



Ambassador Ron Kirk
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Ambassador Kirk:

The Sierra Club, currently with 1.3 million members, is America's oldest and largest grassroots environmental organization. Although we are based in the United States and do most of our work in this country, our most fundamental mission is broader: to protect our communities and the wild places of the earth. Specifically, we are dedicated to promoting the responsible use of the earth's ecosystems and resources, and to educating and enlisting people and policymakers everywhere to protect and restore the quality of the natural and human environment by all lawful means.

It is thus with great urgency that I write to you today to ask that – in formulating your next report to Congress on the Andean Trade Preferences Act (ATPA) – ongoing efforts by Ecuador's leaders and its citizens to seek justice and redress for decades of intentional rainforest poisoning by Texaco (now Chevron) play no role whatsoever in your or Congress' determination of whether Ecuador is deserving of ongoing benefits under the ATPA. While we are not involved in, and take no position on, the merits of the lawsuit brought against Chevron/Texaco almost 20 years ago by more than 30,000 Ecuador-eans, the Sierra Club concurs fully with the more than two dozen Members of Congress and the U.S. Conference of Catholic Bishops who have written you recently on this matter.

Like them, the Sierra Club believes that these preferences were not intended to be, and should not be, used as a means of pressuring any government to foreclose the constitutional rights of its citizens who seek to use the legal system to protect and restore the natural world. This is especially true when our government is being asked to do so by, and for the economic benefit, of a powerful corporation that does not contest the central fact of pollution on a vast scale at issue in the case, only its own liability.

We will continue to monitor this matter closely. However, it is our sincere hope that this issue will become moot with your next report to Congress despite the enormous resources devoted by Chevron for many years to bending the ATPA process to its ends. Thank you for your consideration.

Sincerely,

Michael Brune
Executive Director
Sierra Club