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Hastings on Subpoena Authority for Two Oversight Investigations: Obama Admin Fails to Uphold Transparency Promises

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WASHINGTON, D.C. – With gasoline prices reaching record highs and the economy still recovering, House Natural Resources Committee Chairman Doc Hastings today called on the Obama Administration to uphold their promises of transparency and turn over documents related to two issues that directly impact American jobs and energy production.

The Committee today is holding a business meeting to consider a motion to authorize the Chairman to issue subpoenas for the production of documents relating to two more than year-long oversight investigations on: 1) the Obama Administration’s rewrite of a coal production regulation and 2) why an Obama Administration report that recommended a six-month drilling moratorium in the Gulf of Mexico was edited to make it appear as though the moratorium was supported by a panel of engineering experts when in fact it was not.

During his remarks, Chairman Hastings noted that the Interior Department continues to withhold the vast majority of requested material and has left the Committee with no other choice but to move forward with subpoenas.

[Full text of opening statement:](#)

“When I became Chairman of the House Natural Resources Committee last year, I made clear that one of our top priorities would be oversight of the Executive Branch. I believe this is an area where Congress has failed and pledged that this Committee would no longer take a ‘look the other way’ approach. Congress has an obligation to the American people to conduct oversight and take a careful, thoughtful look at the Administration’s policies and actions.

As part of that responsibility, the Committee has been conducting over year-long oversight investigations on two important issues.

First, is the Administration’s rewrite of a coal production regulation.

Almost immediately after taking office, the Obama Administration initiated a rewrite of the recently completed 2008 Stream Buffer Zone Rule that took over five years of environmental analysis and millions of dollars to complete.

Despite the fact that a thorough Environmental Impact Statement (EIS) was conducted for the 2008 Rule, OSM decided to complete an entirely new EIS. An Associated Press story revealed that this draft EIS concluded that the Obama Administration's regulation could cost over 7,000 mining jobs and cause economic harm in 22 states. Shortly after this information was made public, the Obama Administration criticized and dismissed the contractor it had selected to write the EIS.

The Committee is examining serious questions regarding why this rewrite was initiated, how the rulemaking process is being managed, whether political implications are unduly influencing the process, the dismissal of the contractor, and the impacts the rewritten regulation would have on jobs, the economy, and coal and energy production in America.

Among the documents and materials this Committee is seeking is over 30 hours of digital audio recordings of meetings between the Department and contractors regarding rewrite of the rule. If there is nothing to hide, then why are these recordings being withheld? What was said that Congress can't be allowed to hear?

Second, we are investigating why an Obama Administration report that recommended a six-month drilling moratorium in the Gulf of Mexico was edited to appear as though the moratorium was supported by a panel of engineering experts when in fact it was not.

Not only did the panel of engineering experts not recommend the drilling moratorium, they spoke out against it saying "It will not measurably reduce risk further and it will have a lasting impact on the nation's economy which may be greater than that of the oil spill."

As predicted, this six-month drilling moratorium resulted in significant economic harm, job loss and decreased American energy production.

Following calls from Republicans on our Committee, an Office of Inspector General (OIG) investigation was conducted. However, in its brief, quick report, the Inspector General was unable to independently verify whether the report's authors intended to mislead the public.

Remaining questions include how the decision to impose the drilling moratorium was made and whether the edits to the report's Executive Summary were made to suggest the moratorium had been peer reviewed when it was not.

The Interior Department has not only failed to comply with our document requests, but has also intervened to block the Inspector General from providing 13 separate documents to the Committee that were collected during their investigation. This is absolutely unacceptable.

The Committee has shown tremendous patience in seeking compliance from the Interior Department for over a year. Yet the Department has failed to fully comply

with a single deadline and continues to withhold the vast majority of requested material.

It is unfortunate that we have reached this point today, but the Department has left us with no other choice. It's especially disappointing given President Obama's pledges of unprecedented transparency and openness. The Administration is not only failing to uphold this promise, but is actively preventing Congress from carrying out its oversight authority.

Gasoline prices have reached record high prices across the country, threatening our economic recovery and squeezing the budgets of American families and businesses. Both matters we are investigating have direct impacts on energy production and job creation. We cannot afford to have policies that will inflict further economic pain go unchecked.

The Obama Administration has an obligation to be open, honest and forthcoming in its decisions and actions. The secrecy and refusal to comply with simple requests can no longer be tolerated."

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