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

October 13, 2011

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JEFFREY DUNCAN
DEMOCRATIC STAFF DIRECTOR

The Honorable Ken Salazar
Secretary
U.S. Department of the Interior
1951 Constitution Avenue, NW
Washington, DC 20240

Dear Mr. Secretary:

On September 28, 2011, the Committee once again wrote you to request that the Department of the Interior (DOI) provide documents and information related to DOI's Office of Surface Mining, Reclamation and Enforcement's (OSM) rewrite of the 2008 Stream Buffer Zone Rule (Rule). The Committee requested that documents related to OSM's concerns, discussions, comments or questions about the quality of Polu Kai's work be produced and documents related to the RIA be made available to Committee staff for review by October 5, 2011. On October 11th, Committee staff received an email from a DOI official noting that DOI had missed this latest deadline and hoped to produce a response soon.

As you are aware, the Committee began its investigation of the rewrite of the Rule in February 2011. Although some documents have been produced, taken as a whole, DOI's response can best be characterized as an exercise in deliberate delay and noncompliance. Couched with claims of limited resources and privilege concerns, DOI continually professes the desire to be responsive to the Committee's requests, but then does not produce the requested information and often does not provide any written response until after the deadline imposed by the Committee has passed. We are frustrated by these tactics and pattern of delay, and non-response to official Congressional oversight of DOI. Over eight months have passed, and the Committee has not received any documents relating to OSM's assessment of the quality of Polu Kai's work despite suggestions raised in the press that OSM disapproved of the contractor's performance. On numerous occasions, the Committee has requested that DOI produce the requested documents and information, and the Committee continues to wait for DOI to fully comply with all requests.

Consequently, this letter serves as a final request for complete compliance with the requests for documents and information under the terms contained in the Committee's letters

dated information and documents by letters dated February 8, 2011; February 10, 2011; April 1, 2011; July 18, 2011; August 15, 2011; and September 28, 2011. DOI's response is due no later than October 17, 2011. If DOI fails to once again meet the Committee's deadline, we will consider exercising the Committee's authority to compel compliance with the requests through the issuance of subpoenas.

Sincerely,



Doc Hastings
Chairman
Natural Resources Committee



Doug Lamborn
Subcommittee Chairman
Energy and Mineral Resources

Cc: The Honorable Joseph G. Pizarchik, Director, Office of Surface Mining, Reclamation and Enforcement