

Congress of the United States

Washington, DC 20515

November 7, 2007

Mr. Ronald J. Tenpas
Acting Assistant Attorney General
Environment and Natural Resource Division
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

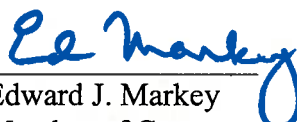
Acting Assistant Attorney General Tenpas:

We are writing to strongly urge the U.S. Department of Justice to immediately appeal the decision in *Kerr-McGee Oil & Gas Corp. vs. C. Stephen Allred, Assistant Secretary for Land and Minerals Mgt., and the Dept. of the Interior*, No. 2:06 cv 0439 (W. D. LA.), (Mem. Op., Oct. 30, 2007). Furthermore, we urge you to bring the full weight of the Department's resources to bear in defending the American taxpayers in this precedent-setting case.

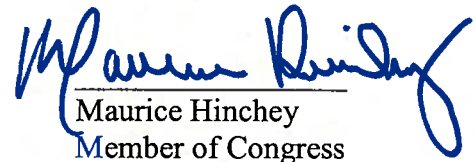
This is a case of the utmost importance that ultimately could cost the federal treasury and the American taxpayers up to \$60 billion in royalties rightfully owed by oil and gas companies for the privilege of drilling on public land. In addition, if this decision is not expeditiously overturned, it likely will embolden other potential plaintiffs to bring similar suits against the federal government in this and other courts, imposing a further drain on public resources. The Department of Justice must therefore dedicate the highest-level personnel and the requisite resources to the appeal.

A number of us oppose royalty relief under any circumstances for oil and gas drilling on public lands. However, regardless of one's opinion on the merits of this program, Congress, in enacting the Outer Continental Shelf Deepwater Royalty Relief Act, never intended to restrict the Department of the Interior's ability to issue deepwater leases that require the payment of royalties when the price of oil is high. Accordingly, we strongly disagree with the District Court's decision in this case.

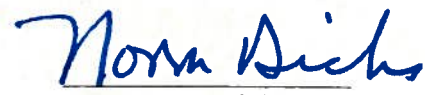
This case is of paramount importance in ensuring that the American people are able to receive a fair return on these valuable resources. The Bush Administration and the Department of Justice must vigorously defend the public interest in this case.


Edward J. Markey
Member of Congress

Sincerely,


Maurice Hinchey
Member of Congress


Nick J. Rahall II
Member of Congress


Norman D. Dicks
Member of Congress



Rahm Emanuel
Member of Congress



George Miller
Member of Congress



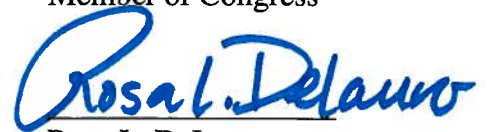
Carolyn B. Maloney
Member of Congress



Raul M. Grijalva
Member of Congress



James P. Moran
Member of Congress



Rosa L. DeLauro
Member of Congress