

# United States Senate

May 2, 2019

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

Dear Secretary Bernhardt:

I write to express grave concerns with your decision to abandon the Department of the Interior's appeal on the case concerning the withdrawal of the Moncrief oil and gas drilling leases in the Badger-Two Medicine area. It is my understanding that Interior has not only moved to dismiss the appeal, but is also attempting to undermine the efforts of the Blackfeet Tribe and other impacted Montanans to defend the lease cancellation after Interior's abrupt about-face. These actions represent a troubling abdication of DOI's responsibility and disregard for the opinions of both Blackfeet Nation and Montanans. I urge you to uphold the Department's promises to the Blackfeet Nation and all Montanans and rejoin the efforts to defend Badger-Two Medicine from unwanted development.

The Bureau of Land Management and the U.S. Forest Service improperly granted 47 leases in this area in 1982 without any tribal consultation or significant environmental review. The majority lease holders in the area voluntarily relinquished their holdings, and the area is protected by a moratorium on any new oil and gas leases. The Tribe has long fought to protect this land and ensure these leases are cancelled. However, the Department's recent decision to refuse to defend the cancellation of the Moncrief Oil lease, breaks the commitment made by the US government to the Blackfeet people and leaves the Tribe's sacred lands vulnerable. Your additional decision to insist that the court not consider the Tribe's continued defense of the cancellation goes further than a broken commitment- it threatens to repeat Interior's mistake of not working in partnership with the Tribe and blatantly ignoring Tribal input when managing one of their most sacred, cultural, spiritual, and historic areas.

I am deeply disappointed in your recent actions, and I urge you to engage in meaningful consultation with the Blackfeet Nation on how to best protect this critical area inside and outside the courtroom. Your department has a critical role to play in removing all remaining leases from this area, and has already committed to doing so. I hope you will take steps to restore Blackfeet Nation's trust in DOI and honor the department's previous commitment.

Sincerely,



Jon Tester