Steve Yerrid, a Florida trial lawyers, and I discuss this with Ray Suarez on the NewsHour. Bottom line: the answer isn't very clear, although OPA sec. 1005(a) does require BP to establish a process for "the payment or settlement of claims for interim, short-term damages" that might encompass an escrow and independent decision-makers. It will be interesting to see what kind of legal argument the Administration is able to put together in support of their power to mandate an escrow fund.