



# United States Department of the Interior

MINERALS MANAGEMENT SERVICE  
Minerals Revenue Management  
P.O. Box 25165  
Denver, Colorado 80225-0165  
www.mrm.mms.gov



MRM/CFE/RFT/FOIA  
Mail Stop 320B2  
FOIA No. 2002-030-30

OCT 1 2002

Mr. Dimitri Lee Seletzky  
Fulbright & Jaworski L.L.P.  
801 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2615

Dear Mr. Seletzky:

This is an interim response to your June 12, 2002, Freedom of Information Act (FOIA) request, a copy of which is included as Enclosure 1. The Onshore Compliance and Asset Management Division is continuing its search for additional responsive documents.

Enclosure 2 contains 674 pages of responsive documents that were found in the custody of the Minerals Revenue Management (MRM) component of Minerals Management Service (MMS).

Our policy, in keeping with the spirit of FOIA, is the prompt release of records to the greatest extent possible. At the same time, we must protect the rights of individuals and the administrative process surrounding such rights. The FOIA regulations require us to withhold information protected under FOIA exemptions at 43 CFR § 2.13 (2001) when disclosure is prohibited by statute or Executive Order, or when sound grounds exist to apply an exemption.

The existence of commercial and financial information in the enclosed material established sound grounds for applying Exemption 4 of the FOIA, which exempts from disclosure “. . . trade secrets and commercial or financial information obtained from a person and privileged or confidential.” We also apply this exemption because we believe that the public release of this information could jeopardize the competitive and financial standing of those parties associated with it. We have withheld information about industry costs associated with deepwater oil and gas production. We have replaced such information with the marking “X-4” to indicate that the material is withheld under Exemption 4 of the FOIA. Under Exemption 4, we withheld its entirety a sketch titled “Green Canyon, Block 244 Field, Troika Development” because it contains information specific to the size of the reservoir.

Exemption 5 of the FOIA exempts from disclosure “Inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency . . . .” Under this exemption, we are withholding certain information that is pre-decisional and



deliberative, in that it records recommendations and opinions of our employees. Disclosure of such information could diminish the candor of employees and have a chilling effect on future deliberations. We have replaced this information with the marking "X-5." Thirteen pages of hand written and electronic mail messages have been entirely withheld under this exemption.

As the MRM FOIA Officer, I am the official denying portions of your request. If you disagree with this determination, you have the right under Department of the Interior regulations at 43 CFR § 2.18 (2001) to appeal to:

Freedom of Information Act Appeals Officer  
Office of the Chief Information Officer  
Mail Stop 5312  
1849 C Street, NW  
Washington, DC 20240

Your written appeal must be delivered to the FOIA Appeals Officer no later than 20 working days from the date of this letter. Your 20-day appeal period will not begin until you have received our final response. The appeal must include copies of your original request of the initial denial. To expedite the appellate process and to ensure full consideration of your appeal, include a brief statement as to why you believe this decision is in error. Both the envelope containing the appeal and the face of the appeal itself should include the legend "FREEDOM OF INFORMATION ACT APPEAL."

In accordance with 43 CFR § 2.20(a)(1) (2001), we assess user fees to fulfill a FOIA request. Personnel charges cover our costs to conduct document searches and to review, identify, and delete privileged and confidential information. Other charges cover the direct costs of providing the material. Standard charges are:

Professional support	\$18.60/hour	Computer/mag tapes	\$25.00/each
Clerical support	\$ 9.20/hour	Compact Disks	\$ 6.00/each
Photocopies	\$ .13/page	8 mm. tapes	\$10.00/each
Microfiche	\$ .08/page	Computer Diskettes	\$ 1.25/each
Computer (CPU) time	\$35.00/minute (\$25.00 minimum)		

Fees for overdue bills include a \$35 administrative charge plus interest at the prevailing Treasury rate.

Mr. Dimitri Lee Seletzky

2

The cost to fulfill this portion of your request is \$445.47. We will include this amount with our final bill. If you have any questions, please contact Wanda Bancroft at (303) 231-3773 or me at (303) 231-3316.

Sincerely,

*o/s Paul A. Knueven/dw*

Paul A. Knueven  
Freedom of  
Information Act Officer

Enclosures



# United States Department of the Interior



MINERALS MANAGEMENT SERVICE  
Minerals Revenue Management  
P.O. Box 25165  
Denver, Colorado 80225-0165  
www.mrm.mms.gov

MRM/CFE/RFT/FOIA  
Mail Stop 320B2  
FOIA No. 2002-030-30

NOV 27 2002

Mr. Dimitri Lee Seletzky  
Fulbright & Jaworski L.L.P.  
801 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2615

Dear Mr. Seletzky:

This is our final response to your June 12, 2002, Freedom of Information Act (FOIA) request, included as Enclosure 1. Enclosure 2 is a copy of our October 1, 2002, interim response.

Exemption 5 of the FOIA exempts from disclosure "Inter-agency or intra-agency memoranda or letters which would not be available by law to a party other than an agency in litigation with the agency . . . ." Under this exemption, we are withholding certain information that is pre-decisional and deliberative, in that it records recommendations and opinions of our employees. Disclosure of such information could diminish the candor of employees and have a chilling effect on future deliberations. Under this exemption, we are withholding in its entirety a 3-page draft of a document provided by our Onshore Compliance and Asset Management Division (ONCAM) concerning the determination of deepwater transportation allowances. We will not be sending any additional documents.

As the MRM FOIA Officer, I am the official denying a portion of your request. If you disagree with this determination, you have the right under Department of the Interior regulations at 43 CFR § 2.18 (2001) to appeal to:

Freedom of Information Act Appeals Officer  
Office of the Chief Information Officer  
Mail Stop 5312  
1849 C Street, NW  
Washington, DC 20240

Your written appeal must be delivered to the FOIA Appeals Officer no later than 20 working days from the date of this letter. The appeal must include copies of both your original request and of the initial denial. To expedite the appellate process and to ensure full consideration of your appeal, include a brief statement as to why you believe this decision is in error. Both the envelope containing the appeal and the face of the appeal itself should include the legend "FREEDOM OF INFORMATION ACT APPEAL."



Mr. Dimitri Lee Seletsky

2

In accordance with 43 CFR § 2.20(a)(1) (2001), we assess user fees to fulfill a FOIA request. Personnel charges cover our costs to conduct document searches and to review, identify, and delete privileged and confidential information. Other charges cover the direct costs of providing the material. Standard charges are:

Professional support	\$18.60/hour	Computer/mag tapes	\$25.00/each
Clerical support	\$ 9.20/hour	Compact Disks	\$ 6.00/each
Photocopies	\$ .13/page	8 mm. tapes	\$10.00/each
Microfiche	\$ .08/page	Computer Diskettes	\$ 1.25/each
Computer (CPU) time	\$35.00/minute (\$25.00 minimum)		

Fees for overdue bills include a \$35 administrative charge plus interest at the prevailing Treasury rate.

Enclosure 3 contains two copies of your bill for \$612.87, the cost to fulfill your request. This amount includes the additional costs incurred from the time you received our interim response. Please include one copy of the bill with your payment and retain the other for your records.

If you have any questions, please contact Wanda Bancroft at (303) 231-3773.

Sincerely,



*for* **Acting**

Paul A. Knueven  
Freedom of  
Information Act Officer

Enclosures