

After the Exxon Valdez oil spill created long-term ecological and economic damage to the Prince William Sound area of Alaska in 1989, the oil industry persuaded the U.S. Congress to give it a \$75 million liability cap for damages for future oil spills. You can read an overview of this **private industry perk here**. Today, as the BP offshore oil rig disaster continues to wreak havoc on the Gulf of Mexico and the communities that depend on it, BP may be shielded from fully compensating the people, industries, and ecosystems it has harmed even though the damages will surely reach *billions*.

This is tort reform on a grand scale and shows how unfair and unwise it is to give private industry blanket protections from responsibility for future negligence or recklessness. In the quest for profit, why should BP or any other oil company invest more in safety when they have such big protection from being held accountable for their actions? Although the 1990 Oil Pollution Act's \$75 million limits on liability do have an exception for cases of 'gross negligence' or 'recklessness,' the possibility of BP using the damages cap as a way to avoid fully paying for the mess it has created is offensive. We applaud the Senators who are **working to raise that damages cap to \$10 billion**.

Just as the human body can be irreparably damaged, so can our environment. It is simply unfair to grant people and industries damages caps even if the harm they cause exceed the damages. If BP avoids fully paying for this catastrophe, that leaves the taxpayers – us – to bail out BP. That's privatizing BP's profits, but socializing BP's losses and risks.

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