

## 2014 Current Fiscal Year Report: Indian Oil Valuation Negotiated Rulemaking Committee

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### 1. Department or Agency

Department of the Interior

### 2. Fiscal Year

2014

### 3. Committee or Subcommittee

Indian Oil Valuation Negotiated  
Rulemaking Committee

### 3b. GSA

### Committee No.

79226

### 4. Is this New Fiscal Year?

No

### 5. Current Charter

12/23/2011

### 6. Expected Renewal Date

12/23/2013

### 7. Expected Term Date

### 8a. Was Terminated During Fiscal Year?

Yes

### 8b. Specific Termination Authority

Agency

### 8c. Actual Term Date

12/23/2013

### 9. Agency Recommendation for Next Fiscal Year

Terminate

### 10a. Legislation Req to Terminate?

No

### 10b. Legislation Pending?

Not Applicable

### 11. Establishment Authority

Agency Authority

### 12. Specific Establishment Authority

Agency Authority

### 13. Effective Date

12/23/2011

### 14. Committee Type

Continuing

### 14c. Presidential?

No

### 15. Description of Committee

Non Scientific Program Advisory Board

### 16a. Total Number of Reports

1

### 16b. Report Date

12/11/2013

### Report Title

Final Report

Number of Committee Reports Listed: 1

### 17a.

Open

0

17b. Closed

0

17c. Partially Closed

0

Other Activities

0

17d. Total

0

### Meetings and Dates

No Meetings

	Current FY	Next FY
<b>18a(1). Personnel Pmts to Non-Federal Members</b>	\$0.00	\$0.00
<b>18a(2). Personnel Pmts to Federal Members</b>	\$0.00	\$0.00
<b>18a(3). Personnel Pmts to Federal Staff</b>	\$0.00	\$0.00
<b>18a(4). Personnel Pmts to Non-Member Consultants</b>	\$0.00	\$0.00
<b>18b(1). Travel and Per Diem to Non-Federal Members</b>	\$0.00	\$0.00
<b>18b(2). Travel and Per Diem to Federal Members</b>	\$0.00	\$0.00
<b>18b(3). Travel and Per Diem to Federal Staff</b>	\$0.00	\$0.00
<b>18b(4). Travel and Per Diem to Non-member Consultants</b>	\$0.00	\$0.00
<b>18c. Other(rents,user charges, graphics, printing, mail, etc.)</b>	\$0.00	\$0.00
<b>18d. Total</b>	\$0.00	\$0.00
<b>19. Federal Staff Support Years (FTE)</b>	0.00	0.00

**20a. How does the Committee accomplish its purpose?**

The Committee advised the Office of Natural Resources Revenue (ONRR) on a rulemaking to address Indian oil valuation, as it relates to the major portion requirement in Indian oil leases. The scope of the Committee was limited to the major portion calculation for oil produced from Indian leases. The Committee acted solely in an advisory capacity to ONRR.

**20b. How does the Committee balance its membership?**

The Secretary appointed members and their

alternates to the Committee to serve a 3-year term. Committee membership consisted of approximately 17, but no more than 25, members. Non-Federal Members: To ensure fair and balanced representation of viewpoints, the Secretary appointed members from groups representing the interests affected by the regulations, including members representing Native Americans and various oil and gas companies and/or associations. Federal Members: The ONRR will provide at least three voting members. The Bureau of Indian Affairs will provide at least one voting member.

**20c. How frequent and relevant are the Committee Meetings?**

The Committee met approximately 4-6 times annually, and at such other times as designated by the DFO.

**20d. Why can't the advice or information this committee provides be obtained elsewhere?**

The Committee considered the matters proposed by the DFO and attempted to reach consensus on portions of a proposed rule for Indian oil valuation relating to major portion calculation.

**20e. Why is it necessary to close and/or partially closed committee meetings?**

N/A

**21. Remarks**

The Indian Oil Negotiated Rulemaking Committee submitted their final report to Secretary Jewell on December 11, 2013. The Committee successfully accomplished its stated objectives. As a result, the Department of the Interior did not renew the charter and the Committee terminated on December 23, 2013. No meetings were held in FY

2014.

## Designated Federal Officer

Deborah Gibbs Tschudy Deputy Director, ONRR

Committee Members	Start	End	Occupation	Member Designation
Barder, John	12/23/2011	12/23/2014	Office of Natural Resources Revenue	Regular Government Employee (RGE) Member
Barnes, James	12/23/2011	12/23/2014	Council of Petroleum Accountants Societies	Representative Member
Bayani, Theresa	03/20/2013	12/23/2013	Office of Natural Resources Revenue	Regular Government Employee (RGE) Member
Birdbear, Roger	12/23/2011	12/23/2014	Land Owners Association of the Fort Berthold Indian Reservation	Representative Member
Day Chief, Grinnell	12/23/2011	12/23/2014	Blackfeet Nation	Representative Member
Flynn, Patrick	12/23/2011	12/23/2014	Resolute Energy Corporation	Representative Member
Giles, Marcella	12/23/2011	12/23/2014	Oklahoma Indian Land/Mineral Owners of Associated Nations	Representative Member
LaGrone, Robert	06/22/2012	12/23/2014	Oklahoma Indian Land/Minerals Owners of Associated Nations	Representative Member
Loudermilk, Weldon	12/23/2011	12/23/2014	Bureau of Indian Affairs	Regular Government Employee (RGE) Member
Miller, Morris	12/23/2011	12/23/2014	American Petroleum Institute	Representative Member
Myore, Manuel	12/23/2011	12/23/2014	Ute Indian Tribe	Representative Member
Paiz, Darrel	12/23/2011	12/23/2014	Jicarilla Apache Nation	Representative Member
Rierner, Daniel	12/23/2011	12/23/2014	American Petroleum Institute	Representative Member
Ross, Ann	12/23/2011	12/23/2014	Chesapeake Energy	Representative Member

Serawop, Winifred	06/22/2012	12/23/2014	Ute Indian Tribe	Representative Member
Sgamma, Kathleen	06/22/2012	12/23/2014	Western Energy Alliance	Representative Member
Shirley, Perry	12/23/2011	12/23/2014	Navajo Nation	Representative Member
Taradash, Alan	12/23/2011	12/23/2014	Jicarilla Apache Nation	Representative Member
Thompson, Robert	12/23/2011	12/23/2014	Western Energy Alliance	Representative Member
			Regular	
			Office of Natural	Government
Tyler, Paul	12/23/2011	12/23/2014	Resources Revenue	Employee (RGE) Member
Vaughn, Jack	12/23/2011	12/23/2014	Peak Energy Resources	Representative Member
			Joint Business	
Ware, Claire	12/23/2011	12/23/2014	Council of Shoshone and Arapaho Tribes	Representative Member
Whiteing, Jeanne	12/23/2011	12/23/2014	Blackfeet Nation	Representative Member
Zaman, Akhtar	12/23/2011	12/23/2014	Navajo Nation	Representative Member

**Number of Committee Members Listed: 24**

### **Narrative Description**

The Indian Oil Negotiated Rulemaking Committee submitted their final report to Secretary Jewell on December 11, 2013. The Committee successfully accomplished its stated objectives. As a result, the Department of the Interior did not renew the charter and the Committee terminated on December 23, 2013. The Committee advised the Office of Natural Resources Revenue (ONRR) on a rulemaking to address Indian oil valuation, as it related to the major portion requirement in Indian oil leases. The scope of the Committee was limited to the major portion calculation for oil produced from Indian leases. The Committee acted solely in an advisory capacity to ONRR.

**What are the most significant program outcomes associated with this committee?**

Checked if  
Applies

Improvements to health or safety



Trust in government	<input checked="" type="checkbox"/>
Major policy changes	<input checked="" type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input checked="" type="checkbox"/>
Increased customer satisfaction	<input checked="" type="checkbox"/>
Implementation of laws or regulatory requirements	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

### Outcome Comments

### What are the cost savings associated with this committee?

Checked if Applies

None	<input type="checkbox"/>
Unable to Determine	<input checked="" type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>
Cost Savings Other	<input type="checkbox"/>

### Cost Savings Comments

### What is the approximate Number of recommendations produced by this committee for the life of the committee?

1

### Number of Recommendations Comments

Value of oil for royalty purposes would be based on the higher of an index-based formula less a designated area-specific differential or gross proceeds.

### What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

0%

**% of Recommendations Fully Implemented Comments**

ONRR is currently conducting consultation with Indian tribes and allotted mineral owners and will be drafting a proposed rule.

**What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?**

100%

**% of Recommendations Partially Implemented Comments**

**Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?**

Yes ☐ No ☐ Not Applicable ☒

**Agency Feedback Comments**

**What other actions has the agency taken as a result of the committee's advice or recommendation?**

Checked if Applies

Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

**Action Comments**

**Is the Committee engaged in the review of applications for grants?**

No

**Grant Review Comments**

**How is access provided to the information for the Committee's documentation?**

Checked if Applies

- |                           |                                     |
|---------------------------|-------------------------------------|
| Contact DFO               | <input checked="" type="checkbox"/> |
| Online Agency Web Site    | <input checked="" type="checkbox"/> |
| Online Committee Web Site | <input checked="" type="checkbox"/> |
| Online GSA FACA Web Site  | <input checked="" type="checkbox"/> |
| Publications              | <input type="checkbox"/>            |
| Other                     | <input type="checkbox"/>            |

**Access Comments**

Members of the public may contact the DFO for additional information.