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 31, 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 forty-six (46) pages. All pages of released records relate to OS-2019-00777. This release contains the remaining responsive records in the Office of the Secretary's possession.

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 email addresses amongst other personal identifying information. 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. 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 interest 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 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:

AMERICAN OVERSIGHT

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
Office of the Secretary

Enclosure

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Label: "FOIA/FOIA Twin Metals"

Created by:taylor_playforth@ios.doi.gov

Total Messages in label:8 (4 conversations)

Created: 10-07-2019 at 15:49 PM

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Conversation Contents

Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals

Attachments:

/1. Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals/1.1 19-00777qa.pdf
/1. Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals/1.2 FOIA Control Form (4.17.19).pdf
/1. Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals/2.1 19-00777qa.pdf
/1. Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals/2.2 FOIA Control Form (4.17.19).pdf
/1. Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals/2.3 Twin Metals FOIA.pdf

"Salotti, Christopher" <chris_salotti@ios.doi.gov>

From:	"Salotti, Christopher" <chris_salotti@ios.doi.gov>
Sent:	Thu May 30 2019 15:07:40 GMT-0600 (MDT)
To:	Aaron Thiele <aaron_thiele@ios.doi.gov>, Taylor Playforth <taylor_playforth@ios.doi.gov>
Subject:	Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals
Attachments:	19-00777qa.pdf FOIA Control Form (4.17.19).pdf

Aaron/Taylor -

See the note below and the attached request. In addition to Cole and Matt, who are specifically named as custodians for the search, they ask that a search for responsive records be performed by political appointees in OCL.

Let me know if you want to discuss.

Chris

---------- Forwarded message ---------
From: **Salotti, Christopher** <chris_salotti@ios.doi.gov>
Date: Wed, May 1, 2019 at 4:08 PM
Subject: FOIA Search Request: OS-2019-00777 related to Twin Metals
To: Quinn, Matthew <Matthew_Quinn@ios.doi.gov>
Cc: Cole Rojewski <cole_rojewski@ios.doi.gov>, Pamela Barkin <pamela_barkin@ios.doi.gov>

Matt -

See the FOIA below. You are specifically referenced near the bottom of page 2 as a custodian of records who must search for responsive records.

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Please perform a search of your records and provide a response to BOTH me and the FOIA office (at the email address below) by Friday 5.3.19. I need you to provide me with notice for tracking purposes.

I've copied Cole on this note as he has received this request as well.

Thanks, and let me know if you have any questions.

Chris

* * * * * * * *

The Office of the Secretary Freedom of Information Act Office (OS FOIA) believes you may have responsive records pertaining to the attached FOIA request.

It is important that we timely and accurately respond to all FOIA requests. The law allows FOIA requesters to shift the costs for collecting and producing responsive records to agencies if we do not respond within 20 days. Also, we want to make sure that we make the right decisions about protecting information where we can under the law and you have the best understanding of what information should be protected given your subject matter expertise. We therefore need and greatly appreciate your assistance in responding to this request.

1. **Open the attached FOIA immediately**
2. **Determine if you have responsive records, both paper and electronic files.**
3. **We have determined that this FOIA request is in the [COMPLEX processing track]. Please use this processing track to set your processing priority, if we have informed you that you have multiple FOIA requests, as discussed in the attached form.**
4. **If you need further assistance in prioritizing multiple searches, please contact OS FOIA.**

If you have NO RESPONSIVE RECORDS

- Complete the attached FOIA Control Form indicating no records
- Return the FOIA Control Form as soon as possible so you can be removed from the process.

If you have RESPONSIVE RECORDS

- Provide *all* responsive records and complete the attached FOIA Control Form
- Provide the documents and the FOIA Control Form to OS FOIA –electronically (CD, via the FOIA/DMU Processing Application, email, or thumb drive) if possible.

WHAT WILL HAPPEN TO THE RECORDS I PROVIDE?

OS FOIA staff will review the records provided. *You may note any records you think are sensitive and describe their sensitivities—see the attached FOIA Control Form.* OS FOIA, in consultation with SOL, will make the final determination on the withholding of documents.

HOW CAN I CONTACT THE OS FOIA OFFICE?

- Phone: (202) 513-0765
- Email: osfoia@ios.doi.gov
- Office: MIB 7328

--
Christopher P. Salotti
Legislative Counsel
U.S. Department of the Interior
Phone: 202.208.1403

AMERICAN OVERSIGHT

--
Christopher P. Salotti
Legislative Counsel
U.S. Department of the Interior
Phone: 202.208.1403

"Playforth, Taylor" <taylor_playforth@ios.doi.gov>

From:	"Playforth, Taylor" <taylor_playforth@ios.doi.gov>
Sent:	Mon Oct 07 2019 15:47:51 GMT-0600 (MDT)
To:	OS FOIA OS <osfoia@ios.doi.gov>
CC:	Robert Howarth <robert_g_howarth@ios.doi.gov>, Christopher Salotti <chris_salotti@ios.doi.gov>
Subject:	Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals
Attachments:	19-00777qa.pdf FOIA Control Form (4.17.19).pdf Twin Metals FOIA.pdf

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From: **Salotti, Christopher** <chris_salotti@ios.doi.gov>
Date: Thu, May 30, 2019 at 5:08 PM
Subject: Fwd: FOIA Search Request: OS-2019-00777 related to Twin Metals
To: Aaron Thiele <aaron_thiele@ios.doi.gov>, Taylor Playforth <taylor_playforth@ios.doi.gov>

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- Email: osfoia@ios.doi.gov
- Office: MIB 7328

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Christopher P. Salotti
Legislative Counsel
U.S. Department of the Interior
Phone: 202.208.1403

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AMERICAN OVERSIGHT

Christopher P. Salotti
Legislative Counsel
U.S. Department of the Interior
Phone: 202.208.1403

--

Taylor Playforth
Senior Advisor
US Department of Interior
Office of Congressional & Legislative Affairs
(202) 795-0977

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Conversation Contents

[EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview

Attachments:

/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/1.1 image001.png
/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/1.2 image002.png
/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/1.3 image003.png
/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/1.4 image004.png
/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/2.1 image001.png
/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/2.2 image002.png
/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/2.3 image003.png
/2. [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview/2.4 image004.png

"Small, Jeff" <Jeff.Small@mail.house.gov>

From:	"Small, Jeff" <Jeff.Small@mail.house.gov>
Sent:	Wed May 15 2019 15:15:46 GMT-0600 (MDT)
To:	"taylor_playforth@ios.doi.gov" <taylor_playforth@ios.doi.gov>, "cole_rojewski@ios.doi.gov" <cole_rojewski@ios.doi.gov>, Aaron Thiele <aaron_thiele@ios.doi.gov>
Subject:	[EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview
Attachments:	image001.png image002.png image003.png image004.png

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

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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: emilio.l.navarrete@gmail.com <emilio.l.navarrete@gmail.com>

No Images? Click here



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 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

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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 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

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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 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-

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

Forward

Preferences | Unsubscribe

"Playforth, Taylor" <taylor_playforth@ios.doi.gov>

From:	"Playforth, Taylor" <taylor_playforth@ios.doi.gov>
Sent:	Wed May 15 2019 15:16:46 GMT-0600 (MDT)
To:	"Small, Jeff" <Jeff.Small@mail.house.gov>
CC:	"cole_rojewski@ios.doi.gov" <cole_rojewski@ios.doi.gov>, Aaron Thiele <aaron_thiele@ios.doi.gov>
Subject:	Re: [EXTERNAL] FW: Western Caucus Efforts Reinstate Two MN Leases that Were Politically Cancelled by the Obama Administration - Preview
Attachments:	image001.png image002.png image003.png image004.png

appreciate the support!

On Wed, May 15, 2019 at 5:16 PM Small, Jeff <Jeff.Small@mail.house.gov> wrote:

> 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
>
> | ht | ht | ht | re ins |
> |---|---|---|---|
>
> **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
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Obama Administration - Preview
To: emilio.l.navarrete@gmail.com <emilio.l.navarrete@gmail.com>

No Images? Click here



For Immediate Release
Date: May 15, 2019
Contact: Emilio Navarrete | Emilio.Navarrete@mail.house.gov

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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 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

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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 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 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

AMERICAN OVERSIGHT

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.

###

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



Forward

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Taylor Playforth
Senior Advisor
US Department of Interior
Office of Congressional & Legislative Affairs
(202) 795-0977

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Conversation Contents

[EXTERNAL] anything you can send on twin metals?

Attachments:

/3. [EXTERNAL] anything you can send on twin metals?/1.1 image001.png
/3. [EXTERNAL] anything you can send on twin metals?/1.2 image002.png
/3. [EXTERNAL] anything you can send on twin metals?/1.3 image003.png
/3. [EXTERNAL] anything you can send on twin metals?/1.4 image004.png
/3. [EXTERNAL] anything you can send on twin metals?/3.1 2019.05.14 Final NR Twin Metals SNF Lease Renewals.pdf

"Small, Jeff" <Jeff.Small@mail.house.gov>

From:	"Small, Jeff" <Jeff.Small@mail.house.gov>
Sent:	Wed May 15 2019 09:40:22 GMT-0600 (MDT)
To:	"taylor_playforth@ios.doi.gov" <taylor_playforth@ios.doi.gov>
Subject:	[EXTERNAL] anything you can send on twin metals?
Attachments:	image001.png image002.png image003.png image004.png

The Secretary made some sort of announcement at the hearing about an announcement on Twin Metals Leases. Anything in writing you can send on Twin Metals?

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

ht	ht	ht	res ins

"Playforth, Taylor" <taylor_playforth@ios.doi.gov>

From:	"Playforth, Taylor" <taylor_playforth@ios.doi.gov>
Sent:	Wed May 15 2019 10:39:19 GMT-0600 (MDT)
To:	"Small, Jeff" <Jeff.Small@mail.house.gov>
CC:	"Block, Molly" <molly_block@ios.doi.gov>
Subject:	Re: [EXTERNAL] anything you can send on twin metals?

Yes, I saw that. I'm adding Molly she has the latest version of the Press Release.

AMERICAN OVERSIGHT

On Wed, May 15, 2019 at 11:40 AM Small, Jeff <Jeff.Small@mail.house.gov> wrote:

> The Secretary made some sort of announcement at the hearing about an announcement on Twin Metals Leases. Anything in writing you can send on Twin Metals?
>
> **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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--
Taylor Playforth
Senior Advisor
US Department of Interior
Office of Congressional & Legislative Affairs
(202) 795-0977

"Block, Molly" <molly_block@ios.doi.gov>

From:	"Block, Molly" <molly_block@ios.doi.gov>
Sent:	Wed May 15 2019 10:41:43 GMT-0600 (MDT)
To:	"Playforth, Taylor" <taylor_playforth@ios.doi.gov>
CC:	"Small, Jeff" <Jeff.Small@mail.house.gov>
Subject:	Re: [EXTERNAL] anything you can send on twin metals?
Attachments:	2019.05.14 Final NR Twin Metals SNF Lease Renewals.pdf

Hey Jeff -

See attached. This is going out from BLM at 1:00.

Molly Block
Press Secretary
U.S. Department of the Interior

On Wed, May 15, 2019 at 12:39 PM Playforth, Taylor <taylor_playforth@ios.doi.gov> wrote:

> Yes, I saw that. I'm adding Molly she has the latest version of the Press Release.
>
> On Wed, May 15, 2019 at 11:40 AM Small, Jeff <Jeff.Small@mail.house.gov> wrote:
>
> > The Secretary made some sort of announcement at the hearing about an announcement on Twin Metals Leases. Anything in writing you can send on Twin Metals?
> >
> > **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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Taylor Playforth
Senior Advisor
US Department of Interior
Office of Congressional & Legislative Affairs
(202) 795-0977

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Conversation Contents

[EXTERNAL] Draft Gosar questions and lead-in for today's budget hearing

Attachments:

/4. [EXTERNAL] Draft Gosar questions and lead-in for today's budget hearing/1.1 image001.png
/4. [EXTERNAL] Draft Gosar questions and lead-in for today's budget hearing/1.2 image002.png
/4. [EXTERNAL] Draft Gosar questions and lead-in for today's budget hearing/1.3 image003.png
/4. [EXTERNAL] Draft Gosar questions and lead-in for today's budget hearing/1.4 image004.png
/4. [EXTERNAL] Draft Gosar questions and lead-in for today's budget hearing/1.5 Gosar leadin and questions 5.15.19 Bernhardt Hearing.docx

"Small, Jeff" <Jeff.Small@mail.house.gov>

From:	"Small, Jeff" <Jeff.Small@mail.house.gov>
Sent:	Wed May 15 2019 03:52:39 GMT-0600 (MDT)
To:	"cole_rojewski@ios.doi.gov" <cole_rojewski@ios.doi.gov>, Aaron Thiele <aaron_thiele@ios.doi.gov>, "taylor_playforth@ios.doi.gov" <taylor_playforth@ios.doi.gov>, "katharine_macgregor@ios.doi.gov" <katharine_macgregor@ios.doi.gov>, "todd_willens@ios.doi.gov" <todd_willens@ios.doi.gov>
Subject:	[EXTERNAL] Draft Gosar questions and lead-in for today's budget hearing
Attachments:	image001.png image002.png image003.png image004.png Gosar leadin and questions 5.15.19 Bernhardt Hearing.docx

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

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From: Small, Jeff
To: "(b) (6) .gov"; Teller, Paul S. EOP/WHO; Freeland, Jeff ((b) (6) .gov); Pataki, Timothy A. EOP/WHO ((b) (6) .gov); Deeley, Blake (blake_deeley@ios.doi.gov); amanda_kaster@ios.doi.gov; micah_chambers@ios.doi.gov; John Tanner; Crandall, Doug -
Subject: [EXTERNAL] RE: President"s Upcoming Minnesota Trip
Date: Thursday, June 14, 2018 4:34:47 PM
Attachments: image001.png
image002.png
image003.png
image004.png
6.30.17 Final Signed MN withdrawal letter to Secretary Zinke and Perdue.pdf
2017_07_31_Daudt Gazelka Bakk Withdrawal.pdf
Daudt Letter to PresidentTrump MINING Highlighted.pdf
J4MN MiningMN RAMS Letter on Withdrawal Status_1 31 18v2.pdf
MN Legislative Leadership Letter to DOI and DoA.pdf

Alex, Paul, Jeff, Tim, Blake, Amanda, Micah, John and Doug,

During the President's upcoming trip to Minnesota, Chairman Gosar and Members of the Western Caucus would like to encourage the President and the Administration to announce they are cancelling the proposed northern Minnesota mineral withdrawal.

Many believe this would be a game changer for the state and region and that it is far past time that we rip off the band-aid.

Further, the longer we wait to cancel this political Obama-era policy the more difficult this becomes. For instance, if the EA is finalized, then legal challenges can also come up involving the EA which in turn will cost more time and more money for the different companies and business negatively impacted by the withdrawal.

There is a coalition like few I've ever seen that supports cancelling the withdrawal including labor unions, teachers, miners, surrounding businesses, bipartisan members of Congress and bipartisan State Representatives amongst others.

Some statements put out by the Caucus with more information:
More than 50 Members, Stakeholders Call on Admin to Scrap Obama Mineral Withdrawals

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

House RESTORES Minnesota Mining

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

Know most of you all know this issue fairly well but let us know if you need any more information. We appreciate 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

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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

AMERICAN OVERSIGHT

July 31, 2017

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

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

Dear Secretary Zinke and Secretary Perdue:

On June 30th of this year you received a bipartisan letter from 26 members of Congress related to mineral development issues in northern Minnesota. As elected leaders of the Minnesota Legislature, we are writing to add our support for that letter.

As we stated in our own correspondence earlier this year (attached), we are outraged at the decision made by the previous administration to withdraw nearly 240,000 acres of federal lands from future mineral exploration and development as well as the denial of federal mineral leases held by Twin Metals Minnesota. These decisions will yield immense negative impacts our region, harming a wide array of technology, infrastructure and manufacturing industries, especially the rapidly growing green and renewable energy sectors.

The expansion of the precious metals mining industry offers generations of Minnesotans thousands of good-paying jobs, billions of dollars in investment, and billions more in revenues to Minnesota schools. It is also an incredible opportunity to further establish our nation's economic and energy independence from the foreign mineral sources we now depend on. Removing vast amounts of federal land from potential development and blocking the renewal of Twin Metals' federal mineral leases was a mistake, and we ask that these decisions be reversed immediately.

Sincerely,

Kurt Daudt
Speaker of the House
Minnesota House of Representatives

Paul Gazelka
Senate Majority Leader
Minnesota State Senate

Tom Bakk
Senate Minority Leader
Minnesota State Senate

AMERICAN OVERSIGHT

Kurt Daudt
Speaker of the House

Minnesota House of Representatives

January 23, 2017

President Donald J. Trump
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Trump,

Congratulations on your successful inauguration and the beginning of your presidency. A new administration represents a chance for our country to chart a new course. As last fall's election results made clear, Americans are ready for change. The same is true here in Minnesota.

As you know, the previous administration routinely intruded on state-level decisions, oftentimes to the detriment of hardworking Minnesotans. While the examples are numerous, two areas are of urgent concern: Obamacare destroyed Minnesota's once nation-leading health care system and the Obama administration has interfered in our ability to responsibly develop our state's abundant natural resources to help grow jobs and expand the economy.

The Minnesota House Republican Caucus stands ready to work in partnership with your administration to reverse the harmful policies inflicted by the previous administration. In that effort, we respectfully request action on the following priorities we feel deserve immediate attention.

Expand Access to Affordable Health Care Options

- **Extend the open enrollment period:** The individual market has been in a state of extreme turbulence due to Obamacare, our state-based exchange, MNsure, and the Minnesota Department of Commerce's decision to permit enrollment caps for 2017. Minnesotans only have until January 31, 2017 to enroll in a health insurance plan through the individual market. Minnesota previously applied for an extension, but was denied by the Obama Administration. If your administration grants our state an extension, Minnesotans will have more time to assess their options and sign up for plans that best suit their families.
- **Grant waiver allowing Minnesota to better manage risk**: Minnesota's once nation-leading health care system has been brought to the brink of collapse thanks to the disastrous consequences of Obamacare. As you've previously noted, Democratic Governor Mark Dayton recently declared, "The reality is the Affordable Care Act is no longer affordable." MNsure and Obamacare put an end to Minnesota's successful Minnesota Comprehensive Health Association program—a high-risk pool that ensured every Minnesotan could obtain needed coverage, and stabilized the individual market while keeping costs down for everyone. Minnesota is seeking the authority to re-establish a program that will bring balance and stability back to our individual insurance market. We urge your administration to grant a waiver and support Congressional action to give states the freedom and flexibility to adopt solutions to fix our health care crisis.

463 State Office Building, 100 Rev Dr Martin Luther King Jr Blvd, St. Paul, MN 55155-1298 (651) 296-5364
rep. kurt.daudt@house.mn

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- **Grant waiver from federal penalties for distressed counties:** Thousands of Minnesotans live in counties with just one uncapped plan option, and thousands more do not have access to a plan on the exchange that would allow them to keep their doctor. House Republicans want to give Minnesotans as many options as possible to find an affordable plan that ensures continued care from doctors and specialists. Minnesotans who have no uncapped options should not be penalized for buying a non-qualifying health plan if the only option is too expensive to reasonably afford.
- **Enhance scrutiny of federal funding for state-based exchanges:** MNsure has cost state and federal taxpayers more than $400 million since its inception. Promises that the exchange would be self-sufficient have failed to materialize. As a result, MNsure has relied heavily on Medicaid funding to subsidize operational costs and IT development. Similarly, MNsure has also utilized no-cost extensions of federal exchange establishment grant funding well-past their original expiration date. The Obama administration repeatedly granted these extensions to prop up failing exchanges like MNsure—we believe it's time to put an end to this outrageous waste of taxpayer dollars.

Responsibly Develop our Natural Resources

- **Reverse Obama Administration's actions to block mining**: Shortly before leaving office, President Obama's U.S. Forest Service and Bureau of Land Management moved to withdraw more than 230,000 acres of federal land in Northeast Minnesota from future leasing, exploration, and development. This arbitrary decision is blocking the advance of mining projects that could bring thousands of good-paying jobs and revitalize a region with an unemployment rate higher than the state and national average.
- **Dismiss petition aimed at blocking mining projects**: A petition brought to the Environmental Protection Agency (EPA) by an environmental group seeking to block new mining projects in Minnesota would, if granted, reverse delegation of enforcement for water quality standards by the EPA to the Minnesota Pollution Control Agency (MPCA). Delegation to the MPCA allows Minnesota regulators to be held accountable to Minnesota legislators and the public—reverting authority to the EPA would have the effect of slowing down environmental review, potentially delaying key mining projects.
- **Support Congressional action on gray wolves:** Rising wolf populations in Northern Minnesota have proven devastating for cattle ranchers and other Minnesota animal farmers. We support Congressional action to remove the gray wolf from the Endangered Species List so farmers are able to protect their livestock and animals and keep local wolf populations in check.

While this list is not exhaustive, we believe the priorities listed above are critical steps the executive branch can take in the short-term to alleviate the past eight years of over-burdensome federal government intrusion. We look forward to working with your administration to advance the prosperity and success of Minnesotans. Thank you for your time and consideration.

Sincerely,



Kurt Daudt
Speaker of the House
Minnesota House of Representatives

AMERICAN OVERSIGHT

January 31, 2018

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

Office of the Secretary
Secretary Sonny Perdue
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Zinke and Secretary Perdue:

As representatives of the coalition Jobs for Minnesotans, the industry association MiningMinnesota and the Range Association of Municipalities and Schools (RAMS), we speak for the people of Minnesota most directly impacted by Obama administration's attempt to fatally wound our mining future. In November 2016, the 8th Congressional District of northeastern Minnesota voted for a presidential candidate based in part on promises to review and reverse government agency actions that prohibit lawful and responsible industry to grow and prosper. Northeastern Minnesota felt the pains of such an action on January 13, 2017, when the U.S. Forest Service (USFS) formally submitted an application to the Bureau of Land Management (BLM) to withdraw approximately 235,000 acres of federal land and minerals within the Rainy River Basin in northeast Minnesota from future mining activity, triggering a two year environmental study and the threat of a 20 year-long moratorium on future leasing and exploration.

The January 13, 2017, Federal Register notice kicked off of a two year environmental review related to the withdrawal proposal. Mid-August 2017 marked the end of an eight-month, drawn-out public comment period on this topic. In April, July and again in December 2017, representatives of our organizations met with various USFS, U.S. Department of the Interior (DOI) and BLM leaders requesting the status of the study. Just over a year from the original notice, on January 26, 2018, the USFS announced they would no longer be pursuing an environmental impact statement but instead an environmental assessment. This acknowledges comments received during the scoping period and sound science, and what multiple studies have already shown – that there is no significant impact on the environment from mineral leasing or exploration. The fact remains that the proposed mineral withdrawal would devastate the socio-economic well-being of our entire region and prohibits access to exploring critical mineral resources for our economy and national defense.

We are disheartened that new leadership within the USFS and DOI has not rescinded the application despite the documented science and widespread opposition to this proposal. The environmental assessment will still take the full two-years originally intended for an environmental impact statement in the original Federal Register notice. It is unnecessary and duplicative with the established process for mining projects. Allowing the clock to run out over the course of another year does not raise our hopes or expectations that this matter will be resolved in the best interests of the people of Northern Minnesota.

The economic opportunities from mining projects are significant – thousands of direct jobs, two times as many jobs in spinoff industries and billions of dollars to support K-12 education across the state. The emerging mining industry is an investment in the future well-being of our state and nation; with the withdrawal proposal looming over the region and the state, our future is at risk.

The U.S. Geological Survey (USGS) 2017 report on critical minerals noted a growing dependence on foreign sources and called out Minnesota's Duluth Complex as a potential source of domestically produced critical platinum group metals. The USGS study was quickly followed by the Critical Mineral Executive Order from the Trump

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administration (12/20/17) aimed at reducing U.S. dependence on foreign sources. Northeast Minnesota is the primary source of domestic critical minerals necessary for our national security and economy. The withdrawal action could prohibit mining for 20 years, the length of time it takes a future generation of our young people to leave the area for better job prospects.

We ask you to hear our voices and not to draw out a proposal that should never have been put forward in the first place. Mining projects must be allowed to follow the established, transparent, predictable and fair environmental review process currently in place after a company submits a formal mining project proposal. We will be contacting your offices seeking a joint meeting and an update on the status of the withdrawal proposal, including the environmental assessment, as well as next steps for your agencies.

Sincerely,

Nancy Norr
Board Chair
Jobs for Minnesotans

Frank Ongaro
Executive Director
MiningMinnesota

Steve Giorgi
Executive Director
Range Association of Municipalities and Schools

Jobs for Minnesotans, a coalition representing business, labor and communities, supports statewide opportunities for prosperity and middle-class jobs from sustainable natural resource development in Minnesota. The organization is committed to the principle that our state can preserve both job opportunities and the environment for future generations. Jobs for Minnesotans was co-founded in 2012 by the Minnesota Building and Construction Trades Council representing 55,000 workers and the Minnesota Chamber of Commerce representing 2,300 companies and 500,000 employees.

MiningMinnesota is an industrial trade organization made up of all nonferrous exploration and mineral development companies in Minnesota, along with approximately 100 supplier and vendor businesses, all committed to sustainable and environmentally responsible copper-nickel and PGM mineral development and mining in Minnesota.

Range Association of Municipalities and Schools (RAMS) represents more than 72,000 residents and 47 public sector units of government, including 23 cities, 15 public school districts and nine townships, in the 13,000 square mile Taconite Assistance Area (TAA) of northeast Minnesota.

CC: Senator Klobuchar
Senator Smith
Representative Nolan
Representative Peterson
Representative Emmer
Representative Walz
Representative Gosar
Representative Lewis
Daniel Jiron, USFS
Glenn Casamassa, USFS
Kathleen Benedetto, BLM
Mitch Leverette, BLM
James E. Cason, DOI
Richard T. Cardinale, DOI

AMERICAN OVERSIGHT

January 11, 2017

Secretary Sally Jewell
U.S. Department of the Interior
1849 C Street N.W.
Washington DC 20240

Secretary Tom Vilsack
U.S. Department of Agriculture
1400 Independence Ave. S.W.
Washington, DC 20250

Dear Secretary Vilsack and Secretary Jewell:

As elected leaders of the Minnesota Legislature, we are writing to express our outrage at the recent politically-driven decisions issued by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) related to mineral development in Northeast Minnesota. Initiating actions to withdraw nearly 240,000 acres of federal lands and minerals from future exploration and potential development and denying the renewal of 50-year federal mineral leases held by Twin Metals Minnesota are onerous decisions that will cause devastating and irreversible damage to the citizens, communities and economy of the region. We seek your immediate reconsideration and reversal of these actions, and urge you to refocus your agencies on the proper tasks of accepting and assessing mining project proposals under the regulatory procedures established by the National Environmental Policy Act (NEPA) and other related federal statutes.

Prohibiting future mineral exploration and development over 240,000 additional acres of federal lands will have sweeping negative impacts for the not just the precious metals industry, but the entire region of Northeast Minnesota as well. Beyond any one particular project this action will harm a wide array of technology, infrastructure and manufacturing industries, especially the rapidly growing green and renewable energy sectors. Independent economic analysis from the University of Minnesota-Duluth estimates more than 12,000 construction jobs and 5,000 long-term mining jobs would be created if the projects currently under various stages of development in this region came to fruition. Even beyond those direct employment opportunities, research projects nearly a 3:1 ratio of supplemental jobs created. This would represent a significant beacon of hope for one of the most economically distressed regions in our nation. Further, the estimated four billion ton deposit of copper, nickel and other strategic minerals located within the Duluth Complex stand to potentially generate nearly $3 billion in royalty revenues for the state's Permanent School Trust Fund – resources that would support the education of nearly 900,000 K-12 students statewide. These are the enormous economic opportunities and educational responsibilities that will be lost under your agencies' misguided and politically motivated anti-mining decisions.

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We would also note that previous similar withdrawal proposals have been strongly opposed by U.S. Senator Amy Klobuchar, U.S. Senator Al Franken, Minnesota 8th District Congressman Rick Nolan, the entire Minnesota Iron Range state legislative delegation, and the vast majority of county and local elected officials throughout the region. Recent public opinion surveys also show that two-thirds of citizens in the region oppose the withdrawal of federal minerals from future development, and more than 80 percent support environmentally-responsible mining in the region. Along with being onerous, unnecessary and contrary to previous Congressional directive, the withdrawal proposal is extraordinarily tone deaf to the opinions and economic needs of the citizens of Northeast Minnesota where mining has been the anchor of the region's economy since its inception in 1881.

In regards to the Twin Metals project specifically, rhetoric should not derail due process. The leases held by Twin Metals were issued in 1966 and have been held in good standing by the federal government for more than 50 years. The leases were renewed by BLM and USFS without controversy in 1989 and again in 2004, and Twin Metals has invested more than $400 million in project development activities based on the federal government living up to its contractual obligations. The justification given by BLM and USFS for their unprecedented reversal of support for these leases is irrational and based on unfounded fears of hypothetical and generalized environmental impacts of mining in the region.

The potential – but unproven – environmental concerns raised by BLM and USFS related to future mining in the region are appropriately studied under NEPA's thorough, multi-agency, science-based Environmental Impact Statement (EIS) process AFTER a specific mine project has been proposed – a step Twin Metals has yet to take. Fearful guessing about potential future environmental impacts of yet-to-be proposed mining projects is no substitute for the long-established federal and state EIS process. We urge you to reverse the decision to deny renewal of Twin Metals' leases, direct the agencies to renew the leases as they did in 1989 and 2004, and work with Twin Metals under the lease terms to assist in developing a formal mining proposal for proper environmental review.

The expansion of the precious metals mining industry offers generations of Minnesotans thousands of good-paying jobs, billions of dollars in investment, and billions more in revenues to Minnesota schools. It is also an incredible opportunity to further establish our nation's economic and energy independence from the foreign mineral sources we now depend on. Removing vast amounts of federal land from potential development and blocking the renewal of Twin Metals' federal mineral leases will have devastating impacts to the economic future of Northeast Minnesota, and would deny the United States economy responsible access to valuable national resources. These decisions should both be reversed immediately.

Sincerely,

Rep. Kurt Daudt
Speaker of the House

Sen. Paul Gazelka
Majority Leader

Sen. Tom Bakk
Minority Leader

Rep. Joyce Peppin
Majority Leader

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Rep. Dan Fabian
Environment Committee Chair

Rep. Chris Swedzinski
Mining and Outdoor Recreation Chair

Sen. Bill Ingebrigtesen
Environment Committee Chair

Sen. David Tomassoni
Senate District 6

Rep. Mike Sundin
House District 11A

Rep. Rob Ecklund
House District 3A

Rep. Jason Metsa
House District 6B

Rep. Sandy Layman
House District 5B

Rep. Julie Sandstede
House District 6A

Rep. Dale Lueck
House District 10B

Rep. Joe McDonald
House District 29A

Sen. Justin Eichorn
Senate District 5

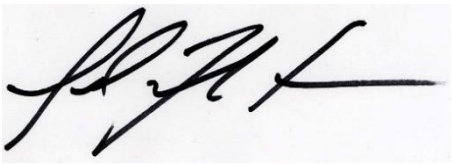
Rep. Brian Daniels
House District 24B

Rep. Nick Zerwas
House District 30A

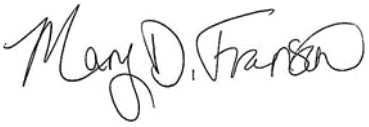
Rep. Brian Johnson
House District 32A

Rep. Jason Rarick
House Distict 11B

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Rep. Rod Hamilton
House District 22B



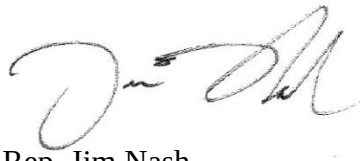
Rep. Mary Franson
House District 8B



Rep. Sondra Erickson
House District 15A



Rep. Eric Lucero
House District 30B



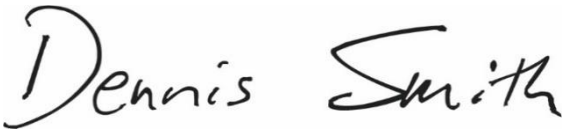
Rep. Jim Nash
House District 47A



Rep. Paul Torkelson
House District 16B



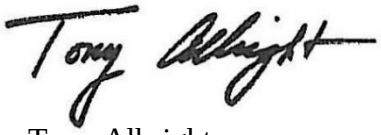
Rep. Steve Drazkowski
House District 21B



Rep. Dennis Smith
House District 34B



Rep. Marion O'Neill
House District 29B



Rep. Tony Albright
House District 55B



Rep. Peggy Scott
House District 35B



Rep. Drew Christensen
House District 56A



Rep. Kelly Fenton
House District 53B



Rep. Peggy Bennett
House District 27A

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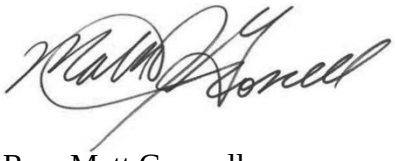
Rep. Josh Heintzeman
House District 10A



Rep. Roz Peterson
House District 56B



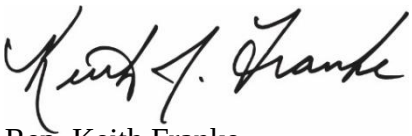
Rep. Kathy Lohmer
House District 39B



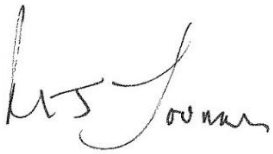
Rep. Matt Grossell
House District 2A



Rep. Linda Runbeck
House District 38A



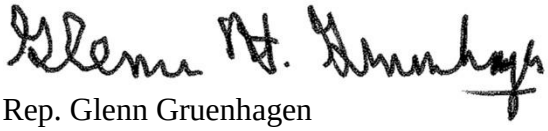
Rep. Keith Franke
House District 54A



Rep. Bob Loonan
House District 55A



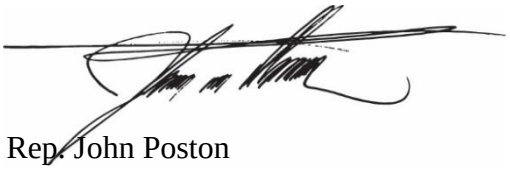
Rep. Paul Anderson
House District 12B



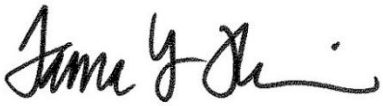
Rep. Glenn Gruenhagen
House District 18B



Rep. Dean Urdahl
House District 18A



Rep. John Poston
House District 9A



Rep. Tama Theis
House District 14A



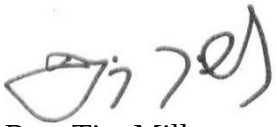
Rep. Tony Jurgens
House District 54B



Rep. Steve Green
House District 2B



Rep. Dave Baker
House District 17B



Rep. Tim Miller
House District 17A

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Rep. Nels Pierson
House District 26B



Rep. Bob Dettmer
House District 39A



Sen. David Osmek
Senate District 33



Sen. Mark Johnson
Senate District 1



Sen. Mary Kiffmeyer
Senate District 30



Sen. Warren Limmer
Senate District 34



Sen. Jerry Relph
Senate District 14



Sen. Bruce Anderson
Senate District 29



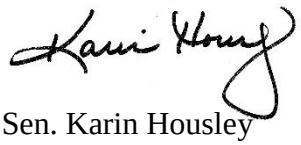
Sen. Bill Weber
Senate District 22



Sen. Paul Utke
Senate District 2



Rep. Cindy Pugh
House District 33B



Sen. Karin Housley
Senate District 39

AMERICAN OVERSIGHT

From:	Small, Jeff
To:	(b) (6) .gov"; Teller, Paul S. EOP/WHO; Deeley, Blake (blake_deeley@ios.doi.gov)
Cc:	Pataki, Timothy A. EOP/WHO ((b) (6) .gov); amanda_kaster@ios.doi.gov; micah_chambers@ios.doi.gov; (b) (6) .gov"; Zinda, Landon; Weaver, Kiel; Van Flein, Tom
Subject:	Follow-up on MN mineral withdrawal, leases and M-Opinion issues
Date:	Thursday, October 26, 2017 2:18:08 PM
Attachments:	image001.png image002.png image003.png

Mike, Paul and Blake,

Chairman Gosar, Congressman Emmer, Landon, Kiel, Tom and I enjoyed the meeting yesterday and we really appreciate you all making time.

Wanted to follow-up so you all had everything electronically as well as provide the additional information requested.

Asks:

- 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.
- 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.

Important Background Documents:
-Fact and Asks page HERE.
-Several articles about the negative comments made disparaging miners HERE.
-Op-ed and other handouts from Jobs for Minnesotans HERE.
-Twin Metals Response to Lies from Save the Boundary Waters Campaign folks HERE.
-Other Twin Metals Handouts HERE.

Court Case:

-Oral Arguments are set to begin November 14th. In June, Twin Metals case was dismissed because DOJ argued the "federal district court in Minnesota lacked jurisdiction to hear the case because it's essentially a contract dispute, so it must be brought in the Federal Court of Claims instead." - Complaints HERE and HERE. Pretty Fair news article summarizing the court case and arguments to date HERE. Below my signature block is the email and press release the Save the Boundary Waters folks sent far and wide claiming victory after dismissal of the case in June.

Video:
-The awesome video the Congressman mentioned that was made by Jobs for Minnesotans HERE.

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Congressional Actions:

-The Press Release and a link to the June 30th letter signed by 26 Members of Congress calling on Secretary Zinke and Secretary Perdue to rescind a 234,328-acre mineral withdrawal application and renew two improperly terminated leases HERE.
-Interior Approps Request letter signed by 9 members including House Committee on Natural Resources Chairman Rob Bishop HERE.
-The Press Release about the hearing on the Emmer bill can be found HERE.
-The story about the Emmer-Nolan Interior approps amendment passing HERE.

Timeliness:

-Twin Metals has already dumped more than $400 million into this project.
-The McCollum-Perdue exchange, the report language included by the Interior Approps Committee in the House bill and the June court dismissal were all negative signs for the company and future investment.
-The investor had difficulty even getting a response to his meeting request.
-We are now almost 11 months in to the Administration and the company has yet to receive a positive signal from the Administration.
-Starting November 14th, DOJ lawyers will be defending an anti-mining policy enacted by the Obama Administration. Have heard rumors they don't really want to do that but they need a signal.
-Have also heard rumors USDA is now ok with us moving forward but they are waiting for guidance/action from DOI.
-Congressman Emmer and Gosar are starting to get very worked up.
-The project is in Nolan's District. He has been helpful and is now on our side. However, the longer this drags out the more he will get out of a win.
-The Save the Boundary Waters Campaign folks are shameless and are trying to pull out all the stops including having a kid with cancer contact Make a Wish and do a PR campaign to ask Perdue to save the Boundary Waters.

Please let us know if you have any follow-up questions or if you need any more information.

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: Alex Falconer [mailto:alex@savetheboundarywaters.org]
Sent: Tuesday, June 6, 2017 1:06 PM
To: mnbwcaupdates@savetheboundarywaters.org
Cc: Becky Rom <(b) (6) [redacted]>
Subject: Alert: Campaign to Save the Boundary Waters Statement on DOJ's Motion to Dismiss Twin Metals Lawsuit

Minnesota Congressional Offices,

Last night the Department of Justice filed a motion to dismiss the Twin Metals lawsuit against the

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federal government. Please see our campaign's comment below and let me know if you have questions or needs for more information. The linked motion to dismiss materials are attached below for your easy access.

Best,

Alex Falconer
State Director, Campaign to Save the Boundary Waters

Statement on the Department of Justice's motion to dismiss Twin Metals Lawsuit

Ely, MN - Last night, the Department of Justice (DOJ) filed a motion to dismiss the Twin Metals lawsuit suing the federal government for the right to mine sulfide-ore copper on the edge of the Boundary Waters Wilderness. In December, the federal government declined to renew two mineral leases to Twin Metals, citing the risk to the Boundary Waters. At the same time, the federal government announced the beginning of a process to withdraw federal minerals from the Boundary Waters watershed for up to twenty years. Recently Secretary of Agriculture Sonny Perdue confirmed that process would continue. In response to last night's motion to dismiss, Becky Rom, National Chair of the Campaign to Save the Boundary Waters, issued the following statement: "The motion by the Department of Justice to dismiss the Twin Metals lawsuit is the right decision. The federal government is clearly within its rights to decline to renew publicly owned mineral leases on the edge of the Boundary Waters, leases that would almost certainly lead to irrevocable harm to the Wilderness. We look forward to a dismissal of this case and an end to the immediate threat posed by sulfide-ore copper mining to America's most popular Wilderness." Northeastern Minnesotans for Wilderness, the lead organization in the Campaign to Save the Boundary Waters, also filed a motion to dismiss the lawsuit.

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From:	Small, Jeff
To:	"Deeley, Blake"
Subject:	RE: FW: Litigation History
Date:	Thursday, October 26, 2017 4:40:33 PM
Attachments:	image001.png image002.png image003.png

You bet.

From: Deeley, Blake [mailto:blake_deeley@ios.doi.gov]
Sent: Thursday, October 26, 2017 4:28 PM
To: Small, Jeff
Cc: (b) (6) .gov; (b) (6) .gov; Zinda, Landon; Weaver, Kiel
Subject: Re: FW: Litigation History

Thanks Jeff!

On Thu, Oct 26, 2017 at 3:53 PM, Small, Jeff <Jeff.Small@mail.house.gov> wrote:
More on the litigation history attached and below.

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: Martin, Timothy [mailto:Timothy.Martin@wilmerhale.com]
Sent: Thursday, October 26, 2017 3:14 PM
To: Zinda, Landon; Small, Jeff
Subject: Litigation History

Fellas,

Per your inquiries…

- Twin Metals filed its initial complaint in the U.S. District Court for the District of Minnesota on September 12, 2016.
- After the Forest Service refused consent and BLM rejected Twin Metals' lease renewal application in December 2016, Twin Metals filed an amended complaint on January 3, 2017.
- Twin Metals brings claims under the Quiet Title Act and the Administrative Procedure Act, challenging the government's unlawful actions to deprive Twin Metals of its established property rights in minerals in the Superior National Forest.

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- An anti-mining group, Northeastern Minnesotans for Wilderness (NMW), intervened in the case on the side of the government in February 2017.
- Both the government and NMW filed motions to dismiss the amended complaint on June 5, 2017. Their arguments are primarily jurisdictional, and largely avoid the merits of the case.
- Twin Metals filed its opposition brief on August 25, 2017, and the government and NMW filed their reply briefs October 13, 2017.
- Oral argument on the motions to dismiss is scheduled for Tuesday, November 14, 2017, in Minnesota.
- Following oral argument, the judge could rule on the motions to dismiss at any time. If the judge grants the motions, Twin Metals could appeal to the Eighth Circuit. If the judge denies the motions, the case would proceed to discovery, certification of the administrative record, etc.

Tim Martin | WilmerHale
1875 Pennsylvania Avenue NW
Washington, DC 20006 USA
+1 202 663 6539 (t)
+1 202 663 6363 (f)
tim.martin@wilmerhale.com

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Blake Deeley | *Advisor*
Congressional and Legislative Affairs
Office of the Secretary
U.S. Department of the Interior

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