

**Congress of the United States**  
**Washington, DC 20515**

January 17, 2008

Secretary Dirk Kempthorne  
Department of Interior  
1849 C Street, NW  
Washington, DC 20240

Dear Secretary Kempthorne:

We are deeply troubled over the timing of the U.S. Fish and Wildlife Service's (FWS) delay in announcing its decision on listing the polar bear under the Endangered Species Act (ESA), which was legally required on Jan. 9 2008, concurrent with the Mineral Management Service's (MMS) decision to proceed with Chukchi Sea Oil and Gas Lease Sale 193, which would allow oil and gas leases for almost 30 million acres of the undeveloped Chukchi Sea, an area of essential habitat for approximately one half of the U.S. polar bear population. The science on global warming and the melting of the Arctic is clear; and, the polar bears' dire situation requires immediate action. We implore you to list the polar bear under the Endangered Species Act as endangered and designate critical habitat for the species. Under the law you also should implement and enforce provisions to protect these majestic creatures immediately using "good cause" discretion under federal regulations implementing the ESA.

All the more alarming is the Interior Department's failure to have agencies work collaboratively. We certainly continue to urge FWS' due and timely diligence to review comments on this historical listing decision, but the MMS announcement is yet another example of the Interior Department promoting immense benefits for oil and gas development at the cost of wildlife and ecology. The decision by FWS will help ensure any activities allowed in the regions polar bears inhabit will not jeopardize their survival or damage their habitat. Despite this probable outcome, to proceed now with Chukchi Sea Oil and Gas Lease Sale 193, would disregard important protections for likely endangered species habitat.

As you know, in its Final Environmental Impact Statement on Lease Sale 193 (FEIS) MMS states that: "... our overall finding is that, due the magnitude of potential mortality as a result of a large oil spill, the Proposed Action would likely result in significant impacts to polar bears if a large spill occurred." While polar bear habitat currently is threatened by increasing global temperatures, the damage resulting from increased human activity and oil and gas development may cut off any hope of restoring the polar bear population to a sustainable level.

Furthermore, the threat of an oil spill remains grave- your own department has stated that the risk of a significant oil spill can be as high as 51 percent. Depending on the season, the environment of the Arctic Ocean may also make the cleanup of an oil spill virtually impossible. The MMS also acknowledges that oil and gas development will harass and kill some polar bears.

**The wildlife and ecology in this area may never be able to recover from the stresses that oil and gas development will cause.**

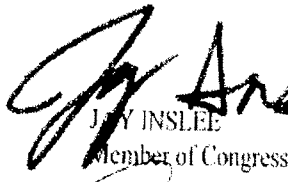
While the major threat to the survival of polar bears is the retreat of ice in the Arctic Ocean caused by global warming, it makes no sense to place further stress on the species and its habitat by pursuing massive oil and gas development before making a determination on the polar bear's future status under the ESA. We have previously raised this concern with you and the FWS, most recently after the U.S. Geological Survey release a series of reports in September spelling out the extremely dire outlook for polar bears.

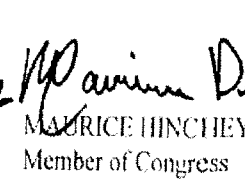
**For the reasons stated above, we urge you to immediately postpone the planned February 6 Lease Sale 193, add polar bears to the list of endangered species, and designate critical habitat for the species.**

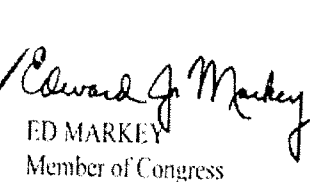
As you know, Congress recently passed H.R. 6 into law (Public Law No: 110-140). This law provides the nation with the tools necessary to achieve oil independence and reduce the nation's green-house-gas emissions. Beyond the evidence that this lease sale will negatively affect the habitat of polar bears, the fact remains that we cannot drill our way to oil independence. The actions taken by the FWS and MMS under this administration also will send negative signals to those who are innovating and investing in alternative energy.

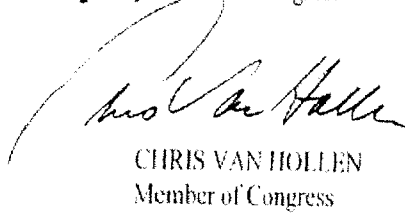
Should you decide to go forward with Lease Sale 193 without regard to the concerns we have stated above as well as those of leading scientists in the field, we implore you to provide written justification for ignoring the requirements of the ESA with regard to polar bears prior to any lease sale date. In addition, we reiterate our conclusion that you should postpone any decisions to pursue offshore oil and gas development in the Arctic Ocean and Bearing Sea until such time as the conditions we set out in our letter to you of June 29, 2007 are fully met.

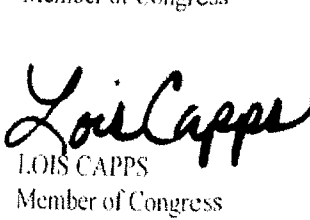
Sincerely,

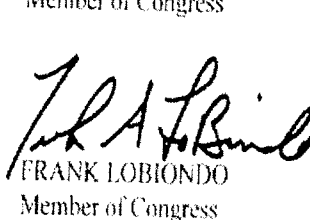
  
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Member of Congress

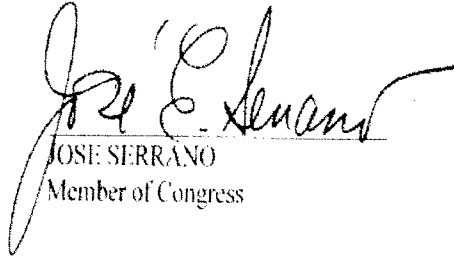
  
MAURICE HINCHEY  
Member of Congress

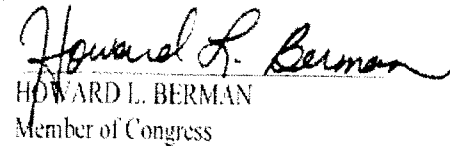
  
ED MARKEY  
Member of Congress

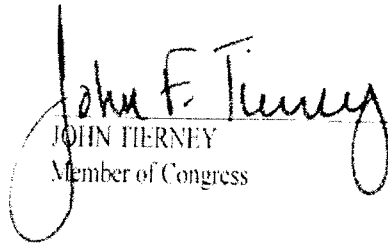
  
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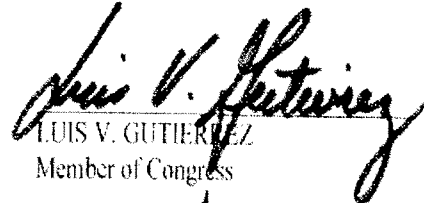
  
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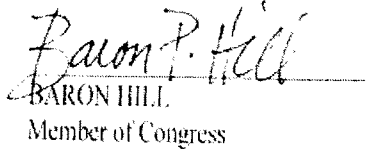
  
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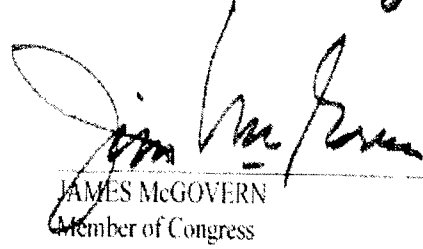
  
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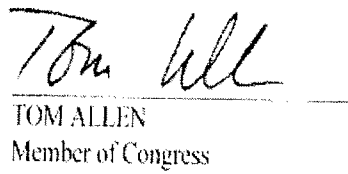
  
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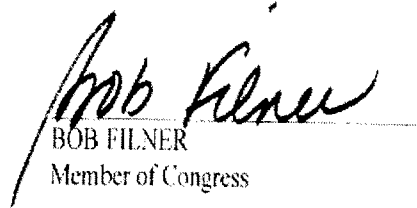
  
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Member of Congress

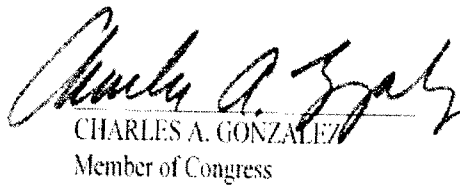
  
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Member of Congress

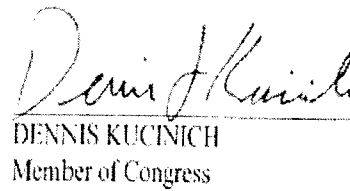
  
BARON HILL  
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JAMES MCGOVERN  
Member of Congress

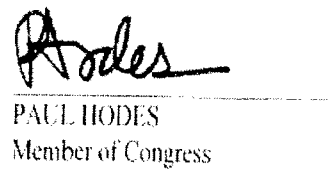
  
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