

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

May 6, 2019

The Honorable David Bernhardt
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Dear Mr. Secretary:

I am pleased we were able to agree on a date to conduct a hearing in the House Natural Resources Committee. I look forward to your testimony. With gratitude and respect for the value of your time, I am writing to provide information about the hearing you may find useful.

The hearing entitled, "Department of Interior Budget and Policy Priorities for FY 2020" will take place Wednesday, May 15, beginning at 10:00am, in room 1324 of the Longworth House Office Building.

The Trump administration's budget requests have woefully undervalued significant Departmental responsibilities, while seeking to lavish millions and even billions on industry-friendly resource extraction plans. Members of the Committee will seek explanations regarding these misguided priorities.

Further, the Department's process for developing and implementing these priorities has lacked transparency, in some cases creating the appearance of undue industry influence or unacceptable conflicts of interest. Your ability to answer detailed questions regarding these concerns will help ensure a productive and useful hearing.

For example, a review of documents produced in response to a request for your calendar or schedule raised questions about your participation in decisions benefitting your former clients, including those listed in your May 1, 2017 letter to the Ethics Office. Please be prepared to answer questions about your involvement in these issues, such as the topics of discussion, existence of meeting minutes, ethics approval, and other aspects of the meetings/events.

Other DOI decisions requiring further explanation include:

- National Monuments review process;
- Importation of hunting trophies of endangered species
- Solicitor's opinion and proposed rule regarding the Migratory Bird Treaty Act;
- Endangered Species Act rule changes;
- The biological opinion for chlorpyrifos, diazinon, and malathion;
- Continuation of oil and gas activities during the government shutdown;
- Reversal on mining leases near the Boundary Waters Canoe Area Wilderness;
- Departmental efforts to open the Arctic National Wildlife Refuge to drilling;
- Demands for early review of the USGS National Petroleum Reserve-Alaska resource assessment;
- Implementation of Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West; and
- Tribal consultation.

This Committee has sent you seventeen requests for documents and information and has only received sufficiently responsive documents for two. None of the deadlines for document production have been met. The productions that have been fully or partially furnished have contained documents already released to the public, duplicates, and nearly 100 pages of unreadable symbols. Committee staff has met with little success in negotiating mutually agreeable terms for production.

To help expedite this process, I am listing in the attachment specific documents and information requests that remain unresolved. Document requests indicated with an asterisk are needed by the Committee for preparation for the hearing and should be provided by the Department no later than May 13, 2019.

For the remainder, please provide a proposed production schedule by May 13, 2019.

Finally, to the extent that the Department is asserting or plans to assert that any of the documents sought in these requests are covered by a claim of privilege, please identify what could create that privilege in your view.

I hope you find this information useful and that the hearing is the beginning of a productive working relationship between us. Please do not hesitate to contact me with any questions.

Sincerely,



Raúl M. Grijalva
Chair
House Natural Resources Committee

Attachment

| Sent Date | Topic: |
|-----------|---|
| 1/7/2019 | Source of funds for BLM meetings in AK during government shutdown |
| 1/24/2019 | 2019-2024 Outer Continental Shelf Oil and Gas Leasing Draft Proposed Program |
| 1/30/2019 | * Proposed Endangered Species Act rules |
| 2/11/2019 | Cancelled National Academy of Sciences study on Health of Mountain Top Mining Communities |
| 2/26/2019 | Compliance with the Well Control Rule |
| 2/28/2019 | Marine National Monuments review |
| 3/1/2019 | National Monuments review |
| 3/1/2019 | Copper sulfide mine near Boundary Waters Canoe Area Wilderness (BWCAW) |
| 3/11/2019 | Incidents of noncompliance issued by BLM for safety, environmental, and drilling violations |
| 3/12/2019 | * Three documents related to mineral leases near the BWCAW |
| 3/13/2019 | DOI Freedom of Information Act performance and implementation of changes |
| 3/13/2019 | Japan's withdrawal from International Convention for the Regulation of Whaling |
| 3/26/2019 | * Delayed FWS Biological Opinion on pesticides |
| 3/28/2019 | * Transcribed interviews re: Sec. Bernhardt schedule |
| 4/10/2019 | * Reorganization plan submitted to OMB |