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October 19, 2015

Secretary Sally Jewell
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240

Dear Secretary Jewell,

I am writing today to bring an urgent matter to your attention.

The Missouri Department of Natural Resources has proposed buying 2,463 acres of land in Oregon County to be paid with money from the settlement in the lawsuit of the Southeast Missouri Lead Mining District against lead smelter ASARCO. The agreement, to which the Department of Interior was an original party, set aside funds to clean up land damaged by lead mining under the Southeast Missouri Ozarks Regional Restoration Plan, but the counties damaged in the lawsuit are nowhere near Oregon County.

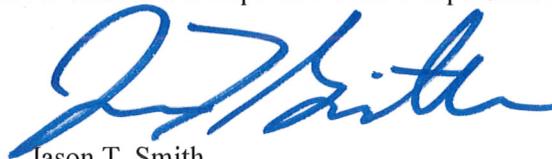
The money set aside for this agreement is being used by Governor Jay Nixon's Missouri Department of Natural Resources in violation of the settlement agreement. Federal law gives the governor power to oversee use of the funds and, as the departments granting that authority, it is your duty to ensure restoration funds are being used lawfully.

I have attached the original settlement agreement for your reference. Section III, Paragraph 4 of the settlement agreement clearly states the express purpose for the money:

The trustees shall use the funds in the Restoration Accounts, including all interest earned on such funds, for restoration activities at or in connection with each Site as directed by the Missouri Trustee Council, but shall not be used to conduct assessment activities.

Oregon County does not include any of the affected sites. Further, the counties damaged by ASARCO are nowhere near Oregon County, and numerous projects within the impacted area of the Lead Belt would be much better suited to the purpose of the Southeast Missouri Ozarks Regional Restoration Plan.

Due to the serious impact this action could have on the Eighth Congressional District, I would appreciate a follow up meeting with you or a member of your staff to discuss this important issue and potential violation of the law.



Jason T. Smith
Member of Congress