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**Select Committee on  
Energy Independence and Global Warming  
U.S. House of Representatives**

January 18, 2008

The Honorable Dirk Kempthorne  
Secretary  
U.S. Department of the Interior  
1849 C Street, N.W.  
Washington, DC 20240

Dear Secretary Kempthorne:

I am writing to urge you to delay the scheduled February 6, 2008 Chukchi Sea Planning Area Oil and Gas Lease Sale 193 until after the final listing decision for the polar bear under the Endangered Species Act has been made. The timing of these two Interior Department actions could very well determine the ultimate fate of this iconic animal.

The Interior Department is currently considering whether to list the polar bear under the Endangered Species Act as a result of the impacts of global warming. Last week the Fish and Wildlife Service announced that it was going to miss its statutorily required deadline for making a final decision on listing the polar bear as “threatened” under the Act. In making the announcement, the Fish and Wildlife Service stated that the listing decision could be delayed by up to 30 days, opening the door for it to be made after the lease sale occurs in the Chukchi Sea – an area that is essential habitat for polar bears in the United States.

Yesterday, the Select Committee on Energy Independence and Global Warming held a hearing examining the future of the polar bear and the timing of these two decisions – I was disappointed that you were not able to accept the Select Committee’s invitation to appear. Because Fish and Wildlife Service Director Dale Hall could not assure the Select Committee that the polar bear listing decision would be finalized before the lease sale, I have introduced legislation that would require that the Interior Department delay the oil drilling rights sale in the Chukchi Sea until it had made a decision on the polar bear, and had performed its responsibility of establishing critical habitat for the polar bear.

My legislation would not prevent the lease sale from occurring, but simply ensure that we make a decision on how best to protect the polar bear before conducting an oil and gas lease sale in 30 million acres of sensitive polar bear habitat. However, I hope that you will take action to delay the lease sale and the passage of this legislation will not be necessary.

Should you have any questions about this request, please have your staff contact Mr. Morgan Gray on my staff at 202-225-4012. Thank you very much.

Sincerely,



Edward J. Markey, Chairman  
Select Committee on Energy Independence  
& Global Warming