



October 25, 2010

President Barack Obama  
The White House  
1600 Pennsylvania Ave.  
Washington, DC 20515

Dear Mr. President,

It has come to our attention that Mr. Kenneth Feinberg, whom you appointed to be Administrator of the BP Victims Compensation Fund, will be providing the Keynote Address to the Chamber of Commerce's Institute for Legal Reform's Legal Summit scheduled for Wednesday, October 27, 2010. Given the Chamber's controversial role in the 2010 election, the organization's commitment to deny individual citizens their right to hold large corporations accountable and Mr. Feinberg's own troubled record when it comes to administering the BP Victims Fund, it is highly inappropriate and possibly unethical for Mr. Feinberg to be supporting the Chamber of Commerce by providing a keynote address. We call on you to demand that Mr. Feinberg sever his relationship with the Chamber of Commerce or resign from his position as the Administrator of the victims' fund.

Mr. Feinberg's decision to support the Chamber of Commerce comes in the midst of the Chamber engaging in one of the largest corporate campaign contribution laundering schemes in U.S. history. On any number of occasions, you have rightfully made public your concerns that the Chamber's efforts to funnel millions of corporate dollars from undisclosed donors is compromising our democratic processes. Last Friday's *New York Times* investigative report confirmed the fact that concealed donations to the Chamber's efforts come from big oil, Wall Street tycoons and the insurance industry trying to roll back financial protections, thwart the implementation of health care reform and shred environmental protections.

The fact that the Chamber is largely hiding such activities from the American public is particularly troubling for our democracy. In California, for example, we at Consumer Watchdog have seen a Chamber-backed political action committee, JobsPAC, receive \$3.8 million from the insurance industry for television commercials to elect the industry's candidate for insurance commissioner. Television commercials for the industry's candidate don't disclose that the source of the contributions is from the insurance industry, only the Chamber's committee. So the commercials can say the industry's candidate for insurance commissioner is fighting the very insurance industry that is surreptitiously funding the advertisements.

There is no greater threat to voters getting all the information they need to make an informed choice in the election next Tuesday than the Chamber of Commerce. Days before an election, Mr. Feinberg should not be credentialing one of its most anti-American causes – stripping citizens of their legal rights

The Chamber has not only spent millions on lobbyists to take away our legal rights. The Chamber has led deceptive efforts to change the composition of state supreme courts in order to make them pro-business and anti-consumer.

Mr. Feinberg's effort to support the Chamber could constitute actual legal conflict as the Chamber of Commerce has played an active role on issues directly related to the BP oil spill, including:

- The Chamber has lobbied against Death on the High Seas Act (as well as the whole SPILL Act that passed the House). Their letter of opposition is attached.
- The attached 990 Internal Revenue Service tax filing show that several oil companies sit on the board of their Institute for Legal Reform. Charles James is EVP at Chevron and Charles Matthews is General Counsel at Exxon. Mark Holden is Senior Vice President, and General Council of Koch Industries.
- The Chamber filed amicus briefs supporting Exxon as it fought punitive damages post-Valdez. That is here:  
<http://secure.uschamber.com/NR/rdonlyres/ew3o3lcvdfeb5nnnpqkstiww3sdjucpeg5np5asvytg72zv2donrmfd5jo2xbfjlzqi75sz2drtlgnuufov53pn5sg/exxonshippingcovbakercse.pdf>
- The Chamber has been especially involved in Louisiana. The Institute for Legal Reform owns an outlet called Louisiana Record that is a propaganda outlet and has consistently ranked Louisiana at the bottom of their legal rankings list.  
<http://www.instituteforlegalreform.com/lawsuit-climate.html>

We do not think it is coincidental that Mr. Feinberg speech is scheduled to immediately follow a discussion of liability issues related to the BP spill entitled "**The Gulf of Mexico Oil Spillover Effect — Liability Ramifications and the Interplay Between State, Federal, Environmental, and Securities Law.**"

In light of the Chamber's political money laundering, efforts to take away legal rights from everyday people, and specific interest in the BP oil spill and accountability issues, supporting the Chamber of Commerce, days before a pivotal election, is unseemly for a representative of the President appointed to help victims of the worst man-made domestic environmental disaster since the *Exxon Valdez*.

The allegations that have been leveled against Mr. Feinberg in recent months related to the efficacy of his administering of the Victims Fund would seem to suggest that Mr. Feinberg ought not to be doing anything that will further call into question his impartiality, integrity and ethics.

Mr. President, when you appointed Mr. Feinberg in June, you stated, "I'm confident he will assure that claims are administered as quickly, as fairly and as transparently as possible."

Unfortunately, for the Gulf victims, Mr. Feinberg has struck out on all three counts.

First, with regards to being quick, there have been ongoing reports exposing that the fund has experienced prolonged delays in providing desperate victims with the support they are owed.

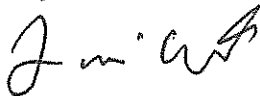
Whether it be shrimpers who lost their living, waitresses whose restaurants closed or small hotel owners who are struggling to make payroll, victims of the Gulf are not receiving the quick justice they need to make ends meet. Mr. Feinberg promised a 48-hour turnaround between the filing of a damages claim and the processing of a damages claim, when appointed as the Administrator, but five months have come and gone, and the vast majority of the claims filed have not been processed by Mr. Feinberg.

Second, when it comes to fairness, the victims of BP have been treated anything but fairly. The Victims Funds has required them to fill out a form so arduous, and with so much documentation, that it is de facto making it extremely difficult for working class people to able to receive even pennies on the dollar for what they have lost. The complexity of the process is especially egregious when you consider that the Wall Street banks bailed out by taxpayer dollars merely had to fill out a very simple document. It is simply not fair to create a far more complex process for the distribution of BP's oil stained dollars to everyday people compared to what it took the big banks to get hard earned taxpayer dollars.

And, third, when it comes to transparency -- we are all still very much in the dark. Only recently did we learn that BP has paid Mr. Feinberg \$2.5 million (and is continuing to pay him \$850,000 a month). Furthermore, the documents outlining the extent, nature and details of Mr. Feinberg's relationship with BP have still yet to be made public. Given the amount of money Mr. Feinberg is being paid by BP, is it any wonder that some have questioned whether the complexity of the claim process is an effort to guarantee that it goes on as long as possible? A delayed process serves BP's interest. A delayed process serves Mr. Feinberg's financial interest. But for the victims, justice delayed is justice denied.

In closing, we believe Mr. Feinberg's decision to appear as the keynote speaker for this troubling organization, which represents oil companies in courts, the election and Congress, at the same time he is supposed to be serving as an impartial Administrator of a Victims Compensation Fund, established as the result of misconduct of one of the world's largest oil companies, shocks the conscience. We ask you to call on him to either end his support of the Chamber of Commerce or step down as Administrator of the BP Victims Fund.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie Court". The signature is fluid and cursive, with a prominent initial "J" and a stylized "C" at the end.

Jamie Court  
President, Consumer Watchdog