



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

JUN 29 2020

The Honorable Alan Lowenthal
Chairman, Subcommittee on
Energy and Mineral Resources
Committee on Natural Resources
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Lowenthal:

Enclosed are responses prepared by the Office of Surface Mining Reclamation and Enforcement to the questions for the record submitted following Subcommittee's March 10, 2020, budget hearing, "Examining the Policies and Priorities of the Office of Surface Mining Reclamation and Enforcement."

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Cole Rojewski
Director
Office of Congressional and
Legislative Affairs

Enclosure

cc: The Honorable Paul Gosar, Ranking Member

Questions for the Record
House Committee on Natural Resources
Subcommittee on Energy and Mineral Resources
Examining the Policies and Priorities of the Office of Surface Mining Reclamation and Enforcement
March 10, 2020

Questions from Chairman Alan Lowenthal (D-CA):

According to an investigation by the DOI Inspector General, OSMRE halted the National Academy of Science's study on the Potential Health Effects of Surface Coal Mining Operations in Central Appalachia without having any prior concerns about NAS's performance. The Inspector General concluded that the roughly half-million already spent on the study had been, quote, "wasted."

In response to our request for information on this decision, DOI sent us nearly 9,000 pages of information. Nearly 3,600 pages were duplicates. There were only 56 pages from the period between inauguration day and when the study was cancelled.

In May of last year, we received the first 47 heavily redacted pages of the document production. Soon after, we requested the unredacted version. On February 28th, nearly nine months later, we received those unredacted pages.

One of the now unredacted sentences quotes Kate MacGregor, then the Acting Assistant Secretary for Land and Minerals Management and now the Deputy Secretary, saying, after the decision to halt the study had already been made, "I would also appreciate any clarity on how[,] if accurate, four hundred and fifty thousand plus dollars in taxpayer funds have been spent in less than one month's time for conducting less than two activities. This is of great concern to me."

This is not accurate. The National Academies had been working on the study for nearly a year and had already set up the fourth meeting of the expert panel for the following week.

Question 1: Did you correct Ms. MacGregor on this inaccurate information?

Response: OSMRE clarified the information.

According to the Inspector General, it was Ms. MacGregor that ordered the cancellation of the study. Yet, she was clearly badly misinformed about that study when she canceled it.

Question 2. Ms. Owens, did Ms. MacGregor's misinformation about this study contribute to the decision to cancel the study?

Response: The NAS study was reviewed as part of the Department's review of cooperative agreements. Because the review revealed the existence of studies on the same or similar subject by the U.S. Environmental Protection Agency and the U.S. Department of Health and Human Services, it was determined that it would not be prudent to spend additional federal dollars on the NAS study.

Questions for the Record

House Committee on Natural Resources

Subcommittee on Energy and Mineral Resources

Examining the Policies and Priorities of the Office of Surface Mining Reclamation and Enforcement

March 10, 2020

Question 3: As was previously requested by Chairs Grijalva and Lowenthal in the February 11, 2019, letter to then Acting Secretary Bernhardt, please provide all documents and communications within and between employees and persons in the Immediate Office of the Secretary, the Deputy Secretary's office, the office of the Assistant Secretary for Land and Minerals Management, and the Office of Surface Mining Reclamation and Enforcement, for the time period from January 21, 2017, through August 17, 2017, regarding the decision to cancel the National Academies' study on the Potential Health Effects of Surface Coal Mining Operations in Central Appalachia. To be clear, this request covers all documents and communications concerning the study, not simply those created after the decision was made to cancel the study.

Response: I understand that the Department is continuing to identify and process documents responsive to this request.