



# United States Department of the Interior

MINERALS MANAGEMENT SERVICE  
Washington, DC 20240



SEP 17 2004

## Memorandum

To: Assistant Secretary - Indian Affairs  
Through: Rebecca W. Watson *Chad Calvert* SEP 24 2004  
Assistant Secretary - Land and Minerals Management  
From: R. M. "Johnnie" Burton *Johnnie Burton*  
Director  
Subject: Bureau of Indian Affairs Representative for the Royalty Policy Committee

The Minerals Management Service requests that the Bureau of Indian Affairs appoint a representative for a nonvoting, ex officio seat on the Royalty Policy Committee. The BIA representative is essential to provide the Committee with critical perspective on Indian issues while it is developing policy recommendations.

The purpose of the RPC is to provide policy advice to the Secretary of the Interior based on the viewpoints of the Committee's constituency. This policy advice concerns the performance of discretionary functions involved in the Department of the Interior's management of Federal and Indian mineral leases and revenues. The Directors of BLM, MMS, and the Assistant Secretary for Indian Affairs, or their designees, serve as ex officio members on the Committee.

I appreciate your attention to this matter and look forward to working with your representative on the Committee. A copy of the Committee's charter is attached for your information. The first meeting of the newly chartered RPC is scheduled for October 28, 2004, in Denver, Colorado. Please let me know of your decision or have your staff contact Ms. Lucy Querques Denett, Associate Director for Minerals Revenue Management, at 202-208-3415 with the name of your representative.

Attachment

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Director *Johnnie Burton*

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# Royalty Policy Committee

## Charter

### **Official Designation**

Royalty Policy Committee.

### **Scope and Objectives**

The Royalty Policy Committee will provide advice related to the performance of discretionary functions under the laws governing the Department of the Interior's management of Federal and Indian mineral leases and revenues. The Committee will review and comment on revenue management and other mineral-related policies and provide a forum to convey views representative of mineral lessees, operators, revenue payors, revenue recipients, governmental agencies, and the interested public.

### **Duration and Termination**

The Committee will terminate 2 years from the date this charter is filed, unless renewed prior to that date to comply with section 14(a) (2) of the Federal Advisory Committee Act. The Committee's charter may be renewed by the Secretary of the Interior as long as the Minerals Revenue Management Program of the Minerals Management Service requires the expertise and advice of the Committee.

### **Official to Whom the Committee Reports**

The Secretary of the Interior through the Director of the Minerals Management Service.

### **Bureau Responsible for Providing Necessary Support**

The Department of the Interior, Minerals Management Service.

### **Estimated Annual Operating Costs**

Annual activities of the Committee will require approximately \$75,000 and 1.5 work years of Federal employee support.

### **Description of Duties**

The duties of the Committee are solely advisory and are stated in the Scope and Objectives above.

## **Estimated Number and Frequency of Meetings**

The Committee will meet at the request of the Director, but not less than once a year. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the Committee Chair.

## **Travel Expenses**

Each appointed non-Federal member or appointed alternate if attending in place of the appointed member will be reimbursed for travel expenses incurred when attending Committee and subcommittee meetings in accordance with Federal travel regulations as implemented by the Department of the Interior.

## **Membership**

The Secretary will appoint non-Federal members and their alternates to the Committee to serve a 2-year term. Non-Federal members may not serve more than three consecutive terms. The Secretary may revoke the appointment of the member and the alternate if the appointed member fails to attend two consecutive meetings. Previous service on the Minerals Management Advisory Board Royalty Policy Committee will count as service on this Committee for purposes of determining eligibility. However, to facilitate the transition from the Minerals Management Advisory Board Royalty Policy Committee, any member who has served three consecutive terms or more on that Committee is eligible to be nominated for an additional 2-year term on the Royalty Policy Committee. After a 2-year break in service, that member will again be eligible for appointment.

### ***Non-Federal Members***

To ensure fair and balanced representation with consideration for the efficiency and fiscal economy of the Committee, the Secretary may appoint up to five members representing states, up to five members representing Indian interests, up to seven members representing the various mineral interests, and up to three members representing the public at large.

### ***Federal Members***

The following officials, or their designees, are nonvoting, ex officio members of the Committee:

- Assistant Secretary for Indian Affairs
- Director, Bureau of Land Management
- Director, Minerals Management Service

## **Subcommittees**

The Committee may establish subcommittees to study issues in-depth and to develop recommendations for consideration by the full Committee. Membership will be balanced in terms of perspective, function to be performed and expertise required by the subcommittee. Subcommittees may include people who are not members of the Committee. The Committee Chair will appoint subcommittee members. Subcommittee members will be reimbursed for travel expenses incurred when attending subcommittee or Committee meetings to present subcommittee deliberations to the full Committee. Subcommittee members will be reimbursed in accordance with Federal travel regulations as implemented by the Department of the Interior.

## **Officers**

The Committee will elect from its membership a Chair, Vice Chair, and Parliamentarian to serve a 2-year term. The Associate Director for the Minerals Revenue Management Program, Minerals Management Service, or designee, will serve as the Designated Federal Officer and the Executive Secretary and will attend all meetings.

## **Meeting Minutes**

Detailed minutes of each Committee meeting, recommendations made, and copies of all studies and reports received, issued, or approved in conjunction with the activities of the Committee will be available for public review at the following location:

Department of the Interior  
Minerals Management Service  
Minerals Revenue Management  
Denver Federal Center  
Building 85  
Denver, Colorado 80215

## **Ethics Responsibilities of Members**

A member may not participate in matters that will directly affect, or appear to affect, the financial interests of the member or the member's spouse or minor children, unless authorized by the Designated Federal Officer. Compensation from employment does not constitute a financial interest of the member so long as the matter before the Committee will not have a special or distinct effect on the member or the member's employer, other than as part of a class. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

## Internet Homepage

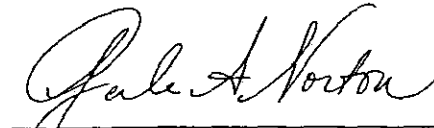
Information on the Committee may be found on MMS's Internet site, [www.mms.gov](http://www.mms.gov).

### Authority

We have determined that the Committee is in the public interest in connection with duties of the Department of the Interior. We have authority for these duties under the:

- Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et. seq.),
- Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et. seq.) (1996),
- Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (P.L. 104-185),
- Geothermal Steam Act of 1970 (30 U.S.C. 1001 et. seq.),
- Mineral Leasing Act (30 U.S.C. 181 et. seq.),
- Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et. seq.), and
- Mineral Leasing Laws for Indian Land.

The Committee activities will be governed by the Federal Advisory Committee Act (5 U.S.C. Appendix 2), as amended, and implementing regulations.

  
Secretary of the Interior

FEB 27 2004

Date Signed

MAY 6 2004

Date Filed