO, Scheduling <scheduling_sio@ios.doi.gov>; Braun, Kate <Kate.Braun@mail.house.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
Subject: Re: Call with Sec. Zinke

Taryn and Kate. If your boss wants to drive to the meeting, please send your car info: plate, color, year, make, model. We'll try and get it done but need the response asap.

Otherwise, just come through the C street entrance. Check in with security. Your boss' name will be on the list along with whatever staff is with them. With that being said, Caroline will need all the staff coming with the member. Right now we have Reps. Emmer and Nolan and Will Mitchell but I don't see a staff member for Rep. Emmer.

Micah

On Thu, Apr 13, 2017 at 12:10 PM, Brown, Taryn <Taryn.Brown@mail.house.gov> wrote:

> That works for Congressman Nolan and Will Mitchell will be joining him.
>
> Taryn

AMERICAN OVERSIGHT

From: caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling
Sent: Thursday, April 13, 2017 10:35 AM
To: Braun, Kate <Kate.Braun@mail.house.gov>
Cc: Chambers, Micah <micah_chambers@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>; Brown, Taryn <Taryn.Brown@mail.house.gov>

Subject: Re: Call with Sec. Zinke

Hi Kate,

We could do 3:30-4:00 that on the 26th in the Secretary's office!

Please confirm any staffers who would join Rep. Emmer and Rep. Nolan.

Best,

Caroline

On Tue, Apr 11, 2017 at 5:03 PM, Braun, Kate <Kate.Braun@mail.house.gov> wrote:

> Hi Micah,
>
> Rep. Nolans office (copied on this email) and I found that April 26th 3pm-4pm may work best for a meeting. Does that work for the Secretary?
>
> Kate Braun
>
> Director of Operations and Scheduler
>
> Congressman Tom Emmer (MN-06)
>
> 315 Cannon –*New Location*

AMERICAN OVERSIGHT

Office: 763-241-6848

Cell: 202-309-4901

Please note that all meetings with the Congressman are subject to change with little or no notice.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, April 11, 2017 10:18 AM
To: Maneval, Christopher <Christopher.Maneval@mail.house.gov>
Cc: Braun, Kate <Kate.Braun@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>

Subject: Re: Call with Sec. Zinke

I have Caroline on the email now. She's been swamped getting ready for the Secretary's upcoming travel. I think we were looking at that first week back from recess, but I don't believe there's a date set. What would be helpful is if you and Nolan's office can propose a couple possible times for that week to help narrow it down for Caroline.

On Tue, Apr 11, 2017 at 11:05 AM, Maneval, Christopher <Christopher.Maneval@mail.house.gov> wrote:

> Hey Micah –
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> Just wanted to circle back and see if you guys had a date in mind that works best for the Secretary?
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> Thanks!
>
> Chris
>
> **From:** Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
> **Sent:** Thursday, March 30, 2017 12:29 PM
>
> **To:** Maneval, Christopher <Christopher.Maneval@mail.house.gov>
> **Subject:** Re: Call with Sec. Zinke

AMERICAN OVERSIGHT

Yes. Let them know we received their request to meet, but had already been working on the issue with your boss. But we're are fine with combining the meeting requests into one. Send me your scheduler's contact info as well and I'll get our two scheduling worlds working on this.

Micah

On Thu, Mar 30, 2017 at 12:26 PM, Maneval, Christopher <Christopher.Maneval@mail.house.gov> wrote:

> Hey Micah –
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> Just wanted to follow up on our call yesterday. Are you OK if I notify Rep Nolan's office that the Secretary is amenable to them joining my boss during his meeting, once we set a date?
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> Thanks again for all of your help.
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> Chris
>
> **From:** Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
> **Sent:** Monday, March 27, 2017 1:03 PM
> **To:** Maneval, Christopher <Christopher.Maneval@mail.house.gov>
> **Subject:** Re: Call with Sec. Zinke
>
> Chris. Can you give me a call about this? Work cell is 202.706.9093
>
> On Mon, Mar 27, 2017 at 8:27 AM, Maneval, Christopher <Christopher.Maneval@mail.house.gov> wrote:
>
> > Micah –

AMERICAN OVERSIGHT

Hope you had a smooth transition over to Interior and congrats again for making the jump. I wanted to see if we can schedule a time next week for my boss to speak with Secretary Zinke about an issue they had been discussing prior to his confirmation. I think you guys have been in touch with a few of the stakeholders interested in the Twin Metals lease issue as well as the application for withdrawal of over 200,000+ acres of land in MN.

Both of these items are important to my boss and it'd be great to get him on the line with the Secretary to discuss options on how we might be able to address some of these issues moving forward.

I know you guys are slammed so thank you for whatever you might be able to accommodate. Let me know what works for you guys.

-Chris

Chris Maneval

Legislative Director

Representative Tom Emmer (MN-06)

315 Cannon House Office Building

Washington, D.C. 20515

(202) 225-2331

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Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

AMERICAN OVERSIGHT

Office of the Secretary of the Interior

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Office of the Secretary of the Interior

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Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: caroline_boulton@ios.doi.gov on behalf of SIO, Scheduling
To: Chambers, Micah
Cc: Brown, Taryn; Braun, Kate; Maneval, Christopher; Scheduling SIO
Subject: Re: Call with Sec. Zinke
Date: Wednesday, April 26, 2017 12:39:14 PM

Confirmed. Two spots will be blocked.

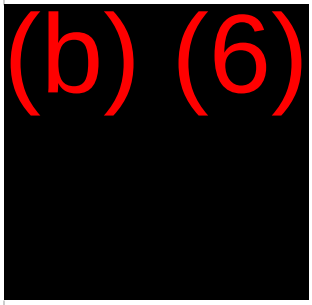
On Wed, Apr 26, 2017 at 12:22 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

> Caroline is reconfirming with Security to make sure it's taken care of. We had the President here today so our security office has had its hands full. Once we have it confirmed, we'll let you know.
>
> Micah
>
> On Wed, Apr 26, 2017 at 12:03 PM, Brown, Taryn <Taryn.Brown@mail.house.gov> wrote:
>
> > Hi all,
> >
> > Do we have update on parking?
> >
> > Taryn
> >
> > ---
> >
> > **From:** Brown, Taryn
> > **Sent:** Tuesday, April 25, 2017 3:47 PM
> > **To:** Braun, Kate <Kate.Braun@mail.house.gov>; Chambers, Micah <micah_chambers@ios.doi.gov>
> >
> > **Cc:** SIO, Scheduling <scheduling_sio@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
> > **Subject:** RE: Call with Sec. Zinke
> >
> > Here is Rep. Nolan's car info:
> >
> > (b) (6)

AMERICAN OVERSIGHT

From: Braun, Kate
Sent: Tuesday, April 25, 2017 12:21 PM
To: Chambers, Micah <micah_chambers@ios.doi.gov>; Brown, Taryn <Taryn.Brown@mail.house.gov>
Cc: SIO, Scheduling <scheduling_sio@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
Subject: RE: Call with Sec. Zinke

Here's the on the car Rep. Emmer is arriving in:



Kate Braun

Director of Operations and Scheduler

Congressman Tom Emmer (MN-06)

315 Cannon –*New Location*

Office: 763-241-6848

Cell: 202-309-4901

Please note that all meetings with the Congressman are subject to change with little or no notice.

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, April 24, 2017 6:03 PM
To: Brown, Taryn <Taryn.Brown@mail.house.gov>
Cc: SIO, Scheduling <scheduling_sio@ios.doi.gov>; Braun, Kate <Kate.Braun@mail.house.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>

AMERICAN OVERSIGHT

Subject: Re: Call with Sec. Zinke

Taryn and Kate. If your boss wants to drive to the meeting, please send your car info: plate, color, year, make, model. We'll try and get it done but need the response asap.

Otherwise, just come through the C street entrance. Check in with security. Your boss' name will be on the list along with whatever staff is with them. With that being said, Caroline will need all the staff coming with the member. Right now we have Reps. Emmer and Nolan and Will Mitchell but I don't see a staff member for Rep. Emmer.

Micah

On Thu, Apr 13, 2017 at 12:10 PM, Brown, Taryn <Taryn.Brown@mail.house.gov> wrote:

> That works for Congressman Nolan and Will Mitchell will be joining him.
>
> Taryn
>
> **From:** caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling
> **Sent:** Thursday, April 13, 2017 10:35 AM
> **To:** Braun, Kate <Kate.Braun@mail.house.gov>
> **Cc:** Chambers, Micah <micah_chambers@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>; Brown, Taryn <Taryn.Brown@mail.house.gov>
>
> **Subject:** Re: Call with Sec. Zinke
>
> Hi Kate,
>
> We could do 3:30-4:00 that on the 26th in the Secretary's office!

AMERICAN OVERSIGHT

Please confirm any staffers who would join Rep. Emmer and Rep. Nolan.

Best,

Caroline

On Tue, Apr 11, 2017 at 5:03 PM, Braun, Kate <Kate.Braun@mail.house.gov> wrote:

> Hi Micah,
>
> Rep. Nolans office (copied on this email) and I found that April 26th 3pm-4pm may work best for a meeting. Does that work for the Secretary?
>
> Kate Braun
>
> Director of Operations and Scheduler
>
> Congressman Tom Emmer (MN-06)
>
> 315 Cannon –*New Location*
>
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> **Cc:** Braun, Kate <Kate.Braun@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
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AMERICAN OVERSIGHT

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> **Sent:** Thursday, March 30, 2017 12:29 PM
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> **To:** Maneval, Christopher <Christopher.Maneval@mail.house.gov>
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AMERICAN OVERSIGHT

that the Secretary is amenable to them joining my boss during his meeting, once we set a date?

Thanks again for all of your help.

Chris

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 27, 2017 1:03 PM
To: Maneval, Christopher <Christopher.Maneval@mail.house.gov>
Subject: Re: Call with Sec. Zinke

Chris. Can you give me a call about this? Work cell is 202.706.9093

On Mon, Mar 27, 2017 at 8:27 AM, Maneval, Christopher <Christopher.Maneval@mail.house.gov> wrote:

> Micah –
>
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AMERICAN OVERSIGHT

-Chris

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Office of the Secretary of the Interior

AMERICAN OVERSIGHT

From:	Maneval, Christopher
To:	Chambers, Micah
Cc:	Braun, Kate; Scheduling SIO
Subject:	RE: Call with Sec. Zinke
Date:	Tuesday, April 11, 2017 11:21:34 AM

No worries at all. Thanks guys. Will float some dates for you here shortly. Thanks for all of your work!

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, April 11, 2017 11:18 AM
To: Maneval, Christopher <Christopher.Maneval@mail.house.gov>
Cc: Braun, Kate <Kate.Braun@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>
Subject: Re: Call with Sec. Zinke

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AMERICAN OVERSIGHT

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

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Office of the Secretary of the Interior

--
Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

AMERICAN OVERSIGHT

From: Maneval, Christopher
To: Chambers, Micah
Subject: Re: Call with Sec. Zinke
Date: Thursday, March 30, 2017 12:34:24 PM

Sounds good - her email is Kate.Braun@mail.house.gov

Sent from my iPhone

On Mar 30, 2017, at 12:30 PM, Chambers, Micah <micah_chambers@ios.doi.gov> wrote:

> Yes. Let them know we received their request to meet, but had already been working on the issue with your boss. But we're are fine with combining the meeting requests into one. Send me your scheduler's contact info as well and I'll get our two scheduling worlds working on this.
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Micah Chambers

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Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

AMERICAN OVERSIGHT

From: Maneval, Christopher
To: Chambers, Micah
Subject: RE: Call with Sec. Zinke
Date: Wednesday, March 29, 2017 5:32:51 PM

Hey Micah –

Just tried you. Give me a call on my cell when you have time. (b) (6) .

Thanks,
Chris

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 27, 2017 1:03 PM
To: Maneval, Christopher <Christopher.Maneval@mail.house.gov>
Subject: Re: Call with Sec. Zinke

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AMERICAN OVERSIGHT

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

AMERICAN OVERSIGHT

From: Maneval, Christopher
To: Chambers, Micah
Subject: RE: Call with Sec. Zinke
Date: Monday, March 27, 2017 7:45:17 PM

Just tried you. Sorry to call back so late. Give me call tomorrow if you have time. (b) (6) .

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, March 27, 2017 1:03 PM
To: Maneval, Christopher <Christopher.Maneval@mail.house.gov>
Subject: Re: Call with Sec. Zinke

Chris. Can you give me a call about this? Work cell is 202.706.9093

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

AMERICAN OVERSIGHT

AMERICAN OVERSIGHT

From: Chambers, Micah
To: Brown, Taryn
Cc: SIO, Scheduling; Braun, Kate; Maneval, Christopher; Scheduling SIO
Subject: Re: Call with Sec. Zinke
Date: Monday, April 17, 2017 12:51:17 PM

Thanks Taryn and Kate. Please note, it's a max of one staffer with the member so we can accommodate everyone. Looking forward to sitting down.

On Thu, Apr 13, 2017 at 12:10 PM, Brown, Taryn <Taryn.Brown@mail.house.gov> wrote:

> That works for Congressman Nolan and Will Mitchell will be joining him.
>
> Taryn
>
> **From:** caroline_boulton@ios.doi.gov [mailto:caroline_boulton@ios.doi.gov] **On Behalf Of** SIO, Scheduling
> **Sent:** Thursday, April 13, 2017 10:35 AM
> **To:** Braun, Kate <Kate.Braun@mail.house.gov>
> **Cc:** Chambers, Micah <micah_chambers@ios.doi.gov>; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Scheduling SIO <scheduling@ios.doi.gov>; Brown, Taryn <Taryn.Brown@mail.house.gov>
>
> **Subject:** Re: Call with Sec. Zinke
>
> Hi Kate,
>
> We could do 3:30-4:00 that on the 26th in the Secretary's office!
>
> Please confirm any staffers who would join Rep. Emmer and Rep. Nolan.
>
> Best,
>
> Caroline
>
> On Tue, Apr 11, 2017 at 5:03 PM, Braun, Kate <Kate.Braun@mail.house.gov> wrote:

AMERICAN OVERSIGHT

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Director of Operations and Scheduler

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AMERICAN OVERSIGHT

Secretary?

Thanks!

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AMERICAN OVERSIGHT

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Office of the Secretary of the Interior

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Micah Chambers

Special Assistant / Acting Director

Office of Congressional & Legislative Affairs

Office of the Secretary of the Interior

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Special Assistant / Acting Director

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Office of the Secretary of the Interior

AMERICAN OVERSIGHT

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Micah Chambers
Special Assistant / Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

AMERICAN OVERSIGHT

From:	Small, Jeff
To:	"Kaster, Amanda"
Cc:	micah_chambers@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov)
Subject:	RE: FW: Letter to Secretaries Ryan Zinke and Sonny Perdue
Date:	Friday, September 1, 2017 8:57:33 AM
Attachments:	image001.png image002.png image003.png

You bet. Have a good weekend.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



From: Kaster, Amanda [mailto:amanda_kaster@ios.doi.gov]
Sent: Friday, September 01, 2017 8:53 AM
To: Small, Jeff
Cc: micah_chambers@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov)
Subject: Re: FW: Letter to Secretaries Ryan Zinke and Sonny Perdue

Thanks, Jeff.

On Fri, Sep 1, 2017 at 8:39 AM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
Passing along per Gerald's request.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov



From: Gerald Tyler [mailto:upnorthjobs354@gmail.com]
Sent: Thursday, August 24, 2017 3:29 PM
To: Small, Jeff
Subject: Letter to Secretaries Ryan Zinke and Sonny Perdue

Dear Congressman Gosar,

We met during your recent visit to Virginia, Minnesota on a fact-finding mission concerning the mining industry and specifically Twin Metals Minnesota. I also met your Senior Advisor and Executive Director of the Congressional Western Caucus, Jeff Small.

During your talk in Virginia you expressed the fact that you were disgusted with the

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USFS/BLM and their over-regulated approach to the mining industry and that you intended to go "head hunting." We agree that it is time to go head hunting and have begun our head hunt with the assertions set forth in the attached documents.

Please find our letter (with attachment) to Secretaries Ryan Zinke and Sonny Perdue, with a request that they rescind the decision made by the previous administration to withdraw from mineral development, 234,000 acres of Forest System Lands within the Rainy River Watershed of the Superior National Forest in Northeastern Minnesota and renew Twin Metals Minnesota's two mineral leases.

We have asked members of our congressional delegation and are also asking you to present Secretary Zinke and Secretary Perdue with these documents.

For the reasons set forth in the memorandum, the 234,000 acre withdrawal application should be rescinded, the two terminated Twin Metals Minnesota leases should be renewed and the Environmental Impact Statement study should be terminated.

I am available at all times to answer any questions you may have regarding the aforementioned documents.

Gerald M. Tyler
Chairman
Up North Jobs Inc.
40 N. First Ave. East
Ely, MN 55731

218-365-3324
upnorthjobs354@gmail.com

--

Amanda Kaster-Averill
Advisor to the Secretary
Office of Congressional and Legislative Affairs
U.S. Department of the Interior
(202) 208-3337
amanda_kaster@ios.doi.gov

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From: Small, Jeff
To: "katharine_macgregor@ios.doi.gov"; kathleen_benedetto@ios.doi.gov; micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov
Subject: RE: Minnesota Mining Bill Rejecting Obama Administration Overreach Moves Forward
Date: Thursday, July 27, 2017 4:27:28 PM
Attachments: image001.png
image002.png
image003.png

FYI on the below press release and hearing we had today in EMR on the Emmer discussion draft to address the Minnesota mineral withdrawal application and termination of the Twin Metal leases.

Let me know if any of you want to do a call on this issue soon.

Thank you.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov

From: Representative Paul Gosar
Sent: Thursday, July 27, 2017 4:10 PM
To: Small, Jeff
Subject: Minnesota Mining Bill Rejecting Obama Administration Overreach Moves Forward

For Immediate Release
Contact: Tanner Hanson

Date: July 27, 2017
Tanner.Hanson@mail.house.gov

Minnesota Mining Bill Rejecting Obama Administration Overreach Moves Forward

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WASHINGTON, D.C. – Today, Congressional Western Caucus **Chairman Paul A. Gosar D.D.S. (AZ-04), Chief Infrastructure and Forestry Officer Rep. Bruce Westerman (AR-04),** Western Caucus member **Rep. Tom Emmer (MN-06) and Chairman of Jobs for Minnesotans Nancy Norr** released the following statements after a successful hearing in the House Committee on Natural Resources Subcommittee on Energy and Minerals Resources examining Rep. Emmer's **draft legislation** which will allow responsible mineral production to continue in Northern Minnesota:

"Today's hearing was to bring forth a discussion on the potential to revitalize communities in northern Minnesota by recognizing the rights of Minnesotans to exercise their mineral claims if any proposed mining projects can satisfy all of our stringent environmental requirements," said **Congressman Emmer**. "We have a real opportunity to reverse the politically motivated and short-sighted actions the Obama Administration enacted on their way out the door and bring good-paying jobs and revenue to a region that greatly needs it. Like all Minnesotans, I believe in preserving and protecting our natural resources and I have no doubt that we can find a way to preserve Minnesota's pristine landscape without permanently destroying any future job creation or economic development in Minnesota. I am pleased we have taken action today to get us one step closer to allowing the research and exploration process to proceed, while protecting the potential future economic opportunities in the great state of Minnesota," he concluded.

"17,000 jobs, $2.5 billion annually for our economy and $3 billion for education are at risk if we don't block the misguided anti-mining actions from the Obama Administration in Minnesota. 26 bipartisan members of the House have urged Secretaries Zinke and Perdue to rescind the 420,000-acre plus mineral withdrawal application and renew the improperly terminated leases," **Chairman Gosar** said. "Congress has explicitly authorized mineral production and multiple-use activities in the Superior National Forest via public law and in 2004 the Forest Service confirmed these authorized uses. Further, no one is proposing to mine in the 1.1 million acre Boundary Waters Wilderness Area and this area already has significant buffers. All we are asking for today with this bill is the opportunity to present mining plans in an area authorized by Congress to mine and to go through NEPA's full environmental process. I applaud Rep. Emmer for his leadership and providing the people of Minnesota a voice with this commonsense legislation that recognizes the need to safely produce critical minerals right here in America."

Congressman Westerman said, "The ability to mine is important for both our national defense and economic well-being. The ability to produce military-grade weapons, smartphones, and so much more depends on our ability to mine America's natural resources in a responsible manner.

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Rep. Emmer's discussion draft would protect responsible mining operations in Minnesota and ensure that America's defenses and technology sectors continue to have access to the minerals necessary to keep America strong militarily and economically."

Chairman Norr stated, "This legislation will correct a grave injustice imposed by federal agencies in the previous administration. An injustice that could decimate our economic future and create a significant aberration from the existing federal mineral exploration and environmental review processes. We seek your support to allow highly regulated mineral development and leasing to continue in one of the most mineral rich regions in the country…The Discussion Draft before you accomplishes many things. It will restore access to domestic minerals essential to our economy and national security, it will restore our government's regulatory compact and the faith that Congress' promises will be kept, and most important, will restore the economic future of thousands of Minnesotans."

Background:

Today, the House Committee on Natural Resources Subcommittee on Energy and Mineral Resources examined Rep. Tom Emmer's (MN-06) **draft legislation** which will allow responsible mineral production to continue in Northern Minnesota.

Nancy Norr, Chairman of Jobs for Minnesotans, **testified** in strong support of the bill. To watch the video of the hearing, read other witness testimony and view other important information click **HERE**.

Rep. Gosar showed a video at the hearing produced by the people of Minnesota on this issue that can be viewed **HERE.**

In the video, Dave Lislegard showed us Lake St. James, a reclaimed mine site that now provides the drinking water for the city of Aurora. He stated that this is some of the best water in the country. No one wants to contaminate Minnesota's water or the boundary waters.

In the waning days of the Obama Administration, federal land management agencies took several actions that could decimate local economies, stifle job creation and cause significant harm to K-12 education in Minnesota.

Rep. Tom Emmer's bill rejects this overreach, calls for the rescission of the proposed 420,000 plus-acre federal mineral withdrawal application and the renewal of two improperly terminated leases.

In June, Reps. Gosar, Emmer, Westerman and Nolan toured several mining operations, held a stakeholder meeting and visited the proposed federal withdrawal area outside of the city of Ely, Minnesota. The comments they heard on the ground from American families, businesses and individuals who want these jobs and support these mining projects led to this effort.

On June 30, 2017, 26 bipartisan members sent a letter to Secretary of the Interior Ryan Zinke and Secretary of Agriculture Sonny Perdue calling for the rescission of the 420,000 plus acre mineral withdrawal and the renewal of two improperly terminated leases. To read the letter click **HERE**. To read the press release click **HERE**.

On January 5, 2017, the U.S. Forest Service (USFS) proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to

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development for up to two years while the 20-year withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

To date, Twin Metals has invested upward of $400 million – a significant investment – in reliance on two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

All told, Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected by the new administration.

If left unchecked, the anti-mining actions pursued by the Obama Administration will block the creation of thousands of American jobs and cost the U.S. economy billions of dollars. The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. These projects are also estimated to generate $2.5 billion annually for the economy.

The proposed withdrawal also contradicts the legislative intent of Congress. In 1950, Congress took action to make minerals available for mineral exploration and development within the Superior National Forest. In 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act (BWCAW), a historic compromise that prohibited mining within the Boundary Waters Area but explicitly permitted mining to occur in the Superior National Forest.

Environmental stewardship and positive economic growth are not mutually exclusive. Our members support regulations that ensure environmentally-responsible mining in order to protect water quality and preserve the scenic beauty of the Boundary Waters area, where significant buffer zones already exist, including areas created by the BWCAW Act and the Minnesota Outdoor Recreation Act. Furthermore, any new mines proposed in the region will have to undergo, and adhere to, strict mandates and requirements under the National Environmental Policy Act (NEPA), state laws and other regulations. Unfortunately, the environmental study affiliated with the withdrawal pre-empts this comprehensive review from taking place, blocking the opportunity for a project to even be considered.

Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless individuals and local businesses have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal

The Duluth Complex holds the world's second largest copper deposit, third largest nickel deposit and second largest platinum-group metals deposit.

###

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DOI-19-0538-F-000250

AMERICAN OVERSIGHT

From: Small, Jeff
To: Kathleen Benedetto
Cc: amanda_kaster@ios.doi.gov; micah_chambers@ios.doi.gov; katharine_macgregor@ios.doi.gov
Subject: Re: Minnesota Mining Trip on Monday
Date: Saturday, June 17, 2017 11:15:16 AM

Good to hear! We may be going back in August so should be able to give you all more notice if that happens.

Sent from my iPhone

On Jun 17, 2017, at 8:41 AM, Kathleen Benedetto <kathleen_benedetto@ios.doi.gov> wrote:

> ThanksI'll be up there later in the week
>
> Sent from my iPhone
>
> On Jun 16, 2017, at 8:24 PM, Small, Jeff <Jeff.Small@mail house.gov> wrote:
>
> > Apologies for the short notice on this. Came together pretty last minute.
> >
> > Monday, Reps. Gosar, Emmer, Westerman and Nolan will be together in Minnesota doing some events to call attention to the Twin Metals lease issue and proposed 234,000 acre mineral withdrawal application.
> >
> > We will likely be sending out a press release similar to below following the day's events.
> >
> > Wanted to give you a heads up and keep you in the loop.
> >
> > Call or email if you need anything from me.
> >
> > My cell is (b) (6) .
> >
> > Have a good weekend.
> >
> > **Jeff Small**
> > *Executive Director | Congressional Western Caucus*
> > *Senior Advisor | Congressman Paul A. Gosar, D.D.S.*
> > 2057 Rayburn HOB | Washington, DC 20515
> > (202) 225-2315 main
> > jeff.small@mail.house.gov
> > <image001.png><image002.png><image003.png>
> >
> > **<image004.png>**
> >
> > **For Immediate Release**
> > **Date:** June 16, 2017
> >
> > **Contact**: Kelly Roberson
> > Kelly.Roberson@mail house.gov
> >
> > # Reps. Gosar, Emmer, Nolan and Westerman Urge Rescission of 234,328-acre Mineral Withdrawal and Renewal of Leases in Minnesota
> >
> > **WASHINGTON, D.C.** – Today, Congressional Western Caucus **Chairman Paul A. Gosar D.D.S. (AZ-**

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04), Chief Infrastructure and Forestry Officer Rep. Bruce Westerman (AR-04), Western Caucus member **Rep. Tom Emmer (MN-06)** and **Rep. Rick Nolan (MN-08)** released the following statements after touring several mining operations, conducting a stakeholder meeting, and visiting the proposed federal withdrawal area adjacent to the Boundary Waters Canoe Area Wilderness outside of the city of Ely, Minnesota:

[Chairman Gosar quote]

[Rep. Emmer quote]

[Rep. Nolan quote]

[Rep. Westerman]

Background:

Following today's tours and meetings, the members announced they are circulating a letter to other Members of Congress calling on Secretary Zinke and Secretary Perdue to rescind the 234,328-acre mineral withdrawal application and renew two improperly terminated leases. To view the letter Click HERE.

In the waning days of the Obama Administration, federal land management agencies took several actions that could decimate local economies, stifle job creation and cause significant harm to K-12 education in Minnesota.

Specifically, the U.S. Forest Service (USFS) proposed a 234,328-acre federal mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management (BLM) inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

To date, Twin Metals has invested upward of $400 million – a significant investment – in reliance on two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

BLM's refusal to renew the leases was based on a March 2016 opinion by the then-Solicitor of the Department of the Interior, concluding – based on flawed legal analysis - that BLM had the discretion to deny the renewal of the mineral leases.

Minnesota's Constitution mandates that state trust lands ensure a long-term source of funds for K-12 education. In fiscal years 2014 and 2015, revenues from state mineral leases derived from school trust land in Minnesota totaled $51.6 million and $36.8 million, respectively. All told, Minnesota is projected to lose approximately $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected by the new administration.

If left unchecked, the anti-mining actions pursued by the Obama Administration will also block the creation of thousands of American jobs and cost the U.S. economy billions of dollars. The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015. These projects are also estimated to generate $2.5 billion annually for our economy.

The proposed withdrawal also contradicts the legislative intent of Congress. In 1950, Congress took action to make minerals available for mineral exploration and development within the Superior National Forest. In 1978, Congress passed the Boundary Waters Canoe Area Wilderness Act (BWCAW), a historic compromise that prohibited mining within the Boundary Waters Area but explicitly permitted mining to occur in the Superior National Forest.

Environmental stewardship and positive economic growth are not mutually exclusive. Our members

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support regulations that ensure environmentally-responsible mining in order to protect water quality and preserve the scenic beauty of the Boundary Waters area. Any new mines permitted in the region will have to undergo, and adhere to, strict mandates and requirements under the National Environmental Policy Act (NEPA), state laws and other regulations. Further, significant buffer zones already exist to protect the Boundary Waters area, including areas created by the BWCAW and the Minnesota Outdoor Recreation Act.

Minnesotans across the state have supported the development of the state's mining industry, and specifically have voiced support for the Twin Metals project. Countless individuals and local businesses have weighed in against the actions of the Obama Administration. Government officials on both sides of the aisle have publically opposed these actions. In January, the Minnesota State Legislature sent a letter and "expressed their outrage at the recent politically driven decisions." Additionally, the Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal.

###

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DOI-19-0538-F-000254

AMERICAN OVERSIGHT

From: Blake Deeley
To: Small, Jeff
Cc: Heater_Swift@ios.doi.gov; micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; katharine_macgregor@ios.doi.gov; Todd_Willens@ios.doi.gov; downey_magallanes@ios.doi.gov; jason_funes@ios.doi.gov
Subject: Re: New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama
Date: Friday, December 22, 2017 5:40:59 PM

Thanks Jeff! Merry Christmas!

Sent from my iPhone

On Dec 22, 2017, at 5:37 PM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:

> You all killed it this week. Thank you for everything.
>
> Our release below. Please share with the rest of your team.
>
> Have a Merry Christmas.
>
> **Jeff Small**
> *Executive Director | Congressional Western Caucus*
> *Senior Advisor | Congressman Paul A. Gosar, D.D.S.*

For Immediate Release
Contact: Jeff Small

Date: December 22, 2017
jeff.small@mail.house.gov

New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama

WASHINGTON, D.C. – Today, Congressional Western Caucus Chairman **Paul A. Gosar D.D.S. (AZ-04)** and Western Caucus Member **Tom Emmer (MN-06)** released the following statements after the United States Department of the Interior's Office of the Solicitor issued a new legal opinion concluding that Twin Metals Minnesota has a non-discretionary right to a third renewal of its two federal mineral leases held in Northeast Minnesota for more than 50 years and determined that the BLM does not have discretion to deny the company's renewal application:

Congressman Emmer said, "Minnesotans send our gratitude to the Department of the Interior for their action to reverse course set by the Obama Administration and allow our great state to regain control of our mineral leases to advance responsible mining. This action today, coupled with the passage of the MINER Act last month, demonstrate a commitment to unwind the politically motivated actions by the previous

Administration and put Minnesota and the nation on a path to prosperity for local economies and communities for generations to come."

Western Caucus and House Committee on Natural Resources Subcommittee on Energy and Minerals Chairman Paul Gosar said, "Today's legal opinion confirms that President Obama and his agency minions had no legal authority to cancel two mineral leases in order to appease anti-mining extremists. I thank Secretary Zinke, Deputy Secretary Bernhardt and their team as well as President Trump and his staff at the White House for hearing the concerns of the people of Minnesota and working diligently to overturn the Obama Administration's lawless land grab."

Background:

Courtesy of the Department of the Interior:

Today, the United States Department of the Interior's Office of the Solicitor issued a new legal opinion concluding that Twin Metals Minnesota has a non-discretionary right to a third renewal of its two hardrock mining leases, located in the Superior National Forest in northern Minnesota. The new M-Opinion (Memorandum Opinion) M-37049 reverses and replaces a prior opinion on the topic which was issued in March 2016.

Under the new legal opinion, the Bureau of Land Management (BLM) will work together with the surface management agency, USDA Forest Service, to reconsider a 2016 decision in which the BLM denied Twin Metals' pending lease renewal application. The agencies will conduct the appropriate environmental analysis under the National Environmental Policy Act (NEPA) to make a final agency decision on the application and to identify appropriate terms and conditions for surface protection.

The M-Opinion is available HERE.

Courtesy of the Western Caucus

On November 30, the House took action to reject the Obama Administration's Minnesota land grab by passing H.R. 3905, the Minnesota's Economic Rights in the Superior National Forest Act.

The full press release can be found HERE.

On January 19th, 2017, the day before President Trump was sworn in, the previous administration published a 234,328-acre federal mineral withdrawal application in the Federal Register, to restrict for a 20-year moratorium, lands within the Superior National Forest in Northeast Minnesota.

This action immediately placed this vast area off limits to future mineral leasing, exploration and potential development for two years while the 20-year withdrawal is being considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management inappropriately rejected Twin Metals Minnesota's

AMERICAN OVERSIGHT

application to renew two hardrock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

These bureaucratic decisions could decimate local economies, stifle job creation as well as cause significant harm to K-12 education and mining in Minnesota. These were political, anti-mining and anti-education actions taken by the Obama Administration.

The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015.

Education will be significantly harmed as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

To date, Twin Metals has invested upward of $400 million – a significant investment – in reliance on the two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

Today's action was the first of three actions by the Trump Administration that need to occur to reverse the Obama land grab.

###

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From: Blake Deeley
To: Small, Jeff
Subject: Re: New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama
Date: Friday, December 22, 2017 9:46:26 PM

So much winning my head spinning

Sent from my iPhone

On Dec 22, 2017, at 8:44 PM, Small, Jeff <Jeff.Small@mail house.gov> wrote:

> Pretty solid and they dropped their lawsuit.
>
> Sent from my iPhone
>
> On Dec 22, 2017, at 7:11 PM, Blake Deeley <blake_deeley@ios.doi.gov> wrote:
>
> > Press release is awesome!
> >
> > Sent from my iPhone
> >
> > On Dec 22, 2017, at 6:12 PM, Small, Jeff <Jeff.Small@mail house.gov> wrote:
> >
> > fyi
> >
> > ---
> >
> > **From:** Bob McFarlin [mailto:bmcfarlin@twin-metals.com]
> > **Sent:** Friday, December 22, 2017 6:08 PM
> > **To:** Small, Jeff
> > **Subject:** RE: New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama
> >
> > Jeff
> >
> > Here is TMM's new press statement and two supporting documents that will be posted on the website.
> >
> > Bob McFarlin
> > Government Affairs Advisor
> > Twin Metals Minnesota
> > 380 St. Peter St., Suite 705
> > St. Paul, MN 55102
> > 612-655-2099 (c)
> >
> > www.Twin-Metals.com
> >
> > ---
> >
> > **From:** Small, Jeff [mailto:Jeff.Small@mail.house.gov]
> > **Sent:** Friday, December 22, 2017 4:42 PM
> > **To:** Bob McFarlin <bmcfarlin@twin-metals.com>; 'Deeley, Blake (blake_deeley@ios.doi.gov)' <blake_deeley@ios.doi.gov>; 'amanda_kaster@ios.doi.gov' <amanda_kaster@ios.doi.gov>; 'katharine_macgregor@ios.doi.gov' <katharine_macgregor@ios.doi.gov>; 'Todd_Willens@ios.doi.gov' <Todd_Willens@ios.doi.gov>; 'downey_magallanes@ios.doi.gov' <downey_magallanes@ios.doi.gov>; 'jason_funes@ios.doi.gov' <jason_funes@ios.doi.gov>
> > **Subject:** FW: New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects

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Arbitrary Anti-Mining Actions by Obama

Our release below.

Thanks for all your help!

Feel free to forward and share.

Have a Merry Christmas.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.

For Immediate Release
Contact: Jeff Small

Date: December 22, 2017
jeff.small@mail.house.gov

New DOI Legal Opinion Confirms Lawless Minnesota Land Grab, Rejects Arbitrary Anti-Mining Actions by Obama

WASHINGTON, D.C. – Today, Congressional Western Caucus Chairman **Paul A. Gosar D.D.S. (AZ-04)** and Western Caucus Member **Tom Emmer (MN-06)** released the following statements after the United States Department of the Interior's Office of the Solicitor issued a new legal opinion concluding that Twin Metals Minnesota has a non-discretionary right to a third renewal of its two federal mineral leases held in Northeast Minnesota for more than 50 years and determined that the BLM does not have discretion to deny the company's renewal application:

Congressman Emmer said, "Minnesotans send our gratitude to the Department of the Interior for their action to reverse course set by the Obama Administration and allow our great state to regain control of our mineral leases to advance responsible mining. This action today, coupled with the passage of the MINER Act last month, demonstrate a commitment to unwind the politically motivated actions by the previous Administration and put Minnesota and the nation on a path to prosperity for local economies and communities for generations to come."

Western Caucus and House Committee on Natural Resources Subcommittee on Energy and Minerals Chairman Paul Gosar said, "Today's legal opinion confirms that President Obama and his agency minions had no legal authority to cancel two mineral leases in order to appease anti-mining extremists. I thank Secretary Zinke, Deputy Secretary Bernhardt and their team as well as President Trump and his staff at the White House for hearing the concerns of the people of Minnesota and working diligently to overturn the Obama Administration's lawless land grab."

Background:

AMERICAN OVERSIGHT

Courtesy of the Department of the Interior:

Today, the United States Department of the Interior's Office of the Solicitor issued a new legal opinion concluding that Twin Metals Minnesota has a non-discretionary right to a third renewal of its two hardrock mining leases, located in the Superior National Forest in northern Minnesota. The new M-Opinion (Memorandum Opinion) M-37049 reverses and replaces a prior opinion on the topic which was issued in March 2016.

Under the new legal opinion, the Bureau of Land Management (BLM) will work together with the surface management agency, USDA Forest Service, to reconsider a 2016 decision in which the BLM denied Twin Metals' pending lease renewal application. The agencies will conduct the appropriate environmental analysis under the National Environmental Policy Act (NEPA) to make a final agency decision on the application and to identify appropriate terms and conditions for surface protection.

The M-Opinion is available HERE.

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This action immediately placed this vast area off limits to future mineral leasing, exploration and potential development for two years while the 20-year withdrawal is being considered. The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.

In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management inappropriately rejected Twin Metals Minnesota's application to renew two hardrock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.

These bureaucratic decisions could decimate local economies, stifle job creation as well as cause significant harm to K-12 education and mining in Minnesota. These were political, anti-mining and anti-education actions taken by the Obama Administration.

The University of Minnesota-Duluth estimates the creation of 12,000 construction jobs and 5,000 long-term mining jobs if mining projects already being pursued in Duluth Complex are allowed to move forward. These are good-paying jobs, as the average annual mining wage in Minnesota was $78,635 in 2015.

Education will be significantly harmed as Minnesota is projected to lose up to $3 billion in royalty revenues for the State's Permanent School Trust Fund that would support nearly 900,000 K-12 students statewide if the withdrawal application and cancelled leases are not rejected.

To date, Twin Metals has invested upward of $400 million – a significant investment –

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in reliance on the two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.

Today's action was the first of three actions by the Trump Administration that need to occur to reverse the Obama land grab.

###



<Fact Sheet - TMM Leases.docx>

<FAQ - DOI Replaces M Opinion.docx>

<Twin Metals Statement on DOI Action 12-22-17.docx>

AMERICAN OVERSIGHT

From: Blake Deeley
To: Maneval, Christopher
Cc: Small, Jeff
Subject: Re: Press Release from Kurt Daudt on New M Opinion
Date: Friday, December 22, 2017 3:48:07 PM

Yep. Just posted. Be sure to send your all PRs to Heater_Swift@ios.doi.gov and myself.

Sent from my iPhone

On Dec 22, 2017, at 3:44 PM, Maneval, Christopher <Christopher.Maneval@mail.house.gov> wrote:

> Assholes. Just saw it post. Thanks guys!
>
> ---
>
> **From:** Small, Jeff
> **Sent:** Friday, December 22, 2017 3:43 PM
> **To:** Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Deeley, Blake (blake_deeley@ios.doi.gov) <blake_deeley@ios.doi.gov>
> **Subject:** FW: Press Release from Kurt Daudt on New M Opinion
>
> Looks like he doesn't have a copy yet but wanted to break the news.
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** Bob McFarlin <bmcfarlin@twin-metals.com>
> > **Date:** December 22, 2017 at 3:34:06 PM EST
> > **To:** "daltikes@aminerals.cl" <daltikes@aminerals.cl>, Anne Williamson <awilliamson@twin-metals.com>, Kevin Baker <kbaker@twin-metals.com>, "Ian Duckworth" <iduckworth@twin-metals.com>
> > **Cc:** "Rob.Lehman@wilmerhale.com" <Rob.Lehman@wilmerhale.com>, "Treiser, Raya B." <Raya.Treiser@wilmerhale.com>, "tim.martin@wilmerhale.com" <tim.martin@wilmerhale.com>, Joe Weber <joe@weberjohnsonpa.com>, "paul.cassidy@stinson.com" <paul.cassidy@stinson.com>, "Parker, Walt (MIN-WSW)" <wparker@webershandwick.com>
> > **Subject: Press Release from Kurt Daudt on New M Opinion**
> >
> > FYI – Speaker of the House Kurt Daudt has issued a press release announcing the new M Opinion. See:

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http://www.house.leg.state.mn.us/members/pressrelease.asp?pressid=30281&party=2&memid=15345.

Bob McFarlin
Government Affairs Advisor
Twin Metals Minnesota
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St. Paul, MN 55102
612-655-2099 (c)

www.Twin-Metals.com

AMERICAN OVERSIGHT

From:	Small, Jeff
To:	"gareth_rees@ios.doi.gov"
Cc:	micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov)
Subject:	RE: Scheduling Invite: Western Caucus Members Only Lunch Meetings 9/27 and 10/24
Date:	Monday, November 13, 2017 5:09:14 PM
Attachments:	image001.png image002.png image003.png Memo_for_11.14.17_WC_Lunch_Meeting.docx RSVPS for 11.14.17 lunch with Bernhardt.xlsx

Attached is our current RSVP list.

Our members look forward to seeing Deputy Secretary Bernhardt tomorrow.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov

From: Small, Jeff
Sent: Thursday, November 09, 2017 6:43 PM
To: 'Rees, Gareth'
Cc: micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; Deeley, Blake (blake_deeley@ios.doi.gov)
Subject: RE: Scheduling Invite: Western Caucus Members Only Lunch Meetings 9/27 and 10/24

Hi Gareth,

We are still on and look forward to having the Deputy Secretary on Tuesday.

Attached is a memo we put together with more info about the lunch, format and our issues.

We will provide a catered lunch. Please let us know if the Deputy Secretary has any preference or any food restrictions.

Let us know if you all have any other questions.

As many staffers as you all would like to have attend with him are welcome as well.

Jeff Small
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From: Rees, Gareth [mailto:gareth_rees@ios.doi.gov]
Sent: Thursday, November 09, 2017 4:51 PM
To: Small, Jeff
Cc: Hanson, Tanner
Subject: Re: Scheduling Invite: Western Caucus Members Only Lunch Meetings 9/27 and 10/24

Jeff

Just wanted to check-in and confirm we are still good for Dep Sec Bernhardt to speak on Tuesday? Could you confirm the format and how long you would like him to speak?

Thanks

Gareth

On Wed, Sep 20, 2017 at 10:12 AM, Rees, Gareth <gareth_rees@ios.doi.gov> wrote:
I know that he is looking forward to the opportunity to speak.

On Wed, Sep 20, 2017 at 10:08 AM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
Agree. Know our folks really want to hear from the Dep Sec so we will take it! Thanks again.

From: Rees, Gareth [mailto:gareth_rees@ios.doi.gov]
Sent: Wednesday, September 20, 2017 10:07 AM

To: Small, Jeff
Cc: Chambers, Micah; Hanson, Tanner
Subject: Re: Scheduling Invite: Western Caucus Members Only Lunch Meetings 9/27 and 10/24

Thanks Jeff. Seems strange to be scheduling something for November but it'll be here before we know it.

On Wed, Sep 20, 2017 at 10:04 AM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
Thank you for the quick response Gareth. November 14th works well. We have added him as our featured speaker for that lunch.

Jeff Small
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jeff.small@mail.house.gov



From: Rees, Gareth [mailto:gareth_rees@ios.doi.gov]
Sent: Wednesday, September 20, 2017 9:29 AM
To: Small, Jeff
Cc: Chambers, Micah; Hanson, Tanner

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Subject: Re: Scheduling Invite: Western Caucus Members Only Lunch Meetings 9/27 and 10/24

At the moment the best for the Dep Sec would be November 14. I will place a hold on the schedule and will try and avoid travel. Thanks

On Tue, Sep 19, 2017 at 4:59 PM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
No worries and know how it goes.

Let us know if either of these dates might work to reschedule.
Tue 10/24/2017: 12:00-1:00 p.m. Location: TBA
Tue 11/14/2017: 12:00-1:00 p.m. Location: TBA

Jeff Small
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From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Tuesday, September 19, 2017 4:29 PM
To: Small, Jeff
Cc: Hanson, Tanner; Rees, Gareth
Subject: Re: Scheduling Invite: Western Caucus Members Only Lunch Meetings 9/27 and 10/24

Jeff. Sorry to do this, but Dave had some unexpected travel to NM for that time. Can we please reschedule? Sorry

On Fri, Sep 15, 2017 at 11:53 AM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
Western Caucus Schedulers and Staff,

Quick update and reminder on our next two Western Caucus Members Only Lunch Meetings.

Meeting Information:
Date: Wednesday, September 27, 2017
Time: 11:30 a.m. – 12:30 p.m.
Room: Rayburn 2247
Special Guests: Department of the Interior **Deputy Secretary David Bernhardt**
Note: ***This lunch meeting was moved from 9/26/17 to 9/27/17 and pushed up 30 minutes.

Meeting Information:
Date: Tuesday, October, 24, 2017
Time: 12:00 – 1:00 p.m.
Room: TBA
Special Guest: TBA

Please RSVP for your member to Tanner Hanson at tanner.hanson@mail.house.gov and Jeff Small at jeff.small@mail.house.gov.

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Let us know if your boss has any dietary restrictions. These luncheons are for Members Only.

Have a good weekend.

Jeff Small
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--

Micah Chambers
Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

--

Gareth C. Rees

Office to the Deputy Secretary

U.S. Department of the Interior

Tel: 202-208-6291

Fax: 202-208-1873

Cell: 202-957-8299

--

Gareth C. Rees

AMERICAN OVERSIGHT

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--

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MEMORANDUM

To: Deputy Secretary Bernhardt and Staff
Subject: **11.14.17 Western Caucus Members Only Lunch Meeting and Speaker Series**

Members-Only Monthly Luncheon & Speaker Series
Date: Tuesday, November 14, 2017
Time: 12:00 – 1:00 p.m.
Room: Rayburn 2247
Special Guest: Department of the Interior **Deputy Secretary David Bernhardt**

Background:

For the format, Congressional Western Caucus Chairman Paul Gosar kicks off with an update, then we go around the room and members introduce themselves. Then the speaker talks for 10-15 minutes. Then we open it up to questions or comments from members, generally limiting to one per member. Usually turns into more of a roundtable discussion. Always try and get a group picture for social media if we can. Our folks are pretty laid back and don't usually take any shots at these lunches.

The Congressional Western Caucus is a congressionally sanctioned organization that has existed since 1993 and currently comprised of 72 bipartisan members of the House. Kurt Schrader is currently the one Democrat.

Western Caucus members are dedicated to:

- protecting private property rights
- strengthening local control
- fostering economic growth
- preserving multiple-use of public lands
- increasing energy independence
- managing healthy forests
- and ensuring safe domestic food production for American families

The Caucus was founded out West to fight federal overreach, promote rural values and preserve our uniquely American way of life. Over time, the Caucus has grown beyond the West, allying with Members of Congress from all across the country who share its values and vision of a stronger America. More info about the Caucus can be found on it's website at https://westerncaucus.house.gov.

Important Issues to the Members:

Dirt Tax and other new fees on hardrockmining —

- On May 3, 2017, 45 members of Congress wrote President Trump, Director Mulvaney and Secretary Zinke opposing including four misguided proposals in the president's FY 2018 budget request that previously appeared in President Obama's Budget and other Democrat proposals in the form of (1) an eight percent royalty on new mining operations on federal lands; (2) a four percent royalty on existing mining operations on federal lands; (3) a leasing system for hardrock minerals; and (4) a "dirt tax" of 7.8 cents per ton of materials for crude ore, waste and dirt displaced at mining operations on federal, state and private lands.

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- Hardrock mining alone generates more than 1.2 million jobs and provides approximately $3 trillion in added value to America's gross domestic product (GDP) – nearly 15 percent of U.S. GDP.
- The Administration responded favorably to this request and did not include these proposals.
- This was greatly appreciated by Members of the Western Caucus, but we were asked by industry not to put out a press release as they didn't want to call attention to this issue.

Sage grouse —

- The U.S. Fish and Wildlife Service found in 2015 that a listing of the Sage grouse under the Endangered Species Act (ESA) was not warranted.
- However, the Obama Administration implemented a de facto listing through overly restrictive Resource Management Plan (RMPs) Amendments and Land and Resource Management Plan (LRMPs) Amendments.
- The de facto listing prevents responsible energy production, grazing and other activities across 11 Western states as the bird's habitat covers roughly 165 million acres.
- Western Caucus members are exploring utilizing the Congressional Review Act to overturn these amendments and de facto listing as well as other options.
- Last year's Omnibus and this year's Interior Approps bill also contain language to prevent any future rules to list the Sage grouse as threatened or endangered for one year each.
- In June, Secretary Zinke announced a Secretarial Review of Sage grouse policies and DOI recently announced they were cancelling the 10 million acre sage grouse mineral withdrawal and taking steps to unwind the BLM Obama RMP amendments. More HERE and HERE.
- On October 5th, Western Caucus Members applauded DOI and BLM scrapping the 10-million-acre mineral withdrawal and beginning to unwind the job-killing Sage grouse policies. More HERE.

Reform the Antiquities Act —

- President Obama abused the Antiquities Act more than any other president in history, designating or expanding 34 national monuments and locking-up 553.6 million acres of total land and water with the stroke of his pen.
- No one man should be able to have that much power.
- These declarations are killing the West and the 1906 Antiquities Act needs serious reform.
- These unilateral designations have negatively impacted hunting, fishing, OHV use, grazing rights, water rights and wildfire prevention.
- Chairmen Bishop and Gosar have been leading the charge to reform this outdated law.
- Based on the parameters of President Trump's April 2017 Executive Order Secretary of the Interior Ryan Zinke announced in the Federal Register an initial review of 27 different land and marine monuments designated under the Antiquities Act.
- Recently, members of the Western Caucus sent a letter providing thoughtful and thorough comments on those 27 national monuments currently under review. More HERE.
- On 10/11 the House Committee on Natural Resources passed Chairman Bishop's bill to reform the Antiquities Act. More HERE.

Wildfire Funding and Active Management Reforms —

- As of this morning, the National Interagency Fire Center reports that there have been 53,513 fires that burned 8,852,513 acres so far in 2017. The Forest Service has already spent more than $2.5 billion on suppression costs this fiscal year alone - a new record.
- According to the Forest Service another 60-80 million acres throughout the country are currently considered high risk. The House Committee on Natural Resources reports that in 2016, wildfires destroyed 4,312 structures, including 3,192 residences.

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MEMORANDUM

- Catastrophic wildfires are a significant threat to wildlife, watersheds and communities throughout the West.
- We need active management and categorical exclusions to address disease infestation and to reduce hazardous fuels.
- It defies commonsense that the current Forest Service strategy is to spend billions of dollars each year on suppression activities.
- Let's spend some of that money up front, prevent costly fires and improve the health of our forests.
- On 10/4/17, 32 members of Congress sent **OMB Director Mulvaney** a letter asking that the Administration send Congress a proposal that includes comprehensive forest management and wildland fire budgeting reforms as part of the next disaster relief request as soon as possible. More HERE.
- On 11/1/17, the House passed the Westerman forestry reform bill. We need forest management reforms, and we need them now. More HERE.

Minnesota Withdrawal Issue and Leases —

- In the waning days of the Obama Administration, federal land management agencies took several actions that could decimate local economies, stifle job creation and cause significant harm to K-12 education in Minnesota.
- On January 5, 2017, the U.S. Forest Service proposed a 234,328-acre federal mineral withdrawal of National Forest System lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest, immediately placing this vast area off limits to development for up to two years while the withdrawal is considered.
- This was a political, anti-mining action by the Obama Administration.
- The total withdrawal application boundary spans approximately 425,000 acres, including 95,000 acres of state school trust fund lands.
- In conjunction with this massive mineral withdrawal, the Obama Administration's Bureau of Land Management inappropriately rejected Twin Metals Minnesota's application to renew two hard rock mineral leases in Minnesota's Superior National Forest – leases that were signed in 1966 and renewed without controversy in 1989 and 2004.
- To date, Twin Metals has reportedly invested upward of $400 million – a significant investment – in reliance on those two federal mineral leases that the BLM executed with the company's predecessors and renewed each time they expired.
- Click HERE to view an appropriations letter on this matter.
- On June 30th, 26 members wrote Secretaries Zinke and Perdue on this matter. Click HERE to read the letter and press release.
- On November 9th, the House Committee on Natural Resources passed Rep. Emmer's bill. Read more HERE.

Asks from our members on this issue:

- The Departments of the Interior and Agriculture should cancel the withdrawal application proposed in the final days by the Obama Administration. This could be accomplished by a notice from the BLM similar to the two-page Sage grouse mineral withdrawal cancellation, a notice from the Forest Service withdrawing its application, or by a decision from the Secretary of the Interior denying the application. Because the withdrawal process was initiated jointly by both agencies, the preferred way to accomplish this would be via a joint decision by both Departments.
- Twin Metals' leases should be renewed, and it should have the opportunity to develop and present a mine plan for agency review under NEPA. This would essentially get the company back to the starting blocks as all mining activity in the proposed withdrawal area and even the proposal of a mining plan has been prevented since the withdrawal application was published in the Federal Register by the BLM on 1/19/17.

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- A reversal of the M-Opinion thereby reaffirming that the BLM never had the discretion to deny renewal of Twin Metals leases, and the Forest Service never had the discretion to deny its consent to the renewal.
- Fact and Asks page HERE.

Endangered Species Act and Regulatory Burdens —

- There are significant regulatory issues affecting the agriculture community including the Endangered Species Act (ESA).
- In February, James Holte confirmed these challenges when testifying on behalf of the Wisconsin Farm Bureau before the U.S. Senate stating, "[The ESA] imposes far-reaching regulatory burdens on agriculture. Farmers and ranchers consider it their personal responsibility to be stewards of the land, however the ESA creates many challenges for them to balance agriculture production with wildlife habitat."
- On April 26, 2017, President Trump signed an Executive Order (EO) titled, "Promoting Agriculture and Prosperity in Rural America." The EO established an interagency task force and made clear that it is "in the national interest to ensure that regulatory burdens do not unnecessarily encumber agricultural production, harm rural communities, constrain economic growth, hamper job creation or increase the cost of food for Americans and our customers around the world."
- Senator John Barrasso (R-WY), Chairman of the U.S. Senate Committee on Environment and Public Works, recently explained:

  > "Of 1,652 species of animals and plants in the U.S. listed as either endangered or threatened since the law was passed in 1973, only 47 species have been delisted due to recovery of the species. In other words, the Fish and Wildlife Service has concluded that less than 3 percent of species in the United States under the protection of the Endangered Species Act have recovered sufficiently to no longer necessitate the protection of the statute. As a doctor, if I admit 100 patients to the hospital and only 3 recover enough under my treatment to be discharged, I would deserve to lose my medical license."

- This clear failure of the existing ESA is compounded by attacks on property rights through substantial federal restrictions on land use, and the ESA's one-size-fits-all approach to species protection that has little regard for solutions from states and local shareholders.
- There is abundant evidence that ESA needs to be modernized to better protect species, and to treat property owners, states, and local communities as partners rather than obstacles.
- Defined recovery goals must be established to ensure species are removed from the list when desired population levels are met.
- Society as a whole should be expected to bear the costs of species protection, not property owners alone.
- Local stakeholders should be encouraged to be a part of the solution, not pushed aside in favor of federal micromanagement.
- These much-needed updates would significantly benefit farmers and ranchers who often face the brunt of the ESA.

Secure Rural Schools —

- Secure Rural School (SRS) payments provide critical revenues to more than 775 rural counties and 4,400 schools throughout the country.
- Historically, twenty-five percent of all timber harvest revenues went to counties with significant National Forest Lands within their borders to be used for education, roads and to offset property tax losses.
- To date, SRS has not been reauthorized.
- This pending uncertainty makes it nearly impossible for these entities to plan their budgets.

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MEMORANDUM

- SRS payments are critically important to offset the decline in timber harvest revenues until the federal government resumes a forward-thinking, active management strategy in our nation's forests.
- Failing to act to fulfill this long-standing obligation will leave counties and schools across the country without the important resources they need to serve their populations.
- Reauthorizing SRS is a top priority for numerous members within the Caucus.
- A letter submitted for this year's appropriations bill can be found HERE.

Few other issues our members have supported DOI on:

- **Western Caucus Members Praise Zinke Onshore Order that Supports American Energy Dominance**
- **Western Caucus Members Celebrate Action Toward American Energy Independence**
- **Western Caucus Lauds Trump Administration Proposal to Rescind Obama BLM Fracking Rule**
- **Western Caucus Members Applaud Senate Confirmation of Deputy Secretary of the Interior David Bernhardt**
- **Caucus Members Applaud Repeal of Obama Admin's Energy-Stifling Valuation Rule**
- **Western Caucus Members Applaud Trump's Signing of Bill that Returns Land-Use Decisions to States and Local Entities**
- **Western Caucus Members Cheer One of Their Own as New Secretary of the Interior**

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Member	Attending	Notes
Paul Gosar	3	Jeff and Tanner attending as well
Abraham, Ralph	0	can't attend. Conflict
Amodei, Mark (NV-02)	1	
Babin, Brian (TX-36)	1	
Bacon, Don (NE-02)	0	can't attend. Conflict
Biggs, Andy (AZ-05)	1	Grain and gluten free. Salad is best
Bishop, Rob (UT - 01)	1	
Bridenstine, Jim (OK-01)	0	can't attend, working on NASA Administrator Nom
Buck, Ken (CO - 04)	0	
Burgess, Michael (TX-26)	0	
Calvert, Ken (CA-42)	0	
Cheney, Liz (WY-AL)	1	Likely
Coffman, Mike (CO - 06)	0	can't attend
Collins, Doug (GA - 09)	0	can't make it
Conaway, Mike (TX - 11)	0	
Cook, Paul (CA-08)	0	
Cramer, Kevin (ND)	1	
Crawford, Rick (AR-01)	0	can't attend
Culberson, John (TX-07)	0	
Denham, Jeff (CA - 19)	0	can't attend
Duncan, Jeff (SC - 03)	0	can't attend
Emmer, Tom (MN-06)	1	
Farenthold, Blake (TX-27)	0	
Flores, Bill (TX-17)	0	can't attend, conflict
Franks, Trent (AZ - 02)	0	can't attend
Gianforte, Greg (MT-AL)	0	
Gohmert, Louie (TX-01)	0/1	Possible, Judiciary Hearing with AG Sessions
Jenniffer Gonzalez-Colon (PR - AL)	0	
Graves, Garret (LA -06)	0	Vegetarian/Fish option preferred
Herrera-Beutler, Jaime (WA - 03)	0	
Hice, Jody (GA-10)	0	can't make this one.
Hunter, Duncan (CA-50)	0	
Jenkins, Lynn (KS-02)	0	can't make it
Johnson, Mike (LA-04)	0	
Jones, Walter (NC - 03)	0	can't attend, scheduling conflict
Kelly, Mike (PA-03)	0	
King, Steve (IA-04)	0	
Labrador, Raul (ID - 01)	1	
LaMalfa, Doug(CA-01)	1	Likely
Lamborn, Doug (CO - 05)	0	conflict, can't attend
Love, Mia (UT - 04)	0	conflict, can't attend
Marshall, Roger (KS-01)	1	
McCarthy, Kevin (CA - 23)	0	

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McClintock, Tom (CA - 24)	0	
McMorris Rodgers, Cathy (WA - 05)	0	can't attend, conflict
McSally, Martha (AZ-02)	0	VEGETARIAN/ preferably vegan
Mooney, Alex (WV-02)	0	
Mullin, Markwayne (OK-02)	0	can't attend
Newhouse, Dan (WA-04)	1	
Noem, Kristi (SD At-Large)	0	can't attend, meeting with speaker
Pearce, Steve (NM - 02)	1	
Radewagen, Amua Amata (AS-AL)	1	
Reed, Tom (NY-23)	0	
Ross, Dennis (FL-15)	0	can't attend
Ryan, Paul (WI-01)	0	can't attend
Scalise, Steve (LA-01)	0	can't attend, scheduling conflict
Schrader, Kurt (OR-05)	1	likely
Schweikert, David (AZ - 06)	1	
Sessions, Pete (TX-32)	0	can't attend
Simpson, Mike (ID - 02)	0	
Smith, Adrian (NE - 03)	0	Tree nut allergy
Smith, Jason (MO-08)	1	
Smith, Lamar (TX-21)	0	can't attend, conflict
Stewart, Chris (UT-02)	1	
Thompson, Glenn (PA - 05)	0	can't attend, conflict
Tipton, Scott (CO - 03)	0	can't attend, FS markup
Valadao, David (CA-21)	0	can't attend
Walden, Greg (OR - 02)	0	likely can't attend, may swing by
Walters, Mimi (CA-45)	0	can't attend, CA lunch
Weber, Randy (TX-14)	1	
Westerman, Bruce (AR-04)	0	can't attend
Young, Don (AK-AL)	2	DY and his wife
Other possible staff:	4	Kiel Weaver, Marc Alberts, Tim Pataki, Jeff Freeland
Total		

27

AMERICAN OVERSIGHT

From: Small, Jeff
To: Chambers, Micah; amanda_kaster@ios.doi.gov; kathleen_benedetto@ios.doi.gov
Subject: RE: Technical Assistance Request from Congressman Emmer
Date: Tuesday, August 8, 2017 3:26:06 PM
Attachments: image001.png
image002.png
image003.png

Thank you all for reviewing.

Here are the edits I'd recommend on my end. I have shared these as well with Mr. Emmer's staff and the Committee but also wanted to pass along to you all.

-I would recommend amending Section 1 and Section 2 to only apply to the Superior National Forest. Otherwise both apply to the entire state of Minnesota. Section 1 prohibits withdrawal of minerals within NFS lands in the entire State of Minnesota without congressional approval. Section 2 amends the Antiquities Act to prevent any designations on all Forest Service lands in Minnesota. Our issue is just with the Superior National Forest and such amendments would make less controversial.

-I would also recommend changing the "may" on page 3 line 14 to a "shall". Would essentially take the politics out of lease renewals and make them automatic in Minnesota if the company applies. The lease issue we currently have and are trying to address is Tidwell recommended the leases not be renewed and then BLM rejected the leases. They had been renewed twice previously. The issues with the leases are further spelled out HERE.

Let me know if you have questions or if I can be helpful.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov

From: Zinda, Landon
Sent: Monday, August 07, 2017 12:35 PM
To: Chambers, Micah
Cc: amanda_kaster@ios.doi.gov; kathleen_benedetto@ios.doi.gov; Maneval, Christopher; Small, Jeff
Subject: RE: Technical Assistance Request from Congressman Emmer

Thanks for your review! Yes we did also request this of USDA. Any technical assistance would be much appreciated.

Landon

AMERICAN OVERSIGHT

From: Chambers, Micah [mailto:micah_chambers@ios.doi.gov]
Sent: Monday, August 7, 2017 11:23 AM
To: Zinda, Landon <Landon.Zinda@mail.house.gov>
Cc: amanda_kaster@ios.doi.gov; kathleen_benedetto@ios.doi.gov; Maneval, Christopher <Christopher.Maneval@mail.house.gov>; Small, Jeff <Jeff.Small@mail.house.gov>
Subject: Re: Technical Assistance Request from Congressman Emmer

Thank you Landon. We will start reviewing this. Did you send this to USDA as well? We obviously can't speak on their behalf.

Micah

On Fri, Aug 4, 2017 at 1:31 PM, Zinda, Landon <Landon.Zinda@mail.house.gov> wrote:

> Dear DOI Staff,
>
> Congressman Emmer would like to request your review of the attached discussion draft. He would like to receive any technical assistance you can provide.
>
> The House Committee on Natural Resources Subcommittee on Energy and Minerals held a hearing on this bill on 7.27.17. The Congressman would like to introduce this legislation soon and there is a possibility it might be included in a markup. As a result, your timely review would be appreciated.
>
> Please let us know if you have any questions.
>
> Sincerely,
>
> Landon Zinda
> Legislative Counsel
> Congressman Tom Emmer (MN-06)
> Office: (202) 225-2331

--
Micah Chambers
Acting Director
Office of Congressional & Legislative Affairs
Office of the Secretary of the Interior

AMERICAN OVERSIGHT

From: Small, Jeff
To: "Deeley, Blake"
Subject: RE: Trump Administration Curtails Minn. Mining Ban Review: W.Post
Date: Tuesday, January 30, 2018 11:38:08 AM

Didn't chat with her about directly. But did forward her the bgov article and my email to you to keep her in the loop as we have chatted about previously. All I said was FYI.

From: Deeley, Blake [mailto:blake_deeley@ios.doi.gov]
Sent: Tuesday, January 30, 2018 11:34 AM
To: Small, Jeff
Subject: Re: Trump Administration Curtails Minn. Mining Ban Review: W.Post

Okay. Did you touch base with Amanda as well?

On Tue, Jan 30, 2018 at 9:54 AM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
Talked to Crandall at USFS which was helpful. FYI

From: Small, Jeff
Sent: Tuesday, January 30, 2018 9:35 AM
To: Deeley, Blake (blake_deeley@ios.doi.gov)
Subject: FW: Trump Administration Curtails Minn. Mining Ban Review: W.Post

Hi Blake,

Good chatting.

Here is the action that happened Friday in relation to Twin Metals that I was trying to get more info on.

Assuming with this and the new m-opinion, things are trending in the right direction.

But some of the stakeholders are concerned about the amount of time they are still going to have to wait even with an EA and are weighing whether to be vocal about it or not.

Anyway, if you could check into and provide some of the back story on what this action means that would be helpful to all.

Thank you.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.

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Trump Administration Curtails Minn. Mining Ban Review: W.Post

By Joi Preciphs | January 26, 2018 03:20PM ET | Bloomberg First Word

Trump administration on Friday reined in a detailed review of how cordoning off more than 234k acres of U.S. Forest Service land in Minnesota from mining development would affect a wilderness area, Washington Post reports, citing agency officials.

- The decision to convert the study, launched in the final days of the Obama administration, into a less-stringent environmental assessment could have major policy implications, Wash. Post reports
  - Last January, the Interior Dept blocked mineral extraction for two years in the swath of forest near Minnesota's Boundary Waters Canoe Area Wilderness, a glacially carved region west of Lake Superior

To contact the reporter on this story:
Joi Preciphs in Washington at jpreciphs1@bloomberg.net

To contact the editors responsible for this story:
Derek Wallbank at dwallbank@bloomberg.net
Catherine Dodge

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--
Blake Deeley | *Advisor*

AMERICAN OVERSIGHT

Congressional & Legislative Affairs
Office of the Secretary
U.S. Department of the Interior

AMERICAN OVERSIGHT

From:	Zinda, Landon
To:	micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; kathleen_benedetto@ios.doi.gov
Cc:	Maneval, Christopher; Small, Jeff
Subject:	Technical Assistance Request from Congressman Emmer
Date:	Friday, August 4, 2017 1:31:14 PM
Attachments:	emmer_024_xml_2.pdf

Dear DOI Staff,

Congressman Emmer would like to request your review of the attached discussion draft. He would like to receive any technical assistance you can provide.

The House Committee on Natural Resources Subcommittee on Energy and Minerals held a hearing on this bill on 7.27.17. The Congressman would like to introduce this legislation soon and there is a possibility it might be included in a markup. As a result, your timely review would be appreciated.

Please let us know if you have any questions.

Sincerely,

Landon Zinda
Legislative Counsel
Congressman Tom Emmer (MN-06)
Office: (202) 225-2331

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[DISCUSSION DRAFT]

115TH CONGRESS
1ST SESSION

H. R.

To require congressional approval of any mineral withdrawal or monument designation involving the National Forest System lands in the State of Minnesota, to provide for the renewal of certain mineral leases in such lands, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. EMMER introduced the following bill; which was referred to the Committee on

---

A BILL

To require congressional approval of any mineral withdrawal or monument designation involving the National Forest System lands in the State of Minnesota, to provide for the renewal of certain mineral leases in such lands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

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DOI-19-0538-F-000282

SEC. 1. CONDITION ON MINERAL WITHDRAWAL OF NATIONAL FOREST SYSTEM LANDS IN MINNESOTA.

Minerals within the National Forest System lands in the State of Minnesota shall not be subject to withdrawal from disposition under United States mineral and geothermal leasing laws unless the withdrawal is specifically approved by a future Act of Congress.

SEC. 2. CONDITION ON MONUMENT DESIGNATION ON NATIONAL FOREST SYSTEM LANDS IN MINNESOTA.

Section 320301 of title 54, United States Code, is amended by adding at the end the following new subsection:

''(e) LIMITATION ON EXTENSION OR ESTABLISHMENT OF A NATIONAL MONUMENTS IN MINNESOTA.—No extension or establishment of national monuments on National Forest System lands in the State of Minnesota may be undertaken except by express authorization of Congress.''.

SECTION 3. CLARIFYING THE NATURE OF MINERAL RIGHTS ON FOREST SYSTEM LANDS IN MINNESOTA.

(a) MINERAL LEASES ISSUED WITHIN FOREST SYSTEM LANDS IN MINNESOTA.—

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(1) IN GENERAL.—All mineral leases issued within the exterior boundaries of National Forest System lands in the State of Minnesota under the authority of section 508b of Title 16, United States Code (64 Stat. 311), or section 402 of Reorganization Plan No. 3 of 1946 (60 Stat. 1097), are indeterminate preference right leases that shall—

(A) be issued for an initial 20-year period; and

(B) subject to paragraph (2), be renewable after the period described in subparagraph (A) for 10-year renewal periods.

(2) REQUIREMENTS FOR RENEWAL.—A lease may be renewed under paragraph (1)(B)—

(A) if the lessee complies with the terms and conditions of the lease; and

(B) on the condition that at the end of each ten-year renewal period such reasonable readjustment of the terms and conditions of the lease may be prescribed by the Secretary of the Interior, in consultation with the Secretary of Agriculture, for the purpose of—

(i) encouraging production; or

(ii) addressing changing conditions within the lease area.

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(b) SUSPENSION OF OPERATIONS.—The Secretary of the Interior may suspend operations under a lease described in subsection (a) when—

(1) the lease can only be operated at a loss due to market conditions; or

(2) operations are interrupted by strikes.

(c) PERMITS FOR USE OF SURFACE LANDS.—With respect to lands subject to a lease pursuant to subsection (a)(1), the Secretary of the Interior, in consultation with the Secretary of Agriculture, may issue permits for the use of surface lands not included in the lease for purposes connected with, and reasonably necessary to, the exploration, development, and use of the deposits covered by the lease.

(d) APPLICABILITY.—This section shall apply with respect to all mineral leases described in subsection (a)(1), including—

(1) leases that on the date of the enactment of this section, are not in effect; and

(2) the hard rock mineral leases for the Superior National Forest in the Minnesota identified as MNES–01352 and MNES–01353.

(e) EXCLUSION OF BOUNDARY WATERS CANOE AREA WILDERNESS.—Nothing in this section may be construed as permitting the prospecting for development and

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utilization of mineral resources within the Boundary Waters Canoe Area Wilderness or Mine Protection Area.

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DOI-19-0538-F-000286

From:	Small, Jeff
To:	amanda_kaster@ios.doi.gov; micah_chambers@ios.doi.gov
Subject:	Twin Metals Project Info
Date:	Tuesday, June 6, 2017 6:34:38 PM
Attachments:	image001.png image002.png image003.png Twin Metals Fact Sheet May 2017.pdf FY18 Emmer MN Withdrawal Signed.pdf

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Hi Amanda and Micah,

Wanted to pass along some info on the Twin Metals Project as your boss is scheduled to go before McCollum and the Approps Committee on Thursday.

As you know McCollum recently asked Secretary Perdue at a similar hearing about the two year review and he indicated he would let that process play out.

This answer was not encouraging for the investors and proponents of the mine who would like the mineral withdrawal application to be withdrawn asap now that the comment period is over. They would also like for the BLM leases to be renewed.

Further, the investor is getting a bit anxious and is considering pulling out of this project due to this uncertainty. He has already sunk $400 million into it.

The withdrawal would be the largest ever in the history of the Federal Land Policy and Management Act (FLPMA). The next largest is the proposed 10 million acre sage grouse withdrawal.

This would set a terrible precedent and give the impression that the U.S. is not a good place to mine and do business.

The second attachment is an appropriations request sent by several members of the Western Caucus. This ended up being our top approps request this year as the administration has acted on many of our big ticket items.

Tim Martin is also a great resource and the point person in D.C. We are good friends. His email is Timothy.Martin@wilmerhale.com

Quick summary:
Twin Metals has invested upward of $400 million in exploring and preparing for an underground hard rock mining project in the Iron Range region in the northeastern portion of Minnesota. Twin Metals made this significant investment in reliance on two federal mineral leases that the Bureau of Land Management (BLM) executed with the company's predecessors in 1966. The leases were renewed each time they expired, in 1989 and 2004.

However, as you may know, DOI took several actions in the late days of the Obama administration with respect to this project.

These actions will block the creation of thousands of American jobs and billions of dollars of investment in U.S. economic growth and strategic resources, and include the following:
* First, on March 8, 2016, then-Interior Solicitor Hilary Tompkins issued an M-Opinion

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concluding that BLM has discretion to deny renewal of Twin Metals' leases.
* Subsequently, on December 15, 2016, BLM rejected Twin Metals' application to renew the leases. Again, these leases were renewed each time they previously expired, in 1989 and 2004.
* Finally, on January 13, 2017, Forest Service formally launched a process to withdraw approximately 235,000 acres in northeast Minnesota from future mineral leasing, exploration, and potential development. This immediately placed this vast area off limits to development for up to two years while the withdrawal is being considered.

Let me know if I can answer any questions or be helpful. More info below and attached.

Sincerely,

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515
(202) 225-2315 main
jeff.small@mail.house.gov

From: Bob McFarlin [mailto:bmcfarlin@twin-metals.com]
Sent: Thursday, May 25, 2017 11:08 AM
To: Small, Jeff; Van Flein, Tom
Subject: Twin Metals Project Update

Dear Jeff and Tom:

(Thanks again for all the support from the Western Caucus.)

Twin Metals Minnesota has made significant progress over the past few years in furthering the conceptual design of its developing underground mine project. Twin Metals has released updated technical and economic information that captures this progress and sets the foundation for ongoing public reference and discussion about the project. I am writing to make you aware of this information and to guide you to further details.

As you know, the Twin Metals project is located approximately nine miles southeast of Ely and 11 miles northeast of Babbitt. The project site is located outside the boundaries and state and federal buffer zones of the Boundary Waters Canoe Area, in an area where mining is both allowed and encouraged by state and federal law.

Key updated technical and economic aspects of the preliminary project design include:

- Twin Metal's current preliminary project design is more efficient and compact than mine designs previously studied, greatly minimizing surface impacts.
- The Twin Metals project is being designed to process approximately 20,000 tons of mineralized ore per day from a single identified mineral deposit, the Maturi Deposit. Previous project designs were based on processing 50,000 tons per day.

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- The current project design would create an estimated 650 direct mining jobs and more than 1,300 indirect spinoff jobs in a variety of industries throughout Northeast Minnesota, serving generations of Minnesotans.
- The project's three year construction phase will generate several million labor hours for construction trades and other professions.
- More than $1.2 billion will be invested in further design and project construction.
- Approximately half of the tailings material from mine operations will be stored as permanent backfill in the underground mine. The remaining tailings material will be stored in a modern, lined surface storage facility. In its future formal mine plan proposal, Twin Metals intends to propose the tailings storage facility next to an existing mine southwest of Babbitt.
- Scientific testing has confirmed that the tailings material from mine operations will be non-acid generating.

The engineering, technical, environmental and economic work on the project will continue as Twin Metals works toward its goal of submitting in approximately two years a formal mine project proposal to state and federal agencies for extensive environmental review. However, the future of the Twin Metals project is dependent on successful resolution of the company's federal mineral lease issues and the proposed withdrawal of federal lands in Northeast Minnesota from future mineral exploration and development. Twin Metals is continuing to pursue legal remedies to secure renewal of its federal mineral leases, and the company is joining Northeast Minnesota citizens, businesses, local governments and others to strongly oppose the withdrawal of federal lands in the region. Please contact me if you would like additional information on these critical issues.

I have attached an updated fact sheet about the Twin Metals project. I also encourage you to visit the Twin Metals website – http://www.twin-metals.com/about-the-project/project-facts/ – for more details on the updated preliminary project information.

Twin Metals is excited to move forward in the ongoing development of its underground mine proposal. The Twin Metals project offers the region a great opportunity for long-term, environmentally safe job creation and economic growth. Thank you for your continued interest and support.

Bob McFarlin
Government Affairs Advisor
Twin Metals Minnesota
380 St. Peter St., Suite 705
St. Paul, MN 55102
612-655-2099 (c)

www.Twin-Metals.com

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ABOUT TWIN METALS MINNESOTA

TWIN METALS MINNESOTA LLC (TMM) is a Minnesota mining company focused on designing, constructing and operating an underground copper, nickel, platinum, palladium, gold and silver mining project in northeast Minnesota. TMM is a wholly owned subsidiary of Antofagasta plc, one of the top 10 global copper producers.

Located nine miles southeast of Ely, Minnesota, and 11 miles northeast of Babbitt, Minnesota, the TMM Project targets the valuable minerals within the Maturi deposit, part of the Duluth Complex geologic formation. The Duluth Complex is one of the world's largest known undeveloped deposits of copper, nickel and other essential minerals. TMM has made significant progress advancing the conceptual design of the underground mine project, pursuing compact and efficient designs.

Pending a resolution of its federal mineral rights, TMM expects to submit a formal mine plan proposal in the next two years, initiating a rigorous and thorough environmental review by multiple state and federal agencies as required by law.

INSIDE THE PROJECT

- Once operational, TMM expects to directly employ 650 people long-term in northeastern Minnesota and to create an estimated 1,300 spinoff jobs in other industries.
- TMM plans to employ geologists, engineers, carpenters, safety inspectors, process equipment operators, surveyors, mechanics, electricians, miners, truck drivers, accountants, instrumentation technicians and more.
- TMM anticipates processing 20,000 tons of ore per day from underground mining.
- State and federal environmental requirements must be met or exceeded, or the TMM Project will not be authorized to move forward.
- The TMM Project will generate significant tax and royalty revenue supporting state and local governments, and the education of nearly 900,000 K-12 students statewide.
- The minerals mined will support the domestic economy, boosting job creation, spurring growth and producing metals necessary for the emerging green economy.

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SPURRING ECONOMIC DEVELOPMENT

The TMM Project represents an extraordinary opportunity for economic growth and job creation regionally and statewide.

Investment: To date, more than $400 million has been invested in the TMM Project, and approximately $1.2 billion will be invested in further design and construction for the TMM underground mine project.

Local Job Creation: Once operational, TMM expects to directly employ 650 people long-term in northeastern Minnesota, and to create another 1,300 non-mining jobs in industries such as equipment supplies, manufacturing, retail, healthcare, automotive and more. Several million labor hours will be generated during construction, on par with the number of construction and related professional jobs created by projects such as U.S. Bank Stadium and Target Field in the Twin Cities. Even in its design stage the TMM Project has supported up to 200 direct and consultant/ contractor positions and additional spinoff jobs.

Mining Wages: Mining offers living wages that can support families, send children to college, provide for retirement and build local communities. According to the U.S. Bureau of Labor Statistics, the average annual wage for a Minnesota mining job is $78,635, more than 45 percent greater than the average wage for all other industries.

ENVIRONMENTAL STEWARDSHIP

Twin Metals Minnesota recognizes environmental conservation as a core value and commits to protecting Minnesota's wilderness, natural environment and recreational resources. Today's environmental regulations tightly control how mines are designed and operated, and require bankruptcy-proof financial assurance for reclamation and closure performance. The Minnesota Department of Natural Resources, Minnesota Pollution Control Agency, U.S. Environmental Protection Agency and other state and federal agencies will enforce regulations protecting water, soil, animals and air.

The TMM Project will minimize the surface footprint of mining activity by using underground mining operations coupled with storing half the tailings as permanent cemented backfill in the underground mine. The remaining tailings will be stored in a modern surface storage facility outside the Rainy River drainage near an existing mining area. All tailings will be non-acid generating and no permanent waste rock piles will be required.

MINERALS FOR A SUSTAINABLE FUTURE

Copper, nickel and platinum group metals are critical aspects of a sustainable future including construction, communications, power distribution, national defense, medicine and renewable green energy. The TMM Project will contribute to establishing Minnesota as a world leader in the production of green energy minerals used in wind turbines, hybrid and electric vehicles, batteries and solar energy panels.



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DOI-19-0538-F-000291

Congress of the United States
Washington, DC 20515

March 30, 2017

The Honorable Ken Calvert
Chairman
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
2007 Rayburn HOB
Washington, DC 20515

The Honorable Betty McCollum
Ranking Member
Committee on Appropriations
Subcommittee on Interior,
Environment, and Related Agencies
U.S. House of Representatives
1016 Longworth HOB
Washington, DC 20515

Dear Chairman Calvert and Ranking Member McCollum:

As you begin crafting the Fiscal Year 2018 Interior, Environment, and Related Agencies Appropriations bill, we encourage the subcommittee to prevent funding for the Obama Administration's last-minute application for withdrawal of 234,328 acres of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws.

The application has already begun to sour future investment in the state and will have enormous adverse impacts on the entire region's economy. If approved, it will kill several environmentally responsible development projects currently being studied while restricting future development of a broad swath of northern Minnesota, negatively affecting the region's employment and economic growth.

Countless individuals and local businesses have weighed-in against the application. The Lake County Board of Commissioners unanimously approved a resolution opposing the proposed withdrawal. One company that has already invested hundreds of millions of dollars for potential development in the area acknowledged, "The withdrawal of federal minerals from future development, and the related impacts of negating future development of state and private minerals, will have a devastating impact on the region's economy, eliminating the promise of thousands of good-paying jobs and billions of dollars in local investment."

The federal government owns nearly seven percent of the land in Minnesota. However, the protections provided to Minnesota's pristine landscape are largely the result of its citizens and their desire to preserve our way of life. If all development and economic activity is prohibited, that way of life will come to a grinding halt. Sound environmental stewardship and positive economic growth do not have to be mutually exclusive.

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PRINTED ON RECYCLED PAPER

DOI-19-0538-F-000292

Congress must act to prevent severe economic losses to the state of Minnesota, the surrounding region and the U.S. economy that will occur if this misguided withdrawal is implemented.

Accordingly, we ask that you include language similar to the following in this fiscal year's bill:

None of the funds made available by this Act may be used to finalize, implement or enforce the proposed application for withdrawal of approximately 234,328 acres of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest from disposition under United States mineral and geothermal leasing laws as published by the United States Forest Service in the Federal Register on January 13, 2017 (82 Fed. Reg. 4282 et seq.).

We thank you for your consideration of this request, and for your leadership on the committee.

Sincerely,

Tom Emmer
Member of Congress

Paul A. Gosar, D.D.S.
Member of Congress

Rob Bishop
Member of Congress

Scott R. Tipton
Member of Congress

Doug Lamborn
Member of Congress

Tom McClintock
Member of Congress

Bruce Westerman
Member of Congress

Steve Pearce
Member of Congress

Kevin Cramer
Member of Congress

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From:	Maneval, Christopher
To:	Chambers, Micah
Cc:	Zinda, Landon
Subject:	Twin Metals
Date:	Thursday, April 27, 2017 1:10:36 PM
Attachments:	Letter to The Honorable Ryan Zinke.pdf

Micah –

Thanks again for your help pulling things together yesterday. One item my boss was supposed to raise with you guys was that the CEO of Twin Metals' parent company is going to be in town next week and would love to meet with the Secretary for 5 minutes on this issue if possible. I'm not sure if he actually did so we wanted to resend the attached request (submitted on the 17th) and make sure it was on your radar. Would be great if Secretary Zinke is able to meet with them while they're in town.

Thanks and let me know if you need anything else from our end.

Chris

Chris Maneval
Legislative Director
Representative Tom Emmer (MN-06)
315 Cannon House Office Building
Washington, D.C. 20515
(202) 225-2331

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ANTOFAGASTA PLC

April 17th, 2017

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

Dear Secretary Zinke:

As the Chief Executive Officer of Antofagasta plc, one of the largest copper producers in the world, I have been proud to support the development of strategic minerals in the United States. As such, I write to respectfully request a meeting to discuss the Twin Metals Minnesota project during my visit in Washington, D.C. on Tuesday, May 2nd or Wednesday, May 3rd.

As you know, Twin Metals is a mineral development project, currently in the exploratory phase, in an area of the Superior National Forest of Minnesota. If allowed to proceed, this project will create thousands of jobs and infuse millions of dollars into the regional economy. We anticipate the project to unlock access to one of the world's largest deposits of valuable minerals that includes copper, nickel, platinum, gold, and silver. Our exploration of these strategic resources and designs to develop them through environmentally sound and scientifically rigorous processes has already cost upwards of $400 million in investment to date.

Unfortunately, as you are aware, our past and future investment now hangs in the balance, due to decisions made in the last days of the Obama administration, including:

1) the Solicitor's M-Opinion concluding that the Bureau of Land Management (BLM) has the discretion to deny these mineral leases in Minnesota;
2) the BLM's decision to rescind Twin Metals' mineral leases based on the M-Opinion;
3) the joint decision of the BLM and U.S. Forest Service to initiate a process to withdraw hundreds of thousands of acres from mineral development, thereby threatening any future mineral development in the region.

I hope to have the opportunity to discuss a viable path forward with you. Rob Lehman at WilmerHale will be handling the scheduling of my meetings on May 2nd and May 3rd. He can be reached at rob.lehman@wilmerhale.com or (202) 663-6907.

Thank you for your time and consideration of this request.

Sincerely,

Iván Arriagada
Chief Executive Officer
Antofagasta plc

Av. Apoquindo 4001, Piso 18,
Las Condes, Santiago, Chile.
CP. 7550162
Tel. (56-2) 2798 7000
www.aminerals.cl

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LOS PELAMBRES
CENTINELA
ANTUCOYA
ZALDIVAR

DOI-19-0538-F-000295

From: Small, Jeff
To: micah_chambers@ios.doi.gov; amanda_kaster@ios.doi.gov; "John Tanner"; Deeley, Blake (blake_deeley@ios.doi.gov)
Cc: Hanson, Tanner
Subject: Western Caucus Omnibus Interior Priorities and WOTUS Repeal
Date: Tuesday, March 6, 2018 6:15:52 PM
Attachments: Western Caucus Omnibus Interior Priorities 3.1.pdf

John, Micah, Amanda, and Blake,

In addition to calling on Congress to act to repeal the job-killing WOTUS rule after the 6th Circuit Court of Appeals lifted the nationwide stay last week, the Congressional Western Caucus also released their top Interior Appropriations omnibus priorities.

To view that list click **HERE** or see attached.

Jeff Small
Executive Director | Congressional Western Caucus
Senior Advisor | Congressman Paul A. Gosar, D.D.S.
2057 Rayburn HOB | Washington, DC 20515

For Immediate Release
Contact: Tanner Hanson

Date: March 1, 2018
Tanner.Hanson@mail.house.gov

Western Caucus Calls on Congress to Kill WOTUS Rule

Releases list of priorities for interior section of FY 18 omnibus package

WASHINGTON, D.C. – Today, Congressional Western Caucus Chairman **Paul A. Gosar D.D.S. (AZ-04)**, Executive Vice-Chairman **Scott Tipton (CO-03)**, Chief Rules Officer **Dan Newhouse (WA-04)**, Chief Infrastructure and Forestry Officer **Bruce Westerman (AR-04)**, Chief Regulatory Reform Officer **Andy Biggs (AZ-05)**, Chairmen Emeritus **Steve Pearce (NM-02)** and **Rob Bishop (UT-01)**, and Western Caucus Members **Ralph Norman (SC-05)**, **Jeff Denham (CA-10)**, **Jaime Herrera Beutler (WA-03)**, **Liz Cheney (WY-AL)**, **Markwayne Mullin (OK-02)**, **Doug LaMalfa (CA-01)**, **Mike Johnson (LA-04)**, **Doug Lamborn (CO-05)**, **Tom Emmer (MN-06)** and **Brian Babin (TX-36)** released the following statements calling on Congress to act immediately to roll back the Obama Administration's Waters of the United States (WOTUS) rule after the 6th Circuit Court of Appeals lifted the nationwide stay that was in effect for the regulation:

Chairman Gosar stated, "We've been releasing statements and press releases reacting to the various judicial and regulatory twists and turns affecting the WOTUS rule for years now. But the time for statements and press releases is over. The court stay that kept WOTUS at bay nationwide

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is gone. We need immediate legislative action from Congress - preferably in the fiscal year 2018 omnibus package - to stop this regulation once and for all. There is no reason that this whopper of a rule from the previous Administration should remain on the books. After all, Congress already passed a bill to nullify this job-killing water rule in the past – only for President Obama to veto it."

"It is unacceptable that the most burdensome federal water and land grab in American history is again on track to become the law of the land. The Obama Administration's WOTUS rule completely by-passes states' water rights and threatens the Coloradan farmers, ranchers and landowners whose livelihoods depend on the availability of water," said **Congressman Tipton**. "I was encouraged by the current Administration's move to permanently withdraw WOTUS, but the court's latest decision now makes it imperative that Congress take swift action to block the rule. I will continue working with my colleagues in the House and Senate toward a more permanent solution to protect farmers, ranchers, and private property owners across Colorado and the nation from federal water grabs."

Congressman Newhouse stated, "I wholeheartedly supported the Trump Administration's delay of the Waters of the U.S. rule. With the 6th Circuit's decision to lift the stay on this misguided, bureaucratic power grab, it is clear Congress must act to provide relief for our nation's farmers and agriculture community. We must repeal WOTUS once and for all."

"Today's 6th Circuit decision simply underscores Congress' need to act on WOTUS. This blatant water grab by the Obama-era EPA attempted to put everyone's backyard under federal control, harming our ranchers and farmers in the process. Today's lifting will simply continue to cost the American taxpayer, who must foot the bill as this overreach languishes in court. It is high time that Congress acts to legislatively remove WOTUS, which would help ensure local landowners the ability to provide both good jobs and clean water across the country," said **Congressman Westerman**.

Congressman Biggs said, "The Clean Water Rule is one of the most intrusive and expansive regulations to come out of President Obama's politicized EPA. Congress must act to eliminate WOTUS once and for all."

Congressman Pearce said, "This regulation would be a disaster for rural communities in the West and across the country, giving Washington near-total control over water resources. The livelihoods of American farmers, ranchers, and entrepreneurs are at stake. It is vital that we foster a level of rationality in environmental policy and begin detangling the web of crushing rules and regulations across the federal government. Ridding the nation of this burdensome rule is long-overdue, and I will continue working in Congress to conserve resources while protecting American jobs."

"As long as the threat of this rule has a heartbeat, farmers, ranchers, businesses and families will continue living under a cloud of uncertainty," said **Congressman Bishop**. With bipartisan opposition across the country, we will pursue every avenue necessary to dispose of this harmful and abusive regulation."

Congressman Norman said, "The Obama Administration's WOTUS rule is an egregious example of the kind of regulatory overreach that is killing our nation's farmers and ranchers. I am disappointed that the 6th Circuit Court of Appeals has lifted the stay on implementation of the rule. Now is the time for Congress to act to eliminate this rule completely, and I am proud to stand with the Western Caucus to be the tip of the spear in this effort."

"You know the reach of the government has gone too far when farmers are getting sued for planting wheat in a wheat field," said **Congressman Denham**. "Delaying the rule was an

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important step, but fully rescinding the rule is clearly needed to provide certainty while the regulation is rewritten."

"This unfortunate court decision only intensifies the need for Congress to provide permanent relief for Southwest Washington farmers and land owners who would be so detrimentally impacted by this devastating rule. If the D.C. bureaucrats and courts have their way, this horrible WOTUS rule would allow the federal government to regulate every pond and ditch on private property – overturning four decades of effective Clean Water Act protection of our lands. I'll continue working with my colleagues in Congress to defend the plight of Southwest Washington residents from this egregious government power grab," said **Congresswoman Herrera Beutler**.

Congresswoman Cheney stated, "The 2015 Waters of the United States Rule was a gross overreach by President Obama's Administration, granting unconstitutional authority to federal agencies and undermining local and state authority. WOTUS threatens our rural communities, expands federal control over private property rights, and harms hard hard-working ranchers in Wyoming and across the nation. The House and Senate should move immediately to abolish this rule once and for all."

"The previous administration's WOTUS Rule allowed the federal government to regulate every stream, creek, and ditch across the nation at the expense of countless jobs and taxing regulatory costs to businesses," said **Congressman Mullin.** "Oklahoma's farmers, ranchers, and small businesses need relief from this burdensome rule. I will continue to work in Congress to pass legislation that overturns this gross abuse of executive branch power."

Congressman LaMalfa said, "WOTUS is one of the most erroneous and over-reaching rules ever implemented, and this decision clears the way for it to become the law of the land. That can't happen. WOTUS gives authority to unelected bureaucrats to regulate nearly every body of water in America and puts private property rights in serious jeopardy. This would have an especially devastating impact on rural America, including Northern California. Congress must now act quickly to pass legislation that defeats this unconstitutional rule once and for all."

"The Supreme Court's January opinion in National Association of Manufacturers v. Department of Defense - regarding the Obama Administration's overreaching, job-killing Waters of the U.S. (WOTUS) rule - has thrown some industries into chaos as uncertainty once again looms. Congress has the capability to provide a permanent, statutory answer on the merits of the rule once and for all by nullifying the rule in its entirety. WOTUS is bad for America's farmers, bad for American energy and bad for America's builders. I will continue to fight for a solution to this terrible rule," said **Congressman Johnson**.

Congressman Lamborn remarked, "The Obama Administration's Waters of the United States rule is a classic example of government regulation gone wrong. From farmers to construction companies to homeowners and countless groups in between, the WOTUS rule makes it harder for ordinary Americans to do business and support their families. It impedes on the rights of both states and property owners, and should not be put into effect. Congress should act to require the Environmental Protection Agency and the US Army Corps of Engineers to withdraw the WOTUS rule and re-draft the rule in a strong, bipartisan manner. I look forward to working with Administrator Pruitt and Lieutenant General Semonite on a revision of this rule that will honor local landowners instead of giving power solely to the federal government."

"Yesterday's action was disappointing." said **Congressman Emmer**. "The EPA's Waters of the U.S. rule was intrusive, damaging for jobs in Minnesota and around the country, and a prime example of Obama-era bureaucratic overreach. Like all Minnesotans, I believe that we need to be good stewards of our land and waterways, but our farmers and ranchers should be focused on feeding America instead of attempting to comply with the EPA's inherently flawed rule."

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"Congress and the Administration must continue to use every tool we have to stop WOTUS. This Obama-era grab of private property rights and local control will be devastating for rural and suburban communities," concluded **Congressman Babin**.

Background:

Today, Western Caucus called on the House and Senate to immediately pass legislation which would get rid of the job-killing Obama Waters of the United States (WOTUS) rule once and for all. This could be accomplished in two ways: 1) standalone legislation, or; 2) language included in the base text or attached to the fiscal year 2018 omnibus - to be considered imminently in March - that would nullify the rule entirely. This legislative approach would allow the Environmental Protection Agency to focus on other Trump Administration priorities - including writing a more targeted and sensible regulation that is consistent with Supreme Court precedent.

On 2/28/18, the 6th U.S. Circuit Court of Appeals lifted the nationwide stay of the Waters of the United States (WOTUS) rule. Accordingly, Congress must act in the upcoming omnibus or other must pass legislation to end litigation and halt the incredibly onerous and overreaching rule from taking effect.

The Obama Administration's WOTUS rule attempted to assert Clean Water Act jurisdiction over nearly all areas with even the slightest of connections to water resources, including man-made conveyances. Farmers, ranchers, job creators and private property owners would suffer under this overreaching water grab. WOTUS contradicts prior Supreme Court decisions and seeks to expand agency control over 60% of our country's streams and millions of acres of wetlands that were previously non-jurisdictional.

Section 431 of the House Interior bill seeks to address the previous Administration's overreach by authorizing the EPA Administrator and Secretary of the Army to withdraw the Obama WOTUS rule. Codifying Section 431 or a similar provision into law is necessary to address the pending uncertainty for Western Caucus Members and their constituents as a result of the Sixth Circuit stay being lifted.

In recent years, the House has voted at least five different times to block or reduce the damage associated with the Obama WOTUS rule. **In January 2016, the House and Senate passed legislation blocking WOTUS utilizing the Congressional Review Act and put a bill on President Obama's desk that he subsequently vetoed**.

The Sixth Circuit issued a nationwide stay and temporarily blocked implementation of the WOTUS rule on October 9, 2015. In June 2017, the EPA proposed a repeal of the Obama-era rule when it released a proposed rule that sought to re-codify the Clean Water Act as it existed prior to the 2015 Obama Administration rule. In January of 2018, the EPA also finalized an applicability rule that sought to delay the 2015 Obama rule by two years to February 6, 2020. However, eleven attorney generals and two environmental groups have filed separate cases in the New York court challenging delay of the applicability date and the January 2018 rule. There is also another environmental lawsuit filed against this delay in South Carolina. Further, in its January 22, 2018 decision, the Supreme Court held that challenges to the WOTUS Rule belong at the district rather than appellate court level, overturning the Sixth Circuit's decision and issuing instructions for the court to dismiss the case and nationwide stay.

In addition to calling on Congress to act to repeal the WOTUS rule, Western Caucus also released their top Interior Appropriations omnibus priorities. To view that list click **HERE**.

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Western Caucus Interior Omnibus Priorities 3.1.18

1) Fire-Borrowing Fix and Active Forest Management Policies

Position: Include a forestry package that contains both a fire-borrowing fix and active management reforms.

Summary: Members of the Western Caucus want a forestry package that includes both a fire-borrowing fix and active forest management reforms. Catastrophic wildfires are a significant threat to wildlife, watersheds and communities throughout the West. 2017 was one of the worst wildfire seasons on record. More than 58,000 fires burned more than 9.2 million acres. The Forest Service spent more than $2.5 billion on suppression costs this fiscal year alone - a new record. The House Committee on Natural Resources reports that in 2016, wildfires destroyed 4,312 structures, including 3,192 residences. As a result of 2017 wildfires, Seeley Lake, Montana set a record for the worst air quality ever recorded there - 18 times greater than EPA's safe particle limit. Our members would like to see a package that mirrors provisions like those in H.R. 2936, the Resilient Federal Forests Act, introduced by Rep. Bruce Westerman. This bill is bipartisan, comprehensive legislation that simplifies the cumbersome planning process and reduces the cost of implementing proactive forest management strategies in order to improve forest health throughout the country. It empowers local stakeholders and decision-making while advancing a forward-thinking active management strategy to combat wildfires before they get started. This bill includes regulatory expedition for forest management projects, an arbitration pilot program for court cases in which an injunction against forest management projects is sought as well as new incentives for agencies to coordinate with state and local governments to seek forest management solutions. The bill also seeks to address the fire-borrowing issue and has passed the House multiple times. Several of our members also strongly support the Wildfire Disaster Funding Act. This legislation could be included for the fire-borrowing fix. While there may not be 100% agreement on the mechanism for the actual fire-borrowing fix, there is almost unanimous agreement amongst our members that we need a two-prong approach that includes both a fire-borrowing fix and active forest management reforms. In a nutshell, the majority of our members are open to negotiating but our basic framework starts with a two-prong approach similar to that embodied in H.R. 2936.

2) WOTUS

Position: Retain Section 431 or an updated version in the House Interior bill in the omnibus.

Summary: Section 431 of the House Interior bill seeks to address the Waters of the United States (WOTUS) rule by authorizing the EPA Administrator and Secretary of the Army to withdraw the Obama Administration's WOTUS rule. The Obama Administration's WOTUS rule attempted to assert Clean Water Act jurisdiction over nearly all areas with even the slightest of connections to

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water resources, including man-made conveyances. Farmers, ranchers, job creators and private property owners would suffer under this overreaching water grab. WOTUS contradicts prior Supreme Court decisions and seeks to expand agency control over 60% of our country's streams and millions of acres of wetlands that were previously non-jurisdictional. The 6th U.S. Circuit Court of Appeals issued a nationwide stay and temporarily blocked implementation of this rule. In June 2017, the EPA proposed a repeal of the Obama rule when it released a proposed rule that sought to re-codify the Clean Water Act as it existed prior to 2015 Obama Administration rule. In January of 2018, the EPA also finalized an applicability rule that sought to delay the 2015 Obama rule by two years to February 6, 2020. Eleven attorney generals and two environmental groups have filed separate cases in the New York court challenging delay of the applicability date and the January 2018 rule. There is also another environmental lawsuit against this delay in South Carolina. Further, in its January 22, 2018 decision, the Supreme Court held that challenges to the WOTUS Rule belong at the district rather than appellate court level, overturning the Sixth Circuit's decision. The Supreme Court subsequently remanded the case to the Sixth Circuit, with instructions to dismiss the case. On 2/28/18, the 6th Circuit lifted the nationwide stay of the Waters of the United States (WOTUS) rule as a result. Accordingly, Congress must act in the upcoming omnibus or other must pass legislation to end litigation and halt the incredibly onerous and overreaching rule from taking effect. In recent years, the House has voted at least five different times to block or reduce the damage associated with the Obama WOTUS rule. **Further, in January 2016, the House and Senate passed legislation blocking WOTUS utilizing the Congressional Review Act and put a bill on President Obama's desk that he subsequently vetoed.** Retention of Section 431 or an updated version of Section 431 is necessary to address this pending uncertainty for Members and their constituents. Our members have received technical assistance from the Administration and worked with Leg. Counsel to draft updated and additional language options which can be found HERE.

3) **Ozone Rule**

Position: Retain section 432 of the House Interior bill in the omnibus.

Summary: Section 432 addresses the implementation of the national ambient air quality standards for ozone States that continue to face the burden of implementing two different standards simultaneously. Most states are just beginning to adopt the 75 parts per billion ozone standard proposed in 2008 as the EPA didn't announce implementation guidance and a final rule until March 6, 2015. Rather than allowing time for that standard to be implemented, the Obama Administration moved the goal posts and unilaterally sought to dramatically lower the ozone standard once again to 70 parts per billion on October 1, 2015. According to Obama Administration data, 241 counties will violate the 70 ppb standard. Industry analysis projects a significantly higher number, with an estimated 958 counties falling into nonattainment under the 70 ppb standard. More than 260 organizations representing businesses of all sizes, oppose the 70 parts per billion standard. Including Section 432 will give states and businesses the needed time to fully implement two different ozone standards sequentially in a more realistic and coordinated manner. In June 2017, the Trump Administration proposed to delay the October 2015 Ozone Rule promulgated by the Obama Administration's EPA. However, the EPA reversed course and canceled this one-year delay in August 2017. Further, on March 1, 2018, the EPA issued a final rule establishing the air quality thresholds that define each of the five Clean Air Act classifications for areas designated nonattainment for the 2015 National Ambient Air Quality Standards (NAAQS) for ground-level ozone; and establishing the attainment deadline associated with each classification. While the March 1st rule deals mostly with timeliness, and there will be at least one other final rule, this action shows the agency is currently taking steps to implement the burdensome October 1 rule as a result of court direction. Retaining Section 432 is a top

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priority for Members of the Western Caucus and their constituents as a result. For more information, click HERE and HERE.

4) **Wolves**

Position: Retain Section 116 and an updated Section 117 of the House Interior bill in the omnibus.

Summary: Section 116 directs the Secretary to reissue two final rules that will remove recovered wolves in Wyoming and the Great Lakes from the endangered species list. The Wyoming rule is consistent with the D.C Circuit Court of Appeals decision. Section 117 prohibits the treatment of gray wolves range-wide as an endangered or threatened species. On June 13, 2013, Interior and U.S. Fish and Wildlife Service (FWS) published a proposed rule that would remove the Gray Wolf from the "List of Endangered and Threatened Wildlife." This determination was made after the FWS "evaluated the classification status of gray wolves currently listed in the contiguous United States" and found the "best available scientific and commercial information indicates that the currently listed entity is not a valid species under the Act." Fully delisting the Gray Wolf under the Endangered Species Act will allow state wildlife officials to more effectively manage wolf populations – as we have seen is possible in states such as Idaho, Montana, Wyoming, Minnesota, Wisconsin, and Michigan. Even extreme environmentalist groups agree that, "The return of gray wolves in the northern Rocky Mountains and the Great Lakes has been an incredible success story." This updated Section 117 language is necessary as technical advice from the Department of the Interior indicated that the current Section 117 "language does not delist the species, it simply prohibits DOI from using appropriated funds on wolves. Technically the species would still be listed and take would be prohibited so a 3rd party could take an action against the Department." For more information, click HERE and HERE. As previously mentioned, our members have received technical assistance from the Administration and worked with Leg. Counsel to draft updated and additional language options which can be found HERE.

5) **Wild Horse and Burros**

Position: Retain Section 114 of the House Interior bill in the omnibus.

Summary: Section 114 permits the humane transfer of excess wild horses and burros for work purposes. The provision begins to address the numbers problem by allowing the BLM to transfer any wild horses to any requesting federal, state or local government requesting a work animal. This provision prevents horses transferred for work purposes from being used for commercial product purposes and also prevents horse slaughter. There are more than 68,000 wild horses on the ranges, twice as many as the BLM recommends. That number is growing by 20 percent a year, and due to the overpopulation, horses are inhumanely dying of thirst and starvation. The BLM continues to take horses off the ranges, but their own numbers estimate that it will cost more than $1 billion to care for the wild horses they already have in captivity. For more information, click HERE.

6) **Long (MO), Westerman (AR), Gosar (AZ), Costa (CA) Livestock Amendment**

Position: Retain this amendment that passed the House in the omnibus.

Summary: This bipartisan amendment adopted by the House on a voice vote makes clear that day-to-day farm activities are not subject to regulation under industrial toxic waste cleanup laws. When Congress enacted CERCLA and EPCRA several decades ago, it did not intend for family

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farms to be treated as hazardous waste cleanup sites, and this amendment makes that clear. Thousands of farms and ranches across the nation will be forced to report their daily emissions to the EPA or face liability of up to $53,907 per day. Congress must act to ensure that the EPA is not required to implement this overly burdensome court decision. Representative Long circulated a letter in December signed by numerous Members of the Western Caucus asking appropriators to retain this amendment. The amendment also has significant support from the Ag industry. For more information, click HERE.

7) **Jason Smith-Gianforte EAJA Amendment**

Position: Retain this amendment that passed the House in the omnibus.

Summary: Passed the House by voice vote. The amendment prevents federal agencies from using funds to pay legal fees under any lawsuit settlement regarding a case that arises under the Clean Air Act, the Clean Water Act, and the Endangered Species Act. In recent years we have seen a sharp increase in a practice called "Sue and Settle". This happens when a federal agency accepts a lawsuit from an outside advocacy organization and then, rather than defend itself, proceeds to settle that lawsuit in a closed-door agreement. Through this process; the advocacy group, often motived by a radical agenda, as part of the settlement gets to dictates the priorities and duties of that agency resulting in new regulations through legally-binding, court-approved settlements. If that isn't bad enough, taxpayers are responsible for footing the legal bill for the attorneys of the radical organizations who filed suit. Subject to little to no oversight, this process shuts out the public and Congress from participation in the regulatory process. Nowhere are these settlements more costly in their outcome than in the environmental regulatory context. Between 2009-2012 the EPA chose not to defend itself in over 60 of these lawsuits with outside environmental advocacy groups. The resulting settlements were responsible for more than 100 new regulations and billions of dollars of taxpayer money squandered.

8) **Payments in Lieu of Taxes (PILT) program**

Position: Ensure the Payments in Lieu of Taxes (PILT) program is fully-funded.

Summary: Page 52 of the House Interior bill includes $465 million in funding for PILT for FY18. PILT provides critical resources to nearly 1,900 counties across 49 states to offset lost property tax revenue due to the presence of tax-exempt federal lands within their jurisdictions. These dollars go toward supporting many critical services that counties are required to provide on federal public lands, despite their inability to collect property taxes on federal lands. As counties across the United States work to balance their budgets, it is essential that we act to reaffirm the federal government's long-standing commitment to local governments and fully fund PILT. For more information, click HERE.

9) **Pearce BLM Venting and Flaring Amendment**

Position: Retain Pearce Section 460 that passed the House in the omnibus.

Summary: Passed the House by a recorded vote of 216-186. The (BLM) Waste Prevention, Production Subject to Royalties, and Resource Conservation Rule – colloquially known as the Venting and Flaring Rule or the BLM Methane Rule – represents one of the Obama Administration's most egregious abuses of executive power designed to stifle responsible energy production on federal lands. This 2016 Obama rule included numerous administrative and regulatory burdens that are not necessary and would have significantly hindered job creation,

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energy production and economic growth. Further, the revised analysis by the Trump Administration found that the Obama rule's compliance costs for industry and implementation costs for the BLM would exceed the rule's benefits by nearly a billion dollars over a ten-year period. Obama's BLM exceeded their statutory authority with this new regulation by attempting to regulate air quality – an authority that by law is vested solely with the EPA. Methane emissions from oil and natural gas have significantly declined in recent decades without the blunt cudgel of duplicative federal regulations - and at a time when oil and gas production in the U.S. has surged. Given ongoing legal challenges, retaining this provision in the omnibus is a priority for Western Energy Alliance and small producers. In February, a San Francisco-based judge granted extremist environmentalist groups' preliminary injunction, meaning the 2016 BLM venting and flaring rule is technically in full effect immediately if Congress doesn't act. H.J. Res. 36, a Congressional Review Act bill by Natural Resources Committee Chairman Rob Bishop that sought to block the Bureau of Land Management's (BLM) Venting and Flaring Rule passed the House 221-191 with a bipartisan vote on 2/3/17. Western Caucus Members support updating this language to say, "None of the funds made available by this Act may be used to enforce the rule…" or simply repealing the rule. For more information, click HERE.

10) Mullin EPA Methane Amendment

Position: Retain this amendment that passed the House in the omnibus.

Summary: Passed the House by a recorded vote of 218-195. The amendment prohibits funds for enforcing the Obama Administration's EPA methane rule. On March 28, 2017, President Trump signed Executive Order 13783; directing federal agencies to review existing regulations and policies that potentially burden domestic energy production. The Executive Order specifically required the EPA to review the Obama Administration's June 2016 EPA Methane Rule. The June 2016 Obama regulation went to into effect in August 2016. However, several industry groups petitioned EPA to reconsider, "arguing reconsideration was mandatory because the final rule included provisions not set forth in the proposed rule. Finding the petitions raised at least one objection warranting reconsideration, EPA Administrator Scott Pruitt announced that EPA would issue a 90-day stay." The D.C. Circuit vacated EPA's 90-day stay on July 3, 2017. On July 31, 2017, the D.C. Circuit ruled EPA must enforce the methane rule. The Obama EPA methane rule is unnecessary; given methane is a product that industry is in the business of selling, not wasting, but also because it is duplicative, costly, and detrimental to our economy. By the Obama EPA's own numbers, methane emissions decreased while production increased over the same time period. The current status of this matter is the EPA is obligated to enforce the Obama rule as a result of July 31, 2017 decision by the D.C. Circuit Court. As a result, Congress must act to block this job-killing regulation estimated to cost our economy $530 million annually. Given ongoing legal challenges, retaining this provision in the omnibus is a priority for Western Energy Alliance and small producers. Western Caucus Members would also support updating this language to simply repeal the rule. For more information, click HERE.

11) CEMEX Soledad Mine issue and Feinstein Section 124(a) rider

Position: Members of the Western Caucus **are strongly OPPOSED** to inclusion of the Senate's Section 124(a) in the omnibus. 44 members of the House sent a letter on 2/16/18 asking that this provision not be included. Members of the Western Caucus are also **OPPOSED** to including a possible land exchange on behalf of Steve Knight on this issue in the Omnibus that would trigger the earmark rule and that has not gone through regular order.

Summary: The Senate Interior Appropriations bill includes Section 124(a) that purports to

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withdraw the mineral estate of two CEMEX contracts approved by the BLM. This misguided provision, included at the behest of Senator Feinstein, represents another political attempt to short-circuit CEMEX's Soledad operations and prevent the company from fulfilling two contracts issued by the BLM. A similar amendment put forth in the House was withdrawn due to overwhelming opposition and impending failure. Help us stop the Feinstein land grab that aims to prevent a mine from opening that is expected to produce 56 million tons of sand and gravel that is critically important to American infrastructure. For more information, click HERE.

12) Address the Obama Administration's 240,000 acre land grab in Minnesota with Rep. Emmer Provision

Positions:

- Western Caucus Members **are strongly OPPOSED** to this language included in the Committee Report. "*Superior National Forest — The Committee encourages the Service to coordinate with the Bureau of Land Management to complete a thorough environmental impact statement evaluating the proposal to withdraw nearly 235,000 acres of National Forest System lands in the Rainy River Watershed from mineral leasing for a period of 20 years, considering the economic, environmental, public health, and other related issues raised during the scoping process."* This EIS withdrawal review language places an immediate two-year moratorium on mining in this massive area while the 20-year moratorium is being considered. Time is money and this additional review is unnecessary. NEPA requires a full environmental review once a mining plan has been proposed and that is the proper review process.

- Western Caucus Members **SUPPORT** retaining Rep. Emmer's Section 449 or including his bill H.R. 3905, both of which reject the previous Administration's MN land grab.

Summary: Just before leaving office, the Obama Administration proposed a land grab that will cause significant harm to Minnesota communities in the form of 234,328 acre mineral withdrawal of National Forest System (NFS) lands, for a 20-year term, within the Rainy River Watershed on the Superior National Forest. 17,000 jobs, $3 billion for education, $1.5 billion in annual wages, $2.5 billion annually for our economy and a total of four billion tons of strategic-and-critical-mineral-containing ore – this is what is at risk if the Obama land grab is not overturned. H.R. 3905 passed the House with strong bipartisan support. Section 449 passed the House with unanimous consent. For more information, click HERE, HERE and HERE.

13) Sage Grouse

Position: Retain Section 113 of the House Interior bill in the omnibus.

Summary: The Department of Interior under the Obama Administration found in 2015 that a listing of the Sage Grouse under the Endangered Species Act (ESA) was not warranted. However, the agency unilaterally chose to implement a de facto listing through overly restrictive Resource Management Plan (RMPs) Amendments and Land and Resource Management Plan (LRMPs) Amendments. These RMPs and LRMPs are in many cases more restrictive than a critical habitat designation would be under an ESA listing and sought to prevent responsible mineral production, grazing and other activities across 11 Western states. While Section 113 doesn't solve the Sage Grouse problem, inclusion of this rider is necessary for protection as DOI and other agencies seek to unwind the Obama Administration RMPs and LRMPs. This provision has been included in omnibus bills since fiscal year 2015. For more information, click HERE.

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14) Scott Tipton Water Rights Protection Act

Position: Include this bill in the omnibus.

Summary: Western Caucus Member Scott Tipton's Water Rights Protection Act prevents the federal government from taking privately held water rights without just compensation. This would protect a variety of water users including rural communities, businesses, recreation opportunities, farmers and ranchers as well as other individuals that rely on privately held water rights for their livelihood. It does so by prohibiting federal agencies from extorting water rights through the use of permits, leases, and other land management arrangements, for which it would otherwise have to pay just compensation under the 5th Amendment of the Constitution. This legislation is necessary as the Forest Service and BLM have been aggressively pursuing such takings for several years now. The Water Rights Protection Act passed out of the House of Representatives with bipartisan support in the 113th, 114th and 115th Congresses. For more information, click HERE and HERE.

15) Biggs Shooting and Hunting Provision

Position: Retain section 436 of the House Interior bill in the omnibus.

Summary: This provision ensures hunting, fishing, and recreational shooting remain a priority on public lands. Federal agencies have repeatedly restricted public access to public lands under the guise of safety, resulting in the loss of our sportsmen's recreational activities. Such restrictions have negative effects on our economy, and our constituents' rights to hunt, fish, and shoot on federal lands. Enactment of this provision will be a good step towards protecting these long-standing American traditions. Further, this section is necessary to protect recreational access in light of misguided actions by the previous Administration that closed public lands to hunters and shooters. For more information, click HERE.

16) Extension of Grazing Permits

Position: Retain Section 423.

Summary: Section 423 extends certain authorities through fiscal year 2018 allowing the Forest Service to renew grazing permits for an additional year. The renewal will follow the same terms as those required in section of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752). Protecting grazing rights is important to Members of the Western Caucus and their constituents. This provision was passed into law previously in the form of H.R. 244, the Consolidated Appropriations Act of 2017.

17) National Oceans Policy

Position: Retain section 505 in the omnibus.

Summary: This provision seeks to block further implementation of the National Ocean Policy. On July 19th, 2010 President Obama signed Executive Order 13547 and sought to implement a new National Ocean Policy. According to the House Committee on Natural Resources, "In this unilateral action, he established a top-down, Washington, D.C.–based approval process that will hinder rather than promote ocean and inland activities and cost American jobs…This has the potential to inflict damage across a spectrum of sectors including agriculture, fishing,

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construction, manufacturing, mining, oil and natural gas, renewable energy, and marine commerce, among others… Over 80 national and local organizations representing agriculture, forestry, energy, fishing, boating, mining, transportation and construction wrote to [then] Appropriations Committee Chairman Hal Rogers requesting a prohibition on funding for the implementation of the President's National Ocean Policy."

18) Include Onshore Orders Report Language

Position: Include report language on BLM Onshore Orders 3, 4 and 5.

Summary: Stakeholders are willing to work with the Administration to ensure proper implementation of BLM Onshore Orders 3, 4 and 5. They would like to see report language included to the effect of, "The Committee directs the Bureau to work expeditiously with interested stakeholders to address technical and implementation issues associated with Onshore Orders 3, 4 and 5." **Rep. Pearce's** Onshore Order 3 Amendment to prevent funds being used to implement the Obama Administration's BLM Onshore Order 3 rule finalized on November 17, 2016, passed the House by a voice vote. **Rep. Westerman's** Onshore Order 4 Amendment to prevent funds being to implement the Obama Administration's BLM Onshore Order 4 rule finalized on November 17, 2016, passed the House by a voice vote. Stakeholders are now willing to drop these riders if the agency works with them on implementation. For more information, click HERE, HERE and HERE.

19) Don Young Amendment to Block Obama's Arctic Drilling Rule

Position: Include this provision.

Summary: The Young provision seeks to prohibit funds from being used for the Obama Administration's Arctic Drilling rule. This amendment passed the House by voice previously. Rep. Young also introduced H.J. Res 70 to block this Obama rule. The SECURE American Energy Act also includes a provision that seeks to prohibit the Department of the Interior from enforcing this rule. On July 15, 2016, the Obama Administration finalized a new Arctic drilling rule. The rule, which governs all future offshore exploration in the Beaufort Sea and Chukchi Sea, has faced significant criticism since its proposal, particularly regarding its overly prescriptive application of restrictions, extreme costs, and failure to consider the substantial innovations in safety technology that are suitable for the low pressure/low temperature environment in the Arctic – as opposed to high pressure/ high temperature needs of the Gulf of Mexico. The Department of Interior cost-benefit analysis has estimated the rule will cost $2.1 billion in compliance, adding exorbitant costs to the already billions of dollars needed to acquire leases and responsibly develop in the Arctic. A 2011 analysis found that development of those resources would create an annual average of 55,000 jobs over a 50-year period and generate a total of $193 billion for local, state, and federal treasuries. According to a 2014 poll, 73 percent of Alaskans support Arctic OCS development. The Obama Administration's final Arctic Rule is overly burdensome and costly. Note: text may need updated to reflect that the final rule was issued on 7/16/16. Western Caucus Members would also support updating to state that the rule is repealed or shall have no force or effect. For more information, click HERE and HERE.

20) Vacant Lots for Grazing for those Impacted by Drought or Wildland Fire

Position: Retain section 437 in the omnibus.

Summary: Section 437 makes available vacant allotments for permittees impacted by drought or

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wildland fire. Farmers and ranchers throughout the country are struggling. Many have seen their operations negatively impacted due to fires and drought. Drought conditions have caused growing seasons to lengthen by nearly two weeks since 1950 in the Midwest alone. 2017 was one of the worst wildfire seasons on record. More than 58,000 fires burned more than 9.2 million acres. The Forest Service spent more than $2.5 billion on suppression costs this fiscal year alone - a new record. Droughts and wildland fires threaten our food supply and the livelihoods of rural economies. Drought alone is estimated to have cost the U.S. economy $50 billion from 2011 to 2013. Making land available for grazing to replace lands made unusable by drought or wildfire is just commonsense.

21) Wolf-Livestock Loss Demonstration Program

Position: Maintain funding for the Wolf-Livestock Loss Demonstration Program.

Summary: Page 15 of the House Committee Report states, "The Wolf-Livestock Loss Demonstration Program is restored to the fiscal year 2017 enacted level of $1,000,000 but is transferred to the Partners for Fish and Wildlife Program." Members of the Western Caucus support this important program that provides ranchers a small fraction of what they are owed when they can prove their livestock was killed due to a wolf attack. Since the U.S. Fish and Wildlife Service operates oversight of the Mexican wolf and other wolf recovery programs, the federal government often bears some responsibility for these attacks.

22) IHS Funding

Position: Maintain funding for The Indian Health Service (IHS).

Summary: As stated in the Committee report, "The Indian Health Service (IHS) provides direct health care services in 28 hospitals, 61 health centers, three school health centers, and 34 health stations. Tribes and Tribal groups, through contracts and compacts with the IHS, operate 17 hospitals, 249 health centers, six school health centers, and 70 health stations (including 164 Alaska Native village clinics)." Significant cuts to IHS were proposed by the Administration. The Committee restored funding to the in the House bill. Members of the Western Caucus are supportive of providing IHS funding critical to tribal communities.

23) Tamarisk Report Language

Position: Retain tamarisk report language on page 48.

Summary: The report language states, "Tamarisk Eradication.—The Committee encourages the Secretary to coordinate with the Department of Agriculture, other Federal agencies, States, Tribes, private entities, and communities to establish a scientifically based and watershed-focused pilot program to eradicate tamarisk in the southwestern United States." Members of the Western Caucus have consistently pushed for such coordination as invasive tamarisks are soaking up as much as 200 gallons of water per day per plant and many of our communities have significant water shortages.

24) Mexican Gray Wolf and Red Wolf Report Language

Position: Retain Gray wolf and red wolf report language on page 15.

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Summary: The report language states, "The service is directed to, within 60 days of enactment of this Act, review and determine whether Mexican gray wolf (Canis lupus Baileyi) is a genetically valid subspecies designation and whether the red wolf (Canis rufus) is a genetically valid species designation. The Service shall complete its work and publish a report to Congress not later than one year from the date of enactment of this Act." The House previously passed an amendment by a recorded vote to allow for the state management of the Mexican gray wolf.

25) Ocean City Protectionist Provision

Position: Numerous Members of the Western Caucus as well as the National Oceans Industries Association (NOIA) **are OPPOSED** to including Section 438 of the House bill in the omnibus.

Summary: Section 438 limits funds for activities related to wind turbines less than 24 nautical miles from the State of Maryland shoreline. Most of our members support an all-of the-above strategy. NOIA sent a letter on 8.10.17 stating they oppose inclusion of this provision "which would restrict the ability of the Department of the Interior to administer offshore wind leases within 24 miles of the State of Maryland shoreline in fiscal year 2018…We are concerned that the language in Section 438 would violate the lease contract sanctity which is critical to the responsible and timely development of offshore energy resources."

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