

USEITI Candidacy Application Subcommittee
Meeting Summary for Thursday, March 28, 2013, 2-3 pm

Summary of Conclusions

- Emily Kennedy from the Industry sector will join Kim Oliver from Government and Misty Seemans from Civil Society to listen and take notes during subcommittee meetings. Please include all three in subcommittee communications (KennedyE@api.org, Kimiko.Oliver@onrr.gov, and MSeemans@pwwypusa.org).
- Terms of Reference (TORs)
 - Civil Society submitted their feedback, and Industry has been working to consolidate a final set of feedback. (Note: as of March 29, Industry had also submitted their feedback).
 - Government will review and reconcile all comments into a revised draft, consult with solicitors as needed to ensure consistency with the Federal Advisory Committee Act, and provide a revised draft to the Multi-Stakeholder Group (MSG) in advance of the April 11 teleconference meeting, for their consideration and approval.
 - The subcommittee will recommend that once the TORs are approved by the MSG, they be sent to the EITI Secretariat to confirm that the TORs are consistent with EITI standards.
- Co-Chairs
 - Civil Society has nominated Danielle Brian to serve as their Sector Co-Chair
 - Industry Sector is working on naming a Co-Chair, and expect to do so by the May 1-2 meeting. They will provide an update at the April 11 teleconference meeting.
 - A question was asked as to whether the Co-Chair had to be a primary member or if the Co-Chair can be an alternate member. (Note: Interior double-checked after the meeting, and the Co-Chair does need to be a primary member of the Committee).
- The civil society sector has submitted a list of questions to better understand the extractives industry in the U.S., which was circulated to the entire subcommittee. The Government sector is working to address each question and hopes to have responses to those questions before the next subcommittee meeting.
- There is a FACA requirement to name the subcommittee. The “USEITI Candidacy Application Subcommittee” name makes sense if that is the primary role of the subcommittee. The subcommittee will recommend to the MSG that going forward the Co-Chairs can coordinate within and across sectors on completion of tasks like TORs or other matters, so that the subcommittee can focus on the candidacy application.
- Candidacy Application
 - The Government is working on a draft candidacy application template based on sample applications from other countries. In addition, the U.S. Government is working on drafting several sub-components to the application, including:
 - A “background document” to provide a factual overview of the extractives sector in the U.S., the government’s role, and applicable laws. This information will help the MSG determine the scope of USEITI.

- A draft country workplan, which will be a table of actions to be undertaken, dates to be completed, and funding to support the actions.
 - An outline for a legal analysis that evaluates the U.S. legal framework and fiscal control mechanisms for implementing EITI
 - An assessment of capacity constraints, which may be addressed in the aforementioned workplan and background document.
 - State Department will provide sample candidacy applications from other countries, and the subcommittee will review to find good examples for both form and substance
- Next subcommittee meeting: Thursday, April 4th, 2-3pm. Draft agenda items:
 - Discuss process for preparing and reviewing draft materials in the subcommittee, and how and when to send to the full MSG and the public.
 - Identify key issues to be discussed and decisions needed from the MSG in order to complete the application, grouped by those issues that might be more easily addressed vs. issues that will require more in-depth conversation to be resolved
 - Revise the draft timeline discussed at the first MSG meeting, to provide a recommendation to the MSG on timing and agenda items needed for upcoming meeting(s) in order to complete the application
 - Progress update/ presentation to be made to the full MSG at the April 11 teleconference—who will present and what will be said

In Attendance

Paul Bugala, Calvert Investments

Curtis Carlson, Treasury Department

Marti Flacks, State Department

Susan Ginsberg, Independent Petroleum Association of America

Veronika Kohler, National Mining Association

Rebecca Morse, Revenue Watch Institute

Walt Retzsch, American Petroleum Institute

Deborah Rogers, Energy Policy Forum

Kim Oliver, Interior Department

Misty Seemans, Publish What You Pay

Karen Senhadji, Interior Department