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

**Opening Statement of
Chairman Doc Hastings
House Committee on Natural Resources
At the Full Committee Hearing on**

**"Oversight of the Actions, Independence and Accountability of the Acting Inspector
General of the Department of the Interior"
Thursday, August 2, 2012, at 10:00 a.m.**

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Two years ago, Members of this Committee called on the Department of the Interior's Acting Inspector General to conduct an investigation into the Department's May 2010 Drilling Moratorium Report Executive Summary that was edited to appear as though the six-month drilling moratorium was supported by engineering experts when it was not.

After initially declining, the IG ultimately agreed to conduct an investigation. An 8-page report was issued five months later that confirmed that White House officials were responsible for editing the report's Executive Summary, but the IG was unable to independently verify whether the authors intended to mislead the public.

Since becoming Chairman, this Committee has been conducting an investigation into the editing of this report and how the moratorium decision was made. Along the way, troubling questions have arisen about the thoroughness and independence of the Acting IG's investigation, as well as the IG's unwillingness to fully cooperate with the Committee's investigation.

The Inspector General Act of 1978 requires an IG to be independent, to cooperate with and provide information to Congress, and to protect whistleblowers. Essentially, an IG is to be an independent watchdog of the Executive Branch. There are legitimate questions that this independence is being compromised.

This includes the refusal of the Acting IG to provide documents subpoenaed by the Committee based on the perceived grounds that the Administration may exert Executive Privilege to withhold these documents. This was done without the Acting IG's office ever being informed by the Administration of intentions to assert actual Executive Privilege or ever inquiring if the Administration had any such intentions.

In addition, documents obtained by the Committee raise red flags about the IG's investigation into the Drilling Moratorium Report. Emails from the IG's investigators detail how they were not able to obtain all DOI documents that may have been relevant to their investigation, and they were not allowed to interview Secretary Salazar or White House staff involved in editing the report.

To quote one such email by a lead investigator, “I am deeply concerned that this is yet another example of how a double standard is being followed in this investigation in granting great deference to the Secretary’s office that would not be granted to any other department bureaus or employees.”

In another email, the lead investigator wrote, “I truly believe the editing ‘WAS’ intentional – by an overzealous staffer at the White House. And, if asked, I, as the case agent, would be happy to state that opinion to anyone interested.”

The thoroughness of the IG’s investigation is very important. The IG report is being used by the Obama Administration as a defense that this matter has been investigated and resolved. In reality, the Department has never had to disclose key documents or answer questions on how and why this report was edited.

Finally, it is important to learn more today about the Acting IG’s exact role and participation in a Board and the process that produced the Drilling Moratorium Report. In testimony before this Committee in 2010, Ms. Kendall stated that she was not involved in the process of developing the report. However, this statement appears inconsistent with documents showing that she attended meetings with senior Department officials developing the report, received drafts of the report in advance of its release, and accepted an invitation by the Department to serve on the Secretary’s OCS Safety Oversight Board.

I have to question the ability to be impartial in investigating a matter that one admits to having direct knowledge and involvement with, including direct interaction with the very political appointees on the matter being investigated. This does not strike me as the type of independent role that IG’s are expected to serve.

This raises a bigger question about the role of an Acting IG. The question is whether an IG in an acting capacity can truly be impartial investigating an Administration while openly expressing the desire to be the permanent IG, which is nominated by the President.

To be clear, these are not questions broadly about the employees and investigators in the IG’s office, but rather about the leadership and administration of the office. The written testimony of the Acting IG seeks to provide a defense and explanation of certain actions, but in several instances it raises yet more questions.

It is hoped that direct answers will be forthcoming, though we are prepared to take necessary steps, including those that extend beyond today’s hearing, to ensure we receive all of the facts.