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Mr. David J. Lesar
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Houston, Texas 77032

Dear Mr. McKay, Mr. Newman and Mr. Lesar:

Over the past month, BP has maintained that only 5,000 barrels a day of oil are flowing from the Deepwater Horizon well into the Gulf of Mexico. It is now clear that this estimate is highly inaccurate. At a minimum, tens of thousands of barrels a day are escaping from the well, with some estimates ranging above 70,000 barrels a day. This amount of oil flowing directly and continuously into the ocean is unprecedented. The Gulf region is now experiencing an environmental catastrophe of unknown proportions – not only in the volume of the oil spilled, but also in the use of dispersants, in the virtually unknown behavior of oil expelled at low temperatures and high pressures on the deep sea floor, and in the movement of oil plumes at various depths along different currents. Your companies bear complete responsibility for this disaster and have a duty to assist with the investigation of the causes of the spill, to implement solutions that halt the flow of oil, to

monitor the spill's location and trajectory, and to assess ecological impacts on the human, marine and coastal populations of the oil and the oil/dispersant mixes being released.

To that end, I ask that you establish a fund, managed by an independent entity, to make funding available to researchers in academia and other independent institutions that might assist with these efforts. We need to have all of our best minds on board and all hands on deck to confront this ongoing environmental catastrophe. In your efforts to "do whatever it takes" to resolve the crisis, it would be short-sighted to ignore the hundreds of scientists in the region that are ready, able and willing to lend a hand, if only they had the funds for sample collection, travel, supplies and analyses.

Making grants available to independent researchers and laboratories would also remove the pall of conflicting interests that hangs over the current *modus operandi* – such as the use of the TDI-Brooks International laboratory in College Station, TX, which was reported in today's New York *Times*. According to the Times article, since this lab counts BP among its biggest clients, concerns have been raised about a potential appearance of partiality. The public is going to be mistrustful of the results, and BP is under suspicion regardless of the accuracy of the data. Therefore allowing independent scientists to sample our oceans and provide their own independent tests-- using their own laboratories-- will be critical in generating reliable and unbiased information.

Given the tens of millions of dollars already provided by BP to the Gulf States for promoting tourism – worthwhile but hardly expected to address the issues of the spill itself – it would be only reasonable to provide a similar amount to those scientists and researchers that could actually assist in the monitoring and mitigation of the spill and its effects.

If you have any questions or concerns, please have your staff contact Michal Freedhoff of my staff (202-225-2836). We look forward to your response.

Sincerely,



Edward J. Markey
Chairman, Subcommittee on Energy and
Environment
Energy and Commerce Committee

Cc: Honorable Henry Waxman, Chairman,
Honorable Joe Barton, Ranking Member
Honorable Fred Upton, Ranking Member