

**Congress of the United States**  
**Washington, DC 20515**

February 29, 2012

The Honorable Eric H. Holder, Jr.  
U.S. Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

RE: Terms of Settlement with BP and other Responsible Parties under Clean Water Act for Deepwater Horizon disaster

Dear Attorney General Holder:

We understand that the Justice Department may still be negotiating a legal settlement with BP and other responsible parties for damages under the Clean Water Act related to the Deepwater Horizon disaster caused by the blowout of the Macondo well. We commend you and your team for your ongoing work to hold the parties responsible accountable for the economic and environmental damages in the Gulf of Mexico region caused by this catastrophe. We encourage you to negotiate a settlement that directs 80% of fines and penalties to the Gulf of Mexico. This investment should implement scientifically-grounded strategies to benefit the long-term health of the Gulf of Mexico.

The possible settlement should devote significant resources to study and repair the Gulf of Mexico for decades to come. The BP settlement must establish a long-term endowment to improve the health and vitality of the Gulf of Mexico ecosystem. A new Gulf Research endowment should fund Gulf of Mexico scientific grants consistent with a broad Gulf restoration strategy that will enable us to collect much needed data and deploy much needed strategies over the long term.

The BP Oil Spill Commission noted that the "monitoring needs in the Gulf of Mexico, which because of its multiple uses and economic value, should be a national priority." We agree with their assessment. We urge you to include support for data collection and monitoring capabilities across the Gulf as you negotiate Supplemental Environmental Projects (SEPs) as part of a possible BP settlement. A robust, federally-overseen monitoring program and ocean observing system are essential to improving and protecting the health of this national asset and will compliment restoration efforts. Such ocean observing systems have been created and sustained in other parts of the country and we need a commensurate investment in the Gulf.

The Oil Spill Commission also highlighted the importance of fisheries research and protection, including coastal and marine spatial planning to improve overall efficiency and reduce conflicts among ocean users to ensure the continuity and robustness of fisheries into the future. The settlement also could boost existing initiatives that operate in the region such as the National Estuary Program, Clean Water Revolving Loans, and National Sea Grant college initiatives.

Mr. Holder  
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Your settlement negotiations present an extraordinary opportunity to secure the scientific information needed to understand the impact of the BP Deepwater Horizon disaster and monitor the Gulf region's recovery from it. We look forward to working with you and President Obama to secure the long-term health of the Gulf of Mexico and the millions of tourism, fishing, recreation and conservation jobs it supports.

Sincerely,



Edward J. Markey  
Ranking Member  
House Committee on Natural Resources



Henry Waxman  
Ranking Member  
Committee on Energy and Commerce



Kathy Castor  
U.S. Representative- Florida 11<sup>th</sup>

Cc: Associate Attorney General Tom Perrelli  
The Honorable Lisa Jackson, EPA Administrator  
Dr. Jane Lubchenco, NOAA Administrator