



Dear Mr. President:

We applaud your decision to appoint an independent commission to investigate the ongoing disaster in the Gulf of Mexico. As we noted in our May 4 letter to you, an independent investigation is essential to learn the lessons from this tragedy. We write now to reiterate our view that the commission must have a broad mandate. Only a commission with a wide-ranging charge will be able to make credible and comprehensive recommendations on how to prevent future disasters and protect our oceans and coastlines.

Specifically, we believe the commission must deal with three sets of issues:

- 1) The causes of the disaster and the adequacy of the response. The problems that led to the destruction of the *Deepwater Horizon*, the loss of 11 lives and the massive oil leak cannot be fixed if they are not fully understood. This means not only exploring the mechanical causes of the blowout, which has been assigned to the National Academy of Engineering, but understanding the systemic regulatory failures that seem to have made such an event more likely and more damaging. This includes everything from the way standards are written and enforced for equipment and operations to the way leasing, exploration plans and production plans are evaluated and approved. This also includes an evaluation of the response to determine whether BP and the government had sufficient resources and effective procedures in place to contain and clean up the oil, protect public health and the environment, keep the public informed and carry out their legal responsibilities related to liability.
- 2) Regulatory changes needed to strengthen environmental protection and prevent future disasters. The commission should be charged with making specific recommendations on how to change statutes, regulations and monitoring and enforcement procedures and the regulatory structure that carries out these functions. This should include procedures designed to prevent blowouts and other oil spills, both acute and chronic, from all aspects of offshore drilling activities. This should also include the steps that need to be in place to enable both oil companies and the government to respond adequately when such events do occur.
- 3) Guidelines for siting offshore drilling. The commission should also be mandated to detail the implications of its findings for determining the extent

of offshore drilling. Specifically, the commission should recommend the criteria the government should use when deciding whether, where and how seismic exploration and offshore drilling should be allowed to occur, given the risks these activities pose and the ability of industry and the government to deal effectively with those risks. These recommendations should inform the Administration's broader efforts to implement a more comprehensive ocean policy that would increase the protection of our oceans.

We recognize that the investigation we are suggesting would be extensive and would require time and a variety of expertise. But the continuing crisis in the Gulf has demonstrated beyond any reasonable doubt that every aspect of our system of regulating oil exploration is broken. The system is based on faulty premises, and has been carried out through inadequate rules overseen by compromised agencies. A review must be thorough enough to make it clear how to start over.

We also want to reiterate that a moratorium should be placed on all new oil drilling activities, including the drilling planned in the Arctic this summer, until the commission reports and its recommendations are evaluated and, where appropriate, implemented. Such a broken system is not capable of ensuring the safety of new offshore drilling activities, especially in challenging and extremely vulnerable environments like the Arctic Ocean. No one can claim at this point to be ignorant of the extent of the risks moving forward.

We greatly appreciate the attention and resources that you and your Administration have dedicated to responding to the Gulf disaster. Your Administration now has the enormous burden, responsibility and opportunity to remake policy so that such destruction does not happen again. We urge you to approach that responsibility with an open, independent and thorough-going review of what's gone wrong and how it can be fixed. Doing less is to miss the lessons of this tragedy and how to learn from them.

Sincerely,

Frances Beinecke  
President