

Congress of the United States
House of Representatives
Washington, DC 20515-1803

November 9, 2011

Mr. Lamar McKay
Chairman and President
BP America Inc.
501 Westlake Park Boulevard
Houston, TX 77079

Dear Mr. McKay:

As a supporter of offshore drilling, a resident of South Louisiana, and someone who represents so many people adversely impacted by the DEEPWATER HORIZON disaster, I respectfully request that BP take steps to open the BP Oil Spill Claims Fund to mitigate the damages suffered by the oilfield service and supply sector and its employees that resulted from the disaster and the subsequent drilling moratorium. Such an action would not only provide much needed assistance to thousands of Louisiana families and businesses, it would also further prove that BP stands ready to act as a responsible corporate citizen.

In making this request, I observe the following facts:

- While few agree that the Obama Administration acted responsibly or correctly when it unilaterally halted all drilling in the Gulf of Mexico, the public recognizes that the DEEPWATER HORIZON disaster was the direct cause of the President's moratorium. A moratorium that was the first of its kind in the history of our nation.
- In a recent committee hearing, Mr. Feinberg indicated that as many as 6,000 Oil Spill Fund claims had been denied because the losses sustained by claimants were the result of the President's moratorium and not the oil spill. Frankly, this is the proverbial splitting the baby into halves. This analysis may satisfy some abstract legal principles, but it fails to address the harsh realities suffered by real people who have no fault in this disaster.
- There are scores of oilfield service and supply companies and their employees who have suffered tremendous losses due to the DEEPWATER HORIZON disaster and the subsequent drilling moratorium. From the coil tubing operators to the cooks and caterers, thousands have been adversely affected, but many have not been compensated. Mr. Feinberg has expressed that the inability to address these claims has resulted in an injustice.
- Additionally, the administrators of the Rig Workers Assistance Fund have only honored the claims of 775 offshore workers and will soon be diverting \$75 million of the \$100 million provided in this fund. This has left many people caught in the middle and without fair settlement or compensation.

- Reasonable people can disagree on whether or not Mr. Feinberg has adequately compensated the individuals and businesses he has found to be injured by the oil spill or if these individuals and businesses represent the entire universe of those injured by the spill. However, these disagreements do not change the fact that Mr. Feinberg will have a surplus in the BP Oil Spill Claims Fund once he finishes paying out what he believes to be adequate compensation.

Considering that the purpose of this fund was to mitigate damages and compensate the losses sustained as a result of the DEEPWATER HORIZON disaster, I believe it would be both reasonable and just for BP to authorize Mr. Feinberg to mitigate and compensate the claims of those who suffered financial harm due to the disaster induced moratorium.

Opening this fund will not only help the oilfield service and supply companies and their employees who have suffered tremendous losses because of the disaster and subsequent moratorium, it will help BP take another step toward righting a very unfortunate and disastrous wrong, thereby increasing the public's trust in BP and the drilling industry as a whole.

For these reasons, I reiterate my request that BP authorize the Mr. Feinberg to address those claims by oilfield service and supply companies and their employees which have been denied because of the parsing of legal hairs. There have been many claims which have been settled which were indirectly caused by the DEEPWATER HORIZON disaster, to segregate out those associated with the President's moratorium and to treat them differently is an injustice.

I thank you in advance for your thoughtful consideration of this request and stand ready to provide you whatever assistance you may require.

Respectfully,



Jeff Landry
Member of Congress