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(WASHINGTON) - A FEDERAL JUDGE IN WASHINGTON SAID TODAY (MONDAY) HE WAS CONCERNED THAT EXXON'S SETTLEMENT WITH THE GOVERNMENT OVER THE VALDEZ OIL SPILL COULD INTERFERE WITH THE RIGHTS OF ALASKA NATIVES TO PURSUE THEIR OWN DAMAGES.

HEARING TODAY BEFORE U-S DISTRICT JUDGE STANLEY SPORKIN CAME MORE THAN A WEEK AFTER FEDERAL JUDGE RUSSEL HOLLAND THREW OUT THE FINAL PORTION OF THE EXXON SETTLEMENT. HOLLAND SAID THE 100 (M) MILLION DOLLAR FINE WAS TOO LENIENT -- AND HIS RULING LEFT IN DOUBT THE FUTURE OF THE SETTLEMENT.

THE JUDGE DID NOT RULE ON A GOVERNMENT MOTION TO TRANSFER THE ALASKA NATIVES' LAWSUITS TO HOLLAND'S COURT.

SPORKIN HAD ISSUED A RULING BEFORE THE EXXON SETTLEMENT WAS ANNOUNCED IN MID-MARCH, SAYING IT SHOULD NOT INTERFERE WITH THE RIGHTS OF FIVE NATIVE VILLAGES TO SEEK THEIR OWN PAYMENT FOR DAMAGE.

TODAY -- VILLAGES' ATTORNEY MICHAEL HAUSFELD TOLD THE JUDGE THE AGREEMENT GIVES EXXON THE RIGHT TO ARGUE THE NATIVES HAVE NO RIGHTS TO SUE FOR PAYMENT FOR DAMAGES TO NATURAL RESOURCES.

SPORKIN TOLD HAUSFELD TO SEEK A STATEMENT FROM EXXON OFFICIALS ON WHETHER THEY BELIEVE THE SETTLEMENT AFFECTS THE NATIVES' CLAIMS. HAUSFELD TOLD REPORTERS HE WOULD DO SO NEXT WEEK.

GOVERNMENT ATTORNEY LETITIA GRISHAW -- MEANWHILE -- CONTENDED THAT THE SETTLEMENT DOCUMENT IS NEUTRAL.

GRISHAW ARGUED AGAINST ANY NEW COURT ORDER BARRING ANY GOVERNMENT ACTION THAT WOULD AFFECT THE VILLAGES' RIGHTS AND ALSO SAID SPORKIN DID NOT HAVE THE RIGHT TO ORDER REVISIONS IN THE SETTLEMENT.

JUDGE SPORKIN EXPRESSED FRUSTRATION -- SAYING HE IS VERY CONCERNED THAT PEOPLE'S RIGHTS ... MAY WELL BE INTERFERED WITH IN THE SETTLEMENT.

GOVERNMENT ATTORNEY DAVID CARSON NOTED THAT EXXON HAS UNTIL THE END OF THE WEEK TO DECIDE WHETHER TO BACK OUT OF THE AGREEMENT ON THE CIVIL CLAIMS. IF IT DOES, THE ISSUE IS MOOT.

AP-NP-04-29-91 1048PDT<-

P.1
Sporkin

Exxon chief faces lawyer for Natives

Move to halt deposition anticipated

By E. MICHAEL MYERS

TIMES WASHINGTON BUREAU

WASHINGTON — A federal judge gave a lawyer representing Alaska Natives permission Monday to question Exxon's chairman under oath concerning the proposed Exxon Valdez oil spill settlement.

U.S. District Judge Stanley Sporkin in Washington, D.C., said he could not get an answer in "simple English" from the federal government on whether the settlement would interfere with Natives' rights to sue for payment for damage from the March 1989 spill.

"I have a responsibility to clear up the record as much as possible," Sporkin said.

Exxon is expected to move to block the deposition of chairman L.G. Rawl, although it had no immediate comment on Sporkin's decision.

The judge's order further muddles the already jeopardized \$900 million settlement of state and federal civil claims related to the spill. The settlement was negotiated by the state of Alaska, federal government and Exxon without Native participation.

U.S. District Judge H. Russel Holland of Anchorage threw out the criminal portion of the settlement Wednesday, saying its \$100 million fine was too lenient.

Attorney Michael Hausfeld is trying to persuade Sporkin to reopen settlement talks so Alaska Natives can directly negotiate for compensation for



L.G. Rawl

damage to their subsistence resources.

Rawl represents the villages of Chenega Bay, Igroavik, English Bay, Laroche Bay and Karluk.

Sporkin was not satisfied Monday with federal government assurances that Natives' legal rights are not affected by the agreement. The government also argued Sporkin has no authority to revise the settlement.

Sporkin, in blunt exchanges with Justice Department attorney Letitia Grishaw, repeatedly asked for guarantees that the rights of the Natives to recover for damages to their lands, water and subsistence resources were not impaired by the agreement.

Grishaw said the question of the Natives' legal rights should be decided by Holland and that Sporkin has no jurisdiction in the matter.

"I am troubled that I cannot see Exxon, back page

get an answer from the government," Sporkin said.

He asked Grishaw if she could accept a court order barring any government action that would affect the rights and claims of the Natives to recover damages.

"It's an injunction you have no jurisdiction to grant," Grishaw told Sporkin.

"This is disturbing," Sporkin said, asking for an answer in "clear, simple English."

Sporkin turned to Hausfeld and approved his request for a sworn deposition from Exxon officials.

"All I want to find out is what Exxon understands is the effect of this agreement" on the Natives' claims, Sporkin said.

Grishaw has requested that Sporkin transfer the Natives' lawsuits to Holland's court. Sporkin said he would act on that request once he gets a clear answer from Exxon.

Grishaw accused Hausfeld of asking the Washington, D.C., judge to rewrite a settlement contract that does not include Natives as a party.

"This court does not have the power to rewrite the contract," she said. "You don't have Exxon before you. You don't have jurisdiction."

She repeatedly said the agreement provides that Natives "are entitled to all rights under law."

Sporkin called that argument "lawyer's vocabulary." He told Grishaw, "You want to reserve the right to say they have no rights."

Hausfeld, who also has a motion pending to question Interior Secretary Manuel Lujan about the agreement, said he will seek to interview Rawl next week.

H THOMAS

sharp criticisms released by state resource agency administration says Bureau of Land Management a "sound" job on its draft impact statement for the Alaska-Juneau gold

state's long-awaited come-re released Monday, in many state-agency critique the BLM report that some ared would be edited out by administration. a prepared statement re-day by the governor's office reflect all of the concerns

ernmental Coordination. "The state should not be a roadblock to it."

The governor's office today also released a letter Rusanowski wrote to David Dorris, who is in charge of BLM's impact statement. In the letter, Rusanowski said the state supports the project, and "the draft (impact statement) is sound."

The letter differs from a version released Monday by Rusanowski's office. The letter was apparently changed after a Cabinet-level meeting was held Tuesday in the governor's office.

In the first letter, which was never sent to the BLM, Rusanowski said the state supports the mine "in general."
Please turn to Comments, Page 8

"Employment Through Economic Development" is the theme of this year's general assembly of the Tlingit and Haida Indian Tribes of Alaska.

The 56th annual gathering, taking place this week in Juneau, will involve about 120 delegates representing Tlingits and Haidas who live in Southeast Alaska, Anchorage, Seattle and San Francisco.

The theme will be carried through the election of an economic development commission, discussions of Native employment efforts by the state and sessions on tribal employment rights.

a.m. Thursday with opening ceremonies and addresses from politicians and organization leaders.

The assembly will adjourn about 4 p.m. Saturday.

All sessions will be held at the Andrew P. Hope Building, 320 W. Willoughby Ave., and are open to the public, said Judith George, assistant to central council president Edward Thomas. The building houses the Alaska Native Brotherhood hall.

"We welcome observers and like to have them there," George
Please turn to T-H, Page 8



Villages sue to block oil spill settlement

By JULIA RUBIN

THE ASSOCIATED PRESS

ANCHORAGE — The proposed \$1 billion Exxon Valdez oil-spill settlement is fair, despite overwhelming public comment to the contrary, Exxon Corp. and the federal government argued in papers filed in federal court here Tuesday.

Meanwhile, five Alaska Native villages sued in federal court in Washington, D.C., to block the settlement and amend it to include their claims for compensation in the nation's biggest oil spill.

Exxon Corp., its subsidiary Exxon Shipping, and the U.S. Justice Department urged U.S. District Court Judge H. Russel Holland in separate briefs to accept the settlement.

Its terms require Exxon to plead guilty to four misdemeanors and pay a record \$100 million criminal fine.

Half of that would go to the state as restitution. Felony charges against the oil giant would be dropped.

The agreement also would settle state and federal civil claims against Exxon for the 1989 oil spill in Prince William Sound. Exxon would pay \$900 million over 11 years, with the money going into a trust to pay for the Sound's cleanup and restoration.

Holland has scheduled sentencing for April 24.

The tanker Exxon Valdez strayed off course in March 1989 and ran aground on a charted reef, tearing a hole in its bottom. It spewed nearly 11 million gallons of crude oil into the sound, tainting thousands of miles of shoreline, and poisoning untold numbers of marine animals and birds.

Of 87 public comments submitted to Holland about the criminal case, only 11 supported the plea agree-

Please turn to Exxon, Page 8

Dow closes over 3,000

THE ASSOCIATED PRESS

NEW YORK — A vigorous rally sent the Dow Jones industrial average soaring today, and the index appeared to set a record by closing above the 3,000 mark.

Traders said optimism of an improving economy drove the market to new heights. The rally is seen as a continuation of a bullish trend that has favored equities since January.

The Dow Jones average of 30 industrials crossed the record 3,000 mark for about two hours until 2:13 p.m. when it retreated.

The previous record of 3,010.60 was set July 17, 1990. The benchmark index has never closed above 3,000.

It was at 3,006.93, up 20.05, with five minutes left in trading.

Over Lightly Page 2
n Page 4
Money Page 7

WEATHER

Intermittent drizzle tonight and Thursday, high in upper 40s. Page 2

Juneau Empire

4/17/91

plans to build a
r end of the valley.
100 million tons of
he dam during the
life of the mine.
Valley is four miles
and is the watershed
area's most popular
reams. Echo Bay's
r proposal has gen-
ible criticism inan
of the mine plan.

tance, vocational training and
home remodeling. George said.

dures within the tribes, George
said.

zen of the year will be
day.

Exxon...

Continued from Page 1
ment, according to the Justice De-
partment brief.

Critics argued, among other
things, that the fine was too small;
that there isn't enough information

on the spill's damage to set penal-
ties; that Alyeska Pipeline Service
Co., which operates the trans-Alaska
oil pipeline, shouldn't be immune to
possible criminal charges; that
Exxon should be tried publicly; and
that many plaintiffs, like the Alaska
Native villages, are left out.

In arguments submitted Tuesday,

the federal government argued that
the fine - 20 times the previous re-
cord for a criminal environmental
violation - "would reflect the seri-
ousness of the conduct that caused
the grounding of the Exxon Valdez ...
and send a strong message that com-
panies that violate environmental
statutes face serious punishment."

ARS
oney's worth
whole lot more.

For more
details see
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or

Annette

CRIPION

Refrigerator w/Icemaker (Almond)

Refrigerator w/Icemaker (Almond)

Large Disposal

Barbecue Grill w/Pedestal & Tank

1 Ft. Extension Cords

Class Vac

Large Door Opener w/3 Transmitters

asonic VCR

Player

Player

Player

Personal Cassette Player

Personal Cassette/Radio

Gallon Captive Air Tank

ace Heater

ace Heater

asonic VCR

Her VCR

ars Hi-Fi VCR

ars Camcorder Outfit

ars Camcorder Outfit

ny Rack System W/5 Pk CD Player

undesign Rack System w/Remote

1 Portable Disc Player

her Dual Recorder/Player Boom Box

" RCA Console TV (Traditional Cabinet)

" RCA Console TV (Oak Cabinet)

Cu.Fl. Upright Freezer (Almond)

nmore Microwave

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amore Dryer

amore Washer - 10 Cycle

ever Upright

Amop/Waxer

3 H Power-Mate Vacuum

ser XT Computer (IBM Compatable) w/Hard Drive

ser XT Computer (IBM Compatable) w/Hard Drive

TENT SALE

Hot Dog,
Chips, Drink *1
Valley Chapel
Youth Group
Saturday Only
11:00-3:00

QUANT.	WAS	NOW	YOU
ON HAND	PRICED	PRICED	SAVE
2		\$799.93	
4		\$569.88	
5	\$49.99	\$39.88	\$10.11
2	\$379.99	\$299.88	\$80.11
56		\$8.88	
3		\$21.88	
8		\$229.88	
1	\$488.88	\$399.88	\$89.00
2	\$195.93	\$150.00	\$45.93
1	\$229.87	\$179.88	\$49.99
2	\$129.97	\$99.93	\$30.04
17		\$19.88	
23		\$24.88	
1	\$159.99	\$59.88	\$100.11
18	\$41.99	\$28.00	\$13.99
27	\$59.99	\$42.00	\$17.99
2	\$379.99	\$312.43	\$67.56
2	\$499.99	\$449.88	\$50.11
6	\$409.99	\$299.88	\$110.11
2	\$1,099.99	\$998.88	\$101.11
3	\$1,199.97	\$698.88	\$501.09
2	\$949.99	\$899.99	\$50.00
2	\$289.99	\$259.88	\$30.11
3	CLOSEOUT	\$149.88	
2	\$179.99	\$159.88	\$20.11
1	\$729.99	\$699.88	\$30.11
1	\$629.99	\$599.88	\$30.11
1	\$455.99	\$410.99	\$45.00
2	\$235.99	\$209.88	\$26.11
2	\$259.99	\$219.88	\$40.11
3	\$466.99	\$444.99	\$22.00
1	\$541.99	\$519.99	\$22.00
2	\$129.99	\$99.88	\$30.11
1	\$224.99	\$124.88	\$100.11
3	\$249.99	\$229.93	\$20.06
3	\$1,198.77	\$499.88	\$698.89
1	\$999.99	\$599.88	\$400.11