

# United States Senate

WASHINGTON, DC 20510

June 25, 2009

The Honorable Ron Kirk  
United States Trade Representative  
Executive Office of the President  
600 17th Street, NW  
Washington, D.C. 20508

Dear Ambassador Kirk:

We write to express our concern with Chevron Corporation's efforts to petition your office concerning a pending lawsuit it is facing in the Ecuadorian legal system. It is our understanding that Chevron is seeking the threatened withdrawal of the Andean Trade Preference Benefits for Ecuador if this lawsuit moves forward.

Chevron's main contention is that the Ecuadorian legal system is corrupt and will not provide a fair forum to pursue litigation. However, it is our understanding that earlier this decade, Chevron initially urged the U.S. federal court in the Southern District of New York to transfer the case to Ecuador, submitting 14 sworn affidavits from experts praising the courts of Ecuador as fair and adequate.

The 30,000 Ecuadorian plaintiffs in the case argue that Texaco (which merged with Chevron in 2001) dumped 18 billion gallons of toxic waste water into Ecuador's waterways and forests between 1964 and 1990 while drilling for oil. A court appointed expert reported that Texaco abandoned more than 900 open waste pits filled with toxic sludge. The suit charges that this sludge consists of toxins that include cancer causing agents, which have infiltrated the groundwater, soils, and streams of Ecuador. Another independent court-appointed expert assessed damages up to \$27 billion.

Corporate responsibility at home and abroad is critical, particularly when it concerns human health and the environment. We request that you allow the legal proceedings in Ecuador to take their course without any undue intervention from the U.S. government.

Thank you for your consideration.

Sincerely,



Ron Wyden  
U.S. Senator



Richard Durbin  
U.S. Senator



Robert P. Casey, Jr.  
U.S. Senator



Patrick J. Leahy  
U.S. Senator