

United States Senate

WASHINGTON, DC 20510

October 5, 2012

The Honorable Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Obama:

Thank you for your support of the RESTORE Act and your efforts to promote the Gulf Coast's recovery following the *Deepwater Horizon* oil spill. We appreciate your commitment to ensuring that the responsible parties are held liable for the damage caused to our coastal communities and habitats. However, we have grave concerns about developments of the settlement terms as reported in the press.

Recent reports suggest that the Department of Justice is leaning toward a global settlement agreement that involves reduced Clean Water Act penalties in exchange for a higher allocation under the Oil Pollution Act for natural resource damage assessments. These are separate penalties assessed under separate statutes, and undermining recovery attained through one by diverting fines to the other simply is not appropriate.

As you will recall, the RESTORE Act passed with broad bipartisan support, clearly illustrating the will of Congress—and the millions of Gulf Coast residents we represent—that the significant Clean Water Act penalties owed should be directed toward the Gulf's ecological and economic recovery under the local input and control guidelines established by the law. Circumventing the will of Congress by shortchanging the RESTORE Act is wholly unacceptable to us. We urge you to reject such an approach.

The Clean Water Act and the Oil Pollution Act have different objectives, and the parties responsible for the spill should be held fully accountable under both. Complete ecological and economic recovery of the Gulf Coast can only occur if just penalty amounts are assessed under every applicable statute. Accordingly, we urge you to negotiate a robust settlement that does not achieve a higher amount under one of these statutes at the expense of the other.

Sincerely,



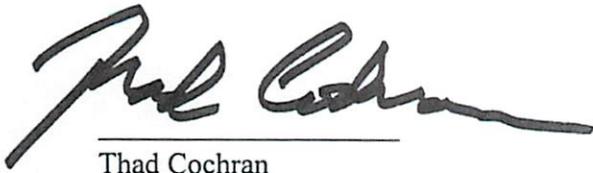
Mary L. Landrieu
United States Senator



Bill Nelson
United States Senator



Richard Shelby
United States Senator



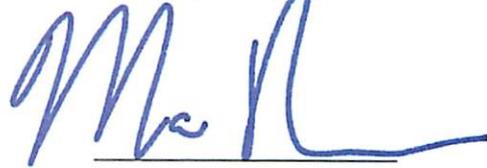
Thad Cochran
United States Senator



Jeff Sessions
United States Senator



Roger Wicker
United States Senator



Marco Rubio
United States Senator



John Cornyn
United States Senator



Kay Bailey Hutchison
United States Senator