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

September 17, 2012

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The Honorable Ken Salazar
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington DC 20240

Dear Secretary Salazar:

On May 23, 2012, a letter was sent requesting documents concerning the Department of the Interior's ("Department") decision to withdraw 1 million acres in northern Arizona from new uranium mining claims and copies of 399 pages concerning communications between the Superintendent of the Grand Canyon National Park and outside groups that had been previously withheld under the Freedom of Information Act ("FOIA"). To date, the Department has provided only 14 of the previously withheld FOIA documents concerning the Superintendent's communications as well as additional, nonresponsive documents about mining claims in Arizona and public comments on the withdrawal decision that have previously been disclosed to FOIA requesters.

As explained in the May 23 request, the Freedom of Information Act prohibits the withholding of information from Congress. The Department's June 8, 2012 response inexplicably expressed uncertainty about the information being requested but did not offer any recognized legal basis for continuing to withhold this information. The May 23 request was clear in describing the information being sought – the Superintendent communications previously withheld under FOIA – and it is expected that the Department will fully comply with the request for these documents.

In addition, the May 23 request sought all documents that have been sent to, from, or created by certain Department officials concerning comments on, edits to, and/or revisions of the Draft Environmental Impact Statement, the Final Environmental Impact Statement, and/or the Record of Decision for the Northern Arizona Proposed Withdrawal created since January 1, 2009. The request specified that only those documents that were not already in the public domain should be provided. These documents are necessary to effectively carry out oversight of the Department's internal deliberations about the withdrawal decision, which voided a bipartisan

agreement partially codified in law that had been respected for nearly three decades and was justified on science that has been questioned by experts at the federal and state level.

The Department's June 8 letter did not provided any of the requested withdrawal documents, stating "the Department is still in the process of gathering and reviewing responsive documents, but we expect to be in a position to respond to the Committee with any additional information in the near future." On June 15, 2012, the Department wrote to say the "process of searching for and processing potentially responsive information continues." That letter also provided copies of documents that had previously been disclosed to the public under the FOIA, including hundreds of nearly identical public comments on the withdrawal decision. However, no further response has been received and no documents reflecting the Department's internal deliberations about the withdrawal decision, including Department edits and comments on the draft and final Environmental Impact Statements or the Record of Decision, have been provided. It is unclear what steps if any the Department has taken in almost three months to comply with this request.

This lack of response is unacceptable and an affront to Congress's legitimate and Constitutionally based oversight responsibilities. It is expected that the Department will fully and promptly comply with this – and other – Congressional oversight requests on its own initiative without further prompting from Congress. The outstanding information should be provided no later than October 1, 2012.

Please have your staff contact Byron R. Brown, Senior Counsel for Oversight, Office of Oversight and Investigations, on (202) 225-2761 with any questions regarding this request, or to make arrangements for the production of the requested material.

Sincerely,



Doc Hastings
Chairman



Rob Bishop
Subcommittee Chairman