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August 2, 2010

Dear Senator:

The BP Deepwater Horizon disaster has had an impact on the lives of thousands of Americans living in communities along the Gulf coast and caused severe damage to the marine ecosystem. The late April explosion and sinking of the oil rig brought into sharp focus the human and environmental risks of offshore oil drilling. While there appears to be general agreement that the system for deciding where and how to drill offshore needs substantial reform, the Senate is engaged in a heated debate on how the costs of cleanup and lost revenues should be managed. We are writing to urge you to support S. 3663, the Clean Energy Jobs and Oil Company Accountability Act, which would eliminate the liability cap on economic and natural resource damages.

Currently, under the Oil Pollution Act, companies drilling offshore are fully liable for cleanup costs, but not for natural resource and economic damages except in limited situations (in the case of gross negligence, willful misconduct, or violation of a Federal safety, construction, or operation regulation). The liability provisions of S. 3663 would remove the \$75 million cap for offshore facilities that currently applies to economic and natural resource damages, ensuring that innocent victims will be fully compensated for their losses. S. 3663 would ensure that BP is held fully accountable for all the damages it has caused as a result of the Gulf oil disaster. In contrast, S. 3643, the Oil Spill Response Improvement Act, would retain that cap for BP and for all

current lease holders, changing liability only for *new* leases. Under S. 3643, all oil companies currently drilling offshore – more than 2000 drilling platforms - will not be required to compensate victims for damages that exceed \$75 million for spills that occur at any time in the future.

For the fishermen and tourism businesses of the Gulf coast that have lost millions of dollars in income these past 100 days, or the workers who lost their lives or were injured in the explosion, or the volunteers who were sickened by chemical dispersants, the issue of unlimited liability is crucial. Those who pollute or act irresponsibly must make the communities they damage whole again. S. 3663 ensures that the polluter, not American taxpayers, will have to pay the bill for damages incurred by both current *and* future leaseholders.

The Congressional Budget Office has determined that lifting the liability limits would not have a considerable impact on oil and gas drilling in the Gulf. With so many communities, businesses and individuals suffering from the effects of BP's oil spill, this is not the time to focus on how best to protect the oil companies drilling off our shores, but how best to protect the shoreline communities affected by disasters like the Deepwater Horizon explosion. On behalf of our hundreds of thousands of members and supporters, we urge you to support S. 3663.