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August 14, 2013

Hon. Eric Holder
Attorney General of the United States
950 Pennsylvania Avenue
Washington, DC 20530

Re: Proposed DuPont Settlement

Dear General Holder:

It has come to my attention that the government has proposed to reach a settlement with DuPont (E.I. DuPont de Nemours and Company) regarding violations of the Clean Air Act at their facility in the Town of Tonawanda, NY. As part of this settlement, it has been proposed that the company pay \$440,000 to the Treasury as a civil penalty.

I write today to advocate that this sum be instead allocated to environmental remediation efforts in the immediate vicinity of the plant, rather than being sent to the Treasury, where its impact will be diluted. There are numerous precedents for these types of payments being kept in the local community for environmental remediation.¹ While some gains have been made in remediating the environmental damage caused by industrialization in the Town of Tonawanda and the nearby communities, much important work remains to be done. This settlement could be an important resource in advancing that effort.

To be clear, I have no interest in upending a settlement which was negotiated in good faith between the government and DuPont; my concern is specifically about the manner in which the \$440,000 payment is allocated. I would prefer to see it applied to address the specific wrongs which gave rise to its having been levied, rather than it being sent down to Washington, where it will have no meaningful impact.

¹ <http://www.justice.gov/opa/pr/2013/January/13-ag-004.html>,
<http://www.justice.gov/opa/pr/2013/March/13-enrd-330.html>, <http://www.justice.gov/opa/pr/2012/August/12-enrd-1006.html>

Thank you very much for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Brian Higgins" with a stylized flourish at the end.

Brian Higgins
Member of Congress