

The Honorable Sylvia Burwell
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

RE: Department of Interior, Office of Natural Resources Revenue

June 4, 2013

Dear Director Burwell:

The Energy Producing States Coalition (EPSC) is a group of state legislators working together to develop positions on matters of common interest to energy producing states and advocate for sound public policy on issues that affect domestic energy production and transmission. The group was founded in 2011 and currently includes legislators representing Alaska, Colorado, Idaho, Indiana, Mississippi, North Dakota, Ohio, Oklahoma, Texas, Utah, Wisconsin and Wyoming.

On behalf of the EPSC Executive Committee, we wish to reiterate our concern about the Department of the Interior's (DOI) decision to withhold more than \$109 million in mineral revenues due to states under the Mineral Leasing Act (MLA). If this revenue is not returned, DOI's decision will significantly undermine the ability of states to address, among other things, the impacts of energy and mineral development within their borders.

When our states were notified that we would not be getting our full allocated share of mineral revenue, DOI cited the Balanced Budget and Emergency Deficit Control Act (BBEDCA) of 1985. When sequestration occurred in the mid-1980s, the law required that withheld mineral revenues had to be returned to the states. This law still applies today.

On May 16, 2013, you received a [letter](#) signed by a bipartisan group of ten Senators and twelve Representatives that stated that "current law accords these funds special status and specifically makes them available for obligation in FY 2014. We ask you to confirm that DOI will in fact make the sequestered MLA revenue available to the states in FY 2014 and to ensure that DOI does so as soon as possible." EPSC, likewise, asks you to confirm that DOI will in fact apply existing law and return the sequestered funds back to the states in FY 2014 and do so as soon as possible.

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Thank you for your consideration and we look forward to your prompt response.

Sincerely,



Representative Roger Barrus
Utah State Legislature
Chairman, EPSC




Speaker Thomas Lubnau
Wyoming Legislature
Immediate Past Chairman, EPSC

Senator Cathy Giessel
Alaska Legislature
Chairman-Elect, EPSC

CC: Senator John Barrasso (WY)
Senator Tom Udall (NM)
Senator Mike Enzi (WY)
Senator Martin Henrich (NM)
Senator Orrin Hatch (UT)
Senator Heidi Heitkamp (ND)
Senator John Hoeven (ND)
Senator Mark Udall (CO)
Senator Mike Lee (UT)
Senator Michael Bennet (CO)

Representative Cynthia Lummis (WY)
Representative Ben Ray Lujan
Representative Rob Bishop (UT)
Representative Jason Chaffetz (UT)
Representative Chris Stewart (UT)
Representative Stevan Pearce (NM)
Representative Cory Gardner (CO)
Representative Scott Tipton (CO)
Representative Kevin Cramer (ND)
Representative Mike Coffman (CO)
Representative Michelle Lujan Grisham (NM)
Representative Doug Lamborn (CO)

Tommy Beaudreau, Acting Assistant Secretary for Land and Minerals, U.S. Department of the Interior and
Director, Bureau of Ocean Energy Management

Ned Farquhar, Deputy Assistant Secretary for Land and Minerals Management, U.S. Department of the
Interior