

FACT SHEET: Claims and Escrow

INDEPENDENT CLAIMS FACILITY

A new, independent claims process will be created with the mandate to be fairer, faster, and more transparent in paying damage claims by individuals and businesses.

- To assure independence, Kenneth Feinberg, who previously administered the September 11th Victim Compensation Fund, will serve as the independent claims administrator.
- The facility will develop standards for recoverable claims that will be published.
- A panel of three judges will be available to hear appeals of the administrator's decisions.
- The facility is designed for claims of individuals and businesses who have been harmed by the oil spill; local, state, tribal, and federal government claims will continue to be handled directly by BP.
- The facility will decide all claims as expeditiously as possible, and in any event within the existing statutory timeframe.
- Dissatisfied claimants maintain all current rights under law, including the right to go to court or to the Oil Spill Liability Trust Fund.
- Decisions under current law by the independent claims facility shall be binding on BP.
- All claims adjudicated under this facility have access to the escrow account for payment.

ESCROW ACCOUNT

BP has agreed to contribute \$20 billion over a four-year period at a rate of \$5 billion per year, including \$5 billion within 2010. BP will provide assurance for these commitments by setting aside \$20 billion in U.S. assets.

- BP has reaffirmed its commitment to pay all removal costs and damages that it owes as a responsible party. It will not assert any liability cap under OPA to avoid liability.
- The creation of the escrow account will provide assurance to the public that funds will be available to compensate the injured.
- This account is neither a floor nor a ceiling on liability.
- The escrow account is to be used to pay claims adjudicated by the independent claims facility, as well as judgments and settlements, natural resource damage costs, and state and local response costs.

VOLUNTARY CONTRIBUTION FOR RIG WORKERS

- BP will contribute to a foundation \$100 million to support unemployed oil rig workers.
- The Administration's May legislative proposal would create a new program of unemployment assistance, modeled after the Disaster Unemployment Assistance Program, to provide benefits to workers who lose their jobs as a result of a spill of national significance.

ENVIRONMENTAL AND HEALTH MONITORING

- BP has previously committed \$500 million for the ten-year Gulf of Mexico Research Initiative to improve understanding of the impacts of and ways to mitigate oil and gas pollution.
- As a part of this initiative, BP will work with governors, and state and local environmental and health authorities to design the long-term monitoring program to assure the environmental and public health of the Gulf Region.