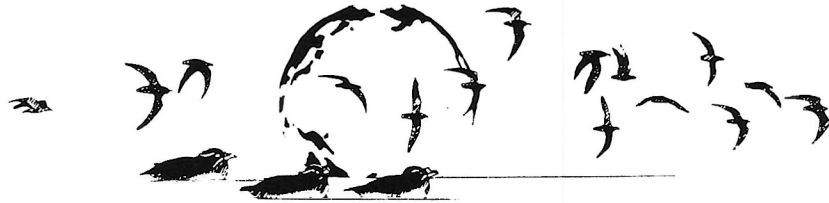

Pacific Seabird Group



DEDICATED TO THE STUDY AND CONSERVATION OF PACIFIC SEABIRDS AND THEIR ENVIRONMENT

Craig S. Harrison
Vice Chairman for Conservation
3731 North 6th Road
Arlington, Virginia 22203

November 11, 1992

Mr. Walter O. Stieglitz, Regional Director
U.S. Fish & Wildlife Service
1011 East Tudor Road
Anchorage, Alaska 99503

Re: Exxon Restitution Trust Fund

Dear Mr. Stieglitz:

I am writing on behalf of the Pacific Seabird Group (PSG), an international organization that was founded in 1972 to promote knowledge, study and conservation of Pacific seabirds. We seek information concerning the disposition of the \$50 million that Exxon paid the federal government as restitution for the criminal violations of the Prince William Sound oil spill. We are familiar with the federal-state trusteeship that was established to manage the \$900 million trust fund from the civil portion of the suit, but have no information concerning the criminal restitution funds.

We understand that in October 1991, a federal judge in Anchorage approved an agreement that settled the claims of the federal government and the State of Alaska against Exxon and its subsidiaries for various criminal violations resulting from the Exxon Valdez oil spill. Exxon entered a guilty plea to federal criminal charges and admitted violating the Migratory Bird Treaty Act, Clean Water Act and Rivers and Harbors Act. The sentence included a \$150 million fine, \$125 million of which was forgiven due to Exxon's cooperation during the cleanup and environmental precautions taken since the spill. Exxon paid the remaining \$25 million into the North American Wetlands Conservation Fund and the Victims of Crime Act account.

We understand that Exxon also agreed to pay \$50 million to the federal government and \$50 million to Alaska as restitution for the criminal violations. The State of Alaska and the federal government are to separately manage the \$50 million payment that each has received. We also understand that the court ordered that these funds be used exclusively for restoration projects within Alaska relating to the Exxon Valdez oil spill. The court defined restoration to include "restoration, replacement, and enhancement of affected resources, acquisition of equivalent resources and services; and long-term environmental monitoring and research programs directed to the prevention, containment, cleanup and amelioration of oil spills."

PSG wants to insure that the federal government use these funds to remove alien predators from Alaska seabird colonies, thereby restoring, replacing or enhancing the 400,000 seabirds that were killed by the spill. You will recall that we wrote to you on this subject by letter dated March 6, 1992 in which we explained how introduced predators on the Alaskan Maritime National Wildlife Refuge have destroyed the natural biodiversity of many breeding islands. Predators such as rats and foxes depress the breeding population of seabirds on the Alaskan Maritime National Wildlife Refuge by several million each year, the equivalent of several Exxon Valdez oil spills.

We again urge that FWS promptly begin a long-term program to remove all introduced predators from refuge islands with a target date of no later than the year 2000. We urge FWS to insure that a reasonable portion of the \$50 million criminal restitution funds be used for this purpose.

Sincerely,

Craig S. Harrison