

The information requested was delivered to my office in Washington on October 28, 1959—the day of the hearing in Anchorage—and was immediately sent on by my office to me in Anchorage.

In the light of this background, it was quite disconcerting, therefore, to find that the memorandum of December 10, 1956, entitled "Classification of Lands for Oil and Gas—Criteria," and bearing your signature of approval and the approval date of April 22, 1957, is marked "Not for Public Inspection." The accompanying minutes of the Oil Board dated November 8, 1956, do not bear a similar notation; however, since they are referred to in the memorandum of December 10, 1956, the question is raised as to whether the minutes also are subject to the same restriction as to public scrutiny.

I have seen advanced no cogent reason why a cloak of secrecy should be thrown over these documents. What is there to hide? The withholding of this information from the public seems wholly unwarranted.

The homesteaders who are asked to waive their oil and gas rights are informed that they may, as an alternative to signing such waivers, present evidence refuting the classification of their land as prospectively valuable for gas and oil. Such an alternative becomes meaningless unless there is made available to them the basis for the action taken by the Geological Survey. Refuting the contents of a document one is not permitted to see is not only an impossible task but, moreover, violates the basic principles of due process of law.

Accordingly, I would appreciate your supplying me with the answers to the following questions at your earliest convenience:

(1) Under what rule or regulation was and is the information contained in these documents withheld from public scrutiny and labeled "Not for Public Inspection"?

(2) Under what statutory authority was and is the information contained in these documents withheld from public scrutiny and labeled "Not for Public Inspection"?

Cordially yours,

ERNEST GRUENING.

RESPONSE OF THE DEPARTMENT TO SENATOR GRUENING'S REQUEST
FOR SPECIFIC INFORMATION

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., December 16, 1959.

HON. ERNEST GRUENING,
U.S. Senate, Washington, D.C.

DEAR SENATOR GRUENING: We have your letter of November 18, addressed to the Director of the Geological Survey, regarding availability to the public of the information contained in a memorandum of December 10, 1956, addressed to the Director, and in the document accompanying the memorandum.

The memorandum constituted policy recommendations to the Director from one of his subordinates. Inasmuch as oil and gas classification made by the Director have been called into question by homestead entrymen in Alaska and elsewhere, we fully intended that the