



U. S. Department of Justice

Office of the Associate Attorney General

The Associate Attorney General

Washington, D.C. 20530

December 21, 2011

Anthony Lendez
Carl Pergola
BDO Consulting
100 Park Avenue
New York, NY 10017

Kevin Hubbard
BDO Consulting
333 Clay Street, Suite 4700
Houston, TX 77002

Dear Mr. Lendez, Mr. Pergola and Mr. Hubbard:

On behalf of the Attorney General, I would like to thank you for your willingness to conduct an independent evaluation of the Gulf Coast Claims Facility. As you know, the GCCF was established when, at the Administration's insistence, BP turned over decision-making authority over to Kenneth R. Feinberg to establish an independent, fair, efficient claims-processing facility. Since the GCCF's creation, the Department of Justice has remained continually engaged with the GCCF to ensure that it is living up to BP's commitments.

This evaluation is an important element of our commitment to the people of the Gulf. Over the past 15 months, the GCCF has received over one million claims and paid out over \$6 billion in damages. Where it has performed well, the people of the Gulf deserve to know that they have been fairly served. Where it has fallen short, we must take appropriate steps are taken to ensure that victims of the oil spill are fairly treated and properly compensated.

In the course of your work, I will ask that you keep a number of things in mind.

First, the goal of this evaluation is to ensure that any systematic errors that may have occurred in the handling of claims of those who have been harmed by the Deepwater Horizon oil spill are corrected. Because the settling of these claims is an essential part of the Gulf peoples' recovery from the disastrous spill a year and a half ago, we ask that you pursue this task with urgency and that the review be completed in March. A prolonged review would simply delay the implementation of improvements that may be needed today.

Second, it is absolutely critical that your review be fully independent. While Mr. Feinberg has agreed that the GCCF will pay the costs associated with the review, *your work will be overseen and directed by the Department of Justice*. If at any time you are not receiving the cooperation or information you need for your review, please let me know immediately.

Finally, your work must meet the highest professional standards. Your findings will be of great import and must be based on your objective review of the facts. In the compressed time frame that we have established, it will not be possible to second-guess every claim decision or re-visit every policy. It may not be possible to reach a level of statistical certainty with respect to every issue. But in a highly sensitive context, this independent review must approach the issue with clear eyes, an open mind, and uncompromising professional judgment.

In order to complete this effort in the necessary time, I would ask that you commence work designing the review immediately. Over the past several weeks, with great assistance from the offices of Gulf State public officials and stakeholders from throughout the region, the Department of Justice has identified some of the most significant concerns that have been raised regarding the GCCF's performance. Among other things, we have heard concerns about improper handling of documents submitted by claimants, unnecessary delays in the processing of interim claims, and inconsistent payments for similarly situated claimants. This independent review will help determine whether these concerns are valid and, if they are, how the processes can be improved. The Department will work with you as you design the review to ensure that, given the time allotted, it can address these and others of the most important issues.

Once again, I would thank you for your work on the independent evaluation of the GCCF.

Sincerely,

A handwritten signature in blue ink that reads "Thomas J. Perrelli". The signature is written in a cursive style with a prominent initial "T".

Thomas J. Perrelli