

# United States Senate

WASHINGTON, DC 20510-1804

August 5, 2010

The Honorable Harry Reid  
Majority Leader  
United States Senate  
S-221, The Capitol  
Washington, D.C. 20510

The Honorable Mitch McConnell  
Minority Leader  
United States Senate  
S-230, The Capitol  
Washington, D.C. 20510

Dear Leaders Reid and McConnell:

As we continue to respond to the BP oil spill, I write to urge your support on a matter of crucial importance to a swift recovery for the impacted states of the Gulf Coast.

The people of the Gulf Coast are proud of their contribution to the nation's energy security, but as the Deepwater Horizon disaster has made abundantly clear, those contributions have not come without some cost to our coastal communities and environment. Currently, those costs are not equitably addressed by Federal law. The *Gulf of Mexico Energy Security Act of 2006* marked an important, but incomplete, step toward ensuring that coastal states receive some percentage of the revenues from offshore drilling – and not just 100 percent of the risk. That bill mandated the sharing of offshore oil and gas revenues with the Gulf producing states. Unfortunately, however, those revenues will not be shared equitably for another seven years under that law – and that is too long for these threatened coastal communities to wait. The impacts of this spill have created a crisis in the Gulf. We cannot delay justice any further and I will continue to fight for the acceleration of this critical revenue sharing legislation.

However, in addition to rectifying decades of inequity, we must seek justice for this horrific incident instead of squandering the fines on unrelated needs across the country. I urge you to join us in supporting a change to current law that would ensure that **no less than 80% of any civil and criminal penalties paid by BP under the Clean Water Act are dedicated to the long-term recovery of the Gulf Coast. Further, I believe that changes to the act should be made to ensure that impacted states would always receive the majority of the penalties levied.**

As you know, *The Clean Water Act* (33 U.S.C. 1319 and 1321) levies significant penalties against the responsible party when oil is spilled into U.S. waters – penalties ranging between \$1,100 and \$4,300 per barrel spilled. Without a change in Federal law, those penalties will be deposited into the Oil Spill Trust Fund to address *future* spill clean-up and claims. I believe that this policy should be changed: penalties that are paid following a spill that impacts one state or states should be addressed to the states impacted so that they can use those funds to hasten their recovery. To do less in the face of this historic spill would be a miscarriage of justice and I hope that you support the Gulf Coast by insisting that these funds be directed to the impacted parties.

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As the people of the Gulf Coast recover from this manmade disaster, I will work to ensure that the fines paid by those responsible are directed to addressing those impacts. Those funds are crucial to the long-term livability and economic health of the Gulf Coast. For that reason, I ask that you support our effort to ensure that *any* legislation addressing this oil spill also establishes a dedicated stream of revenue that will assist the impacted states in recovering from this unprecedented disaster.

With kindest regards, I am

Sincerely,



Mary L. Landrieu  
United States Senator