



THE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON

JULY 17 2025

Memorandum

To: Acting Solicitor

From: Deputy Secretary

Subject: Reinstatement of Solicitor Opinion M-37049, “Reversal of M-37036, ‘Twin Metals Minnesota Application to Renew Preference Right Leases (MNES-01352 and MNES-01353)’” and Withdrawal of Solicitor Opinion M-37072

On January 25, 2022, Principal Deputy Solicitor Ann Marie Bledsoe Downes issued a legal opinion, M-37072 (Bledsoe Downes M-Opinion), which concluded that the Bureau of Land Management (BLM) had improperly renewed Twin Metals Minnesota’s mineral leases in violation of certain statutory and regulatory authorities, and that those leases were therefore subject to cancellation. Although the Bledsoe Downes M-Opinion acknowledged that the regulations at 43 C.F.R. § 3514.30(b) allow BLM to amend a lease rather than cancel it, even when it is allegedly issued in violation of any law or regulation, Deputy Secretary Tommy Beaudreau instead canceled the leases on January 26, 2022, declining to consider issuing an amended lease. The Bledsoe Downes M-Opinion also withdrew a prior legal opinion, M-37049, issued by Principal Deputy Solicitor Daniel Jorjani (Jorjani M-Opinion), without rebutting the legal rationale in that opinion.

On February 28, 2025, Gregory Zerzan, Senior Advisor exercising the delegated authority of the Solicitor, suspended M-37072, along with other M-Opinions by the prior administration, until such time as M-37072 could be reviewed and a determination made as to whether it reflected the best interpretation of applicable law and should be reinstated, modified, or revoked. In concert with the Office of the Solicitor, I have reviewed M-37072 and have determined to revoke it.

The U.S. District Court for the District of Columbia reviewed the Jorjani M-Opinion in the course of litigation and found that its “interpretation of the mining leases was, in fact, reasonable” and, further, that “its legal conclusions based on that reasonable interpretation were well-founded.” *Voyageur Outward Bound Sch. v. United States*, 444 F. Supp. 3d 182, 200 (D.D.C. 2020). Before this *Voyageur* decision was vacated on March 17, 2022, after the Department reversed course and withdrew the Jorjani M-Opinion, Twin Metals Minnesota had relied on the conclusions of the Jorjani M-Opinion and BLM’s subsequent lease renewal actions for years, continuing to invest significant resources into its mine planning efforts. Because the Jorjani M-Opinion, M-37049, provided reasonable and well-founded legal conclusions, as acknowledged by the *Voyageur* court and as relied upon by Twin Metals Minnesota, and because the Bledsoe Downes M-Opinion, M-37072, provides a contradictory legal interpretation that is less sound, less persuasive, and less fair, I revoke M-37072, thereby reinstating M-37049, based on my authority in the Departmental Manual to overrule or modify M-Opinions. 209 DM 3.2 A. (11). All Bureaus/Offices are directed to consider the Jorjani M-Opinion, M-37049, as authoritative and binding on the Department of the Interior.

cc: Secretary