

WAYNE ALLARD  
COLORADO

DIRKSEN SENATE OFFICE BUILDING, SUITE 521  
PHONE: (202) 224-5941  
FAX: (202) 224-6471

# United States Senate

WASHINGTON, DC 20510-0606

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September 26, 2006

The Honorable Dirk Kempthorne  
Secretary of the Interior  
1849 C Street NW  
Washington DC 20240

Dear Mr. Secretary,

As you may be aware, when Congress transferred Naval Oil Shale Reserves (NOSR) Numbers 1 and 3 from the Department of Energy (DOE) to the Department of the Interior (DOI) in 1998 the legislation stated that DOI could not begin the "normal" process of royalty distribution until such time as DOE was compensated for their "original investment" and for the costs of cleanup of the Anvil Points facility. In addition, section 7439 (f) (2) of the Transfer Act stated that the Secretaries of Interior and Energy must jointly certify to Congress that the monies have been recouped prior to making revenue available for distribution to the State of Colorado.

It is my understanding that oil and gas receipts collected from production within NOSR Number 3 have surpassed the estimate of what was needed to fully reimburse DOE for their original investment as well as covering the cost of environmental remediation at the Anvil Points site. I would encourage you to work closely with Secretary Bodman at the Department of Energy to ensure the certification of sufficient funds and the earliest possible distribution of these funds through the established Mineral Leasing Act formula.

Thank you for your swift attention to this important matter. Please feel free to have your staff contact Mandi McKinley, on my staff, at 202-224-5941 at your earliest convenience.

Sincerely,



Wayne Allard  
U.S. Senator

7340 EAST CALEY  
SUITE 215  
ENGLEWOOD, CO 80111  
PHONE: 303-220-7414  
FAX: 303-220-8126

5401 STONE CREEK CIRCLE  
SUITE 203  
LOVELAND, CO 80538  
PHONE: 970-461-3530  
FAX: 970-461-3658

111 SOUTH TEJON  
SUITE 300  
COLORADO SPRINGS, CO 80903  
PHONE: 719-634-6071  
FAX: 719-636-2590

411 THATCHER BUILDING  
5TH AND MAIN STREET  
PUEBLO, CO 81003  
PHONE: 719-545-9751  
FAX: 719-545-3832

215 FEDERAL BUILDING  
400 ROOD AVENUE  
GRAND JUNCTION, CO 81501  
PHONE: 970-245-9553  
FAX: 970-245-9523

954 EAST SECOND AVENUE  
SUITE 107  
DURANGO, CO 81301  
PHONE: 970-375-6311  
FAX: 970-375-1321