

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

January 31, 2018

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

Dear Secretary Zinke:

We write to request an emergency withdrawal from new commercial development claims of the lands within the traditional boundaries of Bears Ears National Monument and Grand Staircase-Escalante National Monument. The recent decision to abolish monument status for the vast majority of those monuments left a large swath of previously protected federal land open to development that, especially at Bears Ears, key members of your own party say they oppose¹.

President Trump's proclamations shrinking those two monuments – both of which have been challenged in court – began a 60-day clock that expires on Feb. 2 at 9:00 a.m. Eastern time. Unless you grant this emergency withdrawal before that time, the existing protections will expire, leaving the land up for grabs and vulnerable to oil, gas and mining extraction.

Section 204 (e) of the Federal Land Policy and Management Act states that:

When the Secretary determines, or when the Committee on Natural Resources of the House of Representatives or the Committee on Energy and Natural Resources of the Senate [P.L. 103-437, 1994] notifies the Secretary, that an emergency situation exists and that extraordinary measures must be taken to preserve values that would otherwise be lost, the Secretary notwithstanding the provisions of subsections (c) (1) and (d) of this section, shall immediately make a withdrawal and file notice of such emergency withdrawal with both of those Committees [P.L. 103-437, 1994].

The impending cancelation of the mineral withdrawal certainly qualifies as an “emergency” and justifies the use of “extraordinary measures” to protect these places.

As the *Washington Post* has noted², the areas cut out of the monuments “contain large deposits of coal, uranium, oil and gas.” According to recent reports in the *New York Times*³ and *Washington*

¹ See e.g. comments by Gov. Gary Herbert (R-Utah) and Rep. John Curtis (R-Utah) during the Jan. 9, 2018, hearing on Rep. Curtis' H.R. 4532 at <http://democrats-naturalresources.house.gov/hearings/hearing-on-hr-4532-1-9-18>.

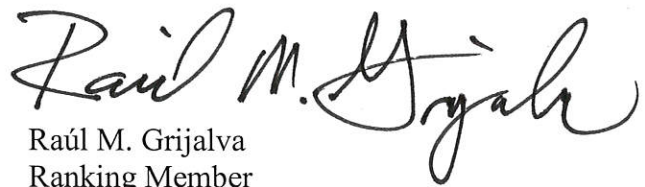
² Laris Karklis, Bonnie Berkowitz and Tim Meko. “Areas cut out of Utah monuments are rich in oil, coal, uranium.” *The Washington Post*, December 7, 2017.

³ Tabuchi, Hiroko. “Uranium Miners Pushed Hard for a Comeback. They Got Their Wish.” *The New York Times*, January 13, 2018.

Post⁴, foreign mining companies are eager for the opportunity to purchase development rights throughout this sensitive area. It is not clear that, once granted, the right to develop such projects would be canceled or rescinded even after a court restores a monument's initial boundaries. Clear action is needed now.

While we believe that a court will ultimately restore the protections established by previous administrations, we respectfully ask that you invoke the authority provided by Congress to restore protections for these iconic American landscapes.

Sincerely,



Raúl M. Grijalva
Ranking Member
House Committee on Natural Resources



Colleen Hanabusa
Member of Congress



Anthony Brown
Member of Congress



Darren Soto
Member of Congress



Wm. Lacy Clay
Member of Congress




Jimmy Gomez
Member of Congress



A. Donald McEachin
Member of Congress



Norma Torres
Member of Congress



Niki Tsongas
Member of Congress

⁴ Eilperin, Juliet. "Uranium firm urged Trump officials to shrink Bears Ears National Monument." The Washington Post, December 8, 2017.


Grace F. Napolitano
Member of Congress


Donald S. Beyer Jr.
Member of Congress


Jared Huffman
Member of Congress