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

July 13, 2012

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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:

In a July 6, 2012, letter, the Department of the Interior (“Department”) was provided a final opportunity to establish by the close of business on July 12, 2012 a mutually agreed upon schedule for transcribed interviews of five Department officials by Committee on Natural Resources (“Committee”) majority oversight staff. These interviews were to be conducted the week of July 16, 2012.

These five individuals, among other officials, are believed to have personal knowledge directly relevant to the Committee’s long-running investigation into the Obama Administration’s decision imposing a Gulf of Mexico drilling moratorium and its drafting and editing of a May 2010 Department report (“Drilling Moratorium Report”) that falsely stated independent engineers had peer reviewed and supported the moratorium when they did not. The Committee originally requested to interview these five individuals in February 2012. The Department, however, did not respond in a timely manner to that request.

Although our respective staffs have engaged in discussions both yesterday and today, it is unfortunate that this deadline has passed without an agreement on an interview schedule.

In an effort to reach a mutually acceptable resolution to this dispute, the Department was offered as a significant compromise moving forward with transcribed interviews of only two Department officials during the week of July 16, followed by a transcribed interview with Steve Black the week of July 23, in order to accommodate Mr. Black being on travel on behalf of the Secretary. The remaining interview requests would be held in abeyance. The Committee majority staff also made clear that Department counsel are welcome to accompany witnesses to the interviews.

The Department rejected this reasonable compromise offer. The Department has instead offered to allow Mr. Black to speak with Committee staff off the record and to provide written answers to follow-up questions. The Department has also said it would entertain permitting Committee staff to speak with additional Department officials only on the condition that such

answers to follow-up questions. The Department has also said it would entertain permitting Committee staff to speak with additional Department officials only on the condition that such discussions are also off the record and only in exchange for the Committee providing written assurance that it will, for example, withdraw the April 3 subpoena to which the Department has not fully complied or not seek to enforce the subpoena through a contempt of Congress process for failing to comply.

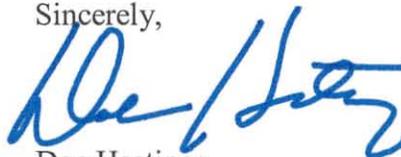
This offer of a *quid pro quo* is unacceptable. The Department's refusal to make any witnesses available for on-the-record, transcribed interviews with Committee staff is especially troubling here, where to date, no one at the Department or the White House has fully answered questions or fully explained the circumstances that led to imposition of the economically devastating 6-month moratorium or the inclusion of the misleading peer review language in the Drilling Moratorium Report. The Department is insisting that any discussions with Department staff involved in the Drilling Moratorium Report occur only off the record, away from public scrutiny. It is especially disappointing that it has taken the Department more than four months since the original interview request was made to even make this offer.

The Department has not articulated a legitimate reason to justify conducting these interviews off the record. Although informal briefings can serve an important and useful purpose, they are not appropriate in this oversight investigation where the actions of Department and Obama Administration officials are under review. Conducting these interviews off the record undermines the integrity of the Committee's legitimate oversight investigation, could lead to questions about the accuracy of witness statements before Congress, and is inconsistent with past practice involving other Congressional investigations where interviews of Administration officials were routinely conducted on the record.

As explained in the July 6 letter, the Department's continuing refusal to provide all documents covered by the April subpoena has left the Committee no choice other than to continue to pursue compliance with the subpoena, including to seek necessary information directly from the officials who were most involved in interacting with the peer reviewers and drafting and editing the Drilling Moratorium Report.

For many months, indeed for well over a year, the Committee has sought to be clear, patient, and reasonable, but there are few options that remain where subpoenas for documents are not complied with and requests to interview witnesses in an accountable and transparent manner are uniformly refused. Because of the Department's unwillingness to date to make Mr. Black and other officials available for transcribed interviews, the Committee intends to invite these witnesses, and possibly other Department officials as necessary, to an oversight hearing of the full Committee so that their testimony and answers to questions may be received on the record.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doc Hastings", written in a cursive style.

Doc Hastings
Chairman