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Secretary Dirk Kempthorne  
U.S. Interior Department  
1849 C St. NW  
Washington, D.C. 20240

July 20, 2007

Dear Secretary Kempthorne:

I appreciate the Interior Department's announcement today regarding its intent to reopen Endangered Species Act (ESA) decisions that appear to have been improperly influenced by former Deputy Assistant Secretary Julie MacDonald. It is gratifying to finally see the Department address this scandal in public following months of relative silence.

However, I must question the Department's decision to reopen only eight ESA decisions. My staff has identified 16 ESA decisions in which MacDonald played a critical role, as identified by the Interior Department's Inspector General and environmental groups who have tracked MacDonald's actions. Those include listing decisions for the Greater Sage Grouse, the Gunnison Sage Grouse, the Gunnison's Prairie Dog, *Tabernaemontana rotensis* (a rare island tree), the White-Tailed Prairie Dog, Peirson's Milkvetch (a flowering plant), the Fluvial Arctic Grayling, the Mexican Garter Snake and the Southwestern Bald Eagle; critical habitat decisions for the Southwestern Willow Flycatcher, the Sacramento Splittail, the Vernal Pool Species (which includes four shrimp species and 11 plant species), the Bull Trout and the Arroyo Toad; the recovery plan for the Northern Spotted Owl; and the biological opinion for the Delta Smelt.

According to the Department's press release, even the Fish and Wildlife Service regional directors recommended a longer list of 11 ESA decisions for reconsideration. Three were eliminated by administrators in Washington.

The Department alleges that its internal review concluded that MacDonald oversaw scores of ESA decisions, but in most of these cases she did not improperly influence the outcome. Respectfully, given the history of this scandal and others at the Department, I do not believe it is credible to accept the Department's conclusion without evidence, such as access to the working papers of the internal review (documents and correspondence) and the Fish and Wildlife Service scientists and regional directors who participated in the original decisions and in the internal review.

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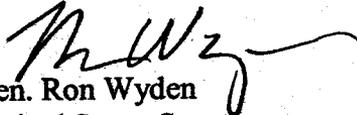
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To restore public confidence in the Department's ESA decisions, this internal review must be transparent and beyond reproach. Additionally, the Department must explain why it allowed MacDonald – a former political aide in California state government with no formal scientific education – to run roughshod over her agency's scientists for years. Until we understand how this scandal was allowed to happen, we cannot be certain that it will not happen again.

Sincerely,



Sen. Ron Wyden  
United States Senator