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CONTACT: [Spencer Pederson](#), [Crystal Feldman](#) or [Jill Strait](#)
202-226-9019

Final Request for Administration to Comply with Document Requests on Rewrite of Mining Rule

Chairmen intend to move to compel production if deadlines not met

WASHINGTON, D.C. – As part of the House Natural Resources Committee’s nearly year-long investigation into the Obama Administration’s rewrite of the 2008 Stream Buffer Zone Rule, Committee Chairman Doc Hastings (WA-05) and Energy and Minerals Subcommittee Chairman Doug Lamborn (CO-05) sent a letter today to Secretary of the Interior Ken Salazar calling for the Administration to comply with repeated document requests that have gone unanswered. The letter clearly states the Chairmen’s intent to move to compel cooperation and production of these documents if the February deadlines are not met.

[Click here to read the full letter.](#)

“This is a serious matter that impacts the livelihood of entire communities and the jobs of thousands of coal miners across the nation, and the Department’s failure to fully comply with repeated requests for information can no longer continue. This letter provides notice of our intent to move to compel cooperation and production of documents specified in this letter should they not be provided in the time requested,” **wrote Hastings and Lamborn in the letter.**

The Obama Administration’s Office of Surface Mining (OSM) is in the process of rewriting a 2008 coal mining rule (the Stream Buffer Zone Rule) that took five years of study and development to complete. Analysis from the draft Environmental Impact Statement of the Obama Administration’s proposed rewrite determined the new rule could cost at least 7,000 mining jobs and cause economic harm in 22 states. The Obama Administration later criticized and dismissed the contractor it had selected to conduct this analysis.

There are serious questions regarding why this rewrite was initiated, how the rulemaking process itself is being managed, and the impacts the proposed rule will have on jobs, the economy and coal production.

Beginning February 8, 2011, seven letters have been sent by Chairman Hastings to the Obama Administration seeking additional information and documents. Not a single deadline has been met and the Administration continues to withhold the vast majority of requested material.

[Click here to view all the letters sent to the Administration and the letters received in response.](#)

Today's letter specifically asks for certain categories of documents and communications that were originally encompassed in oversight request letters from February 8, 2011, February 10, 2011 and April 1, 2011. Among the documents requested are:

- Recordings of meetings and conversations between the Department and contractors. There are known to be 43 digital audio recordings totaling 30 hours in combined length.
- Documents and communications related to the decision to disregard the 2008 Rule and to conduct a new Environmental Impact Statement.
- Documents and communications related to the dismissal of the contractor after it was made public that their economic analysis showed the rewrite of the rule would cost thousands and jobs and cause economic harm.

Under House and Committee rules, the full Committee or a Subcommittee may authorize and issue a subpoena to compel the appearance of witnesses or to provide documents. A subpoena may be authorized and issued upon either a majority vote of the Committee or Subcommittee, or upon approval of the Chairman during any period when the House has adjourned for more than three days.

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