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United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
Eastern Oklahoma Region
Eastern Oklahoma Regional Office
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April 25, 2013

To: Kevin Washburn
Assistant Secretary—Indian Affairs

Michael S. Black
Director—Bureau of Indian Affairs

From: Eddie Streater
Designated Federal Officer

See SE

Subject: Consensus Report, Osage Negotiated Rule Making

On April 2, 2013, the Osage Negotiated Rule Making Committee (“Committee”) reached concurrence between the federal caucus and the tribal caucus on a package of proposed revisions to 25 C.F.R. part 226 for review and consideration by the Department of the Interior (“Interior”). The package of proposed revisions constitutes the Committee’s Consensus Agreement Report.

It is relevant to note that while this concurrence constitutes final consensus per the Committee’s operating procedures, it was reached after the Committee could not achieve unanimous consensus of all nine members. While the Committee strived to achieve unanimity, it was not required to reach final consensus. The two areas where complete unanimity could not be reached were bonding and pricing/royalty.

The proposed revisions address the five areas required to be included in the negotiated rule making by the tribal trust settlement with the Osage Nation. In addition, in response to public comment throughout the negotiated rule making, the Committee is also proposing revisions to address concerns by surface owners and producers regarding management, operation and administration of the Osage Mineral Estate.

To aid the Department in understanding the discussions that took place during the meetings, I am enclosing copies of the following additional documents:

- Charter
- Determination of Need
- Paragraph 9 of the Osage Settlement Agreement
- Federal Register Notice Announcing Committee
- Ground Rules/Operating Procedures

- Agendas for each meeting
- All meeting summaries with attachments
- Summary of all written public comments¹

If you have any questions or need additional information, please contact me at (918) 781-4600.

cc: Vanessa Ray-Hodge
Senior Counselor to the Solicitor

Darryl LaCounte
Special Advisor to the Director

Galen Crum
Chair, Osage Minerals Council

¹ This summary does not include a March 20, 2013 resolution submitted by the Osage Minerals Council. The resolution was discussed at the April 2, 2013 meeting and can be found in that meeting summary.