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United States Senate
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS
WASHINGTON, DC 20510-6175

March 21, 2008

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

Dear Secretary Kempthorne,

I have received the response of the Department of Interior, dated March 21, regarding my request that you appear before the Committee on Environment and Public Works to discuss the status of your Department's failure to act on the listing of the polar bear under the Endangered Species Act. Your offer to provide me with a telephone briefing and only appear before the Committee once a decision is made is wholly inadequate.

A hearing is urgently needed specifically because the Department is currently in violation of the Endangered Species Act and is already the subject of a lawsuit filed by conservation groups to compel a final decision.

I also note that the Department only proposed the polar bear for listing after it was required to act under a settlement agreement which triggered the statutory obligation that a final listing decision be made by January 9, 2008.

I again ask that you confirm that you will appear before the Committee as requested on April 2 or April 8, 2008.

As Secretary of Interior, you have a responsibility to the people to answer questions before the oversight committee on this serious breach of the Department's duty to follow the law and protect the magnificent polar bear from the threat of extinction.

Sincerely,

Barbara Boxer

Barbara Boxer
Chairman

CC: Lyle Laverty

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