

ROBERT MENENDEZ
NEW JERSEY

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United States Senate

WASHINGTON, DC 20510-3005

July 29, 2010

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Tony Hayward
Group Chief Executive, BP p.l.c
c/o BP America Inc.
4101 Winfield Road
Warrenville, IL 60555

Dear Mr. Hayward,

I am writing to follow up on my July 23 invitation for you to participate in a United States Senate Foreign Relations Committee hearing to fully explore allegations surrounding the Scottish Cabinet Secretary for Justice's decision to release Abdelbaset Ali Mohmed al-Megrahi on compassionate grounds and, in particular, whether a \$900 million oil exploration deal between BP and Libya directly or indirectly influenced the decision.

I was disappointed to receive word from my staff that you personally declined my invitation to testify at the July 29th hearing because, according to press reports, you "have got a busy week [in the office]." If these reports are true, it would appear that it is more important to BP and you as the CEO of the company to focus on your multimillion dollar golden parachute than to help answer serious questions about whether BP advocated trading blood for oil. This runs contrary to your characterization in the same news reports of BP as a "model of corporate responsibility." I reiterate that I believe it is critical to hear BP's perspective *from you*. And, more importantly, the families of the victims of Pan Am Flight 103 deserve to hear from all parties involved in these negotiations.

I was further disappointed in BP's response regarding Sir Mark Allen. The fact that he is a consultant, and not a direct employee, did not prevent BP from using him to help negotiate a deal on your behalf with the Libyans, so I fail to see why BP cannot ask him to cooperate with our efforts to get his answers to questions about the very work he did on your behalf.

Since neither you nor Sir Mark Allen were available to testify on the original hearing date, we have postponed the hearing and look forward to working with your office to get dates in September on which you both will be available to testify.

That al-Megrahi was released and is now living out his remaining days outside of Scottish custody is not only an affront to the victims' families, it also poses a threat to our own national security. I appreciate your cooperation in this issue as we seek to review the underlying facts and circumstances leading to the release of al-Megrahi.

Sincerely,

