

November 30, 2007

The Honorable Earl E. Devaney
Inspector General
U.S. Department of Interior
1849 C Street NW
Washington, DC 20240

Dear Inspector General Devaney:

As you know from my previous correspondence with both you and the Department, I have long-standing concerns about allegations of troubling behavior by Julie MacDonald when she served as Deputy Assistant Secretary for Fish, Wildlife and Parks at the U.S. Department of Interior.

In my correspondence with the Department, I requested an Agency review of sixteen endangered species decisions in which Julie MacDonald played a critical role. Of those sixteen, the Department agreed to review three, in addition to five other decisions that they identified. The Fish and Wildlife Service declined to review thirteen endangered species decisions from my original request. I have reason to believe that Julie MacDonald improperly influenced all of those decisions and that the Fish and Wildlife Service's review failed to capture the impact of her involvement in those decisions. Her involvement has been substantiated by documents obtained in Freedom of Information Act requests, court filings and related papers and conversations involving Agency personnel and outside groups.

In addition to this original set of species decisions, new information has emerged about additional species and yet others were only recently brought to my attention. For example, new information was recently received on the marbled murrelet through a Freedom of Information Act request. This information indicates that Ms. MacDonald improperly interfered with scientific findings in the murrelet's biological status report issued in 2004. The marbled murrelet was one of the species originally on the Fish and Wildlife Service's internal list of species decisions to be revisited, but the Fish and Wildlife Service chose not to include the murrelet in their final list of eight species.

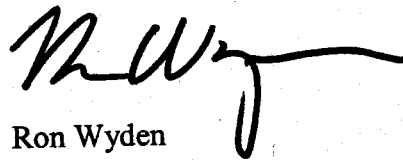
Accordingly, I would request that your office investigate the species decisions undertaken by the Fish and Wildlife Service for the following species: Greater Sage Grouse; Gunison Sage Grouse; Gunnison's Prairie Dog; *Tabernaemontana rotensis* (a rare island tree); Pierson's Milkvetch (a flowering plant); Fluvial Arctic Grayling; Mexican Garter Snake; Southwestern Bald Eagle; California Tiger Salamander; Critical Habitat Decisions for: Sacramento Splittail; Vernal Pool Species (which includes four shrimp and

11 plant species); Bull Trout; Spikedace; Loach Minnow; Gulf Sturgeon; the Northern Spotted Owl recovery plan; the Delta Smelt biological opinion; and the Marbled Murrelet status review.

In particular, I request that you look at how the Fish and Wildlife Service reached its decisions on actions for these species and whether there was any improper political influence in these decisions. In addition, recommendations on what actions would need to be taken to correct the improper influence would be of great value. I am aware that the Government Accountability Office (GAO) is working on a separate review of matters related to the Julie MacDonald case and that you have an agreement with GAO not to duplicate each other's work. I want to emphasize that the issues I am asking you to investigate are different from what GAO is examining. I understand that GAO's review is specifically examining the process utilized by the Fish and Wildlife Service to reach its list of eight species to be reopened, rather than whether there was improper political influence in reaching the original endangered species decisions. While GAO's work will undoubtedly prove to be valuable information, it fails to address the status of the eighteen endangered species decisions identified above, how those decisions were originally made or Julie MacDonald's role in those eighteen decisions. I would like these issues to be looked at - specifically for those species identified above. As has been noted by many working in the arena of endangered species protection, the eight species identified by the Fish and Wildlife Service may be just the tip of the iceberg. Without a more thorough review of the additional decisions in which Ms. MacDonald was involved, we really will not have a complete picture of how far her actions extended or what further actions need to be taken to rectify the situation.

I respectfully request you to undertake this review and I look forward to working with you and the appropriators to make sure you have the necessary funds to review these decisions.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Wyden', with a long horizontal flourish extending to the right.

Ron Wyden
U.S. Senator