

Royalty Policy Committee (States)

Mark Hunter Edwards (Alternate) (State of New Mexico)

(b) (6)
Albuquerque, NM 87110

Phone: (b) (6)

DOB: (b) (6)

National Conference of State Legislators

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: MARK EDWARDS & ASSOCIATES
Jurisdiction: NM
Business Telephone: 505-298-2830
Type: BUSINESS LICENSE
Date: 01/08/2002
Business Description: GOVERNMENT RELATIONS CONSULT
SIC: 8748
Expiration Date: 12/31/2003

Contact Information

Name: MARK H EDWARDS
Address: (b) (6)
NM, AL 87111-5153
BERNALILLO COUNTY
Contact Type: CONTACT

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: MARK EDWARDS & ASSOC
Business Address: (b) (6)
NM, AL 87111-5140
BERNALILLO COUNTY
Jurisdiction: NM
Business Telephone: 505-298-2830
Date: 01/08/2002
Business Description: PUBLIC RELATIONS COUNSELORS
SIC: 874302

Contact Information

Name: MARK EDWARDS
Address: (b) (6)
NM, AL 87111-5140
BERNALILLO COUNTY

Royalty Policy Committee (States)

Contact Type: CONTACT

Bankruptcy Filings: N/one

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: New Mexico Legislature - https://www.nmlegis.gov/Staff_Directory?Entity=LCS

Associations and Affiliations Search: None

Royalty Policy Committee (States)

Hans Donald Hunt (Alternate) (State of Wyoming)

(b) (6)
Newcastle, WY 82701

Phone: (b) (6)

DOB: (b) (6)

National Conference of State Legislatures

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

GOP State Rep. Hans Hunt Says ‘By All Means, Leave’ In Response To Wyoming Resident’s Concerns **By Meredith Bennett-Smith**

A junior state politician in Wyoming has walked into something of a controversy over a very blunt email he sent to a state resident concerned about a proposed bill that would have legalized concealed carry.

In an email sent earlier in February to Wyoming state Rep. Hans Hunt (R), state resident Rev. Audette Fulbright said that she was “seriously reconsidering” her decision to move her family to Wyoming in August. Her concerns, she said, stemmed from House Bill 105, which aimed to legalize the carrying of permitted concealed weapons in public schools and colleges.

Fulbright, who lives with her family in Cheyenne, emailed representatives across the state about the proposed legislation, as well as her concerns about fracking in the state, according to CBS local affiliate KGWN. The news station reprinted Fulbright’s email, as well as Hunt’s response.

“I am writing to express my grave concern about House Bill 105,” Fulbright said. “Ample evidence has shown that schools and guns do not mix, and in particular, guns in the hands of amateurs/non-professionals is extremely dangerous, especially in any highly-charged situation. to expose our children to greater risk in their schools by encouraging more guns on campuses is something that we cannot allow.”

Fulbright went on to write that, while it would be hard to move again, “the safety of our family must come first.”

Royalty Policy Committee (States)

Mincing no words, Hunt responded thus:

I'll be blunt. If you don't like the political atmosphere of Wyoming, then by all means, leave. We, who have been here a very long time (I am proudly 4th generation) are quite proud of our independent heritage. I don't expect a "mass exodus" from our state just because we're standing up for our rights.

The representative, who was the youngest member of the legislature when he was elected in 2010, went on to criticize "liberal out-of-staters such as yourself" who move to the state and "pompously demand that Wyoming conform to their way of thinking."

Contacted by the Caspar Star-Tribune, Hunt refused to apologize for the email.

"Was it blunt? Yes. Would I apologize? No," he remarked to the Star-Tribune, before adding that he might have phrased his words more carefully.

As the controversy picked up steam, the Star-Tribune weighed in with an editorial published on Feb. 24.

"Is 'Go Wyoming Or Go Home' the message we want to send those we hope to attract here? Of course not," the editorial stated. "And if not them, why would we want to say such a thing to anyone who wants to make their home in Wyoming, no matter their political persuasion?"

Hunt may be young, the editorial continued, but he is still a leader; therefore, the editorial concludes, what he says matters. "Hunt's type of response and his obstinate defense of it make us wonder how brittle his ideas really are," the editorial also says.

According to the Associated Press, House Bill 105 ultimately died in a Senate committee soon after Hunt's email went public. While the measure passed the state House, no one from the Senate Education Committee made a motion to recommend, essentially killing the bill. The AP reported that "dozens of educators, administrators, police and others testified it would make schools and colleges less safe."

Republican state Sen. Stacey Campfield of Tennessee found himself in the middle of a similar situation in early February, after a terse and insulting response to constituent Telisha Arguelles Cobb was released to the media. Campfield, a sponsor of his state's controversial "Don't Say Gay" bill, wrote in an email that Cobb, who had criticized his bill, seemed "to have some serious, deep anger issues."

"Have you ever thought about therapy?" he wrote. "I hear they are doing some wonderful things with medications these days."

Google Search: <https://legisweb.state.wy.us/LegislatorSummary/LegDetail.aspx?LegID=1977;>

<https://www.facebook.com/hans.d.hunt;>

https://ballotpedia.org/Hans_Hunt

Royalty Policy Committee (States)

http://trib.com/business/20underforty/twenty-under-hans-hunt/article_1ddb39c1-e20b-51c1-aba7-b66a405a88ff.html

<https://cattlebusinessweekly.com/Content/Headlines/Headlines/Article/Ranching-Representative-One-young-Wyoming-man-is-managing-a-political-career-and-ranch-life/1/1/6395>

<https://www.nytimes.com/elections/results/wyoming-state-house-district-2>

Associations and Affiliations Search: None

Royalty Policy Committee (States)

Brent Wayne Sanford (Alternate) (State of North Dakota)

(b) (6)
Watford City, ND 58854
Phone: (b) (6)
DOB: (b) (6)
Governor Burgam

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Criminal Records

This data is for informational purposes only.

North Dakota Court Report

Offender information

Name: SANFORD, BRENT WAYNE
Address: (b) (6)
WATFORD CITY, ND 58854-3281
MCKENZIE COUNTY
Case Number: 30-2015-TR-02276
Case Filing Date: 05/27/2015
Case Type: TRAFFIC
DOB: (b) (6)
SSN: (b) (6)

Offenses

Case Filing Date: 05/27/2015
Offense Date: 05/26/2015
Court Case Number: 30-2015-TR-02276
Court Offense: 390902 - SPEEDING VIOLATIONS - NOLEVEL
Court Disposition: GUILTY - ADMINISTRATIVE TRAFFIC

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: Associated Press State & Local

June 29, 2017 Thursday 12:21 PM GMT

Governor won't have to testify in sheriff removal case

SECTION: STATE AND REGIONAL

Royalty Policy Committee (States)

LENGTH: 173 words

DATELINE: BISMARCK, N.D.

BISMARCK, N.D. (AP) - Gov. Doug Burgum and Lt. Gov. **Brent Sanford** won't have to **testify** about their communications in the removal case against McKenzie County Sheriff Gary Schwarzenberger. But two **prosecutors** and the governor's attorney will. The Bismarck Tribune reports (<http://bit.ly/2spZltZ>) Special Commissioner Karen Klein ruled Burgum and Sanford don't have to give sworn interviews about any behind-the-scenes involvement in the removal proceedings against Schwarzenberger.

But Klein ordered Deputy Attorney General Troy Seibel, Governor's Counsel Leslie Oliver and former special prosecutor Bill O'Driscoll to give interviews.

Schwarzenberger's attorney had subpoenaed all of the officials because he believes Burgum's office improperly intervened. Burgum ultimately will judge if Schwarzenberger loses his job.

Schwarzenberger is accused of bullying, retaliation and misusing a county credit card. He's scheduled for trial in September on a misdemeanor charge.

Information from: Bismarck Tribune, <http://www.bismarcktribune.com>

LANGUAGE: ENGLISH

DOCUMENT-TYPE: Spot Development

PUBLICATION-TYPE: Newswire

The Bismarck Tribune

June 29, 2017 Thursday

Burgum, Sanford won't have to testify in case

BYLINE: CAROLINE GRUESKIN Bismarck Tribune

SECTION: B; Pg. 1

LENGTH: 519 words

The governor and lieutenant governor will not have to testify about their communications relating to the McKenzie County sheriff's removal case, but two prosecutors and the governor's attorney will.

Special Commissioner Karen Klein issued an order Wednesday that said [Doug Burgum](#) and **Brent Sanford** do not have to give sworn interviews about any behind-the-scenes involvement they have had in the removal proceedings against Gary Schwarzenberger. ▼

Royalty Policy Committee (States)

Deputy Attorney General Troy Seibel, Governor's Counsel Leslie Oliver and former special **prosecutor** Bill O'Driscoll are required to give such interviews, Klein ordered.

Schwartzenberger's attorney, Mike Geiermann, subpoenaed all of the above people, because he said he thinks Burgum's office improperly intervened to remove the sheriff.

Burgum will ultimately judge if Schwartzenberger will lose his job, and Geiermann contends that means his office should not talk to or try to influence the prosecutor. Burgum's office has argued in case documents such communication is fine.

The former U.S. magistrate said it would be inappropriate for the governor to testify, because he is the ultimate decision maker. Klein said that the defense had not shown enough involvement from Sanford to allow for his deposition.

She is allowing subpoenas for O'Driscoll, the former prosecutor, and Oliver and Seibel, because it appears they communicated about the case. O'Driscoll wrote the governor a letter in March saying he wanted to dismiss the case for lack of evidence. Shortly thereafter, Oliver emailed him for an update, and the next day, O'Driscoll asked to continue with the case. He later asked to recuse himself entirely and the governor let him withdraw, case records show.

Klein's role in the case is to oversee it and provide a recommendation to the governor, she wrote.

"The governor and his counsel can reach their own conclusion about what is appropriate, and, if they are wrong, their position can be tested by the defendant when and if an appeal is taken to district court on this matter," she wrote in the order.

Geiermann said he considers the ruling to be a "win" that will show whether the governor's office "prejudged this case."

"I believe we will be able to find out most if not all of what we want to know," he said of such information as why O'Driscoll changed his position on the case and what role the governor's office played.

Geiermann said he plans to schedule depositions next week.

O'Driscoll did not respond to a phone and email message seeking comment on Wednesday. Liz Bocker, spokeswoman for the Attorney General's Office, which is prosecuting the case and representing the governor's office, declined to comment.

"We don't comment on ongoing litigation," she said. "We do, of course, comply with court orders."

Schwartzenberger, who remains suspended from his duties, is accused of bullying and retaliation within the office and is charged with a misdemeanor accusing him of misusing a county credit card. He has pleaded not guilty and is set for trial in September.

Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

Google Search: <https://www.governor.nd.gov/lieutenant-governor-brent-sanford>;

<http://www.legis.nd.gov/biography/brent-sanford>;

<https://doughburgum.com/about-doug/meet-brent/>

Royalty Policy Committee (States)

<https://www.facebook.com/NDLtGovBrentSanford/?fref=mentions;>

<http://www.inforum.com/news/4211406-chaotic-days-oil-town-brent-sanford-steps-new-role-nds-lieutenant-governor>

<http://www.thedickinsonpress.com/4299664-burgum-challenges-oil-industry-eliminate-spills-increase-production>

Associations and Affiliations Search: None

Royalty Policy Committee (States)

Shawn Peter Thomas (Alternate) (State of Montana)

(b) (6)
Helena, MT 59602

Phone: (b) (6)

DOB: (b) (6)

Governor Bullock

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/shawn-thomas-561a7726/>;

<https://www.facebook.com/stpinetree>;

Associations and Affiliations Search: None

Royalty Policy Committee (Industry - Primary)

Matthew Aaron Adams (Cloud Peak Energy)

(b) (6)

Highlands Ranch, CO 80126

Phone: (b) (6)

DOB: (b) (6)

Nominated by National Mining Association

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: ADAMS INVESTMENTS LLC

Business Address: COLONIAL 84 DR
CO, LO 80124-9711
DOUGLAS COUNTY

Jurisdiction: CO

Type: DBA

Number: 20081672996

Date: 12/31/2008

Contact Information

Name: MATTHEW AARON ADAMS

Address: COLONIAL 84 DR
CO, LO 80124-9711
DOUGLAS COUNTY

Contact Type: OWNER

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/matthew-adams-29967068/>;

<https://www.facebook.com/matthew.adams.733076>;

<http://www.buzzfile.com/business/Cloud-Peak-Energy-Logistics-LLC-720-566-2900> no:13282300

Mining advocates urge Interior to shelve lease reforms, Greenwire, April 19, 2015

- <https://www.eenews.net/greenwire/stories/1060023658>

Associations and Affiliations Search: N/A

Royalty Policy Committee (Industry - Primary)

Gabrielle Anne Gerholt (Concho Resources)

(b) (6)
Santa Fe, NM 87505

Phone: (b) (6)

DOB: (b) (6)

Nominated by Congressman Steve Pearce

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

Albuquerque Journal (New Mexico)

May 1, 2009 Friday

Jury Convicts Man of Murder in Second Trial

BYLINE: Vic Vela Journal Staff Writer

SECTION: NEWS; Pg. 4

LENGTH: 507 words

A man charged with murder who benefited from a December mistrial did not get off the hook a second time. A jury on Thursday found the 26-yearold guilty in the 2007 slaying of a Santa Fe man.

After deliberations that spanned two days - and a trial that spanned two weeks -a new jury convicted Jacob Chavez of first-degree murder, attempted murder and aggravated assault in connection with a June 2007 incident in which Max Valdez, 26, was killed in his Santa Fe mobile home. Also shot was Kyle Clark, who survived.

Tears of joy were shed after the verdict by the Valdez family - and even by **prosecutors** - relieved by the verdict.

"It's been a really long two years," said Michelle Sanchez, Valdez's sister. "My brother can rest now. Justice delayed is not justice denied."

Prosecutors Sarah Garcia and **Gabrielle Gerholt** hugged and wept after the verdict. For Garcia, it's been a long road.

"I've been on this case for two years," she said afterward. "I went to the **murder** scene."

Royalty Policy Committee (Industry - Primary)

The bloodshed from the 2007 incident began when a gunman entered Valdez's trailer during a party and began firing, shooting Clark first. Valdez was shot to death shortly after that while he was sleeping in his bed.

Chavez and Michael Martinez - a co-defendant with Chavez during the December trial who also received a mistrial - were at the party earlier but left after another person there, Eric Garcia, "disrespected" Chavez. The men engaged in a confrontation, which was broken up by fellow partygoers. The men came back to the home with a third man and tried to kill Garcia.

Sarah Garcia told jurors during her closing remarks Wednesday that Valdez was "caught in the middle."

"It's your typical case of being in the wrong place at the wrong time," she said.

This time, the cases against Chavez and Martinez were separated. Martinez will soon get his date in front of a Santa Fe County jury.

The trial severance may have helped the prosecution this time around. New testimony also came from a cell mate of Chavez's, who said the defendant admitted the shooting while the two were in jail together.

But defense attorney Gary Mitchell - who had argued that could not have been the shooter because he was passed out in his car at the time - said Brandon Wagner's testimony lacked credibility during his closing argument Wednesday, calling Wagner "a paid witness" for the state.

Mitchell thought he had something going for him heading into the trial: the conviction of another man for this crime. Anthony Gracen Gutierrez was convicted in September of firstdegree murder. Prosecutors say Chavez and Martinez returned to the home with Guterrez, though Guterrez - who is now serving a life sentence - never shot anyone.

Mitchell also said that state witnesses have changed their versions of events over time, partly because police "harassed and threatened witnesses."

Garcia rejected the notion that the police were involved in any wrongdoing while investigating the case, saying that sometimes it takes different tactics when witnesses may not be willing to cooperate right away.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: MURDER (95%); JURY TRIALS (92%); VERDICTS (91%); HOMICIDE (90%); MISTRIAL (90%); CRIMINAL CONVICTIONS (90%); SHOOTINGS (90%); PUBLIC PROSECUTORS (89%); TESTIMONY (89%); JAIL SENTENCING (78%); ADMISSIONS & CONFESSIONS (78%); GUILTY PLEAS (78%); WITNESSES (78%); CORRECTIONS (77%); MOBILE HOMES (75%); CRIMINAL ASSAULT & BATTERY (73%); LAWYERS (71%)

CITY: SANTA FE, NM, USA (90%)

LOAD-DATE: May 1, 2009

The Santa Fe New Mexican (New Mexico)

Royalty Policy Committee (Industry - Primary)

February 22, 2006 Wednesday

PECOS - IN BRIEF

BYLINE: THE NEW MEXICAN

SECTION: PECOS SECTION; Pg. PE-1

LENGTH: 401 words

New **district attorney** named

After less than a year on the job Tyr Loranger, the assistant **district attorney** assigned to staff the Pecos office, has been transferred. He'll be replaced by **Gabrielle Gerholt** who was hired by the 4th Judicial **District Attorney's** office in October. Gerholt said she's still working out her schedule but she hopes to start spending one or two days a week in Pecos starting in March. Loranger's new post will be at the Family Justice Center in Las Vegas. The center is a federally funded project designed to provide consolidated legal and health services to victims of domestic violence.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: PUBLIC PROSECUTORS (91%); FIRE PREVENTION & SAFETY (90%); NEWS BRIEFS (90%); FIRES (89%); FIREFIGHTERS & FIREFIGHTING (77%); FIRE DEPARTMENTS (77%); VICTIMS RIGHTS (76%); WATER RESOURCES (75%); FORESTS & WOODLANDS (74%); DISASTER PLANNING (74%); NATURAL DISASTERS (74%); FOREST FIRES (74%); DOMESTIC VIOLENCE (70%); DOMESTIC VIOLENCE PROGRAMS (69%); ASSOCIATIONS & ORGANIZATIONS (69%); TALKS & MEETINGS (60%); HISTORIC SITES (60%)

LOAD-DATE: February 25, 2006

Google Search: <https://www.linkedin.com/in/gabrielle-gerholt-8580765b/>;

<http://www.prweb.com/releases/2013/9/prweb11115918.htm>

Santa Fe Reporter, Back to Frack: What's old is new in New Mexico drilling regulations, December 21, 2011 – <http://www.sfreporter.com/santafe/article-6485-first-person.html>

Current-Argus, Oil and gas industry members predict increased production costs, June 15, 2016 – <http://www.currentargus.com/story/news/local/2016/06/15/oil-and-gas-industry-members-predict-increased-production-costs/85934780/>

Lamonitor.com (The Los Alamos Monitor Online) – LFC in Artesia: Ominous federal regulatory clouds over oil and gas – <http://www.lamonitor.com/content/lfc-artesia-ominous-federal-regulatory-clouds-over-oil-and-gas>

Current-Argus – Cooperation theme evident at summit, Sept. 12, 2016 – <http://www.currentargus.com/story/news/local/2016/09/12/cooperation-theme-evident-summit/90278592/>

Conservation Voters New Mexico – Bill to bring back oil and gas pollution penalty moves forward, February 24, 2017 – <https://www.cvnw.org/in-the-news/bill-to-bring-back-oil-and-gas-pollution-penalty-moves-forward/>

Royalty Policy Committee (Industry - Primary)

Associations and Affiliations Search: Western Alliance Energy

- https://www.westernenergyalliance.org/printpdf/507?amp%3Bamp%3Border=field_slate_name&%3Bamp%3Bamp%3Bamp%3Bsort=asc

Royalty Policy Committee (Industry - Primary)

Randall B Luthi (NOIA America's Offshore Energy Industry)

(b) (6)
Freedom, WY 83120
Phone: (b) (6)
DOB: (b) (6)
Self Nominated

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Name: LUTHI, RANDALL B
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Secured Party Information

Name: CNH CAPITAL AMERICA LLC
Standardized Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661
Original Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661

Filing Information

Original Filing Number: 2011-47940136
Original Filing Date: 08/01/2011
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82001

Filing Type: INITIAL FILING
Filing Number: 2011-47940136
Filing Date: 08/01/2011
Filing Expiration Date: 08/01/2016
Vendor Entry Date: 08/03/2011
Vendor Update Date: 2011

Collateral

Collateral Description: 08/01/2011 2011-47940136 - VEHICLES

UCC Filings

This data is for informational purposes only.

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Debtor Information

Name: LUTHI, RANDALL LUTHI
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Secured Party Information

Name: CNH CAPITAL AMERICA LLC
Standardized Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661
Original Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661

Filing Information

Original Filing Number: 2006-28198040
Original Filing Date: 03/08/2006
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: INITIAL FILING
Filing Number: 2006-28198040
Filing Date: 03/08/2006
Filing Expiration Date: 03/08/2011
Vendor Entry Date: 03/17/2006
Vendor Update Date: 2006

Collateral

Collateral Description: 03/08/2006 2006-28198040 - EQUIPMENT

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Debtor 1
Name: LUTHI, RANDALL B
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Debtor 2
Name: LUTHI, RANDALL LUTHI
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Secured Party Information

Secured 1
Name: BANK OF STAR VALLEY (THE)

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Standardized Address: 384 WASHINGTON ST
AFTON, WY 83110

Original Address: 384 WASHINGTON ST
AFTON, WY 83110

Secured 2

Name: THE BANK OF STAR VALLEY

Standardized Address: 384 WASHINGTON ST
AFTON, WY 83110

Original Address: 384 WASHINGTON ST
AFTON, WY 83110

Filing Information

Original Filing Number: 2002-13790732

Original Filing Date: 05/17/2002

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: INITIAL FILING

Filing Number: 2002-13790732

Filing Date: 05/17/2002

Vendor Entry Date: 07/02/2002

Vendor Update Date: 2003

Filing Type: TERMINATION

Filing Number: 2003-18928641

Filing Date: 06/16/2003

Vendor Entry Date: 07/22/2003

Vendor Update Date: 2012

Collateral

Collateral Description: 05/17/2002 2002-13790732 - ACCOUNTS RECEIVABLE ALL;NEGOTIABLE INSTRUMENTS ALL

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Debtor 1

Name: LUTHI, KIRK

Standardized Address: FREEDOM, WY 83120

Original Address: FREEDOM, WY 83120

SSN: (b) (6)

Debtor 2

Name: LUTHI, RANDALL B

Standardized Address: FREEDOM, WY 83120

Original Address: FREEDOM, WY 83120

SSN: (b) (6)

Secured Party Information

Name: FIRST SECURITY BANK OF WYOMING

Standardized Address: PO BOX 8
AFTON, WY 83110-0008

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Original Address: PO BOX 8
AFTON, WY 83110-0008

Filing Information

Original Filing Number: 1996-10684249
Original Filing Date: 03/01/1996
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: INITIAL FILING
Filing Number: 1996-10684249
Filing Date: 03/01/1996
Vendor Entry Date: 04/21/1996
Vendor Update Date: 2003

Collateral

Collateral Description: 03/01/1996 1996-10684249 - ACCOUNT(S) INCLUDING PROCEEDS AND PRODUCTS;GENERAL INTANGIBLE(S) INCLUDING PROCEEDS AND PRODUCTS;FARM PRODUCTS/CROPS INCLUDING PROCEEDS AND PRODUCTS

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Debtor 1

Name: LUTHI, KIRK
Standardized Address: (b) (6)
FREEDOM, WY 83120-9802
Original Address: (b) (6)
FREEDOM, WY 83120-9802
SSN: (b) (6)

Debtor 2

Name: LUTHI, RANDALL B
Standardized Address: (b) (6)
FREEDOM, WY 83120-9802
Original Address: (b) (6)
FREEDOM, WY 83120-9802
SSN: (b) (6)

Secured Party Information

Name: FIRST SECURITY BANK OF WYOMING
Standardized Address: 485 N WASHINGTON ST
AFTON, WY 83110-9773
Original Address: 485 N WASHINGTON ST
AFTON, WY 83110-9773

Filing Information

Original Filing Number: 96061101A02
Original Filing Date: 03/01/1996
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: TERMINATION

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Filing Number: 2001-15305120

Filing Date: 02/26/2001

Vendor Entry Date: 04/14/2001

Vendor Update Date: 2003

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
(Houston)

Lara v. Kempthorne

PLAINTIFF: Lara, Joe R

DEFENDANT: Dirk Kempthorne Secretary of the Department of the Interior

CONSERVATOR: **Luthi, Randall**

DOCKET CASE NUMBER: 4:08cv2434

FILING DATE: 8/7/2008

JURISDICTION: Federal Question

JUDGE: Rosenthal, Lee H

NATURE OF SUIT: 442 Employment

FILING TYPE: Civil

CAUSE: Discrimination [29 USC 754](#)

JURY DEMAND: Plaintiff

STATUS: Case Closed

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Royalty Policy Committee (Industry - Primary)

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UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
(Billings)

Decker Coal Company v. United States of America et al

PLAINTIFF: Decker Coal Company

DEFENDANT: Walter D Cruickshank in His Official Capacity as Acting
Director, Mineral Management Service, Department of the
Interior Terminated: 09/05/2008 (Terminated 9/5/2008);
United States Department of the Interior;
United States of America;
Randall Luthi in His Official Capacity as Director, Mineral
Management Service, Department of the Interior;
Dirk Kempthorne in His Official Capacity as Secretary of the
Department of the Interior

DOCKET CASE NUMBER: 1:07cv126

FILING DATE: 9/17/2007

JURISDICTION: U.S. Government Defendant

JUDGE: Cebull, Richard F

REFERRED TO: Magistrate Ostby, Carolyn S

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Administrative Procedure Act [05 USC 702](#)

JURY DEMAND: None

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

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Royalty Policy Committee (Industry - Primary)

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THE COURT UPDATED THIS RECORD ON: 03/17/2009 12:00:00 AM

Judgments and Liens: None

Nexis News Search:

BP Oil Spill Lawsuit: Cousins Randall Luthi and Jeffery Luthi Pose Conflict of Interest in Case

Will BP get its oil spill case moved to friendly Houston? A clerk of the panel that will decide the issue is first cousins with a former regulator of the sunken BP drill platform. Rick Outzen reports on the legal impact of the family tie.

Two key figures in the upcoming investigation and litigation phases in the case of the [Deepwater Horizon explosion](#), which killed 11 workers on April 20 and subsequently spewed millions of gallons of crude oil into the Gulf of Mexico, are first cousins.

Randall Luthi is the former director of the agency that regulated BP and its Deepwater Horizon floating platform, and Jeffery Luthi, his cousin, is the clerk of the judicial panel that will render a crucial decision about where the lawsuits, which could total billions of dollars, will be tried. Both Luthis are both from Freedom, Wyoming, a town with just 135 residents.

Royalty Policy Committee (Industry - Primary)

The battle over where the cases against BP, Transocean, Halliburton, and other defendants will be tried has significant impact over how the cases will proceed and their final outcomes.

Consolidating all the lawsuits into a federal court in Houston would give BP a huge home field advantage.

BP wants them all moved to Houston, Texas. Its attorneys are arguing that BP Exploration and Production, Inc. and the other defendants maintain their principal places of business and their key documents and witnesses within the Houston area, according to court documents: "Transfer and consolidation of this litigation in the Southern District of Texas, Houston Division, would greatly promote the just and expeditious resolution of these actions."

- [The Most Polluted Places in America](#) The plaintiffs' attorneys, who represent the commercial fishermen, shrimpers, and others affected by the BP oil spill, argue in the response they filed with the court that the Eastern District of Louisiana in New Orleans is "closer to the epicenter of this disaster than Texas, Florida, or the other Gulf States, and it is the geographical focal point." Pertinent witnesses are in Louisiana, including claimants and potential claimants, key eyewitnesses to the incident, and investigators, including representatives of Mineral Management Service (MMS) and the Coast Guard.

Jeffery Luthi, 56, as clerk of the panel of the United States Judicial Panel on Multidistrict Litigation (JPML), has significant influence over the final decision. He has already denied a motion by the plaintiffs to expedite the hearings on BP's motion.

Cousin Randall Luthi will most likely be a key witness in the lawsuits and in the congressional hearings on whether MMS, the agency that regulated Deepwater Horizon and that he led under the Bush administration, improperly awarded safety certificates to BP and Transocean.

The former director of MMS, Randall Luthi, 54, is now president of National Ocean Industries Association (NOIA), a national trade association that, according to its website, represents "all segments of the offshore industry with an interest in the exploration and production of both traditional and renewable energy resources on the nation's outer continental shelf."

As MMS director in September 2008, he defended the agency against charges by the DOI inspector general of a "culture of substance abuse, promiscuity, and [ethical failure](#)" existing inside MMS, where investigators found that employees were having sex and taking drugs with energy company representatives. Officials in the MMS royalty collection office in Denver accepted gifts from energy companies including golf, ski and paintball outings; meals and drinks; and tickets to a Toby Keith concert, a Houston Texans football game, and a Colorado Rockies baseball game. All the abuses found by investigators occurred before Randall Luthi took office, but he spent the last four months of his tenure fighting off calls for his resignation.

Randall Luthi once [worked for Dick Cheney](#) and, according to his MMS bio, served on Cheney's Energy Council, an organization composed of legislative representatives from energy-producing states and private energy-related industries that set the energy policies of the Bush administration.

BP; Halliburton, the company responsible for cementing the deepwater drill hole at the site; and Cameron International, the company that built the safety valves for the rig, have seats on board of NOIA, the trade organization led by Randall Luthi.

Royalty Policy Committee (Industry - Primary)

Jeffery Luthi handles the docket of the JPML, which has the authority to determine whether civil actions pending in two or more federal judicial districts should be transferred to a single federal district court for pretrial proceeding.

He is dealing with the BP motion to combine all the civil lawsuits involving Deepwater Horizon and the oil spill into a federal court in Houston, Texas. The decision will be made by the JPML at its July session in Boise, Idaho.

Houston courts are notoriously tough on class-action lawsuits. There, three days after BP's request, U.S. District Judge Keith Ellison issued an order suspending cases against Transocean, owner of the Deepwater Horizon rig, because the company filed a request to limit its liability in the lawsuits filed against it to \$26.7 million.

Consolidating all the lawsuits into a federal court in Houston would give BP a huge [home field advantage](#).

Asked by The Daily Beast if he was related to Randall Luthi, Jeffery Luthi replied, "I don't why it matters." Then he added, "Yes." There was a pause.

"Are you brothers?"

"We're first cousins," Jeffery Luthi said, before hanging up.

Las Cruces Sun-News, June 8, 2017 - Las Cruces Sun-News (New Mexico)

June 8, 2017 Thursday

Trump Said to Mull Combining Agencies Separated After Gulf Spill

BYLINE: Jennifer A. Dlouhy

SECTION: BUSINESS

LENGTH: 1111 words

(Bloomberg) -- After the 2010 Gulf oil spill, the [Obama administration](#) ▼ broke the scandal-plagued federal agency that policed offshore drilling into separate bureaus. Now the [Trump administration](#) ▼ is considering putting it back together again.

The change, described by Interior Department officials and lobbyists familiar with the deliberations, would combine two agencies: one that enforces regulations on offshore drilling safety and another in charge of leasing offshore tracts. Keeping those roles separate was a key recommendation of a presidential commission that investigated the Deepwater Horizon blast that killed 11 men and sent oil gushing into the Gulf of Mexico for months. Merging the bureaus could send a signal that Interior is easing off on enforcement, right as President [Donald Trump](#) ▼ expands areas available for offshore oil drilling, according to Bob Graham, a former Florida senator who led the commission.

"I have heard no indication of why we're doing this," Graham said in an interview. "It's just seven years after this enormous disaster -- and this was one of the key steps in at least mitigating the chances of a repetition."

Royalty Policy Committee (Industry - Primary)

Officials are still weighing the reorganization, according to the people, who declined to be identified discussing internal deliberations. Interior Department spokesmen didn't respond to requests to comment on the possible change.

For decades before the [BP Plc](#) ▼ oil spill, federal regulation of offshore energy development was handled by a single agency within the Department of Interior: the Minerals Management Service. Its biggest claim to fame was a wide-ranging ethics scandal during the administration of President George W. Bush that involved cocaine use, sexual misconduct and financial self-dealing by a handful of employees, which was documented in multiple probes.

Read More: [MMS Employees Took Gifts, Viewed Porn, Report Finds](#)

The episode highlighted an uncomfortably cozy relationship between the oil and gas industry drilling offshore and the federal regulators who were supposed to keep a watch over them. Two years later, when BP's failed Macondo well blew out in the Gulf of Mexico, those concerns erupted anew.

Within weeks, with oil still gushing into the Gulf, the administration of President [Barack Obama](#) ▼ announced it was shuttering the MMS and carving it up into three agencies. Besides the leasing and enforcement bureaus, a third office would act as a piggy bank, collecting billions of dollars annually in royalties, rental payments and bonus bids tied to offshore energy development.

That last agency, the Office of Natural Resources Revenue, would be untouched by the organizational plans now under consideration by Interior Secretary [Ryan Zinke](#). ▼ The two agencies that would be combined are the Bureau of Safety and Environmental Enforcement and the leasing-focused Bureau of Ocean Energy Management.

Read More: [Trump to Expand Offshore Drilling, Review Post-Spill Rules](#)

Zinke has said he's looking at reorganizing the entire Interior Department with an eye on empowering regional officials and improving collaboration across its agencies. That could involve creating regional hubs to coordinate Interior agencies with overlapping roles and missions that are at cross purposes.

The effort could allow energy companies to get quicker project approvals or, at least, a clear pathway to them.

"We are looking at reorganizing in maybe more of a joint model so industry and citizens when they want to do a project can have -- I don't want to say certainty, but at least a path of how to get there," Zinke said at the Offshore Technology Conference last month. "You can know sooner in the process whether yes or no is appropriate and what is that investment you have to make."

Scott Angelle, the newly appointed head of the safety bureau, told reporters last week that he has not been told the two agencies will merge, but "everything is on the table" as part of the department-wide reorganization.

The inherent conflict within the Minerals Management Service was written on the walls of the former agency -- literally. Donald Boesch, a marine scientist who served on the presidential spill commission, remembers a fact-finding mission to meet with environmental analysts and safety inspectors at a former MMS office in Louisiana. On the conference room wall, a huge chart illustrated the growth in revenue the agency had gleaned from offshore oil development. Other graphs showed increasing oil and gas produced offshore.

Read More: [BP Gulf Oil Spill Damage Valued at \\$17.2 Billion in New Study](#)

Royalty Policy Committee (Industry - Primary)

"The metrics they had to deal with on a daily basis were all oriented toward expanding that activity and increasing production as fast as they could," said Boesch, now president of the University of Maryland Center for Environmental Science. "That symbolically indicated that there was a strong conflict of interest in how this organization is run."

Recombining the agencies would revive their "inherently conflicting missions," said Senator Ed Markey, a Democrat from Massachusetts.

"Our coastal communities -- and even the oil industry -- can't afford a return to the bad old days of the safety cop and the leasing agent being the same person," Markey said in an e-mailed statement.

The since-divided bureaus have developed their own identities and missions. Environmental analysis has increased at the ocean energy bureau, while the safety agency expanded its oversight beyond oil and gas companies by penalizing offshore contractors for infractions.

Industry Reaction

Oil industry officials aren't exactly clamoring for the change.

After the creation of the two bureaus, there was confusion about which agency was in **charge** of which task. Oil companies didn't know where to file permit applications and where to file proposed exploration plans.

"We've found on the industry side that there's still some confusion of who does what," said **Randall Luthi**, a former MMS director who now leads the National Ocean Industries Association. And the longer the bureaus stay apart, the more stove-piped they become, he said. "If you're going to do it, now is probably a good time."

Still, the reorganization is such a major effort that it could take time away from other priorities, including rewriting Obama-era regulations governing offshore drilling, Luthi said.

"If you asked industry what is your top, No. 1 priority, I doubt it's the re-meshing" of these bureaus, he said.

--With assistance from Laura Blewitt

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States News Service

March 10, 2017 Friday

FIRST 10 DAYS: PRAISE FOR SECRETARY RYAN ZINKE ▼ AND THE INTERIOR DEPARTMENT

BYLINE: States News Service

LENGTH: 869 words

Royalty Policy Committee (Industry - Primary)

DATELINE: WASHINGTON

The following information was released by the U.S. Department of the Interior:

[Ryan Zinke](#) ▼ was sworn-in as the 52nd Secretary of the Interior on March 1, 2017. He immediately got to work, expanding access to America's public lands and demonstrating his commitment to the issues facing Native American communities.

Read some of the early praise for [Secretary Zinke](#) ▼ :

Mike Pence, [Vice-President](#) ▼ of the United States

"With a sterling record of service, [the president] and I know [Ryan Zinke](#) ▼ will protect America's natural treasures as our new Interior Secretary."

Brian Cladoosby, President of National Congress of American Indians

"[Ryan Zinke](#) ▼ has a long history of fighting for our country. During his career as a Navy SEAL, he fought for American freedoms abroad. Throughout his service as a Congressman for Montana, he fought for Montanans and Montana's Tribes in the halls of Congress. We have no doubt that [Secretary Zinke](#) ▼ will continue fighting for all tribes as Secretary of [the] Interior. As the trustee to all 567 Federally Recognized tribes, we wish [Secretary Zinke](#) ▼ every success in advancing the Federal Government's treaty and trust obligations."

Senator Lisa Murkowski (R-AK)

"I congratulate Rep. [Zinke](#) ▼ on his confirmation as Interior Secretary, and am eager to work with him to restore balance to the management of federal areas. This is particularly important for Alaska, which has more at stake and is more deeply affected by this Department than any other part of our country."

Senator Mark Warner (D-VA)

"Today I voted to confirm Congressman [Ryan Zinke](#) ▼ as the next Secretary of the Interior. As Interior Secretary, Mr. [Zinke](#) ▼ will be tasked with managing our public lands and natural resources, including our national parks and significant historic sites across Virginia which are maintained by the National Park Service. During his confirmation hearing before the Senate Energy and Natural Resources Committee, I was encouraged by Mr. [Zinke's](#) ▼ public commitment to address the National Park Service's maintenance and repair backlog, which now totals more than \$12 billion. I look forward to working with him to find common sense solutions to reduce that backlog."

[Steve Bullock](#) ▼ Democratic Governor of Montana

"I congratulate [Ryan Zinke](#) ▼ on his confirmation as Secretary of the Interior. Montanans know how important this post is to protecting our public lands, outdoor recreation, tourism, and natural resource industries."

Barry Russell, CEO of Independent Petroleum Association of America

"As a conservationist from a western energy-producing state, Congressman [Zinke](#) ▼ appreciates the need to manage our nation's lands and waters while implementing multiple use policies that enable a variety of activities from conservation and recreation to job development and energy production. IPAA congratulates Congressman [Zinke](#) ▼ and looks forward to continuing to work with him in his new role as Secretary of the Department of the Interior."

Collin O'Mara, President and CEO of the National Wildlife Federation

"As an organization that represents millions of hunters, anglers, and outdoor enthusiasts, the National Wildlife Federation and its state affiliate, the Colorado Wildlife Federation,

Royalty Policy Committee (Industry - Primary)

believe that Rep. [Ryan Zinke](#) ▼ has the conservation **ethic** and leadership ability to be a strong Interior Secretary."

Randall Luthi, President of National Ocean Industries Association

"The National Ocean Industries Association (NOIA) congratulates Secretary of the Interior [Ryan Zinke](#) ▼ on his bipartisan confirmation. [Secretary Zinke](#) ▼ brings the promise of dawn after eight years of darkness for the offshore energy industry. His confirmation testimony laid out a sensible and fair path forward for the United States to not only maintain, but increase its energy leadership. That path leads to the return of a truly broad-based energy policy, using both traditional offshore energy sources, such as oil and natural gas, and non-traditional sources, such as wind."

In response to [Secretary Zinke's](#) ▼ two secretarial orders that expand access to public lands and increase hunting, fishing, and recreation opportunities nationwide:

Nick Wiley, President of the Association of Fish and Wildlife Agencies

"[[Secretary Zinke](#)] ▼ has done a great service to our hunters and anglers, the firearms and angling industries and the public trust by issuing these Orders. We look forward to working closely with our federal partners at the Department of Interior to deliver the best possible stewardship of America's fish and wildlife resources."

Jeff Crane, President of Congressional Sportsmen's Foundation

"CSF looks forward to working closely with [Secretary Zinke](#) ▼ on developing a list of priorities that will protect and advance fish and wildlife and public lands conservation, as well as keep federal lands open for public access and recreation. Today's meeting on the Secretary's first morning in office was a clear indication of his commitment to these shared goals."

Dave Nomsen, [Vice-President](#) ▼ of Pheasants Forever and Quail Forever

"We're pleased to see the new Secretary's first action addressing top-of-the-line issues for sportsmen, sportswomen and other conservationists, including hunter access to quality wildlife habitat on our nation's public lands."

The Virginian - Pilot (Norfolk, VA.)

December 21, 2016

Obama extends ban on Atlantic drilling, including off Virginia coast. What will Trump do?
Environmentalists applaud, but the oil industry looks for a quick reversal from next president.

BYLINE: Dave Mayfield The Virginian-Pilot

SECTION: Main; Pg. 001

LENGTH: 741 words

President Barack Obama on Tuesday put the weight of his waning administration behind banning oil and gas drilling off parts of the East Coast, including Virginia. The question immediately became: What will Donald Trump do? Industry groups are counting on him to reverse Obama's course soon after he takes over the White House in January.

Royalty Policy Committee (Industry - Primary)

Obama invoked a rarely used provision of a 1953 federal law to declare 31 Atlantic Ocean canyons from New England to Virginia indefinitely off-limits, along with 125 million acres of the Arctic Ocean. The law says that “the president of the United States may, from time to time, withdraw from disposition any of the unleased lands of the outer Continental Shelf.”

The two southernmost canyons to be protected are off Virginia, including the Norfolk Canyon, which begins 70 miles off the Virginia Beach coast. Together, all of the canyons make up about 3.8 million acres and are considered among the ocean’s most diverse ecological “hot spots.”

The Virginia Aquarium & Marine Science Center had been preparing much of the past year to nominate the Norfolk Canyon as a national marine sanctuary. A task force put the nomination on hold, however, after Trump’s election last month, citing uncertainty over how the new administration would receive the initiative.

Obama’s action Tuesday was accompanied by Canada’s placing a moratorium on new leasing in its Arctic waters.

Environmental groups and tourism officials in many East Coast communities generally cheered Obama’s action, though some said they had hoped he’d try to safeguard even more areas. They had been pressing for long-lasting prohibitions because Trump has said he wants to step up offshore exploration, which they fear could bring economically devastating oil spills.

Randall Luthi, president of the National Ocean Industries Association, decried Obama’s action, saying it “not only risks the long-term energy security and energy leadership position of the United States, it **violates** the letter and spirit of the law.” He argued that more oil and gas development, particularly in the Arctic, is vital to national security.

The president has twice before declared federal waters – off parts of Alaska – indefinitely off-limits to exploration, claiming powers he said were given to him under the Outer Continental Shelf Lands Act. Some legal analysts have said that even if Trump declares Obama’s latest decision null and void, the issue likely would be tested in court.

“There’s no such thing as a permanent ban,” said Erik Milito, a policy director at the American Petroleum Institute.

But Niel Lawrence, a senior attorney at the Natural Resources Defense Council, said the statute says a president can withdraw waters from the country’s leasing plans and “it doesn’t say you can put it back in.”

The Obama administration’s move to protect more areas of the Atlantic from drilling completes a turnaround. Last year, it included Virginia, the Carolinas and Georgia in its 2017-22 offshore oil and gas plan. In March, the Bureau of Ocean Energy Management pulled the Atlantic states from the blueprint, citing opposition from coastal communities, the Navy and NASA.

Administration officials still haven’t decided whether to approve applications by six companies for seismic surveys for oil and gas along the East Coast – activities that are regulated in a separate process.

Environmental groups have asked the administration to reject the testing as well. They say it threatens to harm whales and other marine mammals.

Royalty Policy Committee (Industry - Primary)

A group called the Business Alliance for Protecting the Atlantic Coast has been particularly vocal on the anti-drilling side. Among its members are the Virginia Beach Restaurant Association and the Outer Banks Chamber of Commerce.

Laura Wood Habr, vice president of the Beach association, said she was pleased that Obama recognized the importance of the canyons but wishes he had banned future oil and gas leases for the entire Atlantic coast.

"Water, just like air, has no boundaries," Habr said.

A spill anywhere along the coast would have wide-ranging effects, she said, including in the canyons over which Obama is seeking to throw a protective cover.

Pat Broom, a board member of the Outer Banks chamber, predicted that the opposition to drilling off North Carolina won't end under Trump: "There's definitely interest and energy to continue to push this issue and make it clear that we feel this is something that is not good for our area."

Targeted News Service

December 20, 2016 Tuesday 10:23 AM EST

NOIA Decries Obama Withdrawal of Offshore Areas, Looks Forward to [Trump Administration](#) ▼

BYLINE: Targeted News Service

LENGTH: 355 words

DATELINE: WASHINGTON

The National Ocean Industries Association issued the following statement by President **Randall Luthi**:

"[President Obama's](#) ▼ short sighted, unilateral withdrawal of Atlantic and Arctic Ocean areas from future oil and gas leasing not only risks the long-term energy security and energy leadership position of the United States, it **violates** the letter and spirit of the law.

"Such an expansive withdrawal, particularly when argued as being 'permanent', is clearly inconsistent with the Outer Continental Shelf Land Act's steadfast declaration that '... the Outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be made available for expeditious and orderly development, subject to environmental safeguards, in a manner which is consistent with the maintenance of competition and other national needs ...'

"Furthermore, today's decision puts the United States at a competitive disadvantage and sacrifices thousands of potential jobs and billions of dollars in government revenue. While other countries are ramping up offshore oil and natural gas exploration in the Arctic and in the Atlantic basin, [President Obama](#) ▼ has benched the United States, dismissing his own advisors who have argued that energy development, particularly in the Arctic, is imperative to our national security.

"Today's decision also ignores that global energy demand is projected to increase by as much as 48% by 2040, and that fossil fuels are projected to meet about 80% of that

Royalty Policy Committee (Industry - Primary)

demand. A robust offshore leasing program is crucial not only to meeting America's domestic energy needs, but to providing an affordable, reliable and safe source of oil and natural gas to developing nations.

"We are hopeful that the incoming [Trump administration](#) ▼ can repair some of the damage done to the offshore energy industry and America's energy security over the past eight years by putting policies in place that increase, rather than decrease, access to federal offshore areas."

Farmington Daily Times (New Mexico)

May 30, 2016 Monday

1 Edition

Feds: Fracking off coast not causing significant impact

BYLINE: By, Rob Nikolewski

SECTION: NEWS; Pg. A6

LENGTH: 359 words

SAN DIEGO - An environmental assessment from two federal agencies released Friday determined that fracking off the coast of California causes no significant impact, thus lifting a moratorium on hydraulic fracturing that was instituted earlier this year.

"The comprehensive analysis shows that these practices, conducted according to permit requirements, have minimal impact," Abigail Ross Hopper, director of the Bureau of Ocean Energy Management, said in a statement.

The Bureau of Safety and Environmental Enforcement joined in the assessment, which analyzed well stimulation treatments on 23 oil and gas platforms off California's coast between 1982 and 2014, and came back with a "Finding of No Significant Impact."

The Center for Biological Diversity, the environmental group that filed a lawsuit that resulted in the moratorium, said Friday it is considering filing another suit in light of the agencies' decision.

"Offshore fracking is just an incredibly dangerous activity and we certainly wish the federal government was taking stronger actions to protect our oceans and our coast," Miyoko Sakashita, the director of the center's oceans program, told the San Diego Union-Tribune.

The environmental assessment looked at fracking - in which high-pressured fluids are pumped into a well to break through rock formations to loosen oil and gas - as well as impacts from waste water that is disposed in the process.

Companies still need to go through the federal application and permitting processes to frack at individual sites.

Industry officials welcomed the Friday's announcement.

"Offshore energy is a vital source of jobs and revenue for both California and the U.S., and the sooner operations offshore California can resume the better," **Randall Luthi**, president of

Royalty Policy Committee (Industry - Primary)

the National Ocean Industries Association, said in a statement, dismissing the **lawsuit** that led to the assessment as "hyperbole" from "extreme environmental groups."

The agencies' assessment looked into and oil and gas platforms on the Outer Continental Shelf, in federal waters.

Waters within three miles of California's coast are subject to state rules, which Sakashita said are stricter.

Google Search: https://en.wikipedia.org/wiki/Randall_Luthi;

<http://www.noia.org/about/noia-staff/randall-luthi/>;

<https://www.linkedin.com/in/randall-luthi-7851a229/>;

<http://www.businesswire.com/news/home/20100301005100/en/Randall-Luthi-Takes-President-National-Ocean-Industries>

Alaska Journal of Commerce, March 28, 2017 - <http://www.alaskajournal.com/authors/randall-luthi#.WXZU> 4Tyupo

Associations and Affiliations Search: None

Royalty Policy Committee (Industry - Primary)

Marisa Noel Mitchell (Recurrent Energy)

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San Francisco, CA 94121
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DOB: (b) (6)
Self Nominated

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: TINY FOOTPRINTS
Jurisdiction: CA
Business Telephone: 415-456-1216
Type: FICTITIOUS NAME; INDIVIDUAL
Number: 111518
Date: 11/14/2006
Expiration Date: 11/14/2011
Business Status: NEW

Contact Information

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MARIN COUNTY
Contact Type: CONTACT

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(Sacramento)

USA v. Mitchell

Royalty Policy Committee (Industry - Primary)

DEFENDANT: MARISA MITCHELL

(May want to confirm this is the correct Marisa Mitchell)

DOCKET NUMBER: 2: 98m251

FILING DATE: 8/6/1998

JUDGE: Assigned to Dale A Drozd, Magistrate Judge

FILING TYPE: Criminal

PLAINTIFF ATTORNEY(S):

Mark J McKeon [COR LD NTC]
United States Attorney
555 Capitol Mall Suite 1550
Sacramento, CA 95814
916-554-2735

***** COUNT INFORMATION *****

Pending: 18:13-7210.P18:13-7210.P TRAFFIC OFFENSES, DRUNKEN DRIVING
UNDER THE INFLUENCE OF ALCOHOL AND DRUGS (1)

18:13-7210.P OF.08%18:13-7210.P TRAFFIC OFFENSES, DRUNKEN
DRIVING WITH A BLOOD ALCOHOL CONTENT OF.08% OR MORE (2)

Offense Description/Level: Opening/1

Complaint: complaint filed

THE COURT UPDATED THIS RECORD ON: 09/04/1998 09:27:00 PM

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/marisa-mitchell-ab320a10/>;
<https://www.facebook.com/marisa.mitchell.965/>;

RE Crimson Solar Project – Plan of Development - <http://www.basinandrangewatch.org/Crimson-Solar%20Draft%20POD-2.pdf>

Associations and Affiliations Search: None

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House Lobbyist Disclosures: None

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

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https://www.onrr.gov/Laws_R_D/PubComm/PDFDocs/AA13/Chevron-USA-Inc_Final-Comments.pdf

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DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

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House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings:

Bankruptcy Filings

1. Texas Bankruptcy Record

Petitioner Information

Name: ALVARADO, ESTELLA MIJARES (PRIMARY)
Address: (b) (6)
THE WOODLANDS, TX 77381-3006
SSN: (b) (6)
Filing Type: INDIVIDUAL
Filer Type: INDIVIDUAL

Bankruptcy Information

Case Number: 9649447
Filing Date: 10/16/1996
Filing Type: Chapter 7
Filing Jurisdiction: Texas
Court: TEXAS SOUTHERN - HOUSTON
Court Location: HOUSTON
Meeting Date: 11/25/1996
Meeting Time: 9:30 AM
Meeting Location: MEETING 515 RUSK SUITE 3401
Judge: WRG
Distributable Assets: NO
Corporation Flag: NO

Status Information

Status: DISCHARGED
Status Date: 09/10/1997

Comments

Filing Date: 10/16/1996
Description: SINGLE DEBTOR

Royalty Policy Committee (Industry – Alternate)

1. Texas Bankruptcy Record

Trustee Information

Name: JOHNSON, PAMELA G

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Attorney Information

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Name: JOHNSON, A RODMAN

Address: 2202 TIMBERLOCH PL STE 112
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Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/bob-bruer-17077314/>;

Associations and Affiliations Search: None

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

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New Mexico Oil & Gas Association

Texas Oil and Gas Association

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Oklahoma Oil & Gas Association

Nexis ID: (b) (6) and LexID(sm): (b) (6)

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House Lobbyist Disclosures: Registered Lobbyist for US Oil and Gas Assn in 2016

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

>DC Daybook - Policy & News Events

September 15, 2011 Thursday
FINAL

EVENT: HOUSE NATURAL RESOURCES COMMITTEE;

LOCATION: 1324 Longworth House Office Building -- September 15, 2011 09:30 AM

SECTION: U.S. HOUSE OF REPRESENTATIVES

LENGTH: 114 words

SUBJECT: Energy and Mineral Resources Subcommittee hearing on legislation to establish in the Interior Department an undersecretary for energy, lands, and minerals and a Bureau of Ocean Energy, an Ocean Energy Safety Service, and an Office of Natural Resources Revenue.

PARTICIPANTS: Honorable Michael Bromwich, director of the Bureau of Ocean Energy Management, Regulation and Enforcement; **Albert Modiano**, president of the U.S. Oil & Gas Association; and Donald Boesch, president of the University of Maryland Center for Environmental Science and commissioner on the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, **testify**

Royalty Policy Committee (Industry – Alternate)

CONTACT: 202-225-2761 <http://resourcescommittee.house.gov>

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Event Schedules

LOAD-DATE: September 14, 2011

FD (Fair Disclosure) Wire

September 15, 2011 Thursday

U.S. Oil & Gas Association President **Albert Modiano Testifies** Before House Natural Resources Subcommittee on Energy and Mineral Resources Legislative - Final

LENGTH: 2441 words

Conference Call Participants

* ALBERT MODIANO PRESIDENT - U.S. OIL & GAS ASSOCIATION

Presentation

ALBERT MODIANO, U.S. OIL & GAS ASSOCIATION, PRESIDENT: Thank you for the invitation to the US Oil & Gas Association to comment on the Chairman`s Discussion Draft to Reorganize the Interior Department`s Offshore Energy Agencies.``

The US Oil & Gas Association is the nation`s oldest oil and natural gas trade association. It was founded in October 1917 in Tulsa, Oklahoma as the Mid-Continent Oil & Gas Association following the United States` entry into World War I. A principal purpose of the Association`s formation was to provide essential supplies of petroleum and petroleum products to the allied forces; helping the Allies, ``. . .to float to victory on a wave of oil.`` The US Oil & Gas Association`s contribution to victory helped establish it as an Association in which individuals working cooperatively could resolve mutual problems and achieve great results.

Over the past ninety-four years the US Oil & Gas Association has been a strong advocate in public policy debates for the individuals who build and sustain the U.S. petroleum industry. These individuals represent companies of all sizes in the domestic industry, majors, independents; family owned companies, small partnerships as well as single entrepreneurship.

The Association has over 3,500 individual members, covering the full spectrum of the domestic petroleum industry. The Association is unique among industry trade groups. It is the only national association with Divisions in the States along the vital Gulf of Mexico; which include the Texas Oil and Gas Association, the Louisiana Mid-Continent Oil and Gas Association, the Mid-Continent Oil and Gas Association of Oklahoma and the US Oil & Gas Association Mississippi/Alabama Division.

During my career I was a civil servant in the Department of Energy and in the Department of the Interior, Minerals Management Service (MMS) working on energy and oil and natural

Royalty Policy Committee (Industry – Alternate)

gas policy. At MMS, I first served as Director of the Office of Policy and then as the MMS Deputy between the years 1989 and 1993.

The Chairman has drafted an important discussion document on how Congress should reorganize MMS and delegate its authority to the President and Secretary of the Interior to undertake the nation's business of federal leasing, approving development activity, safety, environmental review, sustained federal workforce competency and collecting the revenues associated with such activities.

Reorganization should be guided by several fundamental principles. The new organization should have clear lines of authority, it should be given the budget and staffing that it needs to do its mission, and it should be given the means and opportunity to discharge its responsibilities as efficiently as possible.

The USOGA shares and supports the need to establish clear lines of authority for oil and natural gas operations on federal lands and the Outer Continental Shelf and the collection of federal royalties. The discussion draft draws new lines of clear authority by establishing a new organization chart and adopting this organization by an act of Congress. With these clear lines of authority, it strengthens the Department of the Interior's ability to undertake resource development, facility inspection, workplace safety and environmental stewardship.

The Chairman's reorganization plan defines new institutional reporting responsibilities (with new supporting organizations and programs) and new Bureaus with focused and circumscribed priorities in a way that makes their role and mission understandable and accessible to all.

The Chairman's discussion draft moves beyond the reorganization steps taken by Department of the Interior over the past year. It proposes an organic act for the new organization. It establishes a new Under Secretary and Assistant Secretaries. The two new Bureaus reporting to the Under Secretary, Energy and Land Minerals, are- the Assistant Secretary Ocean Energy Safety (comprised of the Bureau of Ocean Energy and Ocean Energy Safety Service) and an Assistant Secretary Land and Minerals Management (comprised of the Bureau of Land Management Office of Surface Mining, reclamation and Enforcement). It also moves the existing Bureau of Land Management and the Bureau of Reclamation under the new Under Secretary. A new Under Secretary with direct congressional authority helps to make Department's resource development activities and policies more transparent and accountable to the public and Congress.

By proposing an organic Act establishing the Under Secretary, Assistant Secretaries and Bureaus in place of MMS, the discussion draft recognizes that Congress should have an important role through its power of advice and consent in approving the President's appointees nominated to lead and manage these activities. Senate confirmation of the President's appointments to the Department of the Interior's Under Secretary and Assistant Secretaries for Energy Lands and Minerals is an important part of checks and balances. Senate confirmation hearings often spark additional congressional and public discussion of national priorities and goals. The country's federal oil and natural and gas development policies would likely also benefit from such confirmation hearings.

The discussion draft also codifies that the Assistant Secretary for Policy, Management, and Budget manage the Office of Natural Resources Revenue responsible for collecting all federal royalties and revenues for onshore and offshore energy production. It makes clear that royalty collection operations must be separated from leasing, safety and environmental responsibilities. However, a closer look if this action establishes clearer lines of authority, or not, should continue to be reviewed in greater depth.

Royalty Policy Committee (Industry – Alternate)

Collecting federal royalty payments it is a question of rules, accounting and accuracy.

The rules for such payments, accounting, auditing report records, and enforcement remains today, fundamentally, the same as the origin of the word ``royalty`` implies- the King`s collection of a share of the purse gained from any use and bounty obtained on the royal hunting grounds. A royalty payment for the value at the site of the catch is owed to the King. Americans expect no less from the use of its commonwealth. When the public, through the Department, awards a federal lease contract for oil or natural gas production, it expects to be paid its royalty share of the value of this resource taken at the point of its production.

This committee and the Chairman should consider whether, or not, the royalty collection and enforcement mission is really separated enough from the general policy and budget operations of the Department of Interior if it is housed in the policy and budget office. Just as the intermingling, threat of intermingling, or perceived opportunity for intermingling of priorities at odds with one another, was a concern when it was under the MMS roof, some might argue that unless this operation truly stands alone these concerns remain unaddressed. Given all of the above, the Chairman`s draft does provide greater clarity, competency, efficiency, and accountability to responsible resource development.

In addition to drawing clear lines of authority and accountability, providing adequate resources are critical for success. The new Under Secretary for Land and Resource Management and Bureaus must receive the necessary funds needed to succeed.

Congress ultimately determines funding.

Much of the impetus for reorganization came from concerns over royalty collection, safety and environmental review practices. In addressing safety, you cannot organize your way out of accidents, but you can help all participants understand and adopt operating practices to bring the risk as close to zero as humanly possible. Many of the Chairman`s proposals to address safety issues will mean authorizing and appropriating money to develop these programs. Safety evaluation and improvement never ends, it is a continuing priority year in year out. Congress should provide the necessary funds to keep these programs robust and moving forward.

Environmental stewardship is akin to safety. Studies, reviews and scientific analyses take resources of staff and money. Following the organizing principles of establishing clear lines of authority and a commitment to funding it is also important to review reorganization plans as to whether or not the new organization is also given the means to discharge its responsibilities as efficiently as possible.

The industry agrees with the goals of reorganization, but it is important to note that there is some concern about whether, or not, some parts of the plan provides the most efficient means to discharge its various missions. The question asked is does adopting an organic act help or distract from the goals of the proposed reorganization? Does creating a new bureaucracy help the Department of the Interior better manage its offshore agencies? In the end, is efficiency really improved?

In this case, some express concern that by reforming MMS (and adding some new missions) under an organic legislative mandate, Congress has created a new bureaucracy and a new energy monarch that might be less efficient, prone to mission creep, and lead to unintended consequences. The wiles of organizations and their development over time can be erratic and institutionalizing congressional power and authority at a single point, is a step that should be taken with serious review and scrutiny.

Royalty Policy Committee (Industry – Alternate)

However, consolidation also has many merits, and creating an Under Secretary, as stated before could be a very efficient way to organize. In addition, an Under Secretary also creates a champion for the Department's energy portfolio bringing both clearer and greater authority to the management, of its offshore energy activities. An Under Secretary could be champion for budget and staff, and give undivided management attention to keeping the trains on time. An Under Secretary could help increase the pace of energy development and highlight its importance. On the other hand, some are skeptical that separating under different entities the review of exploration plans and drilling permits could slow everything down and in the end not be efficient government. That is certainly a potential outcome, unless, again, there are adequate resources and staff assigned to these activities.

Of particular importance to the industry is the emerging and future role of the Center for Offshore Safety that the industry has established in Houston, Texas. The President's panel that studied the BP accident recommended the creation of an independent safety body to review all phases of drilling operations so as to assure that industry meets the highest international standards. The industry took the recommendation to heart by establishing and funding just such an institution.

This safety institute is designed to address many of the same safety concerns expressed by the current administration and by the Chairman - as demonstrated by the programs and organization proposed. The industry's Center for Offshore Safety is modeled on similar organizations established by foreign oil companies and the nuclear power and chemical industries. The goal is to improve the offshore safety through better and more efficient management and operations. The Committee should continue to study the draft's proposal to establish an Ocean Energy Safety Service --- so that the shared goal of safety is coordinated among government, industry and others so that it does not, unintentionally, become a forum only for academic debate, at the expense of adopting and deploying the latest, best safety scenarios.

The effort to reorganize and redirect the work of the former Minerals Management Service addresses many of the concerns about real or perceived conflicts by partitioning the mission across three new agencies. The Chairman's draft proposes steps and establishes organic congressional approval. The industry hopes that these changes provide the means to discharge these responsibilities as efficiently as possible so that operational and regulatory programs regarding onshore and offshore exploration, leasing, plan approval and permitting continue to be undertaken in as timely, certain, efficient and seamless manner as possible.

Again, a review of the Chairman's discussion draft in terms of it establishing clear lines of authority, a commitment to adequate budget and staffing to do its mission, and providing the means to discharge its responsibilities as efficiently as possible finds that these organizing principles are embedded in the reorganization proposal. In the end, however, the most important measure of a reorganization's success is if it works as intended - and as the industry relies so much on the actions of the Department for access, leasing and permit review it is critical that a new bureaucracy make things better, not worse.

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Royalty Policy Committee (Industry – Alternate)

the companies' most recent SEC filings. Although the companies may indicate and believe that the assumptions underlying the forward-looking statements are reasonable, any of the assumptions could prove inaccurate or incorrect and, therefore, there can be no assurance that the results contemplated in the forward-looking statements will be realized.

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June 5, 1992

MMS STUDIES NEW WAYS TO SOLVE ROYALTY FIGHTS

SECTION: Vol. 70, No. 109; Pg. 3

LENGTH: 412 words

DATELINE: Washington

The Minerals Management Service is thinking globally in an effort to resolve many of the royalty-related disputes it has with oil companies.

The cases involve payment issues associated with leases, including product valuation, royalty reporting and payment, and production monitoring.

Albert Modiano, MMS deputy director, told OILGRAM NEWS in a recent interview that the intent of the "global settlement" approach is to "forestall years of protracted negotiations, years of staff time, and hundreds of hours of **audits**. The Justice Dept. spends lots of time and money each year litigating our cases and we win some and we lose some. . .

"There may be some cases in which the federal government would rather litigate.. .(But) in cases where we are confronting a potential risk in court, we would rather go forward and settle it and get 80-90 cents on the dollar, which is probably a pretty healthy settlement for the federal government, and open the system up." MMS has already reached an agreement in principle with Conoco resolving 26 cases, Modiano said. The agreement is under review and not yet final.

The Conoco settlement "grew out of discussions between ourselves and Conoco," Modiano said. "We both looked at it and thought there's got to be a better way to resolve these disputes" than the standard process of appeals and hearings that could take several years to resolve.

"We shouldn't let things sit for five or six years," he said.

It's not a good, efficient way to be as an organization that has both a regulatory hat and the hat of a landlord. It's just not efficient to let the money sit there." Before deciding to pursue a broad settlement of outstanding royalty disputes, MMS officials review the cases on a

Royalty Policy Committee (Industry – Alternate)

company by company basis. "At some point we sit down and determine what's in the best interest of the U.S. government, taking into account our litigation risk, whether the (MMS) director would or wouldn't rule in favor of the (company), and what our policy positions are," Modiano said.

MMS plans to discuss possible settlement negotiations with other companies.

"In some sense the companies have to take the step too," Modiano said. "They have to understand it is a very serious set of negotiations, that many things get put on the table, and we're doing in the best interests of the U.S. government. Companies are now looking at their own appeals before the director and deciding whether they want to take the risk." URL: <http://www.platts.com>

November 21, 1991

OCS POLICY PANEL FAULTS ASPECTS OF IMPACT AID

SECTION: Vol. 69, No. 225; Pg. 1

LENGTH: 568 words

DATELINE: Washington

An Interior Dept. proposal to give states and localities financial assistance to help pay for the effects of OCS development won't provide aid during offshore exploration, and that led to complaints to department officials by members of the OCS Policy Committee meeting in Fairfax, Va.

Paul Rusanowski, division of governmental coordination in the Alaska governor's office, urged Interior to "consider impact assistance during the exploration phase and not just during the production phase." Exploration activity "can have a significant impact" onshore, he said.

When told by a department official that the proposed impact assistance program wouldn't pay for a dry hole, Rusanowski asked, "Is this a useful way to sell the (OCS leasing) program?" Walter Cruickshank, chief of the economics, leasing and policy branch for the Minerals Management Service, alluding to the budget constraints the department is under, responded, "the more revenues you include, the harder it would be to sell the program" to the Administration.

Greg Sovas, director of the division of mineral resources for New York's Environmental Conservation Dept., told officials that if the department is asking the states to work with local communities to accept the federal leasing program, MMS will either have to fund state programs or develop its own. "You're not going to get to the royalty stage (which would pay for impact assistance) unless you have an educational program either funded or run by the MMS," he said.

Other members of the committee objected to Interior's proposal to provide half of the aid directly to local communities. Donna Moffitt, representing North Carolina, suggested the aid go directly to the states, which would be committed to giving half to local communities. "You would have the same result, but would remove the specter of buying off the local communities," she said.

Royalty Policy Committee (Industry – Alternate)

Cruickshank said the department is concerned that if it didn't provide aid directly to the local communities, coastal localities "with political power would get more money regardless of where the local impacts are." Other concerns were raised about the failure of the proposal to earmark how the money would be spent. Cruickshank acknowledged there would be no formal accounting system and that, theoretically, the money could be used by local officials to purchase an auto.

Jerome Selby, mayor of Kodiak Is. Borough, Alaska, responded that his accountability is to residents of his community, "and if I don't spend the money wisely, I shouldn't be around." **Albert Modiano**, deputy director of the MMS, told OILGRAM NEWS that while Interior doesn't want to dictate how the money should be spent, it has an obligation to track how it's used and "mechanisms to get at **abuse**."

Charles Groat, executive director of the American Geological Institute, representing Louisiana, said the state favors impact assistance legislation proposed by Sen. Breaux (D-LA), which provides 37.5% of bonuses, rentals and royalties on future production, compared to Interior's proposal of 12.5% of future royalties.

The Breaux bill would provide more financial assistance sooner than the Interior proposal, which is important for Louisiana because it must deal now with the effects of current, ongoing development, Groat told OILGRAM NEWS. Future development is likely to have less of an impact because of improved technology, he said. URL: <http://www.platts.com>

Google Search: https://www.usoga.org/en/about_us/leadership/albert-l-modiano_hkjt81rk.html;

<https://www.facebook.com/albert.modiano.9>;

<http://gosar.house.gov/sites/gosar.house.gov/files/USO%26GA%20Support%20ONRR%20CRA.pdf>

<http://prabook.com/web/person-view.html?profileId=1380468>

http://www.americanthinker.com/articles/2010/10/obamas_katrina_hurricane_rahm.html

Associations and Affiliations Search: <https://www.linkedin.com/company-beta/3270763/>;
https://en.wikipedia.org/wiki/United_States_Oil_%26_Gas_Association;

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DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.westernenergyalliance.org/alliance/who-we-are/staff;>

[https://twitter.com/kathleensgamma?lang=en;](https://twitter.com/kathleensgamma?lang=en)

[https://www.linkedin.com/in/kathleen-sgamma-1a40671/;](https://www.linkedin.com/in/kathleen-sgamma-1a40671/)

<https://www.facebook.com/westernenergyalliance/posts/581143331929922;>

<http://www.washingtontimes.com/topics/kathleen-sgamma/>

<https://www.eenews.net/greenwire/2017/04/14/stories/1060053102>

<http://www.oilandgasinvestor.com/kathleen-sgamma-appointed-president-western-energy-alliance-1450876>

<http://www.foxnews.com/person/s/kathleen-sgamma.html>

<http://www.denverpost.com/2017/02/04/bureau-of-land-management-cant-regulate-air-quality/>

https://www.energy.senate.gov/public/index.cfm/files/serve?File_id=5F1B9FCC-8C6D-4473-9055-2A9BBC814A7A

<https://www.nytimes.com/2017/05/20/business/energy-environment/devon-energy.html>

Associations and Affiliations Search:

Western Energy Alliance sues Interior over lack of federal lease sales

BYLINE: Mark Passwaters

Royalty Policy Committee (Industry – Alternate)

SECTION: SNL Extra

LENGTH: 430 words

HIGHLIGHT: The Western Energy Alliance filed a lawsuit in federal court against the U.S. Department of the Interior, claiming the department ignores nearly century-old federal law by failing to hold quarterly oil and gas lease sales.

The Western Energy Alliance filed a lawsuit in federal court against the U.S. Department of the Interior, claiming the department is ignoring nearly century-old federal law by failing to hold quarterly oil and gas lease sales.

In the suit filed Aug. 11 in the U.S. District Court for the District of New Mexico, the Western Energy Alliance said the DOI and the Bureau of Land Management are clearly violating the Mineral Leasing Act of 1920, which set requirements on how many mineral lease sales are to be held yearly.

"Lease sales shall be held for each state where eligible lands are available at least quarterly and more frequently if the Secretary of the Interior determines such sales are necessary," according to the act.

Instead of holding quarterly lease sales, the Western Energy Alliance cites a number of instances where the BLM has canceled lease sales or failed to schedule four lease sales during a fiscal year. The group also claimed the Interior Department has changed its rules in some regions so that certain areas are only available for bidding once a year instead of quarterly.

"BLM's illegal administration of its leasing program has injured and will continue to injure individual Alliance members," the group said. "The failure to hold lease sales according to the Mineral Leasing Act's mandate unnecessarily delays - and can completely halt - development of certain federal minerals. Alliance members have had to wait years in many cases for leases to be finally offered for sale. Without a full leasehold, oil and natural gas operators cannot proceed to the development phase, and many Alliance members have had projects held up for years because of unnecessary and illegal delays at the leasing stage."

The Western Energy Alliance said it has issued Freedom of Information Act requests to BLM offices asking for documentation on how agency staff determines when to hold lease sales. In each case, the group said, its requests have met with silence. The group said BLM was doing the bidding of anti-oil-and-gas activists, whether intentionally or otherwise.

"Through protests and petitions, the keep-it-in-the-ground movement is trying to coerce BLM into **violating** the law by stopping all leasing on federal lands," said **Kathleen Sgamma**, the group's vice president of government and public affairs. "Yet without doing anything, activists could achieve the same goal just by leaving BLM to its own devices. Western Energy Alliance is simply asking the courts to compel BLM to follow decades-old law and hold quarterly lease sales in every oil and natural gas state."

Royalty Policy Committee (Industry – Alternate)

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Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1: District Of Columbia UCC Record

Debtor Information

Debtor 1

Name: SIMPSON, KEVIN C

Debtor 2

Name: SIMPSON, KEVIN C

Standardized Address: (b) (6)
WASHINGTON, DC 20008-2422

Original Address: (b) (6)
WASHINGTON, DC 20008-2422

SSN: (b) (6)

Secured Party Information

Secured 1

Name: NATIONAL CITY MORTGAGE, A DIVISION OF NCB

Standardized Address: 3232 NEWMARK DR
MIAMISBURG, OH 45342-5421

Original Address: 3232 NEWMARK DR
MIAMISBURG, OH 45342-5421

Secured 2

Name: PNC MORTGAGE, A DIV. OF PNC BANK, NA FKA TO NCM A

Secured 3

Name: PNC MORTGAGE, A DIVISION OF PNC BANK, NATIONAL ASSOCIATION FKA NATIONAL CITY MORTGAGE

Filing Information

Original Filing Number: 2009091579

Original Filing Date: 08/18/2009

Filing Agency: FINANCE & REVENUE DEPT

Filing Agency Address: 400 7TH STREET
WASHINGTON, DC 20001

Filing Type: INITIAL FILING

Filing Number: 2009091579

Filing Date: 08/18/2009

Royalty Policy Committee (Industry – Alternate)

1:District Of Columbia UCC Record

Vendor Entry Date: 10/02/2009
Vendor Update Date: 2014

Filing Type: TERMINATION
Filing Number: 2013034124
Filing Date: 03/21/2013
Vendor Entry Date: 04/13/2013
Vendor Update Date: 2013

Filing Type: TERMINATION
Filing Number: 2013034994
Filing Date: 03/25/2013
Vendor Entry Date: 05/14/2013
Vendor Update Date: 2014

Collateral

Collateral Description: 08/18/2009 2009091579 - AGREEMENT

Bankruptcy Filings: None

Criminal Records:

Alaska Court Report

Offender information

Name: SIMPSON, KEVIN
Address: AK
Case Number: 1JU-99-J367664
Case Filing Date: 07/28/1999
Case Type: MINOR OFFENSE
DOB: (b) (6)
SSN: (b) (6)

Offenses

Case Filing Date: 07/28/1999
Court Description: JUNEAU FIRST DISTRICT
Court Case Number: 1JU-99-J367664
Court Offense: SPEEDING 80/45
Court Statute: CBJ72.02.275(B)
Court Disposition: NO CONTEST PLEA PRIOR TO CONVERSION
Court Disposition Date: 08/04/1999

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/kevin-simpson-97386273/>;

Royalty Policy Committee (Industry – Alternate)

Associations and Affiliations Search: Bertelsmann Foundation - <http://www.bfna.org/person/kevin-simpson>

Royalty Policy Committee – Tribes (Primary)

Harry Randolph Barnes (Primary) (Blackfeet Tribal Business Council)

(b) (6)
Browning, MT 59417
Phone: 406-845-3529
DOB (b) (6)
Self Nominated

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY R
Standardized Address: (b) (6)
BROWNING, MT 59417-2013
Original Address: (b) (6)
BROWNING, MT 59417-2013
SSN: (b) (6)

Secured Party Information

Secured 1

Name: FLATHEAD BANK
Standardized Address: PO BOX 2000
CUT BANK, MT 59427-2000
Original Address: PO BOX 2000
CUT BANK, MT 59427-2000

Secured 2

Name: FLATHEAD BANK
Standardized Address: 24 E MAIN ST
CUT BANK, MT 59427-2917
Original Address: 24 E MAIN ST
CUT BANK, MT 59427-2917

Filing Information

Original Filing Number: 95955538
Original Filing Date: 04/01/2008
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 1301 E 6TH AVE STATE CAPITOL
HELENA, MT 59620
HELENA, MT 59620
Filing Type: INITIAL FILING
Filing Number: 95955538
Filing Date: 04/01/2008
Filing Expiration Date: 04/01/2013
Vendor Entry Date: 04/18/2008
Vendor Update Date: 2016

Royalty Policy Committee – Tribes (Primary)

1:Montana UCC Record

Filing Type: CONTINUATION
Filing Number: 590131443
Filing Date: 03/29/2013
Filing Expiration Date: 04/01/2018
Vendor Entry Date: 04/19/2013
Vendor Update Date: 2016

Filing Type: TERMINATION
Filing Number: 141202621930
Filing Date: 12/02/2014
Vendor Entry Date: 12/04/2014
Vendor Update Date: 2016

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY
Standardized Address: (b) (6)
BROWNING, MT 59417-0289
Original Address: (b) (6)
BROWNING, MT 59417-0289
SSN: (b) (6)

Secured Party Information

Name: NATIVE AMERICAN BANK, N.A.
Standardized Address: 999 18TH ST STE 2460
DENVER, CO 80202-2415
Original Address: 999 18TH ST STE 2460
DENVER, CO 80202-2415

Filing Information

Original Filing Number: 93125818
Original Filing Date: 08/03/2007
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 1301 E 6TH AVE STATE CAPITOL
HELENA, MT 59620
STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING
Filing Number: 93125818
Filing Date: 08/03/2007
Filing Expiration Date: 08/03/2012
Vendor Entry Date: 09/22/2007
Vendor Update Date: 2007

Filing Type: CONTINUATION
Filing Number: 587428600
Filing Date: 07/26/2012
Filing Expiration Date: 08/03/2017
Vendor Entry Date: 08/02/2012
Vendor Update Date: 2014

Royalty Policy Committee –Tribes (Primary)

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Debtor 1

Name: BARNES CONSTRUCTION SERVICES

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

Debtor 2

Name: BARNES, HARRY

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

SSN: (b) (6)

Secured Party Information

Name: BLACKFEET NATIONAL BANK

Standardized Address: PO BOX 730
BROWNING, MT 59417-0730

Original Address: PO BOX 730
BROWNING, MT 59417-0730

Filing Information

Original Filing Number: 59326702

Original Filing Date: 04/20/2000

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING

Filing Number: 59326702

Filing Date: 04/20/2000

Vendor Entry Date: 06/17/2000

Vendor Update Date: 2009

Collateral

Collateral Description: 04/20/2000 59326702 - ACCOUNT(S) INCLUDING PROCEEDS AND PRODUCTS;EQUIPMENT INCLUDING PRODUCTS;GENERAL INTANGIBLE(S) INCLUDING PROCEEDS AND PRODUCTS;MACHINERY INCLUDING

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

SSN: (b) (6)

Secured Party Information

Royalty Policy Committee –Tribes (Primary)

1:Montana UCC Record

Name: BLACKFEET NATIONAL BANK

Standardized Address: PO BOX 730
BROWNING, MT 59417-0730

Original Address: PO BOX 730
BROWNING, MT 59417-0730

Filing Information

Original Filing Number: 551422

Original Filing Date: 12/17/1998

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING

Filing Number: 551422

Filing Date: 12/17/1998

Vendor Entry Date: 02/17/1999

Vendor Update Date: 2009

Collateral

Collateral Description: 12/17/1998 551422 - ACCOUNT(S);INVENTORY;VEHICLES;EQUIPMENT;MACHINERY;GENERAL INTANGIBLES

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

SSN: (b) (6)

Secured Party Information

Name: BLACKFEET NATIONAL BANK

Standardized Address: PO BOX 730
BROWNING, MT 59417-0730

Original Address: PO BOX 730
BROWNING, MT 59417-0730

Filing Information

Original Filing Number: 549539

Original Filing Date: 11/17/1998

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING

Filing Number: 549539

Filing Date: 11/17/1998

Vendor Entry Date: 01/28/1999

Vendor Update Date: 2009

Collateral

Royalty Policy Committee –Tribes (Primary)

1:Montana UCC Record

Collateral Description: 11/17/1998 549539 - COMPUTER EQUIPMENT;MACHINERY;EQUIPMENT;INVENTORY;ACCOUNT(S);GENE

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY
Standardized Address: (b) (6)
BROWNING, MT 59417-2013
Original Address: (b) (6)
BROWNING, MT 59417-2013
SSN: (b) (6)

Secured Party Information

Name: BLACKFEET NATIONAL BANK
Standardized Address: 125 N PUBLIC SQ
BROWNING, MT 59417
Original Address: 125 N PUBLIC SQ
BROWNING, MT 59417

Filing Information

Original Filing Number: 535053
Original Filing Date: 04/23/1998
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING
Filing Number: 535053
Filing Date: 04/23/1998
Vendor Entry Date: 06/24/1998
Vendor Update Date: 2009

Collateral

Collateral Description: 04/23/1998 535053 - MACHINERY;COMPUTER EQUIPMENT;COMMUNICATIONS EQUIPMENT;EQUIPMENT

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

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UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
(Great Falls)

Town Of Browning V. Sharp Et Al

Royalty Policy Committee –Tribes (Primary)

PLAINTIFF: Town of Browning

DEFENDANT: Willie A. Sharp, Jr.;

William Old Chief;

Tyson Running Wolf;

Shawn Lahr;

Paul McEvers;

Nelse St. Goddard;

Joe McKay;

Ilyff Kipp;

Harry Barnes;

Forrestina Calf Boss Ribs;

Earl Old Person;

Derek Kline;

Cheryl Little Dog;

Alvin Yellow Owl

DOCKET CASE NUMBER: 4:14cv24

OTHER DOCKET CASE NUMBER: 9th Circuit, 14-36009

Ninth Circuit, 15-35547

Ninth Circuit Court of Appeals, 14-72717

Ninth Circuit Court of Appeals, 14-35719

FILING DATE: 4/9/2014

JURISDICTION: Federal Question

JUDGE: Brian Morris

REFERRED TO: Magistrate Judge John Johnston

NATURE OF SUIT: 380 Personal Property

FILING TYPE: Civil

CAUSE: Fed. Question [28 USC 1331](#)

JURY DEMAND: Plaintiff

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

Derek J. Oestreicher [LEAD ATTORNEY; ATTORNEY TO]

DAVIS HATLEY HAFFEMAN & TIGHE

Po Box 2103 101 River Drive North The Milwaukee Station Third Floor

Great Falls, MT, USA 59401-2103

406-761-5243 Fax: 406-761-4126 Email: Derek.Oestreicher@dhhtlaw.Com

Maxon R. Davis [LEAD ATTORNEY; ATTORNEY TO]

DAVIS HATLEY HAFFEMAN & TIGHE

Po Box 2103 101 River Drive North The Milwaukee Station Third Floor

Great Falls, MT, USA 59401-2103

Royalty Policy Committee –Tribes (Primary)

406-761-5243 Fax: 761-4126 Email: Max.Davis@dhhtlaw.Com

Paul R. Haffeman [LEAD ATTORNEY; ATTORNEY TO]
DAVIS HATLEY HAFFEMAN & TIGHE
Po Box 2103 101 River Drive North The Milwaukee Station Third Floor
Great Falls, MT, USA 59401-2103
406-761-5243 Fax: 761-4126 Email: Paul.Haffeman@dhhtlaw.Com

DEFENDANT ATTORNEY(S):

Sandra Watts [ATTORNEY TO BE NOTICED] (Terminated 6/12/2014)
P.O. Box 834
Browning, MT, USA 59417
406-338-7777 Fax: 406-338-5363 Email: (b) (6) @yahoo.Com

Lawrence A. Anderson [ATTORNEY TO BE NOTICED]
ANDERSON LAW OFFICE
Po Box 2608
Great Falls, MT, USA 59403
406-727-8466 Fax: 406-771-8812 Email: Laalaw@me.Com

THE COURT UPDATED THIS RECORD ON: 06/14/2016 12:00:00 AM

Judgments and Liens: None

Nexis News Search:

Great Falls Tribune (Montana)
July 11, 2014 Friday
1 Edition

Blackfeet unrest

BYLINE: By, David Murray

SECTION: A; Pg. 1

LENGTH: 1238 words

"I think I've been put off the council I don't know how many times this past six weeks."

Earl Old Person, Council member

Five newly elected members of the Blackfeet Tribal Business Council were sworn into office Thursday amid calls for unity, only to have the ceremony quickly devolve into infighting and angry **accusations**.

The new tribal legislators carry with them the hopes of many of the Blackfeet people that a majority of fresh faces on the tribe's most powerful elected body will end the impasse that has hamstrung tribal government in Browning for nearly two years.

Browning business owner **Harry Barnes** was elected tribal chairman, narrowly defeating William Old Chief, who is now entering the third year of his four-year term of office. Old Agency District representative Iliff "Scott" Kipp was elected vice-chairman, and former tribal

Royalty Policy Committee –Tribes (Primary)

forestry department head Tyson Running Wolf was elected secretary of the Blackfeet Tribal Business Council's (BTBC) Executive Committee.

Hopes ran high for ending a bitter divide on the BTBC that has been at the root of mass firings, unpaid wages, threats from the Bureau of Indian Affairs to defund the tribe's judicial system and a revolving series of expulsions and appointments that has seen 14 people lay claim to a seat on the nine-member BTBC since 2012.

Yet, despite appeals for healing and reunification, it quickly became apparent Thursday that the issues dividing the Blackfeet people run deeper than merely the personalities of the tribe's council members.

The inauguration ceremony began early with a nondenominational prayer service. One by one, religious leaders from most of the tribe's churches, both traditional and Christian rose to speak to the audience; asking them to join in prayer for the success and well-being of the new council, as well as for healing for all the Blackfeet people.

Within minutes of the conclusion of that prayer service came the first indications that not all had been forgiven.

As a procession began to form at the east entrance of the dance arbor where the inauguration ceremony was to take place, an argument flared up between Old Chief, outgoing Councilman Leon Vielle and Barnes. Neither Old Chief nor Vielle were willing to recognize the council membership of Earl Old Person, and they protested allowing him to join the procession with the rest of the BTBC members and refused to provide Old Person with a seat at the inauguration table.

Both Old Chief and Vielle voted in April to expel Old Person from the BTBC for abandoning his position as a council member.

The reason given at the time of that resolution was that Old Person had been absent from council meetings since October.

It was in that month that the nine, federally recognized members of the BTBC split into two distinct and opposing factions. Those nine council members have not all met in a single room together for more than eight months. Many Blackfeet consider Old Person chief of the Blackfeet Tribe.

It was also learned in the opening moments of the procession that the BTBC faction led by Willie Sharp Jr. had only just the night before appointed a new council member to fill Old Person's seat - one day before the inauguration ceremony.

George Calf Tail, a man unrecognized until that moment by anyone except an immediate circle of Sharp faction supporters as having any claim to a council position, now lined up with everyone else to be seated at the inauguration table.

There not being enough chairs for everyone laying claim to council membership, newly elected Councilman Joe McKay grabbed a chair from the audience and everybody squeezed in.

Most in the audience were unaware of the conflict. The immediate dispute now behind them, the inauguration ceremony began to proceed without further visible conflict.

Royalty Policy Committee –Tribes (Primary)

After opening ceremonies and an official declaration by Sharp that the 2010-2014 term of the BTBC had now ended, both outgoing, incoming and incumbent council members were permitted a few minutes to address the audience.

All proceeded well, with outgoing council members making references to their many accomplishments or speaking to the need for the council to move ahead toward the betterment of the Blackfeet people.

Then incumbent Councilwoman Cheryl Little Dog took the microphone.

Little Dog began quietly, but her voice rose as she began leveling criticisms at everything from the actions of the Bureau of Indian Affairs, to the ineffectiveness of Affordable Care Act, to the failure of the council to pay tribal employees over extended periods in December and then again this past April.

Many of Little Dog's statements were applauded enthusiastically by members of the audience.

Then, two-thirds of the way through her nine-minute speech, Little Dog turned toward where Old Person was seated at the opposite end of the inaugural table and said "people call Earl Old Person the chief - he's not my chief"

The audience immediately broke out in a competing crescendo of applause and cheers versus boos and catcalls.

The boos and jeers grew progressively louder, drowning out nearly everything else Little Dog had to say.

"A leader, a chief would not let his children suffer without heat ..." Little Dog tried to shout above the crowd.

As her speech went on, an unruly chorus of catcalls began ringing out; everything from "take the microphone" to "you have no respect" to "she's telling the truth."

Tribal police sent to provide security at the event began to assemble near the entrances of the venue, but the shouting eventually died down and Little Dog returned to her position at the table.

Two speakers later it was Old Person's turn to take the microphone.

A loud standing ovation greeted him as the nearly 90-year-old council member walked slowly toward the podium. Other audience members simply sat on their hands.

After a brief speech delivered in his native Piikani (Blackfeet) language, Old Person began by saying, "It's very sad to have to have an inauguration such as we are having."

"We have to have a new start," he said a little later. "We have to have something to go on."

"I think I've been put off the council I don't know how many times this past six weeks."

Old Person's joke brought a chorus of laughter, and lightened the mood of the audience.

The remainder of the inauguration was fairly routine - except for the final minutes when the executive council was elected.

Royalty Policy Committee –Tribes (Primary)

Abiding by the Blackfeet tradition, the members of the executive council are selected by a vote of all nine council members within full view of the audience.

For the top leadership position of council chairman, Old Chief and Barnes were the two nominees. Old Person was not allowed to vote.

One by one the ballots were read. Old Chief gained a quick advantage, but was eventually voted out when Barnes' name was read aloud on the ninth and final ballot. It was a worrying tabulation however, since the five to four split means another closely divided council.

Kipp won the vice chairman's position easily over Forrestina Calf Boss Ribs, while the vote for Running Wolf over Little Dog as secretary of the BTBC was 6-3.

The election of Barnes, Kipp and Running Wolf means that the entire executive council is now made up of newly elected members of the Blackfeet Tribal Business Council.

The entire council met in council chambers immediately following the inauguration ceremony.

"I think I've been put off the council I don't know how many times this past six weeks."

Earl Old Person

Google Search: <http://blackfeetnation.com/government/>;

<https://www.facebook.com/Harry-R-Barnes-Chairman-Blackfeet-Tribal-Business-Council-745983215445636/>;

<http://www.buzzfile.com/business/Blackfeet-Construction-Sups-406-338-3000>;

Associations and Affiliations Search: <https://www.rmtlc.org/tribe/blackfeet-tribal-business-council/>

<http://tribalnations.mt.gov/blackfeet>

<http://blackfeetnation.com/government/>

<http://ksenam.com/blackfeet-tribal-council-elects-new-chairman/>

<http://flatheadbeacon.com/2016/07/15/blackfeet-council-welcomes-new-members-re-elects-chairman/>

Royalty Policy Committee – Tribes (Primary)

Russell Begaye (Primary) (Navajo Nation)

(b) (6)
Shiprock, NM 87420
Phone: (b) (6)
DOB: (b) (6)
Self Nominated

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches: None

Bankruptcy Filings: None

Criminal Records:

Criminal Records

This data is for informational purposes only.

Arizona Court Report

Offender information

Name: BEGAYE, RUSSELL
Address: (b) (6)
SHIPROCK, NM 87420-4454
SAN JUAN COUNTY
Case Number: M-0447-SP-2011008621
Case Filing Date: 07/05/2011
Case Type: TRAFFIC
SSN: (b) (6)
Sex: Male

Offenses

Case Filing Date: 07/05/2011
Court Description: STAR VALLEY MUNICIPAL
Court Case Number: M-0447-SP-2011008621
Court Offense: NOT SPECIFIED
Court Level/Degree: TRAFFIC

Court Activity

[NONE FOUND]

Criminal Records

This data is for informational purposes only.

New Mexico Court Report

Offender information

Name: BEGAYE, RUSSELL
Address: NM
Case Number: M-147-TR-201000744
Case Filing Date: 02/23/2010

Royalty Policy Committee –Tribes (Primary)

DOB: (b) (6)

SSN: (b) (6)

Offenses

Case Filing Date: 02/23/2010
Number Counts: 1
Offense Date: 02/19/2010
Court Description: AZTEC MAGISTRATE
Court Case Number: M-147-TR-201000744
Court Offense: RENEWAL OF REGISTRATION
Court Plea: GUILTY
Court Statute: 66-3-19
Court Disposition: CRB: GUILTY/NO CONTEST PLEA
Court Disposition Date: 02/25/2010
Court Level/Degree: MISDEMEANOR

Court Activity

[NONE FOUND]

Criminal Records

This data is for informational purposes only.

North Carolina Court Report

Offender information

Name: BEGAYE, RUSSELL

Address: (b) (6)
ARLINGTON, TX 76017-2322
TARRANT COUNTY

Case Number: 1996IF000220

Case Filing Date: 01/25/1996

Case Type: INFRACTION

DOB: (b) (6)

SSN: (b) (6)

Sex: Male

Offenses

Case Filing Date: 01/25/1996
Court Case Number: 1996IF000220
Court Offense: NOT SPECIFIED
Court Disposition: DISMISSAL WITH LEAVE
Court Level/Degree: INFRACTION

Civil & Criminal Filings and Regulatory Actions: *** THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY *** Copyright © 2016 CourtLink Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
(Prescott)

Begay Et Al V. Begay Et Al

Royalty Policy Committee –Tribes (Primary)

PLAINTIFF: Russell Begaye;

Mel R Begay;
Kenneth Maryboy;
Charles Damon

DEFENDANT: Nelson Toledo;

Mae-Gilene Begay;
Lennard Eltsosie;
Jennifer Hatathlie;
Diandra Benally

DOCKET CASE NUMBER: 3:14cv8108

FILING DATE: 6/27/2014

JURISDICTION: Federal Question

JUDGE: David G Campbell

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Indian Tribal Controversy [28 USC 1362](#)

JURY DEMAND: None

PLAINTIFF ATTORNEY(S):

Kiersten Ann Murphy [LEAD ATTORNEY; ATTORNEY TO]
Gallagher & Kennedy PA
2575 E Camelback Rd Ste 1100
Phoenix, AZ, USA 85016
602-530-8000 Fax: 602-530-8500 Email: Kam@gknet.Com

Jeffrey David Gross [LEAD ATTORNEY; ATTORNEY TO]
Gallagher & Kennedy PA
2575 E Camelback Rd Ste 1100
Phoenix, AZ, USA 85016-9225
602-530-8390 Fax: 602-530-8500 Email: Jdg@gknet.Com

Laura Emily Antonuccio [LEAD ATTORNEY; ATTORNEY TO]
Gallagher & Kennedy PA
2575 E Camelback Rd., Ste. 1100
Phoenix, AZ, USA 85016-9225
602-530-8000 Fax: 602-530-8500 Email: Laura.Antonuccio@gknet.Com

Christopher William Thompson [LEAD ATTORNEY; ATTORNEY TO]
Gallagher & Kennedy PA
2575 E Camelback Rd., Ste. 1100
Phoenix, AZ, USA 85016-9225

Royalty Policy Committee –Tribes (Primary)

602-530-8393 Fax: 602-530-8500 Email: Chris.Thompson@gknet.Com

THE COURT UPDATED THIS RECORD ON: 06/27/2014 12:00:00 AM

Judgments and Liens: None

Nexis News Search: The Gallup Independent (New Mexico)

July 25, 2017 Tuesday

Navajo Council OKs human trafficking law

BYLINE: Marley Shebala navajo1@gallupindependent.com, DIN É BUREAU

SECTION: NEWS; Pg. 2

LENGTH: 657 words

DATELINE: WINDOW ROCK, Ariz.

WINDOW ROCK, Ariz. – The Navajo Nation Council unanimously approved amending the Navajo Nation Criminal Code Title 17 to enact the 2017 Law Against Human Trafficking Wednesday.

Council Delegate Nathaniel Brown sponsored Legislation 0117-17, which stated that the intent of the human trafficking law is to deter human traffickers by criminalizing certain offenses, prescribing appropriate punishment, giving priority to the investigation and prosecution of trafficking offenses, and protecting and providing justice to victims.

According to the legislation, human trafficking is defined as “the illegal recruitment, transportation, transfer, harboring, or receipt of a person, especially from another country, with the intent to hold the person captive or exploit the person for labor, services, or body parts.

“Human trafficking offenses include forced prostitution, forced marriages, sweat-shop labor, slavery, and harvesting human organs from unwilling donors.”

Brown — who represents the chapters of Chilchinbeto, Dennehotso and Kayenta — reported to the Council that he requested data on human trafficking on the Navajo Nation and he was unable to obtain information because there has never been a human trafficking law that would require the tracking of data.

He noted, “In doing some research, I found that since the time of colonization, human trafficking has always been present in Indian Country.

“We heard of stories of the Long Walk in which women and children were forced into sexual acts and heinous crimes,” Brown said. “We have never addressed this because we didn’t create laws up until this point.”

Royalty Policy Committee –Tribes (Primary)

He recalled that when he worked with the Navajo Nation Department of Family Services, he found that the lack of human trafficking laws resulted in several potential trafficking offenses being classified as sexual abuse or prostitution.

Brown said the Department of Family Services had cases involving girls, under the age of 18, who were being trafficked for prostitution.

He explained that the department understood that children cannot consent to sex while being forced to prostitute themselves and so the crime should not fall on the victim.

Shaping Navajo law

Brown, who serves on the Health, Education, and Human Services Committee and the Naa'bik'iyati' Sexual Assault Prevention Subcommittee, emphasized that the tribe's laws need to be shaped to fit the actual crime to prosecute human traffickers.

He reported that he also has been collaborating with the Casey Family Programs and University of Colorado Boulder on a proposed assessment of sex trafficking on the reservation for the development of a plan to combat the problem.

Brown said for about two years, the Casey programs and Colorado University assisted the Mandan, Hidatsa, and Arikara Nation in developing a comprehensive strategic plan to address sex trafficking on their land, which resulted in a policy paper on a comprehensive approach to sex trafficking, data management and policy recommendations.

"They compiled their data from their social services and researched how many kids were involved in sex crimes and prostitution," He said.

Brown said he provided the policy paper to the Council and he encouraged his colleagues to review it for the development of the tribe's own strategic plan.

Council Delegate Leonard Tsosie — who represents Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon and Whitehorse Lake — said although human trafficking data on the Nation is non-existent, the cases that family services reported is alarming.

He said when federal courts fail to prosecute the perpetrators, the tribe must ensure justice is served.

Tsosie successfully sponsored an amendment to resolve the federal government's failure to **prosecute** non-Indian traffickers by having the tribe's courts assert jurisdiction over non-Indian traffickers on the reservation.

The bill moves to President **Russell Begaye** for action.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: HUMAN TRAFFICKING (94%); LABOR TRAFFICKING (90%); SEX TRAFFICKING (90%); INVESTIGATIONS (90%); LEGISLATION (90%); INDIGENOUS PEOPLES (90%); CHILD TRAFFICKING (90%); CRIMINAL LAW (90%); SEX OFFENSES (89%); SEXUAL ASSAULT (89%); PROSTITUTION (89%); FAMILY SERVICES (88%); FAMILY (86%); SWEATSHOPS (78%); CRIMINAL OFFENSES (78%); VIOLENT CRIME (78%); CHILD ABUSE

Royalty Policy Committee –Tribes (Primary)

(74%); CRIMINAL INVESTIGATIONS (73%); STRATEGIC PLANNING (60%)

STATE: ARIZONA, USA (93%); COLORADO, USA (92%)

COUNTRY: UNITED STATES (93%)

LOAD-DATE: July 26, 2017

The Gallup Independent (New Mexico)

July 10, 2017 Monday

Navajo Nation Head Start director target of theft probe

BYLINE: Marley Shebala navajo1@gallupindependent.com, DIN É BUREAU

SECTION: NEWS; Pg. 1

LENGTH: 471 words

Navajo Head Start Director Sharon Singer is under investigation for **allegations** of **misuse** of federal funds and has been placed on administrative leave, Navajo Nation President **Russell Begaye** announced in a June 30 news release.

Begaye said the U.S Department of Health and Human Services Inspector General's Office sent a letter to him and asked that the Office of the President and Vice President conduct an investigation of Singer.

"In working with the Department of Diné Education, director Singer has been put on administrative leave effective June 29, as we move forward with an investigation into Navajo Head Start," Begaye said.

Tommy Lewis, Navajo Nation superintendent of schools, stated in a June 29 memo that Head Start employee Tim Benally would be the acting Head Start superintendent during the tribe's investigation of Singer.

Lewis stated that Benally would be responsible for the overall operation of Head Start and would have full authority to carry out the mission, goals and objectives of Head Start.

"In order to conduct this investigation without any interference, the superintendent for Head Start (Singer) had to be put on administrative active leave with pay starting today (June 29) for five working days," Lewis stated. "This administrative leave may be extended if it is necessary."

Begaye noted the Inspector General's Office alleged in its letter that Singer, with the help of the Central Office of Head Start, is "misusing and abusing funds."

He said the federal Inspector General's Office explained that if a complaint involves the Head Start Board, executive director, CEO or a program director, the governing body is responsible for researching the issues or allegations raised, take corrective actions where necessary, and provide a response to the federal Inspector General regarding the outcome.

Royalty Policy Committee –Tribes (Primary)

Vice President Jonathan Nez said, "Because the allegations relate to program funding that impact our children at a critical stage in their cognitive development, it's necessary that we move forward with this investigation to secure continued services of this important program."

Begaye added, "Funding for any of our programs is a critical resource, especially in light of the current budget cuts being proposed at the federal level."

Lewis said he would be conducting the investigation with several people from the Department of Diné Education.

"We will be requesting to see various documentations and other evidence that will help us with this task," he explained. "We will be requesting to talk to Navajo Head Start employees over the next several days and we expect full cooperation from everyone."

Lewis emphasized, "We do not want any documentation or evidence on mispending or misuse of funds be destroyed. Anyone reported or caught destroying evidence or documentation will be disciplined."

GRAPHIC: Sharon Singer

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: INVESTIGATIONS (94%); ADMINISTRATIVE LEAVE (91%); US FEDERAL GOVERNMENT (90%); CRIMINAL INVESTIGATIONS (90%); INDIGENOUS PEOPLES (90%); EMPLOYEE LEAVE (90%); EXECUTIVES (89%); FEDERAL INVESTIGATIONS (89%); FRAUD & FINANCIAL CRIME (89%); GOVERNMENT BUDGETS (78%); CHILD DEVELOPMENT (78%); SCHOOL SUPERINTENDENTS (75%); EDUCATION ADMINISTRATION (75%); SCHOOL BUDGETS (74%); BUDGETS (73%); HEALTH DEPARTMENTS (72%); BUDGET CUTS (50%); INTELLIGENCE & COGNITION (50%)

COUNTRY: UNITED STATES (92%)

LOAD-DATE: July 12, 2017

States News Service

June 25, 2017 Sunday

HEINRICH INTRODUCES BIPARTISAN LEGISLATION TO SAFEGUARD TRIBAL ITEMS

BYLINE: States News Service

LENGTH: 1198 words

DATELINE: WASHINGTON

Royalty Policy Committee –Tribes (Primary)

The following information was released by New Mexico Senator Martin Heinrich:

Today, U.S. Senator Martin Heinrich (D-N.M) reintroduced the bipartisan Safeguard Tribal Objects of Patrimony (STOP) Act, a bill to prohibit the exporting of sacred Native American items and increase penalties for stealing and illegally trafficking tribal cultural patrimony. U.S. Senators Jeff Flake (R-Ariz.), Tom Udall (D-N.M.), John McCain (R-Ariz.), Brian Schatz (D-Hawaii), Steve Daines (R-Mont.), Jon Tester (D-Mont.), and Lisa Murkowski (R-Alaska) are cosponsors of the bill.

To announce the legislation today, Senator Heinrich hosted a meeting with students from the Santa Fe Indian School Leadership Institutes Summer Policy Academy (SPA) in his office in Washington, D.C. The students shared a position paper and personal stories on the importance of the STOP Act, articulating their generation's concern about fulfilling their sacred trust as generations before them have. SPA is designed for New Mexico high school juniors and rising seniors and convenes students for intensive sessions that focus on leadership, public policy, and community issues.

I am proud to work with tribes in New Mexico and across Indian Country to craft this legislation to safeguard sacred Native American items, said Senator Heinrich . We all recognize the incredible beauty of American Indian art--from the remnants of ancient wonders that we can explore and admire in places like Chaco Canyon and the Gila Cliff Dwellings to the traditional and modern art masterpieces created by Native artists to this day. But we can also recognize a clear difference between supporting tribal artists or collecting artifacts ethically and legally as opposed to dealing or exporting items that tribes have identified as essential and sacred pieces of their cultural heritage. We need to take all possible action to stop the latter and help repatriate stolen culturally significant items to their rightful owners.

Theft and sale of sacred Native American cultural items are an assault on the cultural identity of Native American Tribes, and I am proud to join Senator Heinrich and applaud his leadership with Tribes on this important legislation to stop this practice in its tracks, Senator Udall said . Native Americans have been the victims of theft and looting for generations. We have passed laws to stop it, but people are exploiting the loopholes in our current laws to sell these objects as art. They are not pieces of art - theft not only robs Tribes of sacred objects, it robs them of a piece of their spiritual identity. This bill is the strong action we need to put a stop to theft and sale and ensure Tribes have a seat at the table in the fight.

The bill has been endorsed by tribes across Indian Country, including the Hopi Tribe, the Navajo Nation, the Pueblos of Acoma, Santa Ana, Isleta, Zuni, Laguna, Namb, Jemez, and Ohkay Owingeh as well as the All Pueblo Council of Governors, the National Congress of American Indians, and the United South and Eastern Tribes Sovereignty Protection Fund.

The Pueblo worked closely with Senator Heinrich's office in the development of and strongly supports the Safeguard Tribal Objects of Patrimony Act of 2017, which is designed to strengthen existing federal laws protecting Native American cultural objects, said Pueblo of Acoma Governor Kurt Riley . Unfortunately, Acoma has firsthand experience with the illegal removal and trafficking of our cultural objects. It has been an uphill battle to secure their return. However, we continue to fight for their return as their loss threatens the ability of our children to continue our cultural practices and thus threatens our identity as a people.

NCAI continues to be in strong support of Senator Heinrich's legislative efforts to address the theft, illegal sale, and alienation of cultural, historical, and ceremonial items from tribal homelands, said Executive Director of the National Congress of American Indians Jacqueline Pata . The Safeguard Tribal Objects of Patrimony Act of 2017 is an important advance in this

Royalty Policy Committee –Tribes (Primary)

effort. NCAI leadership is hopeful that this legislation will serve as a strong deterrent to illegal conduct, while facilitating the voluntary repatriation of cultural objects currently held by individuals.

Article 12 of the United Nations Declaration on the Rights of Indigenous Peoples recognizes our right to continue our cultural and spiritual traditions and practices, said United South and Eastern Tribes Sovereignty Protection Fund President Kirk Francis . Regrettably, these rights are violated through the ongoing theft and commercial sale of our cultural, traditional, and sacred objects. These illicit practices erode the foundations of our cultures and threaten our survival as distinct Tribal Nations. The Safeguard Tribal Objects of Patrimony (STOP) Act seeks the safe return of our objects and the end of illegal trafficking through stiffer penalties. The USET Sovereignty Protection Fund commends Senator Heinrich for the re-introduction of the STOP Act and calls upon Congress for its swift passage.

The Navajo Nation thanks Senator Heinrich for his leadership on this bipartisan bill that will strengthen cultural protection laws for all of Indian Country, said Navajo Nation President **Russell Begaye** . I am also encouraged that this bill will make it clear that exportation of our sacred and traditional items out of the United States will be **illegal**. Our cultural and sacred items are an important part of who we are as Navajo and Indian people and it is important that they be protected and returned.

Senator Heinrich originally introduced the STOP Act in 2016. The bill received widespread, bipartisan support and continues to demonstrate growing momentum. The STOP Act received a field hearing last year, held at the Indian Pueblo Cultural Center in Albuquerque, which was a critical step in the legislative process to gather input and move toward passing the STOP Act into law. The hearing featured testimony from tribal leaders and federal agency officials.

Specifically, the STOP Act would:

Increase penalties for NAGPRA criminal violations to more closely match the National Stolen Property Act and other similar statutes.

Explicitly prohibit the export of items obtained in violation of NAGPRA and related statutes. The French government has cited the lack of an explicit export prohibition as an impediment to enforcement of NAGPRA and related laws overseas.

Establish a policy for the United States of encouraging the voluntary return of tangible cultural heritage to tribal communities. The bill directs the secretaries of Interior, Homeland Security, and the State Department, as well as the Attorney General, to appoint liaisons to facilitate the voluntary return of cultural property and directs the secretary of the Interior to develop and maintain a list of contacts for the return of cultural property to which individuals and organizations can be referred.

Establish a tribal working group to develop recommendations on the return of cultural heritage, the elimination of illegal commerce in cultural heritage, and repatriation of cultural heritage that has been illegally trafficked.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

SUBJECT: LEGISLATION (91%); LEGISLATIVE BODIES (90%); US REPUBLICAN PARTY (90%); INDIGENOUS PEOPLES (90%); US CONGRESS (90%); US DEMOCRATIC PARTY

Royalty Policy Committee –Tribes (Primary)

(90%); NATIVE AMERICANS (90%); CUSTOMS & CULTURAL HERITAGE (89%); ARTISTS & PERFORMERS (89%); TALKS & MEETINGS (78%); ART THEFT (77%); PUBLIC POLICY (74%); HIGH SCHOOLS (74%); ETHICS (73%)

PERSON: MARTIN HEINRICH (94%); JEFF FLAKE (79%); STEVE DAINES (73%); JOHN MCCAIN (58%); BRIAN SCHATZ (58%); LISA MURKOWSKI (58%); TOM UDALL (58%); JON TESTER (54%)

CITY: SANTA FE, NM, USA (79%)

STATE: NEW MEXICO, USA (94%); MONTANA, USA (92%); HAWAII, USA (79%); ALASKA, USA (79%); DISTRICT OF COLUMBIA, USA (79%)

COUNTRY: UNITED STATES (99%)

LOAD-DATE: June 25, 2017

The Salt Lake Tribune

June 3, 2017 Saturday

U.S. senator suggests reforms for Navajo housing authority; Investigation Cost overruns hint at funds' mismanagement.

BYLINE: By Susan Montoya Bryan The Associated Press

SECTION: NATION WORLD; -

LENGTH: 349 words

Albuquerque, , N.M. The findings of an investigation initiated by a U.S. senator into the spending of federal housing grants on the nation's largest American Indian reservation suggest mismanagement resulted in cost overruns and delays.

Top Navajo Nation officials in a statement issued late Thursday detailed the findings along with numerous recommendations made by Republican Sen. John McCain of Arizona.

The recommendations include reducing the federal government's allocation to the tribe for new homes, streamlining land acquisition and permitting processes and increasing site visits by federal inspectors.

McCain's office also is recommending that the Navajo Housing Authority and the U.S. Department of Housing and Urban Development provide annual performance reports that include clear data on how many houses have been built or modernized and how many of those are rental units or turned over to owners.

Royalty Policy Committee –Tribes (Primary)

According to the findings, the housing authority over 10 years received more than \$803 million in federal block grant funding and built only 1,110 homes. There were also concerns about board members misusing income generated by rental properties.

McCain said the authority's lack of progress can't be reconciled with the fact that the agency is supported by 350 employees and spends about 15 percent of its annual allocation under the grant program on planning and administration.

The poor administration of grant funds by the authority "has exposed the program to an excessive risk of waste, **fraud and abuse**," the senator said.

Navajo President **Russell Begaye** acknowledged that the housing authority has been put under the microscope by both the federal government and the Navajo people.

"We take the report and the issues raised very seriously," he said. "Our number one concern has always been that the Navajo people receive adequate housing."

However, Begaye and other tribal leaders criticized the suggestion that Congress cap or reduce the federal government's allocation for new homes on the Navajo Nation, which spans parts of Arizona, northwestern New Mexico and southeastern Utah.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: HOUSING AUTHORITIES (91%); US FEDERAL GOVERNMENT (91%); US CONGRESS (91%); LEGISLATIVE BODIES (90%); HOUSING ASSISTANCE (90%); INVESTIGATIONS (90%); INDIGENOUS PEOPLES (90%); NATIVE AMERICANS (90%); REAL ESTATE (90%); PUBLIC HOUSING (90%); GRANTS & GIFTS (90%); US REPUBLICAN PARTY (78%); RENTAL PROPERTY (78%); FEDERAL INVESTIGATIONS (78%); FRAUD & FINANCIAL CRIME (78%); LAND USE & DEVELOPMENT (75%); ANNUAL REPORTS (72%); FINANCIAL RESULTS (72%); ANNUAL FINANCIAL RESULTS (69%); CITIES (54%) HOUSING; NAVAJO; AUTHORITY; FEDERAL; MCCAIN; ALLOCATION; COST; FINDINGS; FUNDS; GOVERNMENT

ORGANIZATION: US DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (56%)

PERSON: JOHN MCCAIN (79%)

CITY: ALBUQUERQUE, NM, USA (92%)

STATE: NEW MEXICO, USA (93%); ARIZONA, USA (93%)

COUNTRY: UNITED STATES (96%)

LOAD-DATE: June 13, 2017

Google Search: <http://www.washingtontimes.com/topics/russell-begaye/>

<https://www.facebook.com/Navajo-Nation-OPVP-Russell-Begaye-And-Jonathan-Nez-302132179938953/>;

<https://twitter.com/RussellBegaye?lang=en>;

<http://nnopvp.org/>;

<http://navajotimes.com/tag/russell-begaye/>;

Royalty Policy Committee –Tribes (Primary)

<http://www.phoenixnewtimes.com/news/navajo-president-accused-of-favoritism-with-alleged-mistress-in-power-line-hookup-8062105>;

<http://www.huffingtonpost.com/author/russell-begaye>

<http://www.azcentral.com/story/money/business/energy/2017/05/16/navajo-nation-president-russell-begaye-promises-deal-troubled-navajo-generating-station-coal-plant/320774001/>

Associations and Affiliations Search:

Navajo alert funds vanish;

Official: 'I don't know' where \$300K grant went, 'but we'll find out'

BYLINE: Vida Volkert Staff writer eastnavajo@gallupindependent.com

SECTION: NEWS; Pg. 1

LENGTH: 1361 words

DATELINE: WINDOW ROCK, ARIZ.

WINDOW ROCK, ARIZ. — Thousands of dollars destined to design and implement an Amber Alert system on the Navajo Nation were not utilized for that purpose, Division of Public Safety Director Jesse Delmar confirmed Thursday.

Delmar said the Navajo Nation was awarded a \$300,000 grant through Fox Valley Technical College's public safety program to develop an Amber Alert system in 2011 — long before he was appointed to lead the division about a year ago.

What happened to the funds?

"I don't know. But we'll find out," Delmar said during an interview in his office in Window Rock Thursday afternoon. "I understand that, from my conversation with my source, half of that money was spent. We would get to the bottom of that."

Delmar said that within the past year the division was awarded another \$1.7 million from U.S. Department of Homeland Security to develop a 911 emergency system on the reservation. The goal is to set it up in all seven districts of the Navajo Nation, starting with Tuba City because "they have the infrastructure in place and a new building. We will eventually get to everybody," Delmar said.

The tribe has been under criticism by community members who said an Amber Alert issued within the hour 11-year-old Ashlynn Mike was reported missing in Shiprock May 2 might have saved her life.

It took Navajo Nation Police about eight hours from the time Mike was reported missing, at about 6:35 p.m. May 2, to have the state of New Mexico issue the Amber Alert at about

Royalty Policy Committee –Tribes (Primary)

2:30 a.m. May 3. Mike's body was found in a desolate field 6 miles south of Shiprock at about 11:30 a.m. May 3.

Tom Begaye, 27, of Waterflow, was **arrested** in connection with Mike's death. He reportedly told authorities that he **sexually** assaulted her and hit her on the head with a tire iron because she was crying and that she was still moving when he left her in the desert. During a phone interview Monday evening, Navajo Nation President **Russell Begaye** responded to questions about funds that were supposed to be used to develop alert systems and why that never happened.

The president said that when he was a Council delegate and served with the Law and Order Committee around 2013, he was informed that the Navajo Nation Police was working on its own Amber Alert-911 emergency system. It was taking too long to be developed, however, and the committee decided to transfer the authority and funds to the Telecommunications Regulatory Commission of the Navajo Nation.

"They were the ones that asked to be designated because Navajo PD never produced results," Begaye said. "(Navajo) PD was trying to get it off the ground. They elaborated a plan. When they gave a report to Law and Order, we said this is going to take too many years. You need to simplify it. This is going to cost too much money. So, what we did, we gave it to the regulatory commission and asked them to put it quickly. They started developing a plan, we were almost there, but there was a resistance from Navajo Police, mainly because we took it from them."

Begaye said when he became president in 2015, he moved the project back to the Navajo Nation Police.

"They had three consultants and were working on getting it off the ground," he said.

Council Delegate Edmund Yazzie said delegates are considering an investigation on what happened to the funds awarded in 2011 to develop the Amber Alert system on the reservation.

"We need accountability. I was told some of that money was used to buy equipment," he said Thursday afternoon. "If a hearing is conducted, all these questions would be answered. A hearing would be for Navajo Police to tell us what can they do better, what are they lacking, and to tell the Council what do we need to do, and we will bring the executive (on board)."

Begaye met with Navajo Nation division directors Monday and assigned a task force to develop and implement the Amber Alert-911 emergency system to notify the Navajo people of abductions and other emergencies.

He announced the Amber Alert system would include developing a way to connect with families in rural areas where telecommunications are limited, and to inform community members about such emergencies in both English and Navajo.

The president appointed Delmar and Telecommunications Regulatory Commission Director Theresa Hopkins to head the development of the task force.

Delmar said the task force was scheduled to meet Friday.

1996 kidnapping, murder leads to Amber Alert

Royalty Policy Committee –Tribes (Primary)

The first Amber Alert system was developed after 9-year-old Amber Hagerman was kidnapped and brutally murdered in Arlington, Texas, in 1996.

According to the Amber Advocate, an online newsletter produced with the support of the U.S. Department of Justice, Office of Justice Programs, the blueprint for the Amber Alert plan was first articulated on a radio talk show and then in a letter written by Fort Worth resident Diana Simone.

It reads in part: "In Amber's case, for example, I'm sure a number of people saw her in that black pick up truck but simply did not know what they were seeing. To remedy this, I would like to suggest an emergency system be set up so that when a verified 911 call is placed, all the radio stations in the area would be notified immediately and they would interrupt programming to broadcast an emergency alert. In this way, thousands of people would be alerted within minutes of an occurrence, greatly minimizing the chance of successful escape. If you are able to gather support for this Emergency Broadcast Plan, my one request is that it be known as Amber's Plan."

According to the Amber Advocate, the criteria developed after Hagerman's death to issue an Amber Alert was: the child must be 15 years old or younger, law enforcement must believe the child has been abducted or missing with the threat of serious bodily injury or death, and enough information must be available for the public to help.

At the time, WBAP News/Talk 820 operations manager in Texas Tyler Cox was quoted as saying: "The system is so simple and easy to run and maintain. It doesn't cost taxpayers one plug penny. This is something we can do to do good in the community at no financial resource risk to anyone. Radio is in business 24 hours a day, police run 24 hours a day, and people find children — end of story."

Current Amber Alert systems around the country include cellphone alerts and social media alerts. Command posts are normally set up in the area where the crime is committed to gather and disseminate information.

New Mexico Amber Alert

The New Mexico Amber Alert is a cooperative agreement between New Mexico broadcasters and law enforcement.

"The agreement allows law enforcement access to the state's Emergency Alert System, or 'EAS,'" according to the state website. "You may have recently heard tests of this system, either over the radio or on your television. If a law enforcement agency is investigating a child abduction, they can broadcast useful information over the EAS system, with the hope that the public may have seen the vehicle involved or the suspect, for example."

The following criteria applies in New Mexico to issue an Amber Alert: ¶ There must be evidence of a non-family or custodian abduction of a child 17 years of age or younger. ¶ There must be specific information concerning the abductor and/or child, which would prove useful to the public in hopes of recovering the child. ¶ There must be reason to believe the child is in imminent danger of bodily harm or death.

¶ And the child must have already been entered in the National Crime Information Center as missing.

When Ashlynnne was picked up, her 9-year-old brother Ian Mike was also abducted by the same suspect, but he managed to escape.

Royalty Policy Committee –Tribes (Primary)

Ian was picked up by a motorist who saw him walking on Navajo Route 13 and took him to the Navajo Nation Police, Shiprock office, at about 7:15 p.m. May 2. Ian provided information about the abductor and maroon van used to abduct the children and was instrumental in identifying Tom Begaye as the suspect.

The question Navajo authorities have not responded to yet is why it took Navajo Police about eight hours after the children were reported missing to have the state issue the Amber Alert.

Royalty Policy Committee – Tribes (Primary)

Christopher Adam Red (Primary) (Southern Ute Tribe)

(b) (6)
Bayfield, CO 81122
Phone: (b) (6)
DOB: (b) (6)
Southern Ute Tribe

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens:

COLORADO JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: RED, ADAM

SSN: (b) (6)

Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Debtor 2

Name: RED, MARIA

SSN: (b) (6)

Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Creditor Information

Name: M TIMM DEVELOPMENT

Filing Information

Filing Date: 07/23/2004

Eviction: YES

Filing 1

Filing Number: 04C4390

Filing Type: FORCIBLE ENTRY/DETAINER

Filing Court: WELD COUNTY COURT

Filing County: WELD

Filing Office: CO

Royalty Policy Committee –Tribes (Primary)

COLORADO JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Filing Information

Filing Date: 06/27/2002
Amount: \$522
Eviction: NO
Release Date: 05/13/2003

Filing 1
Filing Number: 02C2701
Filing Type: CIVIL JUDGMENT RELEASE
Filing Court: WELD COUNTY COURT
Filing County: WELD
Filing Office: CO

COLORADO JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: RED, ADAM
SSN: (b) (6)
Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Debtor 2

Name: RED, ADAM
SSN: (b) (6)
Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Creditor Information

Creditor 1

Name: PROF FIN CO

Creditor 2

Name: PROFESSIONAL FINANCE

Filing Information

Filing Date: 06/27/2002
Amount: \$522
Eviction: NO

Filing 1
Filing Number: 02C2701
Filing Type: CIVIL JUDGMENT
Filing Court: WELD COUNTY COURT
Filing County: WELD
Filing Office: CO

COLORADO JUDGMENT AND LIEN FILINGS

Royalty Policy Committee –Tribes (Primary)

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: RED, C ADAM

SSN: (b) (6)

Address: (b) (6)
GREELEY, CO 80634-4160
WELD COUNTY

Debtor 2

Name: RED, MARIA

SSN: (b) (6)

Address: (b) (6)
GREELEY, CO 80634-4160
WELD COUNTY

Creditor Information

Name: ADVANTAGE NETWORK SYSTEMS INC

Filing Information

Filing Date: 04/12/2001

Amount: \$157

Eviction: NO

Filing 1

Filing Number: 2001C000056

Filing Type: CIVIL JUDGMENT

Filing Court: LA PLATA COUNTY COURT

Filing County: LA PLATA

Filing Office: CO

Nexis News Search: The Durango Herald (Colorado)

March 18, 2017 Saturday

Southern Ute members rail against leadership; Petitions seek distribution of funds, ouster of tribal leaders

BYLINE: Shane Benjamin, HERALD STAFF WRITER

SECTION: LOCAL NEWS

LENGTH: 2117 words

IGNACIO – Members of the Southern Ute Indian Tribe in Southwest Colorado say their tribal government operates in secrecy, ignores the will of its people and subverts its own constitution.

Much of the angst arises from the Tribal Council's unwillingness to distribute 100 percent of a \$126 million settlement to its approximately 1,500 enrolled members. The tribe has

Royalty Policy Committee –Tribes (Primary)

distributed 60 percent of the funds, but some members are demanding the remaining 40 percent.

Tribal members are circulating two petitions: One seeks distribution of the remaining funds, and the other seeks to recall Tribal Chairman Clement Frost and four of the six Tribal Council members. (Two council members – Kevin Frost and **Adam Red** – have been on the council for less than six months, and therefore cannot be recalled.)

The rift has exposed a longstanding mistrust between some tribal members and their government, which they **accuse** of using intimidation and bullying tactics to silence and oppress members.

"We've always operated in secrecy, and I don't know where that comes from," said Arline Millich, who is fighting for the remaining settlement funds. "I want to be able to know what's going on in the tribe. I want to know how much money we have. I want to know how much is being spent and for what. I think there's a lot of misuse, and when you don't let people know, then you become suspicious."

The tribe holds assets worth more than a billion dollars, yet it discloses little about its financial dealings, including who it employs, how much it pays, and basic revenue and expense reports, members said.

Tribal officials say information relevant to the community is posted on the tribe's website, broadcast on KSUT-FM or published in The Southern Ute Drum, the tribe's newspaper. More sensitive information is available to members upon request. They don't want certain information distributed outside the reservation for a variety of reasons, including members' safety, said Lindsay Box, communications specialist for the tribe.

"You're dealing with a lot of big numbers that have potential to cause safety concerns for some of the tribal members living on or off reservation," Box said. "Along with money comes a lot of other things that are harmful to individuals and to our society."

It is that nanny-state mentality that some tribal members seek to upend. It is easy to acquire information online about people and their affairs, they said, and America seems to function fine while conducting its business in public.

"You can't safeguard us all our lives," Millich said.

A sovereign nation and corporate playerThe Southern Ute Indian Tribe is a sovereign nation and business powerhouse in the Four Corners. It is the largest employer in La Plata County, with 1,220 jobs in government, the casino and its business interests, according to Region 9 Economic Development District of Southwest Colorado.

The checkerboard reservation covers more than 1,000 square miles along the southern portion of La Plata and Archuleta counties, just north of the New Mexico line. According to the most recent Census estimates, 13,173 people live on the reservation, but most are non-native; the tribe has about 1,500 members, many of whom live outside reservation boundaries.

The tribe is governed by a seven-member council, including the chairman, elected by the membership to three-year terms. The government oversees a number of departments and services, including education, law enforcement, judicial services, parks and recreation, and social services.

Royalty Policy Committee –Tribes (Primary)

The tribe also controls a major financial branch, the Southern Ute Growth Fund, which oversees a portfolio of companies and investments in energy, real estate, construction and private equity. Operations and assets are spread over 14 states and the Gulf of Mexico.

It is rare for tribal members to air their grievances publicly, but five members met last week with The Durango Herald, saying tribal government is acting undemocratically and crushing the will of its members.

In a sign of how tense things have become, members who met with the Herald scrambled moments before the meeting to ensure they were on solid legal footing to invite a reporter onto the reservation. And Tribal Council sent a communications specialist to listen and take notes. Those who spoke said most tribal members are unwilling to speak publicly for fear of retribution, including getting "blackballed" or being denied future employment with the tribe.

"We have a right to the freedom of speech living in this nation, and we have a right to oppose the views of our government," said Yvonne Davis, a tribal member who signed the petition seeking funds. "We have a right to utilize the Constitution that was put in place for this tribe, to use our freedom of our voice. That freedom has been halted, it's been put aside, it's been betrayed and we need to stick together, unite and start standing up for ourselves and quit being fearful.

"Leaders who are true leaders do not intimidate, do not bully, do not coerce, do not oppress," she said. "They talk to their people, they find out what the problems are and they try to resolve the issues. I do not see that happening here."

More money, more problems. The Southern Ute Indian Tribe received a \$126 million settlement in September to resolve a lawsuit accusing the federal government of mismanaging monetary assets and natural resources held in trust by the United States for the benefit of the tribe dating to the late 1800s.

Dozens of other tribes filed similar lawsuits, known as the Sisseton lawsuits, that alleged improper record-keeping, incorrect interest rates and other historic claims related to mismanagement of Indian resources.

The federal government will pay about a billion dollars to tribes to resolve the lawsuits and wipe the slate clean.

As sovereign governments, tribes can use the money as they see fit.

The Southern Ute Indian Tribe distributed 60 percent of the settlement after lawyer fees to its members late last year. Some members used the thousands of dollars they received to buy a new car, pay off a house or funnel it into a business, according to interviews.

Tribal Council has suggested it would use the remaining 40 percent to pay for a laundry list of services and programs, including health care, education, housing, employment, new investment opportunities, financial literacy, economic development, repairs to an irrigation project, enhancing museum and cultural resources, records management, youth services and recreation.

But some tribal members say the tribe already funds those services, and they fear the money will go into the tribe's huge budget with no accountability for how it is spent.

Royalty Policy Committee –Tribes (Primary)

What's more, they question the tribe's fiduciary decision-making. The tribe has hundreds of employees, a cadre of lawyers and generous services for a tribe of 1,500 members, said those who spoke to the Herald.

"A lot of tribal departments overspend," said Judy Lansing, a tribal elder collecting signatures for the recall. "If somebody went in there and did an audit, you could see a lot of waste, a lot of things they use for nothing."

Distribution of the remaining settlement funds could make a real difference in the lives of Southern Ute members, especially those living off the reservation, said Dedra White, who is collecting signatures for the referendum petition.

"This money can help their life; this money can help their endeavors," White said. "In this petition, there's a lot of dreams, homes, people that bought some businesses."

Petition deemed invalid Tribal members submitted a petition Feb. 13 with 218 valid signatures requesting full distribution of the Sisseton funds. A tentative election date was set, but after discussing the petition Feb. 20, the Tribal Council canceled it, saying the petition was invalid because it didn't call for an up or down vote on an existing or proposed resolution/ordinance before the council. "Council has neither enacted nor proposed any resolution or ordinance appropriating or distributing the funds," the Tribal Council wrote in a March 3 letter in the Drum. "Rather, the petition attempts to legislate how Tribal funds are spent, and those are powers that are exclusively reserved for Tribal Council as stated in the Constitution."

Also, the petition addressed more than one "particular issue," a violation of tribal election code, in part because it creates voter confusion, the council said.

Tribal members last week submitted a new petition limited to one topic.

"Tribal Council has the commitment to ensure that any petition for referendum is constitutionally valid," the communications specialist wrote in an email to the Herald.

Tribal Council is a stickler for the rules on the petition; yet it may have violated its own code by failing to act on the petition within three days, Davis said. She's frustrated by the hypocrisy.

"I feel like a circus animal on a drum, and they're going, 'Here, jump through the fiery hoop,' and I'm going, 'Here I go.' You know what, I'm going to keep coming back like a deer fly," she said. "I'm not going to go away. This is not going to go away. We are going to continue on because it is our right to do so."

It took only five days to collect 218 valid signatures; they needed 185 signatures – or 20 percent of registered tribal voters.

With four votes, Tribal Council could call an election and let members decide on the funds' distribution, White said. Or councilors could vote to distribute the remaining funds without an election, in accordance with the will of the people, she said. Instead, members were made to start a new petition – and those involved question whether Tribal Council will ever let it go to a vote.

The tribal government was vague when asked how it would use the remaining Sisseton funds.

Royalty Policy Committee –Tribes (Primary)

"The settlement addressed decades of damages at the hand of the federal government," Box wrote in her email. "Tribal Council has sole discretion of how best to appropriate those tribal funds. This weighty decision is not made hastily; rather, Tribal Council is reflecting on the possible ways to repair those damages while honoring how previous leaders made comparable decisions throughout tribal history."

Lillian Seibel, a tribal elder who served on the council from 1980 to 1995, said she has heard much support for 100 percent distribution, including from tribal elders, and in a survey of tribal members. But Tribal Council, she said, hasn't honored people's wishes or explained its rationale for keeping the funds.

It didn't used to be that way, she said.

"In the beginning, I didn't want to sign the referendum," Seibel said. "But then as I listened and witnessed a lot of things going on. I said, Tribal Council has to be accountable and transparent. If they ask the people what do they want, and they get responses from the people, then they should honor that. Those are the people that put them in office."

When asked to respond to members' concerns about tribal leadership's openness, willingness to listen and act democratically, the emailed response was: "Each of the Tribal Council members take an oath to uphold the Southern Ute Indian Tribe Constitution. They also truly believe that in their leadership role, they are tasked with making tough decisions, taking into consideration the comments from membership, but also are very aware that their decisions impact future generations and tribal resources."

'We live in this sick society' The Southern Ute Indian Tribe became wealthy thanks to its vast coal-bed methane and natural gas resources, followed by successful investments in real estate and oil drilling around the country.

Some people may think the Southern Utes are being greedy by demanding the remaining settlement funds, said Millich, who signed the petition. But there's something "sick" about a society where information doesn't flow freely, creating suspicion and paranoia toward the government, she said.

"We live in this sick society," she said.

As a sovereign nation, the tribe isn't required to adhere to state and federal open-record laws.

"People think we really have it great here, but I've lived on this reservation many years, and I'll tell you, it hasn't always been great," Millich said. "We're a very unhealthy reservation when you put all kinds of censors on a group of people. We have to start looking at a better way of life."

Some tribal members will object those speaking out about the business of tribal government, she said, but information needs to be shared – and the tribal government hasn't been doing it.

"What I really don't like is we always hear things by gossip," she said. "I guess I don't like gossip, and I don't trust it."

Google Search: <https://www.linkedin.com/in/adam-red-081998122/>;

<http://www.sudrum.com/tag/adam-red/>;

Royalty Policy Committee – Tribes (Primary)

<https://www.southernute-nsn.gov/government/tribal-council/>

Associations and Affiliations Search:

<http://www.sudrum.com/top-stories/2017/03/31/utes-return-to-denver-for-ccia-tri-ute/>

Royalty Policy Committee –Tribes (Primary)

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DOB: (b) (6)

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Nexis ID: (b) (6)

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House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens:

OKLAHOMA JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Filing Information

Original Filing Number: 282705920

Filing Date: 04/18/2016

Amount: \$7,614

Release Date: 06/21/2016

Filing 1

Filing Number: 282705920

Filing Type: STATE TAX WARRANT RELEASE

Filing Court: OSAGE COUNTY CLERK

Filing County: OSAGE

Filing Office: OK

OKLAHOMA JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

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Name: WALLER, EVERETT M

SSN: (b) (6)

Address: (b) (6)
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OSAGE COUNTY

Debtor 2

Name: WALLER, MARIAN H

SSN: (b) (6)

Royalty Policy Committee – Tribes (Primary)

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OSAGE COUNTY

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OSAGE COUNTY

Creditor Information

Creditor 1

Name: STATE OF OKLAHOMA

Creditor 2

Name: STATE OF OKLAHOMA

Filing Information

Filing Date: 04/18/2016

Amount: \$7,614

Filing 1

Filing Number: 282705920

Filing Type: STATE TAX WARRANT

Filing Court: OSAGE COUNTY CLERK

Filing County: OSAGE

Filing Office: OK

OKLAHOMA JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

Debtor 1

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Address: (b) (6)
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OSAGE COUNTY

Creditor Information

Name: STATE OF OKLAHOMA

Royalty Policy Committee –Tribes (Primary)

Filing Information

Filing Date: 04/29/2015

Amount: \$2,152

Filing 1

Filing Number: 1201209344

Filing Type: STATE TAX WARRANT

Filing Court: OSAGE COUNTY CLERK

Filing County: OSAGE

Nexis News Search:

Ethics complaint filed against OMC

BYLINE: Mike Erwin, JOURNAL-CAPITAL

SECTION: NEWS

LENGTH: 764 words

An ethics complaint has been filed in Osage Nation Trial Court alleging that members of the Osage Minerals Council have failed to submit sworn affidavits listing gifts they received during past fiscal years.

The tribal action was brought Jan. 20 on behalf of the Osage Nation. It seeks a declaratory judgment ordering Minerals Council members to abide by the tribe's ethics law and to provide the annual reports that are being requested. Osage Nation Attorney General Jeff Jones brought the tribal actions "to determine whether Osage Nation law, specifically the Osage Nation Ethics law, applies to the Osage Minerals Council," court documents state.

Formerly known as the Osage Tribal Council, the Minerals Council (or OMC) is described by the Constitution of the Osage Nation as being "an independent management agency entrusted with administering and developing the Osage Mineral Estate," in accordance with the Osage Allotment Act of 1906, as amended.

Eight OMC members are elected by the tribe's royalty interest shareholders — also referred to as Osage headrights shareholders. The Minerals Council is comprised of "members of the Osage Nation who are entitled to receive mineral royalty income from the Osage Mineral Estate, as provided by federal law," according to ON Consitution.

The Osage Constitution further states that the Minerals Council "shall have the power to consider and approve leases and to propose other forms of development of the Osage Mineral Estate." Included in the Osage Mineral Estate are all tribally-owned oil and gas found in Osage County, which was created by pre-Oklahoma statehood agreements to be contiguous with the former Osage Reservation.

Current members of the Minerals Council are **Everett Waller**, Talee Redcorn, Stephanie Erwin, Joseph Cheshewalla, Cynthia Boone, Kathryn Red Corn, Galen Crum and Andrew Yates. On the same day the **ethics** complaint was made, Jones filed his official Attorney General Opinion in response to a question brought by Osage Nation Principal Chief Geoffrey Standing

Royalty Policy Committee –Tribes (Primary)

Bear. The Chief requested the AG's opinion on a matter related to leases and other development activity approved by the Minerals Council.

"You ask whether a lease or other development document approved and executed by the Minerals Council is valid if it was never sent to the Office of the Principal Chief to exercise your Constitutional prerogative to determine if the lease or development activity violates Osage law or regulation?," the Attorney General filing states. "You ask if the existence of this language places a duty on the Minerals Council to transmit a lease or other development activity document to the Office of the Principal Chief to trigger the five (5) day rule."

Jones' answer is that, according to the ON Constitution, any such lease or development document "shall be deemed approved" unless the principal chief objects within five working days.

"The five day deadline begins to toll after the Minerals Council executes a document, whether or not the document is ever sent to the office of the Principal Chief," the Attorney General states in his so-called "short answer."

Jones notes that framers of the Osage Constitution chose different language to describe how bills are sent from the Osage Congress to be approved by the chief. Whereas the section of the constitution dealing with ON Congress states that every bill "shall be presented to the Principal Chief." The AG opinion further states: "The same duty on the Minerals Council to present the lease or development activity document to the Principal Chief for his approval cannot be inferred by absence of that same language" in the Article of the Constitution that deals with the approval of leases by the Minerals Council's automatic approval of these leases under the five-day rule "when the framers clearly knew how to create this duty with plain language."

"Therefore, the Minerals Council is not constitutionally mandated to present the lease or development activity document to the Principal Chief in order for the lease to be valid."

In conclusion, the AG's opinion is that all leases approved and executed by the Minerals Council are deemed approved after five working days, unless the Minerals Council receives an objection from the Principal Chief stating that the lease or development activity violates Osage law or regulation." It adds that the Constitutional language places "no affirmative duty on the Minerals Council to present the lease or development activity document to the Office of the Principal Chief in order to toll the five working day deadline."

Google Search: <http://journalrecord.com/tag/everett-waller/;>

<https://www.linkedin.com/in/everett-waller-86b558124/;>

<http://nativenewsonline.net/currents/osage-minerals-council-receives-injunction-against-u-s-barring-federal-oil-gas-regulations/;>

<http://docs.house.gov/meetings/AP/AP06/20160318/104633/HHRG-114-AP06-Wstate-BooneC-20160318.pdf>

Associations and Affiliations Search: <https://www.osagenation-nsn.gov/who-we-are/minerals-council>

<http://www.osagenews.org/en/article/2014/08/06/osage-minerals-council-names-everett-waller-chairman/>

Royalty Policy Committee – Tribes (Alternates)

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records:

New Mexico Court Report

Offender information

Name: BECKER, BIDAHA N

Address: NM

Case Number: M-35-TR-200502690

Case Filing Date: 07/08/2005

DOB: (b) (6)

SSN: (b) (6)

Offenses

Case Filing Date: 07/08/2005

Number Counts: 1

Offense Date: 07/01/2005

Court Description: GALLUP MAGISTRATE

Court Case Number: M-35-TR-200502690

Court Offense: SPEEDING (11-15 OVER LIMIT) RH

Court Plea: GUILTY

Court Statute: 66-7-301 (2) RH

Court Disposition: CRB: GUILTY/NO CONTEST PLEA

Court Disposition Date: 08/01/2005

Court Level/Degree: MISDEMEANOR

Civil & Criminal Filings and Regulatory Actions: * THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY *** Copyright © 2016 CourtLink Corporation**

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
(Santa Fe)

Zuni River Basin Adjudication: Subproceeding 1, Zuni Indian Claims

Royalty Policy Committee – Tribes (Alternates)

PLAINTIFF: Zuni Indian Tribe;
United States of America

DEFENDANT: William G. Stripp;
Western New Mexico Water Preservation Association;
Trustee Joseph W. Schepps;
Trust Q Under the Last Will and Testament of Peggy A. Yates,
Deceased (Terminated 9/10/2013);
Tampico Springs 3000 LLC;
Sharron J Dishongh;
Sage G. Merrill;
Ronald Porath;
Robert W. & Linda A. Ionta Revocable Trust;
Robert W Ionta;
Robert R Wallace;
Robert R Heine;
Robert John Schafer;
Robert J Wallace;
Ramah Water and Sanitation District;
Ramah Land & Irrigation Company;
Priscilla M. Schulte;
Paul Wolf Jr;
Paul Petranto;
Paul Davis Survivors Trust Dated July 28, 2003;
Pamela Davis;
ORC, LLC;
New Mexico, State of;
Navajo Nation;
Michael W Zinn;
Michael Edward Kirk;
Max Garcia;
Marzella Porath;
Lucy Kluckhohn Jones;
Linda A Ionta;
Kristeen Davis;
John A. Yates (Terminated 9/10/2013);
Joanne C Snowdon;
Joann V Davis Residual Trust Dated July 28, 2003;
Jaralosa Cattle Company, LLC;
Intervenor Yates Petroleum Corporation (Terminated 9/10/2013);
H.C. Johnson;
Edward J Bawolek;
Donnie Ray Bogart Lambden;
Broe Land Acquisitions III, LLC;
Billie Navarre Revocable Trust;
Anita Davis Schafer

Special Master: Special Master Vickie L. Gabin (Terminated 6/8/2011)

DOCKET CASE NUMBER: 6:07cv681

Royalty Policy Committee – Tribes (Alternates)

OTHER DOCKET CASE NUMBER: 6:01cv00072
1:12cv01298

FILING DATE: 7/17/2007

JURISDICTION: U.S. Government Plaintiff

JUDGE: District Judge Martha Vazquez

REFERRED TO: Magistrate Judge William P Lynch

NATURE OF SUIT: 290 Real Property

FILING TYPE: Civil

CAUSE: Constitutionality of State Statute(s) [28 USC 2201](#)

JURY DEMAND: Plaintiff

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THE COURT UPDATED THIS RECORD ON: 12/19/2016 12:00:00 AM

Judgments and Liens: None

Nexis News Search: Targeted News Service

January 12, 2016 Tuesday 10:50 PM EST

Navajo Yes Announces 2016 Navajo Parks Race Series for the Dine Nation

BYLINE: Targeted News Service

LENGTH: 516 words

DATELINE: WINDOW ROCK, Ariz.

The Navajo Nation, a federally-recognized Native American tribe, issued the following news release:

On Friday, Jan. 8, at the Navajo Nation Museum, the Office of the President and Vice President (OPVP) and members of both the Division of Natural Resources and Navajo Parks and Recreation announced the schedule and locations of the 2016 Navajo Parks Race Series - Dine Nation.

"The Navajo Nation has some of the most beautiful landscapes on the face of the earth," said President Russell Begaye. "In promoting healthier lifestyles, let's also embrace our landscapes by getting out there to enjoy what we've been blessed with."

Royalty Policy Committee – Tribes (Alternates)

As announced by Tom Riggerbach, Executive Director for Navajo Yes, the Dine Nation Race Series schedule will run as follows:

- * Little Colorado River Gorge Half-Marathon, February 6
- * Shiprock Marathon, Half, Relay and Kids Marathon, May 6-7
- * Asaayi Mountain Runs, August 20
- * Navajo Code Talker 29K and 10K, September 11
- * Rainbow Bridge Trail Marathon and Ultra, October 29
- * Monument Valley Marathon, Half and Kids Run, November 19 ? Navajo Quad Keyah Marathons, Half and Kids Run, December 8-11

One notable addition to this year's schedule is the last race in the series. The Navajo Quad Keyah Marathons are four marathons run in succession over four days encompassing each of the Four Corners states. This monumental finale to the series will truly push the boundaries of a runner's endurance and stamina.

Beyond organizing the race series, Riggerbach participated in many of the 2015 races alongside Vice President Nez and the staff of OPVP and other affiliated departments. Riggerbach noted that Vice President Nez has committed to run the Navajo Quad Keyah Marathons.

OPVP's participation is exemplary of the Begaye-Nez Administration's commitment to supporting healthy, active lifestyles and wellness for the Navajo people.

"We are gathered here to celebrate the Race Series but also to promote the development of trails for running, walking and equestrian purposes," said Vice President Nez.

In supporting wellness, Vice President Nez said the administration is working on implementing a Navajo Nation Employee Wellness Policy by which Navajo Nation employees would be granted thirty minutes to an hour a day for the purposes of exercising. The Vice President said this policy is in the final stages of development and is expected to be implemented by summer.

"Studies show that exercising helps with employee productivity and also reduces healthcare costs to an organization," he said. "Together we need to fight the monsters of obesity and diabetes."

Director of Natural Resources, **Bidtah Becker** said she was honored to support the Navajo Race Series through the departments her division oversees like Navajo Parks and Recreation.

"We want to expose people to the beautiful landscapes that our ancestors fought for," she said. "We also are excited to support the youth in encouraging healthy active **lifestyles**." For more information on the Navajo Parks Race Series, please visit www.navajoyes.org

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LANGUAGE: ENGLISH

Royalty Policy Committee – Tribes (Alternates)

PUBLICATION-TYPE: Newswire

SUBJECT: MARATHONS (92%); PARKS & PLAYGROUNDS (90%); INDIGENOUS PEOPLES (90%); NATIVE AMERICANS (78%); MUSEUMS & GALLERIES (78%); EXECUTIVES (77%); MOUNTAINS (76%); PREVENTION & WELLNESS (75%); ASSOCIATIONS & ORGANIZATIONS (72%); OBESITY (62%); DIABETES (50%)

COUNTRY: UNITED STATES (92%)

LOAD-DATE: January 14, 2016

The Gallup Independent (New Mexico)

August 12, 2015 Wednesday

Water rights teach-in to be held in St. Michaels

BYLINE: Marley Shebala navajo1@gallupindependent.com, DIN É BUREAU

SECTION: NEWS; Pg. 6

LENGTH: 687 words

DATELINE: WINDOW ROCK

WINDOW ROCK — A group of young Diné women and men are having a “teach-in” Thursday to develop and enforce a water rights negotiation process that respects “free, prior and informed consent.”

Community organizers Collen Cooley and Janene Yazzie, who co-organized “To’Bei Nihi Dził (Water Is Our Power), A People’s Teach-In Addressing Community Empowerment, Our Homeland, Water Security and Sovereignty,” said that they hear people calling for the people to unite to develop a movement for Diné water, Diné land and Diné democratic control over Diné local resources.

Cooley and Yazzie said their message is: “Help us claim, capture, use, conserve and protect our precious water

resources so that they are abundant, clean and available for all the current and future needs of our people and homelands.”

They emphasized that it’s up to the Diné people to continue to create and strengthen the Diné way of life, which is the strength of the Diné people, instead of weakening Diné traditions because of misplaced power that the Diné people give to their tribal government.

“Our land, our Mother, is scared,” Cooley said. “We will no longer stand by as she is being pillaged and raped, and as our water, homelands and environmental quality rights are being ripped from us by a few politicians in Window Rock, who actually facilitate the theft of our land and resources to benefit outside corporations and non-Diné societies.”

New solutions

Royalty Policy Committee – Tribes (Alternates)

Yazzie added, “We, the people, are committed to developing new solutions to the continuing problems caused by colonization and its effects on Diné people and our life way.”

They urged the Diné people to remember the collective strength they showed to oppose the now defunct Senate Bill 2109 and House Bill 4067, which contained the Navajo-Hopi Little Colorado River Water Rights Settlement.

Cooley noted that S.B. 2109 and H.R. 4067, which Arizona Sens. John McCain and Jon Kyle and Rep. Ben Quayle sponsored and tribal Justice Department attorneys Stanley Pollack, Katherine Hoover, Scott McElroy, **Biddah Becker** and others supported, waived Diné reserved water rights to every single drop of the Little Colorado River and waived any claims for injury to water quality.

“The recent and near **criminal** negligence that has polluted the Animas River should teach us once and for all how dangerous a waiver like that is when it comes to protecting our sacred watersheds and the health of our people,” Yazzie said.

And those are only a couple of reasons for the To’Bei Nihi Dziil teach-in, they said.

Lessons learned

Cooley said, “We will talk about lessons that need to be learned from the recent Gold King Mine Animas River spill, the continued legacy of Cold War uranium mining and milling, the Chuska fire, the historic drought, climate change, Navajo Generating Station, Peabody Coal’s role in the Navajo and Hopi land dispute, our betrayed water rights and the injustices of closed-door negotiations that favor outside interests over the health and well-being of Nahasdzáán Nihimá dóó Yadihlil Nihita (Mother Earth and Father Sky), and our people.”

Yazzie added, “We will also discuss pathways to solutions that will help us to adapt, as we have always done as a people, by creating real self-determination and exercising real sovereignty — the power of which comes from the people and not politicians acting in our supposed best interests.

“Let’s come together and build real water security by protecting, conserving and respectfully using our Tó (water) for our ecosystems, our soils, our food and our economy,” she urged. “Let’s come together to maximize our rights and the rights of all sacred life that make up our homelands.”

Cooley said, “We must, like our ancestors before us, fight for our rights to live a free and healthy life by protecting our ancestral territories and sacred sites to ensure the well-being of our next seven generations and beyond.”

The people’s To’Bei Nihi Dziil teach-in is from 10 a.m. to 3 p.m. Thursday at the St. Michaels Chapter House. Information: Colleen Cooley, 928-637-3221,

(b) (6) [@gmail.com](#) and **(b) (6)** [@gmail.com](#)
Janene Yazzie, 917-636-2392, **(b) (6)** [@gmail.com](#)

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: WATER RIGHTS (90%); INDIGENOUS PEOPLES LANDS & GOVERNMENT (77%); LAW ENFORCEMENT (77%); AQUIFERS & WATERSHEDS (77%); POLITICS (74%); NATIVE AMERICANS (73%); COMMUNITY ACTIVISM (72%); WATER CRISES & SHORTAGES (72%); LEGISLATIVE BODIES (70%); NEGLIGENCE (68%); LEGISLATION (66%); JUSTICE

Royalty Policy Committee – Tribes (Alternates)

DEPARTMENTS (65%); ENVIRONMENT & NATURAL RESOURCES (64%)

PERSON: BEN QUAYLE (53%); JOHN MCCAIN (53%)

STATE: ARIZONA, USA (79%)

COUNTRY: UNITED STATES (79%)

LOAD-DATE: August 13, 2015

Targeted News Service

May 22, 2015 Friday 11:46 PM EST

Navajo Nation Minerals Audit Program Receives Coveted Award Recognizing Superior Audit & Investigative Performance

BYLINE: Targeted News Service

LENGTH: 942 words

DATELINE: WINDOW ROCK, Ariz.

The Navajo Nation, a federally-recognized Native American tribe, issued the following news release from Division of Natural Resources:

Demonstrating excellence in audit and investigative activities to ensure the collection of every dollar due to the Navajo Nation.

That's how the U.S. Department of the Interior, Office of Natural Resources Revenue (ONRR), described the Navajo Nation Minerals Audit Program, which is a program under the Minerals Department that was created to conduct audits and investigations of financial obligations due to the Navajo Nation under mineral leases located on tribal trust lands.

In recognition for the Navajo Nation's outstanding audit and investigative performance, ONRR awarded the Navajo Nation with the Joan Kilgore Award. The Joan Kilgore Award is named in honor of Joan Kilgore, who was a staunch advocate for Indian royalty issues. ONRR based the award on the Navajo Nation's active participation in royalty collection and compliance activities and contributions to ongoing initiatives undertaken in partnership with ONRR.

ONRR Director Greg Gould stated, "We congratulate the Navajo Nation for working closely with ONRR and for developing a strong and robust royalty compliance program." He added, "In testament to your professionalism and commitment to excellence, the Navajo Nation received a top ranking on the 2014 peer review."

The peer review was conducted late in 2013 by Williams, Adley & Company, a CPA firm based in Washington, D.C. The peer review examined audits performed by the Navajo Nation's Minerals Audit Program. Under the peer review process, an audit organization can

Royalty Policy Committee – Tribes (Alternates)

receive a rating of pass, pass with deficiencies or fail. The Navajo Nation's Minerals Audit Program received a rating of pass, which is the highest rating that can be received.

ONRR Director Greg Gould noted the Navajo Nation also received a top ranking in the annual attestation engagement, adding that the Navajo Nation "has demonstrated a commitment to excellence and a spirit of cooperation that is critical to the success of ONRR."

Erik Tsosie, a Senior Minerals Auditor with the Navajo Nation, described the dedication of the audit program's staff, "We often come to work early, and leave late in the evening." He added, "Auditing is hard work, but we are dedicated to verifying that the extractive industries on the Navajo Nation fully comply with all federal laws, regulations, and lease terms, and pay what they are required to pay to the Navajo Nation."

In closing, ONRR Director Greg Gould thanked the Navajo Nation for the tribe's efforts to ensure that the Navajo Nation receives the full return of royalties due. He added, "The Navajo Nation is truly a leader among ONRR's state and tribal partners."

Navajo Nation Division of Natural Resources Executive Director **Biddah Becker**, stated, "I would like to congratulate all the Navajo Nation Minerals **Audit** Program staff for their steadfast dedication and commitment. As a result of their efforts, the Navajo Nation has one of the best royalty compliance programs in the country. Their work truly benefits the Navajo people and the Navajo Nation."

Navajo Nation Minerals Department Director Akhtar Zaman, emphasized the importance of the audit function, which provides assurance to the Navajo Nation about the accuracy of revenues derived from the tribe's vast mineral resources.

According to Zaman, the Navajo Nation is one of only a handful of tribes across the United States that performs its own audits of royalties and other financial obligations derived from mineral leases. He explained, "It's a testament to the Navajo Nation's resolve for self-determination and control over its mineral producing assets."

In support of continued collaboration between the Navajo Nation and ONRR, Brian Bex, a Minerals Auditor with the Navajo Nation, will be joining ONRR for a two-year period under the agency's Intergovernmental Personnel Act Fellowship Program. Participants in the program develop additional audit and compliance experience and gain special knowledge related to minerals asset valuation and enforcement.

The origin of the Navajo Nation's Minerals Audit Program can be traced to the Federal Oil and Gas Royalty Management Act of 1982. Sections 202 and 205 of the Act provides the authority for tribes and states to enter into cooperative agreements or delegations with the Secretary of the Interior to conduct audits and investigations of mineral leases.

The Navajo Nation entered into its first cooperative agreement in 1984. The Navajo Nation is one of a small number of tribes and states that are currently performing audits and compliance reviews under agreements with the U.S. Department of the Interior, Office of Natural Resources Revenue.

The Minerals Audit Program is led by Rowena Cheromiah who is the Principal Investigator under the cooperative agreement and Marlene Nakai, Minerals Audit Manager. Both have provided decades of service to the Navajo Nation in support of the tribe's minerals management function through audit and compliance related activities.

Royalty Policy Committee – Tribes (Alternates)

The Navajo Nation Minerals Audit Program performs audit and investigation of mineral royalty payments and other lease-level obligations to the Navajo Nation including bonuses, water usage fees, scholarship payments, and all other financial obligations that are specifically required under Navajo Nation oil, gas, and solid minerals leases and agreements.

The audits are performed in accordance with the Generally Accepted Government Auditing Standards promulgated by the Comptroller General of the United States.

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LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

SUBJECT: INDIGENOUS PEOPLES (90%); NATIVE AMERICANS (90%); AUDITS (90%); ACCOUNTING (89%); US FEDERAL GOVERNMENT (89%); NATURAL RESOURCES (89%); REGULATORY COMPLIANCE (78%); MINERAL LEASES (76%); MINERAL ROYALTIES (76%); ROYALTIES (76%); MINING & EXTRACTION RIGHTS & ROYALTIES (76%); ACCOUNTING & AUDITING FIRMS (73%); EXECUTIVES (72%); RANKINGS (70%)

ORGANIZATION: US DEPARTMENT OF THE INTERIOR (58%)

STATE: DISTRICT OF COLUMBIA, USA (79%)

COUNTRY: UNITED STATES (94%)

LOAD-DATE: May 31, 2015

Google Search: <http://dnrnavajo.org/about/>

<https://www.linkedin.com/in/bidtah-becker-76bbb58/>;

<https://www.facebook.com/bidtah.becker>;

<https://twitter.com/BNBecker>;

<http://unm-tlj.tumblr.com/post/127577987911/interview-with-tlj-founder-bidtah-becker-on>;

Associations and Affiliations Search: <http://dnrnavajo.org/more-in-depth-contact-information/>

Royalty Policy Committee – Tribes (Alternates)

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Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:Oklahoma UCC Record

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Filing Information

Original Filing Number: 0819890

Original Filing Date: 09/08/1981

Filing Agency: OKLAHOMA CENTRAL FILING OFFICE/UCC DIVISION

Filing Agency Address: 3201 PARK AVE
OKLAHOMA CITY, OK 73119

Filing Type: CONTINUATION

Filing Number: 9867183

Filing Date: 08/05/1986

Vendor Entry Date: 06/10/1998

Vendor Update Date: 2002

Royalty Policy Committee – Tribes (Alternates)

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

Listed as defendant in his role as DOI Assistant Secretary Indian Affairs during the GW Bush Administration

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA
(Oklahoma City)

Brown et al v. Ridley et al

PLAINTIFF: Brown, Russell L;
Brown, Phyllis H

DEFENDANT: Williams, Bob;
Watson, Jerry;
Taylor, Bruce;
Poe & Associates;
Oklahoma State Department of Transportation Ex Rel State of
Oklahoma;
Oklahoma State Department of Transportation Board of
Commissioners;
McCaleb, Neal;
Martin, Michael J;
John Doe;
Jane Doe;
Jacoby, Steve;
Harns, Kurt;
Gary Ridley Individually and in His Capacity as Director of the
Oklahoma Department of Transportation;
Doe Company or State Agency;
Cinnabar Service Company;
Benham Group, The

DOCKET CASE NUMBER: 5:05cv1170

FILING DATE: 10/5/2005

JURISDICTION: Federal Question

JUDGE: Honorable Thompson, Ralph G

NATURE OF SUIT: 470 RICO

FILING TYPE: Civil

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Royalty Policy Committee – Tribes (Alternates)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(Fresno)

Greene v. McCaleb, et al

PLAINTIFF: Greene, Charles Anthony

DEFENDANT: Paul Yates Acting Field Representative Bureau of Indian Affairs
Talihina Agency;
Neal McCaleb Assistant Secretary Indian Affairs;
Curtis D Wilson Regional Director;
Brenda Hampton Director of Tribal Membership Choctaw Nation of
Oklahoma

DOCKET CASE NUMBER: 1:05cv555

FILING DATE: 4/21/2005

JURISDICTION: Federal Question

JUDGE: Wanger, Oliver W

REFERRED TO: Magistrate Judge Beck, Dennis L

NATURE OF SUIT: 440 Other Civil Rights

FILING TYPE: Civil

CAUSE: Civil Rights [42 USC 1981](#)

JURY DEMAND: Both

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

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THE COURT UPDATED THIS RECORD ON: 05/20/2005 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS
(Kansas City)

Miami Tribe OK v. USA, et al

Royalty Policy Committee – Tribes (Alternates)

PLAINTIFF: Oklahoma, Miami Tribe of

DEFENDANT: William G Myers Solicitor of United States Department of
Interior;
USA;

Roderick E Walston Solicitor of United States Department of
Interior;

Neal McCaleb Asst Secretary of the United States Department of
the Interior;

Gale Norton Secretary of the Department of Interior of United
States of America

DOCKET CASE NUMBER: 2:02cv2591

FILING DATE: 11/27/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Murguia, Carlos

REFERRED TO: Magistrate Judge O'Hara, James P

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Declaratory Judgement [28 USC 2201](#)

JURY DEMAND: None

STATUS: Case Closed

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Royalty Policy Committee – Tribes (Alternates)

THE COURT UPDATED THIS RECORD ON: 10/16/2006 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Felter Et Al V. Norton Et Al

PLAINTIFF: Oranna Bumgarner Felter;
JENS DALE CHRISTENSEN;
Calvin Hackford;
Alvin Richardson Denver

DEFENDANT: United States of America;
RALPH NORDWALL;
Neal McCaleb;
Gale Norton;
Chester Mills

Interested Party: EDWARD G. GARDNER

DOCKET CASE NUMBER: 1:02cv2156

OTHER DOCKET CASE NUMBER: USCA, 06-05092
U. S. Court of Appeals - DC Circuit, 10-05069

FILING DATE: 11/4/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Richard W. Roberts

NATURE OF SUIT: 440 Other Civil Rights

FILING TYPE: Civil

CAUSE: Indian Child Welfare Act [25 USC 1901](#)

JURY DEMAND: Plaintiff

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 08/05/2010 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Conf Tribes Warm V. Norton, Et Al

PLAINTIFF: Confederated Tribes of the Warm Springs Reservation of Oregon

DEFENDANT: Paul H. O'Neill;

P. LYNN SCARLETT;

Neal McCaleb;

Gale Norton (Terminated 5/1/2006)

DOCKET CASE NUMBER: 1:02cv2040

FILING DATE: 10/18/2002

JURISDICTION: U.S. Government Defendant

Royalty Policy Committee – Tribes (Alternates)

JUDGE: Chief Judge Royce C. Lamberth

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Administrative Procedure Act [05 USC 702](#)

JURY DEMAND: None

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

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THE COURT UPDATED THIS RECORD ON: 10/23/2006 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT SOUTH DAKOTA
(Central Division)

Sun Prairie, Et Al V. Mccaleb, Et Al

Royalty Policy Committee – Tribes (Alternates)

PLAINTIFF: SUN PRAIRIE;
Bell Farms LLP

DEFENDANT: Rosebud Sioux Tribe;
Neal McCaleb (Terminated 6/5/2003);
Gail Norton;
David Anderson;
AURENE MARTIN (Terminated 6/1/2004)

Intervenor Defendant South Dakota Peace and Justice Center;
Humane Farming Association;
George England;
Concerned Rosebud Area Citizens

Intervenor Plaintiff Cottonwood Knoll, LLC

DOCKET CASE NUMBER: 3:02cv3030

FILING DATE: 8/15/2002

JURISDICTION: Diversity

JUDGE: U.S. District Judge Roberto A. Lange

NATURE OF SUIT: 190 Other Contract

FILING TYPE: Civil

CAUSE: Fed. Question [28 USC 1331](#)

JURY DEMAND: None

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 04/07/2015 12:00:00 AM

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(Sacramento)

CA Valley Miwok v. USA, et al

PLAINTIFF: CA Valley Miwok Tribe Formerly Known as Sheep Ranch of Me-Wuk
Indians of California

DEFENDANT: USA;

Neal McCaleb Assistant Secretary of Interior for Indian Affairs;
Gail Norton Secretary of Interior;
Department of Interior

Royalty Policy Committee – Tribes (Alternates)

INTERVENOR: Yakima K Dixie Chief, Sheep Ranch Rancheria of Miwok Indians of
California Terminated: 01/21/2004

DOCKET CASE NUMBER: 2:02cv912

FILING DATE: 4/29/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Damrell, Frank C, Jr

REFERRED TO: Magistrate Judge Hollows, Gregory G

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Indian Tribal Rights [25 USC 640](#)

JURY DEMAND: None

STATUS: Case Closed

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Royalty Policy Committee – Tribes (Alternates)

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Chippewa Cree Tribe, Et Al V. Kempthorne, Et Al

PLAINTIFF: Chippewa Cree Tribe of the Rocky Boy's Reservation

DEFENDANT: Paul H. O'Neill;

Neal McCaleb;

Gale Norton (Terminated 7/21/2008);

DIRK A. KEMPTHORNE

DOCKET CASE NUMBER: 1:02cv276

OTHER DOCKET CASE NUMBER: 1:06cv01897

1:05cv02500

1:05cv02491

1:04cv01126

1:04cv00900

FILING DATE: 2/11/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Thomas F. Hogan

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Administrative Procedure Act [05 USC 702](#)

JURY DEMAND: Defendant

STATUS: Case Closed

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Harrison v. Norton, et al

PLAINTIFF: Harrison, Sheron L

DEFENDANT: **Neal McCaleb** Assistant Secretary of Interior;
Gale Ann Norton Secretary of the Interior

DOCKET CASE NUMBER: 1:01cv2188

FILING DATE: 10/19/2001

JURISDICTION: Federal Question

JUDGE: Kollar-Kotelly, Colleen

NATURE OF SUIT: 890 Other Statutory Actions

Royalty Policy Committee – Tribes (Alternates)

FILING TYPE: Civil

CAUSE: Federal Question: Other Civil Rights [28 USC 1331](#)

JURY DEMAND: Plaintiff

DEMAND: \$ 100,000

STATUS: Case Closed

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Taxpayers of Mi v. Norton, et al

PLAINTIFF: Taxpayers of Michigan Against Casinos A Michigan Non-Profit Corporation

DEFENDANT: Pokagon Band of Potawatomi Indians Intervenor;
New Buffalo Township A Township Within the State of Michigan
Intervenor;
Neal McCaleb Assistant Secretary of the United States Department
of the Interior;
James H McDivitt in His Official Capacity as Acting Assistant
Secretary of the United States Department of the Interior,
Bureau of Indian Affairs Terminated: 10/26/2001 (Terminated
10/26/2001);
Gale A Norton in Her Official Capacity as Secretary of the
United States Department of the Interior;
City of New Buffalo A City Within New Buffalo Township, Michigan
Intervenor

AMICUS: State of Michigan

Royalty Policy Committee – Tribes (Alternates)

DOCKET CASE NUMBER: 1:01cv398

FILING DATE: 2/21/2001

JURISDICTION: U.S. Government Defendant

JUDGE: Robertson, James

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Review of Agency Action-Environment [42 USC 4321](#)

JURY DEMAND: None

STATUS: Case Closed

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Cobell, Et Al V. Salazar , Et Al

PLAINTIFF: Thomas Maulson;

Penny Cleghorn;

Mildred Cleghorn (Terminated 12/21/2010);

Mary Aurelia Johns;

James Louis Larose;

Elouise Pepion Cobell;

Earl Old Person (Terminated 12/21/2010);

CLAYTON S. CREEK;

Charles Colombe;

Carol EVE Good Bear;

All Plaintiffs

DEFENDANT: U.S. Department of Interior (Terminated 12/21/2010);

Timothy F. Geithner;

Robert E. Rubin (Terminated 2/14/2000);

P. LYNN SCARLETT (Terminated 12/21/2010);

Neal McCaleb (Terminated 12/21/2010);

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Bruce Babbitt (Terminated 3/9/2001);
ADA E. DEER (Terminated 2/14/2000);
All Federal Defendants

Claimant: BLANCA MARIE GOMEZ

Interested Party: Verlita Sugar;
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Lori Villegas;
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Joel Hurford (Terminated 8/22/2007);
Dudley Janis;
Delarick Evans;
CLAYTON P. CROWE

Movant: United States of America;
Roberta McInerney;
Randall Lewis;
James Regan;
Eleni M. Constantine;
Department of Treasury;
Daniel Mazella

Special Master: Richard A. Levie;
Alan Lee Balaran (Terminated 4/6/2004)

DOCKET CASE NUMBER: 1:96cv1285

OTHER DOCKET CASE NUMBER: 14-05119

1:14mc01168
1:13cv01090
1:06cv02242
1:06cv02206
1:05cv02491
1:04cv01126
USCA, 17-05125
USCA, 17-05111
USCA, 12-05346
USCA, 11-05272
USCA, 11-05271

Royalty Policy Committee – Tribes (Alternates)

USCA, 11-05270
USCA, 11-05229
USCA, 11-05205
USCA, 11-05158
USCA, 08-05500
USCA, 05-05388
USCA, 05-05269
USCA, 05-05068
USCA, 04-05084
USCA, 03-05314
U. S. Court of Appeals - DC Circuit, 09-05430

FILING DATE: 6/10/1996

JURISDICTION: U.S. Government Defendant

JUDGE: Thomas F. Hogan

REFERRED TO: Magistrate Judge G. Michael Harvey

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Petition for Writ of Mandamus [28 USC 1361](#)

JURY DEMAND: None

STATUS: Case Closed

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Judgments and Liens:

OKLAHOMA JUDGMENT AND LIEN FILINGS

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Release Date: 12/30/1991

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Filing Number: 911830
Filing Type: FEDERAL TAX LIEN RELEASE
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Royalty Policy Committee – Tribes (Alternates)

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April 1, 2011

House Natural Resources Subcommittee on Indian and Alaska Native Affairs Hearing; "Tribal development of energy resources and the creation of energy jobs on Indian lands."; Testimony by Neal McCaleb, Member, Chickasaw Nation

SECTION: U.S. HOUSE OF REPRESENTATIVES DOCUMENTS

LENGTH: 1457 words

Good morning. My Name is Neal McCaleb and I want to thank you Chairman Young and Ranking Member Boren for the opportunity to testify before this committee on the subject of energy policy and the use of compressed natural gas (CNG) in Indian country as an alternative fuel for vehicles.

I represent the Chickasaw Nation as a member of the Tribe and serve as Chairman of the Board of Chickasaw Nation Industries, as a board member of its wholly owned bank and as an economic development advisor to Gov. Bill Anoatubby.

The Chickasaws are very environmentally sensitive as well as market driven in our business decisions. We have embarked on a program to migrate our fleet of 600 owned and leased vehicles to CNG fuel and have constructed our first operational public CNG fast fuel station at our fuel plaza in Ada, OK. We are planning to open several more public fast fuel CNG stations at our fuel plazas along I-35 and US 70 in southern Oklahoma.

We have been motivated to make these investments by our desire to provide leadership helping shape energy policy and enhance the national security by becoming less dependent on foreign oil. We respect the need to enhance air quality by reducing vehicle emissions using clean burning natural gas which reduces undesirable emissions including Nitrous Oxide- 60% reduction, Carbon Dioxide- 30%, Hydrcarbon-50% and particulate matter 90%. Natural Gas burns cleaner than any other energy source except electricity and if you count the carbon footprint to generate the steam powered electricity it burns as clean.

As responsible businessmen we are very interested in the economy of using CNG especially in today's market where low octane fuel is currently at between \$3.50 and \$4.00/ gallon. The cost of an equivalent gallon of CNG varies from \$0.75 to \$1.39 / gallon depending on the point and source of purchase. My personal experience in driving a CNG Chevy conversion for 20,000 miles is that my fuel costs are 3 1/2 cents per mile as compared to

Royalty Policy Committee – Tribes (Alternates)

\$0.21/ mile for a conventionally fueled car getting 16 miles / gallon at a fuel cost of \$3.50/gallon.

These facts coupled with the huge and expanding reserves of natural gas gives a dependable domestic source that will meet the energy needs of this country well into the next century.

The obvious question is "with all these advantages and benefits of CNG what is holding the nation back from a transition to this clean burning, dependable and economic fuel for vehicles?"

I will try an answer from the Chickasaw experience.

First is the supply and demand relationship to the availability of vehicles and fueling opportunities and the demand for the fuel from existing operators. Natural gas vehicles are the fastest growing alternatives to gasoline and diesel around the world- with over 12 million on the road. America has only about 110,000. Around the world, although every major car manufacturer offers natural gas models, currently there are no domestic original equipment manufacturers of CNG cars and until recently only one internationally. With a very limited number of vehicles on the road there is little demand for fueling stations that cost up to \$500,000 for one pump without any site development expenses. This is a classic "chicken or egg" conundrum. We can't get more vehicles on the road until there are convenient and reliable fuel stops and the fuel stops won't be developed until there is a demonstrable demand.

The Chickasaws decided to provide leadership by purchasing CNG vehicles and building a local CNG fuel plaza with no financial assistance from any one. Our first car purchase was a Honda Civic that has a "dedicated " engine meaning it burns only CNG. I personally operated this vehicle for a year with no small anxiety about running out of fuel between known fueling locations that I found sometimes were out of service. When you run out of CNG in a dedicated engine car your only option is to call a tow service and be transported to an available fueling site.

In light of the limited number of convenient fueling stops it is far better to have a car that can be powered by either unleaded gas or CNG known as "bi-fuel". There are no original-equipment-manufacturers that produce bi-fuel, natural gas vehicles in the US, and the only viable bi-fuel cars are conversions. We purchased five Chevy Impalas last year and had them converted to bi-fuel at a cost of \$10,000/ vehicle. We had to wait six months for the EPA to provide the necessary certifications for the make, model and year of the car to be converted. The reason there are no OEMs is that there has been no federal tax credits eligible for bi-fuel cars. There are for single source dedicated cars - but they expired on December 31, 2010. This makes no sense in our current environment of limited fueling opportunities. The more reasonable course for promoting CNG use is to have equal tax credits for both dedicated and bi- fuel cars as we do in under the Oklahoma tax code. Under these conditions there will be greater demand for the bi-fuel cars and subsequently more demand for new and convenient fuel stops.

Secondly the EPA certification process is designed to delay and confound the process of CNG conversions and needs to be streamlined and expedited so that when new models are available the certifications are as well. Under existing rules, each new make and model must be recertified annually as well as the conversion kits. According to Richard Kolodziej, President of NGV America, "currently, the EPA certification process for natural gas aftermarket conversion is cumbersome and unnecessarily costly."

Royalty Policy Committee – Tribes (Alternates)

Third, there is an inequitable treatment of tribes in the federal government's efforts to incentivize the use of alternative fuels, including CNG. Congress has established an Alternative Fuels Excise Tax Credit that provides a \$0.50/ gallon tax credit for sellers of qualifying alternative fuels. Tax-exempt entities such as states and local governments that dispense qualifying fuels from on-site fueling stations to vehicles are eligible for this tax credit. Tribal governments are not eligible. Mr. Chairman this is an issue that comes right to the point of today's hearing. As is so often the case in programs across the federal government, tribes are often simply overlooked and forgotten when legislation and implementing regulations are drafted. The Alternative Fuel Excise Tax Credit is one of the many expiring tax provisions that Congress takes up every year or two. This particular tax credit was last considered as a part of the compromise tax deal agreed to in December and is set to expire at the end of 2011. Simply inserting the phrase "and tribal governments" could rectify this inequity.

The Chickasaw Nation is struggling to be environmentally responsible, sensitive to national security and economically innovative in its energy policy but has been frustrated by national regulations affecting market driven opportunities.

A sound energy policy is one that is:

1. Coherent and viable (no nonsense)
2. Sustainable
3. Timely- can be applied here and now
4. Should help not harm the national economy and the environment

We believe that, at a micro level in the Chickasaw Nation that our policy of using clean burning natural gas meets these criteria and we are implementing it with great success that can be magnified with the implementation of these suggested changes in tax and regulatory controls. It can be of greater value at a national level using the same criteria if the regulatory obstacles are mitigated.

With this in mind, Mr. Chairman, I would like to commend Congressman Boren for his leadership last year in promoting the Natural Gas Act- which would have provided federal incentives for; natural gas vehicle purchase--both dedicated and bi-fuel; purchasing of natural gas fuel; and installing CNG fueling stations. It is my understanding that a similar NAT GAS Act will be introduced in the House shortly, which would also allow Indian tribes to be eligible for these incentives and we will be very supportive of that legislation.

In closing let me point out that almost half of our oil consumption goes for on-road transportation purposes, and last year, we imported about 60% of all the petroleum we used. If we only substituted natural gas for half of that use, we would cut our oil imports by two thirds. Natural gas is the only available option that could actually accomplish this. This is not a speculative policy as 30% of European autos are now fueled by CNG and these countries are importers of the fuel. Most importantly for today's hearing, many tribal areas in the US have extensive deposits of natural gas, and this energy policy will provide economic opportunities in Indian Country by increasing demand for natural gas.

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Royalty Policy Committee – Tribes (Alternates)

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Class Action Reporter

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INDIAN FUNDS: Outgoing Indian Affairs Director Disappointed

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Despite his good intentions, the outgoing Bureau of Indian Affairs (BIA) Director feels disappointed, Tulsa World reports. As assistant secretary of the Interior for Indian Affairs, Neal McCaleb had hoped to improve educational and economic development opportunities for the nation's 563 American Indian tribes. Instead, Mr. McCaleb spent most of his 18 months in office trying to fix the Interior Department's Indian trust fund system and unsuccessfully defending himself against accusations that his fixes did not come fast enough.

Mr. McCaleb is leaving his federal job on Friday as a casualty of the increasingly bitter six-year-old class action which alleges that the Interior Department has misplaced billions of dollars in royalties owed to the individual Indians. Mr. McCaleb is a former Oklahoma state legislator, director of the state Department of Transportation and Secretary of Transportation under Governors Henry Bellmon and Frank Keating.

"I knew the trust had to be fixed, but I did not know that (fixing it) would be to the exclusion of everything else," said Mr. McCaleb, 67, in a recent telephone interview. Tribal leaders said they admire Mr. McCaleb, a member of the Chickasaw Nation of Oklahoma, and that they are sorry to see him go. Many of the tribe's leaders have sat on an Interior-sponsored task force that failed to reach an agreement with the department on trust fund reform. "Neal, to his credit, worked with us as much as he was allowed to by the administration, but there was

Royalty Policy Committee – Tribes (Alternates)

a point that he could not go past," said Ernie Stensgar, a task force member and chairman of Idaho's Coeur d'Alene Tribe.

For more than 100 years, the Interior Department has collected money (royalties) on behalf of the Indians who own the land, from those who graze livestock, cut timber, mine, drill for oil and gas, and grow crops on Indian land. In 1996, Indians filed a lawsuit accusing the Bureau of Indian Affairs of mishandling their collected monies (or monies that should have been collected) for decades. The five lead plaintiffs say that for years BIA officials have not been able to answer account holders' basic questions, like who is leasing their land and what royalties are being paid.

Four months' after he was sworn in as BIA director, Mr. McCaleb was notified in November 2001, that the court was considering holding him in contempt, and the trial started the following month. On September 2002, US District Court Judge Royce C. Lamberth found Mr. McCaleb and his boss, Secretary of the Interior Department Gail Norton, in contempt for failing to reform the Indian trust fund system. During the past year, Mr. McCaleb and Ms. Norton's deputy secretary Steven Griles have met with task force members in nine sessions round the country, discussing with tribe leaders how to fix the systems. Some plans have evolved that might serve as component parts of fixes.

Mr. McCaleb has said that he is still interested in Indian country, but does not want to be the focus of litigation that he can't control and to which he cannot respond. Dennis Gingold, the plaintiffs' attorney, said that Mr. McCaleb should have told Judge Lamberth that while he was found responsible for the quarterly progress reports that the judge found to be inaccurate and misleading, the lawyers in the Interior Department would not allow him to do his job, that it was impossible for him to perform in the production of those reports. Then, said, Mr. Gingold, he would not have been found in contempt.

Mr. McCaleb, on still another matter, has said that he will not concede that the Interior Department lost billions of dollars going back more than 100 years. Just because the federal government cannot find all the records does not mean the money was not paid out, said Mr. McCaleb.

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Royalty Policy Committee – Tribes (Alternates)

Class Action Reporter

November 21, 2007

INDIAN FUNDS: McCaleb Charged With Deleting Records Suit

Court-appointed special master for the Indian funds lawsuit Alan Balaran said that former head of Indian affairs at the United States Interior Department Neal McCaleb broke federal law by deleting months of records related to the suit, the Austin American Statesman reports. The suit charges the government with losing billions of dollars in American Indians money.

Last December, Mr. McCaleb said in a deposition he didn't know he was supposed to be storing copies of his e-mail and he thought his assistant was doing it. Mr. Balaran refuted this, saying Mr. McCaleb's story is unbelievable, citing numerous written directives and pair of meetings in which Mr. McCaleb was instructed by Interior official to keep the electronic correspondence.

What began as an inquiry into a possible error in judgment resulted in the discovery that the most senior official of the Bureau of Indian Affairs violated court orders and federal law by destroying individual Indian trust records with impunity, Mr. Balaran wrote, according to the Austin American Statesman.

The documents in question relate to a 6-year-old class-action lawsuit on behalf of 350,000 Indian landowners which claims the government mismanaged as much as \$137 billion in oil, gas and timber royalties from Indian land since 1887. The documents include daily spreadsheets indicating payments from oil, gas and timber leases, the Austin American Statesman.

In response to the report, Interior Department spokesman Dan DuBray referred to a statement McCaleb made last October that the e-mail deletions were a mistake, and that McCaleb notified the court as soon as they came to his attention, the Austin American Statesman reports. The Interior Department has all along disputed the \$137 billion figure, but also has acknowledged mishandling of Indian claims and records over the years.

Mr. Balaran filed his report with US District Judge Royce Lamberth, held Mr. McCaleb and Interior Secretary Gale Norton in contempt of court for failing to comply with his order to fix the trust management accounts last September. Mr. McCaleb retired from the Interior Department at the end of last year, saying he took Judge Lamberth's contempt citation personally and was hurt by it, the Austin American Statesman reports.

Dennis Gingold, the attorney for the Indian plaintiffs, said that the investigation confirmed that Mr. McCaleb knowingly destroyed federal records. That is a crime. He added that Mr. McCaleb lied under oath, both in his deposition and in an affidavit he signed.

LENGTH: 426 words

Norton, McCaleb ordered to stand trial in Indian trust fund case

Royalty Policy Committee – Tribes (Alternates)

BYLINE: By ROBERT GEHRKE, Associated Press Writer

SECTION: State and Regional; Washington Dateline

LENGTH: 579 words

DATELINE: WASHINGTON

A federal judge on Wednesday ordered Interior Secretary Gale Norton to stand trial on contempt **allegations** related to a long-running **lawsuit** accusing her of mismanagement of a billion-dollar Indian trust fund. U.S. District Judge Royce Lamberth set a trial date of Dec. 3 for Norton and Assistant Secretary of Indian Affairs **Neal McCaleb** to show why they should not be held in contempt.

The suit stems from the mismanagement of royalties from mining, grazing, timber harvesting and other activities on 54 million acres of Indian land held in trust by the Interior Department since 1887.

Payments were supposed to be made to the Indian beneficiaries, but much of the money was lost, misappropriated, stolen or never collected.

Specifically, Norton will have to show that her office has complied with Lamberth's 1999 order that the Interior Department piece together how much is owed to 300,000 Indians who sued the agency claiming it has squandered more than \$10 billion in royalties over more than a century.

Norton also must prove that she did not file false or misleading reports about the status of the accounting and the department's current system of tracking the Indian royalties.

Dennis Gingold, the attorney for the Indians in the class action suit, praised Lamberth's decision to hold a trial.

"It confirms everything we've said about the unfitness of the Secretary of Interior to continue to manage the Indian trust," he said.

Hours before Lamberth acted, a department official told Indian leaders meeting in Spokane, Wash., that Norton would begin discussions with them in December about management of the trust fund.

In 1999, Lamberth held former Interior Secretary Bruce Babbitt and former Treasury Secretary Robert Rubin in contempt and fined them \$600,000 for failing to produce documents in the case.

At an Oct. 30 hearing, Lamberth scolded the Interior Department's lawyer and advised the lawyer to "throw yourself on the mercy of the court," rather than defending conduct he called "so clearly contemptuous."

Interior spokesman Eric Ruff said strides have been taken to improve the management of the trust fund and comply with court orders since Norton took office, including the creation of a new office specifically dedicated to trust fund management.

Royalty Policy Committee – Tribes (Alternates)

"Such progress is evidence of the department's commitment and determination to resolve the Indian trust issue," Ruff said in a statement.

In recent filings, department lawyers conceded that Interior has struggled with efforts to reform, but they argued that department officials have done nothing to directly violate a court order which would justify a finding of contempt.

In 1999, Lamberth ordered Interior to fix the system and account for the lost money, but the department has failed to do either despite spending \$614 million on the effort, according to reports by court-appointed watchdogs.

The plaintiffs have asked on several occasions that the judge schedule a trial on whether Norton should be held in contempt. Other motions are still pending.

Gingold has also asked that the judge strip Interior of its trust responsibilities.

Lamberth has scheduled a hearing Friday to determine who may be needed to testify at the Dec. 3 contempt trial.

Cherokee Phoenix (Tehlequah, Oklahoma)

July 1, 2007 Sunday

American Indians seek leniency for ex-official

BYLINE: Anonymous

SECTION: Pg. A9

LENGTH: 505 words

DATELINE: Tehlequah, Okla.

ABSTRACT

Chickasaw Nation Gov. Bill Anoatubby, former Cherokee Nation Principal Chief and current Department of Interior official Ross Swimmer and former Bureau of Indian Affairs head Neal McCaleb have urged leniency for former top Department of Interior official Steven Griles.

Letters from Anoatubby, Swimmer and McCaleb were among dozens sent to U.S. District Judge Ellen Segal Huvelle seeking leniency for Griles. In his letter, Anoatubby credited Griles for his role in the settlement between the federal government, his tribe and two others in a 30-year disagreement over Arkansas riverbed property. He also referred to Griles' work in other areas such as reorganization of the BIA.

FULL TEXT

WASHINGTON (AP) - Several prominent American Indian leaders from Oklahoma have joined an effort seeking leniency for the highest-ranking Bush administration official caught in a long-running scandal that continues to rock the U.S. capital.

Chickasaw Nation Gov. Bill Anoatubby, former Cherokee Nation Principal Chief and current Department of Interior official Ross Swimmer and former Bureau of Indian Affairs head **Neal McCaleb** have urged leniency for former top Department of Interior official Steven Griles.

In March, Griles pleaded **guilty** to obstructing justice by lying to the Senate Indian Affairs Committee in its investigation of disgraced lobbyist Jack Abramoff. Abramoff, now in prison

Royalty Policy Committee – Tribes (Alternates)

in an unrelated case, but cooperating with federal investigators on the ongoing influence-peddling scandal, was paid millions of dollars from tribes around the country to represent their interests in Washington.

As a result of the investigation, some questioned exactly what those millions brought to the tribes, and e-mails indicated that Abramoff's camp sometimes privately referred to tribal clients in extremely negative terms.

Griles, the former deputy secretary at the Interior Department, admitted lying about his relationship with Abramoff.

Letters from Anoatubby, Swimmer and McCaleb were among dozens sent to U.S. District Judge Ellen Segal Huvelle seeking leniency for Griles. In his letter, Anoatubby credited Griles for his role in the settlement between the federal government, his tribe and two others in a 30-year disagreement over Arkansas riverbed property. He also referred to Griles' work in other areas such as reorganization of the BIA.

McCaleb, who left the top post at the BIA amid an ongoing and sometimes bitter court battle over Indian trust accounts, recalled the trips he took with Griles to Indian Country.

"Steve made many Native American friends under very challenging circumstances by his open and forthcoming nature on these issues," he wrote. "He was and is a loyal friend in whom I have great confidence and trust."

Swimmer, who currently serves as Special Trustee for American Indians, recalled Griles' "total integrity and honesty" in his dealings with tribes.

Under the terms of his plea agreement, Griles faces a maximum sentence of five years in prison and a \$250,000 fine. He is expected to be sentenced next week.

ACC-NO: 29356

LANGUAGE: ENGLISH

DOCUMENT-TYPE: General Information

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: 29356

SUBJECT: NATIVE AMERICANS (92%); US FEDERAL GOVERNMENT (91%); INVESTIGATIONS (91%); POLITICAL SCANDALS (90%); SCANDALS (90%); INDIGENOUS PEOPLES (90%); JUDGES (90%); SENTENCING (89%); TRUST ARRANGEMENTS (86%); PLEA AGREEMENTS (78%); JAIL SENTENCING (75%); SPECIAL INVESTIGATIVE FORCES (75%); CRIMINAL FINES (75%); AGREEMENTS (75%); FEDERAL INVESTIGATIONS (75%); GUILTY PLEAS (75%); SENTENCING GUIDELINES (74%); FINES & PENALTIES (70%); LETTERS & COMMENTS (66%)

STATE: DISTRICT OF COLUMBIA, USA (92%); OKLAHOMA, USA (92%)

COUNTRY: UNITED STATES (99%)

LOAD-DATE: December 9, 2016

Royalty Policy Committee – Tribes (Alternates)

Google Search: <https://www.chickasaw.tv/profiles-of-a-nation/document/Neal-McCaleb-profile>

<http://hof.chickasaw.net/Inductees/1999/Neal-McCaleb.aspx>

<https://www.facebook.com/Neal.McCaleb>;

<http://newsok.com/article/5473966>

[http://www.theadanews.com/news/local news/Neal-McCaleb-named-ambassador-for-chickasaw-nation/article 641689b8-3e0a-51b6-b306-db90e67cd673.html](http://www.theadanews.com/news/local_news/Neal-McCaleb-named-ambassador-for-Chickasaw-Nation/article_641689b8-3e0a-51b6-b306-db90e67cd673.html)

Associations and Affiliations Search: <http://www.chickasaw.com/about/leadership>

Royalty Policy Committee – Tribes (Alternates)

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

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Royalty Policy Committee – Tribes (Alternates)

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Eastern Shoshone Business Council

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

Associated Press State & Local

October 28, 2015 Wednesday 6:21 PM GMT

Eastern Shoshone tribe sanctions business council

SECTION: STATE AND REGIONAL

LENGTH: 152 words

DATELINE: RIVERTON, Wyo.

RIVERTON, Wyo. (AP) - All five members of the Eastern Shoshone Business Council have been suspended by the tribe's General Council.

The Daily Ranger reports (<http://bit.ly/1RBNcc0>) that a majority vote of more than 100 tribal members determined that the councilors violated the ethics code.

Shoshone tribal liaison to the governor's office Leslie Shakespeare says the members were suspended for 10 days without pay and each ordered to pay a \$500 fine.

Tribal member and former tribal attorney general Kimberly Varilek says the council allowed the brother of a councilor to access tribal resources for personal business.

She says the council violated the privacy of tribal members by handing out their personal addresses in addition to several ethics violations.

Varilek says the suspensions will be staggered so tribal business can continue.

Royalty Policy Committee – Tribes (Alternates)

Information from: The (Riverton, Wyo.) Ranger, <http://www.dailyranger.com>

LANGUAGE: ENGLISH

DOCUMENT-TYPE: Spot Development

PUBLICATION-TYPE: Newswire

SUBJECT: FINES & PENALTIES (88%); NATIVE AMERICANS (88%); ETHICS (87%); REGULATORY COMPLIANCE (87%); US STATE GOVERNMENT (87%); INDIGENOUS PEOPLES (73%); GOVERNORS (71%); ATTORNEYS GENERAL (69%) WY--Council Suspended-Tribal Vote; General news; Tribal governments; Government and politics

STATE: WYOMING, USA (94%)

COUNTRY: UNITED STATES (94%); NORTH AMERICA (79%)

REGION: Riverton; Wyoming; United States; North America

LOAD-DATE: October 29, 2015

The Riverton Ranger (Wyoming)

October 27, 2015 Tuesday

Eastern Shoshone Business Council members suspended by tribal vote

BYLINE: Alejandra Silva

SECTION: NEWS

LENGTH: 768 words

All five members of the Eastern Shoshone Business Council were suspended this month in a decision by the tribe's General Council.

Darwin St. Clair Jr., Clint Wagon, Ivan Posey, Nick Harris and Jodi McAdams were suspended for 10 days without pay and ordered to pay a \$500 fine each, said Shoshone tribal liaison to the governor's office **Leslie Shakespeare**, who was elected to chair the meeting. The sanctions were a result of a majority vote from more than 100 tribal members in attendance who agreed that the members committed **ethics** code **violations**.

Tribal member and former tribal attorney general Kimberly Varilek said the ESBC's sanctions were done in accordance with tribal law, and they are on a consecutive suspension schedule so there's no interruption of general tribal business.

Royalty Policy Committee – Tribes (Alternates)

The issue emerged after tribal member Larry McAdams, the brother of Jodi McAdams, contacted tribal members via mail in June with a petition in hopes of gaining support on an enrollment ordinance referendum vote.

Larry McAdams also is the director of the Social Services department for the tribe. According to meeting minutes, Varilek said the ESBC allowed Larry McAdams to have "access to tribal resources for personal business."

She decided to look into the matter because she thought Larry McAdams's actions were against tribal law, and the information the general council was given in July was not accurate. In her research she said she found "factual disparities with representations made in July 2015 to the General Council about what the ESBC allowed, when they allowed it and why." She explained that the privacy of tribal members was violated when the ESBC allowed the disclosure of personal addresses of tribal members.

"Those actions related to ethics code violations, including, but not limited to allowing preferential treatment to family members, abuse of authority for representing authority of the Tribe when there was no such authority, ignoring financial policy violations, and misrepresenting positions the ESBC actually took," Varilek said in an e-mail.

Larry McAdams said Varilek provided misinformation and did not give all the facts in relation to his petition mailing process as well as the ESBC's actions regarding the petition.

Larry McAdams said any department may request the purchase order number for office business. He added that the petition was done on his personal time and his intent was to help relatives and the tribe "as a whole." Larry McAdams said the ESBC was acting in good faith and did not intentionally violate any policy or tribal law. He said Varilek's presentation was "designed to inflame" tribal members so they could vote in her favor.

Tribal member Wade LeBeau made the motion Saturday to move forward with the sanctions. He agreed with Varilek and said the siblings abused their positions.

"They pulled strings and used their positions as director and council member to acquire the addresses of all enrolled Shoshone Tribal members to contact for their personal agenda," LeBeau said. "This was the consequence of outright nepotism."

LeBeau said Jodi McAdams claimed she didn't know she acted in error in her actions and denied any wrong doing, mostly because she was new to the business council.

"These violations appeared clear to the Shoshone General Council members as they voted to reprimand and fine them by a large margin of around 80 percent," he said.

Varilek said these types of issues affect directly the credibility of the government so the general council made its own decision to impose the sanctions.

"I wanted to follow up on the lack of clarity the ESBC claimed it had during its decision making earlier in the year," she said. "But, when I found the factual disparities, I was compelled to report that information."

Shakespeare said he ensured every ESBC member had the opportunity to address the issue and respond to questions before any action was allowed. The process took several hours, he said, and general council members also had their opportunities to comment equally.

Royalty Policy Committee – Tribes (Alternates)

There were people in attendance who did not agree with the sanctions, Varilek noted, but many more members shared the same concern and attended to be part of the discussion.

"Now that the general council dealt with that matter," she said. "I'm sure we all expect the ESBC to proceed forward in a compliant manner and focus on our many other issues as well."

St. Clair said in an email Wednesday that the ESBC was not prepared to respond yet.

The Eastern Shoshone election judges were holding a special election Oct. 27 to fill in a vacancy on the ESBC which is a six-member board.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: INDIGENOUS PEOPLES LAW (90%); ETHICS (89%); REGULATORY COMPLIANCE (89%); PETITIONS (89%); FINES & PENALTIES (78%); ORDINANCES (78%); VOTERS & VOTING (76%); US STATE GOVERNMENT (76%); ATTORNEYS GENERAL (72%); REFERENDUMS (71%); GOVERNORS (71%); BANKING & FINANCE (69%) Eastern Shoshone

LOAD-DATE: October 28, 2015

Wind River News (Lander, Wyoming)

January 28, 2010 Thursday

U.S. Attorney Crofts wants to meet with tribes

BYLINE: Reed, Martin.

By MARTIN REED

Editor

SECTION: Pg. 1 Vol. 33 No. 4

LENGTH: 1053 words

ABSTRACT

[Kip Crofts] said his office targets acts of violence regardless of the focus announced by [, [Eric Holder](#)]. ▼ "I'm concerned about any crime of violence," he said, adding "obviously that would be my highest priority whether that's murder or sexual assault or sexual assault against children."

St. Clair suggested a focus on preventive measures especially alcohol treatment. "It seems like recently in the past four or five years it's gotten out of control," he said of violent crimes. "We're all aware of that and mostly it's alcohol related. Yeah, there's drugs and there has been meth and it's sometimes a combination but sometimes it's pure alcohol."

Royalty Policy Committee – Tribes (Alternates)

The alcohol fuels the violence in many cases, he said. "It goes hand-in-hand, how do we deal with the alcohol problem? It has almost a direct effect on the violence," he said. "There has to be a real true solution to alcohol use, alcohol abuse, and I don't really have the answer but I know that we're struggling with that problem."

FULL TEXT

Meetings would result from emphasis on public safety in Indian Country

New Wyoming U.S. Attorney Kip Crofts said he plans to visit the Wind River Indian Reservation for discussions on implementing the federal government's focus on improving safety on tribal lands.

Crofts during a phone interview on Jan. 22 talked about U.S. , [Attorney General Eric Holder's](#) ▼ directive announced earlier in the month to focus on crimes of violence against women and children in Indian Country.

Part of Holder's directive involves better coordination with officials on reservations nationwide.

"My immediate plan would be to come up to Fremont County and to the Wind River Indian Reservation and do a lot of individual consultation with the BIA police and the business councils and other folks involved. Indian Health Services, alcohol treatment and counseling centers," Crofts said.

He wants to hold discussions with "all of those people on the reservation that are involved with criminal justice issues directly and indirectly" including law enforcement in surrounding areas.

Crofts, a Lander native and former assistant U.S. Attorney serving under Dave Freudenthal, said a large part of his office's responsibility in the state involves prosecution of major crimes on the Wind River Indian Reservation.

"Not all but most of my time was spent with cases in our Lander office," he said about his previous experience in light of his new responsibilities. "Really it's just a continuation of that effort but I'm very happy to see that , [Attorney General Holder](#) ▼ is making this one of his priorities and giving us resources and instructing us to look at this."

Holder's Jan. 11 announcement was accompanied by a memo from U.S. Deputy Attorney General David W. Ogden about the problems with crime in Indian Country.

"Tribal leaders have confirmed what our own experts working in Indian Country have reported: violent crime in Indian Country is at unacceptable levels and has a devastating impact on the basic quality of life there," according to Ogden's memo.

"Many tribes experience rates of violent crime far higher than most other Americans; indeed, some face murder rates against Native American women more than ten times the national average," he stated.

Crofts said his office targets acts of violence regardless of the focus announced by Holder. "I'm concerned about any crime of violence," he said, adding "obviously that would be my highest priority whether that's murder or sexual assault or sexual assault against children."

Crofts vowed to do his best to effect the directive from the attorney general's office. "Obviously it's a huge job but it's great to have the department listing it as a very high priority. We're going to take it very seriously and do the best we can with it." he said.

Royalty Policy Committee – Tribes (Alternates)

The announcement from the attorney general's office brought praise from others involved with criminal justice on the Wind River Indian Reservation.

Chief Judge John St. Clair for Shoshone and Arapaho Tribal Court said the focus should benefit the reservation. "I'm happy and glad there will be an increased federal effort to address violence here on this reservation," he said.

St. Clair identified concerns about the impact on criminal justice systems from increased prosecution.

"Without any increased effort there is a need for a larger (detention) facility but if there's going to be an increased effort bringing people in that's going to make that need even more critical," he said.

"It's all people committing acts of violence, juveniles and adults. With the increased prosecution then there's going to be a greater need for detention facilities, adults and juveniles," St. Clair added.

A potential increase in **prosecution** handled at the tribal level could result from the emphasis on **crime** in Indian Country, he said. "We just need probably a corresponding increase in resources for the court if there's going to be more **prosecution** and more police bringing people in," he said.

Leslie Shakespeare, director of Eastern Shoshone Department of Juvenile Services, said the same concerns existed when tribal leaders met with federal officials last November on **criminal** justice issues.

With an increase in funding in one area, "it's going to overload the resources in other areas. That's what a lot of tribal leaders were leery of," Shakespeare said.

St. Clair suggested a focus on preventive measures especially alcohol treatment. "It seems like recently in the past four or five years it's gotten out of control," he said of violent crimes. "We're all aware of that and mostly it's alcohol related. Yeah, there's drugs and there has been meth and it's sometimes a combination but sometimes it's pure alcohol."

The alcohol fuels the violence in many cases, he said. "It goes hand-in-hand, how do we deal with the alcohol problem? It has almost a direct effect on the violence," he said. "There has to be a real true solution to alcohol use, alcohol abuse, and I don't really have the answer but I know that we're struggling with that problem."

St. Clair also suggested a counseling component about behavior. "We need to also deal with how do we get people to realize violent behavior is wrong, that's not a solution. That's why we have our resources like the counseling," he said. "Those are the kinds of things that we need to utilize once the people are in the system."

ACC-NO: 58621

LANGUAGE: ENGLISH

DOCUMENT-TYPE: News

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: WRRN

Royalty Policy Committee – Tribes (Alternates)

SUBJECT: VIOLENT CRIME (93%); INDIGENOUS PEOPLES (92%); SUBSTANCE ABUSE (92%); CRIMINAL OFFENSES (91%); SEX OFFENSES (90%); ALCOHOLS (90%); TALKS & MEETINGS (90%); ALCOHOL ABUSE & ADDICTION (90%); NATIVE AMERICANS (90%); SUBSTANCE ABUSE TREATMENT (90%); MURDER (89%); CRIME RATES (89%); ATTORNEYS GENERAL (89%); LAWYERS (78%); CRIMES AGAINST PERSONS (76%); VIOLENT CRIME STATISTICS (76%); CRIMINAL LAW (76%); LAW ENFORCEMENT (76%); INTERVIEWS (72%) Public prosecutors; Native reservations; Native North Americans; Native justice system

PERSON: ERIC HOLDER (89%); DAVE FREUDENTHAL (58%) Crofts, Kip

STATE: WYOMING, USA (92%)

COUNTRY: UNITED STATES (94%); NORTH AMERICA (79%)

REGION: Wind River Indian Reservation

LOAD-DATE: February 20, 2010

Google Search:

<https://www.linkedin.com/in/leslie-shakespeare-328155a8/>;

<https://www.facebook.com/ljshakespeare>;

<https://twitter.com/ljshakespeare1>;

Associations and Affiliations Search: None

Royalty Policy Committee (Academia/Public Interests) - Primary

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Senate Lobbyist Disclosures: Taxpayers for Common Sense 2007-2012

House Lobbyist Disclosures: Taxpayers for Common Sense 2007-2012

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

Judgments and Liens:

NEW YORK JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Filing Information

Original Filing Number: 10204625

Filing Date: 06/10/2008

Amount: \$128

Certificate Number: E025756542W00

Release Date: 08/14/2008

Filing 1

Filing Number: 10248385

Filing Type: STATE TAX WARRANT RELEASE

Book/Page: X08/13812

Filing Court: ALBANY COUNTY CLERK

Filing County: ALBANY

Filing Office: NY

NEW YORK JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: ALEXANDER, AMY RYAN

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Address: (b) (6)

NEW YORK, NY 10006-2243
NEW YORK COUNTY

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Royalty Policy Committee (Academia/Public Interests) - Primary

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Address: (b) (6)
NEW YORK, NY 10006-2243
NEW YORK COUNTY

Creditor Information

Creditor 1

Name: STATE OF NEW YORK

Creditor 2

Name: STATE OF NEW YORK

Filing Information

Filing Date: 06/10/2008

Amount: \$128

Certificate Number: E025756542W00

Filing 1

Filing Number: 10204625

Filing Type: STATE TAX WARRANT

Book/Page: X08/13812

Filing Court: ALBANY COUNTY CLERK

Filing County: ALBANY

Filing Office: NY

Nexis News Search:

Google Search: <http://www.taxpayer.net/about/staff/ryan-alexander;>

<https://www.facebook.com/ryan.alexander.9484;>

https://www.usnews.com/topics/author/ryan_alexander;

<https://www.linkedin.com/in/ryan-alexander-ba62384;>

Associations and Affiliations Search: <http://www.taxpayer.net/library/article/tcs-president-ryan-alexander-testifies-on-federal-coal-review>

https://www.energy.senate.gov/public/index.cfm/files/serve?File_id=fafe7eaf-86e7-4d04-85e0-2d442793cff0

Royalty Policy Committee (Academia/Public Interests) - Primary

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: States News Service

April 4, 2017 Tuesday

EGGERT TESTIFIES AT SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES OVERSIGHT HEARING

BYLINE: States News Service

LENGTH: 125 words

DATELINE: GOLDEN, Colo

The following information was released by the Colorado School of Mines:

The Senate Committee on Energy and Natural Resources invited Professor Roderick Eggert to testify on March 28 at an oversight hearing to examine the United States' increasing dependence on foreign sources of minerals and opportunities to rebuild and improve the supply chain in the U.S.

Eggert is a professor and interim director of the Division of Economics and Business, deputy director of the Critical Materials Institute, and Viola Vestal Coulter Foundation chair in mineral economics at Colorado School of Mines.

The hearing was March 28 at in the Dirksen Senate Office Building in Washington, DC. It will be webcast live on the committee's website; an archived video is available.

Royalty Policy Committee (Academia/Public Interests) - Primary

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

SUBJECT: NATURAL RESOURCES (90%); SUPPLY CHAIN MANAGEMENT (84%); WEBCASTS (82%)

COMPANY: NATURAL RESOURCE PARTNERS LP (92%)

TICKER: NRZ (FRA) (92%); NRP (NYSE) (92%)

INDUSTRY: NAICS212112 BITUMINOUS COAL UNDERGROUND MINING (92%); SIC1222 BITUMINOUS COAL UNDERGROUND MINING (92%)

STATE: COLORADO, USA (94%); DISTRICT OF COLUMBIA, USA (79%)

COUNTRY: UNITED STATES (94%)

LOAD-DATE: April 5, 2017

DC Daybook - Policy & News Events

March 28, 2017 Tuesday 10:00 AM GMT

Senate Energy and Natural Resources Committee - Hearing

SECTION: WASENATE; Foreign Sources of Minerals Dependence

LENGTH: 128 words

TIME: 10:00

EVENT: Full committee hearing on the United States' increasing dependence on foreign sources of minerals and opportunities to rebuild and improve the supply chain in the United States.

WITNESSES: Murray Hitzman, associate director for energy and minerals at the U.S. Geological Survey; Alf Barrios, chief executive of Rio Tinto Aluminum; Randy MacGillivray, vice president for project development at [Ucore Rare Metals Inc.](#); ▼ Kevin Cosgriff, president and CEO of the National Electrical Manufacturers Association; and **Roderick Eggert**, chair in mineral economics in the Colorado School of Mines's Division of Economics and Business, **testify**

DATE: March 28, 2017

LOCATION: 366 Dirksen Senate Office Building

CONTACT: 202-224-4971 <http://energy.senate.gov> (+WASEE51+)

LANGUAGE: ENGLISH

Royalty Policy Committee (Academia/Public Interests) - Primary

PUBLICATION-TYPE: Event Schedules

SUBJECT: NATURAL RESOURCES (90%); SUPPLY CHAIN MANAGEMENT (88%); TESTIMONY (88%); EXECUTIVES (87%); ASSOCIATIONS & ORGANIZATIONS (73%); GEOLOGY & GEOPHYSICS (72%)

COMPANY: UCORE RARE METALS INC (71%); RIO TINTO GROUP (58%); NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION (57%)

ORGANIZATION: UNITED STATES GEOLOGICAL SURVEY (57%); NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION (56%)

TICKER: RIO (NYSE) (58%); RIO (LSE) (58%); RIO (ASX) (58%)

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HOW TRUE IS CONVENTIONAL WISDOM ABOUT PRICE VOLATILITY OF TECH METALS?

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Rod Eggert, Colorado School of Mines and Critical Materials Institute, 303-273-3981

Laura Millsaps, Ames Laboratory Public Affairs, 515-294-3474

It's often assumed that exotic metals and minerals critical to clean energy technologies are more price volatile than more common commodity metals. They're mined in much smaller quantities and often as by-products of other high-volume production materials, and even slight changes in production, demand, and consumer end-uses can greatly affect markets.

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But are they really more price-volatile? Preliminary research by the Colorado School of Mines (Mines) and funded by the Critical Materials Institute (CMI) suggests that conventional wisdom about the high price volatility of by-product metals and minerals is generally true, but with several caveats.

"There's actually been very little empirical evaluation of the conventional wisdom, and this was an attempt to test that," said Rod Eggert, Deputy Director of CMI and professor at Mines. "This is a beginning. Further research could help us understand what's truly driving price volatility."

The research used regression analysis to compare the price volatility of by-product metals and minerals to commodity materials produced primarily or solely as main-products or individual products.

The data showed that over the past 50 years, using annual average pricing, metals and minerals with significant by-product production were 50 percent more volatile than those produced as main or individual products. But in contrast to annual data, monthly price data from the past ten years showed only mixed evidence that by-products have greater price volatility.

Eggert said the mixed evidence of price volatility using monthly price data may be explained by the smaller volume of transactions for by-product materials on a month-to-month basis, often leading to unchanged published prices for several months at a time.

The paper laid the groundwork for further study, which should investigate the underlying determinants of price volatility, which may include one or more of the following characteristics of metals produced as by-products: the dependence of by-product supply on developments in markets for the associated main product, the generally small number of producing mines or companies, few consumers and end-use applications and the general lack of transparency in these markets. All of these characteristics make by-product prices potentially more prone to volatility.

Understanding price volatility helps CMI make assessments of what materials may face supply risks in the future risks that may come in the form of either price volatility or physical unavailability of material, said Eggert.

"This helps us begin to understand the markets for a number of elements that up until now have been used in relatively small quantities in limited applications," said Eggert. "But these elements could be used in much greater quantities if certain clean energy technologies develop and grow."

"We read a lot of opinion about the prices of rare earths and other critical materials and where they're going. But CMI must focus on actual data. In order to direct our scientific research on the uses of these materials the most effectively, we must check these assumptions against what the numbers are really telling us," said CMI Director Alex King. The results of the research were published in the paper "Volatility of by-product metal and mineral prices" in Resources Policy by Michael **Redlinger and Roderick Eggert** from the Division of Economics and Business, Colorado School of Mines, and funded by the Critical Materials Institute.

Colorado School of Mines is a highly selective public research university offering bachelor's, master's and doctoral degrees in engineering and applied sciences. Mines is internationally recognized for its education and research programs focusing on stewardship of the earth and its resources, developing advanced materials and applications, addressing the earth's

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energy challenges, and fostering environmentally sound and sustainable solutions. Learn more at mines.edu.

The Critical Materials Institute is a Department of Energy Innovation Hub led by the U.S. Department of Energy's Ames Laboratory. CMI seeks ways to eliminate and reduce reliance on rare-earth metals and other materials critical to the success of clean energy technologies.

Ames Laboratory is a U.S. Department of Energy Office of Science national laboratory operated by Iowa State University. Ames Laboratory creates innovative materials, technologies and energy solutions. We use our expertise, unique capabilities and interdisciplinary collaborations to solve global problems.

Ames Laboratory is supported by the Office of Science of the U.S. Department of Energy. The Office of Science is the single largest supporter of basic research in the physical sciences in the United States, and is working to address some of the most pressing challenges of our time. For more information, please visit science.energy.gov.

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May 24, 2011 Tuesday

Colorado School of Mines Director and Professor, Division of Economics and Business Dr. **Roderick Eggert, Testifies** on Energy/ Mineral Resources Hearing on Strategic and Critical Minerals Policy - Final

LENGTH: 3494 words

Conference Call Participants

* RODERICK EGGERT

Presentation

RODERICK EGGERT: Good morning, Mr. Chairman, members of the Committee, ladies and gentlemen. My name is Rod Eggert. I am Professor of Economics and Business at Colorado

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School of Mines. My area of expertise is the economics of mineral resources. I participated in two activities relevant for today`s hearing. I chaired the committee of the U.S. National Research Council (NRC) that prepared the 2008 report Minerals, Critical Minerals, and the U.S. Economy. I served as a member of the committee of the American Physical Society and the Materials Research Society (APS/MRS) that prepared the 2011 report Energy Critical Elements-

Securing Materials for Emerging Technologies.

I organize my remarks into three sections. First, I describe the context for current concerns about strategic and critical minerals. Second, I summarize the 2008 NRC report on critical minerals identified above. Third, I present my personal views on strategic and critical minerals, which are significantly shaped by the NRC and APS/MRS studies.

Context

Mineral-based materials are becoming increasingly complex. In its computer chips, Intel used 11 mineral-derived elements in the 1980s and 15 elements in the 1990s; it may use up to 60 elements in the future. General Electric uses some 70 of the first 83 elements of the periodic table in its products. In contrast, as recently as two or three decades ago, a typical household owned products containing perhaps 20 elements. Moreover, new technologies and engineered materials create the potential for rapid increases in demand for some elements used previously and even now in relatively small quantities.

The most prominent although by no means only examples are gallium, indium and tellurium in photovoltaic solar cells; lithium in automotive batteries; and rare-earth elements in wind turbines, hybrid vehicles, compact-fluorescent light bulbs, and a number of defense and military applications.

These technological developments raise two concerns. First, there are fears that supply will not keep up with the explosion of demand due to the time lags involved in bringing new production capacity online or more fundamentally the basic geologic scarcity of certain elements. Second, and more-directly relevant to today`s hearing, there are fears 2 that supplies of some elements are insecure due to, for example, import dependence, export restrictions on primary raw materials by some nations, industry concentration, or the reliance on byproduct production that characterizes the supply of some strategic and critical minerals. In both cases, mineral availability or more precisely, unavailability has emerged as a potential constraint on the development and deployment of emerging and important technologies, especially in the clean-energy and defense sectors.

Minerals, Critical Minerals, and the U.S. Economy

It was in this light that the standing Committee on Earth Resources of the National Research Council initiated a study and established an ad hoc committee, which I chaired, to examine the evolving role of nonfuel minerals in the U.S. economy and the potential impediments to the supplies of these minerals to domestic users. The U.S. Geological Survey (USGS) and the National Mining Association sponsored the study, the findings of which appear in the volume Minerals, Critical Minerals, and the U.S. Economy (NRC 2008).

The report provides a broad context for current discussions and concerns. It defines a `critical` mineral as one that is both essential in use (difficult to substitute away from) and subject to some degree of supply risk. Under this definition, `strategic` minerals are the subset of critical minerals essential in military applications.

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The degree to which a specific mineral is critical or strategic can be illustrated with the help of a figure (Figure 1). The vertical axis represents the impact of a supply restriction should it occur, which increases from bottom to top. The impact of a restriction relates directly to the ease or difficulty of substituting away from the mineral in question. The more difficult substitution is, the greater the impact of a restriction (and vice versa). The impact of a higher costs for users (and potentially lower profitability), or physical unavailability (and a ``no-build`` situation for users).¹

The horizontal axis represents supply risk, which increases from concentration of production in a small number of mines, companies, or nations; market size (the smaller the existing market, the more vulnerable a market is to being overwhelmed by a rapid increase in demand); and reliance on byproduct production of a mineral (the supply of a byproduct is determined largely by the economic attractiveness of the associated main product). Import dependence, by itself, is a poor indicator of supply risk; rather it is import dependence combined with concentrated production that leads to supply risk. In Figure 1, the hypothetical Mineral A is more critical than Mineral B.

Taking the perspective of the U.S. economy overall in the short to medium term (up to about a decade), the committee evaluated eleven minerals or mineral families. It did not assess the criticality of all important nonfuel minerals due to limits on time and resources. Figure 2 summarizes the committee's evaluations. Those minerals deemed most critical at the time of the study that is, they plotted in the upper- right portion of the diagram were indium, manganese, niobium, platinum-group metals, and rare-earth elements.

Any list of critical minerals reflects conditions at a specific point in time. Criticality is dynamic. A critical mineral today may become less critical either because substitutes or new sources of supply are developed. Conversely, a less-critical mineral today may become more critical in the future because of a new use or a change in supply risk. Although the study did not make explicit policy recommendations, it made three policy-relevant recommendations, which I quote below-

1. The federal government should enhance the types of data and information it collects, disseminates, and analyzes on minerals and mineral products, especially as these data and information relate to minerals and mineral products that are or may become critical.
2. The federal government should continue to carry out the necessary function of collecting, disseminating, and analyzing mineral data and information. The USGS Minerals Information Team, or whatever federal unit might later be assigned these responsibilities, should have greater authority and autonomy than at present. It also should have sufficient resources to carry out its mandate, which would be broader than the Minerals Information Team's current mandate if the committee's recommendations are adopted. It should establish formal mechanisms for communicating with users, government and nongovernmental organizations or institutes, and the private sector on the types and quality of data and information it collects, disseminates, and analyzes. It should be organized to have the flexibility to collect, disseminate, and analyze additional, nonbasic data and information, in consultation with users, as specific minerals and mineral products become relatively more critical over time (and vice versa).
3. Federal agencies, including the National Science Foundation, Department of the Interior (including the USGS), Department of Defense, Department of Energy, and Department of Commerce, should develop and fund activities, including basic science and policy research, to encourage U.S. innovation in the area of critical minerals and materials and to enhance understanding of global mineral availability and use.

Royalty Policy Committee (Academia/Public Interests) - Primary

Four Propositions I organize my personal views around four propositions. First, the issues are broader than rare earths, despite the prominence of rare earths in the news over the last year. Exactly 4 which minerals are `critical` (essential in use, subject to supply risk) varies from industry to industry, nation to nation, and over time. A number of recent studies suggest possible critical elements. Each list reflects a specific context. In the field of energy, the U.S. Department of Energy (2010) identifies five rare earths (dysprosium, europium, terbium, neodymium, and yttrium) and indium as especially critical to wind turbines, fluorescent lighting, electric vehicles, and photovoltaic thin films. A study by the American Physical Society and Materials Research Society (APS/MRS, 2011) focusing on energy technologies identifies the same six elements as possibly critical, plus several other rare earths, the platinum-group elements, and several elements important for photovoltaics (gallium, germanium, selenium, tellurium), as well as cobalt, helium, lithium, rhenium, and silver. For military hardware and defense systems, gallium, lithium, niobium, the rare-earth elements, rhenium, and tantalum. For European industry, the European Commission (2010) antimony, beryllium, cobalt, fluorspar, gallium, germanium, graphite, indium, magnesium, niobium, the platinum-group elements, rare earths, tantalum, and tungsten. The Japan Oil, Gas and Metals National Corporation (JOGMEC) maintains joint government-industry stockpiles for seven elements (chromium, cobalt, manganese, molybdenum, nickel, tungsten, and vanadium) deemed especially important for Japanese industry and for which there are significant supply risks. JOGMEC is closely monitoring several others (gallium, indium, niobium, platinum, rare earths, strontium, and tantalum). Over time, which materials are critical changes with advances in materials science and engineering that reduce reliance on specific elements, and with advances on the supply side that relax supply constraints. Second, each element has its own story, and import dependence by itself need not be risky. From all the attention rare earths have received, one might think that geopolitical risks and import dependence are the only cause for concern about availability and supply risk. Geopolitical risks and import dependence certainly are important for those elements with geographically concentrated production, where one or a small number of companies or governments might act opportunistically or unpredictably to the disadvantage of users. But import dependence by itself need not be risky if foreign sources are numerous and diversified, and if the associated foreign governments believe in undistorted international trade.

Different elements have different constraints on availability, as APS/MRS (2011) illustrates. Although essentially no element is in danger of being used up (or depleted) in a geologic sense, some elements are not significantly concentrated by geologic process above their average crustal abundance. Germanium used in fiber optics, infrared optics, 5 and photovoltaic cells is an example. Germanium is not especially rare on average in the earth's crust but rarely is present as the main component in minerals.

In other cases, technical limitations constrain the availability of an element. Rare-earth elements actually are not very rare geologically. They exist in a number of minerals, such as eudialyte, that at present are not a source of supply because existing methods of mineral processing and extractive metallurgy are inadequate (both technically and commercially) to remove the rare earths from other elements and, in turn, separate the specific rare-earth elements from one another.

Byproduct supply is another source of supply risk. Indium, for example, is produced as a byproduct of zinc production. Tellurium is a byproduct of copper refining. The key insight here is that the availability of indium, tellurium, and other byproducts is strongly influenced by the commercial attractiveness of the byproduct's associated main product (zinc in the case of indium, copper for tellurium). A significant increase in the price of a byproduct may

Royalty Policy Committee (Academia/Public Interests) - Primary

not result in a significant increase in the production of the byproduct, once the available byproduct is recovered from a main-product ore.

Environmental and social concerns are factors influencing the availability of an element. The point is not to dispute that mineral production can have negative consequences for the natural environment or local communities; it can and does in some circumstances. Rather the point is- processes to ensure that mineral production occurs in ways that are consistent with standards for environmental protection and respect for society can (a) increase the time lag between an unexpected increase in demand and new production capacity to meet this demand and (b) redirect the location of production away from nations with stricter (or less-predictable) environmental and social rules to nations with less-strict (or more-predictable) rules. Third, markets are responding, but time lags can be significant. Markets provide powerful incentives for investments that re-invigorate supply and reduce supply risk. There are minor manias now in exploration for mineral deposits containing rare-earth elements and, separately, lithium. Over the next five to ten years, a number of non-Chinese rare-earth mines are likely to begin production. However, given the long lead times between initial exploration and mining (which can range anywhere from five to fifteen years or more), only those rare- earth projects in advanced exploration or development prior to the rare-earths crisis of the last year will be producing rare earths in the next few years.

Increased recycling also can be an important response to constraints on supply. Recycling comes in two forms. The most obvious comes from recycling of products at the ends of their lives for example, recovering ferrous and nonferrous metals from junked automobiles. Less obvious but very important is the recycling of manufacturing scrap or waste.

On the demand side, markets encourage users of mineral-based elements to obtain ``insurance`` against mineral supply risks. In the short to medium term users can, for example, maintain stockpiles, diversify sources of supply, develop joint-sharing arrangements with other users, or develop tighter relations with producers. Over the longer term, users might invest in new mines in exchange for secure supplies or, undertake research and development to substitute away from those elements subject to supply risks. Fourth, there are essential roles for government. To ensure mineral availability over the longer term and reliability of supplies over the short to medium - Encouraging undistorted international trade. The governments of raw-material- importing nations should fight policies of exporting nations that restrict raw-material exports to the detriment of users of these materials.

- Improving regulatory approval for domestic resource development. Foreign sources of supply are not necessarily more risky than domestic sources. But when foreign sources are risky, domestic production can help offset the risks associated with unreliable foreign sources. Developing a new mine in the United States appropriately requires a pre-production approval process that allows for public participation and consideration of the potential environmental and social effects of the proposed mine. This process is costly and time consuming arguably excessively so, not just for mines but for developments in all sectors of the economy. I am not suggesting that mines be given preferential treatment, rather that attention be focused on developing better ways to assess and make decisions about the various commercial, environmental, and social considerations of project development.

- Facilitating the provision of information and analysis. I support enhancing the types of data and information the federal government collects, disseminates and analyzes. Sound decision making requires good information, and government plays an important role in ensuring that sufficient information exists. In particular, I recommend (a) enhanced focus

Royalty Policy Committee (Academia/Public Interests) - Primary

on those parts of the mineral life cycle reserves and subeconomic resources, byproduct and coproduct primary production, stocks and flows of materials available for recycling, in-use stocks, material flows, and materials embodied in internationally traded goods and (b) periodic analysis of mineral criticality over a range of minerals. At present, the markets for most strategic and critical minerals are less than completely transparent, in large part because the markets are small and often involve a relatively small number of producers and users, many of which find it to their competitive advantage to keep many forms of information confidential.

- Facilitating education and research. I recommend that the federal government develop and fund pre-commercial activities that are likely to be underfunded by the private sector acting alone because their benefits are diffuse, difficult to capture, risky and far in the future. Over the longer term, science and technology are key to responding to concerns about the adequacy and reliability of mineral resources innovation that both enhances our understanding of mineral resources and mineral-based materials and improves our ability to recycle essential, scarce elements and substitute away from these elements.

Education and research go hand in hand. Educational programs, especially those at the graduate level, educate and train the next generation of scientists and engineers. On the supply side, education and research in the geosciences, mining, mineral processing and extractive metallurgy, environmental science and engineering, manufacturing, and recycling can help mitigate supply risks and increase mineral availability. On the demand side, improvements in materials design fostered by education and research in materials science and engineering can ease the pressures imposed by those elements or minerals subject to supply risks or limited availability. Government, in addition to simply funding education and research, can play an important role in facilitating collaborations among universities, government research laboratories, and industry.

A common conclusion of almost all recent studies on strategic and critical minerals is to urge governments to improve and expand activities related to information and analysis, education, and research (for example, APS/MRS 2011, European Commission 2010, NRC 2008). A number of other government interventions in markets have been proposed, such as military or economic stockpiles of rare earths and other critical elements; loan guarantees for investments in mines and processing facilities; and special, fast-track environmental permitting for mines that would produce rare earths or other critical minerals. These more-direct market interventions, although perhaps advisable in specific circumstances, are more controversial and less compelling in general as responses to the challenges of critical minerals.

To sum up my personal views, the current situation with strategic and critical minerals requires attention but not panic. By undertaking sensible actions today, there is no reason for crises to develop. But I also am aware that without a sense of panic, we may not undertake these actions.

Thank you for the opportunity to testify today. I would be happy to address any questions you have.

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COMPANY: GENERAL ELECTRIC CO (55%); INTEL CORP (55%)

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<https://www.acs.org/content/acs/en/acs-webinars/presenters/roderick-eggert.html>;

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<http://www.aimehq.org/programs/award/bio/roderick-eggert>;

<https://www.linkedin.com/in/rod-eggert-b429b48/>;

<http://issues.org/26-4/eggert/>;

<https://www.facebook.com/roderick.eggert>;

Associations and Affiliations Search: <https://cmi.ameslab.gov/research/meet/meet-rod-eggert>

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Nexis News Search: N/A

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Associations and Affiliations Search: <https://theconversation.com/profiles/monte-mills-337847>

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DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: **Utah Court Report**

Offender Information

Name: ANDREWS, JOHN W

Address: UT

Case Number: 125000237

Case Filing Date: 07/18/2012

Case Type: TRAFFIC CITATION

Offenses

Case Filing Date: 07/18/2012

Court Case Number: 125000237

Court Offense: SPEEDING

Court Statute: 41-6A-601

Court Disposition: BAIL FORFEITURE

Court Disposition Date: 10/09/2012

Court Level/Degree: MISDEMEANOR CLASS C

Court Activity

[NONE FOUND]

Civil & Criminal Filings and Regulatory Actions:

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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
(Central)

State Of Utah School And Institutional Trust Lands Administration V. Jewell Et A

PLAINTIFF: State of Utah School and Institutional Trust Lands
Administration

DEFENDANT: Utah Bureau of Land Management;
United States Department of the Interior;

Royalty Policy Committee (States)

United States Bureau of Land Management;
Sally Jewell;
NEIL KORNZE;
Juan Palma

DOCKET CASE NUMBER: 2:15cv76

FILING DATE: 2/3/2015

JURISDICTION: U.S. Government Defendant

JUDGE: Magistrate Judge Brooke C. Wells

NATURE OF SUIT: 899 Other Statutes: Administrative

FILING TYPE: Civil

CAUSE: Fed. Question [28 USC 1331](#)

JURY DEMAND: None

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THE COURT UPDATED THIS RECORD ON: 04/07/2015 12:00:00 AM

Royalty Policy Committee (States)

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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
(Central)

Southern Utah Wilderness Alliance V. Kenczka Et Al

PLAINTIFF: Southern Utah Wilderness Alliance

DEFENDANT: United States Department of the Interior;
United States Bureau of Land Management;
Jerry Kenczka

Intervenor Defendant Uintah Transportation Special Services District;
Uintah County;
State of Utah;
School and Institutional Trust Lands Administration

DOCKET CASE NUMBER: 2:12cv913

FILING DATE: 9/27/2012

JURISDICTION: U.S. Government Defendant

JUDGE: David Nuffer

NATURE OF SUIT: 893 Environmental

FILING TYPE: Civil

CAUSE: Environmental Policy - Coop of Agency Repo [42 USC 4332](#)

JURY DEMAND: None

STATUS: Case Closed

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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
(Central)

So Ut Wilderness, Et Al V. Norton, Et Al

PLAINTIFF: The Wilderness Society;
Southern Utah Wilderness Alliance;
Sierra Club;
Natural Resources Defense Council

DEFENDANT: Stephen Williams;
Sally Wisely;
Kathleen Clarke;
Interior, Dept of;
Gale A. Norton;
David Howell

Intervenor Defendant Veritas DGC Land;
Utah School and Institutional Trust Lands
Administration;
Utah Division of Oil, Gas and Mining;
State of Utah

DOCKET CASE NUMBER: 2:02cv1118

OTHER DOCKET CASE NUMBER: 03-04244
USCA 10th Circuit, 03-04244

FILING DATE: 10/10/2002

JURISDICTION: U.S. Government Defendant

Royalty Policy Committee (States)

JUDGE: Paul G. Cassell

NATURE OF SUIT: 893 Environmental

FILING TYPE: Civil

CAUSE: Review of Agency Action-Environment [42 USC 4321](#)

JURY DEMAND: None

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 01/14/2005 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
(Central)

Royalty Policy Committee (States)

So Ut Wilderness, Et Al V. Norton, Et Al

PLAINTIFF: Wildlands CPR;

Utah Council of Trout Unlimited;
The Wilderness Society;
Southern Utah Wilderness Alliance;
Sierra Club;
Redrock Forests;
Great Old Broads for Wilderness;
Friends of the Abajos (Terminated 7/23/2003);
American Lands Alliance

DEFENDANT: Kathleen Clarke;

Gayle Norton;
Bureau of Land Management

All Plaintiffs: All Plaintiffs

Intervenor Defendant Wayne County;

Utah Shared Access Alliance;
State of Utah;
School and Institutional Trust Lands Administration,
The;
San Juan County;
Kane County;
Emery Cnty;
Elite Motorcycle Tours;
Blue Ribbon Coalition;
Anthony Chatterley

DOCKET CASE NUMBER: 2:99cv852

OTHER DOCKET CASE NUMBER: 01-04009

US Supreme Court, 03-00101
US Supreme Court, 02-01703

FILING DATE: 10/27/1999

JURISDICTION: Federal Question

JUDGE: Paul G. Cassell

NATURE OF SUIT: 893 Environmental

FILING TYPE: Civil

CAUSE: Review of Agency Action-Environment [42 USC 4321](#)

JURY DEMAND: None

Royalty Policy Committee (States)

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 02/15/2013 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF UTAH
(Northern)

Kern River Gas Trans V. 24.51 Acres Of Land, Et Al

PLAINTIFF: Kern River Gas Transmission Company

DEFENDANT: 6.01 Acres of Land, More or Less, in Salt Lake County, Utah,
Known as Kern River Tracts 137.09W and 137.11W;
3.84 Acres of Land, More or Less, in Davis County, Utah, Known
as Kern River Tract 117.01W, Davis County, A Political
Subdivision of the State of Utah, et al (Terminated 9/15/1992);
24.51 Acres of Land, More or Less, in Morgan County Utah
(Terminated 4/20/1992);
20.61 Acres of Land, More or Less, in Davis County, Utah
(Terminated 6/11/1992);

Royalty Policy Committee (States)

2.62 Acres of Land, more or less, in Salt Lake County, Utah,
known as Kern River Tract 171W, J. Frank and Esther E. Brasher
Family Limited Partnership, a Utah partnership, and Jay L.
Brasher, dba J. F (Terminated 10/14/1992);
2.19 Acres of Land, more ore less in Salt Lake County, Utah,
known as Kern River Tract 169W, Keith H. Meikle, Mell C.
Meikle and Susanne Clift, all dba the Keith H. Meikle Family
Limited Partnership, (Terminated 8/25/1993);
1.14 Acres of Land, More or Less, in Salt Lake County, Utah,
Known as Kern River Tract 262.01W, Israel J. Martin and Alice
Martin (Terminated 8/20/1993);
1.08 Acres of Land, More or Less, in Salt Lake County, Utah,
Known as Kern River Tract 268.01W, Daro E. Hamilton, Veja Jean
Hamilton and Kevin Daro Hamilton (Terminated 3/8/1993);
0.43 Acres of Land, more or less, in Davis County, Utah, known
as Kern River Tract 127W, HRM, Inc., a Utah corporation
(Terminated 11/10/1992);
0.04 Acres of Land, more or less, in Davis County, Utah, known
as Kern River Tract 86.23W, Gerald R. Nichols, the Federal
Deposit Insurance Corporation, Receiver for Heritage Bank &
Trust, a Utah corp;
Valley Bank and Trust Company (Terminated 12/21/1992);
Rosalie Bown (Terminated 7/30/1991);
Owners Tract 273W (Terminated 9/17/1992);
North Lily Mining Company;
Mortgage Brokers, Inc. (Terminated 12/21/1992);
Lowell Jacobson (Terminated 2/1/1993);
J. Ralph Bown (Terminated 7/30/1991);
Ida Jacobson (Terminated 2/1/1993);
Goldfleck Corporation (Terminated 4/20/1992);
First Interstate Bank of Utah, N.A.;
Dale Kalmar (Terminated 12/30/1992);
Charles Frank Gillmor, Jr.;
C. Lynn Kalmar (Terminated 12/30/1992);
Associated Title Company;
Any Unknown Owners;
Action Insurance Agency (Terminated 12/21/1992);
.63 Acres of Land, more or less, in Salt Lake County, Utah,
known as Kern River Tract 161W, A. Wayne Meikle (Terminated
6/8/1993)

Intervenor Defendant Bountiful CTY (Terminated 6/11/1992)

Movant: Walter V. Pace (Terminated 5/31/1991);
Palace Meat Co (Terminated 5/31/1991);
Pace-Platt Inv Co (Terminated 5/31/1991);
Mrs. Earl Pace;
Mrs. Dean Pace;
Mr. Earl Pace (Terminated 5/31/1991);
Mr. Dean Pace (Terminated 5/31/1991);
Maurine Pace Platt (Terminated 5/31/1991);
Leilah Ltd;
Casa Escondida (Terminated 5/31/1991);

Royalty Policy Committee (States)

Bountiful CTY (Terminated 6/11/1992);
B&E Pace Inv Co Ltd (Terminated 5/31/1991)

Notice Party: Wallace R. Bennett;
Susanne Clift (Terminated 8/25/1993);
Mell C. Meikle (Terminated 8/25/1993);
Judith F. Miller (Terminated 8/19/1992);
Joseph K. Knorr;
James E. Miller (Terminated 8/19/1992);
J. Robert Bullock;
George C. Morris Family Limited Partnership Tract 169W
(Terminated 8/25/1993);
F. Burton Cassity

DOCKET CASE NUMBER: 1:90cv91

FILING DATE: 9/25/1990

JURISDICTION: Federal Question

JUDGE: J. Thomas Greene

NATURE OF SUIT: 210 Land Condemnation

FILING TYPE: Civil

CAUSE: Land Condemnation [28 USC 1358](#)

JURY DEMAND: Defendant

STATUS: Case Closed

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Kern River Tract 171W, J. Frank and Esther E. Brasher Family Limited
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THE COURT UPDATED THIS RECORD ON: 11/14/1996 12:00:00 AM

Judgments and Liens: None

Nexis News Search: None

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Royalty Policy Committee (States)

The Bunny Alliance, August 12, 2014 – The Fight or Flight Tour Protests Delta and Tar Sands Mining in Salt Lake City, <https://thebunnyalliance.com/2014/08/12/the-fight-or-flight-tour-protests-delta-and-tar-sands-mining-in-salt-lake-city/>

Associations and Affiliations Search: https://www.energy.senate.gov/public/index.cfm/hearings-and-business-meetings?Id=8d0fc9a0-1373-44a0-ab30-b6cbab26b85c&Statement_id=870054da-4bf7-4326-8ee0-d9a7a368916e

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House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

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Google Search: <https://www.linkedin.com/in/clinton-carter-10aa712/>;
<https://www.facebook.com/profile.php?id=618260>;
<https://twitter.com/clintoncarteral>;

DecaturDaily.com, September 30, 2016, Former UNA Official Clinton Carter now state finance director, http://www.decaturdaily.com/news/other_news/state_capital/former-una-official-clinton-carter-now-state-finance-director/article_623cbafd-3877-54b0-a962-7e887ca957f8.html

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Associations and Affiliations Search: http://finance.alabama.gov/pages/dir_office.aspx

<https://algop.org/clinton-carter/>

Royalty Policy Committee (States)

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Phone: (b) (6)
DOB: (b) (6)
Governor Mead

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search:

<https://www.linkedin.com/in/acolinmckee/>;

<https://www.facebook.com/colin.mckee.106>;

http://trib.com/lifestyles/announcements/weddings/engagement/douglass-mckee/article_adbcd29f-09ea-5dc5-a82d-0b5f561b26ae.html

Associations and Affiliations Search: Office of Governor Matt Mead, <http://governor.wyo.gov/staff/policy>

Royalty Policy Committee (States)

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DOB: (b) (6)

National Conference of State Legislatures

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: The Gallup Independent (New Mexico)

April 3, 2017 Monday

2 for 2: Governor signs, vetoes bills

BYLINE: Sherry Robinson Independent correspondent

SECTION: NEWS; Pg. 5

LENGTH: 365 words

DATELINE: SANTA FE

SANTA FE — In the battle over diversions on the Gila River, Norm Gaume, former director of the Interstate Stream Commission, asked for a copy of a spreadsheet so he could fully understand the current commission's support of diversions. Gaume opposes diversion and believes the state's argument is flawed. He was told he had to sign an agreement that would prohibit him from using the data for "political purposes."

Databases are considered public information, but wording in the law allows state agencies to deny public access to information if it might be used for advocacy. The New Mexico Foundation for Open Government has said the restriction hampers access to public information and **violates** civil rights.

Rep. **Matthew McQueen**, D-Santa Fe, introduced House Bill 227 to remedy that. Gov. Susana Martinez vetoed the bill Friday.

Royalty Policy Committee (States)

In her executive message, the governor wrote: "I cannot support a bill that would allow political organizations to take personal information — such as addresses and phone numbers — from private citizens in an attempt to push their political agendas. Implementation of HB 227 may result in several unintended consequences and would likely prove to be extremely costly."

The governor signed House Bill 218, which abolishes the cumbersome 32-member Litter Control Council and replaces it with a streamlined, seven-member New Mexico Clean and Beautiful Advisory Committee. The committee is no longer required to distribute Dusty Roadrunner litter bags, which will save the Tourism Department \$30,000 a year.

She also signed House Bill 257 to update licensing requirements for crane operators by correcting flaws in the current law and providing a license path for operators to seek an upgrade. The bill brings state law into compliance with the new federal Occupational Safety and Health Administration regulations.

Martinez vetoed a second bill, House Bill 307, which would have required the Public Education Department to develop guidelines for professional development for career and technical education teachers and educational assistants.

The governor wrote that state law already provides professional development for all teachers, so the bill is unnecessary.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: LEGISLATION (90%); GOVERNORS (90%); VETO (90%); US STATE GOVERNMENT (89%); PROFESSIONAL WORKERS (89%); OCCUPATIONAL HEALTH & SAFETY AGENCIES (78%); AGREEMENTS (78%); EDUCATION DEPARTMENTS (78%); EDUCATION SYSTEMS & INSTITUTIONS (77%); POLITICAL ORGANIZATIONS (75%); CIVIL RIGHTS (74%); HEALTH DEPARTMENTS (73%); ASSOCIATIONS & ORGANIZATIONS (73%); POLITICAL PARTIES (70%); POLITICS (70%); VOCATIONAL & TECHNICAL TRAINING (67%); TEACHER EDUCATION (66%); TOURISM DEVELOPMENT (64%); LICENSES & PERMITS (63%); TEACHING & TEACHERS (63%); WORKPLACE HEALTH & SAFETY (63%); PARAEDUCATORS (61%)

PERSON: SUSANA MARTINEZ (54%)

CITY: SANTA FE, NM, USA (94%)

STATE: NEW MEXICO, USA (92%)

COUNTRY: UNITED STATES (92%)

LOAD-DATE: April 4, 2017

Silver City Daily Press & Independent (New Mexico)

March 18, 2017 Saturday

Legislative Roundup

Royalty Policy Committee (States)

BYLINE: The New Mexican

SECTION: NEWS; Pg. 12

LENGTH: 708 words

Solitary confinement:

State senators on Friday voted 29-3 for a bill to prohibit jails and prisons from placing in solitary confinement inmates who are pregnant, mentally ill or younger than 18.

The bill does not apply to federal prisoners, and it has exceptions for inmates who pose an ongoing threat of physically harming someone.

House Bill 175 next goes to Gov. Susana Martinez for her consideration. It previously cleared the House of Representatives 38-22 on a largely party-line vote. Republicans cast all the votes against it.

Democratic Rep. Antonio "Moe" Maestas, an Albuquerque attorney, sponsored the bill. Sen. Mary Kay Papen, D-Las Cruces, presented it on the Senate floor. She said the measure would lessen the chance of lawsuits over solitary confinement, which have led to court judgments for New Mexico inmates exceeding \$26 million.

Only the trophy: The penalty for wasteful hunting of big game would escalate from a misdemeanor to a fourth-degree felony under a bill heading to the governor.

State senators on Friday voted 37-2 for House Bill 92. It targets those who hunt without a license or outside the designated season and then wastefully kill certain animals. The bill defines wasteful hunting as taking only an animal's head, horns or antlers. It applies to bighorn sheep, ibex, oryx, Barbary sheep, elk, deer and pronghorn antelope.

The bill, sponsored by Rep. Alonzo Baldonado, R-Los Lunas, previously cleared the House of Representatives.

Minimum Wage: The Senate on Friday sent another minimum wage bill to the governor. It approved House Bill 442, which would increase the state's minimum wage to \$9.25 an hour, up from \$7.50 per hour.

"Hardworking New Mexicans deserve a fair wage that will give their families an opportunity to succeed," said Rep. Debbie Rodella, D-Española, a co-sponsor of the bill. "No one working 40 hours a week should be struggling to put food on the table."

A day earlier the House approved Senate Bill 386, sponsored by Sen. Clemente Sanchez, D-Grants. That bill would raise the hourly minimum wage to \$8.25 in October, then to \$9 in April 2018. Beginning in October, it also would allow employers to pay an \$8 training wage for 60 days.

The last time the Legislature approved a minimum wage law was in 2013, when Martinez vetoed a proposed wage of \$8.50 an hour.

Royalty Policy Committee (States)

A spokesman for Martinez said recently, "The governor supports raising the minimum wage so long that it's in line with neighboring states and doesn't hurt small businesses."

Arizona has a \$10-an-hour minimum wage — which will increase to \$10.50 in January, while Colorado's is \$9.30 and is scheduled to increase to \$10.20 next year. New Mexico's other neighbors — Texas, Oklahoma and Utah — each have a minimum wage of \$7.25 an hour, which is the federal minimum wage. Birth certificate: After a rancorous debate, the House of Representatives sent the governor a bill that would make it easier for transgendered people to change the gender listed on their birth certificate. The vote was 36-26.

State law already allows New Mexicans to change the gender shown on their birth certificates if they undergo a sex-change operation. Under Senate Bill 120, sponsored by Sen. Jacob Candelaria, D-Albuquerque, transgendered people could seek the certificate change with a sworn recommendation of a licensed medical or mental health professional, regardless of whether they have undergone surgery.

Some House Republicans derided the bill during floor debate Thursday night.

Rep. Dennis Roch, R-Logan, offered a parody with an amendment that would also allow New Mexicans to change the date of birth on their certificates. The chamber shot down the idea with even Roch voting against it.

And other GOP lawmakers said the House should have been addressing what they viewed as more pressing matters, such as passing a budget.

As debate dragged on, some Democrats **accused** Republicans of crossing a line from critiquing policy to ridiculing people.

"This evening I watched as Republicans mocked transgender people on the House floor," Rep. **Matthew McQueen**, D-Galisteo, wrote on Twitter, "and I'm still saddened by the spectacle."

The bill carried with support from a handful of Republicans, including Reps. Zach Cook, Jim Dines and Jim Smith.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: LEGISLATIVE BODIES (91%); LEGISLATION (90%); CORRECTIONS (90%); MINIMUM WAGE (89%); WAGES & SALARIES (89%); MINIMUM WAGE LAWS (89%); GOVERNORS (89%); US REPUBLICAN PARTY (78%); POLITICAL PARTIES (78%); WAGE & HOUR LAWS (78%); VETO (78%); POLITICS (76%); US POLITICAL PARTIES (75%); LITIGATION (74%); LABOR & EMPLOYMENT LAW (73%); MISDEMEANORS (73%); FELONIES (73%); WAGE VIOLATIONS (73%); LICENSES & PERMITS (72%); SUITS & CLAIMS (70%); DECISIONS & RULINGS (69%); CRIMINAL OFFENSES (67%); FULL TIME EMPLOYMENT (61%); SMALL BUSINESS (60%)

PERSON: SUSANA MARTINEZ (76%)

CITY: ALBUQUERQUE, NM, USA (79%)

STATE: NEW MEXICO, USA (92%)

Royalty Policy Committee (States)

COUNTRY: UNITED STATES (92%)

LOAD-DATE: March 20, 2017

Los Alamos Monitor (New Mexico)

March 14, 2017 Tuesday

Panel rejects expanded background checks

BYLINE: Steve Terrell

SECTION: TODAY'S NEWS

LENGTH: 856 words

The New Mexican

A legislative committee on Monday effectively killed a bill to expand background checks for gun purchases – an issue that drew large crowds to the Capitol as well as big campaign contributions and intense lobbying and advertising.

The House Judiciary Committee voted 7-6 to table House Bill 548 after a lengthy hearing. It marked the defeat of the most recent gun-control bill sponsored by Rep. Stephanie Garcia Richard, D-Los Alamos.

Democrat Eliseo Alcon of Milan joined the six Republicans on the panel to stop the measure, which would have required background checks on all sales of firearms at gun shows and from advertisements on the internet or print publications.

Garcia Richard said other states that have approved similar bills have seen fewer violent crimes and suicides involving guns.

Earlier in the session, Garcia Richard carried a similar measure, HB 50, which cleared two committees, including the Judiciary Committee. But last month she voluntarily pulled her own bill before it reached the full House of Representatives, asking it go back to the Judiciary Committee.

The main difference between the two bills, Garcia Richard said, is that the new proposal didn't cover temporary transfers of guns. "The intent is to get to stranger-to-stranger sales," she told the committee Monday. "I said from the beginning I wanted to strike a balance between public safety and convenience."

Only licensed firearms dealers are required to conduct background checks.

But the changes she made did little to quell opposition.

John Sugg, **district attorney** of Lincoln and Otero counties, told the Judiciary Committee that Garcia Richard's intent is legitimate but the bill would be unenforceable.

Rep. **Matthew McQueen**, D-Galisteo, challenged that claim. "The first thing you do when you **arrest** someone for a violent **crime** is ask them where they got the gun," he said.

Royalty Policy Committee (States)

House Minority Leader Nate Gentry, R-Albuquerque, voted for a bill in 2013 that would have expanded background checks, saying that he and other Republicans who supported it took much heat. But of HB 548, he said, "If I thought this was something that would work, I'd support it."

The 2013 bill, which passed the House with bipartisan support, died in the Senate. That bill was inspired by the mass killings at Sandy Hook Elementary School in Connecticut. It was the last serious attempt New Mexico legislators made to expand background checks for firearm sales.

Like Sugg, Gentry said he prefers another bill going through the Legislature that would increase penalties on felons possessing firearms. This is HB 17, sponsored by Rep. Bill Rehm, R-Albuquerque. It cleared the House and is awaiting a hearing in the Senate Judiciary Committee.

Opponents of Garcia Richard's latest bill complained that it lacked transparency. It started as a "dummy bill" – a blank sheet so content could be added belatedly. The title of the legislation is generic, saying it's for the "public peace, health, safety and welfare" without any mention of guns or background checks. In addition, neither the bill nor a report about its financial impact was available on the Legislature's website.

Still another bill on background checks is alive in the Senate. That is Senate Bill 48, sponsored by Sen. Richard Martinez, D-Española. It has been awaiting a hearing in the Senate Judiciary Committee – which is chaired by Martinez – since Jan. 31. Even if it somehow passed the Senate in this last week of the legislative session, it probably wouldn't make it through the House Judiciary Committee after Monday's defeat of a similar bill.

The committee's action was a blow to gun-control groups such as New Mexicans to Prevent Gun Violence and the New York-based Everytown for Gun Safety. They argued that Garcia Richard's measure would close a loophole that allows untold numbers of people to acquire guns without background checks.

The lobbyist for Everytown, which is chaired by media mogul and former New York City Mayor Michael Bloomberg, was the biggest single campaign contributor in New Mexico last year, giving more than \$219,000 to politicians and political action committees.

In contrast, the National Rifle Association spent only about \$10,000 on New Mexico candidates last year. But the organization last month poured \$44,377 into an internet ad blitz opposing the background check bills. That's the largest lobbyist expenditure reported so far during the session.

The House Judiciary committee also acted on another gun-control measure Monday, voting 9-4 to recommend Senate Bill 259, sponsored by Sen. Joseph Cervantes, D-Las Cruces. His proposal would require someone who is the subject of a restraining order to relinquish any guns. It also prohibits that person from buying or obtaining any other guns as long as the order is in effect.

People under such an order would have to deliver their firearms to someone who is not prohibited from possessing a firearm by state or federal law. All Democrats present voted for the measure, as did two Republicans, Gentry and Rep. Jim Dines of Albuquerque. Contact Steve Terrell at 505-986-3037 or sterrell@sfnewmexican.com

Royalty Policy Committee (States)

GRAPHIC: At a meeting Monday of the House Judiciary Committee, Sierra County Sheriff Glenn Hamilton speaks against a bill that would require a person subject to a restraining order to surrender firearms. Luis Sánchez Saturno/The New Mexican

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: BACKGROUND CHECKS (91%); GUN CONTROL (90%); FIREARMS (90%); LEGISLATIVE BODIES (89%); US REPUBLICAN PARTY (89%); POLITICAL PARTIES (89%); LEGISLATION (89%); VIOLENT CRIME (89%); CRIMINAL OFFENSES (88%); SANDY HOOK ELEMENTARY SCHOOL SHOOTINGS (78%); CAMPAIGN FINANCE (77%); APPROVALS (76%); US DEMOCRATIC PARTY (76%); ONLINE ADVERTISING (72%); ONLINE MARKETING & ADVERTISING (72%); FELONIES (68%); PRIMARY SCHOOLS (64%)

CITY: ALBUQUERQUE, NM, USA (73%)

STATE: NEW MEXICO, USA (94%); CONNECTICUT, USA (79%)

COUNTRY: UNITED STATES (94%)

LOAD-DATE: March 15, 2017

Associated Press State & Local

February 22, 2017 Wednesday 2:04 AM GMT

New Mexico seeks safeguards against faithless electors

SECTION: STATE AND REGIONAL

LENGTH: 135 words

DATELINE: SANTA FE, N.M.

SANTA FE, N.M. (AP) - New Mexico may take new precautions to guard against any possible revolt by presidential electors.

The state House of Representatives approved a bill Tuesday that would replace any presidential elector who does not vote for the candidate of the party that nominated them. The bill now moves to the Senate.

The initiative from Democrat Rep. **Matthew McQueen** also would do away with the New Mexico's **felony penalty** for "faithless" electors. McQueen says there should not be an option to thwart the will of the electorate.

Despite rumblings of a revolt, only two Republican electors - both from Texas - cast protest votes for someone other than [Donald Trump](#). ▼ [Hillary Clinton](#) ▼ lost four Democratic electors in Washington state and one in Hawaii.

[Hillary Clinton](#) ▼ won New Mexico's five electoral votes.

Royalty Policy Committee (States)

LANGUAGE: ENGLISH

DOCUMENT-TYPE: Spot Development

PUBLICATION-TYPE: Newswire

SUBJECT: LEGISLATIVE BODIES (93%); US PRESIDENTIAL CANDIDATES 2016 (90%); US ELECTORAL COLLEGE (90%); LEGISLATION (90%); VOTERS & VOTING (90%); US STATE GOVERNMENT (90%); REGIONAL & LOCAL GOVERNMENTS (90%); ELECTIONS (88%); US REPUBLICAN PARTY (88%); POLITICS (88%); US DEMOCRATIC PARTY (88%); US PRESIDENTIAL CANDIDATES 2012 (88%); US PRESIDENTIAL CANDIDATES 2008 (88%); APPROVALS (72%); FELONIES (54%) NM-XGR--Electoral College-New Mexico; General news; State governments; Government and politics; Government appointments and nominations; Bills; Legislation; Legislature; Electoral college; Elections; State legislature

ORGANIZATION: New Mexico State Legislature; New Mexico state government

PERSON: HILLARY RODHAM CLINTON (93%); DONALD TRUMP (92%) Hillary Clinton, POLITICIAN; Donald Trump, POLITICIAN

CITY: SANTA FE, NM, USA (93%)

STATE: NEW MEXICO, USA (99%); HAWAII, USA (79%); WASHINGTON, USA (79%)

COUNTRY: UNITED STATES (99%); NORTH AMERICA (79%)

REGION: New Mexico; United States; North America

LOAD-DATE: February 22, 2017

The Santa Fe New Mexican (New Mexico)

Distributed by Tribune Content Agency

February 20, 2017 Monday

The Santa Fe New Mexican Milan Simonich column

BYLINE: Milan Simonich, The Santa Fe New Mexican

SECTION: STATE AND REGIONAL NEWS

LENGTH: 782 words

Feb. 20--It's the same sad story at the state Capitol. New Mexico still can't pay its bills, but many legislators still introduce unnecessary bills that waste time and staff resources.

One such proposal would make it a crime for a prison inmate to possess a cellphone. The Corrections Department already prohibits prisoners from having cellphones, as well as

Royalty Policy Committee (States)

weapons, cigarettes, alcohol and drugs. Even chewing gum is prison contraband because an inmate might mold a pack of Wrigley's Doublemint into a key.

No matter. Sen. Sander Rue, R-Albuquerque, introduced a bill to make it a felony for an inmate to have a cellphone. Other senators have since amended Rue's proposal to reduce the violation to a misdemeanor.

Prison guards don't need another law. They already inspect prison cells for every type of contraband as a matter of safety and security. And wardens can use administrative hearings to punish prisoners manipulative enough to get their mitts on a cellphone.

The real danger in New Mexico's prisons is chronic staffing shortages that force many guards to work 16-hour shifts, leaving them vulnerable because of fatigue. That's all the more reason legislators should focus on finances.

Democrats also are offering their share of bills that **kill** time and rob attention from the state's fiscal crisis.

Rep. **Matthew McQueen** of Galisteo is sponsoring a proposal to make the green chile cheeseburger the official hamburger of New Mexico. Hold the onions because it gets a committee hearing Tuesday.


At least McQueen's bill is innocuous. A proposal by Rep. Rod Montoya of Farmington and three of his fellow Republicans is cynical and ill-conceived.

Montoya introduced the Born-Alive Infant Protection Act based on the supposition that sadistic physicians kill fully formed babies after an abortion fails, then get away with the violence.

Montoya's bill would require caseworkers from the Children, Youth and Families Department to perform monthly inspections and interview employees at every hospital or clinic that performs elective abortions. A legislative staff analysis of the bill notes that these caseworkers are trained to detect child abuse or neglect, yet Montoya's anti-abortion measure would require them to make judgments about medical malpractice.

The state already has professional boards to police the conduct of medical professionals. Montoya's bill would create an enormous expense and more duties for a child welfare system that's already overworked. The only consolation is that his bill will end up where it belongs -- the trash bin.

Another unneeded bill, this one by Democrats, should be called the Sore Loser Initiative. It would require candidates for president to provide copies of their last five federal income tax returns to qualify for the ballot in New Mexico.

This measure is directed at Republican President [Donald Trump](#),  who last year broke a tradition dating to the Nixon years by not disclosing his income tax filings.

One bill to bar presidential candidates from the New Mexico ballot if they don't release their tax forms has failed in the state House of Representatives, but a companion measure is alive in the Senate.

It should die, too. The U.S. Constitution establishes the age, citizenship and residency requirements to run for president. Democratic legislators in several states have drafted copycat proposals to restrict ballot access because of Trump's upset win last November.

One of the bill sponsors in New Mexico, Democratic Sen. Jacob Candelaria of Albuquerque, said trying to keep presidential candidates off the ballot if they withhold their tax returns is

Royalty Policy Committee (States)

an uncharted area of law. But, he said, he believes states can establish reasonable requirements for access to the ballot.

"Trump's conduct [in not releasing his tax returns] has posed a threat to the integrity of our political system," Candelaria said.

That's as far-fetched as Trump's claim that millions of people voted illegally in the last election, his excuse for losing the popular vote.

Candelaria said his bill hasn't impeded the Legislature's focus on the state fiscal crisis. "That is our number one priority," he said.

It better be. The budget for the fiscal year that begins in July is unsettled and the state's credit rating is at risk. Legislators need not waste another minute on bills that demonize doctors, herald hamburgers or offer solutions to nonexistent problems.

Ringside Seat is a column about New Mexico's people, politics and news. Contact Milan Simonich at 505-986-3080 or msimonich@sfnewmexican.com

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LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: SF

SUBJECT: PRISONERS (92%); LEGISLATIVE BODIES (91%); CORRECTIONS (91%); PRISONS (90%); SMUGGLING (90%); US STATE GOVERNMENT (90%); MOBILE & CELLULAR COMMUNICATIONS (90%); MOBILE & CELLULAR TELEPHONES (90%); US REPUBLICAN PARTY (89%); US DEMOCRATIC PARTY (89%); CHILDREN (88%); PROFESSIONAL WORKERS (88%); POLITICAL PARTIES (87%); INFANTS & TODDLERS (86%); ABORTION (85%); CHILD WELFARE (85%); ABORTION LAWS (78%); INSPECTIONS (78%); LEGISLATION (78%); ELECTION LAW (78%); CORRECTIONS WORKERS (77%); NIGHT & SHIFT WORK (77%); MISDEMEANORS (77%); FELONIES (77%); AGENCY ADJUDICATION (73%); LABOR SHORTAGES (72%); CHILD ABUSE (71%); HEALTH CARE PROFESSIONALS (67%); CHILD PROTECTIVE SERVICES (67%); MEDICAL MALPRACTICE (67%); ADMINISTRATIVE PROCEDURE (67%); FAMILY (66%); CHILD ABUSE PROGRAMS (65%); TAXES & TAXATION (63%); HOSPITALS (62%); HEADS OF GOVERNMENT ELECTIONS (62%); US PRESIDENTIAL CANDIDATES 2016 (61%); BALLOTS (60%); INCOME TAX (50%); CLINICS & OUTPATIENT SERVICES (50%)

COMPANY: SANTA FE NEW MEXICAN INC (58%)

INDUSTRY: SIC2711 NEWSPAPERS: PUBLISHING, OR PUBLISHING & PRINTING (58%)
General

PERSON: DONALD TRUMP (79%); RICHARD NIXON (50%)

Royalty Policy Committee (States)

CITY: ALBUQUERQUE, NM, USA (79%)

STATE: NEW MEXICO, USA (96%)

COUNTRY: UNITED STATES (96%)

LOAD-DATE: February 20, 2017

Silver City Daily Press & Independent (New Mexico)

February 14, 2017 Tuesday

Bill would end 'political purpose' barrier to public data

BYLINE: ANDREW OXFORD, THE NEW MEXICAN

SECTION: NEWS; Pg. 16

LENGTH: 823 words

Norm Gaume believes the state is wrong and does not want you to know it.

The former director of the Interstate Stream Commission says data reveals errors undermining the state's case for spending billions of dollars to divert water from the Gila River, which for now runs freely through southwestern New Mexico.

But when Gaume asked last December for a copy of a spreadsheet to better understand the state's position, the commission required him to sign an agreement that would prohibit him from using the data for "political purposes."

Gaume's research has become an example of how just a few words buried in New Mexico law give state agencies broad discretion to deny members of the public access to information by prohibiting any use that could be construed as advocacy. Advocates for open government say the restriction is not just a barrier to public information but a **violation** of civil rights that muffles criticism of the government.

Now a legislator from Galisteo is proposing to change the law.

"We shouldn't make people go to court to exercise their First Amendment rights," says Rep. **Matthew McQueen**, a Democrat, who has introduced House Bill 227 to **strike** the restrictions on using public data for political purposes.

State databases are considered public records under New Mexico law but with a range of exceptions and restrictions.

Agencies can require, for example, that anyone asking for a copy of a database guarantee they will not make copies without authorization or use the data for commercial or political purposes.

The law does not define "political purposes," giving agencies plenty of leeway to decide how public data can be used.

Royalty Policy Committee (States)

Gaume ran up against that part of the law when he began to question data in a spreadsheet from the Interstate Stream Commission. A leading critic of the proposal to divert water from the Gila River, Gaume said he asked the agency to give him an “unlocked” copy of the spreadsheet, which would allow him to see the formulas that generated the data.

The Interstate Stream Commission replied that it considered the spreadsheet to be a database and asked Gaume agree to restrictions on its use.

At first, Gaume thought the ban on political use might have something to do with election campaigns — stopping candidates or parties from scraping up data for mailers and automated calls.

But, Gaume says, the commission considered his advocacy to be political, too, and he declined to sign the agreement.

Open government groups argue Gaume’s case demonstrates that state officials can easily use the law to exempt themselves from scrutiny.

“Removing the political purpose language is critically important. Requiring someone to sign a release saying a database won’t be used for ‘political purposes’ is a violation of that person’s civil rights under the First Amendment,” says Peter St. Cyr, executive director of the New Mexico Foundation for Open Government.

But some officials have raised concerns that Mc-Queen’s bill might conflict with agreements between the state and the private companies that have created proprietary software to maintain some government databases, such as for court records.

Adam Marshall, a lawyer for the Reporters Committee for Freedom of the Press, said governments often exempt proprietary information such as trade secrets from open records laws rather than seek to restrict how the information is used once it is released. But, Marshall said, New Mexico’s restrictions seem to contradict the purpose of open records law.

“I don’t know of any other state public records law that does that,” he said. “You want people to have access to public records so they can participate in the political process.”

It took a powerful politician to get the spreadsheet Gaume had requested.

The Interstate Stream Commission turned the file over to U.S. Sen. Martin Heinrich, D-N.M., after he requested it from the agency last month.

“While it’s hard to imagine a dam or diversion on the Gila River that is not irresponsibly expensive as well as destructive to the economy and our environment,” Heinrich said in a statement Monday, “it’s critical that all stakeholders and the public have access to the best available data and science to make informed decisions about the best path forward.”

Gaume says the data undermines arguments that water must be diverted from the Gila to meet the needs of farmers. Unused water could be made available at a small fraction of the cost of the diversion, he argues.

A committee of the state House of Representatives is scheduled to take up Mc-Queen’s bill on Thursday. A spokeswoman said officials from the Interstate Stream Commission had not reviewed the bill.

Royalty Policy Committee (States)

McQueen, who says he filed the bill after reading about Gaume's battle with the commission in a story by New Mexico Political Report, maintains it is a simple fix to a clause in state law he sees as plainly unconstitutional.

"The statute just doesn't make any sense," he said.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: AGREEMENTS (89%); ELECTIONS (78%); LEGISLATIVE BODIES (78%); CAMPAIGNS & ELECTIONS (75%); LEGISLATION (74%); CIVIL RIGHTS (67%)

STATE: NEW MEXICO, USA (94%)

COUNTRY: UNITED STATES (94%)

LOAD-DATE: February 15, 2017

The Santa Fe New Mexican (New Mexico)

Distributed by Tribune Content Agency

January 10, 2017 Tuesday

GOP to revive death penalty proposal during session

BYLINE: Steve Terrell, The Santa Fe New Mexican

SECTION: STATE AND REGIONAL NEWS

LENGTH: 985 words

Jan. 10--The death penalty will again be an issue in the state Legislature when it reconvenes next week.

A capital punishment bill, sponsored by Rep. Monica Youngblood, R-Albuquerque, is identical to what was perhaps the most divisive piece of legislation in last fall's special session of the Legislature.

But unlike last year, Republicans -- who lost control of the House in the November election - will have a much harder time getting a capital punishment bill to the House floor.

"It's my hope that people don't see it as a full reinstatement of the death penalty," Youngblood said Monday.

The state abolished the death penalty in 2009.

Youngblood said her bill, House Bill 72, targets "only the most heinous criminals, the ones that prey upon our children and our police officers."

Royalty Policy Committee (States)

Like last year's bill, which she co-sponsored, Youngblood's new bill would make **murdering** a law enforcement officer, corrections personnel or a child the only **crimes** that would be eligible for a death sentence.

Youngblood said polls show most New Mexicans favor capital punishment for certain **crimes**. But Rep. **Matthew McQueen**, D-Galisteo, said Monday the death **penalty** is riddled with problems.

"There have been numerous examples around the country as well as in New Mexico of people who were **sentenced** to death later being exonerated," McQueen said. "And it's tremendously expensive. I believe it's a waste of resources. I'm hopeful this year we'll make short work of it."

Bringing back capital punishment would bring additional costs to a judicial system already strapped by the state's budget crunch.

Sen. Pete Campos, D-Las Vegas, in an opinion piece submitted to various news organizations, wrote, "New Mexico's courts face a funding crisis that threatens to undermine the judiciary's ability to protect our rights by delivering timely justice. ... The prosecution of criminal cases is being impaired. Some courts confront the possibility of dismissing cases because the state's public defender office lacks the staff and budget it needs to handle more cases."

A fiscal analysis by the Legislative Finance Committee of last year's death penalty bill said reinstating executions could cost the state up to \$7.2 million a year over a three-year period.

"The cost to the judicial system to process one individual through the death penalty process, which historically has taken an average of 11 years, is about \$105,000 per year," the report says. "The cost to incarcerate one individual on death row is \$51,100 a year."

In the analysis, the Administrative Office of the Courts estimated that a death penalty jury trial would cost \$12,000 to \$17,000 more than a nondeath penalty case. More jury costs would be incurred because after finding someone guilty in a death penalty case, a jury would have to determine whether to impose capital punishment.

The report also said that in cases stemming from the 2007 Santa Rosa prison riot -- in which prosecutors initially sought the death penalty for three inmates in the killing of a corrections officer -- the state Public Defender's Office spent \$474,600 on contract defense attorneys, \$1 million on expert witnesses and \$76,800 on other costs before trial. The total expense to the department was \$1.6 million.

In that case, the state Supreme Court ruled that unless the Legislature appropriated funds in addition to the \$1.1 million previously allocated for the case, the death penalty could not be imposed. The Legislature didn't approve those funds, so prosecutors dropped the death penalty from the case.

HB 72 includes a number of mitigating circumstances -- such as the defendant's age, mental capacity and prior criminal record -- that could be weighed by a jury in considering imposing the death penalty. Executions would not be allowed if the defendant suffers "intellectual disabilities." And if a condemned inmate is pregnant, the execution would be held until the baby is born.

At the end of October's special session, the House voted 36-30 along party lines to reinstate the death penalty, with Republicans in the majority. This followed a debate that started after midnight and ended just before 6 a.m. Many critics, including state religious leaders,

Royalty Policy Committee (States)

blasted House leaders for holding the debate during the wee hours without any public notice. Hours later, the Senate voted to adjourn without considering the bill.

Last year was the first time that capital-punishment supporters made a serious effort to bring back the death penalty. The push came following several cases of police killings and child murders, including the rape and dismemberment of 10-year-old Victoria Martens.

Democrats criticized the idea of considering the capital punishment bill during the special session, which originally was meant to deal with the state's budget crisis. Some said it was nothing but a political ploy for Republicans to use during the general election.

If so, that plan backfired. Republicans lost control of the House after two years of being the majority. Though Republican Gov. Susana Martinez's political team was successful in bringing down Senate Majority Leader Michael Sanchez, D-Belen -- who opposed the death penalty bill -- the GOP suffered a net loss in the Senate.

Between 1979 and 2007, when the death penalty was an option to prosecutors, there were more than 200 death penalty cases filed, but only 15 men sentenced to death and only one execution.

Though the death penalty was repealed in 2009, two inmates who previously were convicted for murders remain on death row. They are Timothy Allen, convicted in 1995, and Robert Fry, convicted for a murder in 2000.

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STATE: NEW MEXICO, USA (93%)

Royalty Policy Committee (States)

COUNTRY: UNITED STATES (93%)

LOAD-DATE: January 10, 2017

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<https://www.facebook.com/mcqueenform/>;

<https://twitter.com/mcqueenform?lang=en>;

https://ballotpedia.org/Matthew_McQueen

http://www.santafenewmexican.com/matthew-mcqueen/article_debec6ca-4a6e-11e4-a996-001a4bcf6878.html

http://www.santafenewmexican.com/news/local_news/galisteo-lawyer-seeks-democratic-nomination-for-house-district-seat/article_089c04ad-693a-5b8d-a745-21e6c29d95db.html

Associations and Affiliations Search: Graeser & McQueen, LLC - <http://tierralaw.com/about-us/>

Royalty Policy Committee (States)

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Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records:

Criminal Records

This data is for informational purposes only.

Alaska Court Report

Offender information

Name: SADDLER, DANIEL

Address: AK

Case Number: 3AN-98A1133079

Case Filing Date: 06/19/1998

Case Type: MINOR OFFENSE

DOB: (b) (6)

SSN: (b) (6)

Offenses

Case Filing Date: 06/19/1998

Court Description: ANCHORAGE THIRD DISTRICT

Court Case Number: 3AN-98A1133079

Court Offense: STOP FOR STEADY RED

Court Statute: AMC9.14.040(C)(1)

Court Disposition: DISMISSED PRIOR TO CONVERSION

Court Disposition Date: 08/30/1998

Civil & Criminal Filings and Regulatory Actions: *** THIS DATA IS FOR INFORMATIONAL
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UNITED STATES DISTRICT COURT
US COURT OF FEDERAL CLAIMS

Saddler et al v. Secretary of Health and Human Services

Royalty Policy Committee (States)

PLAINTIFF: Minor, **Daniel Saddler** A;
of, Christine Saddler Parent

DEFENDANT: Secretary of Health and Human Services

DOCKET CASE NUMBER: 1:06vv657

FILING DATE: 9/14/2006

JURISDICTION: U.S. Government Defendant

JUDGE: Unassigned

REFERRED TO: Special Master Patricia E Campbell-Smith

FILING TYPE: Civil

CAUSE: Vaccine Injury Act [42 USC 300](#)

JURY DEMAND: None

PLAINTIFF ATTORNEY(S):

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THE COURT UPDATED THIS RECORD ON: 08/31/2009 12:00:00 AM

Judgments and Liens: None

Nexis News Search:

Sharp comments reflect ill will as Legislature starts 2nd special session

By Andrew Kitchenman, APRN & KTOO - Juneau -

June 19, 2017

Royalty Policy Committee (States)

House minority Republicans say they were blindsided by the majority's late push to pass a combined operating and capital budget ahead of the end of the first special session last week.

And it led some lawmakers to denounce the majority, including Eagle River Rep. Dan Saddler.

He said the fast introduction of the 89-page budget amendment and the 2-minute limit on each House member's comments were a travesty comparable with the attack by Imperial Japan on Pearl Harbor, which brought the United States into World War II.

"FDR once said that December 7th, 1941, (is) a day which will live in infamy," Saddler said, adding that the Pearl Harbor attack "will be nowhere near June 15th, 2017, in the annals of infamy."

Anchorage Democratic Rep. Chris Tuck said Friday that Saddler's comments were misplaced.

"There's 2,400 Americans that died ... on that one day," Tuck said. "To compare something as traumatic as that in Americans' history is really, really over-the-top."

Anchorage Republican Rep. Lance Pruitt also condemned Dillingham Democratic House Speaker Bryce Edgmon.

Pruitt said the minority didn't have time to read the proposed budget. "When you think about tyrants, you think about (Vietnamese Communist leader) Ho Chi Minh, (Zimbabwe President) Robert Mugabe and (Russian President Vladimir) Putin," Pruitt said to Edgmon. "Welcome to their club." Edgmon said the majority had a sense of urgency to pass a budget to give the Senate enough time to decide whether to pass it ahead of the end of the first special session.

Royalty Policy Committee (States)

The Senate majority adjourned without discussing the bill.

"When I was a staffer here in the '90s, I heard a lot worse," Edgmon said. "Back before social media, and Gavel to Gavel, and this, that and the other. ... I think it's all in a day's good work, and, you know, it is what it is."

Criticism of the mostly Democratic House majority spilled over into the Senate. Wasilla Republican Sen. David Wilson compared the House majority's handling of the legislation with the laws that enforced racial segregation in the South until 1965.

"It only reminds me of issues that I can only describe, for I feel for the other side, as separate yet not quite equal," Wilson said. "And given that, it just reminds me of those people in power that's supposed to be a party of inclusion and a party of bringing people together is only seen as (or) best described as, a party that just wants to support Jim Crow laws in the state of Alaska."

Anchorage Democratic Sen. Berta Gardner condemned Wilson's likening procedural decisions to racism.

"There was an allusion to supporting the Jim Crow laws, and I think that's completely out of line. And I want to refute that," Gardner said.

Whether hard feelings over the House majority's handling of the end of the first special session make a difference in the second special session remains to be seen.

The House minority could still exert influence if any budget agreement between the House and Senate relies on drawing money from the Constitutional Budget Reserve.

Tapping this reserve account requires support from three-quarters of the House, or at least eight of the 18 House minority members.

The other option is to draw money from Permanent Fund earnings to pay for the operating budget, which has never been done in the fund's history.

Google Search: <http://akleg.gov/legislator.php?id=sad;>

https://en.wikipedia.org/wiki/Dan_Saddler;

[http://www.dansaddler.com/;](http://www.dansaddler.com/)

<https://www.facebook.com/dan.saddler.9;>

<https://www.adn.com/opinions/2016/10/28/rep-gara-peddles-a-narrative-that-wont-fly/>

Royalty Policy Committee (States)

Associations and Affiliations Search: <https://www.echoak.com/author/dan-saddler/>

<http://alaskahouserepublicans.org/index.php?cID=159>

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DOB: (b) (6)

Governor Burgam

National Conference of State Legislatures

LexID(sm): (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: Yerepouni Daily News

January 12, 2015 Monday

Energy stocks brace for many quarters of earnings pressure

LENGTH: 737 words

Wall Street is bracing for a 20% decline in energy companies' earnings in the fourth quarter — and that's the good news.

"This quarter is not going to be the trough of profitability," said Pavel Molchanov, an analyst with Raymond James. Rather, deeper losses are likely to surface down the road, when companies report first-quarter or second-quarter earnings.

Perhaps more than the sheer numbers, investors will want to hear about belt-tightening measures at companies exposed to the rout in oil prices over the last few months. The giant oil companies will report at the tail end of this earnings season, in the last days of January and the first days of February (Metals manufacturer [Alcoa Inc.](#)

▼ AA, +1.32% kicks off earnings season on Monday).

Meanwhile, Schlumberger Ltd. SLB, -1.79% on Thursday will be the first among oil-field services companies to report, while other companies, such as machinery maker [Caterpillar Inc.](#) ▼ CAT, -1.19% which reports on Jan. 27, are also expected to report pain from falling oil prices.

Royalty Policy Committee (States)

Of course, all the fourth-quarter numbers will reflect the days when New York-traded WTI and London's Brent, the global crude benchmarks, averaged \$73 a barrel and \$76 a barrel, respectively. The picture has only worsened. On Friday, Brent crude fell under \$50 a barrel, while New York-traded oil struggled to keep above \$48 a barrel.

With the world awash in oil at least through the first half of the year and no indication that the Organization of the Petroleum Exporting Countries is even contemplating a production cut in the face of weak global demand, Wall Street has braced for more declines in the price of crude, and therefore gloomy outlooks from energy-related plays.

Falling oil prices, of course, are bound to help some companies — be it airlines, through lower fuel costs, or retailers, as consumers have more in their wallets for other items. Burt White, chief investment officer for LPL Financial, said in a note Friday he expects "another good earnings season overall" despite the drag from the energy sector.

Consensus estimates call for a 4% year-over-year increase in S&P 500 earnings per share for the quarter, even while absorbing the expected 20% decline in energy-sector earnings, he said.

Indeed, many on Wall Street may start using the term "ex-energy" to look at overall earnings outside energy companies and the impact of oil's collapse, the same way "ex-financials" was handy a few years back, when financial stocks stumbled in the aftermath of the Great Recession, White said.

As investors digest earnings reports, they will look closely at companies' capital-spending plans for the current year, said Molchanov, the Raymond James analyst.

More than 40 energy companies have announced their 2015 capital expenditure plans, with the average budget calling for a reduction in spending of more than 30%, analysts at Tudor Pickering Holt said in a note Thursday.

Investors also want to hear executives talk about their company's "break-even" point, or the price needed to get oil out the ground and still turn a profit. So far, that is a problem afflicting a tiny portion of the world's oil supply.

Just 0.2% of global supply is unprofitable with Brent oil at \$50 a barrel, consultants at Wood Mackenzie said in a note Friday. A slide to \$40 a barrel would make 1.6% of global supply unprofitable.

If Brent hits \$40 a barrel or below, producers will be shutting in production at levels that would result in "significant reduction of global supply," they said. U.S. onshore "stripper wells," or those nearing the end of their life, would be first to be cut.

But in North Dakota's shale-oil boom, the break-even cost for drilling for new wells ranges from \$39 to \$77, **Lynn D. Helms**, the director of the state's department of natural resources, told a state appropriations committee on Thursday.

Among individual companies to watch, ConocoPhillips COP, -0.02% is expected to open the earnings season for Big Oil on Jan. 29. Analysts polled by FactSet expect the company to have earned 89 cents a share in the quarter, compared with earnings of \$1.40 a year earlier.

Chevron Corp. CVX, -1.99% reporting Jan. 30, is likely to be similarly pinched. The consensus is for earnings of \$1.78 a share for the quarter, compared with \$2.57 a share in the fourth quarter of 2013.

Royalty Policy Committee (States)

Rival Exxon Mobil Corp. XOM, -0.14% on Feb. 2, is seen reporting earnings of \$1.41 a share, down from \$1.91 a share a year ago.

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COMPANY: CATERPILLAR INC (82%); ALCOA INC (70%); SCHLUMBERGER LTD (69%); LPL FINANCIAL CORP (63%)

TICKER: CATR (PAR) (82%); CAT (SWX) (82%); CAT (NYSE) (82%); AAI (ASX) (70%); AA (NYSE) (70%); SLB (SWX) (69%); SLB (PAR) (69%); SLB (NYSE) (69%); SCL (LSE) (69%)

INDUSTRY: NAICS333131 MINING MACHINERY & EQUIPMENT MANUFACTURING (82%); NAICS333120 CONSTRUCTION MACHINERY MANUFACTURING (82%); NAICS333111 FARM MACHINERY & EQUIPMENT MANUFACTURING (82%); SIC3531 CONSTRUCTION MACHINERY & EQUIPMENT (82%); NAICS331313 ALUMINA REFINING & PRIMARY ALUMINUM PRODUCTION (70%); SIC3334 PRIMARY PRODUCTION OF ALUMINUM (70%); NAICS541512 COMPUTER SYSTEMS DESIGN SERVICES (69%); NAICS213112 SUPPORT ACTIVITIES FOR OIL & GAS OPERATIONS (69%); NAICS213111 DRILLING OIL & GAS WELLS (69%); NAICS211130 NATURAL GAS EXTRACTION (69%); NAICS211120 CRUDE PETROLEUM EXTRACTION (69%); SIC7373 COMPUTER INTEGRATED SYSTEMS DESIGN (69%); SIC1389 OIL & GAS FIELD SERVICES, NEC (69%); SIC6289 SERVICES ALLIED WITH THE EXCHANGE OF SECURITIES OR COMMODITIES, NEC (63%)

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Oil & Gas Journal

July 23, 2012

States, oil producers see regulatory issues looming

BYLINE: Nick Snow, Washington Editor

SECTION: GENERAL INTEREST; Pg. 19

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Royalty Policy Committee (States)

Excessive and poorly conceived federal regulations threaten to stifle an onshore US oil and gas renaissance that is being made possible by hydraulic fracturing and other new technologies, state officials and producers told the US House Oversight and Government Reform Committee. States are better qualified and have worked with producers and other stakeholders to develop rules that are effective and economic, they said at field hearings July 13 in Edmond, Okla., and July 14 in Fargo, ND.

State regulators repeatedly have shown that they can move faster than a federal bureaucracy, noted Patrice Douglas, an Oklahoma Corporate Commission member, during the July 13 hearing.

Douglas noted that in the 2 years that the US Environmental Protection Agency spent studying hydraulic fracturing, the State Review of Oil and Natural Gas Environmental Regulations Inc.--comprised of state regulators, environmental groups, and oil and gas producers--completed reviews of five states' fracking regulations and made recommendations that states, including Oklahoma, have implemented.

"This is not meant to suggest that Oklahoma and other states are perfect. We are not," Douglas added. "We have worked, and will continue to work, in a positive way with EPA and other federal agencies on matters of mutual interest in which we can share our collective expertise. We seek ways to improve."

While the federal permitting process may make sense where large blocks of land are managed for federal ownership or trust responsibilities, federal mineral tracts in North Dakota outside Fort Berthold and the Dakota Prairie Grasslands are small parcels that resulted from right of way acquisitions and **bankruptcies**, according to **Lynn D. Helms**, director of the state's Department of Mineral Resources.

Burdens and delays

In nearly every case, the surface estate has been sold, resulting in a split estate situation where the processes required to obtain a federal permit impose regulatory burdens and development delays on private property owners, he indicated during the committee's July 14 hearing in Fargo.

"North Dakota has worked hard to create a stable tax and regulatory environment that promotes venture capital investment," Helms said in his written statement. "Our oil and gas rules are reviewed at least every 2 years through a public comment process where every comment must be considered in writing. This ensures that North Dakota regulations keep up with new technologies and economic conditions."

He said North Dakota's Industrial Commission believes states that have adopted fracking rules that include chemical disclosure, well construction, and wellbore pressure testing should be exempt from proposed US Bureau of Land Management rules and EPA guidance. "The EPA guidance is written for enhanced oil recovery wells or disposal wells completed with tubing and packer," Helms told the committee. "Most of the requirements will not work mechanically on wells completed with swell packers and fractured down the production casing as is common in North Dakota."

Henry A. True, vice-president of Bridger Pipeline LLC and Belle Fourche Pipeline Co., said Bakken shale production growth has increased North Dakota's crude oil production in 10 years to more than 640,000 b/d from 84,000 b/d. "North Dakota is now second to Texas in daily oil production," he said in his written testimony. "However, when you compare

Royalty Policy Committee (States)

infrastructure, Texas has over 50,000 miles of liquids pipelines, while North Dakota has less than 4,000 miles. Our estimates show that North Dakota production could reach 1.2 million b/d in the next decade, but there is a clear and significant infrastructure gap that needs to be solved."

Jack R. Ekstrom, vice-president of corporate and government relations at Whiting Petroleum Corp. in Denver, said at the July 14 hearing that it was fortunate that much of the Bakken formation is in North Dakota, where individuals hold most of the surface and mineral rights and the state and federal governments have minor ownership. "Many in government are not aware that a federal drilling permit is required even when the federal government owns none of the surface and a minute fractional interest in the subsurface minerals," he said in his written testimony.

Avoiding federal lands

Ekstrom added that the specter of more federal regulations, coupled with the US Department of the Interior's "disingenuous and deceptive statements over many months related to so-called 'unused' leases" have led Whiting and many other producers to make federal acreage their last development choice. "Our strategy is to lease private lands and state lands, while avoiding federal lands and related costs and delays if at all possible," he said.

"This industry, along with the associated jobs and energy from the fossil fuel it produces, is critical not just to Oklahoma but to the nation," said Brian Woodard, vice-president of regulatory affairs at the Oklahoma Independent Petroleum Association, at the July 13 hearing.

"However, as I sit before you today and tout America's current oil and gas renaissance, and as the blueprint has been laid for a true era of US energy independence, the current administration has countered with an equivalent flood of regulatory policies which threaten to undermine this bright energy future," he continued in his written testimony.

He said instead of generating estimates from reports that producers submit already, EPA has imposed greenhouse gas reporting requirements on larger upstream independents that cost millions of dollars and make many companies integrate production software and new monitoring equipment into their daily operating systems.

EPA's proposed new source performance standard for producers inappropriately uses methane as a surrogate for volatile organic compounds, Woodard continued. "In order to be cost effective, the rule should only apply to production streams which contain a meaningful VOC concentration," he said. "For sources with significantly low to zero VOC content, such as dry gas shales like the Barnett, Haynesville, and others, the cost per ton of emission reductions drastically exceeds historically acceptable levels."

Inappropriate data

EPA also developed an emission factor for well completions by improperly using Natural Gas STAR data, added Joe Leonard, Devon Energy Corp.'s environmental, health, and safety engineer. "In short, EPA assumes that gas recovered would have otherwise been flared or vented," he told the committee at the July 13 hearing. "However, industry data shows that reduced emission completions account for significantly more gas produced and sold than would be flared or vented during older and less common completion processes."

He noted that a recent study of more than 90,000 wells demonstrated that EPA's estimates were too high across upstream processes (OGJ, July 2, 2012, p. 52). The study was jointly commissioned by the American Petroleum Institute and America's Natural Gas Alliance.

Royalty Policy Committee (States)

"This is outrageous because EPA, using incorrect assumptions, applying inappropriate data, and then analyzing it improperly, has not only changed its emission estimates for completion operations on a forward-looking basis, but revised all oil and gas completion estimates back to 1990--a period before the combined use of horizontal drilling and hydraulic fracturing," Leonard said in his written testimony.

Fossil fuel opponents also have tactically used the Endangered Species Act to slow energy resource development, noted Mike McDonald, president of Triad Energy Inc. in Oklahoma City.

McDonald said that typically, they overwhelm the US Fish and Wildlife Service with hundreds of proposed candidate listings so the DOI agency can't respond before mandated deadlines, then sue FWS which settles actions without examining the scientific evidence.

"Of the 1,391 animal and plant species listed, only 20 have ever been removed from the list," McDonald said in his written testimony. "Several listed and candidate species, in particular the listed American Burying Beetle and the Lesser Prairie Chicken, affect drilling operations in Oklahoma. To protect the beetle, producers must hire consultants, who must put out survey traps containing carrion, file additional paperwork with FWS, and slow drilling operations during the beetles' active period."

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ORGANIZATION: US ENVIRONMENTAL PROTECTION AGENCY (56%)

CITY: FARGO, ND, USA (88%)

STATE: NORTH DAKOTA, USA (94%); OKLAHOMA, USA (94%)

COUNTRY: UNITED STATES (94%)

LOAD-DATE: July 27, 2012

Google Search: <http://www.thedickinsonpress.com/tags/lynn-helms/>

<https://www.nevadaart.org/lynn-helms-on-the-oil-boom-it-is-a-world-game-changer/>

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Royalty Policy Committee (States)

<http://www.oilandgas360.com/north-dakota-can-still-reach-2-mmbopd/>

<http://www.chicagotribune.com/business/ct-north-dakota-oil-field-workers-uber-20160218-story.html>

Associations and Affiliations Search: <https://www.dmr.nd.gov/>

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House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records:

Criminal Records

This data is for informational purposes only.

Alaska Court Report

Offender information

Name: CROWTHER, JOHN
Address: AK
Case Number: 3AN-03A1349692
Case Filing Date: 08/28/2003
Case Type: MINOR OFFENSE
DOB: (b) (6)
SSN: (b) (6)

Offenses

Case Filing Date: 08/28/2003
Court Description: ANCHORAGE THIRD DISTRICT
Court Case Number: 3AN-03A1349692
Court Offense: NO PROOF OF INSURANC
Court Statute: AMC9.28.030(B)(2)
Court Disposition: NO CONTEST PLEA PRIOR TO CONVERSION
Court Disposition Date: 08/29/2003

Court Activity

[NONE FOUND]

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.facebook.com/john.crowther.39;>

Associations and Affiliations Search: <http://dnr.alaska.gov/commis/>

Royalty Policy Committee (States)

William Drew Darby (Alternate) (State of Texas)

(b) (6)
San Angelo, TX 76901

Phone: (b) (6)

DOB: (b) (6)

National Conference of State Legislatures

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: N/A

House Lobbyist Disclosures: N/A

DOJ Foreign Agents Registration: N/A

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:Texas UCC Record

Debtor Information

Debtor 1

Name: DARBY, DREW

Standardized Address: (b) (6)
SAN ANGELO, TX USA 76901-4648

Original Address: (b) (6)
SAN ANGELO, TX USA 76901-4648

SSN: (b) (6)

Debtor 2

Name: DARBY, WILLIAM DREW

Standardized Address: (b) (6)
SAN ANGELO, TX USA 76901-4648

Original Address: (b) (6)
SAN ANGELO, TX USA 76901-4648

SSN: (b) (6)

Secured Party Information

Name: BANK OF SAN ANGELO, A BRANCH OF THE FIRST NATIONAL BANK OF BALLINGER

Standardized Address: 2635 VALLEYVIEW BLVD
SAN ANGELO, TX USA 76904-3523

Original Address: 2635 VALLEYVIEW BLVD
SAN ANGELO, TX USA 76904-3523

Filing Information

Original Filing Type: ORIGINAL FILING

Original Filing Number: 80001923497

Original Filing Date: 01/16/2008

Original Filing Time: 1:35 PM

Filing Status: ACTIVE

Filing Type: UCC STANDARD

Filing Number: 80001923497

Filing Date: 01/16/2008

Filing Expiration Date: 01/16/2013

Pages: 1

Royalty Policy Committee (States)

1:Texas UCC Record

Filing Type: TERMINATION
Filing Number: 1100261996
Filing Date: 09/06/2011
Filing Expiration Date: 01/16/2013
Pages: 2

Collateral

Collateral 1
Collateral Description: 09/06/2011 1100261996 - 510 SHARES OF STOCK IN SUNDOWN BANKSHARES, INC.

Collateral 2
Collateral Description: 01/16/2008 80001923497 - 510 SHARES OF STOCK IN SUNDOWN BANKSHARES, INC.

UCC Filings

This data is for informational purposes only.

1:Texas UCC Record

Debtor Information

Name: DARBY, W DREW
Standardized Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
Original Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
SSN: (b) (6)

Secured Party Information

Name: BANK OF SAN ANGELO, A BRANCH OF THE FIRST NATIONAL BANK OF BALLINGER
Standardized Address: 2635 VALLEYVIEW BLVD
SAN ANGELO, TX USA 76904-3523
Original Address: 2635 VALLEYVIEW BLVD
SAN ANGELO, TX USA 76904-3523

Filing Information

Original Filing Type: ORIGINAL FILING
Original Filing Number: 60017170931
Original Filing Date: 05/18/2006
Original Filing Time: 5:00 PM
Filing Status: ACTIVE

Filing Type: UCC STANDARD
Filing Number: 60017170931
Filing Date: 05/18/2006
Filing Expiration Date: 05/18/2011
Pages: 5

Filing Type: TERMINATION
Filing Number: 900334265
Filing Date: 12/04/2009
Filing Expiration Date: 05/18/2011
Pages: 5

UCC Filings

This data is for informational purposes only.

Royalty Policy Committee (States)

1:Texas UCC Record

Debtor Information

Name: WDREW, DARBY
Standardized Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
Original Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
SSN: (b) (6)

Secured Party Information

Name: FIRST NATIONAL BANK OF SONORA-SAN ANGELO BANKING CENTER
Standardized Address: PO BOX 60555
SAN ANGELO, TX USA 76906-0555
Original Address: PO BOX 60555
SAN ANGELO, TX USA 76906-0555

Filing Information

Original Filing Type: ORIGINAL FILING
Original Filing Number: 9800005434
Original Filing Date: 01/08/1998
Original Filing Time: 8:00 AM
Filing Status: ACTIVE

Filing Type: UCC STANDARD
Filing Number: 9800005434
Filing Date: 01/08/1998
Filing Expiration Date: 01/08/2003
Pages: 17

UCC Filings

This data is for informational purposes only.

1:Texas UCC Record

Debtor Information

Name: DARBY, W DREW
Standardized Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
Original Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
SSN: (b) (6)

Secured Party Information

Secured 1

Name: BANK OF AMERICA, N.A.
Standardized Address: PO BOX 830634
DALLAS, TX USA 75283-0634
Original Address: PO BOX 830634
DALLAS, TX USA 75283-0634

Secured 2

Name: BANK OF THE WEST
Standardized Address: 2909 SHERWOOD WAY
SAN ANGELO, TX USA 76901-3558
Original Address: 2909 SHERWOOD WAY
SAN ANGELO, TX USA 76901-3558

Filing Information

Royalty Policy Committee (States)

1:Texas UCC Record

Original Filing Type: ORIGINAL FILING
Original Filing Number: 9000063162
Original Filing Date: 03/22/1990
Original Filing Time: 8:00 AM
Filing Status: ACTIVE

Filing Type: UCC STANDARD
Filing Number: 9000063162
Filing Date: 03/22/1990
Filing Expiration Date: 03/22/2005
Pages: 0

Filing Type: CONTINUATION
Filing Number: 9500622437
Filing Date: 02/21/1995
Filing Expiration Date: 03/22/2005
Pages: 0

Filing Type: CONTINUATION
Filing Number: 785291
Filing Date: 03/21/2000
Filing Expiration Date: 03/22/2005
Pages: 0

UCC Filings

This data is for informational purposes only.

1:Texas UCC Record

Debtor Information

Name: DARBY, W DREW
Standardized Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
Original Address: (b) (6)
SAN ANGELO, TX USA 76903-6452
SSN: (b) (6)

Secured Party Information

Secured 1
Name: BANK OF THE WEST
Standardized Address: 2909 SHERWOOD WAY
SAN ANGELO, TX USA 76901-3558
Original Address: 2909 SHERWOOD WAY
SAN ANGELO, TX USA 76901-3558

Secured 2
Name: NATIONSBANK, N.A.
Standardized Address: 2909 SHERWOOD WAY
SAN ANGELO, TX USA 76901-3558
Original Address: 2909 SHERWOOD WAY
SAN ANGELO, TX USA 76901-3558

Filing Information

Original Filing Type: ORIGINAL FILING
Original Filing Number: 8900031785

Royalty Policy Committee (States)

1:Texas UCC Record

Original Filing Date: 02/10/1989

Original Filing Time: 8:00 AM

Filing Status: ACTIVE

Filing Type: UCC STANDARD

Filing Number: 8900031785

Filing Date: 02/10/1989

Filing Expiration Date: 02/10/2004

Pages: 0

Filing Type: CONTINUATION

Filing Number: 9300759902

Filing Date: 12/22/1993

Filing Expiration Date: 02/10/2004

Pages: 0

Filing Type: CONTINUATION

Filing Number: 9800738260

Filing Date: 11/09/1998

Filing Expiration Date: 02/10/2004

Pages: 0

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: CK CLEANING SERVICES

Business Address: (b) (6)
IL, RO 61108-7495
WINNEBAGO COUNTY

Jurisdiction: IL

Business Telephone: 815-540-8091

Type: DBA

Number: 33173

Date: 06/24/2016

Contact Information

Contact 1

Name: SYDNEY DERINGTON

Contact Type: OWNER

Contact 2

Name: W DREW DARBY

Address: TWOHIG 13 W AV
TX, SA 76903-6452
TOM GREEN COUNTY

Contact Type: OWNER

Contact 3

Name: CHARLES COLEMAN

Contact Type: OWNER

Contact 4

Name: HOLLY MORELOCK

Royalty Policy Committee (States)

Contact Type: OWNER

Contact 5

Name: HALLORAN ADRI

Address: COUNTY ROA 29
AL, HA 35077-3959
CULLMAN COUNTY

Contact Type: OWNER

Contact 6

Name: SANDOVAL CARM

Address: (b) (6)
IL, RO 61108-7495
WINNEBAGO COUNTY

Contact Type: OWNER

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: JBM ACQUISITIONS INC

Business Address: TWOHIG 13 W AV
TX, SA 76903-6452
TOM GREEN COUNTY

Jurisdiction: TX

Type: DBA

Number: 32043927386

Date: 03/29/2011

Contact Information

Name: BARBY DREW

Address: TWOHIG 13 W AV
TX, SA 76903-6452
TOM GREEN COUNTY

Contact Type: OWNER

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: DARBY TITLE INC DBA SURETY TITLE CO

Jurisdiction: TX

Business Telephone: 325-653-8830

Type: ASSUMED NAME; CORPORATION

Number: 33173

Date: 05/12/2009

Expiration Date: 05/12/2019

Business Status: CURRENT

Contact Information

Name: W DREW DARBY

Address: TWOHIG 13 W AV
TX, SA 76903-6452
TOM GREEN COUNTY

Contact Type: OWNER

Royalty Policy Committee (States)

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: WTT HOLDINGS LLC
Business Address: TWOHIG 13 W AV
TX, SA 76903-6452
TOM GREEN COUNTY
Jurisdiction: TX
Business Telephone: 653-8830
Type: DBA
Number: 0800464987
Date: 03/11/2005

Contact Information

Name: WILLIAM DREW DARBY
Address: TWOHIG 13 W AV STE C
TX, SA 76903-6452
TOM GREEN COUNTY
Contact Type: OWNER

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: SURETY LAND SERVICES INC
Business Address: TWOHIG 13 W AV
TX, SA 76903-6452
TOM GREEN COUNTY
Jurisdiction: TX
Business Telephone: 949-5925
Type: DBA
Number: 0800239163
Date: 08/25/2003

Contact Information

Name: W DREW DARBY
Address: TWOHIG 13 W AV STE C
TX, SA 76903-6452
TOM GREEN COUNTY
Contact Type: OWNER

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens:

TEXAS JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Royalty Policy Committee (States)

Debtor Information

Debtor 1

Name: DARBY, W D

SSN: (b) (6)

Address: 136 TWOHIG
SAN ANGELO, TX 76903
TOM GREEN COUNTY

Debtor 2

Name: W DREW DARBY AND ASSOCIATES

Creditor Information

Name: SENTINEL TRUST COMPANY

Filing Information

Filing Date: 08/13/2003

Amount: \$221,424

Eviction: NO

Release Date: 03/15/2004

Filing 1

Filing Number: GN103960

Filing Type: CIVIL JUDGMENT RELEASE

Book/Page: 6012/154

Filing Court: TRAVIS DISTRICT COURT

Filing County: TRAVIS

Filing Office: TX

Nexis News Search:

Texas lawmaker Drew Darby arrested for concealed gun at ABIA **METRO-STATE**

By [Mike Ward](#) - American-Statesman Staff

Updated: 4:12 p.m. Friday, November 22, 2013 | Posted: 3:41 p.m. Friday, November 22, 2013

State Rep. Drew Darby faces a third-degree felony charge of illegally carrying a handgun at Austin-Bergstrom International Airport, police said Friday.

An arrest affidavit shows Darby, 66, who is chairman of the House Redistricting Committee and holds seats on the powerful appropriations and higher education committees, was arrested Nov. 14 after airport security screeners found a loaded .380 Ruger pistol in his carry-on bag for a morning flight.

Police said the gun showed up during a routine X-ray and subsequent search of his bag.

Royalty Policy Committee (States)

Darby told police he “is a concealed (handgun) license holder and stated he forgot the handgun was in his bag. The state’s concealed handgun law does not allow licensees to carry guns through airport security and onto a plane.

Bail was set at \$5,000, a court filing shows.

Darby could not be reached for comment Friday. But in a statement, he said he regretted the mistake.

“I accept responsibility for my failure to fully examine my luggage when packing,” he said. “I did not seek or receive special treatment, and that is how it should be.”

Darby, who is seeking reelection to his District 72 House seat, has been a strong gun rights supporter. He is among many lawmakers who carry concealed handguns with a state license, though the exact number is unknown because registration records are kept secret.

According to the Associated Press, the Transportation Safety Administration has set a record for gun seizures at airports this year, more than 1,500 nationwide by October, more than in all of 2012. TSA statistics show 20 were seized during that time at the Austin airport, including 16 that were loaded and four that were unloaded.

Fort Worth Business Press (TX)

16 July 2017

At tail end of Texas redistricting trial, judges skeptical of state's defense

BYLINE: Jim Malewitz

SECTION: NEWS

LENGTH: 1284 words

July 15, 2017

SAN ANTONIO — The state of Texas faced a healthy dose of judicial skepticism on Saturday as its lawyers laid out final arguments in a trial over whether lawmakers intentionally

Royalty Policy Committee (States)

discriminated against minority voters in enacting current Texas House and Congressional district maps.

A three-judge panel peppered lawyers from Texas Attorney General Ken Paxton's office with questions that suggested they were having trouble swallowing the state's defense of its maps, premised on the argument that lawmakers were merely following court orders in creating them.

The state Legislature adopted the maps in 2013 in an effort to halt further legal challenges that began in 2011.

In the final hours of six days of hearings, U.S. District Judge Xavier Rodriguez said he saw "nothing in the record," to suggest the 2013 Legislature, before approving the boundaries, considered fixing voting rights violations flagged by another federal court identified ahead of time.

He and another district judge, Orlando Garcia, also criticized the state's unwillingness to offer documents and testimony that might shine a light on lawmakers' intentions. State lawyers kept such evidence out of court throughout the trial by claiming "legislative privilege," which allows lawmakers to keep secret their communications on policy along with their "thoughts and mental impressions."

The plaintiffs "get no documents, because you invoke legislative privilege. They get no testimony because of legislative privilege," said Rodriguez, a George W. Bush-appointee. "How else are they going to get it?"

Rodriguez emerged as the jurist most critical of the state's position during Saturday's hearing, although the only judge on the panel who has sided with Texas in previous redistricting rulings also voiced skepticism.

Over the course of the week, minority rights groups and the state tussled over whether — and how — the state's political maps should change to fix possible voting rights act violations ahead of the 2018 elections. But the trial also probed a question that's more consequential in the long term: Whether the 2013 Legislature intentionally minimized the political clout of Latino and black Texans in enacting the maps.

Federal courts have already scolded Texas for intentional discrimination in three rulings this year. Another such finding would boost the odds that judges put Texas back onto a list of states that need the federal government's permission to enact any new voting legislation.

Earlier this year, the three-judge panel overseeing this week's trial found knowing discrimination in Texas' House and Senate maps Texas lawmakers drew in 2011. But those maps never took effect, as the court temporarily tweaked them during a 2012 election scramble.

In hopes of halting the litigation, the 2013 Texas Legislature made permanent the court-drawn maps that are now in dispute.

Minority rights groups that sued over the maps point out that judges made clear the maps they drew — and lawmakers adopted — applied only to the subsequent elections that were delayed by legal wrangling, and that they did not fully violate the boundaries lawmakers drew in 2011.

Royalty Policy Committee (States)

Rodriguez said as much Saturday in a question to the state: "If this was an interim plan, giving the Legislature an opportunity to fix it, why didn't you take that opportunity?"

The state's litany of challengers, including the NAACP and the Mexican American Legislative Caucus, argue the discriminatory nature of the maps adopted in 2011 still "infects" the current maps, and that Texas' Republican leadership ignored efforts by Democratic state lawmakers to improve Latino and black representation.

Matthew Frederick, the state's deputy solicitor general, argued Friday that challengers had not found clear evidence of such intent by the 2013 Legislature.

"It's their burden to prove," he said. "There is no evidence that the Legislature as a whole, or any individual had that intent when they adopted the plans."

Rodriguez cited the plaintiffs' larger body of evidence for their **allegations**, and highlighted the state's repeated claims of "legislative privilege," which kept one of its few witnesses, state Rep. **Drew Darby**, from saying much of substance on the witness stand Friday. The San Angelo Republican chaired the committee that oversaw the creation of the maps in 2013.

"We have no other legislator expressing anything" on intent, Rodriguez said, adding that he could find nothing on the record to support the state's claim that it analyzed court rulings and studied alternative maps before enacting the current one four years ago.

Frederick said "legislative privilege" claims would also keep the state from offering proof.

"Had it been favorable, I'm sure you would have raised it," Judge Garcia, a Bill Clinton nominee, responded.

Frederick disagreed, saying "privilege doesn't imply the nature of the content."

In a separate line of arguments, Texas also drew criticism from the panel's only judge to side with the state in previous rulings: Jerry Smith of the conservative-leaning U.S. Fifth Circuit Court of Appeals.

The line of arguments regarded the consequences of a separate court's redistricting ruling that came after the 2012 elections, but before the Legislature formally adopted the San Antonio court's temporary maps.

A federal court in Washington D.C. had rejected the state's 2011 maps, citing a litany of Voting Rights Act violations.

Minority groups argue that decision should have prompted the Legislature to make wholesale boundary changes in 2013, giving more representation to surging minority populations. They say the state's failure to do so suggests knowing discrimination.

On Saturday, Frederick suggested the Washington ruling was irrelevant to the current proceedings, because a 2013 Supreme Court ruling — *Shelby v. Holder*, which gutted part of the Voting Rights Act — invalidated the redistricting ruling.

Judge Smith, appointed by Ronald Reagan, said he disagreed.

The *Shelby* ruling makes the question of intentional discrimination consequential. It sprung Texas and other states from a process called "preclearance," which required them to get the federal government's signoff — either through the Department of Justice, or a court — before enacting new voting laws.

Royalty Policy Committee (States)

The high court's decision, however, left open the possibility that federal oversight would resume in if there's enough fresh evidence of intentional racial discrimination.

Along with the previous redistricting rulings this year, a federal judge in Corpus Christi found such evidence in Texas' 2011 voter identification law.

Jose Garza, an attorney for the Mexican American Legislative Caucus, said Saturday he wasn't surprised judges on the panel were skeptical of the state's defense of its redistricting.

"I think the evidence [of intentional discrimination], contrary to what the state describes, is powerful," he told reporters. "It's like the state repeated the mistakes they made in 2011, digging their heels in."

Garza also suggested the state's use of "legislative privilege" may have backfired.

Asked for comment following the trial, Patrick Sweeten, the state's lead attorney said: "Extremely happy with it."

It's not clear when the judges might rule, but they said they wanted to avoid affecting the 2018 elections which could be pushed back if new maps are not approved in time.

This article originally appeared in The Texas Tribune

at <https://www.texastribune.org/2017/07/15/final-day-redistricting-trial-judges-show-skepticism-texas-defense/>.

The Texas Tribune is a nonprofit, nonpartisan media organization that informs Texans — and engages with them — about public policy, politics, government and statewide issues.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: JUDGES (92%); LAWYERS (91%); REDISTRICTING (90%); LEGISLATIVE BODIES (90%); LAW COURTS & TRIBUNALS (90%); TESTIMONY (90%); US FEDERAL GOVERNMENT (89%); MINORITY GROUPS (89%); HUMAN RIGHTS & CIVIL LIBERTIES LAW (89%); LITIGATION (89%); DISCRIMINATION (89%); ELECTION LAW (89%); ELECTIONS (78%); SUITS & CLAIMS (78%); US STATE GOVERNMENT (78%); DECISIONS & RULINGS (77%); CIVIL RIGHTS (77%); LEGISLATION (77%); ELECTORAL DISTRICTS (77%); HUMAN RIGHTS ORGANIZATIONS (73%); APPROVALS (72%); ATTORNEYS GENERAL (71%)

PERSON: GEORGE W BUSH (58%)

CITY: SAN ANTONIO, TX, USA (92%)

STATE: TEXAS, USA (99%)

COUNTRY: UNITED STATES (99%)

LOAD-DATE: July 20, 2017

The Houston Chronicle

Royalty Policy Committee (States)

July 16, 2017 Sunday
Conroe Edition

On day 5 of redistricting trial, Texas rebuts claim that current political maps discriminate

BYLINE: Jim Malewitz

SECTION: A; Pg. A003

LENGTH: 1091 words

HIGHLIGHT: State Rep. **Drew Darby** (R-San Angelo) testified before a three-judge panel about **allegations** that lawmakers intentionally **discriminated** against millions of Hispanic and black voters in adopting its current political maps. Darby chaired the House Committee on Redistricting in 2013, when lawmakers approved state House and Congressional maps that are the subject of trial this week, the latest in six years of legal wrangling. Photo by Spencer Selvidge, The Texas Tribune

SAN ANTONIO - The State of Texas pushed back Friday against allegations that lawmakers intentionally **discriminated** against millions of Hispanic and black voters in adopting its current political maps, with the state's lawyers trying to convince federal judges not to order changes ahead of the 2018 elections to better accommodate the state's surging population of minority voters. "They were legal and complied with the law," state Rep. **Drew Darby** said of the maps, testifying before a three-judge panel. Darby, a Republican from San Angelo, chaired the House Committee on Redistricting in 2013, when lawmakers approved state House and Congressional maps that are the subject of trial this week, the latest in six years of legal wrangling.

Earlier this year, the judges had found intentional discrimination in maps lawmakers' drew in 2011. But those maps never took effect, because the court temporarily tweaked them during a 2012 election scramble. In hopes of halting the litigation, the 2013 Texas Legislature made those court-drawn maps permanent. Minority groups challenging the state argue the 2013 maps still fall far short in addressing voting rights violations that the judges flagged in their previous rulings, and they call lawmakers' decision to adopt the court-drawn maps another effort to minimize the political clout of voters of color. The trial's outcome could shakeup political races across Texas. Questioning Darby on Friday, the state challenged the picture painted by Democratic lawmakers on the witness stand earlier in the week - that information was scarce during the 2013 special session devoted to redistricting, and that Republicans seemed to prioritize speed, rather than addressing voting rights concerns. The state's lawyers focused almost exclusively on Darby's past statements and other public records to suggest he and other leaders did listen to concerns from Hispanic and black lawmakers. The lawyers also highlighted minor amendments to the House map that Darby allowed during a floor debate in 2013. Yet more noticeable on Friday were details Darby refused to share by invoking "legislative privilege," a legal protection allowing Darby to decline to answer questions about communications with other lawmakers and state lawyers and his "thoughts and mental impressions" about policy decisions. Plaintiffs' lawyers repeatedly reminded the judges of the questions - many seemingly crucial for divining intent - that Darby would not answer about his colleagues' actions. When the state earlier in

Royalty Policy Committee (States)

the week cited "legislative privilege" to prevent disclosure of some of Darby's 2013 emails, Judge Xavier Rodriguez spoke of the difficulties it presented in such cases. "How is a plaintiff in a Voting Rights Act case going to understand the intent of the legislature, if it can't look at documents?" he asked. The state on Friday also tried rebutting arguments that its maps need rejiggering to accommodate the state's large growing share of minority voters. Texas' population is soaring, enough to give it four new congressional seats in the most recent round of redistricting, which relied on the 2010 census. No other state added more than two seats. Texas is also becoming less white each day, creating headaches for Republicans, who currently control state government, as minorities - particularly Hispanic and black voters - overwhelmingly support Democrats in elections. Hispanic and black voters accounted for nearly 79 percent of the state's growth from 2000 to 2010. And those groups comprised nearly 40 percent of Texas' voting age population during the latest census, a proportion that has only since grown. Minority groups see their voters as grossly underrepresented on the state's political maps. In redrawing the Congressional map in 2011, for instance, the Legislature offered only 10 districts out of 36 total in which minorities could elect candidates of their choice, according to experts offered by the plaintiffs. The current fought-over map added just one such "opportunity district." Throughout the week, lawyers representing plaintiffs have offered several alternative House and congressional maps, which they say demonstrate ways to add more opportunity districts and fix violations judges have flagged in past rulings. (The maps were not aimed at maximizing minority representation in Texas, but rather to meet legal standards.) John Alford, a political science professor at Rice University who the state offered as an expert witness, dismissed those maps as not addressing the problem that the plaintiffs claim exist. "It's not possible to create an additional majority-minority district in Texas," Alford said. In wrangling over the Congressional map, minority groups have largely homed in on several Dallas-Fort Worth area districts, parts of Harris County, U.S. Rep. Will Hurd's Congressional District 23, which stretches from San Antonio to El Paso and takes in most of the Texas-Mexico border; Congressional District 27, represented by Blake Farenthold, R-Corpus Christi; and U.S. Rep Lloyd Doggett's Congressional District 35, which stretches from Austin into San Antonio narrowly along Interstate 35. In their ruling on the 2011 maps, judges found discrimination - some of it intentional - in CD-23, CD-27 and CD-35. Judges also found lawmakers illegally "packed" and "cracked" predominantly Hispanic and black communities in the Dallas-Fort Worth area, a method of diluting their political strength. The 2013 map did not alter boundaries in several of those flagged areas. "I don't think there's ever been a more exhaustive attempt to redraw a map, than the one here in Texas," Alford testified. The state on Friday sought to poke holes in the maps offered by plaintiffs, which rely partly on "coalition" districts where Hispanic and black voters, only in the majority when combined, could elect candidates of their choice - at least in general elections when they overwhelmingly favor Democrats. Alford, the state's expert, criticized the plaintiffs' demonstrated coalition districts, arguing - largely relying on past Democratic primary election results - that Hispanic and black voters in various districts vote differently, preferring candidates of their own race. He underplayed general election data and testimony from voters, which the plaintiffs point to, suggesting the minority voting groups clearly coalesce around Democrats following primaries. In that sense, Alford testified, the maps plaintiffs offered would not address Hispanic voters' statewide underrepresentation.

LANGUAGE: ENGLISH US

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: HOU

SUBJECT: REDISTRICTING (93%); VOTERS & VOTING (91%); MINORITY GROUPS (90%);

Royalty Policy Committee (States)

HISPANIC AMERICANS (90%); US STATE GOVERNMENT (90%); JUDGES (90%); RACE & ETHNICITY (90%); LEGISLATIVE BODIES (89%); LAWYERS (89%); US REPUBLICAN PARTY (89%); HUMAN RIGHTS & CIVIL LIBERTIES LAW (89%); TESTIMONY (89%); ELECTIONS (78%); POLITICAL PARTIES (78%); CIVIL RIGHTS (78%); LITIGATION (78%); PUBLIC POLICY (78%); PUBLIC RECORDS (78%); ELECTION LAW (78%); WITNESSES (77%)

CITY: SAN ANTONIO, TX, USA (92%)

STATE: TEXAS, USA (97%)

COUNTRY: UNITED STATES (97%)

LOAD-DATE: July 19, 2017

Targeted News Service

April 21, 2017 Friday 10:14 PM EST

Rep. Springer Files Amendment to Major School Finance Bill

BYLINE: Targeted News Service

LENGTH: 412 words

DATELINE: AUSTIN, Texas

The Texas House of Representatives issued the following news release:

On Wednesday, the Texas House of Representatives took up and passed HB 21 by Rep. Huberty, a bill to reform the public school finance system. Public education is one of the top priorities of the Texas House and this bill is crucial to ensuring proper funding for Texas school systems. While there were several parts to the bill that Rep. Springer supported including fixing the Transportation formula that hasn't been touched in three decades, he did propose and support additional amendments that will benefit schools in rural Texas.

Rep. Springer offered an amendment to address the need for supplemental funding as the state phases out the Additional State Aid for Tax Reduction (ASATR) program which is set to end in 2017. The amendment read that if a school district is the only one operating in a county, then the Texas Education Agency (TEA) Commissioner shall provide the district with 100 percent of the state aid that they would have received under the previous funding formula. There are a handful of school districts in the state that this applies to where consolidation is simply not an option due to the distance from alternate districts. This would be a tremendous help for those schools that are small fixed cost schools which require a base amount of funding to operate and educate the children that they serve. Unfortunately, the votes were not there to pass this amendment.

Rep. Springer also strongly supported and voted for an amendment authored by Representative **Drew Darby**. Rep. Darby's Amendment will remove the 300 square mile **penalty** that currently hurts rural schools. This policy was implemented over 30 years ago to promote consolidation of small school districts, however, it proved to be ineffective

Royalty Policy Committee (States)

and damaging. In addition to supporting this amendment, Rep. Springer also authored a bill that would strike this provision, HB 2091.

When asked about these amendments, Rep Springer stated, "Our rural public schools, because of lower student populations and larger land mass, can be penalized under the current funding formula. These amendments will ensure that our rural schools are protected and that our students will receive the same quality education of those in urban areas."

If you have questions or concerns about the representative's amendments, you may contact Rep. Springer at District68.Springer@house.texas.gov

Copyright Targeted News Services

MSTRUCK-5840838 MSTRUCK

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

SUBJECT: EDUCATION FUNDING (92%); PUBLIC SCHOOLS (91%); EDUCATION SYSTEMS & INSTITUTIONS (91%); LEGISLATIVE BODIES (90%); SCHOOL DISTRICTS (90%); RURAL COMMUNITIES (89%); STUDENTS & STUDENT LIFE (89%); RURAL SCHOOLS (89%); SUPPLEMENTAL APPROPRIATIONS (78%); EDUCATION DEPARTMENTS (72%); TAX LAW (70%); TAXES & TAXATION (70%)

LOAD-DATE: April 21, 2017

Google Search: <http://www.house.state.tx.us/members/member-page/?district=72;>

[https://www.texastribune.org/directory/drew-darby/;](https://www.texastribune.org/directory/drew-darby/)

[http://www.drewdarby.com/;](http://www.drewdarby.com/)

https://en.wikipedia.org/wiki/Drew_Darby;

[https://www.facebook.com/DrewDarbyforTexas/;](https://www.facebook.com/DrewDarbyforTexas/)

<https://twitter.com/drewdarby4tx?lang=en;>

<https://www.treyblockershow.com/2017/05/03/episode-16-texas-state-rep-drew-darby/>

Associations and Affiliations Search: <https://www.jw.com/darby-appointed-southern-states-energy-board/>

Royalty Policy Committee (States)

Mark Hunter Edwards (Alternate) (State of New Mexico)

(b) (6)
Albuquerque, NM 87110

Phone: (b) (6)

DOB: (b) (6) 1

National Conference of State Legislators

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: MARK EDWARDS & ASSOCIATES
Jurisdiction: NM
Business Telephone: 505-298-2830
Type: BUSINESS LICENSE
Date: 01/08/2002
Business Description: GOVERNMENT RELATIONS CONSULT
SIC: 8748
Expiration Date: 12/31/2003

Contact Information

Name: MARK H EDWARDS
Address: (b) (6)
NM, AL 87111-5153
BERNALILLO COUNTY
Contact Type: CONTACT

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: MARK EDWARDS & ASSOC
Business Address: (b) (6)
NM, AL 87111-5140
BERNALILLO COUNTY
Jurisdiction: NM
Business Telephone: 505-298-2830
Date: 01/08/2002
Business Description: PUBLIC RELATIONS COUNSELORS
SIC: 874302

Contact Information

Name: MARK EDWARDS
Address: (b) (6)
NM, AL 87111-5140
BERNALILLO COUNTY

Royalty Policy Committee (States)

Contact Type: CONTACT

Bankruptcy Filings: N/one

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: New Mexico Legislature - https://www.nmlegis.gov/Staff_Directory?Entity=LCS

Associations and Affiliations Search: None

Royalty Policy Committee (States)

Hans Donald Hunt (Alternate) (State of Wyoming)

(b) (6)
Newcastle, WY 82701

Phone: (b) (6)

DOB: (b) (6)

National Conference of State Legislatures

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

GOP State Rep. Hans Hunt Says ‘By All Means, Leave’ In Response To Wyoming Resident’s Concerns **By Meredith Bennett-Smith**

A junior state politician in Wyoming has walked into something of a controversy over a very blunt email he sent to a state resident concerned about a proposed bill that would have legalized concealed carry.

In an email sent earlier in February to Wyoming state Rep. Hans Hunt (R), state resident Rev. Audette Fulbright said that she was “seriously reconsidering” her decision to move her family to Wyoming in August. Her concerns, she said, stemmed from House Bill 105, which aimed to legalize the carrying of permitted concealed weapons in public schools and colleges.

Fulbright, who lives with her family in Cheyenne, emailed representatives across the state about the proposed legislation, as well as her concerns about fracking in the state, according to CBS local affiliate KGWN. The news station reprinted Fulbright’s email, as well as Hunt’s response.

“I am writing to express my grave concern about House Bill 105,” Fulbright said. “Ample evidence has shown that schools and guns do not mix, and in particular, guns in the hands of amateurs/non-professionals is extremely dangerous, especially in any highly-charged situation. to expose our children to greater risk in their schools by encouraging more guns on campuses is something that we cannot allow.”

Fulbright went on to write that, while it would be hard to move again, “the safety of our family must come first.”

Royalty Policy Committee (States)

Mincing no words, Hunt responded thus:

I'll be blunt. If you don't like the political atmosphere of Wyoming, then by all means, leave. We, who have been here a very long time (I am proudly 4th generation) are quite proud of our independent heritage. I don't expect a "mass exodus" from our state just because we're standing up for our rights.

The representative, who was the youngest member of the legislature when he was elected in 2010, went on to criticize "liberal out-of-staters such as yourself" who move to the state and "pompously demand that Wyoming conform to their way of thinking."

Contacted by the Caspar Star-Tribune, Hunt refused to apologize for the email.

"Was it blunt? Yes. Would I apologize? No," he remarked to the Star-Tribune, before adding that he might have phrased his words more carefully.

As the controversy picked up steam, the Star-Tribune weighed in with an editorial published on Feb. 24.

"Is 'Go Wyoming Or Go Home' the message we want to send those we hope to attract here? Of course not," the editorial stated. "And if not them, why would we want to say such a thing to anyone who wants to make their home in Wyoming, no matter their political persuasion?"

Hunt may be young, the editorial continued, but he is still a leader; therefore, the editorial concludes, what he says matters. "Hunt's type of response and his obstinate defense of it make us wonder how brittle his ideas really are," the editorial also says.

According to the Associated Press, House Bill 105 ultimately died in a Senate committee soon after Hunt's email went public. While the measure passed the state House, no one from the Senate Education Committee made a motion to recommend, essentially killing the bill. The AP reported that "dozens of educators, administrators, police and others testified it would make schools and colleges less safe."

Republican state Sen. Stacey Campfield of Tennessee found himself in the middle of a similar situation in early February, after a terse and insulting response to constituent Telisha Arguelles Cobb was released to the media. Campfield, a sponsor of his state's controversial "Don't Say Gay" bill, wrote in an email that Cobb, who had criticized his bill, seemed "to have some serious, deep anger issues."

"Have you ever thought about therapy?" he wrote. "I hear they are doing some wonderful things with medications these days."

Google Search: <https://legisweb.state.wy.us/LegislatorSummary/LegDetail.aspx?LegID=1977;>

<https://www.facebook.com/hans.d.hunt;>

https://ballotpedia.org/Hans_Hunt

Royalty Policy Committee (States)

http://trib.com/business/20underforty/twenty-under-hans-hunt/article_1ddb39c1-e20b-51c1-aba7-b66a405a88ff.html

<https://cattlebusinessweekly.com/Content/Headlines/Headlines/Article/Ranching-Representative-One-young-Wyoming-man-is-managing-a-political-career-and-ranch-life/1/1/6395>

<https://www.nytimes.com/elections/results/wyoming-state-house-district-2>

Associations and Affiliations Search: None

Royalty Policy Committee (States)

Brent Wayne Sanford (Alternate) (State of North Dakota)

(b) (6)
Watford City, ND 58854
Phone: (b) (6)
DOB: (b) (6)
Governor Burgam

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Criminal Records

This data is for informational purposes only.

North Dakota Court Report

Offender information

Name: SANFORD, BRENT WAYNE
Address: (b) (6)
WATFORD CITY, ND 58854-3281
MCKENZIE COUNTY
Case Number: 30-2015-TR-02276
Case Filing Date: 05/27/2015
Case Type: TRAFFIC
DOB: (b) (6)
SSN: (b) (6)

Offenses

Case Filing Date: 05/27/2015
Offense Date: 05/26/2015
Court Case Number: 30-2015-TR-02276
Court Offense: 390902 - SPEEDING VIOLATIONS - NOLEVEL
Court Disposition: GUILTY - ADMINISTRATIVE TRAFFIC

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: Associated Press State & Local

June 29, 2017 Thursday 12:21 PM GMT

Governor won't have to testify in sheriff removal case

SECTION: STATE AND REGIONAL

Royalty Policy Committee (States)

LENGTH: 173 words

DATELINE: BISMARCK, N.D.

BISMARCK, N.D. (AP) - Gov. Doug Burgum and Lt. Gov. **Brent Sanford** won't have to **testify** about their communications in the removal case against McKenzie County Sheriff Gary Schwarzenberger. But two **prosecutors** and the governor's attorney will. The Bismarck Tribune reports (<http://bit.ly/2spZltZ>) Special Commissioner Karen Klein ruled Burgum and Sanford don't have to give sworn interviews about any behind-the-scenes involvement in the removal proceedings against Schwarzenberger.

But Klein ordered Deputy Attorney General Troy Seibel, Governor's Counsel Leslie Oliver and former special prosecutor Bill O'Driscoll to give interviews.

Schwarzenberger's attorney had subpoenaed all of the officials because he believes Burgum's office improperly intervened. Burgum ultimately will judge if Schwarzenberger loses his job.

Schwarzenberger is accused of bullying, retaliation and misusing a county credit card. He's scheduled for trial in September on a misdemeanor charge.

Information from: Bismarck Tribune, <http://www.bismarcktribune.com>

LANGUAGE: ENGLISH

DOCUMENT-TYPE: Spot Development

PUBLICATION-TYPE: Newswire

The Bismarck Tribune

June 29, 2017 Thursday

Burgum, Sanford won't have to testify in case

BYLINE: CAROLINE GRUESKIN Bismarck Tribune

SECTION: B; Pg. 1

LENGTH: 519 words

The governor and lieutenant governor will not have to testify about their communications relating to the McKenzie County sheriff's removal case, but two prosecutors and the governor's attorney will.

Special Commissioner Karen Klein issued an order Wednesday that said [Doug Burgum](#) and **Brent Sanford** do not have to give sworn interviews about any behind-the-scenes involvement they have had in the removal proceedings against Gary Schwarzenberger. ▼

Royalty Policy Committee (States)

Deputy Attorney General Troy Seibel, Governor's Counsel Leslie Oliver and former special **prosecutor** Bill O'Driscoll are required to give such interviews, Klein ordered.

Schwartzenberger's attorney, Mike Geiermann, subpoenaed all of the above people, because he said he thinks Burgum's office improperly intervened to remove the sheriff.

Burgum will ultimately judge if Schwartzenberger will lose his job, and Geiermann contends that means his office should not talk to or try to influence the prosecutor. Burgum's office has argued in case documents such communication is fine.

The former U.S. magistrate said it would be inappropriate for the governor to testify, because he is the ultimate decision maker. Klein said that the defense had not shown enough involvement from Sanford to allow for his deposition.

She is allowing subpoenas for O'Driscoll, the former prosecutor, and Oliver and Seibel, because it appears they communicated about the case. O'Driscoll wrote the governor a letter in March saying he wanted to dismiss the case for lack of evidence. Shortly thereafter, Oliver emailed him for an update, and the next day, O'Driscoll asked to continue with the case. He later asked to recuse himself entirely and the governor let him withdraw, case records show.

Klein's role in the case is to oversee it and provide a recommendation to the governor, she wrote.

"The governor and his counsel can reach their own conclusion about what is appropriate, and, if they are wrong, their position can be tested by the defendant when and if an appeal is taken to district court on this matter," she wrote in the order.

Geiermann said he considers the ruling to be a "win" that will show whether the governor's office "prejudged this case."

"I believe we will be able to find out most if not all of what we want to know," he said of such information as why O'Driscoll changed his position on the case and what role the governor's office played.

Geiermann said he plans to schedule depositions next week.

O'Driscoll did not respond to a phone and email message seeking comment on Wednesday. Liz Bocker, spokeswoman for the Attorney General's Office, which is prosecuting the case and representing the governor's office, declined to comment.

"We don't comment on ongoing litigation," she said. "We do, of course, comply with court orders."

Schwartzenberger, who remains suspended from his duties, is accused of bullying and retaliation within the office and is charged with a misdemeanor accusing him of misusing a county credit card. He has pleaded not guilty and is set for trial in September.

Reach Caroline Grueskin at 701-250-8225 or at caroline.grueskin@bismarcktribune.com

Google Search: <https://www.governor.nd.gov/lieutenant-governor-brent-sanford>;

<http://www.legis.nd.gov/biography/brent-sanford>;

<https://doughburgum.com/about-doug/meet-brent/>

Royalty Policy Committee (States)

<https://www.facebook.com/NDLtGovBrentSanford/?fref=mentions;>

<http://www.inforum.com/news/4211406-chaotic-days-oil-town-brent-sanford-steps-new-role-nds-lieutenant-governor>

<http://www.thedickinsonpress.com/4299664-burgum-challenges-oil-industry-eliminate-spills-increase-production>

Associations and Affiliations Search: None

Royalty Policy Committee (States)

Shawn Peter Thomas (Alternate) (State of Montana)

(b) (6)
Helena, MT 59602

Phone: (b) (6)

DOB: (b) (6) 1

Governor Bullock

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/shawn-thomas-561a7726/>;

<https://www.facebook.com/stpinetree>;

Associations and Affiliations Search: None

Royalty Policy Committee (Industry - Primary)

Matthew Aaron Adams (Cloud Peak Energy)

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Highlands Ranch, CO 80126

Phone (b) (6)

DOB (b) (6)

Nominated by National Mining Association

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: ADAMS INVESTMENTS LLC

Business Address: COLONIAL 84 DR
CO, LO 80124-9711
DOUGLAS COUNTY

Jurisdiction: CO

Type: DBA

Number: 20081672996

Date: 12/31/2008

Contact Information

Name: MATTHEW AARON ADAMS

Address: COLONIAL 84 DR
CO, LO 80124-9711
DOUGLAS COUNTY

Contact Type: OWNER

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/matthew-adams-29967068/>;

<https://www.facebook.com/matthew.adams.733076>;

<http://www.buzzfile.com/business/Cloud-Peak-Energy-Logistics-LLC-720-566-2900> no:13282300

Mining advocates urge Interior to shelve lease reforms, Greenwire, April 19, 2015

- <https://www.eenews.net/greenwire/stories/1060023658>

Associations and Affiliations Search: N/A

Royalty Policy Committee (Industry - Primary)

Gabrielle Anne Gerholt (Concho Resources)

(b) (6)
Santa Fe, NM 87505

Phone: (b) (6)

DOB: (b) (6)

Nominated by Congressman Steve Pearce

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

Albuquerque Journal (New Mexico)

May 1, 2009 Friday

Jury Convicts Man of Murder in Second Trial

BYLINE: Vic Vela Journal Staff Writer

SECTION: NEWS; Pg. 4

LENGTH: 507 words

A man charged with murder who benefited from a December mistrial did not get off the hook a second time. A jury on Thursday found the 26-yearold guilty in the 2007 slaying of a Santa Fe man.

After deliberations that spanned two days - and a trial that spanned two weeks -a new jury convicted Jacob Chavez of first-degree murder, attempted murder and aggravated assault in connection with a June 2007 incident in which Max Valdez, 26, was killed in his Santa Fe mobile home. Also shot was Kyle Clark, who survived.

Tears of joy were shed after the verdict by the Valdez family - and even by **prosecutors** - relieved by the verdict.

"It's been a really long two years," said Michelle Sanchez, Valdez's sister. "My brother can rest now. Justice delayed is not justice denied."

Prosecutors Sarah Garcia and **Gabrielle Gerholt** hugged and wept after the verdict. For Garcia, it's been a long road.

"I've been on this case for two years," she said afterward. "I went to the **murder** scene."

Royalty Policy Committee (Industry - Primary)

The bloodshed from the 2007 incident began when a gunman entered Valdez's trailer during a party and began firing, shooting Clark first. Valdez was shot to death shortly after that while he was sleeping in his bed.

Chavez and Michael Martinez - a co-defendant with Chavez during the December trial who also received a mistrial - were at the party earlier but left after another person there, Eric Garcia, "disrespected" Chavez. The men engaged in a confrontation, which was broken up by fellow partygoers. The men came back to the home with a third man and tried to kill Garcia.

Sarah Garcia told jurors during her closing remarks Wednesday that Valdez was "caught in the middle."

"It's your typical case of being in the wrong place at the wrong time," she said.

This time, the cases against Chavez and Martinez were separated. Martinez will soon get his date in front of a Santa Fe County jury.

The trial severance may have helped the prosecution this time around. New testimony also came from a cell mate of Chavez's, who said the defendant admitted the shooting while the two were in jail together.

But defense attorney Gary Mitchell - who had argued that could not have been the shooter because he was passed out in his car at the time - said Brandon Wagner's testimony lacked credibility during his closing argument Wednesday, calling Wagner "a paid witness" for the state.

Mitchell thought he had something going for him heading into the trial: the conviction of another man for this crime. Anthony Gracen Gutierrez was convicted in September of firstdegree murder. Prosecutors say Chavez and Martinez returned to the home with Guterrez, though Guterrez - who is now serving a life sentence - never shot anyone.

Mitchell also said that state witnesses have changed their versions of events over time, partly because police "harassed and threatened witnesses."

Garcia rejected the notion that the police were involved in any wrongdoing while investigating the case, saying that sometimes it takes different tactics when witnesses may not be willing to cooperate right away.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: MURDER (95%); JURY TRIALS (92%); VERDICTS (91%); HOMICIDE (90%); MISTRIAL (90%); CRIMINAL CONVICTIONS (90%); SHOOTINGS (90%); PUBLIC PROSECUTORS (89%); TESTIMONY (89%); JAIL SENTENCING (78%); ADMISSIONS & CONFESSIONS (78%); GUILTY PLEAS (78%); WITNESSES (78%); CORRECTIONS (77%); MOBILE HOMES (75%); CRIMINAL ASSAULT & BATTERY (73%); LAWYERS (71%)

CITY: SANTA FE, NM, USA (90%)

LOAD-DATE: May 1, 2009

The Santa Fe New Mexican (New Mexico)

Royalty Policy Committee (Industry - Primary)

February 22, 2006 Wednesday

PECOS - IN BRIEF

BYLINE: THE NEW MEXICAN

SECTION: PECOS SECTION; Pg. PE-1

LENGTH: 401 words

New **district attorney** named

After less than a year on the job Tyr Loranger, the assistant **district attorney** assigned to staff the Pecos office, has been transferred. He'll be replaced by **Gabrielle Gerholt** who was hired by the 4th Judicial **District Attorney's** office in October. Gerholt said she's still working out her schedule but she hopes to start spending one or two days a week in Pecos starting in March. Loranger's new post will be at the Family Justice Center in Las Vegas. The center is a federally funded project designed to provide consolidated legal and health services to victims of domestic violence.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: PUBLIC PROSECUTORS (91%); FIRE PREVENTION & SAFETY (90%); NEWS BRIEFS (90%); FIRES (89%); FIREFIGHTERS & FIREFIGHTING (77%); FIRE DEPARTMENTS (77%); VICTIMS RIGHTS (76%); WATER RESOURCES (75%); FORESTS & WOODLANDS (74%); DISASTER PLANNING (74%); NATURAL DISASTERS (74%); FOREST FIRES (74%); DOMESTIC VIOLENCE (70%); DOMESTIC VIOLENCE PROGRAMS (69%); ASSOCIATIONS & ORGANIZATIONS (69%); TALKS & MEETINGS (60%); HISTORIC SITES (60%)

LOAD-DATE: February 25, 2006

Google Search: <https://www.linkedin.com/in/gabrielle-gerholt-8580765b/>;

<http://www.prweb.com/releases/2013/9/prweb11115918.htm>

Santa Fe Reporter, Back to Frack: What's old is new in New Mexico drilling regulations, December 21, 2011 – <http://www.sfreporter.com/santafe/article-6485-first-person.html>

Current-Argus, Oil and gas industry members predict increased production costs, June 15, 2016 – <http://www.currentargus.com/story/news/local/2016/06/15/oil-and-gas-industry-members-predict-increased-production-costs/85934780/>

Lamonitor.com (The Los Alamos Monitor Online) – LFC in Artesia: Ominous federal regulatory clouds over oil and gas – <http://www.lamonitor.com/content/lfc-artesia-ominous-federal-regulatory-clouds-over-oil-and-gas>

Current-Argus – Cooperation theme evident at summit, Sept. 12, 2016 – <http://www.currentargus.com/story/news/local/2016/09/12/cooperation-theme-evident-summit/90278592/>

Conservation Voters New Mexico – Bill to bring back oil and gas pollution penalty moves forward, February 24, 2017 – <https://www.cvnw.org/in-the-news/bill-to-bring-back-oil-and-gas-pollution-penalty-moves-forward/>

Royalty Policy Committee (Industry - Primary)

Associations and Affiliations Search: Western Alliance Energy

- https://www.westernenergyalliance.org/printpdf/507?amp%3Bamp%3Border=field_slate_name&%3Bamp%3Bamp%3Bamp%3Bsort=asc

Royalty Policy Committee (Industry - Primary)

Randall B Luthi (NOIA America's Offshore Energy Industry)

(b) (6)
Freedom, WY 83120
Phone: (b) (6)
DOB: (b) (6)
Self Nominated

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Name: LUTHI, RANDALL B
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Secured Party Information

Name: CNH CAPITAL AMERICA LLC
Standardized Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661
Original Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661

Filing Information

Original Filing Number: 2011-47940136
Original Filing Date: 08/01/2011
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82001

Filing Type: INITIAL FILING
Filing Number: 2011-47940136
Filing Date: 08/01/2011
Filing Expiration Date: 08/01/2016
Vendor Entry Date: 08/03/2011
Vendor Update Date: 2011

Collateral

Collateral Description: 08/01/2011 2011-47940136 - VEHICLES

UCC Filings

This data is for informational purposes only.

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Debtor Information

Name: LUTHI, RANDALL LUTHI
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Secured Party Information

Name: CNH CAPITAL AMERICA LLC
Standardized Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661
Original Address: 100 BRUBAKER AVE
NEW HOLLAND, PA 17557-1661

Filing Information

Original Filing Number: 2006-28198040
Original Filing Date: 03/08/2006
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: INITIAL FILING
Filing Number: 2006-28198040
Filing Date: 03/08/2006
Filing Expiration Date: 03/08/2011
Vendor Entry Date: 03/17/2006
Vendor Update Date: 2006

Collateral

Collateral Description: 03/08/2006 2006-28198040 - EQUIPMENT

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Debtor 1
Name: LUTHI, RANDALL B
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Debtor 2
Name: LUTHI, RANDALL LUTHI
Standardized Address: (b) (6)
FREEDOM, WY 83120-8838
Original Address: (b) (6)
FREEDOM, WY 83120-8838
SSN: (b) (6)

Secured Party Information

Secured 1
Name: BANK OF STAR VALLEY (THE)

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Standardized Address: 384 WASHINGTON ST
AFTON, WY 83110

Original Address: 384 WASHINGTON ST
AFTON, WY 83110

Secured 2

Name: THE BANK OF STAR VALLEY

Standardized Address: 384 WASHINGTON ST
AFTON, WY 83110

Original Address: 384 WASHINGTON ST
AFTON, WY 83110

Filing Information

Original Filing Number: 2002-13790732

Original Filing Date: 05/17/2002

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: INITIAL FILING

Filing Number: 2002-13790732

Filing Date: 05/17/2002

Vendor Entry Date: 07/02/2002

Vendor Update Date: 2003

Filing Type: TERMINATION

Filing Number: 2003-18928641

Filing Date: 06/16/2003

Vendor Entry Date: 07/22/2003

Vendor Update Date: 2012

Collateral

Collateral Description: 05/17/2002 2002-13790732 - ACCOUNTS RECEIVABLE ALL;NEGOTIABLE INSTRUMENTS ALL

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Debtor 1

Name: LUTHI, KIRK

Standardized Address: FREEDOM, WY 83120

Original Address: FREEDOM, WY 83120

SSN: (b) (6)

Debtor 2

Name: LUTHI, RANDALL B

Standardized Address: FREEDOM, WY 83120

Original Address: FREEDOM, WY 83120

SSN: (b) (6)

Secured Party Information

Name: FIRST SECURITY BANK OF WYOMING

Standardized Address: PO BOX 8
AFTON, WY 83110-0008

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Original Address: PO BOX 8
AFTON, WY 83110-0008

Filing Information

Original Filing Number: 1996-10684249
Original Filing Date: 03/01/1996
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: INITIAL FILING
Filing Number: 1996-10684249
Filing Date: 03/01/1996
Vendor Entry Date: 04/21/1996
Vendor Update Date: 2003

Collateral

Collateral Description: 03/01/1996 1996-10684249 - ACCOUNT(S) INCLUDING PROCEEDS AND PRODUCTS;GENERAL INTANGIBLE(S) INCLUDING PROCEEDS AND PRODUCTS;FARM PRODUCTS/CROPS INCLUDING PROCEEDS AND PRODUCTS

UCC Filings

This data is for informational purposes only.

1:Wyoming UCC Record

Debtor Information

Debtor 1

Name: LUTHI, KIRK
Standardized Address: HC 60 BOX 381
FREEDOM, WY 83120-9802
Original Address: HC 60 BOX 381
FREEDOM, WY 83120-9802
SSN: (b) (6)

Debtor 2

Name: LUTHI, RANDALL B
Standardized Address: HC 60 BOX 381
FREEDOM, WY 83120-9802
Original Address: HC 60 BOX 381
FREEDOM, WY 83120-9802
SSN: (b) (6)

Secured Party Information

Name: FIRST SECURITY BANK OF WYOMING
Standardized Address: 485 N WASHINGTON ST
AFTON, WY 83110-9773
Original Address: 485 N WASHINGTON ST
AFTON, WY 83110-9773

Filing Information

Original Filing Number: 96061101A02
Original Filing Date: 03/01/1996
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 200 W 24TH ST
CHEYENNE, WY 82002

Filing Type: TERMINATION

Royalty Policy Committee (Industry - Primary)

1:Wyoming UCC Record

Filing Number: 2001-15305120
Filing Date: 02/26/2001
Vendor Entry Date: 04/14/2001
Vendor Update Date: 2003

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
(Houston)

Lara v. Kempthorne

PLAINTIFF: Lara, Joe R

DEFENDANT: Dirk Kempthorne Secretary of the Department of the Interior

CONSERVATOR: **Luthi, Randall**

DOCKET CASE NUMBER: 4:08cv2434

FILING DATE: 8/7/2008

JURISDICTION: Federal Question

JUDGE: Rosenthal, Lee H

NATURE OF SUIT: 442 Employment

FILING TYPE: Civil

CAUSE: Discrimination [29 USC 754](#)

JURY DEMAND: Plaintiff

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

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Houston, TX, USA 77042
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Royalty Policy Committee (Industry - Primary)

DEFENDANT ATTORNEY(S):

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UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
(Billings)

Decker Coal Company v. United States of America et al

PLAINTIFF: Decker Coal Company

DEFENDANT: Walter D Cruickshank in His Official Capacity as Acting
Director, Mineral Management Service, Department of the
Interior Terminated: 09/05/2008 (Terminated 9/5/2008);
United States Department of the Interior;
United States of America;
Randall Luthi in His Official Capacity as Director, Mineral
Management Service, Department of the Interior;
Dirk Kempthorne in His Official Capacity as Secretary of the
Department of the Interior

DOCKET CASE NUMBER: 1:07cv126

FILING DATE: 9/17/2007

JURISDICTION: U.S. Government Defendant

JUDGE: Cebull, Richard F

REFERRED TO: Magistrate Ostby, Carolyn S

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Administrative Procedure Act [05 USC 702](#)

JURY DEMAND: None

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

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Crowley Fleck
PO Box 797
Helena, MT, USA 59624-0797

Royalty Policy Committee (Industry - Primary)

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THE COURT UPDATED THIS RECORD ON: 03/17/2009 12:00:00 AM

Judgments and Liens: None

Nexis News Search:

BP Oil Spill Lawsuit: Cousins Randall Luthi and Jeffery Luthi Pose Conflict of Interest in Case

Will BP get its oil spill case moved to friendly Houston? A clerk of the panel that will decide the issue is first cousins with a former regulator of the sunken BP drill platform. Rick Outzen reports on the legal impact of the family tie.

Two key figures in the upcoming investigation and litigation phases in the case of the [Deepwater Horizon explosion](#), which killed 11 workers on April 20 and subsequently spewed millions of gallons of crude oil into the Gulf of Mexico, are first cousins.

Randall Luthi is the former director of the agency that regulated BP and its Deepwater Horizon floating platform, and Jeffery Luthi, his cousin, is the clerk of the judicial panel that will render a crucial decision about where the lawsuits, which could total billions of dollars, will be tried. Both Luthis are both from Freedom, Wyoming, a town with just 135 residents.

Royalty Policy Committee (Industry - Primary)

The battle over where the cases against BP, Transocean, Halliburton, and other defendants will be tried has significant impact over how the cases will proceed and their final outcomes.

Consolidating all the lawsuits into a federal court in Houston would give BP a huge home field advantage.

BP wants them all moved to Houston, Texas. Its attorneys are arguing that BP Exploration and Production, Inc. and the other defendants maintain their principal places of business and their key documents and witnesses within the Houston area, according to court documents: "Transfer and consolidation of this litigation in the Southern District of Texas, Houston Division, would greatly promote the just and expeditious resolution of these actions."

- [The Most Polluted Places in America](#) The plaintiffs' attorneys, who represent the commercial fishermen, shrimpers, and others affected by the BP oil spill, argue in the response they filed with the court that the Eastern District of Louisiana in New Orleans is "closer to the epicenter of this disaster than Texas, Florida, or the other Gulf States, and it is the geographical focal point." Pertinent witnesses are in Louisiana, including claimants and potential claimants, key eyewitnesses to the incident, and investigators, including representatives of Mineral Management Service (MMS) and the Coast Guard.

Jeffery Luthi, 56, as clerk of the panel of the United States Judicial Panel on Multidistrict Litigation (JPML), has significant influence over the final decision. He has already denied a motion by the plaintiffs to expedite the hearings on BP's motion.

Cousin Randall Luthi will most likely be a key witness in the lawsuits and in the congressional hearings on whether MMS, the agency that regulated Deepwater Horizon and that he led under the Bush administration, improperly awarded safety certificates to BP and Transocean.

The former director of MMS, Randall Luthi, 54, is now president of National Ocean Industries Association (NOIA), a national trade association that, according to its website, represents "all segments of the offshore industry with an interest in the exploration and production of both traditional and renewable energy resources on the nation's outer continental shelf."

As MMS director in September 2008, he defended the agency against charges by the DOI inspector general of a "culture of substance abuse, promiscuity, and [ethical failure](#)" existing inside MMS, where investigators found that employees were having sex and taking drugs with energy company representatives. Officials in the MMS royalty collection office in Denver accepted gifts from energy companies including golf, ski and paintball outings; meals and drinks; and tickets to a Toby Keith concert, a Houston Texans football game, and a Colorado Rockies baseball game. All the abuses found by investigators occurred before Randall Luthi took office, but he spent the last four months of his tenure fighting off calls for his resignation.

Randall Luthi once [worked for Dick Cheney](#) and, according to his MMS bio, served on Cheney's Energy Council, an organization composed of legislative representatives from energy-producing states and private energy-related industries that set the energy policies of the Bush administration.

BP; Halliburton, the company responsible for cementing the deepwater drill hole at the site; and Cameron International, the company that built the safety valves for the rig, have seats on board of NOIA, the trade organization led by Randall Luthi.

Royalty Policy Committee (Industry - Primary)

Jeffery Luthi handles the docket of the JPML, which has the authority to determine whether civil actions pending in two or more federal judicial districts should be transferred to a single federal district court for pretrial proceeding.

He is dealing with the BP motion to combine all the civil lawsuits involving Deepwater Horizon and the oil spill into a federal court in Houston, Texas. The decision will be made by the JPML at its July session in Boise, Idaho.

Houston courts are notoriously tough on class-action lawsuits. There, three days after BP's request, U.S. District Judge Keith Ellison issued an order suspending cases against Transocean, owner of the Deepwater Horizon rig, because the company filed a request to limit its liability in the lawsuits filed against it to \$26.7 million.

Consolidating all the lawsuits into a federal court in Houston would give BP a huge [home field advantage](#).

Asked by The Daily Beast if he was related to Randall Luthi, Jeffery Luthi replied, "I don't why it matters." Then he added, "Yes." There was a pause.

"Are you brothers?"

"We're first cousins," Jeffery Luthi said, before hanging up.

Las Cruces Sun-News, June 8, 2017 - Las Cruces Sun-News (New Mexico)

June 8, 2017 Thursday

Trump Said to Mull Combining Agencies Separated After Gulf Spill

BYLINE: Jennifer A. Dlouhy

SECTION: BUSINESS

LENGTH: 1111 words

(Bloomberg) -- After the 2010 Gulf oil spill, the [Obama administration](#) ▼ broke the scandal-plagued federal agency that policed offshore drilling into separate bureaus. Now the [Trump administration](#) ▼ is considering putting it back together again.

The change, described by Interior Department officials and lobbyists familiar with the deliberations, would combine two agencies: one that enforces regulations on offshore drilling safety and another in charge of leasing offshore tracts. Keeping those roles separate was a key recommendation of a presidential commission that investigated the Deepwater Horizon blast that killed 11 men and sent oil gushing into the Gulf of Mexico for months. Merging the bureaus could send a signal that Interior is easing off on enforcement, right as President [Donald Trump](#) ▼ expands areas available for offshore oil drilling, according to Bob Graham, a former Florida senator who led the commission.

"I have heard no indication of why we're doing this," Graham said in an interview. "It's just seven years after this enormous disaster -- and this was one of the key steps in at least mitigating the chances of a repetition."

Royalty Policy Committee (Industry - Primary)

Officials are still weighing the reorganization, according to the people, who declined to be identified discussing internal deliberations. Interior Department spokesmen didn't respond to requests to comment on the possible change.

For decades before the [BP Plc](#) ▼ oil spill, federal regulation of offshore energy development was handled by a single agency within the Department of Interior: the Minerals Management Service. Its biggest claim to fame was a wide-ranging ethics scandal during the administration of President George W. Bush that involved cocaine use, sexual misconduct and financial self-dealing by a handful of employees, which was documented in multiple probes.

Read More: [MMS Employees Took Gifts, Viewed Porn, Report Finds](#)

The episode highlighted an uncomfortably cozy relationship between the oil and gas industry drilling offshore and the federal regulators who were supposed to keep a watch over them. Two years later, when BP's failed Macondo well blew out in the Gulf of Mexico, those concerns erupted anew.

Within weeks, with oil still gushing into the Gulf, the administration of President [Barack Obama](#) ▼ announced it was shuttering the MMS and carving it up into three agencies. Besides the leasing and enforcement bureaus, a third office would act as a piggy bank, collecting billions of dollars annually in royalties, rental payments and bonus bids tied to offshore energy development.

That last agency, the Office of Natural Resources Revenue, would be untouched by the organizational plans now under consideration by Interior Secretary [Ryan Zinke](#). ▼ The two agencies that would be combined are the Bureau of Safety and Environmental Enforcement and the leasing-focused Bureau of Ocean Energy Management.

Read More: [Trump to Expand Offshore Drilling, Review Post-Spill Rules](#)

Zinke has said he's looking at reorganizing the entire Interior Department with an eye on empowering regional officials and improving collaboration across its agencies. That could involve creating regional hubs to coordinate Interior agencies with overlapping roles and missions that are at cross purposes.

The effort could allow energy companies to get quicker project approvals or, at least, a clear pathway to them.

"We are looking at reorganizing in maybe more of a joint model so industry and citizens when they want to do a project can have -- I don't want to say certainty, but at least a path of how to get there," Zinke said at the Offshore Technology Conference last month. "You can know sooner in the process whether yes or no is appropriate and what is that investment you have to make."

Scott Angelle, the newly appointed head of the safety bureau, told reporters last week that he has not been told the two agencies will merge, but "everything is on the table" as part of the department-wide reorganization.

The inherent conflict within the Minerals Management Service was written on the walls of the former agency -- literally. Donald Boesch, a marine scientist who served on the presidential spill commission, remembers a fact-finding mission to meet with environmental analysts and safety inspectors at a former MMS office in Louisiana. On the conference room wall, a huge chart illustrated the growth in revenue the agency had gleaned from offshore oil development. Other graphs showed increasing oil and gas produced offshore.

Read More: [BP Gulf Oil Spill Damage Valued at \\$17.2 Billion in New Study](#)

Royalty Policy Committee (Industry - Primary)

"The metrics they had to deal with on a daily basis were all oriented toward expanding that activity and increasing production as fast as they could," said Boesch, now president of the University of Maryland Center for Environmental Science. "That symbolically indicated that there was a strong conflict of interest in how this organization is run."

Recombining the agencies would revive their "inherently conflicting missions," said Senator Ed Markey, a Democrat from Massachusetts.

"Our coastal communities -- and even the oil industry -- can't afford a return to the bad old days of the safety cop and the leasing agent being the same person," Markey said in an e-mailed statement.

The since-divided bureaus have developed their own identities and missions. Environmental analysis has increased at the ocean energy bureau, while the safety agency expanded its oversight beyond oil and gas companies by penalizing offshore contractors for infractions.

Industry Reaction

Oil industry officials aren't exactly clamoring for the change.

After the creation of the two bureaus, there was confusion about which agency was in **charge** of which task. Oil companies didn't know where to file permit applications and where to file proposed exploration plans.

"We've found on the industry side that there's still some confusion of who does what," said **Randall Luthi**, a former MMS director who now leads the National Ocean Industries Association. And the longer the bureaus stay apart, the more stove-piped they become, he said. "If you're going to do it, now is probably a good time."

Still, the reorganization is such a major effort that it could take time away from other priorities, including rewriting Obama-era regulations governing offshore drilling, Luthi said.

"If you asked industry what is your top, No. 1 priority, I doubt it's the re-meshing" of these bureaus, he said.

--With assistance from Laura Blewitt

To contact the reporter on this story: Jennifer A. Dlouhy in Washington at jdlohy1@bloomberg.net

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States News Service

March 10, 2017 Friday

FIRST 10 DAYS: PRAISE FOR SECRETARY RYAN ZINKE ▼ AND THE INTERIOR DEPARTMENT

BYLINE: States News Service

LENGTH: 869 words

Royalty Policy Committee (Industry - Primary)

DATELINE: WASHINGTON

The following information was released by the U.S. Department of the Interior:

[Ryan Zinke](#) ▼ was sworn-in as the 52nd Secretary of the Interior on March 1, 2017. He immediately got to work, expanding access to America's public lands and demonstrating his commitment to the issues facing Native American communities.

Read some of the early praise for [Secretary Zinke](#) ▼ :

Mike Pence, [Vice-President](#) ▼ of the United States

"With a sterling record of service, [the president] and I know [Ryan Zinke](#) ▼ will protect America's natural treasures as our new Interior Secretary."

Brian Cladoosby, President of National Congress of American Indians

"[Ryan Zinke](#) ▼ has a long history of fighting for our country. During his career as a Navy SEAL, he fought for American freedoms abroad. Throughout his service as a Congressman for Montana, he fought for Montanans and Montana's Tribes in the halls of Congress. We have no doubt that [Secretary Zinke](#) ▼ will continue fighting for all tribes as Secretary of [the] Interior. As the trustee to all 567 Federally Recognized tribes, we wish [Secretary Zinke](#) ▼ every success in advancing the Federal Government's treaty and trust obligations."

Senator Lisa Murkowski (R-AK)

"I congratulate Rep. [Zinke](#) ▼ on his confirmation as Interior Secretary, and am eager to work with him to restore balance to the management of federal areas. This is particularly important for Alaska, which has more at stake and is more deeply affected by this Department than any other part of our country."

Senator Mark Warner (D-VA)

"Today I voted to confirm Congressman [Ryan Zinke](#) ▼ as the next Secretary of the Interior. As Interior Secretary, Mr. [Zinke](#) ▼ will be tasked with managing our public lands and natural resources, including our national parks and significant historic sites across Virginia which are maintained by the National Park Service. During his confirmation hearing before the Senate Energy and Natural Resources Committee, I was encouraged by Mr. [Zinke's](#) ▼ public commitment to address the National Park Service's maintenance and repair backlog, which now totals more than \$12 billion. I look forward to working with him to find common sense solutions to reduce that backlog."

[Steve Bullock](#) ▼ Democratic Governor of Montana

"I congratulate [Ryan Zinke](#) ▼ on his confirmation as Secretary of the Interior. Montanans know how important this post is to protecting our public lands, outdoor recreation, tourism, and natural resource industries."

Barry Russell, CEO of Independent Petroleum Association of America

"As a conservationist from a western energy-producing state, Congressman [Zinke](#) ▼ appreciates the need to manage our nation's lands and waters while implementing multiple use policies that enable a variety of activities from conservation and recreation to job development and energy production. IPAA congratulates Congressman [Zinke](#) ▼ and looks forward to continuing to work with him in his new role as Secretary of the Department of the Interior."

Collin O'Mara, President and CEO of the National Wildlife Federation

"As an organization that represents millions of hunters, anglers, and outdoor enthusiasts, the National Wildlife Federation and its state affiliate, the Colorado Wildlife Federation,

Royalty Policy Committee (Industry - Primary)

believe that Rep. [Ryan Zinke](#) ▼ has the conservation **ethic** and leadership ability to be a strong Interior Secretary."

Randall Luthi, President of National Ocean Industries Association

"The National Ocean Industries Association (NOIA) congratulates Secretary of the Interior [Ryan Zinke](#) ▼ on his bipartisan confirmation. [Secretary Zinke](#) ▼ brings the promise of dawn after eight years of darkness for the offshore energy industry. His confirmation testimony laid out a sensible and fair path forward for the United States to not only maintain, but increase its energy leadership. That path leads to the return of a truly broad-based energy policy, using both traditional offshore energy sources, such as oil and natural gas, and non-traditional sources, such as wind."

In response to [Secretary Zinke's](#) ▼ two secretarial orders that expand access to public lands and increase hunting, fishing, and recreation opportunities nationwide:

Nick Wiley, President of the Association of Fish and Wildlife Agencies

"[[Secretary Zinke](#)] ▼ has done a great service to our hunters and anglers, the firearms and angling industries and the public trust by issuing these Orders. We look forward to working closely with our federal partners at the Department of Interior to deliver the best possible stewardship of America's fish and wildlife resources."

Jeff Crane, President of Congressional Sportsmen's Foundation

"CSF looks forward to working closely with [Secretary Zinke](#) ▼ on developing a list of priorities that will protect and advance fish and wildlife and public lands conservation, as well as keep federal lands open for public access and recreation. Today's meeting on the Secretary's first morning in office was a clear indication of his commitment to these shared goals."

Dave Nomsen, [Vice-President](#) ▼ of Pheasants Forever and Quail Forever

"We're pleased to see the new Secretary's first action addressing top-of-the-line issues for sportsmen, sportswomen and other conservationists, including hunter access to quality wildlife habitat on our nation's public lands."

The Virginian - Pilot (Norfolk, VA.)

December 21, 2016

Obama extends ban on Atlantic drilling, including off Virginia coast. What will Trump do?
Environmentalists applaud, but the oil industry looks for a quick reversal from next president.

BYLINE: Dave Mayfield The Virginian-Pilot

SECTION: Main; Pg. 001

LENGTH: 741 words

President Barack Obama on Tuesday put the weight of his waning administration behind banning oil and gas drilling off parts of the East Coast, including Virginia. The question immediately became: What will Donald Trump do? Industry groups are counting on him to reverse Obama's course soon after he takes over the White House in January.

Royalty Policy Committee (Industry - Primary)

Obama invoked a rarely used provision of a 1953 federal law to declare 31 Atlantic Ocean canyons from New England to Virginia indefinitely off-limits, along with 125 million acres of the Arctic Ocean. The law says that “the president of the United States may, from time to time, withdraw from disposition any of the unleased lands of the outer Continental Shelf.”

The two southernmost canyons to be protected are off Virginia, including the Norfolk Canyon, which begins 70 miles off the Virginia Beach coast. Together, all of the canyons make up about 3.8 million acres and are considered among the ocean’s most diverse ecological “hot spots.”

The Virginia Aquarium & Marine Science Center had been preparing much of the past year to nominate the Norfolk Canyon as a national marine sanctuary. A task force put the nomination on hold, however, after Trump’s election last month, citing uncertainty over how the new administration would receive the initiative.

Obama’s action Tuesday was accompanied by Canada’s placing a moratorium on new leasing in its Arctic waters.

Environmental groups and tourism officials in many East Coast communities generally cheered Obama’s action, though some said they had hoped he’d try to safeguard even more areas. They had been pressing for long-lasting prohibitions because Trump has said he wants to step up offshore exploration, which they fear could bring economically devastating oil spills.

Randall Luthi, president of the National Ocean Industries Association, decried Obama’s action, saying it “not only risks the long-term energy security and energy leadership position of the United States, it **violates** the letter and spirit of the law.” He argued that more oil and gas development, particularly in the Arctic, is vital to national security.

The president has twice before declared federal waters – off parts of Alaska – indefinitely off-limits to exploration, claiming powers he said were given to him under the Outer Continental Shelf Lands Act. Some legal analysts have said that even if Trump declares Obama’s latest decision null and void, the issue likely would be tested in court.

“There’s no such thing as a permanent ban,” said Erik Milito, a policy director at the American Petroleum Institute.

But Niel Lawrence, a senior attorney at the Natural Resources Defense Council, said the statute says a president can withdraw waters from the country’s leasing plans and “it doesn’t say you can put it back in.”

The Obama administration’s move to protect more areas of the Atlantic from drilling completes a turnaround. Last year, it included Virginia, the Carolinas and Georgia in its 2017-22 offshore oil and gas plan. In March, the Bureau of Ocean Energy Management pulled the Atlantic states from the blueprint, citing opposition from coastal communities, the Navy and NASA.

Administration officials still haven’t decided whether to approve applications by six companies for seismic surveys for oil and gas along the East Coast – activities that are regulated in a separate process.

Environmental groups have asked the administration to reject the testing as well. They say it threatens to harm whales and other marine mammals.

Royalty Policy Committee (Industry - Primary)

A group called the Business Alliance for Protecting the Atlantic Coast has been particularly vocal on the anti-drilling side. Among its members are the Virginia Beach Restaurant Association and the Outer Banks Chamber of Commerce.

Laura Wood Habr, vice president of the Beach association, said she was pleased that Obama recognized the importance of the canyons but wishes he had banned future oil and gas leases for the entire Atlantic coast.

"Water, just like air, has no boundaries," Habr said.

A spill anywhere along the coast would have wide-ranging effects, she said, including in the canyons over which Obama is seeking to throw a protective cover.

Pat Broom, a board member of the Outer Banks chamber, predicted that the opposition to drilling off North Carolina won't end under Trump: "There's definitely interest and energy to continue to push this issue and make it clear that we feel this is something that is not good for our area."

Targeted News Service

December 20, 2016 Tuesday 10:23 AM EST

NOIA Decries Obama Withdrawal of Offshore Areas, Looks Forward to [Trump Administration](#) ▼

BYLINE: Targeted News Service

LENGTH: 355 words

DATELINE: WASHINGTON

The National Ocean Industries Association issued the following statement by President **Randall Luthi**:

"[President Obama's](#) ▼ short sighted, unilateral withdrawal of Atlantic and Arctic Ocean areas from future oil and gas leasing not only risks the long-term energy security and energy leadership position of the United States, it **violates** the letter and spirit of the law.

"Such an expansive withdrawal, particularly when argued as being 'permanent', is clearly inconsistent with the Outer Continental Shelf Land Act's steadfast declaration that '... the Outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be made available for expeditious and orderly development, subject to environmental safeguards, in a manner which is consistent with the maintenance of competition and other national needs ...'

"Furthermore, today's decision puts the United States at a competitive disadvantage and sacrifices thousands of potential jobs and billions of dollars in government revenue. While other countries are ramping up offshore oil and natural gas exploration in the Arctic and in the Atlantic basin, [President Obama](#) ▼ has benched the United States, dismissing his own advisors who have argued that energy development, particularly in the Arctic, is imperative to our national security.

"Today's decision also ignores that global energy demand is projected to increase by as much as 48% by 2040, and that fossil fuels are projected to meet about 80% of that

Royalty Policy Committee (Industry - Primary)

demand. A robust offshore leasing program is crucial not only to meeting America's domestic energy needs, but to providing an affordable, reliable and safe source of oil and natural gas to developing nations.

"We are hopeful that the incoming [Trump administration](#) ▼ can repair some of the damage done to the offshore energy industry and America's energy security over the past eight years by putting policies in place that increase, rather than decrease, access to federal offshore areas."

Farmington Daily Times (New Mexico)

May 30, 2016 Monday

1 Edition

Feds: Fracking off coast not causing significant impact

BYLINE: By, Rob Nikolewski

SECTION: NEWS; Pg. A6

LENGTH: 359 words

SAN DIEGO - An environmental assessment from two federal agencies released Friday determined that fracking off the coast of California causes no significant impact, thus lifting a moratorium on hydraulic fracturing that was instituted earlier this year.

"The comprehensive analysis shows that these practices, conducted according to permit requirements, have minimal impact," Abigail Ross Hopper, director of the Bureau of Ocean Energy Management, said in a statement.

The Bureau of Safety and Environmental Enforcement joined in the assessment, which analyzed well stimulation treatments on 23 oil and gas platforms off California's coast between 1982 and 2014, and came back with a "Finding of No Significant Impact."

The Center for Biological Diversity, the environmental group that filed a lawsuit that resulted in the moratorium, said Friday it is considering filing another suit in light of the agencies' decision.

"Offshore fracking is just an incredibly dangerous activity and we certainly wish the federal government was taking stronger actions to protect our oceans and our coast," Miyoko Sakashita, the director of the center's oceans program, told the San Diego Union-Tribune.

The environmental assessment looked at fracking - in which high-pressured fluids are pumped into a well to break through rock formations to loosen oil and gas - as well as impacts from waste water that is disposed in the process.

Companies still need to go through the federal application and permitting processes to frack at individual sites.

Industry officials welcomed the Friday's announcement.

"Offshore energy is a vital source of jobs and revenue for both California and the U.S., and the sooner operations offshore California can resume the better," **Randall Luthi**, president of

Royalty Policy Committee (Industry - Primary)

the National Ocean Industries Association, said in a statement, dismissing the **lawsuit** that led to the assessment as "hyperbole" from "extreme environmental groups."

The agencies' assessment looked into and oil and gas platforms on the Outer Continental Shelf, in federal waters.

Waters within three miles of California's coast are subject to state rules, which Sakashita said are stricter.

Google Search: https://en.wikipedia.org/wiki/Randall_Luthi;

<http://www.noia.org/about/noia-staff/randall-luthi/>;

<https://www.linkedin.com/in/randall-luthi-7851a229/>;

<http://www.businesswire.com/news/home/20100301005100/en/Randall-Luthi-Takes-President-National-Ocean-Industries>

Alaska Journal of Commerce, March 28, 2017 - <http://www.alaskajournal.com/authors/randall-luthi#.WXZU> 4Tyupo

Associations and Affiliations Search: None

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DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Fictitious Business Records

This data is for informational purposes only.

Business Information

Name: TINY FOOTPRINTS
Jurisdiction: CA
Business Telephone: 415-456-1216
Type: FICTITIOUS NAME; INDIVIDUAL
Number: 111518
Date: 11/14/2006
Expiration Date: 11/14/2011
Business Status: NEW

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Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(Sacramento)

USA v. Mitchell

Royalty Policy Committee (Industry - Primary)

DEFENDANT: MARISA MITCHELL

(May want to confirm this is the correct Marisa Mitchell)

DOCKET NUMBER: 2: 98m251

FILING DATE: 8/6/1998

JUDGE: Assigned to Dale A Drozd, Magistrate Judge

FILING TYPE: Criminal

PLAINTIFF ATTORNEY(S):

Mark J McKeon [COR LD NTC]
United States Attorney
555 Capitol Mall Suite 1550
Sacramento, CA 95814
916-554-2735

***** COUNT INFORMATION *****

Pending: 18:13-7210.P18:13-7210.P TRAFFIC OFFENSES, DRUNKEN DRIVING
UNDER THE INFLUENCE OF ALCOHOL AND DRUGS (1)

18:13-7210.P OF.08%18:13-7210.P TRAFFIC OFFENSES, DRUNKEN
DRIVING WITH A BLOOD ALCOHOL CONTENT OF.08% OR MORE (2)

Offense Description/Level: Opening/1

Complaint: complaint filed

THE COURT UPDATED THIS RECORD ON: 09/04/1998 09:27:00 PM

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/marisa-mitchell-ab320a10/>;
<https://www.facebook.com/marisa.mitchell.965/>;

RE Crimson Solar Project – Plan of Development - <http://www.basinandrangewatch.org/Crimson-Solar%20Draft%20POD-2.pdf>

Associations and Affiliations Search: None

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.facebook.com/greg.morby;>

[https://www.linkedin.com/in/greg-morby-1832a371/;](https://www.linkedin.com/in/greg-morby-1832a371/)

https://www.onrr.gov/Laws_R_D/PubComm/PDFDocs/AA13/Chevron-USA-Inc_Final-Comments.pdf

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: VWR - <http://investors.vwr.com/contactus.cfm>

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Nexis Public Records Searches:

Bankruptcy Filings:

Bankruptcy Filings

1. Texas Bankruptcy Record

Petitioner Information

Name: ALVARADO, ESTELLA MIJARES (PRIMARY)
Address: (b) (6)
THE WOODLANDS, TX 77381-3006
SSN: (b) (6)
Filing Type: INDIVIDUAL
Filer Type: INDIVIDUAL

Bankruptcy Information

Case Number: 9649447
Filing Date: 10/16/1996
Filing Type: Chapter 7
Filing Jurisdiction: Texas
Court: TEXAS SOUTHERN - HOUSTON
Court Location: HOUSTON
Meeting Date: 11/25/1996
Meeting Time: 9:30 AM
Meeting Location: MEETING 515 RUSK SUITE 3401
Judge: WRG
Distributable Assets: NO
Corporation Flag: NO

Status Information

Status: DISCHARGED
Status Date: 09/10/1997

Comments

Filing Date: 10/16/1996
Description: SINGLE DEBTOR

Royalty Policy Committee (Industry – Alternate)

1. Texas Bankruptcy Record

Trustee Information

Name: JOHNSON, PAMELA G

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Phone: 713-646-1324

Attorney Information

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Attorney 2

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Judgments and Liens: None

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House Lobbyist Disclosures: None

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/bob-bruer-17077314/>;

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

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House Lobbyist Disclosures: Registered Lobbyist for US Oil and Gas Assn in 2016

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

>DC Daybook - Policy & News Events

September 15, 2011 Thursday
FINAL

EVENT: HOUSE NATURAL RESOURCES COMMITTEE;

LOCATION: 1324 Longworth House Office Building -- September 15, 2011 09:30 AM

SECTION: U.S. HOUSE OF REPRESENTATIVES

LENGTH: 114 words

SUBJECT: Energy and Mineral Resources Subcommittee hearing on legislation to establish in the Interior Department an undersecretary for energy, lands, and minerals and a Bureau of Ocean Energy, an Ocean Energy Safety Service, and an Office of Natural Resources Revenue.

PARTICIPANTS: Honorable Michael Bromwich, director of the Bureau of Ocean Energy Management, Regulation and Enforcement; **Albert Modiano**, president of the U.S. Oil & Gas Association; and Donald Boesch, president of the University of Maryland Center for Environmental Science and commissioner on the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, **testify**

Royalty Policy Committee (Industry – Alternate)

CONTACT: 202-225-2761 <http://resourcescommittee.house.gov>

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Event Schedules

LOAD-DATE: September 14, 2011

FD (Fair Disclosure) Wire

September 15, 2011 Thursday

U.S. Oil & Gas Association President **Albert Modiano Testifies** Before House Natural Resources Subcommittee on Energy and Mineral Resources Legislative - Final

LENGTH: 2441 words

Conference Call Participants

* ALBERT MODIANO PRESIDENT - U.S. OIL & GAS ASSOCIATION

Presentation

ALBERT MODIANO, U.S. OIL & GAS ASSOCIATION, PRESIDENT: Thank you for the invitation to the US Oil & Gas Association to comment on the Chairman`s Discussion Draft to Reorganize the Interior Department`s Offshore Energy Agencies.``

The US Oil & Gas Association is the nation`s oldest oil and natural gas trade association. It was founded in October 1917 in Tulsa, Oklahoma as the Mid-Continent Oil & Gas Association following the United States` entry into World War I. A principal purpose of the Association`s formation was to provide essential supplies of petroleum and petroleum products to the allied forces; helping the Allies, ``. . .to float to victory on a wave of oil.`` The US Oil & Gas Association`s contribution to victory helped establish it as an Association in which individuals working cooperatively could resolve mutual problems and achieve great results.

Over the past ninety-four years the US Oil & Gas Association has been a strong advocate in public policy debates for the individuals who build and sustain the U.S. petroleum industry. These individuals represent companies of all sizes in the domestic industry, majors, independents; family owned companies, small partnerships as well as single entrepreneurship.

The Association has over 3,500 individual members, covering the full spectrum of the domestic petroleum industry. The Association is unique among industry trade groups. It is the only national association with Divisions in the States along the vital Gulf of Mexico; which include the Texas Oil and Gas Association, the Louisiana Mid-Continent Oil and Gas Association, the Mid-Continent Oil and Gas Association of Oklahoma and the US Oil & Gas Association Mississippi/Alabama Division.

During my career I was a civil servant in the Department of Energy and in the Department of the Interior, Minerals Management Service (MMS) working on energy and oil and natural

Royalty Policy Committee (Industry – Alternate)

gas policy. At MMS, I first served as Director of the Office of Policy and then as the MMS Deputy between the years 1989 and 1993.

The Chairman has drafted an important discussion document on how Congress should reorganize MMS and delegate its authority to the President and Secretary of the Interior to undertake the nation's business of federal leasing, approving development activity, safety, environmental review, sustained federal workforce competency and collecting the revenues associated with such activities.

Reorganization should be guided by several fundamental principles. The new organization should have clear lines of authority, it should be given the budget and staffing that it needs to do its mission, and it should be given the means and opportunity to discharge its responsibilities as efficiently as possible.

The USOGA shares and supports the need to establish clear lines of authority for oil and natural gas operations on federal lands and the Outer Continental Shelf and the collection of federal royalties. The discussion draft draws new lines of clear authority by establishing a new organization chart and adopting this organization by an act of Congress. With these clear lines of authority, it strengthens the Department of the Interior's ability to undertake resource development, facility inspection, workplace safety and environmental stewardship.

The Chairman's reorganization plan defines new institutional reporting responsibilities (with new supporting organizations and programs) and new Bureaus with focused and circumscribed priorities in a way that makes their role and mission understandable and accessible to all.

The Chairman's discussion draft moves beyond the reorganization steps taken by Department of the Interior over the past year. It proposes an organic act for the new organization. It establishes a new Under Secretary and Assistant Secretaries. The two new Bureaus reporting to the Under Secretary, Energy and Land Minerals, are- the Assistant Secretary Ocean Energy Safety (comprised of the Bureau of Ocean Energy and Ocean Energy Safety Service) and an Assistant Secretary Land and Minerals Management (comprised of the Bureau of Land Management Office of Surface Mining, reclamation and Enforcement). It also moves the existing Bureau of Land Management and the Bureau of Reclamation under the new Under Secretary. A new Under Secretary with direct congressional authority helps to make Department's resource development activities and policies more transparent and accountable to the public and Congress.

By proposing an organic Act establishing the Under Secretary, Assistant Secretaries and Bureaus in place of MMS, the discussion draft recognizes that Congress should have an important role through its power of advice and consent in approving the President's appointees nominated to lead and manage these activities. Senate confirmation of the President's appointments to the Department of the Interior's Under Secretary and Assistant Secretaries for Energy Lands and Minerals is an important part of checks and balances. Senate confirmation hearings often spark additional congressional and public discussion of national priorities and goals. The country's federal oil and natural and gas development policies would likely also benefit from such confirmation hearings.

The discussion draft also codifies that the Assistant Secretary for Policy, Management, and Budget manage the Office of Natural Resources Revenue responsible for collecting all federal royalties and revenues for onshore and offshore energy production. It makes clear that royalty collection operations must be separated from leasing, safety and environmental responsibilities. However, a closer look if this action establishes clearer lines of authority, or not, should continue to be reviewed in greater depth.

Royalty Policy Committee (Industry – Alternate)

Collecting federal royalty payments it is a question of rules, accounting and accuracy.

The rules for such payments, accounting, auditing report records, and enforcement remains today, fundamentally, the same as the origin of the word ``royalty`` implies- the King`s collection of a share of the purse gained from any use and bounty obtained on the royal hunting grounds. A royalty payment for the value at the site of the catch is owed to the King. Americans expect no less from the use of its commonwealth. When the public, through the Department, awards a federal lease contract for oil or natural gas production, it expects to be paid its royalty share of the value of this resource taken at the point of its production.

This committee and the Chairman should consider whether, or not, the royalty collection and enforcement mission is really separated enough from the general policy and budget operations of the Department of Interior if it is housed in the policy and budget office. Just as the intermingling, threat of intermingling, or perceived opportunity for intermingling of priorities at odds with one another, was a concern when it was under the MMS roof, some might argue that unless this operation truly stands alone these concerns remain unaddressed. Given all of the above, the Chairman`s draft does provide greater clarity, competency, efficiency, and accountability to responsible resource development.

In addition to drawing clear lines of authority and accountability, providing adequate resources are critical for success. The new Under Secretary for Land and Resource Management and Bureaus must receive the necessary funds needed to succeed.

Congress ultimately determines funding.

Much of the impetus for reorganization came from concerns over royalty collection, safety and environmental review practices. In addressing safety, you cannot organize your way out of accidents, but you can help all participants understand and adopt operating practices to bring the risk as close to zero as humanly possible. Many of the Chairman`s proposals to address safety issues will mean authorizing and appropriating money to develop these programs. Safety evaluation and improvement never ends, it is a continuing priority year in year out. Congress should provide the necessary funds to keep these programs robust and moving forward.

Environmental stewardship is akin to safety. Studies, reviews and scientific analyses take resources of staff and money. Following the organizing principles of establishing clear lines of authority and a commitment to funding it is also important to review reorganization plans as to whether or not the new organization is also given the means to discharge its responsibilities as efficiently as possible.

The industry agrees with the goals of reorganization, but it is important to note that there is some concern about whether, or not, some parts of the plan provides the most efficient means to discharge its various missions. The question asked is does adopting an organic act help or distract from the goals of the proposed reorganization? Does creating a new bureaucracy help the Department of the Interior better manage its offshore agencies? In the end, is efficiency really improved?

In this case, some express concern that by reforming MMS (and adding some new missions) under an organic legislative mandate, Congress has created a new bureaucracy and a new energy monarch that might be less efficient, prone to mission creep, and lead to unintended consequences. The wiles of organizations and their development over time can be erratic and institutionalizing congressional power and authority at a single point, is a step that should be taken with serious review and scrutiny.

Royalty Policy Committee (Industry – Alternate)

However, consolidation also has many merits, and creating an Under Secretary, as stated before could be a very efficient way to organize. In addition, an Under Secretary also creates a champion for the Department's energy portfolio bringing both clearer and greater authority to the management, of its offshore energy activities. An Under Secretary could be champion for budget and staff, and give undivided management attention to keeping the trains on time. An Under Secretary could help increase the pace of energy development and highlight its importance. On the other hand, some are skeptical that separating under different entities the review of exploration plans and drilling permits could slow everything down and in the end not be efficient government. That is certainly a potential outcome, unless, again, there are adequate resources and staff assigned to these activities.

Of particular importance to the industry is the emerging and future role of the Center for Offshore Safety that the industry has established in Houston, Texas. The President's panel that studied the BP accident recommended the creation of an independent safety body to review all phases of drilling operations so as to assure that industry meets the highest international standards. The industry took the recommendation to heart by establishing and funding just such an institution.

This safety institute is designed to address many of the same safety concerns expressed by the current administration and by the Chairman - as demonstrated by the programs and organization proposed. The industry's Center for Offshore Safety is modeled on similar organizations established by foreign oil companies and the nuclear power and chemical industries. The goal is to improve the offshore safety through better and more efficient management and operations. The Committee should continue to study the draft's proposal to establish an Ocean Energy Safety Service --- so that the shared goal of safety is coordinated among government, industry and others so that it does not, unintentionally, become a forum only for academic debate, at the expense of adopting and deploying the latest, best safety scenarios.

The effort to reorganize and redirect the work of the former Minerals Management Service addresses many of the concerns about real or perceived conflicts by partitioning the mission across three new agencies. The Chairman's draft proposes steps and establishes organic congressional approval. The industry hopes that these changes provide the means to discharge these responsibilities as efficiently as possible so that operational and regulatory programs regarding onshore and offshore exploration, leasing, plan approval and permitting continue to be undertaken in as timely, certain, efficient and seamless manner as possible.

Again, a review of the Chairman's discussion draft in terms of it establishing clear lines of authority, a commitment to adequate budget and staffing to do its mission, and providing the means to discharge its responsibilities as efficiently as possible finds that these organizing principles are embedded in the reorganization proposal. In the end, however, the most important measure of a reorganization's success is if it works as intended - and as the industry relies so much on the actions of the Department for access, leasing and permit review it is critical that a new bureaucracy make things better, not worse.

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Royalty Policy Committee (Industry – Alternate)

the companies' most recent SEC filings. Although the companies may indicate and believe that the assumptions underlying the forward-looking statements are reasonable, any of the assumptions could prove inaccurate or incorrect and, therefore, there can be no assurance that the results contemplated in the forward-looking statements will be realized.

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June 5, 1992

MMS STUDIES NEW WAYS TO SOLVE ROYALTY FIGHTS

SECTION: Vol. 70, No. 109; Pg. 3

LENGTH: 412 words

DATELINE: Washington

The Minerals Management Service is thinking globally in an effort to resolve many of the royalty-related disputes it has with oil companies.

The cases involve payment issues associated with leases, including product valuation, royalty reporting and payment, and production monitoring.

Albert Modiano, MMS deputy director, told OILGRAM NEWS in a recent interview that the intent of the "global settlement" approach is to "forestall years of protracted negotiations, years of staff time, and hundreds of hours of **audits**. The Justice Dept. spends lots of time and money each year litigating our cases and we win some and we lose some. . .

"There may be some cases in which the federal government would rather litigate.. .(But) in cases where we are confronting a potential risk in court, we would rather go forward and settle it and get 80-90 cents on the dollar, which is probably a pretty healthy settlement for the federal government, and open the system up." MMS has already reached an agreement in principle with Conoco resolving 26 cases, Modiano said. The agreement is under review and not yet final.

The Conoco settlement "grew out of discussions between ourselves and Conoco," Modiano said. "We both looked at it and thought there's got to be a better way to resolve these disputes" than the standard process of appeals and hearings that could take several years to resolve.

"We shouldn't let things sit for five or six years," he said.

It's not a good, efficient way to be as an organization that has both a regulatory hat and the hat of a landlord. It's just not efficient to let the money sit there." Before deciding to pursue a broad settlement of outstanding royalty disputes, MMS officials review the cases on a

Royalty Policy Committee (Industry – Alternate)

company by company basis. "At some point we sit down and determine what's in the best interest of the U.S. government, taking into account our litigation risk, whether the (MMS) director would or wouldn't rule in favor of the (company), and what our policy positions are," Modiano said.

MMS plans to discuss possible settlement negotiations with other companies.

"In some sense the companies have to take the step too," Modiano said. "They have to understand it is a very serious set of negotiations, that many things get put on the table, and we're doing in the best interests of the U.S. government. Companies are now looking at their own appeals before the director and deciding whether they want to take the risk." URL: <http://www.platts.com>

November 21, 1991

OCS POLICY PANEL FAULTS ASPECTS OF IMPACT AID

SECTION: Vol. 69, No. 225; Pg. 1

LENGTH: 568 words

DATELINE: Washington

An Interior Dept. proposal to give states and localities financial assistance to help pay for the effects of OCS development won't provide aid during offshore exploration, and that led to complaints to department officials by members of the OCS Policy Committee meeting in Fairfax, Va.

Paul Rusanowski, division of governmental coordination in the Alaska governor's office, urged Interior to "consider impact assistance during the exploration phase and not just during the production phase." Exploration activity "can have a significant impact" onshore, he said.

When told by a department official that the proposed impact assistance program wouldn't pay for a dry hole, Rusanowski asked, "Is this a useful way to sell the (OCS leasing) program?" Walter Cruickshank, chief of the economics, leasing and policy branch for the Minerals Management Service, alluding to the budget constraints the department is under, responded, "the more revenues you include, the harder it would be to sell the program" to the Administration.

Greg Sovas, director of the division of mineral resources for New York's Environmental Conservation Dept., told officials that if the department is asking the states to work with local communities to accept the federal leasing program, MMS will either have to fund state programs or develop its own. "You're not going to get to the royalty stage (which would pay for impact assistance) unless you have an educational program either funded or run by the MMS," he said.

Other members of the committee objected to Interior's proposal to provide half of the aid directly to local communities. Donna Moffitt, representing North Carolina, suggested the aid go directly to the states, which would be committed to giving half to local communities. "You would have the same result, but would remove the specter of buying off the local communities," she said.

Royalty Policy Committee (Industry – Alternate)

Cruickshank said the department is concerned that if it didn't provide aid directly to the local communities, coastal localities "with political power would get more money regardless of where the local impacts are." Other concerns were raised about the failure of the proposal to earmark how the money would be spent. Cruickshank acknowledged there would be no formal accounting system and that, theoretically, the money could be used by local officials to purchase an auto.

Jerome Selby, mayor of Kodiak Is. Borough, Alaska, responded that his accountability is to residents of his community, "and if I don't spend the money wisely, I shouldn't be around." **Albert Modiano**, deputy director of the MMS, told OILGRAM NEWS that while Interior doesn't want to dictate how the money should be spent, it has an obligation to track how it's used and "mechanisms to get at **abuse**."

Charles Groat, executive director of the American Geological Institute, representing Louisiana, said the state favors impact assistance legislation proposed by Sen. Breaux (D-LA), which provides 37.5% of bonuses, rentals and royalties on future production, compared to Interior's proposal of 12.5% of future royalties.

The Breaux bill would provide more financial assistance sooner than the Interior proposal, which is important for Louisiana because it must deal now with the effects of current, ongoing development, Groat told OILGRAM NEWS. Future development is likely to have less of an impact because of improved technology, he said. URL: <http://www.platts.com>

Google Search: https://www.usoga.org/en/about_us/leadership/albert-l-modiano_hkjt81rk.html;

<https://www.facebook.com/albert.modiano.9>;

<http://gosar.house.gov/sites/gosar.house.gov/files/USO%26GA%20Support%20ONRR%20CRA.pdf>

<http://prabook.com/web/person-view.html?profileId=1380468>

http://www.americanthinker.com/articles/2010/10/obamas_katrina_hurricane_rahm.html

Associations and Affiliations Search: <https://www.linkedin.com/company-beta/3270763/>;
https://en.wikipedia.org/wiki/United_States_Oil_%26_Gas_Association;

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Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.westernenergyalliance.org/alliance/who-we-are/staff;>

[https://twitter.com/kathleensgamma?lang=en;](https://twitter.com/kathleensgamma?lang=en)

[https://www.linkedin.com/in/kathleen-sgamma-1a40671/;](https://www.linkedin.com/in/kathleen-sgamma-1a40671/)

<https://www.facebook.com/westernenergyalliance/posts/581143331929922;>

<http://www.washingtontimes.com/topics/kathleen-sgamma/>

<https://www.eenews.net/greenwire/2017/04/14/stories/1060053102>

<http://www.oilandgasinvestor.com/kathleen-sgamma-appointed-president-western-energy-alliance-1450876>

<http://www.foxnews.com/person/s/kathleen-sgamma.html>

<http://www.denverpost.com/2017/02/04/bureau-of-land-management-cant-regulate-air-quality/>

https://www.energy.senate.gov/public/index.cfm/files/serve?File_id=5F1B9FCC-8C6D-4473-9055-2A9BBC814A7A

<https://www.nytimes.com/2017/05/20/business/energy-environment/devon-energy.html>

Associations and Affiliations Search:

Western Energy Alliance sues Interior over lack of federal lease sales

BYLINE: Mark Passwaters

Royalty Policy Committee (Industry – Alternate)

SECTION: SNL Extra

LENGTH: 430 words

HIGHLIGHT: The Western Energy Alliance filed a lawsuit in federal court against the U.S. Department of the Interior, claiming the department ignores nearly century-old federal law by failing to hold quarterly oil and gas lease sales.

The Western Energy Alliance filed a lawsuit in federal court against the U.S. Department of the Interior, claiming the department is ignoring nearly century-old federal law by failing to hold quarterly oil and gas lease sales.

In the suit filed Aug. 11 in the U.S. District Court for the District of New Mexico, the Western Energy Alliance said the DOI and the Bureau of Land Management are clearly violating the Mineral Leasing Act of 1920, which set requirements on how many mineral lease sales are to be held yearly.

"Lease sales shall be held for each state where eligible lands are available at least quarterly and more frequently if the Secretary of the Interior determines such sales are necessary," according to the act.

Instead of holding quarterly lease sales, the Western Energy Alliance cites a number of instances where the BLM has canceled lease sales or failed to schedule four lease sales during a fiscal year. The group also claimed the Interior Department has changed its rules in some regions so that certain areas are only available for bidding once a year instead of quarterly.

"BLM's illegal administration of its leasing program has injured and will continue to injure individual Alliance members," the group said. "The failure to hold lease sales according to the Mineral Leasing Act's mandate unnecessarily delays - and can completely halt - development of certain federal minerals. Alliance members have had to wait years in many cases for leases to be finally offered for sale. Without a full leasehold, oil and natural gas operators cannot proceed to the development phase, and many Alliance members have had projects held up for years because of unnecessary and illegal delays at the leasing stage."

The Western Energy Alliance said it has issued Freedom of Information Act requests to BLM offices asking for documentation on how agency staff determines when to hold lease sales. In each case, the group said, its requests have met with silence. The group said BLM was doing the bidding of anti-oil-and-gas activists, whether intentionally or otherwise.

"Through protests and petitions, the keep-it-in-the-ground movement is trying to coerce BLM into **violating** the law by stopping all leasing on federal lands," said **Kathleen Sgamma**, the group's vice president of government and public affairs. "Yet without doing anything, activists could achieve the same goal just by leaving BLM to its own devices. Western Energy Alliance is simply asking the courts to compel BLM to follow decades-old law and hold quarterly lease sales in every oil and natural gas state."

Royalty Policy Committee (Industry – Alternate)

Kevin Charles Simpson (Shell Exploration and Production Company)

(b) (6)
New Orleans, LA 70115

Phone: (b) (6)

DOB (b) (6)

Shell Exploration and Production Company

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:District Of Columbia UCC Record

Debtor Information

Debtor 1

Name: SIMPSON, KEVIN C

Debtor 2

Name: SIMPSON, KEVIN C

Standardized Address: (b) (6)
WASHINGTON, DC 20008-2422

Original Address: (b) (6)
WASHINGTON, DC 20008-2422

SSN: (b) (6)

Secured Party Information

Secured 1

Name: NATIONAL CITY MORTGAGE, A DIVISION OF NCB

Standardized Address: 3232 NEWMARK DR
MIAMISBURG, OH 45342-5421

Original Address: 3232 NEWMARK DR
MIAMISBURG, OH 45342-5421

Secured 2

Name: PNC MORTGAGE, A DIV. OF PNC BANK, NA FKA TO NCM A

Secured 3

Name: PNC MORTGAGE, A DIVISION OF PNC BANK, NATIONAL ASSOCIATION FKA NATIONAL CITY MORTGAGE

Filing Information

Original Filing Number: 2009091579

Original Filing Date: 08/18/2009

Filing Agency: FINANCE & REVENUE DEPT

Filing Agency Address: 400 7TH STREET
WASHINGTON, DC 20001

Filing Type: INITIAL FILING

Filing Number: 2009091579

Filing Date: 08/18/2009

Royalty Policy Committee (Industry – Alternate)

1:District Of Columbia UCC Record

Vendor Entry Date: 10/02/2009
Vendor Update Date: 2014

Filing Type: TERMINATION
Filing Number: 2013034124
Filing Date: 03/21/2013
Vendor Entry Date: 04/13/2013
Vendor Update Date: 2013

Filing Type: TERMINATION
Filing Number: 2013034994
Filing Date: 03/25/2013
Vendor Entry Date: 05/14/2013
Vendor Update Date: 2014

Collateral

Collateral Description: 08/18/2009 2009091579 - AGREEMENT

Bankruptcy Filings: None

Criminal Records:

Alaska Court Report

Offender information

Name: SIMPSON, KEVIN
Address: AK
Case Number: 1JU-99-J367664
Case Filing Date: 07/28/1999
Case Type: MINOR OFFENSE
DOB: (b) (6)
SSN: (b) (6)

Offenses

Case Filing Date: 07/28/1999
Court Description: JUNEAU FIRST DISTRICT
Court Case Number: 1JU-99-J367664
Court Offense: SPEEDING 80/45
Court Statute: CBJ72.02.275(B)
Court Disposition: NO CONTEST PLEA PRIOR TO CONVERSION
Court Disposition Date: 08/04/1999

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/kevin-simpson-97386273/>;

Royalty Policy Committee (Industry – Alternate)

Associations and Affiliations Search: Bertelsmann Foundation - <http://www.bfna.org/person/kevin-simpson>

Royalty Policy Committee – Tribes (Primary)

Harry Randolph Barnes (Primary) (Blackfeet Tribal Business Council)

(b) (6)
Browning, MT 59417
Phone: (b) (6)
DOB: (b) (6)
Self Nominated

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY R
Standardized Address: (b) (6)
BROWNING, MT 59417-2013
Original Address: (b) (6)
BROWNING, MT 59417-2013
SSN: (b) (6)

Secured Party Information

Secured 1

Name: FLATHEAD BANK
Standardized Address: PO BOX 2000
CUT BANK, MT 59427-2000
Original Address: PO BOX 2000
CUT BANK, MT 59427-2000

Secured 2

Name: FLATHEAD BANK
Standardized Address: 24 E MAIN ST
CUT BANK, MT 59427-2917
Original Address: 24 E MAIN ST
CUT BANK, MT 59427-2917

Filing Information

Original Filing Number: 95955538
Original Filing Date: 04/01/2008
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 1301 E 6TH AVE STATE CAPITOL
HELENA, MT 59620
HELENA, MT 59620
Filing Type: INITIAL FILING
Filing Number: 95955538
Filing Date: 04/01/2008
Filing Expiration Date: 04/01/2013
Vendor Entry Date: 04/18/2008
Vendor Update Date: 2016

Royalty Policy Committee –Tribes (Primary)

1:Montana UCC Record

Filing Type: CONTINUATION
Filing Number: 590131443
Filing Date: 03/29/2013
Filing Expiration Date: 04/01/2018
Vendor Entry Date: 04/19/2013
Vendor Update Date: 2016

Filing Type: TERMINATION
Filing Number: 141202621930
Filing Date: 12/02/2014
Vendor Entry Date: 12/04/2014
Vendor Update Date: 2016

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY
Standardized Address: (b) (6)
BROWNING, MT 59417-0289
Original Address: (b) (6)
BROWNING, MT 59417-0289
SSN: (b) (6)

Secured Party Information

Name: NATIVE AMERICAN BANK, N.A.
Standardized Address: 999 18TH ST STE 2460
DENVER, CO 80202-2415
Original Address: 999 18TH ST STE 2460
DENVER, CO 80202-2415

Filing Information

Original Filing Number: 93125818
Original Filing Date: 08/03/2007
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: 1301 E 6TH AVE STATE CAPITOL
HELENA, MT 59620STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING
Filing Number: 93125818
Filing Date: 08/03/2007
Filing Expiration Date: 08/03/2012
Vendor Entry Date: 09/22/2007
Vendor Update Date: 2007

Filing Type: CONTINUATION
Filing Number: 587428600
Filing Date: 07/26/2012
Filing Expiration Date: 08/03/2017
Vendor Entry Date: 08/02/2012
Vendor Update Date: 2014

Royalty Policy Committee – Tribes (Primary)

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Debtor 1

Name: BARNES CONSTRUCTION SERVICES

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

Debtor 2

Name: BARNES, HARRY

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

SSN: (b) (6)

Secured Party Information

Name: BLACKFEET NATIONAL BANK

Standardized Address: PO BOX 730
BROWNING, MT 59417-0730

Original Address: PO BOX 730
BROWNING, MT 59417-0730

Filing Information

Original Filing Number: 59326702

Original Filing Date: 04/20/2000

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING

Filing Number: 59326702

Filing Date: 04/20/2000

Vendor Entry Date: 06/17/2000

Vendor Update Date: 2009

Collateral

Collateral Description: 04/20/2000 59326702 - ACCOUNT(S) INCLUDING PROCEEDS AND PRODUCTS;EQUIPMENT INCLUDING PRODUCTS;GENERAL INTANGIBLE(S) INCLUDING PROCEEDS AND PRODUCTS;MACHINERY INCLUDING

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

SSN: (b) (6)

Secured Party Information

Royalty Policy Committee –Tribes (Primary)

1:Montana UCC Record

Name: BLACKFEET NATIONAL BANK

Standardized Address: PO BOX 730
BROWNING, MT 59417-0730

Original Address: PO BOX 730
BROWNING, MT 59417-0730

Filing Information

Original Filing Number: 551422

Original Filing Date: 12/17/1998

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING

Filing Number: 551422

Filing Date: 12/17/1998

Vendor Entry Date: 02/17/1999

Vendor Update Date: 2009

Collateral

Collateral Description: 12/17/1998 551422 - ACCOUNT(S);INVENTORY;VEHICLES;EQUIPMENT;MACHINERY;GENERAL INTANGIBLES

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY

Standardized Address: (b) (6)
BROWNING, MT 59417-2013

Original Address: (b) (6)
BROWNING, MT 59417-2013

SSN: (b) (6)

Secured Party Information

Name: BLACKFEET NATIONAL BANK

Standardized Address: PO BOX 730
BROWNING, MT 59417-0730

Original Address: PO BOX 730
BROWNING, MT 59417-0730

Filing Information

Original Filing Number: 549539

Original Filing Date: 11/17/1998

Filing Agency: SECRETARY OF STATE/UCC DIVISION

Filing Agency Address: STATE CAPITOL
HELENA, MT 59620

Filing Type: INITIAL FILING

Filing Number: 549539

Filing Date: 11/17/1998

Vendor Entry Date: 01/28/1999

Vendor Update Date: 2009

Collateral

Royalty Policy Committee –Tribes (Primary)

1:Montana UCC Record

Collateral Description: 11/17/1998 549539 - COMPUTER EQUIPMENT;MACHINERY;EQUIPMENT;INVENTORY;ACCOUNT(S);GENE

UCC Filings

This data is for informational purposes only.

1:Montana UCC Record

Debtor Information

Name: BARNES, HARRY
Standardized Address: (b) (6)
BROWNING, MT 59417-2013
Original Address: (b) (6)
BROWNING, MT 59417-2013
SSN: (b) (6)

Secured Party Information

Name: BLACKFEET NATIONAL BANK
Standardized Address: 125 N PUBLIC SQ
BROWNING, MT 59417
Original Address: 125 N PUBLIC SQ
BROWNING, MT 59417

Filing Information

Original Filing Number: 535053
Original Filing Date: 04/23/1998
Filing Agency: SECRETARY OF STATE/UCC DIVISION
Filing Agency Address: STATE CAPITOL
HELENA, MT 59620
Filing Type: INITIAL FILING
Filing Number: 535053
Filing Date: 04/23/1998
Vendor Entry Date: 06/24/1998
Vendor Update Date: 2009

Collateral

Collateral Description: 04/23/1998 535053 - MACHINERY;COMPUTER EQUIPMENT;COMMUNICATIONS EQUIPMENT;EQUIPMENT

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

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UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
(Great Falls)

Town Of Browning V. Sharp Et Al

Royalty Policy Committee –Tribes (Primary)

PLAINTIFF: Town of Browning

DEFENDANT: Willie A. Sharp, Jr.;

William Old Chief;

Tyson Running Wolf;

Shawn Lahr;

Paul McEvers;

Nelse St. Goddard;

Joe McKay;

Ilyff Kipp;

Harry Barnes;

Forrestina Calf Boss Ribs;

Earl Old Person;

Derek Kline;

Cheryl Little Dog;

Alvin Yellow Owl

DOCKET CASE NUMBER: 4:14cv24

OTHER DOCKET CASE NUMBER: 9th Circuit, 14-36009

Ninth Circuit, 15-35547

Ninth Circuit Court of Appeals, 14-72717

Ninth Circuit Court of Appeals, 14-35719

FILING DATE: 4/9/2014

JURISDICTION: Federal Question

JUDGE: Brian Morris

REFERRED TO: Magistrate Judge John Johnston

NATURE OF SUIT: 380 Personal Property

FILING TYPE: Civil

CAUSE: Fed. Question [28 USC 1331](#)

JURY DEMAND: Plaintiff

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

Derek J. Oestreicher [LEAD ATTORNEY; ATTORNEY TO]

DAVIS HATLEY HAFFEMAN & TIGHE

Po Box 2103 101 River Drive North The Milwaukee Station Third Floor

Great Falls, MT, USA 59401-2103

406-761-5243 Fax: 406-761-4126 Email: Derek.Oestreicher@dhhtlaw.Com

Maxon R. Davis [LEAD ATTORNEY; ATTORNEY TO]

DAVIS HATLEY HAFFEMAN & TIGHE

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Great Falls, MT, USA 59401-2103

Royalty Policy Committee –Tribes (Primary)

406-761-5243 Fax: 761-4126 Email: Max.Davis@dhhtlaw.Com

Paul R. Haffeman [LEAD ATTORNEY; ATTORNEY TO]
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Po Box 2103 101 River Drive North The Milwaukee Station Third Floor
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406-761-5243 Fax: 761-4126 Email: Paul.Haffeman@dhhtlaw.Com

DEFENDANT ATTORNEY(S):

Sandra Watts [ATTORNEY TO BE NOTICED] (Terminated 6/12/2014)
P.O. Box 834
Browning, MT, USA 59417
406-338-7777 Fax: 406-338-5363 Email: (b) (6) @yahoo.Com

Lawrence A. Anderson [ATTORNEY TO BE NOTICED]
ANDERSON LAW OFFICE
Po Box 2608
Great Falls, MT, USA 59403
406-727-8466 Fax: 406-771-8812 Email: Laalaw@me.Com

THE COURT UPDATED THIS RECORD ON: 06/14/2016 12:00:00 AM

Judgments and Liens: None

Nexis News Search:

Great Falls Tribune (Montana)
July 11, 2014 Friday
1 Edition

Blackfeet unrest

BYLINE: By, David Murray

SECTION: A; Pg. 1

LENGTH: 1238 words

"I think I've been put off the council I don't know how many times this past six weeks."

Earl Old Person, Council member

Five newly elected members of the Blackfeet Tribal Business Council were sworn into office Thursday amid calls for unity, only to have the ceremony quickly devolve into infighting and angry **accusations**.

The new tribal legislators carry with them the hopes of many of the Blackfeet people that a majority of fresh faces on the tribe's most powerful elected body will end the impasse that has hamstrung tribal government in Browning for nearly two years.

Browning business owner **Harry Barnes** was elected tribal chairman, narrowly defeating William Old Chief, who is now entering the third year of his four-year term of office. Old Agency District representative Iliff "Scott" Kipp was elected vice-chairman, and former tribal

Royalty Policy Committee –Tribes (Primary)

forestry department head Tyson Running Wolf was elected secretary of the Blackfeet Tribal Business Council's (BTBC) Executive Committee.

Hopes ran high for ending a bitter divide on the BTBC that has been at the root of mass firings, unpaid wages, threats from the Bureau of Indian Affairs to defund the tribe's judicial system and a revolving series of expulsions and appointments that has seen 14 people lay claim to a seat on the nine-member BTBC since 2012.

Yet, despite appeals for healing and reunification, it quickly became apparent Thursday that the issues dividing the Blackfeet people run deeper than merely the personalities of the tribe's council members.

The inauguration ceremony began early with a nondenominational prayer service. One by one, religious leaders from most of the tribe's churches, both traditional and Christian rose to speak to the audience; asking them to join in prayer for the success and well-being of the new council, as well as for healing for all the Blackfeet people.

Within minutes of the conclusion of that prayer service came the first indications that not all had been forgiven.

As a procession began to form at the east entrance of the dance arbor where the inauguration ceremony was to take place, an argument flared up between Old Chief, outgoing Councilman Leon Vielle and Barnes. Neither Old Chief nor Vielle were willing to recognize the council membership of Earl Old Person, and they protested allowing him to join the procession with the rest of the BTBC members and refused to provide Old Person with a seat at the inauguration table.

Both Old Chief and Vielle voted in April to expel Old Person from the BTBC for abandoning his position as a council member.

The reason given at the time of that resolution was that Old Person had been absent from council meetings since October.

It was in that month that the nine, federally recognized members of the BTBC split into two distinct and opposing factions. Those nine council members have not all met in a single room together for more than eight months. Many Blackfeet consider Old Person chief of the Blackfeet Tribe.

It was also learned in the opening moments of the procession that the BTBC faction led by Willie Sharp Jr. had only just the night before appointed a new council member to fill Old Person's seat - one day before the inauguration ceremony.

George Calf Tail, a man unrecognized until that moment by anyone except an immediate circle of Sharp faction supporters as having any claim to a council position, now lined up with everyone else to be seated at the inauguration table.

There not being enough chairs for everyone laying claim to council membership, newly elected Councilman Joe McKay grabbed a chair from the audience and everybody squeezed in.

Most in the audience were unaware of the conflict. The immediate dispute now behind them, the inauguration ceremony began to proceed without further visible conflict.

Royalty Policy Committee –Tribes (Primary)

After opening ceremonies and an official declaration by Sharp that the 2010-2014 term of the BTBC had now ended, both outgoing, incoming and incumbent council members were permitted a few minutes to address the audience.

All proceeded well, with outgoing council members making references to their many accomplishments or speaking to the need for the council to move ahead toward the betterment of the Blackfeet people.

Then incumbent Councilwoman Cheryl Little Dog took the microphone.

Little Dog began quietly, but her voice rose as she began leveling criticisms at everything from the actions of the Bureau of Indian Affairs, to the ineffectiveness of Affordable Care Act, to the failure of the council to pay tribal employees over extended periods in December and then again this past April.

Many of Little Dog's statements were applauded enthusiastically by members of the audience.

Then, two-thirds of the way through her nine-minute speech, Little Dog turned toward where Old Person was seated at the opposite end of the inaugural table and said "people call Earl Old Person the chief - he's not my chief"

The audience immediately broke out in a competing crescendo of applause and cheers versus boos and catcalls.

The boos and jeers grew progressively louder, drowning out nearly everything else Little Dog had to say.

"A leader, a chief would not let his children suffer without heat ..." Little Dog tried to shout above the crowd.

As her speech went on, an unruly chorus of catcalls began ringing out; everything from "take the microphone" to "you have no respect" to "she's telling the truth."

Tribal police sent to provide security at the event began to assemble near the entrances of the venue, but the shouting eventually died down and Little Dog returned to her position at the table.

Two speakers later it was Old Person's turn to take the microphone.

A loud standing ovation greeted him as the nearly 90-year-old council member walked slowly toward the podium. Other audience members simply sat on their hands.

After a brief speech delivered in his native Piikani (Blackfeet) language, Old Person began by saying, "It's very sad to have to have an inauguration such as we are having."

"We have to have a new start," he said a little later. "We have to have something to go on."

"I think I've been put off the council I don't know how many times this past six weeks."

Old Person's joke brought a chorus of laughter, and lightened the mood of the audience.

The remainder of the inauguration was fairly routine - except for the final minutes when the executive council was elected.

Royalty Policy Committee –Tribes (Primary)

Abiding by the Blackfeet tradition, the members of the executive council are selected by a vote of all nine council members within full view of the audience.

For the top leadership position of council chairman, Old Chief and Barnes were the two nominees. Old Person was not allowed to vote.

One by one the ballots were read. Old Chief gained a quick advantage, but was eventually voted out when Barnes' name was read aloud on the ninth and final ballot. It was a worrying tabulation however, since the five to four split means another closely divided council.

Kipp won the vice chairman's position easily over Forrestina Calf Boss Ribs, while the vote for Running Wolf over Little Dog as secretary of the BTBC was 6-3.

The election of Barnes, Kipp and Running Wolf means that the entire executive council is now made up of newly elected members of the Blackfeet Tribal Business Council.

The entire council met in council chambers immediately following the inauguration ceremony.

"I think I've been put off the council I don't know how many times this past six weeks."

Earl Old Person

Google Search: <http://blackfeetnation.com/government/>;

<https://www.facebook.com/Harry-R-Barnes-Chairman-Blackfeet-Tribal-Business-Council-745983215445636/>;

<http://www.buzzfile.com/business/Blackfeet-Construction-Sups-406-338-3000>;

Associations and Affiliations Search: <https://www.rmtlc.org/tribe/blackfeet-tribal-business-council/>

<http://tribalnations.mt.gov/blackfeet>

<http://blackfeetnation.com/government/>

<http://ksenam.com/blackfeet-tribal-council-elects-new-chairman/>

<http://flatheadbeacon.com/2016/07/15/blackfeet-council-welcomes-new-members-re-elects-chairman/>

Royalty Policy Committee – Tribes (Primary)

Russell Begaye (Primary) (Navajo Nation)

(b) (6)
Shiprock, NM 87420
Phone: (b) (6)
DOB: (b) (6)
Self Nominated

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches: None

Bankruptcy Filings: None

Criminal Records:

Criminal Records

This data is for informational purposes only.

Arizona Court Report

Offender information

Name: BEGAYE, RUSSELL
Address: (b) (6)
SHIPROCK, NM 87420-4454
SAN JUAN COUNTY
Case Number: M-0447-SP-2011008621
Case Filing Date: 07/05/2011
Case Type: TRAFFIC
SSN: (b) (6)
Sex: Male

Offenses

Case Filing Date: 07/05/2011
Court Description: STAR VALLEY MUNICIPAL
Court Case Number: M-0447-SP-2011008621
Court Offense: NOT SPECIFIED
Court Level/Degree: TRAFFIC

Court Activity

[NONE FOUND]

Criminal Records

This data is for informational purposes only.

New Mexico Court Report

Offender information

Name: BEGAYE, RUSSELL
Address: NM
Case Number: M-147-TR-201000744
Case Filing Date: 02/23/2010

Royalty Policy Committee –Tribes (Primary)

DOB: (b) (6)

SSN: (b) (6)

Offenses

Case Filing Date: 02/23/2010
Number Counts: 1
Offense Date: 02/19/2010
Court Description: AZTEC MAGISTRATE
Court Case Number: M-147-TR-201000744
Court Offense: RENEWAL OF REGISTRATION
Court Plea: GUILTY
Court Statute: 66-3-19
Court Disposition: CRB: GUILTY/NO CONTEST PLEA
Court Disposition Date: 02/25/2010
Court Level/Degree: MISDEMEANOR

Court Activity

[NONE FOUND]

Criminal Records

This data is for informational purposes only.

North Carolina Court Report

Offender information

Name: BEGAYE, RUSSELL
Address: (b) (6)
ARLINGTON, TX 76017-2322
TARRANT COUNTY
Case Number: 1996IF000220
Case Filing Date: 01/25/1996
Case Type: INFRACTION
DOB: (b) (6)
SSN: (b) (6)
Sex: Male

Offenses

Case Filing Date: 01/25/1996
Court Case Number: 1996IF000220
Court Offense: NOT SPECIFIED
Court Disposition: DISMISSAL WITH LEAVE
Court Level/Degree: INFRACTION

Civil & Criminal Filings and Regulatory Actions: *** THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY *** Copyright © 2016 CourtLink Corporation

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA
(Prescott)

Begay Et Al V. Begay Et Al

Royalty Policy Committee – Tribes (Primary)

PLAINTIFF: Russell Begaye;

Mel R Begay;
Kenneth Maryboy;
Charles Damon

DEFENDANT: Nelson Toledo;

Mae-Gilene Begay;
Lennard Eltsosie;
Jennifer Hatathlie;
Diandra Benally

DOCKET CASE NUMBER: 3:14cv8108

FILING DATE: 6/27/2014

JURISDICTION: Federal Question

JUDGE: David G Campbell

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Indian Tribal Controversy [28 USC 1362](#)

JURY DEMAND: None

PLAINTIFF ATTORNEY(S):

Kiersten Ann Murphy [LEAD ATTORNEY; ATTORNEY TO]
Gallagher & Kennedy PA
2575 E Camelback Rd Ste 1100
Phoenix, AZ, USA 85016
602-530-8000 Fax: 602-530-8500 Email: Kam@gknet.Com

Jeffrey David Gross [LEAD ATTORNEY; ATTORNEY TO]
Gallagher & Kennedy PA
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Royalty Policy Committee –Tribes (Primary)

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THE COURT UPDATED THIS RECORD ON: 06/27/2014 12:00:00 AM

Judgments and Liens: None

Nexis News Search: The Gallup Independent (New Mexico)

July 25, 2017 Tuesday

Navajo Council OKs human trafficking law

BYLINE: Marley Shebala navajo1@gallupindependent.com, DIN É BUREAU

SECTION: NEWS; Pg. 2

LENGTH: 657 words

DATELINE: WINDOW ROCK, Ariz.

WINDOW ROCK, Ariz. — The Navajo Nation Council unanimously approved amending the Navajo Nation Criminal Code Title 17 to enact the 2017 Law Against Human Trafficking Wednesday.

Council Delegate Nathaniel Brown sponsored Legislation 0117-17, which stated that the intent of the human trafficking law is to deter human traffickers by criminalizing certain offenses, prescribing appropriate punishment, giving priority to the investigation and prosecution of trafficking offenses, and protecting and providing justice to victims.

According to the legislation, human trafficking is defined as “the illegal recruitment, transportation, transfer, harboring, or receipt of a person, especially from another country, with the intent to hold the person captive or exploit the person for labor, services, or body parts.

“Human trafficking offenses include forced prostitution, forced marriages, sweat-shop labor, slavery, and harvesting human organs from unwilling donors.”

Brown — who represents the chapters of Chilchinbeto, Dennehotso and Kayenta — reported to the Council that he requested data on human trafficking on the Navajo Nation and he was unable to obtain information because there has never been a human trafficking law that would require the tracking of data.

He noted, “In doing some research, I found that since the time of colonization, human trafficking has always been present in Indian Country.

“We heard of stories of the Long Walk in which women and children were forced into sexual acts and heinous crimes,” Brown said. “We have never addressed this because we didn’t create laws up until this point.”

Royalty Policy Committee –Tribes (Primary)

He recalled that when he worked with the Navajo Nation Department of Family Services, he found that the lack of human trafficking laws resulted in several potential trafficking offenses being classified as sexual abuse or prostitution.

Brown said the Department of Family Services had cases involving girls, under the age of 18, who were being trafficked for prostitution.

He explained that the department understood that children cannot consent to sex while being forced to prostitute themselves and so the crime should not fall on the victim.

Shaping Navajo law

Brown, who serves on the Health, Education, and Human Services Committee and the Naa'bik'iyati' Sexual Assault Prevention Subcommittee, emphasized that the tribe's laws need to be shaped to fit the actual crime to prosecute human traffickers.

He reported that he also has been collaborating with the Casey Family Programs and University of Colorado Boulder on a proposed assessment of sex trafficking on the reservation for the development of a plan to combat the problem.

Brown said for about two years, the Casey programs and Colorado University assisted the Mandan, Hidatsa, and Arikara Nation in developing a comprehensive strategic plan to address sex trafficking on their land, which resulted in a policy paper on a comprehensive approach to sex trafficking, data management and policy recommendations.

"They compiled their data from their social services and researched how many kids were involved in sex crimes and prostitution," He said.

Brown said he provided the policy paper to the Council and he encouraged his colleagues to review it for the development of the tribe's own strategic plan.

Council Delegate Leonard Tsosie — who represents Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon and Whitehorse Lake — said although human trafficking data on the Nation is non-existent, the cases that family services reported is alarming.

He said when federal courts fail to prosecute the perpetrators, the tribe must ensure justice is served.

Tsosie successfully sponsored an amendment to resolve the federal government's failure to **prosecute** non-Indian traffickers by having the tribe's courts assert jurisdiction over non-Indian traffickers on the reservation.

The bill moves to President **Russell Begaye** for action.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: HUMAN TRAFFICKING (94%); LABOR TRAFFICKING (90%); SEX TRAFFICKING (90%); INVESTIGATIONS (90%); LEGISLATION (90%); INDIGENOUS PEOPLES (90%); CHILD TRAFFICKING (90%); CRIMINAL LAW (90%); SEX OFFENSES (89%); SEXUAL ASSAULT (89%); PROSTITUTION (89%); FAMILY SERVICES (88%); FAMILY (86%); SWEATSHOPS (78%); CRIMINAL OFFENSES (78%); VIOLENT CRIME (78%); CHILD ABUSE

Royalty Policy Committee –Tribes (Primary)

(74%); CRIMINAL INVESTIGATIONS (73%); STRATEGIC PLANNING (60%)

STATE: ARIZONA, USA (93%); COLORADO, USA (92%)

COUNTRY: UNITED STATES (93%)

LOAD-DATE: July 26, 2017

The Gallup Independent (New Mexico)

July 10, 2017 Monday

Navajo Nation Head Start director target of theft probe

BYLINE: Marley Shebala navajo1@gallupindependent.com, DIN É BUREAU

SECTION: NEWS; Pg. 1

LENGTH: 471 words

Navajo Head Start Director Sharon Singer is under investigation for **allegations** of **misuse** of federal funds and has been placed on administrative leave, Navajo Nation President **Russell Begaye** announced in a June 30 news release.

Begaye said the U.S Department of Health and Human Services Inspector General's Office sent a letter to him and asked that the Office of the President and Vice President conduct an investigation of Singer.

"In working with the Department of Diné Education, director Singer has been put on administrative leave effective June 29, as we move forward with an investigation into Navajo Head Start," Begaye said.

Tommy Lewis, Navajo Nation superintendent of schools, stated in a June 29 memo that Head Start employee Tim Benally would be the acting Head Start superintendent during the tribe's investigation of Singer.

Lewis stated that Benally would be responsible for the overall operation of Head Start and would have full authority to carry out the mission, goals and objectives of Head Start.

"In order to conduct this investigation without any interference, the superintendent for Head Start (Singer) had to be put on administrative active leave with pay starting today (June 29) for five working days," Lewis stated. "This administrative leave may be extended if it is necessary."

Begaye noted the Inspector General's Office alleged in its letter that Singer, with the help of the Central Office of Head Start, is "misusing and abusing funds."

He said the federal Inspector General's Office explained that if a complaint involves the Head Start Board, executive director, CEO or a program director, the governing body is responsible for researching the issues or allegations raised, take corrective actions where necessary, and provide a response to the federal Inspector General regarding the outcome.

Royalty Policy Committee –Tribes (Primary)

Vice President Jonathan Nez said, "Because the allegations relate to program funding that impact our children at a critical stage in their cognitive development, it's necessary that we move forward with this investigation to secure continued services of this important program."

Begaye added, "Funding for any of our programs is a critical resource, especially in light of the current budget cuts being proposed at the federal level."

Lewis said he would be conducting the investigation with several people from the Department of Diné Education.

"We will be requesting to see various documentations and other evidence that will help us with this task," he explained. "We will be requesting to talk to Navajo Head Start employees over the next several days and we expect full cooperation from everyone."

Lewis emphasized, "We do not want any documentation or evidence on mispending or misuse of funds be destroyed. Anyone reported or caught destroying evidence or documentation will be disciplined."

GRAPHIC: Sharon Singer

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: INVESTIGATIONS (94%); ADMINISTRATIVE LEAVE (91%); US FEDERAL GOVERNMENT (90%); CRIMINAL INVESTIGATIONS (90%); INDIGENOUS PEOPLES (90%); EMPLOYEE LEAVE (90%); EXECUTIVES (89%); FEDERAL INVESTIGATIONS (89%); FRAUD & FINANCIAL CRIME (89%); GOVERNMENT BUDGETS (78%); CHILD DEVELOPMENT (78%); SCHOOL SUPERINTENDENTS (75%); EDUCATION ADMINISTRATION (75%); SCHOOL BUDGETS (74%); BUDGETS (73%); HEALTH DEPARTMENTS (72%); BUDGET CUTS (50%); INTELLIGENCE & COGNITION (50%)

COUNTRY: UNITED STATES (92%)

LOAD-DATE: July 12, 2017

States News Service

June 25, 2017 Sunday

HEINRICH INTRODUCES BIPARTISAN LEGISLATION TO SAFEGUARD TRIBAL ITEMS

BYLINE: States News Service

LENGTH: 1198 words

DATELINE: WASHINGTON

Royalty Policy Committee –Tribes (Primary)

The following information was released by New Mexico Senator Martin Heinrich:

Today, U.S. Senator Martin Heinrich (D-N.M) reintroduced the bipartisan Safeguard Tribal Objects of Patrimony (STOP) Act, a bill to prohibit the exporting of sacred Native American items and increase penalties for stealing and illegally trafficking tribal cultural patrimony. U.S. Senators Jeff Flake (R-Ariz.), Tom Udall (D-N.M.), John McCain (R-Ariz.), Brian Schatz (D-Hawaii), Steve Daines (R-Mont.), Jon Tester (D-Mont.), and Lisa Murkowski (R-Alaska) are cosponsors of the bill.

To announce the legislation today, Senator Heinrich hosted a meeting with students from the Santa Fe Indian School Leadership Institutes Summer Policy Academy (SPA) in his office in Washington, D.C. The students shared a position paper and personal stories on the importance of the STOP Act, articulating their generation's concern about fulfilling their sacred trust as generations before them have. SPA is designed for New Mexico high school juniors and rising seniors and convenes students for intensive sessions that focus on leadership, public policy, and community issues.

I am proud to work with tribes in New Mexico and across Indian Country to craft this legislation to safeguard sacred Native American items, said Senator Heinrich . We all recognize the incredible beauty of American Indian art--from the remnants of ancient wonders that we can explore and admire in places like Chaco Canyon and the Gila Cliff Dwellings to the traditional and modern art masterpieces created by Native artists to this day. But we can also recognize a clear difference between supporting tribal artists or collecting artifacts ethically and legally as opposed to dealing or exporting items that tribes have identified as essential and sacred pieces of their cultural heritage. We need to take all possible action to stop the latter and help repatriate stolen culturally significant items to their rightful owners.

Theft and sale of sacred Native American cultural items are an assault on the cultural identity of Native American Tribes, and I am proud to join Senator Heinrich and applaud his leadership with Tribes on this important legislation to stop this practice in its tracks, Senator Udall said . Native Americans have been the victims of theft and looting for generations. We have passed laws to stop it, but people are exploiting the loopholes in our current laws to sell these objects as art. They are not pieces of art - theft not only robs Tribes of sacred objects, it robs them of a piece of their spiritual identity. This bill is the strong action we need to put a stop to theft and sale and ensure Tribes have a seat at the table in the fight.

The bill has been endorsed by tribes across Indian Country, including the Hopi Tribe, the Navajo Nation, the Pueblos of Acoma, Santa Ana, Isleta, Zuni, Laguna, Namb, Jemez, and Ohkay Owingeh as well as the All Pueblo Council of Governors, the National Congress of American Indians, and the United South and Eastern Tribes Sovereignty Protection Fund.

The Pueblo worked closely with Senator Heinrich's office in the development of and strongly supports the Safeguard Tribal Objects of Patrimony Act of 2017, which is designed to strengthen existing federal laws protecting Native American cultural objects, said Pueblo of Acoma Governor Kurt Riley . Unfortunately, Acoma has firsthand experience with the illegal removal and trafficking of our cultural objects. It has been an uphill battle to secure their return. However, we continue to fight for their return as their loss threatens the ability of our children to continue our cultural practices and thus threatens our identity as a people.

NCAI continues to be in strong support of Senator Heinrich's legislative efforts to address the theft, illegal sale, and alienation of cultural, historical, and ceremonial items from tribal homelands, said Executive Director of the National Congress of American Indians Jacqueline Pata . The Safeguard Tribal Objects of Patrimony Act of 2017 is an important advance in this

Royalty Policy Committee –Tribes (Primary)

effort. NCAI leadership is hopeful that this legislation will serve as a strong deterrent to illegal conduct, while facilitating the voluntary repatriation of cultural objects currently held by individuals.

Article 12 of the United Nations Declaration on the Rights of Indigenous Peoples recognizes our right to continue our cultural and spiritual traditions and practices, said United South and Eastern Tribes Sovereignty Protection Fund President Kirk Francis . Regrettably, these rights are violated through the ongoing theft and commercial sale of our cultural, traditional, and sacred objects. These illicit practices erode the foundations of our cultures and threaten our survival as distinct Tribal Nations. The Safeguard Tribal Objects of Patrimony (STOP) Act seeks the safe return of our objects and the end of illegal trafficking through stiffer penalties. The USET Sovereignty Protection Fund commends Senator Heinrich for the re-introduction of the STOP Act and calls upon Congress for its swift passage.

The Navajo Nation thanks Senator Heinrich for his leadership on this bipartisan bill that will strengthen cultural protection laws for all of Indian Country, said Navajo Nation President **Russell Begaye** . I am also encouraged that this bill will make it clear that exportation of our sacred and traditional items out of the United States will be **illegal**. Our cultural and sacred items are an important part of who we are as Navajo and Indian people and it is important that they be protected and returned.

Senator Heinrich originally introduced the STOP Act in 2016. The bill received widespread, bipartisan support and continues to demonstrate growing momentum. The STOP Act received a field hearing last year, held at the Indian Pueblo Cultural Center in Albuquerque, which was a critical step in the legislative process to gather input and move toward passing the STOP Act into law. The hearing featured testimony from tribal leaders and federal agency officials.

Specifically, the STOP Act would:

Increase penalties for NAGPRA criminal violations to more closely match the National Stolen Property Act and other similar statutes.

Explicitly prohibit the export of items obtained in violation of NAGPRA and related statutes. The French government has cited the lack of an explicit export prohibition as an impediment to enforcement of NAGPRA and related laws overseas.

Establish a policy for the United States of encouraging the voluntary return of tangible cultural heritage to tribal communities. The bill directs the secretaries of Interior, Homeland Security, and the State Department, as well as the Attorney General, to appoint liaisons to facilitate the voluntary return of cultural property and directs the secretary of the Interior to develop and maintain a list of contacts for the return of cultural property to which individuals and organizations can be referred.

Establish a tribal working group to develop recommendations on the return of cultural heritage, the elimination of illegal commerce in cultural heritage, and repatriation of cultural heritage that has been illegally trafficked.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

SUBJECT: LEGISLATION (91%); LEGISLATIVE BODIES (90%); US REPUBLICAN PARTY (90%); INDIGENOUS PEOPLES (90%); US CONGRESS (90%); US DEMOCRATIC PARTY

Royalty Policy Committee –Tribes (Primary)

(90%); NATIVE AMERICANS (90%); CUSTOMS & CULTURAL HERITAGE (89%); ARTISTS & PERFORMERS (89%); TALKS & MEETINGS (78%); ART THEFT (77%); PUBLIC POLICY (74%); HIGH SCHOOLS (74%); ETHICS (73%)

PERSON: MARTIN HEINRICH (94%); JEFF FLAKE (79%); STEVE DAINES (73%); JOHN MCCAIN (58%); BRIAN SCHATZ (58%); LISA MURKOWSKI (58%); TOM UDALL (58%); JON TESTER (54%)

CITY: SANTA FE, NM, USA (79%)

STATE: NEW MEXICO, USA (94%); MONTANA, USA (92%); HAWAII, USA (79%); ALASKA, USA (79%); DISTRICT OF COLUMBIA, USA (79%)

COUNTRY: UNITED STATES (99%)

LOAD-DATE: June 25, 2017

The Salt Lake Tribune

June 3, 2017 Saturday

U.S. senator suggests reforms for Navajo housing authority; Investigation Cost overruns hint at funds' mismanagement.

BYLINE: By Susan Montoya Bryan The Associated Press

SECTION: NATION WORLD; -

LENGTH: 349 words

Albuquerque, , N.M. The findings of an investigation initiated by a U.S. senator into the spending of federal housing grants on the nation's largest American Indian reservation suggest mismanagement resulted in cost overruns and delays.

Top Navajo Nation officials in a statement issued late Thursday detailed the findings along with numerous recommendations made by Republican Sen. John McCain of Arizona.

The recommendations include reducing the federal government's allocation to the tribe for new homes, streamlining land acquisition and permitting processes and increasing site visits by federal inspectors.

McCain's office also is recommending that the Navajo Housing Authority and the U.S. Department of Housing and Urban Development provide annual performance reports that include clear data on how many houses have been built or modernized and how many of those are rental units or turned over to owners.

Royalty Policy Committee –Tribes (Primary)

According to the findings, the housing authority over 10 years received more than \$803 million in federal block grant funding and built only 1,110 homes. There were also concerns about board members misusing income generated by rental properties.

McCain said the authority's lack of progress can't be reconciled with the fact that the agency is supported by 350 employees and spends about 15 percent of its annual allocation under the grant program on planning and administration.

The poor administration of grant funds by the authority "has exposed the program to an excessive risk of waste, **fraud and abuse**," the senator said.

Navajo President **Russell Begaye** acknowledged that the housing authority has been put under the microscope by both the federal government and the Navajo people.

"We take the report and the issues raised very seriously," he said. "Our number one concern has always been that the Navajo people receive adequate housing."

However, Begaye and other tribal leaders criticized the suggestion that Congress cap or reduce the federal government's allocation for new homes on the Navajo Nation, which spans parts of Arizona, northwestern New Mexico and southeastern Utah.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: HOUSING AUTHORITIES (91%); US FEDERAL GOVERNMENT (91%); US CONGRESS (91%); LEGISLATIVE BODIES (90%); HOUSING ASSISTANCE (90%); INVESTIGATIONS (90%); INDIGENOUS PEOPLES (90%); NATIVE AMERICANS (90%); REAL ESTATE (90%); PUBLIC HOUSING (90%); GRANTS & GIFTS (90%); US REPUBLICAN PARTY (78%); RENTAL PROPERTY (78%); FEDERAL INVESTIGATIONS (78%); FRAUD & FINANCIAL CRIME (78%); LAND USE & DEVELOPMENT (75%); ANNUAL REPORTS (72%); FINANCIAL RESULTS (72%); ANNUAL FINANCIAL RESULTS (69%); CITIES (54%) HOUSING; NAVAJO; AUTHORITY; FEDERAL; MCCAIN; ALLOCATION; COST; FINDINGS; FUNDS; GOVERNMENT

ORGANIZATION: US DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (56%)

PERSON: JOHN MCCAIN (79%)

CITY: ALBUQUERQUE, NM, USA (92%)

STATE: NEW MEXICO, USA (93%); ARIZONA, USA (93%)

COUNTRY: UNITED STATES (96%)

LOAD-DATE: June 13, 2017

Google Search: <http://www.washingtontimes.com/topics/russell-begaye/>

<https://www.facebook.com/Navajo-Nation-OPVP-Russell-Begaye-And-Jonathan-Nez-302132179938953/>;

<https://twitter.com/RussellBegaye?lang=en>;

<http://nnopvp.org/>;

<http://navajotimes.com/tag/russell-begaye/>;

Royalty Policy Committee –Tribes (Primary)

<http://www.phoenixnewtimes.com/news/navajo-president-accused-of-favoritism-with-alleged-mistress-in-power-line-hookup-8062105>;

<http://www.huffingtonpost.com/author/russell-begaye>

<http://www.azcentral.com/story/money/business/energy/2017/05/16/navajo-nation-president-russell-begaye-promises-deal-troubled-navajo-generating-station-coal-plant/320774001/>

Associations and Affiliations Search:

Navajo alert funds vanish;

Official: 'I don't know' where \$300K grant went, 'but we'll find out'

BYLINE: Vida Volkert Staff writer eastnavajo@gallupindependent.com

SECTION: NEWS; Pg. 1

LENGTH: 1361 words

DATELINE: WINDOW ROCK, ARIZ.

WINDOW ROCK, ARIZ. — Thousands of dollars destined to design and implement an Amber Alert system on the Navajo Nation were not utilized for that purpose, Division of Public Safety Director Jesse Delmar confirmed Thursday.

Delmar said the Navajo Nation was awarded a \$300,000 grant through Fox Valley Technical College's public safety program to develop an Amber Alert system in 2011 — long before he was appointed to lead the division about a year ago.

What happened to the funds?

"I don't know. But we'll find out," Delmar said during an interview in his office in Window Rock Thursday afternoon. "I understand that, from my conversation with my source, half of that money was spent. We would get to the bottom of that."

Delmar said that within the past year the division was awarded another \$1.7 million from U.S. Department of Homeland Security to develop a 911 emergency system on the reservation. The goal is to set it up in all seven districts of the Navajo Nation, starting with Tuba City because "they have the infrastructure in place and a new building. We will eventually get to everybody," Delmar said.

The tribe has been under criticism by community members who said an Amber Alert issued within the hour 11-year-old Ashlynn Mike was reported missing in Shiprock May 2 might have saved her life.

It took Navajo Nation Police about eight hours from the time Mike was reported missing, at about 6:35 p.m. May 2, to have the state of New Mexico issue the Amber Alert at about

Royalty Policy Committee –Tribes (Primary)

2:30 a.m. May 3. Mike's body was found in a desolate field 6 miles south of Shiprock at about 11:30 a.m. May 3.

Tom Begaye, 27, of Waterflow, was **arrested** in connection with Mike's death. He reportedly told authorities that he **sexually** assaulted her and hit her on the head with a tire iron because she was crying and that she was still moving when he left her in the desert. During a phone interview Monday evening, Navajo Nation President **Russell Begaye** responded to questions about funds that were supposed to be used to develop alert systems and why that never happened.

The president said that when he was a Council delegate and served with the Law and Order Committee around 2013, he was informed that the Navajo Nation Police was working on its own Amber Alert-911 emergency system. It was taking too long to be developed, however, and the committee decided to transfer the authority and funds to the Telecommunications Regulatory Commission of the Navajo Nation.

"They were the ones that asked to be designated because Navajo PD never produced results," Begaye said. "(Navajo) PD was trying to get it off the ground. They elaborated a plan. When they gave a report to Law and Order, we said this is going to take too many years. You need to simplify it. This is going to cost too much money. So, what we did, we gave it to the regulatory commission and asked them to put it quickly. They started developing a plan, we were almost there, but there was a resistance from Navajo Police, mainly because we took it from them."

Begaye said when he became president in 2015, he moved the project back to the Navajo Nation Police.

"They had three consultants and were working on getting it off the ground," he said.

Council Delegate Edmund Yazzie said delegates are considering an investigation on what happened to the funds awarded in 2011 to develop the Amber Alert system on the reservation.

"We need accountability. I was told some of that money was used to buy equipment," he said Thursday afternoon. "If a hearing is conducted, all these questions would be answered. A hearing would be for Navajo Police to tell us what can they do better, what are they lacking, and to tell the Council what do we need to do, and we will bring the executive (on board)."

Begaye met with Navajo Nation division directors Monday and assigned a task force to develop and implement the Amber Alert-911 emergency system to notify the Navajo people of abductions and other emergencies.

He announced the Amber Alert system would include developing a way to connect with families in rural areas where telecommunications are limited, and to inform community members about such emergencies in both English and Navajo.

The president appointed Delmar and Telecommunications Regulatory Commission Director Theresa Hopkins to head the development of the task force.

Delmar said the task force was scheduled to meet Friday.

1996 kidnapping, murder leads to Amber Alert

Royalty Policy Committee –Tribes (Primary)

The first Amber Alert system was developed after 9-year-old Amber Hagerman was kidnapped and brutally murdered in Arlington, Texas, in 1996.

According to the Amber Advocate, an online newsletter produced with the support of the U.S. Department of Justice, Office of Justice Programs, the blueprint for the Amber Alert plan was first articulated on a radio talk show and then in a letter written by Fort Worth resident Diana Simone.

It reads in part: "In Amber's case, for example, I'm sure a number of people saw her in that black pick up truck but simply did not know what they were seeing. To remedy this, I would like to suggest an emergency system be set up so that when a verified 911 call is placed, all the radio stations in the area would be notified immediately and they would interrupt programming to broadcast an emergency alert. In this way, thousands of people would be alerted within minutes of an occurrence, greatly minimizing the chance of successful escape. If you are able to gather support for this Emergency Broadcast Plan, my one request is that it be known as Amber's Plan."

According to the Amber Advocate, the criteria developed after Hagerman's death to issue an Amber Alert was: the child must be 15 years old or younger, law enforcement must believe the child has been abducted or missing with the threat of serious bodily injury or death, and enough information must be available for the public to help.

At the time, WBAP News/Talk 820 operations manager in Texas Tyler Cox was quoted as saying: "The system is so simple and easy to run and maintain. It doesn't cost taxpayers one plug penny. This is something we can do to do good in the community at no financial resource risk to anyone. Radio is in business 24 hours a day, police run 24 hours a day, and people find children — end of story."

Current Amber Alert systems around the country include cellphone alerts and social media alerts. Command posts are normally set up in the area where the crime is committed to gather and disseminate information.

New Mexico Amber Alert

The New Mexico Amber Alert is a cooperative agreement between New Mexico broadcasters and law enforcement.

"The agreement allows law enforcement access to the state's Emergency Alert System, or 'EAS,'" according to the state website. "You may have recently heard tests of this system, either over the radio or on your television. If a law enforcement agency is investigating a child abduction, they can broadcast useful information over the EAS system, with the hope that the public may have seen the vehicle involved or the suspect, for example."

The following criteria applies in New Mexico to issue an Amber Alert: ¶ There must be evidence of a non-family or custodian abduction of a child 17 years of age or younger. ¶ There must be specific information concerning the abductor and/or child, which would prove useful to the public in hopes of recovering the child. ¶ There must be reason to believe the child is in imminent danger of bodily harm or death.

¶ And the child must have already been entered in the National Crime Information Center as missing.

When Ashlynnne was picked up, her 9-year-old brother Ian Mike was also abducted by the same suspect, but he managed to escape.

Royalty Policy Committee –Tribes (Primary)

Ian was picked up by a motorist who saw him walking on Navajo Route 13 and took him to the Navajo Nation Police, Shiprock office, at about 7:15 p.m. May 2. Ian provided information about the abductor and maroon van used to abduct the children and was instrumental in identifying Tom Begaye as the suspect.

The question Navajo authorities have not responded to yet is why it took Navajo Police about eight hours after the children were reported missing to have the state issue the Amber Alert.

Royalty Policy Committee –Tribes (Primary)

Christopher Adam Red (Primary) (Southern Ute Tribe)

(b) (6)
Bayfield, CO 81122
Phone: (b) (6)
DOB: (b) (6)
Southern Ute Tribe

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens:

COLORADO JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: RED, ADAM

SSN: (b) (6)

Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Debtor 2

Name: RED, MARIA

SSN: (b) (6)

Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Creditor Information

Name: M TIMM DEVELOPMENT

Filing Information

Filing Date: 07/23/2004

Eviction: YES

Filing 1

Filing Number: 04C4390

Filing Type: FORCIBLE ENTRY/DETAINDER

Filing Court: WELD COUNTY COURT

Filing County: WELD

Filing Office: CO

Royalty Policy Committee –Tribes (Primary)

COLORADO JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Filing Information

Filing Date: 06/27/2002
Amount: \$522
Eviction: NO
Release Date: 05/13/2003

Filing 1
Filing Number: 02C2701
Filing Type: CIVIL JUDGMENT RELEASE
Filing Court: WELD COUNTY COURT
Filing County: WELD
Filing Office: CO

COLORADO JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: RED, ADAM
SSN: (b) (6)
Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Debtor 2

Name: RED, ADAM
SSN: (b) (6)
Address: (b) (6)
EVANS, CO 80620-3609
WELD COUNTY

Creditor Information

Creditor 1

Name: PROF FIN CO

Creditor 2

Name: PROFESSIONAL FINANCE

Filing Information

Filing Date: 06/27/2002
Amount: \$522
Eviction: NO

Filing 1
Filing Number: 02C2701
Filing Type: CIVIL JUDGMENT
Filing Court: WELD COUNTY COURT
Filing County: WELD
Filing Office: CO

COLORADO JUDGMENT AND LIEN FILINGS

Royalty Policy Committee –Tribes (Primary)

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: RED, C ADAM

SSN: (b) (6)

Address: (b) (6)
GREELEY, CO 80634-4160
WELD COUNTY

Debtor 2

Name: RED, MARIA

SSN: (b) (6)

Address: (b) (6)
GREELEY, CO 80634-4160
WELD COUNTY

Creditor Information

Name: ADVANTAGE NETWORK SYSTEMS INC

Filing Information

Filing Date: 04/12/2001

Amount: \$157

Eviction: NO

Filing 1

Filing Number: 2001C000056

Filing Type: CIVIL JUDGMENT

Filing Court: LA PLATA COUNTY COURT

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Nexis News Search: The Durango Herald (Colorado)

March 18, 2017 Saturday

Southern Ute members rail against leadership; Petitions seek distribution of funds, ouster of tribal leaders

BYLINE: Shane Benjamin, HERALD STAFF WRITER

SECTION: LOCAL NEWS

LENGTH: 2117 words

IGNACIO – Members of the Southern Ute Indian Tribe in Southwest Colorado say their tribal government operates in secrecy, ignores the will of its people and subverts its own constitution.

Much of the angst arises from the Tribal Council's unwillingness to distribute 100 percent of a \$126 million settlement to its approximately 1,500 enrolled members. The tribe has

Royalty Policy Committee –Tribes (Primary)

distributed 60 percent of the funds, but some members are demanding the remaining 40 percent.

Tribal members are circulating two petitions: One seeks distribution of the remaining funds, and the other seeks to recall Tribal Chairman Clement Frost and four of the six Tribal Council members. (Two council members – Kevin Frost and **Adam Red** – have been on the council for less than six months, and therefore cannot be recalled.)

The rift has exposed a longstanding mistrust between some tribal members and their government, which they **accuse** of using intimidation and bullying tactics to silence and oppress members.

"We've always operated in secrecy, and I don't know where that comes from," said Arline Millich, who is fighting for the remaining settlement funds. "I want to be able to know what's going on in the tribe. I want to know how much money we have. I want to know how much is being spent and for what. I think there's a lot of misuse, and when you don't let people know, then you become suspicious."

The tribe holds assets worth more than a billion dollars, yet it discloses little about its financial dealings, including who it employs, how much it pays, and basic revenue and expense reports, members said.

Tribal officials say information relevant to the community is posted on the tribe's website, broadcast on KSUT-FM or published in The Southern Ute Drum, the tribe's newspaper. More sensitive information is available to members upon request. They don't want certain information distributed outside the reservation for a variety of reasons, including members' safety, said Lindsay Box, communications specialist for the tribe.

"You're dealing with a lot of big numbers that have potential to cause safety concerns for some of the tribal members living on or off reservation," Box said. "Along with money comes a lot of other things that are harmful to individuals and to our society."

It is that nanny-state mentality that some tribal members seek to upend. It is easy to acquire information online about people and their affairs, they said, and America seems to function fine while conducting its business in public.

"You can't safeguard us all our lives," Millich said.

A sovereign nation and corporate playerThe Southern Ute Indian Tribe is a sovereign nation and business powerhouse in the Four Corners. It is the largest employer in La Plata County, with 1,220 jobs in government, the casino and its business interests, according to Region 9 Economic Development District of Southwest Colorado.

The checkerboard reservation covers more than 1,000 square miles along the southern portion of La Plata and Archuleta counties, just north of the New Mexico line. According to the most recent Census estimates, 13,173 people live on the reservation, but most are non-native; the tribe has about 1,500 members, many of whom live outside reservation boundaries.

The tribe is governed by a seven-member council, including the chairman, elected by the membership to three-year terms. The government oversees a number of departments and services, including education, law enforcement, judicial services, parks and recreation, and social services.

Royalty Policy Committee –Tribes (Primary)

The tribe also controls a major financial branch, the Southern Ute Growth Fund, which oversees a portfolio of companies and investments in energy, real estate, construction and private equity. Operations and assets are spread over 14 states and the Gulf of Mexico.

It is rare for tribal members to air their grievances publicly, but five members met last week with The Durango Herald, saying tribal government is acting undemocratically and crushing the will of its members.

In a sign of how tense things have become, members who met with the Herald scrambled moments before the meeting to ensure they were on solid legal footing to invite a reporter onto the reservation. And Tribal Council sent a communications specialist to listen and take notes. Those who spoke said most tribal members are unwilling to speak publicly for fear of retribution, including getting "blackballed" or being denied future employment with the tribe.

"We have a right to the freedom of speech living in this nation, and we have a right to oppose the views of our government," said Yvonne Davis, a tribal member who signed the petition seeking funds. "We have a right to utilize the Constitution that was put in place for this tribe, to use our freedom of our voice. That freedom has been halted, it's been put aside, it's been betrayed and we need to stick together, unite and start standing up for ourselves and quit being fearful.

"Leaders who are true leaders do not intimidate, do not bully, do not coerce, do not oppress," she said. "They talk to their people, they find out what the problems are and they try to resolve the issues. I do not see that happening here."

More money, more problems. The Southern Ute Indian Tribe received a \$126 million settlement in September to resolve a lawsuit accusing the federal government of mismanaging monetary assets and natural resources held in trust by the United States for the benefit of the tribe dating to the late 1800s.

Dozens of other tribes filed similar lawsuits, known as the Sisseton lawsuits, that alleged improper record-keeping, incorrect interest rates and other historic claims related to mismanagement of Indian resources.

The federal government will pay about a billion dollars to tribes to resolve the lawsuits and wipe the slate clean.

As sovereign governments, tribes can use the money as they see fit.

The Southern Ute Indian Tribe distributed 60 percent of the settlement after lawyer fees to its members late last year. Some members used the thousands of dollars they received to buy a new car, pay off a house or funnel it into a business, according to interviews.

Tribal Council has suggested it would use the remaining 40 percent to pay for a laundry list of services and programs, including health care, education, housing, employment, new investment opportunities, financial literacy, economic development, repairs to an irrigation project, enhancing museum and cultural resources, records management, youth services and recreation.

But some tribal members say the tribe already funds those services, and they fear the money will go into the tribe's huge budget with no accountability for how it is spent.

Royalty Policy Committee –Tribes (Primary)

What's more, they question the tribe's fiduciary decision-making. The tribe has hundreds of employees, a cadre of lawyers and generous services for a tribe of 1,500 members, said those who spoke to the Herald.

"A lot of tribal departments overspend," said Judy Lansing, a tribal elder collecting signatures for the recall. "If somebody went in there and did an audit, you could see a lot of waste, a lot of things they use for nothing."

Distribution of the remaining settlement funds could make a real difference in the lives of Southern Ute members, especially those living off the reservation, said Dedra White, who is collecting signatures for the referendum petition.

"This money can help their life; this money can help their endeavors," White said. "In this petition, there's a lot of dreams, homes, people that bought some businesses."

Petition deemed invalid Tribal members submitted a petition Feb. 13 with 218 valid signatures requesting full distribution of the Sisseton funds. A tentative election date was set, but after discussing the petition Feb. 20, the Tribal Council canceled it, saying the petition was invalid because it didn't call for an up or down vote on an existing or proposed resolution/ordinance before the council. "Council has neither enacted nor proposed any resolution or ordinance appropriating or distributing the funds," the Tribal Council wrote in a March 3 letter in the Drum. "Rather, the petition attempts to legislate how Tribal funds are spent, and those are powers that are exclusively reserved for Tribal Council as stated in the Constitution."

Also, the petition addressed more than one "particular issue," a violation of tribal election code, in part because it creates voter confusion, the council said.

Tribal members last week submitted a new petition limited to one topic.

"Tribal Council has the commitment to ensure that any petition for referendum is constitutionally valid," the communications specialist wrote in an email to the Herald.

Tribal Council is a stickler for the rules on the petition; yet it may have violated its own code by failing to act on the petition within three days, Davis said. She's frustrated by the hypocrisy.

"I feel like a circus animal on a drum, and they're going, 'Here, jump through the fiery hoop,' and I'm going, 'Here I go.' You know what, I'm going to keep coming back like a deer fly," she said. "I'm not going to go away. This is not going to go away. We are going to continue on because it is our right to do so."

It took only five days to collect 218 valid signatures; they needed 185 signatures – or 20 percent of registered tribal voters.

With four votes, Tribal Council could call an election and let members decide on the funds' distribution, White said. Or councilors could vote to distribute the remaining funds without an election, in accordance with the will of the people, she said. Instead, members were made to start a new petition – and those involved question whether Tribal Council will ever let it go to a vote.

The tribal government was vague when asked how it would use the remaining Sisseton funds.

Royalty Policy Committee –Tribes (Primary)

"The settlement addressed decades of damages at the hand of the federal government," Box wrote in her email. "Tribal Council has sole discretion of how best to appropriate those tribal funds. This weighty decision is not made hastily; rather, Tribal Council is reflecting on the possible ways to repair those damages while honoring how previous leaders made comparable decisions throughout tribal history."

Lillian Seibel, a tribal elder who served on the council from 1980 to 1995, said she has heard much support for 100 percent distribution, including from tribal elders, and in a survey of tribal members. But Tribal Council, she said, hasn't honored people's wishes or explained its rationale for keeping the funds.

It didn't used to be that way, she said.

"In the beginning, I didn't want to sign the referendum," Seibel said. "But then as I listened and witnessed a lot of things going on. I said, Tribal Council has to be accountable and transparent. If they ask the people what do they want, and they get responses from the people, then they should honor that. Those are the people that put them in office."

When asked to respond to members' concerns about tribal leadership's openness, willingness to listen and act democratically, the emailed response was: "Each of the Tribal Council members take an oath to uphold the Southern Ute Indian Tribe Constitution. They also truly believe that in their leadership role, they are tasked with making tough decisions, taking into consideration the comments from membership, but also are very aware that their decisions impact future generations and tribal resources."

'We live in this sick society' The Southern Ute Indian Tribe became wealthy thanks to its vast coal-bed methane and natural gas resources, followed by successful investments in real estate and oil drilling around the country.

Some people may think the Southern Utes are being greedy by demanding the remaining settlement funds, said Millich, who signed the petition. But there's something "sick" about a society where information doesn't flow freely, creating suspicion and paranoia toward the government, she said.

"We live in this sick society," she said.

As a sovereign nation, the tribe isn't required to adhere to state and federal open-record laws.

"People think we really have it great here, but I've lived on this reservation many years, and I'll tell you, it hasn't always been great," Millich said. "We're a very unhealthy reservation when you put all kinds of censors on a group of people. We have to start looking at a better way of life."

Some tribal members will object those speaking out about the business of tribal government, she said, but information needs to be shared – and the tribal government hasn't been doing it.

"What I really don't like is we always hear things by gossip," she said. "I guess I don't like gossip, and I don't trust it."

Google Search: <https://www.linkedin.com/in/adam-red-081998122/>;

<http://www.sudrum.com/tag/adam-red/>;

Royalty Policy Committee – Tribes (Primary)

<https://www.southernute-nsn.gov/government/tribal-council/>

Associations and Affiliations Search:

<http://www.sudrum.com/top-stories/2017/03/31/utes-return-to-denver-for-ccia-tri-ute/>

Royalty Policy Committee –Tribes (Primary)

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House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens:

OKLAHOMA JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Filing Information

Original Filing Number: 282705920

Filing Date: 04/18/2016

Amount: \$7,614

Release Date: 06/21/2016

Filing 1

Filing Number: 282705920

Filing Type: STATE TAX WARRANT RELEASE

Filing Court: OSAGE COUNTY CLERK

Filing County: OSAGE

Filing Office: OK

OKLAHOMA JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

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Address: (b) (6)
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SSN: (b) (6)

Royalty Policy Committee – Tribes (Primary)

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OSAGE COUNTY

Creditor Information

Creditor 1

Name: STATE OF OKLAHOMA

Creditor 2

Name: STATE OF OKLAHOMA

Filing Information

Filing Date: 04/18/2016

Amount: \$7,614

Filing 1

Filing Number: 282705920

Filing Type: STATE TAX WARRANT

Filing Court: OSAGE COUNTY CLERK

Filing County: OSAGE

Filing Office: OK

OKLAHOMA JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

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OSAGE COUNTY

Creditor Information

Name: STATE OF OKLAHOMA

Royalty Policy Committee –Tribes (Primary)

Filing Information

Filing Date: 04/29/2015

Amount: \$2,152

Filing 1

Filing Number: 1201209344

Filing Type: STATE TAX WARRANT

Filing Court: OSAGE COUNTY CLERK

Filing County: OSAGE

Nexis News Search:

Ethics complaint filed against OMC

BYLINE: Mike Erwin, JOURNAL-CAPITAL

SECTION: NEWS

LENGTH: 764 words

An ethics complaint has been filed in Osage Nation Trial Court alleging that members of the Osage Minerals Council have failed to submit sworn affidavits listing gifts they received during past fiscal years.

The tribal action was brought Jan. 20 on behalf of the Osage Nation. It seeks a declaratory judgment ordering Minerals Council members to abide by the tribe's ethics law and to provide the annual reports that are being requested. Osage Nation Attorney General Jeff Jones brought the tribal actions "to determine whether Osage Nation law, specifically the Osage Nation Ethics law, applies to the Osage Minerals Council," court documents state.

Formerly known as the Osage Tribal Council, the Minerals Council (or OMC) is described by the Constitution of the Osage Nation as being "an independent management agency entrusted with administering and developing the Osage Mineral Estate," in accordance with the Osage Allotment Act of 1906, as amended.

Eight OMC members are elected by the tribe's royalty interest shareholders — also referred to as Osage headrights shareholders. The Minerals Council is comprised of "members of the Osage Nation who are entitled to receive mineral royalty income from the Osage Mineral Estate, as provided by federal law," according to ON Consitution.

The Osage Constitution further states that the Minerals Council "shall have the power to consider and approve leases and to propose other forms of development of the Osage Mineral Estate." Included in the Osage Mineral Estate are all tribally-owned oil and gas found in Osage County, which was created by pre-Oklahoma statehood agreements to be contiguous with the former Osage Reservation.

Current members of the Minerals Council are **Everett Waller**, Talee Redcorn, Stephanie Erwin, Joseph Cheshewalla, Cynthia Boone, Kathryn Red Corn, Galen Crum and Andrew Yates. On the same day the **ethics** complaint was made, Jones filed his official Attorney General Opinion in response to a question brought by Osage Nation Principal Chief Geoffrey Standing

Royalty Policy Committee –Tribes (Primary)

Bear. The Chief requested the AG's opinion on a matter related to leases and other development activity approved by the Minerals Council.

"You ask whether a lease or other development document approved and executed by the Minerals Council is valid if it was never sent to the Office of the Principal Chief to exercise your Constitutional prerogative to determine if the lease or development activity violates Osage law or regulation?," the Attorney General filing states. "You ask if the existence of this language places a duty on the Minerals Council to transmit a lease or other development activity document to the Office of the Principal Chief to trigger the five (5) day rule."

Jones' answer is that, according to the ON Constitution, any such lease or development document "shall be deemed approved" unless the principal chief objects within five working days.

"The five day deadline begins to toll after the Minerals Council executes a document, whether or not the document is ever sent to the office of the Principal Chief," the Attorney General states in his so-called "short answer."

Jones notes that framers of the Osage Constitution chose different language to describe how bills are sent from the Osage Congress to be approved by the chief. Whereas the section of the constitution dealing with ON Congress states that every bill "shall be presented to the Principal Chief." The AG opinion further states: "The same duty on the Minerals Council to present the lease or development activity document to the Principal Chief for his approval cannot be inferred by absence of that same language" in the Article of the Constitution that deals with the approval of leases by the Minerals Council's automatic approval of these leases under the five-day rule "when the framers clearly knew how to create this duty with plain language."

"Therefore, the Minerals Council is not constitutionally mandated to present the lease or development activity document to the Principal Chief in order for the lease to be valid."

In conclusion, the AG's opinion is that all leases approved and executed by the Minerals Council are deemed approved after five working days, unless the Minerals Council receives an objection from the Principal Chief stating that the lease or development activity violates Osage law or regulation." It adds that the Constitutional language places "no affirmative duty on the Minerals Council to present the lease or development activity document to the Office of the Principal Chief in order to toll the five working day deadline."

Google Search: <http://journalrecord.com/tag/everett-waller/;>

<https://www.linkedin.com/in/everett-waller-86b558124/;>

<http://nativenewsonline.net/currents/osage-minerals-council-receives-injunction-against-u-s-barring-federal-oil-gas-regulations/;>

<http://docs.house.gov/meetings/AP/AP06/20160318/104633/HHRG-114-AP06-Wstate-BooneC-20160318.pdf>

Associations and Affiliations Search: <https://www.osagenation-nsn.gov/who-we-are/minerals-council>

<http://www.osagenews.org/en/article/2014/08/06/osage-minerals-council-names-everett-waller-chairman/>

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Navajo Nation, Russell Begaye

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records:

New Mexico Court Report

Offender information

Name: BECKER, BIDAHA N

Address: NM

Case Number: M-35-TR-200502690

Case Filing Date: 07/08/2005

DOB: (b) (6)

SSN: (b) (6)

Offenses

Case Filing Date: 07/08/2005

Number Counts: 1

Offense Date: 07/01/2005

Court Description: GALLUP MAGISTRATE

Court Case Number: M-35-TR-200502690

Court Offense: SPEEDING (11-15 OVER LIMIT) RH

Court Plea: GUILTY

Court Statute: 66-7-301 (2) RH

Court Disposition: CRB: GUILTY/NO CONTEST PLEA

Court Disposition Date: 08/01/2005

Court Level/Degree: MISDEMEANOR

Civil & Criminal Filings and Regulatory Actions: * THIS DATA IS FOR INFORMATIONAL PURPOSES ONLY *** Copyright © 2016 CourtLink Corporation**

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
(Santa Fe)

Zuni River Basin Adjudication: Subproceeding 1, Zuni Indian Claims

Royalty Policy Committee – Tribes (Alternates)

PLAINTIFF: Zuni Indian Tribe;
United States of America

DEFENDANT: William G. Stripp;
Western New Mexico Water Preservation Association;
Trustee Joseph W. Schepps;
Trust Q Under the Last Will and Testament of Peggy A. Yates,
Deceased (Terminated 9/10/2013);
Tampico Springs 3000 LLC;
Sharron J Dishongh;
Sage G. Merrill;
Ronald Porath;
Robert W. & Linda A. Ionta Revocable Trust;
Robert W Ionta;
Robert R Wallace;
Robert R Heine;
Robert John Schafer;
Robert J Wallace;
Ramah Water and Sanitation District;
Ramah Land & Irrigation Company;
Priscilla M. Schulte;
Paul Wolf Jr;
Paul Petranto;
Paul Davis Survivors Trust Dated July 28, 2003;
Pamela Davis;
ORC, LLC;
New Mexico, State of;
Navajo Nation;
Michael W Zinn;
Michael Edward Kirk;
Max Garcia;
Marzella Porath;
Lucy Kluckhohn Jones;
Linda A Ionta;
Kristeen Davis;
John A. Yates (Terminated 9/10/2013);
Joanne C Snowdon;
Joann V Davis Residual Trust Dated July 28, 2003;
Jaralosa Cattle Company, LLC;
Intervenor Yates Petroleum Corporation (Terminated 9/10/2013);
H.C. Johnson;
Edward J Bawolek;
Donnie Ray Bogart Lambden;
Broe Land Acquisitions III, LLC;
Billie Navarre Revocable Trust;
Anita Davis Schafer

Special Master: Special Master Vickie L. Gabin (Terminated 6/8/2011)

DOCKET CASE NUMBER: 6:07cv681

Royalty Policy Committee – Tribes (Alternates)

OTHER DOCKET CASE NUMBER: 6:01cv00072
1:12cv01298

FILING DATE: 7/17/2007

JURISDICTION: U.S. Government Plaintiff

JUDGE: District Judge Martha Vazquez

REFERRED TO: Magistrate Judge William P Lynch

NATURE OF SUIT: 290 Real Property

FILING TYPE: Civil

CAUSE: Constitutionality of State Statute(s) [28 USC 2201](#)

JURY DEMAND: Plaintiff

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THE COURT UPDATED THIS RECORD ON: 12/19/2016 12:00:00 AM

Judgments and Liens: None

Nexis News Search: Targeted News Service

January 12, 2016 Tuesday 10:50 PM EST

Navajo Yes Announces 2016 Navajo Parks Race Series for the Dine Nation

BYLINE: Targeted News Service

LENGTH: 516 words

DATELINE: WINDOW ROCK, Ariz.

The Navajo Nation, a federally-recognized Native American tribe, issued the following news release:

On Friday, Jan. 8, at the Navajo Nation Museum, the Office of the President and Vice President (OPVP) and members of both the Division of Natural Resources and Navajo Parks and Recreation announced the schedule and locations of the 2016 Navajo Parks Race Series - Dine Nation.

"The Navajo Nation has some of the most beautiful landscapes on the face of the earth," said President Russell Begaye. "In promoting healthier lifestyles, let's also embrace our landscapes by getting out there to enjoy what we've been blessed with."

Royalty Policy Committee – Tribes (Alternates)

As announced by Tom Riggerbach, Executive Director for Navajo Yes, the Dine Nation Race Series schedule will run as follows:

- * Little Colorado River Gorge Half-Marathon, February 6
- * Shiprock Marathon, Half, Relay and Kids Marathon, May 6-7
- * Asaayi Mountain Runs, August 20
- * Navajo Code Talker 29K and 10K, September 11
- * Rainbow Bridge Trail Marathon and Ultra, October 29
- * Monument Valley Marathon, Half and Kids Run, November 19 ? Navajo Quad Keyah Marathons, Half and Kids Run, December 8-11

One notable addition to this year's schedule is the last race in the series. The Navajo Quad Keyah Marathons are four marathons run in succession over four days encompassing each of the Four Corners states. This monumental finale to the series will truly push the boundaries of a runner's endurance and stamina.

Beyond organizing the race series, Riggerbach participated in many of the 2015 races alongside Vice President Nez and the staff of OPVP and other affiliated departments. Riggerbach noted that Vice President Nez has committed to run the Navajo Quad Keyah Marathons.

OPVP's participation is exemplary of the Begaye-Nez Administration's commitment to supporting healthy, active lifestyles and wellness for the Navajo people.

"We are gathered here to celebrate the Race Series but also to promote the development of trails for running, walking and equestrian purposes," said Vice President Nez.

In supporting wellness, Vice President Nez said the administration is working on implementing a Navajo Nation Employee Wellness Policy by which Navajo Nation employees would be granted thirty minutes to an hour a day for the purposes of exercising. The Vice President said this policy is in the final stages of development and is expected to be implemented by summer.

"Studies show that exercising helps with employee productivity and also reduces healthcare costs to an organization," he said. "Together we need to fight the monsters of obesity and diabetes."

Director of Natural Resources, **Bidtah Becker** said she was honored to support the Navajo Race Series through the departments her division oversees like Navajo Parks and Recreation.

"We want to expose people to the beautiful landscapes that our ancestors fought for," she said. "We also are excited to support the youth in encouraging healthy active **lifestyles**." For more information on the Navajo Parks Race Series, please visit www.navajoyes.org

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AutoTriage6yd 160114 30VitinMar-5400984 30VitinMar

LANGUAGE: ENGLISH

Royalty Policy Committee – Tribes (Alternates)

PUBLICATION-TYPE: Newswire

SUBJECT: MARATHONS (92%); PARKS & PLAYGROUNDS (90%); INDIGENOUS PEOPLES (90%); NATIVE AMERICANS (78%); MUSEUMS & GALLERIES (78%); EXECUTIVES (77%); MOUNTAINS (76%); PREVENTION & WELLNESS (75%); ASSOCIATIONS & ORGANIZATIONS (72%); OBESITY (62%); DIABETES (50%)

COUNTRY: UNITED STATES (92%)

LOAD-DATE: January 14, 2016

The Gallup Independent (New Mexico)

August 12, 2015 Wednesday

Water rights teach-in to be held in St. Michaels

BYLINE: Marley Shebala navajo1@gallupindependent.com, DIN É BUREAU

SECTION: NEWS; Pg. 6

LENGTH: 687 words

DATELINE: WINDOW ROCK

WINDOW ROCK — A group of young Diné women and men are having a “teach-in” Thursday to develop and enforce a water rights negotiation process that respects “free, prior and informed consent.”

Community organizers Collen Cooley and Janene Yazzie, who co-organized “To’Bei Nihi Dził (Water Is Our Power), A People’s Teach-In Addressing Community Empowerment, Our Homeland, Water Security and Sovereignty,” said that they hear people calling for the people to unite to develop a movement for Diné water, Diné land and Diné democratic control over Diné local resources.

Cooley and Yazzie said their message is: “Help us claim, capture, use, conserve and protect our precious water

resources so that they are abundant, clean and available for all the current and future needs of our people and homelands.”

They emphasized that it’s up to the Diné people to continue to create and strengthen the Diné way of life, which is the strength of the Diné people, instead of weakening Diné traditions because of misplaced power that the Diné people give to their tribal government.

“Our land, our Mother, is scared,” Cooley said. “We will no longer stand by as she is being pillaged and raped, and as our water, homelands and environmental quality rights are being ripped from us by a few politicians in Window Rock, who actually facilitate the theft of our land and resources to benefit outside corporations and non-Diné societies.”

New solutions

Royalty Policy Committee – Tribes (Alternates)

Yazzie added, “We, the people, are committed to developing new solutions to the continuing problems caused by colonization and its effects on Diné people and our life way.”

They urged the Diné people to remember the collective strength they showed to oppose the now defunct Senate Bill 2109 and House Bill 4067, which contained the Navajo-Hopi Little Colorado River Water Rights Settlement.

Cooley noted that S.B. 2109 and H.R. 4067, which Arizona Sens. John McCain and Jon Kyle and Rep. Ben Quayle sponsored and tribal Justice Department attorneys Stanley Pollack, Katherine Hoover, Scott McElroy, **Biddah Becker** and others supported, waived Diné reserved water rights to every single drop of the Little Colorado River and waived any claims for injury to water quality.

“The recent and near **criminal** negligence that has polluted the Animas River should teach us once and for all how dangerous a waiver like that is when it comes to protecting our sacred watersheds and the health of our people,” Yazzie said.

And those are only a couple of reasons for the To’Bei Nihi Dziil teach-in, they said.

Lessons learned

Cooley said, “We will talk about lessons that need to be learned from the recent Gold King Mine Animas River spill, the continued legacy of Cold War uranium mining and milling, the Chuska fire, the historic drought, climate change, Navajo Generating Station, Peabody Coal’s role in the Navajo and Hopi land dispute, our betrayed water rights and the injustices of closed-door negotiations that favor outside interests over the health and well-being of Nahasdzáán Nihimá dóó Yadihlil Nihita (Mother Earth and Father Sky), and our people.”

Yazzie added, “We will also discuss pathways to solutions that will help us to adapt, as we have always done as a people, by creating real self-determination and exercising real sovereignty — the power of which comes from the people and not politicians acting in our supposed best interests.

“Let’s come together and build real water security by protecting, conserving and respectfully using our Tó (water) for our ecosystems, our soils, our food and our economy,” she urged. “Let’s come together to maximize our rights and the rights of all sacred life that make up our homelands.”

Cooley said, “We must, like our ancestors before us, fight for our rights to live a free and healthy life by protecting our ancestral territories and sacred sites to ensure the well-being of our next seven generations and beyond.”

The people’s To’Bei Nihi Dziil teach-in is from 10 a.m. to 3 p.m. Thursday at the St. Michaels Chapter House. Information: Colleen Cooley, 928-637-3221,

(b) (6) @gmail.com and
Janene Yazzie, 917-636-2392, (b) (6) @gmail.com

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: WATER RIGHTS (90%); INDIGENOUS PEOPLES LANDS & GOVERNMENT (77%); LAW ENFORCEMENT (77%); AQUIFERS & WATERSHEDS (77%); POLITICS (74%); NATIVE AMERICANS (73%); COMMUNITY ACTIVISM (72%); WATER CRISES & SHORTAGES (72%); LEGISLATIVE BODIES (70%); NEGLIGENCE (68%); LEGISLATION (66%); JUSTICE

Royalty Policy Committee – Tribes (Alternates)

DEPARTMENTS (65%); ENVIRONMENT & NATURAL RESOURCES (64%)

PERSON: BEN QUAYLE (53%); JOHN MCCAIN (53%)

STATE: ARIZONA, USA (79%)

COUNTRY: UNITED STATES (79%)

LOAD-DATE: August 13, 2015

Targeted News Service

May 22, 2015 Friday 11:46 PM EST

Navajo Nation Minerals Audit Program Receives Coveted Award Recognizing Superior Audit & Investigative Performance

BYLINE: Targeted News Service

LENGTH: 942 words

DATELINE: WINDOW ROCK, Ariz.

The Navajo Nation, a federally-recognized Native American tribe, issued the following news release from Division of Natural Resources:

Demonstrating excellence in audit and investigative activities to ensure the collection of every dollar due to the Navajo Nation.

That's how the U.S. Department of the Interior, Office of Natural Resources Revenue (ONRR), described the Navajo Nation Minerals Audit Program, which is a program under the Minerals Department that was created to conduct audits and investigations of financial obligations due to the Navajo Nation under mineral leases located on tribal trust lands.

In recognition for the Navajo Nation's outstanding audit and investigative performance, ONRR awarded the Navajo Nation with the Joan Kilgore Award. The Joan Kilgore Award is named in honor of Joan Kilgore, who was a staunch advocate for Indian royalty issues. ONRR based the award on the Navajo Nation's active participation in royalty collection and compliance activities and contributions to ongoing initiatives undertaken in partnership with ONRR.

ONRR Director Greg Gould stated, "We congratulate the Navajo Nation for working closely with ONRR and for developing a strong and robust royalty compliance program." He added, "In testament to your professionalism and commitment to excellence, the Navajo Nation received a top ranking on the 2014 peer review."

The peer review was conducted late in 2013 by Williams, Adley & Company, a CPA firm based in Washington, D.C. The peer review examined audits performed by the Navajo Nation's Minerals Audit Program. Under the peer review process, an audit organization can

Royalty Policy Committee – Tribes (Alternates)

receive a rating of pass, pass with deficiencies or fail. The Navajo Nation's Minerals Audit Program received a rating of pass, which is the highest rating that can be received.

ONRR Director Greg Gould noted the Navajo Nation also received a top ranking in the annual attestation engagement, adding that the Navajo Nation "has demonstrated a commitment to excellence and a spirit of cooperation that is critical to the success of ONRR."

Erik Tsosie, a Senior Minerals Auditor with the Navajo Nation, described the dedication of the audit program's staff, "We often come to work early, and leave late in the evening." He added, "Auditing is hard work, but we are dedicated to verifying that the extractive industries on the Navajo Nation fully comply with all federal laws, regulations, and lease terms, and pay what they are required to pay to the Navajo Nation."

In closing, ONRR Director Greg Gould thanked the Navajo Nation for the tribe's efforts to ensure that the Navajo Nation receives the full return of royalties due. He added, "The Navajo Nation is truly a leader among ONRR's state and tribal partners."

Navajo Nation Division of Natural Resources Executive Director **Biddah Becker**, stated, "I would like to congratulate all the Navajo Nation Minerals **Audit** Program staff for their steadfast dedication and commitment. As a result of their efforts, the Navajo Nation has one of the best royalty compliance programs in the country. Their work truly benefits the Navajo people and the Navajo Nation."

Navajo Nation Minerals Department Director Akhtar Zaman, emphasized the importance of the audit function, which provides assurance to the Navajo Nation about the accuracy of revenues derived from the tribe's vast mineral resources.

According to Zaman, the Navajo Nation is one of only a handful of tribes across the United States that performs its own audits of royalties and other financial obligations derived from mineral leases. He explained, "It's a testament to the Navajo Nation's resolve for self-determination and control over its mineral producing assets."

In support of continued collaboration between the Navajo Nation and ONRR, Brian Bex, a Minerals Auditor with the Navajo Nation, will be joining ONRR for a two-year period under the agency's Intergovernmental Personnel Act Fellowship Program. Participants in the program develop additional audit and compliance experience and gain special knowledge related to minerals asset valuation and enforcement.

The origin of the Navajo Nation's Minerals Audit Program can be traced to the Federal Oil and Gas Royalty Management Act of 1982. Sections 202 and 205 of the Act provides the authority for tribes and states to enter into cooperative agreements or delegations with the Secretary of the Interior to conduct audits and investigations of mineral leases.

The Navajo Nation entered into its first cooperative agreement in 1984. The Navajo Nation is one of a small number of tribes and states that are currently performing audits and compliance reviews under agreements with the U.S. Department of the Interior, Office of Natural Resources Revenue.

The Minerals Audit Program is led by Rowena Cheromiah who is the Principal Investigator under the cooperative agreement and Marlene Nakai, Minerals Audit Manager. Both have provided decades of service to the Navajo Nation in support of the tribe's minerals management function through audit and compliance related activities.

Royalty Policy Committee – Tribes (Alternates)

The Navajo Nation Minerals Audit Program performs audit and investigation of mineral royalty payments and other lease-level obligations to the Navajo Nation including bonuses, water usage fees, scholarship payments, and all other financial obligations that are specifically required under Navajo Nation oil, gas, and solid minerals leases and agreements.

The audits are performed in accordance with the Generally Accepted Government Auditing Standards promulgated by the Comptroller General of the United States.

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LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

SUBJECT: INDIGENOUS PEOPLES (90%); NATIVE AMERICANS (90%); AUDITS (90%); ACCOUNTING (89%); US FEDERAL GOVERNMENT (89%); NATURAL RESOURCES (89%); REGULATORY COMPLIANCE (78%); MINERAL LEASES (76%); MINERAL ROYALTIES (76%); ROYALTIES (76%); MINING & EXTRACTION RIGHTS & ROYALTIES (76%); ACCOUNTING & AUDITING FIRMS (73%); EXECUTIVES (72%); RANKINGS (70%)

ORGANIZATION: US DEPARTMENT OF THE INTERIOR (58%)

STATE: DISTRICT OF COLUMBIA, USA (79%)

COUNTRY: UNITED STATES (94%)

LOAD-DATE: May 31, 2015

Google Search: <http://dnrnavajo.org/about/>

<https://www.linkedin.com/in/bidtah-becker-76bbb58/>;

<https://www.facebook.com/bidtah.becker>;

<https://twitter.com/BNBecker>;

<http://unm-tlj.tumblr.com/post/127577987911/interview-with-tlj-founder-bidtah-becker-on>;

Associations and Affiliations Search: <http://dnrnavajo.org/more-in-depth-contact-information/>

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

UCC Filings

This data is for informational purposes only.

1:Oklahoma UCC Record

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Original Address: PO BOX 25757
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Filing Information

Original Filing Number: 0819890

Original Filing Date: 09/08/1981

Filing Agency: OKLAHOMA CENTRAL FILING OFFICE/UCC DIVISION

Filing Agency Address: 3201 PARK AVE
OKLAHOMA CITY, OK 73119

Filing Type: CONTINUATION

Filing Number: 9867183

Filing Date: 08/05/1986

Vendor Entry Date: 06/10/1998

Vendor Update Date: 2002

Royalty Policy Committee – Tribes (Alternates)

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

Listed as defendant in his role as DOI Assistant Secretary Indian Affairs during the GW Bush Administration

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA
(Oklahoma City)

Brown et al v. Ridley et al

PLAINTIFF: Brown, Russell L;
Brown, Phyllis H

DEFENDANT: Williams, Bob;
Watson, Jerry;
Taylor, Bruce;
Poe & Associates;
Oklahoma State Department of Transportation Ex Rel State of
Oklahoma;
Oklahoma State Department of Transportation Board of
Commissioners;
McCaleb, Neal;
Martin, Michael J;
John Doe;
Jane Doe;
Jacoby, Steve;
Harns, Kurt;
Gary Ridley Individually and in His Capacity as Director of the
Oklahoma Department of Transportation;
Doe Company or State Agency;
Cinnabar Service Company;
Benham Group, The

DOCKET CASE NUMBER: 5:05cv1170

FILING DATE: 10/5/2005

JURISDICTION: Federal Question

JUDGE: Honorable Thompson, Ralph G

NATURE OF SUIT: 470 RICO

FILING TYPE: Civil

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Royalty Policy Committee – Tribes (Alternates)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(Fresno)

Greene v. McCaleb, et al

PLAINTIFF: Greene, Charles Anthony

DEFENDANT: Paul Yates Acting Field Representative Bureau of Indian Affairs
Talihina Agency;
Neal McCaleb Assistant Secretary Indian Affairs;
Curtis D Wilson Regional Director;
Brenda Hampton Director of Tribal Membership Choctaw Nation of
Oklahoma

DOCKET CASE NUMBER: 1:05cv555

FILING DATE: 4/21/2005

JURISDICTION: Federal Question

JUDGE: Wanger, Oliver W

REFERRED TO: Magistrate Judge Beck, Dennis L

NATURE OF SUIT: 440 Other Civil Rights

FILING TYPE: Civil

CAUSE: Civil Rights [42 USC 1981](#)

JURY DEMAND: Both

STATUS: Case Closed

PLAINTIFF ATTORNEY(S):

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THE COURT UPDATED THIS RECORD ON: 05/20/2005 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS
(Kansas City)

Miami Tribe OK v. USA, et al

Royalty Policy Committee – Tribes (Alternates)

PLAINTIFF: Oklahoma, Miami Tribe of

DEFENDANT: William G Myers Solicitor of United States Department of
Interior;

USA;

Roderick E Walston Solicitor of United States Department of
Interior;

Neal McCaleb Asst Secretary of the United States Department of
the Interior;

Gale Norton Secretary of the Department of Interior of United
States of America

DOCKET CASE NUMBER: 2:02cv2591

FILING DATE: 11/27/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Murguia, Carlos

REFERRED TO: Magistrate Judge O'Hara, James P

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Declaratory Judgement [28 USC 2201](#)

JURY DEMAND: None

STATUS: Case Closed

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Royalty Policy Committee – Tribes (Alternates)

THE COURT UPDATED THIS RECORD ON: 10/16/2006 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Felter Et Al V. Norton Et Al

PLAINTIFF: Oranna Bumgarner Felter;
JENS DALE CHRISTENSEN;
Calvin Hackford;
Alvin Richardson Denver

DEFENDANT: United States of America;
RALPH NORDWALL;
Neal McCaleb;
Gale Norton;
Chester Mills

Interested Party: EDWARD G. GARDNER

DOCKET CASE NUMBER: 1:02cv2156

OTHER DOCKET CASE NUMBER: USCA, 06-05092
U. S. Court of Appeals - DC Circuit, 10-05069

FILING DATE: 11/4/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Richard W. Roberts

NATURE OF SUIT: 440 Other Civil Rights

FILING TYPE: Civil

CAUSE: Indian Child Welfare Act [25 USC 1901](#)

JURY DEMAND: Plaintiff

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 08/05/2010 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Conf Tribes Warm V. Norton, Et Al

PLAINTIFF: Confederated Tribes of the Warm Springs Reservation of Oregon

DEFENDANT: Paul H. O'Neill;

P. LYNN SCARLETT;

Neal McCaleb;

Gale Norton (Terminated 5/1/2006)

DOCKET CASE NUMBER: 1:02cv2040

FILING DATE: 10/18/2002

JURISDICTION: U.S. Government Defendant

Royalty Policy Committee – Tribes (Alternates)

JUDGE: Chief Judge Royce C. Lamberth

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Administrative Procedure Act [05 USC 702](#)

JURY DEMAND: None

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 10/23/2006 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT SOUTH DAKOTA
(Central Division)

Sun Prairie, Et Al V. Mccaleb, Et Al

Royalty Policy Committee – Tribes (Alternates)

PLAINTIFF: SUN PRAIRIE;
Bell Farms LLP

DEFENDANT: Rosebud Sioux Tribe;
Neal McCaleb (Terminated 6/5/2003);
Gail Norton;
David Anderson;
AURENE MARTIN (Terminated 6/1/2004)

Intervenor Defendant South Dakota Peace and Justice Center;
Humane Farming Association;
George England;
Concerned Rosebud Area Citizens

Intervenor Plaintiff Cottonwood Knoll, LLC

DOCKET CASE NUMBER: 3:02cv3030

FILING DATE: 8/15/2002

JURISDICTION: Diversity

JUDGE: U.S. District Judge Roberto A. Lange

NATURE OF SUIT: 190 Other Contract

FILING TYPE: Civil

CAUSE: Fed. Question [28 USC 1331](#)

JURY DEMAND: None

STATUS: Case Closed

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Royalty Policy Committee – Tribes (Alternates)

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
(Sacramento)

CA Valley Miwok v. USA, et al

PLAINTIFF: CA Valley Miwok Tribe Formerly Known as Sheep Ranch of Me-Wuk
Indians of California

DEFENDANT: USA;

Neal McCaleb Assistant Secretary of Interior for Indian Affairs;
Gail Norton Secretary of Interior;
Department of Interior

Royalty Policy Committee – Tribes (Alternates)

INTERVENOR: Yakima K Dixie Chief, Sheep Ranch Rancheria of Miwok Indians of
California Terminated: 01/21/2004

DOCKET CASE NUMBER: 2:02cv912

FILING DATE: 4/29/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Damrell, Frank C, Jr

REFERRED TO: Magistrate Judge Hollows, Gregory G

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Indian Tribal Rights [25 USC 640](#)

JURY DEMAND: None

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 10/30/2006 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Chippewa Cree Tribe, Et Al V. Kempthorne, Et Al

PLAINTIFF: Chippewa Cree Tribe of the Rocky Boy's Reservation

DEFENDANT: Paul H. O'Neill;

Neal McCaleb;

Gale Norton (Terminated 7/21/2008);

DIRK A. KEMPTHORNE

DOCKET CASE NUMBER: 1:02cv276

OTHER DOCKET CASE NUMBER: 1:06cv01897

1:05cv02500

1:05cv02491

1:04cv01126

1:04cv00900

FILING DATE: 2/11/2002

JURISDICTION: U.S. Government Defendant

JUDGE: Thomas F. Hogan

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Administrative Procedure Act [05 USC 702](#)

JURY DEMAND: Defendant

STATUS: Case Closed

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Harrison v. Norton, et al

PLAINTIFF: Harrison, Sheron L

DEFENDANT: **Neal McCaleb** Assistant Secretary of Interior;
Gale Ann Norton Secretary of the Interior

DOCKET CASE NUMBER: 1:01cv2188

FILING DATE: 10/19/2001

JURISDICTION: Federal Question

JUDGE: Kollar-Kotelly, Colleen

NATURE OF SUIT: 890 Other Statutory Actions

Royalty Policy Committee – Tribes (Alternates)

FILING TYPE: Civil

CAUSE: Federal Question: Other Civil Rights [28 USC 1331](#)

JURY DEMAND: Plaintiff

DEMAND: \$ 100,000

STATUS: Case Closed

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THE COURT UPDATED THIS RECORD ON: 08/24/2004 12:00:00 AM

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Taxpayers of Mi v. Norton, et al

PLAINTIFF: Taxpayers of Michigan Against Casinos A Michigan Non-Profit Corporation

DEFENDANT: Pokagon Band of Potawatomi Indians Intervenor;
New Buffalo Township A Township Within the State of Michigan
Intervenor;
Neal McCaleb Assistant Secretary of the United States Department
of the Interior;
James H McDivitt in His Official Capacity as Acting Assistant
Secretary of the United States Department of the Interior,
Bureau of Indian Affairs Terminated: 10/26/2001 (Terminated
10/26/2001);
Gale A Norton in Her Official Capacity as Secretary of the
United States Department of the Interior;
City of New Buffalo A City Within New Buffalo Township, Michigan
Intervenor

AMICUS: State of Michigan

Royalty Policy Committee – Tribes (Alternates)

DOCKET CASE NUMBER: 1:01cv398

FILING DATE: 2/21/2001

JURISDICTION: U.S. Government Defendant

JUDGE: Robertson, James

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Review of Agency Action-Environment [42 USC 4321](#)

JURY DEMAND: None

STATUS: Case Closed

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UNITED STATES DISTRICT COURT
DISTRICT OF DISTRICT OF COLUMBIA
(Washington DC)

Cobell, Et Al V. Salazar , Et Al

PLAINTIFF: Thomas Maulson;

Penny Cleghorn;

Mildred Cleghorn (Terminated 12/21/2010);

Mary Aurelia Johns;

James Louis Larose;

Elouise Pepion Cobell;

Earl Old Person (Terminated 12/21/2010);

CLAYTON S. CREEK;

Charles Colombe;

Carol EVE Good Bear;

All Plaintiffs

DEFENDANT: U.S. Department of Interior (Terminated 12/21/2010);

Timothy F. Geithner;

Robert E. Rubin (Terminated 2/14/2000);

P. LYNN SCARLETT (Terminated 12/21/2010);

Neal McCaleb (Terminated 12/21/2010);

Royalty Policy Committee – Tribes (Alternates)

MICHAEL G. ROSSETTI (Terminated 12/21/2010);
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Kenneth Lee Salazar;
John D. Leshy (Terminated 12/21/2010);
Gale Norton (Terminated 5/8/2006);
Edward B. Cohen (Terminated 12/21/2010);
Dirk Kempthorne (Terminated 12/21/2010);
Bruce Babbitt (Terminated 3/9/2001);
ADA E. DEER (Terminated 2/14/2000);
All Federal Defendants

Claimant: BLANCA MARIE GOMEZ

Interested Party: Verlita Sugar;
RUSSELL ODEGARD;
Ronnie Levine (Terminated 8/22/2007);
Philip Steele;
Ortencia Ford;
Michael A. Hernandez;
Lori Villegas;
Kathleen Clarke (Terminated 8/22/2007);
Joel Hurford (Terminated 8/22/2007);
Dudley Janis;
Delarick Evans;
CLAYTON P. CROWE

Movant: United States of America;
Roberta McInerney;
Randall Lewis;
James Regan;
Eleni M. Constantine;
Department of Treasury;
Daniel Mazella

Special Master: Richard A. Levie;
Alan Lee Balaran (Terminated 4/6/2004)

DOCKET CASE NUMBER: 1:96cv1285

OTHER DOCKET CASE NUMBER: 14-05119

1:14mc01168
1:13cv01090
1:06cv02242
1:06cv02206
1:05cv02491
1:04cv01126
USCA, 17-05125
USCA, 17-05111
USCA, 12-05346
USCA, 11-05272
USCA, 11-05271

Royalty Policy Committee – Tribes (Alternates)

USCA, 11-05270
USCA, 11-05229
USCA, 11-05205
USCA, 11-05158
USCA, 08-05500
USCA, 05-05388
USCA, 05-05269
USCA, 05-05068
USCA, 04-05084
USCA, 03-05314
U. S. Court of Appeals - DC Circuit, 09-05430

FILING DATE: 6/10/1996

JURISDICTION: U.S. Government Defendant

JUDGE: Thomas F. Hogan

REFERRED TO: Magistrate Judge G. Michael Harvey

NATURE OF SUIT: 890 Other Statutory Actions

FILING TYPE: Civil

CAUSE: Petition for Writ of Mandamus [28 USC 1361](#)

JURY DEMAND: None

STATUS: Case Closed

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April 1, 2011

House Natural Resources Subcommittee on Indian and Alaska Native Affairs Hearing; "Tribal development of energy resources and the creation of energy jobs on Indian lands."; Testimony by Neal McCaleb, Member, Chickasaw Nation

SECTION: U.S. HOUSE OF REPRESENTATIVES DOCUMENTS

LENGTH: 1457 words

Good morning. My Name is Neal McCaleb and I want to thank you Chairman Young and Ranking Member Boren for the opportunity to testify before this committee on the subject of energy policy and the use of compressed natural gas (CNG) in Indian country as an alternative fuel for vehicles.

I represent the Chickasaw Nation as a member of the Tribe and serve as Chairman of the Board of Chickasaw Nation Industries, as a board member of its wholly owned bank and as an economic development advisor to Gov. Bill Anoatubby.

The Chickasaws are very environmentally sensitive as well as market driven in our business decisions. We have embarked on a program to migrate our fleet of 600 owned and leased vehicles to CNG fuel and have constructed our first operational public CNG fast fuel station at our fuel plaza in Ada, OK. We are planning to open several more public fast fuel CNG stations at our fuel plazas along I-35 and US 70 in southern Oklahoma.

We have been motivated to make these investments by our desire to provide leadership helping shape energy policy and enhance the national security by becoming less dependent on foreign oil. We respect the need to enhance air quality by reducing vehicle emissions using clean burning natural gas which reduces undesirable emissions including Nitrous Oxide- 60% reduction, Carbon Dioxide- 30%, Hydrcarbon-50% and particulate matter 90%. Natural Gas burns cleaner than any other energy source except electricity and if you count the carbon footprint to generate the steam powered electricity it burns as clean.

As responsible businessmen we are very interested in the economy of using CNG especially in today's market where low octane fuel is currently at between \$3.50 and \$4.00/ gallon. The cost of an equivalent gallon of CNG varies from \$0.75 to \$1.39 / gallon depending on the point and source of purchase. My personal experience in driving a CNG Chevy conversion for 20,000 miles is that my fuel costs are 3 1/2 cents per mile as compared to

Royalty Policy Committee – Tribes (Alternates)

\$0.21/ mile for a conventionally fueled car getting 16 miles / gallon at a fuel cost of \$3.50/gallon.

These facts coupled with the huge and expanding reserves of natural gas gives a dependable domestic source that will meet the energy needs of this country well into the next century.

The obvious question is "with all these advantages and benefits of CNG what is holding the nation back from a transition to this clean burning, dependable and economic fuel for vehicles?"

I will try an answer from the Chickasaw experience.

First is the supply and demand relationship to the availability of vehicles and fueling opportunities and the demand for the fuel from existing operators. Natural gas vehicles are the fastest growing alternatives to gasoline and diesel around the world- with over 12 million on the road. America has only about 110,000. Around the world, although every major car manufacturer offers natural gas models, currently there are no domestic original equipment manufacturers of CNG cars and until recently only one internationally. With a very limited number of vehicles on the road there is little demand for fueling stations that cost up to \$500,000 for one pump without any site development expenses. This is a classic "chicken or egg" conundrum. We can't get more vehicles on the road until there are convenient and reliable fuel stops and the fuel stops won't be developed until there is a demonstrable demand.

The Chickasaws decided to provide leadership by purchasing CNG vehicles and building a local CNG fuel plaza with no financial assistance from any one. Our first car purchase was a Honda Civic that has a "dedicated " engine meaning it burns only CNG. I personally operated this vehicle for a year with no small anxiety about running out of fuel between known fueling locations that I found sometimes were out of service. When you run out of CNG in a dedicated engine car your only option is to call a tow service and be transported to an available fueling site.

In light of the limited number of convenient fueling stops it is far better to have a car that can be powered by either unleaded gas or CNG known as "bi-fuel". There are no original-equipment-manufacturers that produce bi-fuel, natural gas vehicles in the US, and the only viable bi-fuel cars are conversions. We purchased five Chevy Impalas last year and had them converted to bi-fuel at a cost of \$10,000/ vehicle. We had to wait six months for the EPA to provide the necessary certifications for the make, model and year of the car to be converted. The reason there are no OEMs is that there has been no federal tax credits eligible for bi-fuel cars. There are for single source dedicated cars - but they expired on December 31, 2010. This makes no sense in our current environment of limited fueling opportunities. The more reasonable course for promoting CNG use is to have equal tax credits for both dedicated and bi- fuel cars as we do in under the Oklahoma tax code. Under these conditions there will be greater demand for the bi-fuel cars and subsequently more demand for new and convenient fuel stops.

Secondly the EPA certification process is designed to delay and confound the process of CNG conversions and needs to be streamlined and expedited so that when new models are available the certifications are as well. Under existing rules, each new make and model must be recertified annually as well as the conversion kits. According to Richard Kolodziej, President of NGV America, "currently, the EPA certification process for natural gas aftermarket conversion is cumbersome and unnecessarily costly."

Royalty Policy Committee – Tribes (Alternates)

Third, there is an inequitable treatment of tribes in the federal government's efforts to incentivize the use of alternative fuels, including CNG. Congress has established an Alternative Fuels Excise Tax Credit that provides a \$0.50/ gallon tax credit for sellers of qualifying alternative fuels. Tax-exempt entities such as states and local governments that dispense qualifying fuels from on-site fueling stations to vehicles are eligible for this tax credit. Tribal governments are not eligible. Mr. Chairman this is an issue that comes right to the point of today's hearing. As is so often the case in programs across the federal government, tribes are often simply overlooked and forgotten when legislation and implementing regulations are drafted. The Alternative Fuel Excise Tax Credit is one of the many expiring tax provisions that Congress takes up every year or two. This particular tax credit was last considered as a part of the compromise tax deal agreed to in December and is set to expire at the end of 2011. Simply inserting the phrase "and tribal governments" could rectify this inequity.

The Chickasaw Nation is struggling to be environmentally responsible, sensitive to national security and economically innovative in its energy policy but has been frustrated by national regulations affecting market driven opportunities.

A sound energy policy is one that is:

1. Coherent and viable (no nonsense)
2. Sustainable
3. Timely- can be applied here and now
4. Should help not harm the national economy and the environment

We believe that, at a micro level in the Chickasaw Nation that our policy of using clean burning natural gas meets these criteria and we are implementing it with great success that can be magnified with the implementation of these suggested changes in tax and regulatory controls. It can be of greater value at a national level using the same criteria if the regulatory obstacles are mitigated.

With this in mind, Mr. Chairman, I would like to commend Congressman Boren for his leadership last year in promoting the Natural Gas Act- which would have provided federal incentives for; natural gas vehicle purchase--both dedicated and bi-fuel; purchasing of natural gas fuel; and installing CNG fueling stations. It is my understanding that a similar NAT GAS Act will be introduced in the House shortly, which would also allow Indian tribes to be eligible for these incentives and we will be very supportive of that legislation.

In closing let me point out that almost half of our oil consumption goes for on-road transportation purposes, and last year, we imported about 60% of all the petroleum we used. If we only substituted natural gas for half of that use, we would cut our oil imports by two thirds. Natural gas is the only available option that could actually accomplish this. This is not a speculative policy as 30% of European autos are now fueled by CNG and these countries are importers of the fuel. Most importantly for today's hearing, many tribal areas in the US have extensive deposits of natural gas, and this energy policy will provide economic opportunities in Indian Country by increasing demand for natural gas.

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Royalty Policy Committee – Tribes (Alternates)

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Class Action Reporter

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INDIAN FUNDS: Outgoing Indian Affairs Director Disappointed

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Despite his good intentions, the outgoing Bureau of Indian Affairs (BIA) Director feels disappointed, Tulsa World reports. As assistant secretary of the Interior for Indian Affairs, Neal McCaleb had hoped to improve educational and economic development opportunities for the nation's 563 American Indian tribes. Instead, Mr. McCaleb spent most of his 18 months in office trying to fix the Interior Department's Indian trust fund system and unsuccessfully defending himself against accusations that his fixes did not come fast enough.

Mr. McCaleb is leaving his federal job on Friday as a casualty of the increasingly bitter six-year-old class action which alleges that the Interior Department has misplaced billions of dollars in royalties owed to the individual Indians. Mr. McCaleb is a former Oklahoma state legislator, director of the state Department of Transportation and Secretary of Transportation under Governors Henry Bellmon and Frank Keating.

"I knew the trust had to be fixed, but I did not know that (fixing it) would be to the exclusion of everything else," said Mr. McCaleb, 67, in a recent telephone interview. Tribal leaders said they admire Mr. McCaleb, a member of the Chickasaw Nation of Oklahoma, and that they are sorry to see him go. Many of the tribe's leaders have sat on an Interior-sponsored task force that failed to reach an agreement with the department on trust fund reform. "Neal, to his credit, worked with us as much as he was allowed to by the administration, but there was

Royalty Policy Committee – Tribes (Alternates)

a point that he could not go past," said Ernie Stensgar, a task force member and chairman of Idaho's Coeur d'Alene Tribe.

For more than 100 years, the Interior Department has collected money (royalties) on behalf of the Indians who own the land, from those who graze livestock, cut timber, mine, drill for oil and gas, and grow crops on Indian land. In 1996, Indians filed a lawsuit accusing the Bureau of Indian Affairs of mishandling their collected monies (or monies that should have been collected) for decades. The five lead plaintiffs say that for years BIA officials have not been able to answer account holders' basic questions, like who is leasing their land and what royalties are being paid.

Four months' after he was sworn in as BIA director, Mr. McCaleb was notified in November 2001, that the court was considering holding him in contempt, and the trial started the following month. On September 2002, US District Court Judge Royce C. Lamberth found Mr. McCaleb and his boss, Secretary of the Interior Department Gail Norton, in contempt for failing to reform the Indian trust fund system. During the past year, Mr. McCaleb and Ms. Norton's deputy secretary Steven Griles have met with task force members in nine sessions round the country, discussing with tribe leaders how to fix the systems. Some plans have evolved that might serve as component parts of fixes.

Mr. McCaleb has said that he is still interested in Indian country, but does not want to be the focus of litigation that he can't control and to which he cannot respond. Dennis Gingold, the plaintiffs' attorney, said that Mr. McCaleb should have told Judge Lamberth that while he was found responsible for the quarterly progress reports that the judge found to be inaccurate and misleading, the lawyers in the Interior Department would not allow him to do his job, that it was impossible for him to perform in the production of those reports. Then, said, Mr. Gingold, he would not have been found in contempt.

Mr. McCaleb, on still another matter, has said that he will not concede that the Interior Department lost billions of dollars going back more than 100 years. Just because the federal government cannot find all the records does not mean the money was not paid out, said Mr. McCaleb.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newsletter

SUBJECT: US FEDERAL GOVERNMENT (90%); NATIVE AMERICANS (90%); TRUST ARRANGEMENTS (90%); ROYALTIES (89%); MINERAL ROYALTIES (88%); TALKS & MEETINGS (78%); INTERVIEWS (78%); SUITS & CLAIMS (76%); US STATE GOVERNMENT (76%); CLASS ACTIONS (74%); LITIGATION (74%); MANAGERS & SUPERVISORS (73%); LEGISLATIVE BODIES (72%); MUTUAL FUNDS (71%); JUDGES (61%); LAW COURTS & TRIBUNALS (60%); ECONOMIC DEVELOPMENT (57%) Financial Services; Mutual Funds

ORGANIZATION: BUREAU OF INDIAN AFFAIRS (84%)

CITY: COEUR D'ALENE, ID, USA (68%)

STATE: OKLAHOMA, USA (94%); IDAHO, USA (79%)

COUNTRY: UNITED STATES (94%)

REGION: United States

LOAD-DATE: May 6, 2008

Royalty Policy Committee – Tribes (Alternates)

Class Action Reporter

November 21, 2007

INDIAN FUNDS: McCaleb Charged With Deleting Records Suit

Court-appointed special master for the Indian funds lawsuit Alan Balaran said that former head of Indian affairs at the United States Interior Department Neal McCaleb broke federal law by deleting months of records related to the suit, the Austin American Statesman reports. The suit charges the government with losing billions of dollars in American Indians money.

Last December, Mr. McCaleb said in a deposition he didn't know he was supposed to be storing copies of his e-mail and he thought his assistant was doing it. Mr. Balaran refuted this, saying Mr. McCaleb's story is unbelievable, citing numerous written directives and pair of meetings in which Mr. McCaleb was instructed by Interior official to keep the electronic correspondence.

What began as an inquiry into a possible error in judgment resulted in the discovery that the most senior official of the Bureau of Indian Affairs violated court orders and federal law by destroying individual Indian trust records with impunity, Mr. Balaran wrote, according to the Austin American Statesman.

The documents in question relate to a 6-year-old class-action lawsuit on behalf of 350,000 Indian landowners which claims the government mismanaged as much as \$137 billion in oil, gas and timber royalties from Indian land since 1887. The documents include daily spreadsheets indicating payments from oil, gas and timber leases, the Austin American Statesman.

In response to the report, Interior Department spokesman Dan DuBray referred to a statement McCaleb made last October that the e-mail deletions were a mistake, and that McCaleb notified the court as soon as they came to his attention, the Austin American Statesman reports. The Interior Department has all along disputed the \$137 billion figure, but also has acknowledged mishandling of Indian claims and records over the years.

Mr. Balaran filed his report with US District Judge Royce Lamberth, held Mr. McCaleb and Interior Secretary Gale Norton in contempt of court for failing to comply with his order to fix the trust management accounts last September. Mr. McCaleb retired from the Interior Department at the end of last year, saying he took Judge Lamberth's contempt citation personally and was hurt by it, the Austin American Statesman reports.

Dennis Gingold, the attorney for the Indian plaintiffs, said that the investigation confirmed that Mr. McCaleb knowingly destroyed federal records. That is a crime. He added that Mr. McCaleb lied under oath, both in his deposition and in an affidavit he signed.

LENGTH: 426 words

Norton, McCaleb ordered to stand trial in Indian trust fund case

Royalty Policy Committee – Tribes (Alternates)

BYLINE: By ROBERT GEHRKE, Associated Press Writer

SECTION: State and Regional; Washington Dateline

LENGTH: 579 words

DATELINE: WASHINGTON

A federal judge on Wednesday ordered Interior Secretary Gale Norton to stand trial on contempt **allegations** related to a long-running **lawsuit** accusing her of mismanagement of a billion-dollar Indian trust fund. U.S. District Judge Royce Lamberth set a trial date of Dec. 3 for Norton and Assistant Secretary of Indian Affairs **Neal McCaleb** to show why they should not be held in contempt.

The suit stems from the mismanagement of royalties from mining, grazing, timber harvesting and other activities on 54 million acres of Indian land held in trust by the Interior Department since 1887.

Payments were supposed to be made to the Indian beneficiaries, but much of the money was lost, misappropriated, stolen or never collected.

Specifically, Norton will have to show that her office has complied with Lamberth's 1999 order that the Interior Department piece together how much is owed to 300,000 Indians who sued the agency claiming it has squandered more than \$10 billion in royalties over more than a century.

Norton also must prove that she did not file false or misleading reports about the status of the accounting and the department's current system of tracking the Indian royalties.

Dennis Gingold, the attorney for the Indians in the class action suit, praised Lamberth's decision to hold a trial.

"It confirms everything we've said about the unfitness of the Secretary of Interior to continue to manage the Indian trust," he said.

Hours before Lamberth acted, a department official told Indian leaders meeting in Spokane, Wash., that Norton would begin discussions with them in December about management of the trust fund

In 1999, Lamberth held former Interior Secretary Bruce Babbitt and former Treasury Secretary Robert Rubin in contempt and fined them \$600,000 for failing to produce documents in the case.

At an Oct. 30 hearing, Lamberth scolded the Interior Department's lawyer and advised the lawyer to "throw yourself on the mercy of the court," rather than defending conduct he called "so clearly contemptuous."

Interior spokesman Eric Ruff said strides have been taken to improve the management of the trust fund and comply with court orders since Norton took office, including the creation of a new office specifically dedicated to trust fund management.

Royalty Policy Committee – Tribes (Alternates)

"Such progress is evidence of the department's commitment and determination to resolve the Indian trust issue," Ruff said in a statement.

In recent filings, department lawyers conceded that Interior has struggled with efforts to reform, but they argued that department officials have done nothing to directly violate a court order which would justify a finding of contempt.

In 1999, Lamberth ordered Interior to fix the system and account for the lost money, but the department has failed to do either despite spending \$614 million on the effort, according to reports by court-appointed watchdogs.

The plaintiffs have asked on several occasions that the judge schedule a trial on whether Norton should be held in contempt. Other motions are still pending.

Gingold has also asked that the judge strip Interior of its trust responsibilities.

Lamberth has scheduled a hearing Friday to determine who may be needed to testify at the Dec. 3 contempt trial.

Cherokee Phoenix (Tehlequah, Oklahoma)

July 1, 2007 Sunday

American Indians seek leniency for ex-official

BYLINE: Anonymous

SECTION: Pg. A9

LENGTH: 505 words

DATELINE: Tehlequah, Okla.

ABSTRACT

Chickasaw Nation Gov. Bill Anoatubby, former Cherokee Nation Principal Chief and current Department of Interior official Ross Swimmer and former Bureau of Indian Affairs head Neal McCaleb have urged leniency for former top Department of Interior official Steven Griles.

Letters from Anoatubby, Swimmer and McCaleb were among dozens sent to U.S. District Judge Ellen Segal Huvelle seeking leniency for Griles. In his letter, Anoatubby credited Griles for his role in the settlement between the federal government, his tribe and two others in a 30-year disagreement over Arkansas riverbed property. He also referred to Griles' work in other areas such as reorganization of the BIA.

FULL TEXT

WASHINGTON (AP) - Several prominent American Indian leaders from Oklahoma have joined an effort seeking leniency for the highest-ranking Bush administration official caught in a long-running scandal that continues to rock the U.S. capital.

Chickasaw Nation Gov. Bill Anoatubby, former Cherokee Nation Principal Chief and current Department of Interior official Ross Swimmer and former Bureau of Indian Affairs head **Neal McCaleb** have urged leniency for former top Department of Interior official Steven Griles.

In March, Griles pleaded **guilty** to obstructing justice by lying to the Senate Indian Affairs Committee in its investigation of disgraced lobbyist Jack Abramoff. Abramoff, now in prison

Royalty Policy Committee – Tribes (Alternates)

in an unrelated case, but cooperating with federal investigators on the ongoing influence-peddling scandal, was paid millions of dollars from tribes around the country to represent their interests in Washington.

As a result of the investigation, some questioned exactly what those millions brought to the tribes, and e-mails indicated that Abramoff's camp sometimes privately referred to tribal clients in extremely negative terms.

Griles, the former deputy secretary at the Interior Department, admitted lying about his relationship with Abramoff.

Letters from Anoatubby, Swimmer and McCaleb were among dozens sent to U.S. District Judge Ellen Segal Huvelle seeking leniency for Griles. In his letter, Anoatubby credited Griles for his role in the settlement between the federal government, his tribe and two others in a 30-year disagreement over Arkansas riverbed property. He also referred to Griles' work in other areas such as reorganization of the BIA.

McCaleb, who left the top post at the BIA amid an ongoing and sometimes bitter court battle over Indian trust accounts, recalled the trips he took with Griles to Indian Country.

"Steve made many Native American friends under very challenging circumstances by his open and forthcoming nature on these issues," he wrote. "He was and is a loyal friend in whom I have great confidence and trust."

Swimmer, who currently serves as Special Trustee for American Indians, recalled Griles' "total integrity and honesty" in his dealings with tribes.

Under the terms of his plea agreement, Griles faces a maximum sentence of five years in prison and a \$250,000 fine. He is expected to be sentenced next week.

ACC-NO: 29356

LANGUAGE: ENGLISH

DOCUMENT-TYPE: General Information

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: 29356

SUBJECT: NATIVE AMERICANS (92%); US FEDERAL GOVERNMENT (91%); INVESTIGATIONS (91%); POLITICAL SCANDALS (90%); SCANDALS (90%); INDIGENOUS PEOPLES (90%); JUDGES (90%); SENTENCING (89%); TRUST ARRANGEMENTS (86%); PLEA AGREEMENTS (78%); JAIL SENTENCING (75%); SPECIAL INVESTIGATIVE FORCES (75%); CRIMINAL FINES (75%); AGREEMENTS (75%); FEDERAL INVESTIGATIONS (75%); GUILTY PLEAS (75%); SENTENCING GUIDELINES (74%); FINES & PENALTIES (70%); LETTERS & COMMENTS (66%)

STATE: DISTRICT OF COLUMBIA, USA (92%); OKLAHOMA, USA (92%)

COUNTRY: UNITED STATES (99%)

LOAD-DATE: December 9, 2016

Royalty Policy Committee – Tribes (Alternates)

Google Search: <https://www.chickasaw.tv/profiles-of-a-nation/document/neal-mccaleb-profile>

<http://hof.chickasaw.net/Inductees/1999/Neal-McCaleb.aspx>

<https://www.facebook.com/neal.mccaleb;>

<http://newsok.com/article/5473966>

[http://www.theadanews.com/news/local news/neal-mccaleb-named-ambassador-for-chickasaw-nation/article 641689b8-3e0a-51b6-b306-db90e67cd673.html](http://www.theadanews.com/news/local_news/neal-mccaleb-named-ambassador-for-chickasaw-nation/article_641689b8-3e0a-51b6-b306-db90e67cd673.html)

Associations and Affiliations Search: <http://www.chickasaw.com/about/leadership>

Royalty Policy Committee – Tribes (Alternates)

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

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Royalty Policy Committee – Tribes (Alternates)

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search:

Associated Press State & Local

October 28, 2015 Wednesday 6:21 PM GMT

Eastern Shoshone tribe sanctions business council

SECTION: STATE AND REGIONAL

LENGTH: 152 words

DATELINE: RIVERTON, Wyo.

RIVERTON, Wyo. (AP) - All five members of the Eastern Shoshone Business Council have been suspended by the tribe's General Council.

The Daily Ranger reports (<http://bit.ly/1RBNcc0>) that a majority vote of more than 100 tribal members determined that the councilors violated the ethics code.

Shoshone tribal liaison to the governor's office Leslie Shakespeare says the members were suspended for 10 days without pay and each ordered to pay a \$500 fine.

Tribal member and former tribal attorney general Kimberly Varilek says the council allowed the brother of a councilor to access tribal resources for personal business.

She says the council violated the privacy of tribal members by handing out their personal addresses in addition to several ethics violations.

Varilek says the suspensions will be staggered so tribal business can continue.

Royalty Policy Committee – Tribes (Alternates)

Information from: The (Riverton, Wyo.) Ranger, <http://www.dailyranger.com>

LANGUAGE: ENGLISH

DOCUMENT-TYPE: Spot Development

PUBLICATION-TYPE: Newswire

SUBJECT: FINES & PENALTIES (88%); NATIVE AMERICANS (88%); ETHICS (87%); REGULATORY COMPLIANCE (87%); US STATE GOVERNMENT (87%); INDIGENOUS PEOPLES (73%); GOVERNORS (71%); ATTORNEYS GENERAL (69%) WY--Council Suspended-Tribal Vote; General news; Tribal governments; Government and politics

STATE: WYOMING, USA (94%)

COUNTRY: UNITED STATES (94%); NORTH AMERICA (79%)

REGION: Riverton; Wyoming; United States; North America

LOAD-DATE: October 29, 2015

The Riverton Ranger (Wyoming)

October 27, 2015 Tuesday

Eastern Shoshone Business Council members suspended by tribal vote

BYLINE: Alejandra Silva

SECTION: NEWS

LENGTH: 768 words

All five members of the Eastern Shoshone Business Council were suspended this month in a decision by the tribe's General Council.

Darwin St. Clair Jr., Clint Wagon, Ivan Posey, Nick Harris and Jodi McAdams were suspended for 10 days without pay and ordered to pay a \$500 fine each, said Shoshone tribal liaison to the governor's office **Leslie Shakespeare**, who was elected to chair the meeting. The sanctions were a result of a majority vote from more than 100 tribal members in attendance who agreed that the members committed **ethics** code **violations**.

Tribal member and former tribal attorney general Kimberly Varilek said the ESBC's sanctions were done in accordance with tribal law, and they are on a consecutive suspension schedule so there's no interruption of general tribal business.

Royalty Policy Committee – Tribes (Alternates)

The issue emerged after tribal member Larry McAdams, the brother of Jodi McAdams, contacted tribal members via mail in June with a petition in hopes of gaining support on an enrollment ordinance referendum vote.

Larry McAdams also is the director of the Social Services department for the tribe. According to meeting minutes, Varilek said the ESBC allowed Larry McAdams to have "access to tribal resources for personal business."

She decided to look into the matter because she thought Larry McAdams's actions were against tribal law, and the information the general council was given in July was not accurate. In her research she said she found "factual disparities with representations made in July 2015 to the General Council about what the ESBC allowed, when they allowed it and why." She explained that the privacy of tribal members was violated when the ESBC allowed the disclosure of personal addresses of tribal members.

"Those actions related to ethics code violations, including, but not limited to allowing preferential treatment to family members, abuse of authority for representing authority of the Tribe when there was no such authority, ignoring financial policy violations, and misrepresenting positions the ESBC actually took," Varilek said in an e-mail.

Larry McAdams said Varilek provided misinformation and did not give all the facts in relation to his petition mailing process as well as the ESBC's actions regarding the petition.

Larry McAdams said any department may request the purchase order number for office business. He added that the petition was done on his personal time and his intent was to help relatives and the tribe "as a whole." Larry McAdams said the ESBC was acting in good faith and did not intentionally violate any policy or tribal law. He said Varilek's presentation was "designed to inflame" tribal members so they could vote in her favor.

Tribal member Wade LeBeau made the motion Saturday to move forward with the sanctions. He agreed with Varilek and said the siblings abused their positions.

"They pulled strings and used their positions as director and council member to acquire the addresses of all enrolled Shoshone Tribal members to contact for their personal agenda," LeBeau said. "This was the consequence of outright nepotism."

LeBeau said Jodi McAdams claimed she didn't know she acted in error in her actions and denied any wrong doing, mostly because she was new to the business council.

"These violations appeared clear to the Shoshone General Council members as they voted to reprimand and fine them by a large margin of around 80 percent," he said.

Varilek said these types of issues affect directly the credibility of the government so the general council made its own decision to impose the sanctions.

"I wanted to follow up on the lack of clarity the ESBC claimed it had during its decision making earlier in the year," she said. "But, when I found the factual disparities, I was compelled to report that information."

Shakespeare said he ensured every ESBC member had the opportunity to address the issue and respond to questions before any action was allowed. The process took several hours, he said, and general council members also had their opportunities to comment equally.

Royalty Policy Committee – Tribes (Alternates)

There were people in attendance who did not agree with the sanctions, Varilek noted, but many more members shared the same concern and attended to be part of the discussion.

"Now that the general council dealt with that matter," she said. "I'm sure we all expect the ESBC to proceed forward in a compliant manner and focus on our many other issues as well."

St. Clair said in an email Wednesday that the ESBC was not prepared to respond yet.

The Eastern Shoshone election judges were holding a special election Oct. 27 to fill in a vacancy on the ESBC which is a six-member board.

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newspaper

SUBJECT: INDIGENOUS PEOPLES LAW (90%); ETHICS (89%); REGULATORY COMPLIANCE (89%); PETITIONS (89%); FINES & PENALTIES (78%); ORDINANCES (78%); VOTERS & VOTING (76%); US STATE GOVERNMENT (76%); ATTORNEYS GENERAL (72%); REFERENDUMS (71%); GOVERNORS (71%); BANKING & FINANCE (69%) Eastern Shoshone

LOAD-DATE: October 28, 2015

Wind River News (Lander, Wyoming)

January 28, 2010 Thursday

U.S. Attorney Crofts wants to meet with tribes

BYLINE: Reed, Martin.

By MARTIN REED

Editor

SECTION: Pg. 1 Vol. 33 No. 4

LENGTH: 1053 words

ABSTRACT

[Kip Crofts] said his office targets acts of violence regardless of the focus announced by [, [Eric Holder](#)]. ▼ "I'm concerned about any crime of violence," he said, adding "obviously that would be my highest priority whether that's murder or sexual assault or sexual assault against children."

St. Clair suggested a focus on preventive measures especially alcohol treatment. "It seems like recently in the past four or five years it's gotten out of control," he said of violent crimes. "We're all aware of that and mostly it's alcohol related. Yeah, there's drugs and there has been meth and it's sometimes a combination but sometimes it's pure alcohol."

Royalty Policy Committee – Tribes (Alternates)

The alcohol fuels the violence in many cases, he said. "It goes hand-in-hand, how do we deal with the alcohol problem? It has almost a direct effect on the violence," he said. "There has to be a real true solution to alcohol use, alcohol abuse, and I don't really have the answer but I know that we're struggling with that problem."

FULL TEXT

Meetings would result from emphasis on public safety in Indian Country

New Wyoming U.S. Attorney Kip Crofts said he plans to visit the Wind River Indian Reservation for discussions on implementing the federal government's focus on improving safety on tribal lands.

Crofts during a phone interview on Jan. 22 talked about U.S. , [Attorney General Eric Holder's](#) ▼ directive announced earlier in the month to focus on crimes of violence against women and children in Indian Country.

Part of Holder's directive involves better coordination with officials on reservations nationwide.

"My immediate plan would be to come up to Fremont County and to the Wind River Indian Reservation and do a lot of individual consultation with the BIA police and the business councils and other folks involved. Indian Health Services, alcohol treatment and counseling centers," Crofts said.

He wants to hold discussions with "all of those people on the reservation that are involved with criminal justice issues directly and indirectly" including law enforcement in surrounding areas.

Crofts, a Lander native and former assistant U.S. Attorney serving under Dave Freudenthal, said a large part of his office's responsibility in the state involves prosecution of major crimes on the Wind River Indian Reservation.

"Not all but most of my time was spent with cases in our Lander office," he said about his previous experience in light of his new responsibilities. "Really it's just a continuation of that effort but I'm very happy to see that , [Attorney General Holder](#) ▼ is making this one of his priorities and giving us resources and instructing us to look at this."

Holder's Jan. 11 announcement was accompanied by a memo from U.S. Deputy Attorney General David W. Ogden about the problems with crime in Indian Country.

"Tribal leaders have confirmed what our own experts working in Indian Country have reported: violent crime in Indian Country is at unacceptable levels and has a devastating impact on the basic quality of life there," according to Ogden's memo.

"Many tribes experience rates of violent crime far higher than most other Americans; indeed, some face murder rates against Native American women more than ten times the national average," he stated.

Crofts said his office targets acts of violence regardless of the focus announced by Holder. "I'm concerned about any crime of violence," he said, adding "obviously that would be my highest priority whether that's murder or sexual assault or sexual assault against children."

Crofts vowed to do his best to effect the directive from the attorney general's office. "Obviously it's a huge job but it's great to have the department listing it as a very high priority. We're going to take it very seriously and do the best we can with it." he said.

Royalty Policy Committee – Tribes (Alternates)

The announcement from the attorney general's office brought praise from others involved with criminal justice on the Wind River Indian Reservation.

Chief Judge John St. Clair for Shoshone and Arapaho Tribal Court said the focus should benefit the reservation. "I'm happy and glad there will be an increased federal effort to address violence here on this reservation," he said.

St. Clair identified concerns about the impact on criminal justice systems from increased prosecution.

"Without any increased effort there is a need for a larger (detention) facility but if there's going to be an increased effort bringing people in that's going to make that need even more critical," he said.

"It's all people committing acts of violence, juveniles and adults. With the increased prosecution then there's going to be a greater need for detention facilities, adults and juveniles," St. Clair added.

A potential increase in **prosecution** handled at the tribal level could result from the emphasis on **crime** in Indian Country, he said. "We just need probably a corresponding increase in resources for the court if there's going to be more **prosecution** and more police bringing people in," he said.

Leslie Shakespeare, director of Eastern Shoshone Department of Juvenile Services, said the same concerns existed when tribal leaders met with federal officials last November on **criminal** justice issues.

With an increase in funding in one area, "it's going to overload the resources in other areas. That's what a lot of tribal leaders were leery of," Shakespeare said.

St. Clair suggested a focus on preventive measures especially alcohol treatment. "It seems like recently in the past four or five years it's gotten out of control," he said of violent crimes. "We're all aware of that and mostly it's alcohol related. Yeah, there's drugs and there has been meth and it's sometimes a combination but sometimes it's pure alcohol."

The alcohol fuels the violence in many cases, he said. "It goes hand-in-hand, how do we deal with the alcohol problem? It has almost a direct effect on the violence," he said. "There has to be a real true solution to alcohol use, alcohol abuse, and I don't really have the answer but I know that we're struggling with that problem."

St. Clair also suggested a counseling component about behavior. "We need to also deal with how do we get people to realize violent behavior is wrong, that's not a solution. That's why we have our resources like the counseling," he said. "Those are the kinds of things that we need to utilize once the people are in the system."

ACC-NO: 58621

LANGUAGE: ENGLISH

DOCUMENT-TYPE: News

PUBLICATION-TYPE: Newspaper

JOURNAL-CODE: WRRN

Royalty Policy Committee – Tribes (Alternates)

SUBJECT: VIOLENT CRIME (93%); INDIGENOUS PEOPLES (92%); SUBSTANCE ABUSE (92%); CRIMINAL OFFENSES (91%); SEX OFFENSES (90%); ALCOHOLS (90%); TALKS & MEETINGS (90%); ALCOHOL ABUSE & ADDICTION (90%); NATIVE AMERICANS (90%); SUBSTANCE ABUSE TREATMENT (90%); MURDER (89%); CRIME RATES (89%); ATTORNEYS GENERAL (89%); LAWYERS (78%); CRIMES AGAINST PERSONS (76%); VIOLENT CRIME STATISTICS (76%); CRIMINAL LAW (76%); LAW ENFORCEMENT (76%); INTERVIEWS (72%) Public prosecutors; Native reservations; Native North Americans; Native justice system

PERSON: ERIC HOLDER (89%); DAVE FREUDENTHAL (58%) Crofts, Kip

STATE: WYOMING, USA (92%)

COUNTRY: UNITED STATES (94%); NORTH AMERICA (79%)

REGION: Wind River Indian Reservation

LOAD-DATE: February 20, 2010

Google Search:

<https://www.linkedin.com/in/leslie-shakespeare-328155a8/>;

<https://www.facebook.com/ljshakespeare>;

<https://twitter.com/ljshakespeare1>;

Associations and Affiliations Search: None

Royalty Policy Committee (Academia/Public Interests) - Primary

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Senate Lobbyist Disclosures: Taxpayers for Common Sense 2007-2012

House Lobbyist Disclosures: Taxpayers for Common Sense 2007-2012

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions:

Judgments and Liens:

NEW YORK JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Filing Information

Original Filing Number: 10204625

Filing Date: 06/10/2008

Amount: \$128

Certificate Number: E025756542W00

Release Date: 08/14/2008

Filing 1

Filing Number: 10248385

Filing Type: STATE TAX WARRANT RELEASE

Book/Page: X08/13812

Filing Court: ALBANY COUNTY CLERK

Filing County: ALBANY

Filing Office: NY

NEW YORK JUDGMENT AND LIEN FILINGS

This data is for informational purposes only.

Debtor Information

Debtor 1

Name: ALEXANDER, AMY RYAN

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Address: (b) (6)

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NEW YORK COUNTY

Debtor 2

Name: ALEXANDER, AMY RYAN

Royalty Policy Committee (Academia/Public Interests) - Primary

SSN: (b) (6)

Address: (b) (6)
NEW YORK, NY 10006-2243
NEW YORK COUNTY

Creditor Information

Creditor 1

Name: STATE OF NEW YORK

Creditor 2

Name: STATE OF NEW YORK

Filing Information

Filing Date: 06/10/2008

Amount: \$128

Certificate Number: E025756542W00

Filing 1

Filing Number: 10204625

Filing Type: STATE TAX WARRANT

Book/Page: X08/13812

Filing Court: ALBANY COUNTY CLERK

Filing County: ALBANY

Filing Office: NY

Nexis News Search:

Google Search: <http://www.taxpayer.net/about/staff/ryan-alexander;>

<https://www.facebook.com/ryan.alexander.9484;>

https://www.usnews.com/topics/author/ryan_alexander;

<https://www.linkedin.com/in/ryan-alexander-ba62384;>

Associations and Affiliations Search: <http://www.taxpayer.net/library/article/tcs-president-ryan-alexander-testifies-on-federal-coal-review>

https://www.energy.senate.gov/public/index.cfm/files/serve?File_id=fafe7eaf-86e7-4d04-85e0-2d442793cff0

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Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: States News Service

April 4, 2017 Tuesday

EGGERT TESTIFIES AT SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES OVERSIGHT HEARING

BYLINE: States News Service

LENGTH: 125 words

DATELINE: GOLDEN, Colo

The following information was released by the Colorado School of Mines:

The Senate Committee on Energy and Natural Resources invited Professor Roderick Eggert to testify on March 28 at an oversight hearing to examine the United States' increasing dependence on foreign sources of minerals and opportunities to rebuild and improve the supply chain in the U.S.

Eggert is a professor and interim director of the Division of Economics and Business, deputy director of the Critical Materials Institute, and Viola Vestal Coulter Foundation chair in mineral economics at Colorado School of Mines.

The hearing was March 28 at in the Dirksen Senate Office Building in Washington, DC. It will be webcast live on the committee's website; an archived video is available.

Royalty Policy Committee (Academia/Public Interests) - Primary

LANGUAGE: ENGLISH

PUBLICATION-TYPE: Newswire

SUBJECT: NATURAL RESOURCES (90%); SUPPLY CHAIN MANAGEMENT (84%); WEBCASTS (82%)

COMPANY: NATURAL RESOURCE PARTNERS LP (92%)

TICKER: NRZ (FRA) (92%); NRP (NYSE) (92%)

INDUSTRY: NAICS212112 BITUMINOUS COAL UNDERGROUND MINING (92%); SIC1222 BITUMINOUS COAL UNDERGROUND MINING (92%)

STATE: COLORADO, USA (94%); DISTRICT OF COLUMBIA, USA (79%)

COUNTRY: UNITED STATES (94%)

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DC Daybook - Policy & News Events

March 28, 2017 Tuesday 10:00 AM GMT

Senate Energy and Natural Resources Committee - Hearing

SECTION: WASENATE; Foreign Sources of Minerals Dependence

LENGTH: 128 words

TIME: 10:00

EVENT: Full committee hearing on the United States' increasing dependence on foreign sources of minerals and opportunities to rebuild and improve the supply chain in the United States.

WITNESSES: Murray Hitzman, associate director for energy and minerals at the U.S. Geological Survey; Alf Barrios, chief executive of Rio Tinto Aluminum; Randy MacGillivray, vice president for project development at [Ucore Rare Metals Inc.](#); ▼ Kevin Cosgriff, president and CEO of the National Electrical Manufacturers Association; and **Roderick Eggert**, chair in mineral economics in the Colorado School of Mines's Division of Economics and Business, **testify**

DATE: March 28, 2017

LOCATION: 366 Dirksen Senate Office Building

CONTACT: 202-224-4971 <http://energy.senate.gov> (+WASEE51+)

LANGUAGE: ENGLISH

Royalty Policy Committee (Academia/Public Interests) - Primary

PUBLICATION-TYPE: Event Schedules

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COMPANY: UCORE RARE METALS INC (71%); RIO TINTO GROUP (58%); NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION (57%)

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CITY: Washington

STATE: DISTRICT OF COLUMBIA, USA (79%) DC

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States News Service

February 11, 2016 Thursday

HOW TRUE IS CONVENTIONAL WISDOM ABOUT PRICE VOLATILITY OF TECH METALS?

BYLINE: States News Service

LENGTH: 848 words

DATELINE: AMES, Iowa

The following information was released by the U.S. Department of Energys Ames Laboratory:

Rod Eggert, Colorado School of Mines and Critical Materials Institute, 303-273-3981

Laura Millsaps, Ames Laboratory Public Affairs, 515-294-3474

It's often assumed that exotic metals and minerals critical to clean energy technologies are more price volatile than more common commodity metals. They're mined in much smaller quantities and often as by-products of other high-volume production materials, and even slight changes in production, demand, and consumer end-uses can greatly affect markets.

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But are they really more price-volatile? Preliminary research by the Colorado School of Mines (Mines) and funded by the Critical Materials Institute (CMI) suggests that conventional wisdom about the high price volatility of by-product metals and minerals is generally true, but with several caveats.

"There's actually been very little empirical evaluation of the conventional wisdom, and this was an attempt to test that," said Rod Eggert, Deputy Director of CMI and professor at Mines. "This is a beginning. Further research could help us understand what's truly driving price volatility."

The research used regression analysis to compare the price volatility of by-product metals and minerals to commodity materials produced primarily or solely as main-products or individual products.

The data showed that over the past 50 years, using annual average pricing, metals and minerals with significant by-product production were 50 percent more volatile than those produced as main or individual products. But in contrast to annual data, monthly price data from the past ten years showed only mixed evidence that by-products have greater price volatility.

Eggert said the mixed evidence of price volatility using monthly price data may be explained by the smaller volume of transactions for by-product materials on a month-to-month basis, often leading to unchanged published prices for several months at a time.

The paper laid the groundwork for further study, which should investigate the underlying determinants of price volatility, which may include one or more of the following characteristics of metals produced as by-products: the dependence of by-product supply on developments in markets for the associated main product, the generally small number of producing mines or companies, few consumers and end-use applications and the general lack of transparency in these markets. All of these characteristics make by-product prices potentially more prone to volatility.

Understanding price volatility helps CMI make assessments of what materials may face supply risks in the future risks that may come in the form of either price volatility or physical unavailability of material, said Eggert.

"This helps us begin to understand the markets for a number of elements that up until now have been used in relatively small quantities in limited applications," said Eggert. "But these elements could be used in much greater quantities if certain clean energy technologies develop and grow."

"We read a lot of opinion about the prices of rare earths and other critical materials and where they're going. But CMI must focus on actual data. In order to direct our scientific research on the uses of these materials the most effectively, we must check these assumptions against what the numbers are really telling us," said CMI Director Alex King. The results of the research were published in the paper "Volatility of by-product metal and mineral prices" in Resources Policy by Michael **Redlinger and Roderick Eggert** from the Division of Economics and Business, Colorado School of Mines, and funded by the Critical Materials Institute.

Colorado School of Mines is a highly selective public research university offering bachelor's, master's and doctoral degrees in engineering and applied sciences. Mines is internationally recognized for its education and research programs focusing on stewardship of the earth and its resources, developing advanced materials and applications, addressing the earth's

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energy challenges, and fostering environmentally sound and sustainable solutions. Learn more at mines.edu.

The Critical Materials Institute is a Department of Energy Innovation Hub led by the U.S. Department of Energy's Ames Laboratory. CMI seeks ways to eliminate and reduce reliance on rare-earth metals and other materials critical to the success of clean energy technologies.

Ames Laboratory is a U.S. Department of Energy Office of Science national laboratory operated by Iowa State University. Ames Laboratory creates innovative materials, technologies and energy solutions. We use our expertise, unique capabilities and interdisciplinary collaborations to solve global problems.

Ames Laboratory is supported by the Office of Science of the U.S. Department of Energy. The Office of Science is the single largest supporter of basic research in the physical sciences in the United States, and is working to address some of the most pressing challenges of our time. For more information, please visit science.energy.gov.

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COUNTRY: UNITED STATES (92%)

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FD (Fair Disclosure) Wire

May 24, 2011 Tuesday

Colorado School of Mines Director and Professor, Division of Economics and Business Dr. **Roderick Eggert, Testifies** on Energy/ Mineral Resources Hearing on Strategic and Critical Minerals Policy - Final

LENGTH: 3494 words

Conference Call Participants

* RODERICK EGGERT

Presentation

RODERICK EGGERT: Good morning, Mr. Chairman, members of the Committee, ladies and gentlemen. My name is Rod Eggert. I am Professor of Economics and Business at Colorado

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School of Mines. My area of expertise is the economics of mineral resources. I participated in two activities relevant for today's hearing. I chaired the committee of the U.S. National Research Council (NRC) that prepared the 2008 report Minerals, Critical Minerals, and the U.S. Economy. I served as a member of the committee of the American Physical Society and the Materials Research Society (APS/MRS) that prepared the 2011 report Energy Critical Elements-

Securing Materials for Emerging Technologies.

I organize my remarks into three sections. First, I describe the context for current concerns about strategic and critical minerals. Second, I summarize the 2008 NRC report on critical minerals identified above. Third, I present my personal views on strategic and critical minerals, which are significantly shaped by the NRC and APS/MRS studies.

Context

Mineral-based materials are becoming increasingly complex. In its computer chips, Intel used 11 mineral-derived elements in the 1980s and 15 elements in the 1990s; it may use up to 60 elements in the future. General Electric uses some 70 of the first 83 elements of the periodic table in its products. In contrast, as recently as two or three decades ago, a typical household owned products containing perhaps 20 elements. Moreover, new technologies and engineered materials create the potential for rapid increases in demand for some elements used previously and even now in relatively small quantities.

The most prominent although by no means only examples are gallium, indium and tellurium in photovoltaic solar cells; lithium in automotive batteries; and rare-earth elements in wind turbines, hybrid vehicles, compact-fluorescent light bulbs, and a number of defense and military applications.

These technological developments raise two concerns. First, there are fears that supply will not keep up with the explosion of demand due to the time lags involved in bringing new production capacity online or more fundamentally the basic geologic scarcity of certain elements. Second, and more-directly relevant to today's hearing, there are fears that supplies of some elements are insecure due to, for example, import dependence, export restrictions on primary raw materials by some nations, industry concentration, or the reliance on byproduct production that characterizes the supply of some strategic and critical minerals. In both cases, mineral availability or more precisely, unavailability has emerged as a potential constraint on the development and deployment of emerging and important technologies, especially in the clean-energy and defense sectors.

Minerals, Critical Minerals, and the U.S. Economy

It was in this light that the standing Committee on Earth Resources of the National Research Council initiated a study and established an ad hoc committee, which I chaired, to examine the evolving role of nonfuel minerals in the U.S. economy and the potential impediments to the supplies of these minerals to domestic users. The U.S. Geological Survey (USGS) and the National Mining Association sponsored the study, the findings of which appear in the volume Minerals, Critical Minerals, and the U.S. Economy (NRC 2008).

The report provides a broad context for current discussions and concerns. It defines a "critical" mineral as one that is both essential in use (difficult to substitute away from) and subject to some degree of supply risk. Under this definition, "strategic" minerals are the subset of critical minerals essential in military applications.

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The degree to which a specific mineral is critical or strategic can be illustrated with the help of a figure (Figure 1). The vertical axis represents the impact of a supply restriction should it occur, which increases from bottom to top. The impact of a restriction relates directly to the ease or difficulty of substituting away from the mineral in question. The more difficult substitution is, the greater the impact of a restriction (and vice versa). The impact of a higher costs for users (and potentially lower profitability), or physical unavailability (and a ``no-build`` situation for users).¹

The horizontal axis represents supply risk, which increases from concentration of production in a small number of mines, companies, or nations; market size (the smaller the existing market, the more vulnerable a market is to being overwhelmed by a rapid increase in demand); and reliance on byproduct production of a mineral (the supply of a byproduct is determined largely by the economic attractiveness of the associated main product). Import dependence, by itself, is a poor indicator of supply risk; rather it is import dependence combined with concentrated production that leads to supply risk. In Figure 1, the hypothetical Mineral A is more critical than Mineral B.

Taking the perspective of the U.S. economy overall in the short to medium term (up to about a decade), the committee evaluated eleven minerals or mineral families. It did not assess the criticality of all important nonfuel minerals due to limits on time and resources. Figure 2 summarizes the committee's evaluations. Those minerals deemed most critical at the time of the study that is, they plotted in the upper- right portion of the diagram were indium, manganese, niobium, platinum-group metals, and rare-earth elements.

Any list of critical minerals reflects conditions at a specific point in time. Criticality is dynamic. A critical mineral today may become less critical either because substitutes or new sources of supply are developed. Conversely, a less-critical mineral today may become more critical in the future because of a new use or a change in supply risk. Although the study did not make explicit policy recommendations, it made three policy-relevant recommendations, which I quote below-

1. The federal government should enhance the types of data and information it collects, disseminates, and analyzes on minerals and mineral products, especially as these data and information relate to minerals and mineral products that are or may become critical.
2. The federal government should continue to carry out the necessary function of collecting, disseminating, and analyzing mineral data and information. The USGS Minerals Information Team, or whatever federal unit might later be assigned these responsibilities, should have greater authority and autonomy than at present. It also should have sufficient resources to carry out its mandate, which would be broader than the Minerals Information Team's current mandate if the committee's recommendations are adopted. It should establish formal mechanisms for communicating with users, government and nongovernmental organizations or institutes, and the private sector on the types and quality of data and information it collects, disseminates, and analyzes. It should be organized to have the flexibility to collect, disseminate, and analyze additional, nonbasic data and information, in consultation with users, as specific minerals and mineral products become relatively more critical over time (and vice versa).
3. Federal agencies, including the National Science Foundation, Department of the Interior (including the USGS), Department of Defense, Department of Energy, and Department of Commerce, should develop and fund activities, including basic science and policy research, to encourage U.S. innovation in the area of critical minerals and materials and to enhance understanding of global mineral availability and use.

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Four Propositions I organize my personal views around four propositions. First, the issues are broader than rare earths, despite the prominence of rare earths in the news over the last year. Exactly 4 which minerals are `critical` (essential in use, subject to supply risk) varies from industry to industry, nation to nation, and over time. A number of recent studies suggest possible critical elements. Each list reflects a specific context. In the field of energy, the U.S. Department of Energy (2010) identifies five rare earths (dysprosium, europium, terbium, neodymium, and yttrium) and indium as especially critical to wind turbines, fluorescent lighting, electric vehicles, and photovoltaic thin films. A study by the American Physical Society and Materials Research Society (APS/MRS, 2011) focusing on energy technologies identifies the same six elements as possibly critical, plus several other rare earths, the platinum-group elements, and several elements important for photovoltaics (gallium, germanium, selenium, tellurium), as well as cobalt, helium, lithium, rhenium, and silver. For military hardware and defense systems, gallium, lithium, niobium, the rare-earth elements, rhenium, and tantalum. For European industry, the European Commission (2010) antimony, beryllium, cobalt, fluorspar, gallium, germanium, graphite, indium, magnesium, niobium, the platinum-group elements, rare earths, tantalum, and tungsten. The Japan Oil, Gas and Metals National Corporation (JOGMEC) maintains joint government-industry stockpiles for seven elements (chromium, cobalt, manganese, molybdenum, nickel, tungsten, and vanadium) deemed especially important for Japanese industry and for which there are significant supply risks. JOGMEC is closely monitoring several others (gallium, indium, niobium, platinum, rare earths, strontium, and tantalum). Over time, which materials are critical changes with advances in materials science and engineering that reduce reliance on specific elements, and with advances on the supply side that relax supply constraints. Second, each element has its own story, and import dependence by itself need not be risky. From all the attention rare earths have received, one might think that geopolitical risks and import dependence are the only cause for concern about availability and supply risk. Geopolitical risks and import dependence certainly are important for those elements with geographically concentrated production, where one or a small number of companies or governments might act opportunistically or unpredictably to the disadvantage of users. But import dependence by itself need not be risky if foreign sources are numerous and diversified, and if the associated foreign governments believe in undistorted international trade.

Different elements have different constraints on availability, as APS/MRS (2011) illustrates. Although essentially no element is in danger of being used up (or depleted) in a geologic sense, some elements are not significantly concentrated by geologic process above their average crustal abundance. Germanium used in fiber optics, infrared optics, 5 and photovoltaic cells is an example. Germanium is not especially rare on average in the earth's crust but rarely is present as the main component in minerals.

In other cases, technical limitations constrain the availability of an element. Rare-earth elements actually are not very rare geologically. They exist in a number of minerals, such as eudialyte, that at present are not a source of supply because existing methods of mineral processing and extractive metallurgy are inadequate (both technically and commercially) to remove the rare earths from other elements and, in turn, separate the specific rare-earth elements from one another.

Byproduct supply is another source of supply risk. Indium, for example, is produced as a byproduct of zinc production. Tellurium is a byproduct of copper refining. The key insight here is that the availability of indium, tellurium, and other byproducts is strongly influenced by the commercial attractiveness of the byproduct's associated main product (zinc in the case of indium, copper for tellurium). A significant increase in the price of a byproduct may

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not result in a significant increase in the production of the byproduct, once the available byproduct is recovered from a main-product ore.

Environmental and social concerns are factors influencing the availability of an element. The point is not to dispute that mineral production can have negative consequences for the natural environment or local communities; it can and does in some circumstances. Rather the point is- processes to ensure that mineral production occurs in ways that are consistent with standards for environmental protection and respect for society can (a) increase the time lag between an unexpected increase in demand and new production capacity to meet this demand and (b) redirect the location of production away from nations with stricter (or less-predictable) environmental and social rules to nations with less-strict (or more-predictable) rules. Third, markets are responding, but time lags can be significant. Markets provide powerful incentives for investments that re-invigorate supply and reduce supply risk. There are minor manias now in exploration for mineral deposits containing rare-earth elements and, separately, lithium. Over the next five to ten years, a number of non-Chinese rare-earth mines are likely to begin production. However, given the long lead times between initial exploration and mining (which can range anywhere from five to fifteen years or more), only those rare- earth projects in advanced exploration or development prior to the rare-earths crisis of the last year will be producing rare earths in the next few years.

Increased recycling also can be an important response to constraints on supply. Recycling comes in two forms. The most obvious comes from recycling of products at the ends of their lives for example, recovering ferrous and nonferrous metals from junked automobiles. Less obvious but very important is the recycling of manufacturing scrap or waste.

On the demand side, markets encourage users of mineral-based elements to obtain ``insurance`` against mineral supply risks. In the short to medium term users can, for example, maintain stockpiles, diversify sources of supply, develop joint-sharing arrangements with other users, or develop tighter relations with producers. Over the longer term, users might invest in new mines in exchange for secure supplies or, undertake research and development to substitute away from those elements subject to supply risks. Fourth, there are essential roles for government. To ensure mineral availability over the longer term and reliability of supplies over the short to medium - Encouraging undistorted international trade. The governments of raw-material- importing nations should fight policies of exporting nations that restrict raw-material exports to the detriment of users of these materials.

- Improving regulatory approval for domestic resource development. Foreign sources of supply are not necessarily more risky than domestic sources. But when foreign sources are risky, domestic production can help offset the risks associated with unreliable foreign sources. Developing a new mine in the United States appropriately requires a pre-production approval process that allows for public participation and consideration of the potential environmental and social effects of the proposed mine. This process is costly and time consuming arguably excessively so, not just for mines but for developments in all sectors of the economy. I am not suggesting that mines be given preferential treatment, rather that attention be focused on developing better ways to assess and make decisions about the various commercial, environmental, and social considerations of project development.

- Facilitating the provision of information and analysis. I support enhancing the types of data and information the federal government collects, disseminates and analyzes. Sound decision making requires good information, and government plays an important role in ensuring that sufficient information exists. In particular, I recommend (a) enhanced focus

Royalty Policy Committee (Academia/Public Interests) - Primary

on those parts of the mineral life cycle reserves and subeconomic resources, byproduct and coproduct primary production, stocks and flows of materials available for recycling, in-use stocks, material flows, and materials embodied in internationally traded goods and (b) periodic analysis of mineral criticality over a range of minerals. At present, the markets for most strategic and critical minerals are less than completely transparent, in large part because the markets are small and often involve a relatively small number of producers and users, many of which find it to their competitive advantage to keep many forms of information confidential.

- Facilitating education and research. I recommend that the federal government develop and fund pre-commercial activities that are likely to be underfunded by the private sector acting alone because their benefits are diffuse, difficult to capture, risky and far in the future. Over the longer term, science and technology are key to responding to concerns about the adequacy and reliability of mineral resources innovation that both enhances our understanding of mineral resources and mineral-based materials and improves our ability to recycle essential, scarce elements and substitute away from these elements.

Education and research go hand in hand. Educational programs, especially those at the graduate level, educate and train the next generation of scientists and engineers. On the supply side, education and research in the geosciences, mining, mineral processing and extractive metallurgy, environmental science and engineering, manufacturing, and recycling can help mitigate supply risks and increase mineral availability. On the demand side, improvements in materials design fostered by education and research in materials science and engineering can ease the pressures imposed by those elements or minerals subject to supply risks or limited availability. Government, in addition to simply funding education and research, can play an important role in facilitating collaborations among universities, government research laboratories, and industry.

A common conclusion of almost all recent studies on strategic and critical minerals is to urge governments to improve and expand activities related to information and analysis, education, and research (for example, APS/MRS 2011, European Commission 2010, NRC 2008). A number of other government interventions in markets have been proposed, such as military or economic stockpiles of rare earths and other critical elements; loan guarantees for investments in mines and processing facilities; and special, fast-track environmental permitting for mines that would produce rare earths or other critical minerals. These more-direct market interventions, although perhaps advisable in specific circumstances, are more controversial and less compelling in general as responses to the challenges of critical minerals.

To sum up my personal views, the current situation with strategic and critical minerals requires attention but not panic. By undertaking sensible actions today, there is no reason for crises to develop. But I also am aware that without a sense of panic, we may not undertake these actions.

Thank you for the opportunity to testify today. I would be happy to address any questions you have.

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COMPANY: GENERAL ELECTRIC CO (55%); INTEL CORP (55%)

ORGANIZATION: AMERICAN PHYSICAL SOCIETY (57%); NATIONAL RESEARCH COUNCIL (57%); MATERIALS RESEARCH SOCIETY (57%)

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Bankruptcy Filings: None

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Google Search: <https://www.linkedin.com/in/danielrusz>

<http://www.canadianminingjournal.com/features/port-of-vancouver-continues-to-provide-essential-services/>

Associations and Affiliations Search: None

Royalty Policy Committee

Jerry Dale Strickland II (Alternate)

(b) (6)
Austin, TX 78739
Phone: (b) (6)
DOB (b) (6)
State of Texas

Nexis ID: (b) (6)

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://twitter.com/strick9?lang=en>;

<https://www.linkedin.com/in/jerry-strickland-a2375916/>;

<https://twitter.com/govabbott/status/573664362696593408>

<https://www.gregabbott.com/governor-elect-abbott-announces-staff-outlines-priorities-session/>

https://rocketreach.co/jerry-strickland-email_36232078

Associations and Affiliations Search: None

Royalty Policy Committee

Daniel Russell Rusz (Primary)

(b) (6)
Stevensville, MD 21666
(443) 758-0633
DOB: (b) (6)
Nexis ID:
Academia/Public

Senate Lobbyist Disclosures: None

House Lobbyist Disclosures: None

DOJ Foreign Agents Registration: None

Nexis Public Records Searches:

Bankruptcy Filings: None

Criminal Records: None

Civil & Criminal Filings and Regulatory Actions: None

Judgments and Liens: None

Nexis News Search: None

Google Search: <https://www.linkedin.com/in/danielrusz>

<http://www.canadianminingjournal.com/features/port-of-vancouver-continues-to-provide-essential-services/>

Associations and Affiliations Search: None

Label: "ONRR/FOIA Request EITI/OS 2018 00350 part 2"

Created by:judith.wilson@onrr.gov

Total Messages in label:138 (9 conversations)

Created: 01-30-2018 at 15:28 PM

Conversation Contents

USEITI co-chairs meeting summary

Attachments:

/6. USEITI co-chairs meeting summary/1.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx
/6. USEITI co-chairs meeting summary/3.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170516).docx
/6. USEITI co-chairs meeting summary/5.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx
/6. USEITI co-chairs meeting summary/19.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170519).docx
/6. USEITI co-chairs meeting summary/39.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v3 (170523).docx
/6. USEITI co-chairs meeting summary/42.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v4 (170526).docx
/6. USEITI co-chairs meeting summary/47.1 image001.png
/6. USEITI co-chairs meeting summary/47.2 image002.png
/6. USEITI co-chairs meeting summary/48.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v5 (170530).docx
/6. USEITI co-chairs meeting summary/59.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v6 (170612).docx

Tushar Kansal <tkansal@cbuilding.org>

From: Tushar Kansal <tkansal@cbuilding.org>
Sent: Thu May 18 2017 11:37:20 GMT-0600 (MDT)
To: Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Veronika Kohler <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary
Attachments: USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

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Tushar Kansal
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716-907-2868
tkansal@cbuilding.org

"Wilson, Judith" <judith.wilson@onrr.gov>

From: "Wilson, Judith" <judith.wilson@onrr.gov>
Sent: Thu May 18 2017 11:44:36 GMT-0600 (MDT)
To: Tushar Kansal <tkansal@cbuilding.org>
Danielle Brian <dbrian@pogo.org>, "Gould, Greg"
CC: <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Veronika Kohler <VKohler@nma.org>
Subject: Re: USEITI co-chairs meeting summary

Thank you Tushar!

On Thu, May 18, 2017 at 1:37 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Kohler, Veronika" <VKohler@nma.org>

From: "Kohler, Veronika" <VKohler@nma.org>
Sent: Thu May 18 2017 12:07:54 GMT-0600 (MDT)
Tushar Kansal <tkansal@cbuilding.org>, Danielle Brian

To: <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject: RE: USEITI co-chairs meeting summary
Attachments: USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170516).docx

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From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

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"Wilson, Judith" <judith.wilson@onrr.gov>

From: "Wilson, Judith" <judith.wilson@onrr.gov>
Sent: Thu May 18 2017 12:32:42 GMT-0600 (MDT)
To: "Kohler, Veronika" <VKohler@nma.org>
Tushar Kansal <tkansal@cbuilding.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat

Field <pfield@cbuilding.org>

Subject:

Re: USEITI co-chairs meeting summary

I don't recall any discussion or option regarding an additional validation request, neither does Greg.

I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.

One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

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To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Wilson, Judith" <judith.wilson@onrr.gov>

From: "Wilson, Judith" <judith.wilson@onrr.gov>
Sent: Thu May 18 2017 13:10:11 GMT-0600 (MDT)
To: "Watson, Micah L" <watsonml@state.gov>
Subject: Fwd: USEITI co-chairs meeting summary
Attachments: USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx

FYI

----- Forwarded message -----

From: **Wilson, Judith** <judith.wilson@onrr.gov>
Date: Thu, May 18, 2017 at 2:32 PM
Subject: Re: USEITI co-chairs meeting summary
To: "Kohler, Veronika" <VKohler@nma.org>
Cc: Tushar Kansal <tkansal@cbuilding.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>

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From: Tushar Kansal [mailto:tkansal@cbuilding.org]

Sent: Thursday, May 18, 2017 1:37 PM

To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>

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judith.wilson@onrr.gov
202-208-4410

Tushar Kansal <tkansal@cbuilding.org>

From: Tushar Kansal <tkansal@cbuilding.org>
Sent: Thu May 18 2017 15:59:13 GMT-0600 (MDT)
To: "Wilson, Judith" <judith.wilson@onrr.gov>
"Kohler, Veronika" <VKohler@nma.org>, Danielle Brian
<dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat
CC: Field <pfield@cbuilding.org>

Subject:

Re: USEITI co-chairs meeting summary

Thanks for your comments, Veronika and Judy.

I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
[202-208-4410](tel:202-208-4410)

"Kohler, Veronika" <VKohler@nma.org>

From: "Kohler, Veronika" <VKohler@nma.org>
Sent: Thu May 18 2017 17:24:28 GMT-0600 (MDT)
To: Tushar Kansal <tkansal@cbuilding.org>
"Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian
<dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat
CC: Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

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Thank you!

Veronika Kohler Shime
Vice President, International Policy
Ph. 202.463.2626
Fax. 202.463.2648

On May 18, 2017, at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

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Sent: Thursday, May 18, 2017 1:37 PM

To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>

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judith.wilson@onrr.gov
[202-208-4410](tel:202-208-4410)

Pat Field <pfield@cbuilding.org>

From: Pat Field <pfield@cbuilding.org>

Sent: Thu May 18 2017 19:17:11 GMT-0600 (MDT)
To: "Kohler, Veronika" <VKohler@nma.org>
CC: Tushar Kansal <tkansal@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

All

Just to add in on Veronika's last point where I concur, we did have several conversations that mainstreaming reconciliation was not to forego reconciliation, but to recognize, perhaps with some minor adjustments, the combination of processes and procedures at ONRR plus the independent auditor of ONRR's work, add up to the same or better. We haven't reviewed the final mainstreaming report, but it maybe the independent auditor that already exists for ONRR functions in general could or would be the IA for this function.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 18, 2017, at 7:24 pm, Kohler, Veronika <VKohler@nma.org> wrote:

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
[202-208-4410](tel:202-208-4410)

Danielle Brian <dbrian@pogo.org>

From: Danielle Brian <dbrian@pogo.org>
Sent: Fri May 19 2017 05:25:07 GMT-0600 (MDT)
To: Tushar Kansal <tkansal@cbuilding.org>
CC: "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Veronika Kohler <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

I'm sorry for my lack of participation but I've been in the hospital with my (b) (6). I don't have my notes with me but I remember that if we were to pursue the mainstreaming option that it would have required a request for adapted implementation, not only for lack of tax reporting, but now also for lack of publication of an executive summary as well as for the lack of MSG meetings. I

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Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On May 18, 2017, at 1:37 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

<USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx>

"Wilson, Judith" <judith.wilson@onrr.gov>

From: "Wilson, Judith" <judith.wilson@onrr.gov>
Sent: Fri May 19 2017 05:35:12 GMT-0600 (MDT)
To: "Kohler, Veronika" <VKohler@nma.org>
CC: Tushar Kansal <tkansal@cbuilding.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Thank you VK that clears it up. I agree the point of the IA not doing a reconciliation is that it is redundant of the audit/assurances and external audit reconciliation processes the government has already in place. It is an important point to include.

On Thu, May 18, 2017 at 7:24 PM, Kohler, Veronika <VKohler@nma.org> wrote:

Yea, I totally meant adapted implementation request for 4. So if that was not your recollection, please help me remember in what context we were talking about asking for adapted implementation request for income taxes.

Also regarding the deletion, I just feel like it leads the reader to think that what the gov is doing, isn't a reconciliation by "an" independent entity ("administrator"). The msg decided that what the gov is doing is more meaningful and is actually a reconciliation by an independent "what ever". Perhaps it needs rewording.

Thank you!

Veronika Kohler Shime
Vice President, International Policy
Ph. 202.463.2626
Fax. 202.463.2648

On May 18, 2017, at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Thanks for your comments, Veronika and Judy.

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Tushar Kansal
Consensus Building Institute
716-907-2868
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Sent: Thursday, May 18, 2017 1:37 PM

To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: USEITI co-chairs meeting summary

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"Kohler, Veronika" <VKohler@nma.org>

From: "Kohler, Veronika" <VKohler@nma.org>

Sent: Fri May 19 2017 05:39:22 GMT-0600 (MDT)
To: Danielle Brian <dbrian@pogo.org>
CC: Tushar Kansal <tkansal@cbuilding.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

Danielle, please let me know if there is anything I can do for you and the family!

Regarding the last point, I think Tushar is accurate. I heard, the secretariat had the exact opposite opinion of the cso. Jonas mAdé it very clear that he thought details about why we were withdrawing would be very bad and that we should focus on the positive and progress. Yes, cso felt strongly that bullets of why we were withdrawing should be included but I think the secretariat made it clear they advised differently.

Veronika Kohler Shime
Vice President, International Policy
Ph. 202.463.2626
Fax. 202.463.2648

On May 19, 2017, at 7:25 AM, Danielle Brian <dbrian@pogo.org> wrote:

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<greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>,
Veronika Kohler <VKohler@nma.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle,
I'm sorry to hear your (b) (6) is not well. Thank you for the e-mail. Focus on your (b) (6)

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From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Fri May 19 2017 08:51:20 GMT-0600 (MDT)
To: Tushar Kansal <tkansal@cbuilding.org>
"Wilson, Judith" <judith.wilson@onrr.gov>, "Kohler, Veronika"
<VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>, Pat
CC: Field <pfield@cbuilding.org>
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Option 3 was discussed as the preferred option.

Thanks,

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U.S. Department of the Interior*

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"Kohler, Veronika" <VKohler@nma.org>

From: "Kohler, Veronika" <VKohler@nma.org>
Sent: Fri May 19 2017 09:13:33 GMT-0600 (MDT)
To: "Gould, Greg" <greg.gould@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>
CC: "Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>
Subject: RE: USEITI co-chairs meeting summary

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Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
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CC: "Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, "Kohler, Veronika" <VKohler@nma.org>
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tkansal@cbuilding.org

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judith.wilson@onrr.gov
[202-208-4410](tel:202-208-4410)

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[202-208-4410](tel:202-208-4410)

"Gould, Greg" <greg.gould@onrr.gov>

From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Fri May 19 2017 09:33:14 GMT-0600 (MDT)
To: "Kohler, Veronika" <VKohler@nma.org>
Tushar Kansal <tkansal@cbuilding.org>, "Wilson, Judith"
<judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Pat
CC: Field <pfield@cbuilding.org>

Subject:

Re: USEITI co-chairs meeting summary

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Greg

Gregory J. Gould

Director

Office of Natural Resources Revenue

U.S. Department of the Interior

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Sent: Friday, May 19, 2017 10:51 AM

To: Tushar Kansal <tkansal@cbuilding.org>

Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>

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Danielle Brian <dbrian@pogo.org>

From: Danielle Brian <dbrian@pogo.org>
Sent: Fri May 19 2017 09:40:53 GMT-0600 (MDT)
To: "Gould, Greg" <Greg.Gould@onrr.gov>
"Kohler, Veronika" <VKohler@nma.org>, Tushar Kansal
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Re: USEITI co-chairs meeting summary

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To: Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>
CC: "Kohler, Veronika" <VKohler@nma.org>, Tushar Kansal <tkansal@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

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Isabel, see below.

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Sent: Fri May 19 2017 12:44:54 GMT-0600 (MDT)
To: "Gould, Greg" <greg.gould@onrr.gov>
CC: Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Kohler, Veronika" <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary
Attachments: USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170519).docx

All,
I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*

With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:

- 1) *Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
- 2) *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
- 3) *Mainstreaming of USEITI reporting into US government reporting*
- 4) *Withdrawal of the United States from EITI*

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

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Sent: Thursday, May 18, 2017 1:37 PM

To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>

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[202-208-4410](tel:202-208-4410)

"Gould, Greg" <greg.gould@onrr.gov>

From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Fri May 19 2017 12:55:55 GMT-0600 (MDT)
To: Tushar Kansal <tkansal@cbuilding.org>
Danielle Brian <dbrian@pogo.org>, Isabel Munilla
<IMunilla@oxfamamerica.org>, "Kohler, Veronika"
CC: <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>
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Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
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Re: USEITI co-chairs meeting summary

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Judy Wilson
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"Kohler, Veronika" <VKohler@nma.org>

From: "Kohler, Veronika" <VKohler@nma.org>
Sent: Fri May 19 2017 13:25:05 GMT-0600 (MDT)
To: "Gould, Greg" <greg.gould@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>
CC: Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>
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EarthRights International v. US Department of Interior, 22-cv-01503-CKK00004683

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Judy Wilson
Program Manager USEITI Secretariat

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CC: <IMunilla@oxfamamerica.org>, "Wilson, Judith"
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Subject: Re: USEITI co-chairs meeting summary

Hi All,

Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
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From: Tushar Kansal [mailto:tkansal@cbuilding.org]

Sent: Thursday, May 18, 2017 1:37 PM

To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: USEITI co-chairs meeting summary

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I've attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

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tkansal@cbuilding.org

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
[202-208-4410](tel:202-208-4410)

"Wilson, Judith" <judith.wilson@onrr.gov>

From: "Wilson, Judith" <judith.wilson@onrr.gov>

Sent: Fri May 19 2017 13:51:54 GMT-0600 (MDT)
To: Tushar Kansal <tkansal@cbuilding.org>
"Kohler, Veronika" <VKohler@nma.org>, "Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, Pat Field <pfield@cbuilding.org>
CC:
Subject: Re: USEITI co-chairs meeting summary

My recollection is consistent with Tushar's.

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Hi All,

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Sent: Friday, May 19, 2017 2:56 PM

To: Tushar Kansal <tkansal@cbuilding.org>

Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

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Of course, adding her now, please focus on (b) (6)

Isabel, see below.

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Gregory J. Gould

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

Can I request including Isabel in this conversation to handle this on behalf of CSO's?

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
[202-347-1122](tel:202-347-1122)

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

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Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field

<pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6), my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
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3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

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With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-alone option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the

MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

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"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian
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CC: <IMunilla@oxfamamerica.org>, "Wilson, Judith"
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Subject: RE: USEITI co-chairs meeting summary

I think my point is addressed/clarified in your second bullet and we should somehow find a way for this info to be included in the summary. Perhaps stating somewhere that all of these options were identified by the secretariat for the cochairs and then we discussed....the point being that the secretariat identified these options for us, we did not come up with them but then just discussed.

My recollection about the adapted implementation request is different, as per my original bullets 2 and 3 out of the 5 I sent below. If no one sees that these are separate options that then I can agree to move forward with just the one. I liked Greg's suggestions below about combining them, but leave it up to all of you

- USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.

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To: Kohler, Veronika <VKohler@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
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Office of Natural Resources Revenue

U.S. Department of the Interior

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Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>

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"Gould, Greg" <greg.gould@onrr.gov>

From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Fri May 19 2017 15:10:27 GMT-0600 (MDT)
To: "Wilson, Judith" <judith.wilson@onrr.gov>
Tushar Kansal <tkansal@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, Pat Field <pfield@cbuilding.org>
CC:
Subject: Re: USEITI co-chairs meeting summary

That's my recollection as well.

Gregory J. Gould

Director

Office of Natural Resources Revenue

U.S. Department of the Interior

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On Fri, May 19, 2017 at 3:51 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

My recollection is consistent with Tushar's.

On Fri, May 19, 2017 at 3:38 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,

Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

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Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]

Sent: Friday, May 19, 2017 2:56 PM

To: Tushar Kansal <tkansal@cbuilding.org>

Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

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The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

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Of course, adding her now, please focus on (b) (6)

Isabel, see below.

Greg

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*Director
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

Can I request including Isabel in this conversation to handle this on behalf of CSO's?

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
[202-347-1122](tel:202-347-1122)

On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

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Thank you! So should we send Tushar's updated summary (T, could

you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

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mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-alone option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

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I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.

One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

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To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
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All,
I've attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
[202-208-4410](tel:202-208-4410)

--

Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue

Danielle Brian <dbrian@pogo.org>

From: Danielle Brian <dbrian@pogo.org>
Sent: Mon May 22 2017 08:24:55 GMT-0600 (MDT)
To: "Gould, Greg" <greg.gould@onrr.gov>
"Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal
<tkansal@cbuilding.org>, "Kohler, Veronika"
CC: <VKohler@nma.org>, Isabel Munilla
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Subject: Re: USEITI co-chairs meeting summary

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Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Kohler, Veronika" <VKohler@nma.org>

From: "Kohler, Veronika" <VKohler@nma.org>
Sent: Mon May 22 2017 09:30:47 GMT-0600 (MDT)
To: Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>
CC: "Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, Pat Field <pfield@cbuilding.org>
Subject: RE: USEITI co-chairs meeting summary

Glad to hear he is home now.

I am not aware of the conversation being taken off line. I have not heard anything since the last email. What is the status?

From: Danielle Brian [mailto:dbrian@pogo.org]

Sent: Monday, May 22, 2017 10:25 AM

To: Gould, Greg <greg.gould@onrr.gov>

Cc: Wilson, Judith <judith.wilson@onrr.gov>; Tushar Kansal <tkansal@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Pat Field <pfield@cbuilding.org>

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Director

Office of Natural Resources Revenue

U.S. Department of the Interior

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On Fri, May 19, 2017 at 3:51 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

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Best,

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Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

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Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

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Isabel, see below.

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

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Danielle Brian
Executive Director
Project On Government Oversight (POGO)
[202-347-1122](tel:202-347-1122)

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Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

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Option 3 was discussed as the preferred option.

Thanks,

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I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-alone option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

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Tushar

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tkansal@cbuilding.org

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I don't recall any discussion or option regarding an additional validation request, neither does Greg.

I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.

One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

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These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

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Subject: USEITI co-chairs meeting summary

All,

I've attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

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Danielle Brian
Executive Director

[Project On Government Oversight](http://ProjectOnGovernmentOversight.org) | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Pat Field <pfield@cbuilding.org>

From: Pat Field <pfield@cbuilding.org>
Sent: Mon May 22 2017 09:32:30 GMT-0600 (MDT)
To: "Kohler, Veronika" <VKohler@nma.org>
Danielle Brian <dbrian@pogo.org>, "Gould, Greg"
<greg.gould@onrr.gov>, "Wilson, Judith"
CC: <judith.wilson@onrr.gov>, Tushar Kansal
<tkansal@cbuilding.org>, Isabel Munilla
<IMunilla@oxfamamerica.org>
Subject: Re: USEITI co-chairs meeting summary

Tushar

Can you let folks know where the summary stands?

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 22, 2017, at 11:30 am, Kohler, Veronika <VKohler@nma.org> wrote:

Glad to hear he is home now.

I am not aware of the conversation being taken off line. I have not heard anything since the last email. What is the status?

From: Danielle Brian [<mailto:dbrian@pogo.org>]

Sent: Monday, May 22, 2017 10:25 AM

To: Gould, Greg <greg.gould@onrr.gov>

Cc: Wilson, Judith <judith.wilson@onrr.gov>; Tushar Kansal <tkansal@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

hello all - Thank you for your patience with me. I'm back in the office. My (b) (6). Has this been resolved? I didn't see Isabel weighing in, but I realize this may have been taken off-line.

On Fri, May 19, 2017 at 5:10 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

That's my recollection as well.

Gregory J. Gould

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