



Gulf Coast State Attorneys General

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May 6, 2010

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear President Obama and Attorney General Holder:

As the Attorneys General for the five Gulf Coast states, we write concerning the Deepwater Horizon oil spill that threatens our coasts and shared natural resources—as well as the livelihood of our coastal citizens and communities. In the wake of the tragic loss of human life that has already occurred, our top concern now must be the well-being of the precious environmental and wildlife resources of our states. As you are well aware, our states have already begun to experience the devastating effects of the massive and ongoing oil spill in the Gulf of Mexico.

We are responding quickly to minimize damage to our resources and property, in coordination with the federal Unified Command. Nevertheless, the threat of significant loss is real and cannot be overstated. Real and personal property owned by the states and our citizens are at risk. Fisheries, oyster beds, wetlands, beaches, estuaries, and groundwater all stand to be destroyed. In addition to the enormous threatened natural resource damages, our states have already suffered the great costs of early removal and response actions and stand to lose additional taxes, fees, and other revenue as a result of this incident as well as the losses likely to be suffered by our citizens and businesses.

As the attorneys constitutionally empowered to protect the citizens and economies of our states and to represent the departments and agencies of our states, we must make every effort to ensure that our states and our citizens receive full restitution, damages, and costs from any and all parties responsible for this spill. We recognize that BP has stated publicly that it will live up to its obligation to pay all claims arising from this environmental and economic disaster. We hope that BP will. But we would be remiss in our responsibilities if we did not consider the possibility that enforcement or litigation efforts may be required in the future.

Along those lines, it may be difficult to establish the necessary evidence for enforcement or litigation efforts without full and complete documentation that only BP and other companies may currently have. Toward that end, we jointly sent letters to BP and other companies yesterday asking them to undertake certain actions, including the preservation of relevant documents and information.


In a similar vein, while the state and federal emergency management personnel appear to be coordinating well in each of our states, we have yet to establish a similar cooperative effort with any of the federal agencies that may be responsible for investigating this matter for any possible enforcement or litigation actions. We therefore seek your assistance in establishing a state-federal working group with the purpose of coordinating any information-gathering and otherwise communicating in preparation for any damage assessment initiatives or enforcement or litigation actions that may be necessary in the future.


Whether final resolution of this matter is through a formal legal process with BP and others or in the context of an amicable resolution, we believe that the sensible course is for the various state and federal agencies responsible for enforcement and litigation activities to work together toward a common goal and to avoid any unnecessary duplication of our effort. This will maximize our available resources while ensuring that our states and their citizens are made whole.

Your assistance in this initiative is greatly appreciated. We look forward to your response.


Sincerely,


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