

USEITI MSG Decision Tracking

1st Meeting February 13, 2013 (Minutes - <http://www.doi.gov/eiti/FACA/upload/February-13-2013-Minutes.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/feb-meeting.cfm>)

Decisions

- The MSG agreed the Government would begin drafting a Workplan in order to facilitate substantive discussions by the full Committee at the next meeting. (p. 4)
- The MSG agreed the Government would revise the MSG terms of reference based on the input in the meeting and circulate the revised draft to the committee for final approval. (p. 8)
- The Application Subcommittee was formed with three members from each sector to serve on it. (p. 7)
 - Civil Society: Danielle Brian, Project on Government Oversight; Paul Bugala, Calvert Investments; Deborah Rogers, Energy Policy Forum
 - Government: Curtis Carlson, Treasury Dept; Marti Flacks, State Dept; Greg Gould, Interior Dept
 - Industry: Susan Ginsberg, Independent Petroleum Association of America; Veronika Kohler, National Mining Association; Walt Retzsch, American Petroleum Institute
- The MSG agreed the Application Subcommittee will proceed with its work toward obtaining and preparing information needed for the candidacy application. (p. 7)

2nd Meeting April 11, 2013 (Minutes - <http://www.doi.gov/eiti/FACA/upload/April-11-2013-Minutes.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/april-meeting.cfm>)

Decisions

- The MSG agreed to allow up to nine members per sector to serve on the Advisory Committee. (p. 2)
- Danielle Brian was named co-chair for the Civil Society Sector and Veronika Kohler will serve as the interim co-chair for the Industry Sector. (pp. 1, 4)

3rd Meeting May 1-2, 2013 (Minutes - <http://www.doi.gov/eiti/FACA/upload/USEITIMay2013MSGMtgSummaryDraft.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/may-meeting.cfm>)

Decisions

- The MSG approved meeting minutes for the first and second meetings of the MSG. (p. 3)
- The MSG approved the Terms of Reference drafted and revised by the MSG subcommittee. (p.3)
- The MSG made preliminary decisions about what sectors and commodities should be included in the scope of USEITI: (p. 16)
 - Include: oil, gas, and coal
 - Exclude: fisheries
 - TBD include: hard rock and locatable minerals, renewables, saleable minerals, and timber
- The MSG made preliminary decisions about what lands should be included in the scope of US EITI: (pp. 16, 17)
 - Include: federal lands
 - TBD: state, tribal, and private lands
- The MSG made preliminary decisions regarding materiality and which types of government revenues should be included in the scope of USEITI: (p. 19)

- Include: rents, royalties, bonuses, and fees collected by the federal government
- Exclude: gas storage fees collected by the federal government
- TBD include:
 - Collected by federal government: income and other taxes, taxes for downstream activities
 - Collected by state governments: rents, royalties, bonuses, and fees; transfers from the Federal government; income and other taxes
 - Collected by tribal governments: rents, royalties, bonuses, and fees; transfers from the Federal government; income and other taxes; taxes on downstream products
 - The MSG agreed that tribal consultation should take place before further discussion occurs around the inclusions of tribal lands in the scope of EITI reporting. (p. 24)
 - A subgroup of the existing Application Subcommittee was tasked with fact-finding and analysis regarding states' involvement in the EITI, including what information is currently available, as well as the scope of authority of the MSG to ask states to participate. (p. 24)

4th Meeting June 12-13, 2013 (Minutes -

**<http://www.doi.gov/eiti/FACA/upload/EITIJune2013MSGMtgSummaryDraft.pdf> and
Inventory of Materials - <http://www.doi.gov/eiti/FACA/june-meeting.cfm>)**

Decisions

- The MSG agreed to a goal of submitting the United States Candidacy Application to the International EITI by December 2013. If public consultation needs and goals are not met, the MSG will submit the application in March 2014. (p. 13)
- The MSG made preliminary decisions about which types of commodities should be included in the scope of US EITI: (p. 15)
 - Include/Reconcile: Oil, Gas, and Coal
 - More discussion required: Mining
 - Not reconciled: Geothermal, Renewables, Fisheries, Timber and Agriculture
- The sectors agreed the importance of the government's unilateral disclosure as a key aspect of the description and/or definition of materiality. (p. 22)
- The United States will seek adapted implementation in its EITI candidacy application for sub-national reporting due to the sovereignty of U.S. states. (p. 24)
- The MSG agreed to discuss how the MSG should move forward with a communications strategy so that responsibility for it is shared; and to populate a master calendar of opportunities for public outreach efforts. (p. 25)

5th Meeting July 23-24, 2013 (Minutes - http://www.doi.gov/eiti/FACA/upload/USEITI-July-2013-Meeting-Summary_FINAL-140617.pdf and Inventory of Materials - <http://www.doi.gov/eiti/FACA/july-meeting.cfm>)

Decisions

- The MSG agreed to a new nomination period to fill existing vacancies as well as create a roster of candidates for future vacancies and to notify their constituencies that the nomination period will be open starting in mid-August. (p. 3)
- The MSG will seek adapted implementation for subnational reporting as it relates to states. It will not do so for tribes, which are not subnational entities, but sovereign nations. For both states and tribes, the MSG will develop an opt-in process. (p. 6)
- The MSG agreed with the scope and materiality chart as edited on July 23, permitted

- they can return to it later when members of appropriate industries are involved. (p. 8)
- The MSG agreed to a reconciliation materiality threshold for companies that pay \$50 million in revenues annually to ONRR, capturing 80% of revenues paid to ONRR in the first report, and a threshold of \$20 million, capturing 90% in the second report. This will require voluntary participation by 40 companies and 63 payors in the first report, 70 companies and 117 payors in the second report. Points of note: achieving compliance in the First Year Report, MSG reviewing lessons learned and MSG reviewing company reach-out. (p. 9)
- The MSG generally agreed to include taxes in their candidacy application, and to develop the specifics later for review by the MSG. The MSG's consideration of reconciliation is contingent on what information Mr. Carlson brings back from these discussions, including a sample tax form that serves as a "permission slip" for the government to publish cash payments received. (p. 10)
- The Subcommittee will develop public and tribal outreach about the application based on the suggestions of the MSG, for MSG review and approval at its next meeting. (p. 13)

6th Meeting September 10, 2013 (Minutes - <http://www.doi.gov/eiti/FACA/sept-meeting.cfm> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/sept-meeting.cfm>)

Decision

- The MSG approved the draft U.S. candidacy application for posting in order to solicit public comment on the draft. (p. 7)

7th Meeting November 5-6, 2013 (Minutes - http://www.doi.gov/eiti/FACA/upload/USEITI_Nov_2013_MSG_Mtg-Mtg_Summary_vFINAL_140326_Rev.pdf and Inventory of Materials - <http://www.doi.gov/eiti/FACA/nov-meeting.cfm>)

Decision

- The MSG agreed to convene the Outreach and Communications Subcommittee. (p. 15)

8th Meeting December 11-12, 2013 (Minutes - http://www.doi.gov/eiti/FACA/upload/USEITI-MSG-Dec-11_12-2013_Mtg_Summaryv4.pdf and Inventory of Materials - <http://www.doi.gov/eiti/FACA/dec-meeting.cfm>)

Decisions

- The MSG adopted the term "independent administrator" to reflect the broader responsibilities, beyond auditing, that this entity is expected to fulfill for USEITI. (p. 1)
- The MSG approved a change to the April 2013 MSG meeting summary to include a note stating that the meeting was held via teleconference. (p. 3)
- The MSG approved the draft USEITI candidacy application unanimously and agreed to forward it to the Secretary of the Interior. (p. 6)
- The MSG approved the work of the Communications and Outreach Subcommittee, including the Outreach Implementation Plan. (p. 9)
- The MSG tasked the Application Subcommittee to undertake work on developing a draft Terms of Reference, outlining the first USEITI report, considering next steps for procurement for an Independent Administrator, and considering needed timeline for report-year question at least until the US candidacy application is approved. (p. 16)

9th Meeting April 23-24, 2014 (Minutes - <http://www.doi.gov/eiti/FACA/upload/USEITI-April-23-24-2014-Meeting-Summary-MSG-Approved.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/april-2014-meeting.cfm>)

Decisions

- The MSG approved the adoption of the TOR. (p. 6)
- The MSG adopted the Communications Plan as its initial path forward on outreach, as a living document to be edited per MSG and subcommittee direction. (p.7)
- The MSG agreed to sunseting the Application Subcommittee, and approved the new set of subcommittees and working groups, to be given guidance by the MSG Co-Chairs via email after the meeting. (p. 16)
- The MSG adopted all 2013 meeting minutes as final. (p. 10)

10th Meeting June 10-11, 2014 (Minutes - <http://www.doi.gov/eiti/FACA/upload/USEITI-MSG-June-2014-Meeting-Summary-FINAL-FOR-MSG-Rev.pdf> with Secretary's Remarks - <http://www.doi.gov/eiti/FACA/upload/USEITI-June-2014-MSG-Mtg--ADDENDUM-Transcription-of-Sec-Jewell-s-remarks.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/june-2014-meeting.cfm>)

Decisions

- The MSG charged the Outreach and Communications Subcommittee with further revising the Dear Payor letter and then recommended ONRR issue the letter. (p. 15)
- The MSG charged the State and Tribal Opt-in Subcommittee with proceeding with its work on the basis of the 18 target states that the Subcommittee had identified. (p. 18)
- The MSG approved the April 2014 MSG meeting summary. (p. 21)
- The MSG created the Workplan Working Group under the Implementation Subcommittee. (p. 33)

11th Meeting September 9-10, 2014 (Minutes - <http://www.doi.gov/eiti/FACA/upload/USEITIMSG-Sept-2014-Mtg-Summary-REV.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/september-2014-meeting.cfm>)

Decisions

- The MSG endorsed the Membership Continuity Plan for the USEITI Secretariat to implement. (p. 6)
- The MSG adopted the June MSG meeting summary with the addition of including a transcription of Secretary Jewell's introductory comments. (p. 6)
- The MSG approved the Letter to Governors, with edits suggested by MSG members. (p. 8)
- The MSG approved the Contextual Narrative outline. (p. 10)
 - The MSG approved the Revised 2014 USEITI Work Plan. (p. 15)
 - The MSG approved the use of the calendar year as the reporting period. (p. 15)
 - DOI will work with the Communications Subcommittee and its attorneys to determine how to frame the Dear Reconciler letter such that it can be sent out under Secretary Jewell's name. (p. 20)
 - The MSG approved the Communications materials prepared by the Communications Subcommittee, with edits as discussed at the meeting. (p.20)
 - The MSG endorsed Deloitte's appointment as the Independent Administrator. (p. 29)

12th Meeting December 10-11, 2014 (Minutes -

<http://www.doi.gov/eiti/FACA/upload/USEITI-MSG-Dec-2014-Mtg-Summary-Sector-Comments-Integrated-v2-150125.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/december-2014-meeting.cfm>)

Decisions

- The MSG decided to adopt company-level reporting for the December 2015 USEITI Report. (p.16)
- The MSG decided to adopt the Taxes and Accounting Period Workgroup's recommendations about tax reporting and reconciliation for the December 2015 USEITI Report. (p.19)

Approvals

- The MSG approved the September 2014 MSG meeting summary with recommended editorial corrections. (p.6)
- The MSG approved the reconstitution of the Project Level Reporting Workgroup as the Template & Project Level Reporting Workgroup under the Implementation Subcommittee. (p.13)
- The MSG approved the creation of the Contextual Narrative Data Workgroup under the Implementation Subcommittee. (p.15)
- The MSG approved creation of the Inception Report Workgroup under the Implementation Subcommittee. (p.15)
- The MSG approved the Company and Project Level Reporting Workgroup's recommendation that it continue working to develop a definition of project level reporting for the 2016 USEITI Report. (p.16)
- The MSG approved the Company and Project Level Reporting Workgroup's recommendation that it draft a letter to the SEC for the full MSG's consideration (with U.S. Treasury abstaining at this time). (p.17)
- The MSG confirmed the update to the 2014 Workplan and approved the 2015 Workplan Narrative and 2015 Workplan spreadsheet for submission to the EITI International Secretariat with recommended changes (pending changes noted in the discussion). (p.22)
- The MSG approved the Chair of the State and Tribal Opt-in Subcommittee to serve as the point of contact to state governments. (p.32)

13th MSG Meeting February 24-24, 2015 (Minutes –
<http://www.doi.gov/eiti/FACA/upload/USEITI-MSG-Feb-2015-Mtg-Summary-Sectors-IA-Comments-150422.pdf> and Inventory of Materials - <http://www.doi.gov/eiti/FACA/february-2015-meeting.cfm>)

Decisions

- The MSG accepted the Independent Administrator's Inception Report, pending corrections to the name of Freeport-McMoRan Inc. (p.9)
- The MSG endorsed Deloitte & Touche LLP (hereafter "Deloitte"), as the Independent Administrator of the USEITI. (p.9)
- The MSG agreed to the Reporting Template. (p.14)

Approvals

- The MSG approved the December 2014 MSG meeting summary. (p.4)
- The MSG approved the incorporation of the content of the tax reporting cover letter

into the Reporting Template Guidance. (p.16)

- The MSG approved the Reconciliation Report Timeline. (p.11)
- The MSG approved the changes to the Decision Matrix, primarily involving excluding certain revenues. (p.16) (*See Decision Matrix Below*)
- The MSG approved the sunseting of the Inception Report Work Group. (p.10)

14th MSG Meeting May 20 – 21, 2015 (Minutes -

https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/USEITI%20MSG%20-%20May%202015%20Mtg%20Summary%20_FINAL.pdf and Inventory of Materials - <http://www.doi.gov/eiti/FACA/may-2015-meeting.cfm>)

Decisions

- The MSG endorsed the recommendation of the Contextual Narrative Work Group to include the presented information in the USEITI Report to fulfill the requirement around federal revenue sustainability. (p.14)
- The MSG endorsed the Contextual Narrative Work Group's proposal to use counties and/or county clusters totaling twelve for the county narratives in the 2015 USEITI Report. (p.15)
- The MSG endorsed the Project-level Reporting and Template Work Group's proposal for the margin of variance to be used in the 2015 USEITI Report. (p.20)

Approvals

- The MSG approved the February 2015 MSG meeting summary. (p.4)
- The MSG approved the Update to the International Secretariat prepared by the State and Tribal Opt-in Subcommittee for inclusion in the USEITI 2014 Annual Activity Report. (p.9)
- The MSG approved the submission of the USEITI 2014 Annual Activities Report, including the plan for subnational and tribal participation, to the International Secretariat, pending the co-chairs final review, editing, and approval. (p.7)
- The MSG approved the formation of the Audit and Assurance Practices Work Group under the Implementation Subcommittee. (p.7)
- The MSG approved the repurposing of the Contextual Narrative Work Group as the USEITI Report Work Group to assist with the full EITI report. (p.11)
- The MSG approved the formation of the Tax Information Work Group under the Implementation Subcommittee. (p.18)

15th MSG Meeting September 16-17, 2015 (Minutes -

https://www.doi.gov/sites/doi.gov/files/uploads/Sept%202015%20Meeting%20Summary_11-25-15.pdf and Inventory of Materials <https://www.doi.gov/eiti/september-16-17-2015-meeting>)

Decisions

- No decisions were made by the MSG at the September MSG meeting.

Approvals

- The MSG approved the May 2015 MSG meeting summary. (*see page **Error! Bookmark not defined.***)
- The MSG sunsetted the Tax Information Work Group and the Report Work Group (*see*

page 7).

- The MSG established the On-Line Report Advisory Working Group (see page 7).
- The MSG approved the outline of the Executive Summary of the 2015 USEITI Report. (see page **Error! Bookmark not defined.**)
- The MSG approved the outline of the Online Portion of the 2015 USEITI Report. (see page **Error! Bookmark not defined.**)
- The MSG approved the table “2015 USEITI Data Sources for Online Report.” (see page **Error! Bookmark not defined.**)

16th MSG Meeting December 15-16, 2015 (Minutes - and Inventory of Materials

<https://www.doi.gov/eiti/december-15-16-2015-meeting>)

USEITI MSG Decision Matrix February 24, 2015 version (referenced in the 13th MSG Meeting)

Last Revision:
February 24,
2015

USEITI Reporting: MSG Decision Matrix					
	Unilateral Disclosure Report (UDR) - December 2014	Unilateral Disclosure Report (UDR) - December 2015	Reconciled Report - December 2015	EITI Report Contextual Narrative - December 2015	Reconciled Report - December 2016
Includes Federal Data From:	ONRR	All DOI Bureaus	Government Entities (All DOI Bureaus & IRS) & Companies	Government Entities (All DOI Bureaus, IRS, EIA, other) Companies, States, & Other Credible Sources	Government Entities (All DOI Bureaus & IRS) & Companies
Includes Indian Revenue Data?	No	No	No (Option for Tribes to Opt-In)	High Level Summary & Publically Available Data from Credible Sources	No
Includes State Revenue Data?	No	No	No (Option for States to Opt-In)	High Level Summary & Publically Available Data from Credible Sources	No
Includes County Revenue Data?	No	No	No	Pilot with approximately 6 counties	No

Includes Tax Revenue Data?	No	No	Yes, Companies that voluntarily submit will be identified, those companies that choose not to submit will also be identified. Companies can also agree to reconciliation. This recommendation that is pending MSG approval	High Level Summary & Publically Available Data from Credible Sources	TBD, by MSG after initial report
Level of Disaggregation	By Company, Revenue Type, and Commodity	By Company, Revenue Type, and Commodity	By Government Entity , Company, and Revenue Type	N/A	TBD by MSG
Project Level Reporting	N/A	"Project Level" not defined, but reporting at the Company Level acceptable	"Project level" not defined. The EITI Standard requires that data is presented by individual company, government entity and revenue stream.	N/A	"Project Level" definition TBD by the MSG
Companies Included	Companies that reported at least \$100,000 in revenue to ONRR	Companies that reported at least \$100,000 in revenue to ONRR	Companies that reported over \$50 million in revenues to ONRR (80% of total revenues)	N/A	Companies that reported over \$20 million in revenues to ONRR (90% of total revenues)
Commodities Included	Oil, Gas (including NGLs), Coal, Geothermal, Offshore Renewables, and Other (as reported to ONRR)	Oil, Gas (including NGLs), Coal, Geothermal, Onshore & Offshore Renewables, Other Leasable Minerals, Non-Fuel (Hardrock) Minerals, and Other (as reported to ONRR)	Oil, Gas (including NGLs), Coal, Geothermal, Onshore & Offshore Renewables, Other Leasable Minerals, Non-Fuel (Hardrock) Minerals, and Other (as reported to ONRR)	Oil, Gas (including NGLs), Coal, Geothermal, Onshore & Offshore Renewables, Other Leasable Minerals, Non-Fuel (Hardrock) Minerals, and Other (as reported to ONRR)	Oil, Gas (including NGLs), Coal, Geothermal, Onshore & Offshore Renewables, Other Leasable Minerals, Non-Fuel (Hardrock) Minerals, and Other (as reported to ONRR) -Additional discussion around timber revenues
Accounting Period	Calendar Year 2013	Calendar Year 2013	Calendar Year 2013	N/A	Calendar Year 2014

Revenue Streams Paid to: ONRR	Royalties, Rents, Bonuses, Other (as defined by ONRR)	Royalties, Rents, Bonuses, Other (as defined by ONRR), Civil Penalties, and Offshore Inspection Fees	Royalties, Rents, Bonuses, Other (as defined by ONRR), Civil Penalties, and Offshore Inspection Fees	Royalties, Rents, Bonuses, Other (as defined by ONRR), Civil Penalties, and Offshore Inspection Fees	Royalties, Rents, Bonuses, Other (as defined by ONRR), Civil Penalties, and Offshore Inspection Fees
Revenue Streams Paid to: BLM	None	Bonuses and First Year Rentals, All Permit Fees, Renewable Collections, and Cost Recovery Fees	Bonuses and First Year Rentals, All Permit Fees, and Renewable Collections	Bonuses and First Year Rentals, All Permit Fees, Rights-of-Way, Renewable Collections, Helium, and Cost Recovery Fees	Bonuses and First Year Rentals, All Permit Fees, and Renewable Collections
Revenue Streams Paid to: BOEM	None	Cost Recovery Fees	None	Cost Recovery Fees	None
Revenue Streams Paid to: BSEE	None	Cost Recovery Fees	None	Cost Recovery Fees	None
Revenue Streams: OSM	None	AML Fees including Audits and Civil Penalties (including Late Charges)	AML Fees including Audits and Civil Penalties (including Late Charges)	AML Fees including Audits and Civil Penalties (including Late Charges)	AML Fees including Audits and Civil Penalties (including Late Charges)
Revenue Stream Paid to: IRS	None	None	If Requested by Companies	High Level Summary & Publically Available Data	If Requested by Companies

Revision Tracking		
Description	Date Edited	Name
Removed BOEM & BSEE from matrix & placed their revenues under ONRR	1/26/2015	Chris Mentasti
Highlighted Rights of way, Cost Recovery, and Helium for decision on UDR inclusion	1/26/2015	Chris Mentasti
Removed Helium sales from BLM	1/26/2015	Chris Mentasti
Add Bonus and first year rentals to BLM	1/26/2015	Chris Mentasti
Moved cost recovery fees from ONRR to BOEM and BSEE (Correcting Error)	1/28/2015	Chris Mentasti
Removed ROW from BLM Unilateral Disclosure; Combined Bonus and First Year Rental	2/2/2015	Debbie Tschudy
MSG Approved	2/24/2015	Kim Oliver

