



United States Department of the Interior RECEIVED
OFFICE OF THE SECRETARY COMMITTEE ON RESOURCES
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The Honorable Doc Hastings
Chairman, Committee on Natural Resources
House of Representatives
Washington, DC 20515

Dear Mr. Chairman,

This letter responds to your letters dated January 25 and January 31, 2012, requesting additional information regarding the manner in which the scope of peer review was described in the Executive Summary of the Department of the Interior's (Department's) 2010 report entitled "Increased Safety Measures for Energy Development on the Outer Continental Shelf" (ISM Report). Although the scope of the peer review as described in the executive summary of the ISM Report has already been publically addressed by the Department and thoroughly examined by the independent OIG, which found no intent to mislead, with this letter the Department continues to provide documents and make offers of accommodation as part of the Department's ongoing effort to accommodate the Committee's information needs.

Both the Committee's January 25 and 31 letters include a request for additional documents concerning communications with the peer reviewers as well as documents related to an apology letter sent by Deputy Secretary David Hayes to peer reviewers, additional documents regarding meetings between Secretary Salazar and the peer reviewers, and documents concerning drafts of any press releases or communications materials concerning the release of the ISM Report. The Department is in the process of reviewing the vast amount of material it has gathered related generally to the moratorium while initiating a new search for responsive documents from the specific individuals mentioned in the January 25 and 31 letters. As an initial production, the Department is producing 36 pages of internal Departmental emails, which we are transmitting to the Committee on the enclosed CD, entitled "00035235_Hastings_002". These materials supplement the production of correspondences with the peer reviewers previously produced by the Department on October 24, 2011. The Department is also prepared to provide your staff with the opportunity to review additional documents *in camera* regarding communications and meetings with the peer reviewers. We expect to supplement these offers in the near future.

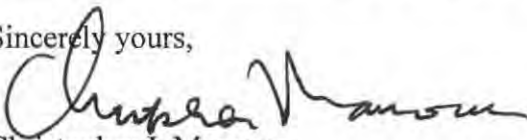
The Committee also requested documents related to edits to the executive summary of the report made after May 25, 2010. All documents that include edits, revisions, or changes to the draft executive summary of the ISM Report that illustrate the manner in which the placement of language regarding the peer review changed in the course of editing the executive summary and which lead to concerns that its scope was misrepresented were included by the OIG as six attachments to its report. We have engaged in a process of accommodation to meet the Committee's interest in those materials while respecting Executive Branch confidentiality interests, including offers of *in camera* review. In addition, documents regarding edits to the

executive summary that did not contain changes relevant to the description of the scope of the peer review were among the seven documents in the OIG's possession that were not attached to the OIG report. In each of its last three letters, the Department has offered to describe the nature of these documents to Committee staff, an offer the Department extends again here. We look forward to hearing from the Committee regarding this offer.

Through the Committee's April 25, 2011, letter and subsequent letters, we understood the Committee's intent to exercise Congress's oversight authority to investigate the manner in which the peer review was described in the executive summary of the ISM report and whether there was an intent to mislead the public regarding its scope. The Committee described in the April 25, 2011, letter its interest in reviewing the documents reviewed by the OIG. We have cooperated with the Committee to accommodate this interest in the description of the peer review. The Committee's most recent letter seeks specific information regarding the Department's decision-making about the moratorium while it was responding to a national emergency, and its work to develop the executive summary of the ISM Report that extend beyond the oversight interest articulated and implicate the Executive Branch's well-established confidentiality interests regarding its internal deliberations. These interests are especially strong here as the Committee's new requests implicate confidential, deliberative documents and communications of senior Executive Branch officials. As discussed above, we have worked to accommodate the Committee's oversight interests with respect to its interest in the description of the scope of the peer review in the executive summary and will continue to do so. We take this opportunity, however, to raise our serious concerns with respect to the Committee's suggestion that it intends to conduct oversight of the Department's work and decision-making more generally.

We look forward to continued cooperation with the Committee to work to satisfy its interest in the manner in which the scope of the peer review was described in the executive summary of the ISM Report and look forward to scheduling an opportunity for the *in camera* review of documents offered in this letter. If you have any questions or need additional assistance, please do not hesitate to contact me at (202) 208-7693.

Sincerely yours,



Christopher J. Mansour,
Director, Office of Congressional
and Legislative Affairs
U.S. Department of the Interior

cc: The Honorable Edward Markey
Ranking Member

The Honorable Doug Lamborn
Chairman, Subcommittee on Energy
and Mineral Resources

The Honorable Rush Holt
Ranking Member, Subcommittee on Energy
and Mineral Resources