

U.S. House of Representatives

Committee on Natural Resources

Washington, DC 20515

September 25, 2019

The Honorable David Bernhardt
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Secretary Bernhardt,

On September 10, 2019, the Committee on Natural Resources held an oversight hearing on the proposed reorganization and relocation of the Bureau of Land Management (BLM). This hearing followed a briefing between my staff and Department of the Interior (DOI) officials on July 18, during which my staff raised numerous concerns and asked for documentation justifying this planned reorganization. Similar concerns were raised by senior members of the House and Senate appropriations committees in August.¹ Despite these indications of concern and requests for information, DOI's witness at the hearing, Mr. William Perry Pendley, the Deputy Director for Policy and Programs and acting head of BLM, repeatedly stated he would have to get back to us, or that he would have to defer to Congressional Affairs staff on whether the documentation could be provided.

After that hearing, the Committee submitted questions for the record to DOI that consisted largely of requests for specific documents justifying the reorganization, including information on why and where staff would be moved, an accounting of relocation costs, and an analysis showing how Grand Junction, Colorado was selected as the new headquarters location. DOI failed to respond to these requests before the Committee hearing record closed, but has continued to move forward with the reorganization, including renting new office space in Grand Junction.²

To assist this Committee with its oversight activities and to address our outstanding questions related to the BLM's reorganization plans, please provide the Committee with the following documents and information as soon as possible, but no later than October 21, 2019:

1. A five-year cost benefit analysis of the proposed reorganization plan, breaking down costs by expenditure type.
2. Workflow analyses and/or professional consultation and analyses that demonstrate the projected benefits of this move, such as improved communication and coordination.
3. The position-by-position analysis used to determine which staff would be relocated, where staff would be relocated, and why.

¹ Udall, T., & McCollum, B. (2019, August 22). Letter to Mr. Joseph Balash, Assistant Secretary for Land and Minerals Management, U.S. Department of the Interior. Retrieved from <https://www.tomudall.senate.gov/imo/media/doc/blm-reorg-aug22.pdf>

² Bureau of Land Management. (2019, September 20). BLM Secures Site for Western Leadership Office [Press Release]. Retrieved from <https://www.blm.gov/press-release/blm-secures-site-western-leadership-office>

4. A breakdown of the current staff relocation plans, including each title, current role, GS level, planned relocation site, timeline for relocation, whether the position is encumbered, and, if unencumbered, the length of time the role has been vacant.
5. The Department's disparate impacts analysis for this planned reorganization, demonstrating these relocations will not disproportionately impact any protected classes of employees.
6. Formal documentation of the Department's consultation with sovereign tribal nations on the reorganization of the Bureau of Land Management, including concerns raised by tribal leaders on the BLM's reorganization and the Department's responses to those concerns.
7. Documents demonstrating DOI's work with the General Services Administration to seek out alternative space in the National Capital Region to replace the capacity of the M Street location.
8. Any efforts, including but not limited to surveys, that were conducted to determine how many employees might retire or otherwise leave the BLM as a result of these planned moves.
9. Any other reorganization plans reviewed or analyzed to outline this planned reorganization.
10. Detailed planned relocation costs for this reorganization, including but not limited to cost estimates for the lump sum relocation incentives, house seeking trips, and temporary housing incentives provided to staff.
11. All continuity plans the Department developed to avoid disruptions to agency work products during the reorganization.
12. Documents and communications relating to the selection of the locations at which current BLM staff in Washington DC would be relocated, including any criteria for selection that was considered.
 - a. An outline of the process DOI used to request information on potential office locations.
 - b. An explanation of why these information requests were not part of a public, formal request for information.
 - c. Documentation of all public (i.e. non-federal) consultation done on potential office locations.
 - d. The criteria DOI used to analyze potential office locations.
 - e. A list of all the cities considered as potential office locations.
 - f. A copy of the information provided by each city considered as a potential office location to DOI.
 - g. The analysis used to determine why Grand Junction was the best office location.

If you have any questions regarding this request, please contact the National Parks, Forests, and Public Lands Subcommittee staff at 202-225-6065. Thank you for your attention to this matter.

Sincerely,


Raúl M. Grijalva
Chair

House Committee on Natural Resources

Responding to Committee Document Requests

In responding to document requests from the Committee on Natural Resources, please apply the instructions and definitions set forth below:

Instructions

1. In complying with the request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data, or information should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization, or individual denoted in this request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., memory stick or thumb drive) in lieu of paper productions. Documents produced in electronic format should also be organized, identified, and indexed electronically. Electronic documents should be produced in their native file format. For example, emails from Microsoft Outlook should have a ".pst" file extension, Excel files should have an ".xls_" or similar extension, and Microsoft Word documents should have a ".doc_" extension. Consult with the Committee to determine the appropriate format in which to produce the information.
4. Each document produced should be produced in a form that renders the document capable of being copied.
5. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box, or folder is produced, each CD, hard drive, memory stick, thumb drive, box, or folder should contain an index describing its contents.
6. Documents produced in response to this request should be produced together with copies of file labels, dividers or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by subject matter prior to production.
7. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
8. It shall not be a basis for refusal to produce documents that any other person or entity also possesses a non-identical or identical copy of the same documents.

9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.
10. In the event that any document or part of a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document or part of a document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
12. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
13. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
14. All documents should be Bates-stamped sequentially and produced sequentially.
15. Documents produced to the Committee in response to this request should be delivered to majority staff in Room 1324 of the Longworth House Office Building.

Definitions

1. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, text messages, MMS or SMS messages, other mobile-to-mobile messages, instant messages or online chat messages, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions,

changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "**documents in your possession, custody, or control**" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have a right to copy, or to which you have access; and (c) documents that you have placed in the temporary possession, custody, or control of any third party.
3. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, facsimile, mail, e-mail (desktop or mobile device), text message, MMS or SMS message, other mobile-to-mobile message, instant message or online chat, telexes, releases, personal delivery, or otherwise.
4. The terms "**and**" and "**or**" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
5. The terms "**person**" or "**persons**" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
6. The term "**identify**," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
7. The terms "**referring or relating**," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.
8. The term "**employee**" means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee,

part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.