Memorandum

To: Brooks Yeager
Through: Ted Heintz
From: Bob Berman
Subject: Global Royalty Settlement Oversights
Date: December 5, 1994

I have recently learned that additional oversights of the sort highlighted in my September memorandum continue to turn up. In addition to failing to address the BLM drainage issue in the Chevron global settlement, I understand that additional issues may have inadvertently been "settled" to the potential detriment of stake-holders. Specifically, the Shoshone and Arapaho tribes have raised concerns that their issues were not preserved and that they were not consulted during or after the settlement negotiations. The attorney for the tribes will be meeting with MMS staff on Wednesday, December 7, and have indicated they will escalate the issue if it is not resolved at that time.

At this stage, it is likely that the issue would require resolution at the Assistant Secretary and Chief of Staff level (since both MMS and Indian Affairs are involved). Since the matter seems to be moving quickly at this point, it would seem appropriate to ensure the appropriate briefing materials have been forwarded.

It may also be appropriate, at this time, to reconsider the need for reviewing notification, negotiation and oversight procedures for conducting these types of negotiations that cross Assistant Secretary and programmatic lines and involve large amounts of money.