Label: "FOIA EITI"

Created by:greg.gould@onrr.gov

Total Messages in label:370 (41 conversations)

Created: 11-30-2017 at 14:40 PM

Conversation Contents

Closing Note

Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Sat Nov 04 2017 10:32:50 GMT-0600 (MDT)
To:	"Gould, Greg" <Greg.Gould@onrr.gov>, "Kohler, Veronika" <VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>
Subject:	Closing Note

Veronika, Danielle, and Greg

With US EITI officially coming to a close last week, I just wanted to send out one last note to you all. It was a pleasure and good fortune for me and Tushar to be able to work with all three of you and your sectors on US EITI. We greatly appreciated all three of your's problem solving skills, passion, dedication, and effort. The on-line presence remains very impressive. We sorted through many issues to take reporting to where it is today. I greatly appreciated the dedication of staff from Mia to Emily and Chris, the expertise of numerous financial folks at ONRR, within the industry, and among CSOs. Tushar and I learned a great deal and value the relationships and work we did together.

Thank you all three for the opportunity to work together. We really appreciate it and wish you all the very best in future endeavors.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

Greg Gould <greg.gould@onrr.gov>

From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Mon Nov 06 2017 09:53:27 GMT-0700 (MST)
To:	Pat Field <pfield@cbuilding.org>
CC:	"Kohler, Veronika" <VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>, Tushar Kansal <tkansal@cbuilding.org>
Subject:	Re: Closing Note

Thanks Pat!

It was an adventure, one I will never forget. It was great to get to know you, and thanks again for all of the support both you and Tushar provided along the way!

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Nov 4, 2017, at 10:35 AM, Pat Field <pfield@cbuilding.org> wrote:

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> Patrick Field
> Managing Director
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> pfield@cbuilding.org

"Shime, Veronika" <vshime@nma.org>

From: "Shime, Veronika" <vshime@nma.org>
Sent: Mon Nov 06 2017 15:18:09 GMT-0700 (MST)

To:	Greg Gould <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>
CC:	Danielle Brian <dbrian@pogo.org>, Tushar Kansal <tkansal@cbuilding.org>
Subject:	RE: Closing Note

Ditto….I am just glad that the gov has committed to continuing the transparency website and think it is a great vehicle to include more disclosures as they become available in the future. After removing the emotion of continuing our work together…..i think it probably a very good decision…… especially since EITI was so expensive for government and can actually maintain the transparency within the systems we helped develop.

From: Greg Gould [mailto:greg.gould@onrr.gov]
Sent: Monday, November 6, 2017 11:53 AM
To: Pat Field <pfield@cbuilding.org>
Cc: Shime, Veronika <vshime@nma.org>; Danielle Brian <dbrian@pogo.org>; Tushar Kansal <tkansal@cbuilding.org>
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Greg Gould <greg.gould@onrr.gov>

From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Mon Nov 06 2017 15:20:34 GMT-0700 (MST)
To:	"Shime, Veronika" <vshime@nma.org>
Subject:	Re: Closing Note

How are you feeling?

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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"Shime, Veronika" <vshime@nma.org>

From: "Shime, Veronika" <vshime@nma.org>
Sent: Mon Nov 06 2017 15:32:08 GMT-0700 (MST)
To: Greg Gould <greg.gould@onrr.gov>

Subject: RE: Closing Note

I think I feel as well as can be expected!!! (b) (6) [redacted] I have given it too comfortable of a home!! Damn my overachieving perfectionist nature!!! ;)

From: Greg Gould [mailto:greg.gould@onrr.gov]
Sent: Monday, November 6, 2017 5:21 PM
To: Shime, Veronika <vshime@nma.org>
Subject: Re: Closing Note

How are you feeling?

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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Patrick Field
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617-844-1118
pfield@cbuilding.org

Greg Gould <greg.gould@onrr.gov>

From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Mon Nov 06 2017 15:33:23 GMT-0700 (MST)
To:	"Shime, Veronika" <vshime@nma.org>
Subject:	Re: Closing Note

Truly, a very happy and comfortable angle!

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Mon Nov 06 2017 15:47:10 GMT-0700 (MST)
To:	"Shime, Veronika" <vshime@nma.org>
CC:	Greg Gould <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Tushar Kansal <tkansal@cbuilding.org>
Subject:	Re: Closing Note

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Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Mon Nov 06 2017 17:38:58 GMT-0700 (MST)
To:	Danielle Brian <dbrian@pogo.org>
CC:	"Shime, Veronika" <vshime@nma.org>, Greg Gould <greg.gould@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>
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From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Mon Nov 06 2017 18:23:25 GMT-0700 (MST)
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1100 G Street NW, Washington DC 20005
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Label: "FOIA EITI"

Created by:greg.gould@onrr.gov

Total Messages in label:370 (41 conversations)

Created: 11-30-2017 at 14:41 PM

Conversation Contents

USEITI Colorado State Addition - Please Review

Attachments:

/2. USEITI Colorado State Addition - Please Review/1.1 Colorado Addition Draft_7-27-2017.pdf
/2. USEITI Colorado State Addition - Please Review/1.2 Colorado Revenue Stream Graphic_7-27-2017.pdf

"OS, USEITI" <useiti@ios.doi.gov>

From: "OS, USEITI" <useiti@ios.doi.gov>

Sent: Tue Aug 22 2017 13:56:48 GMT-0600 (MDT)

To: Bruce Barnett (b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor (b) (6) @vt.edu>, Betsy Taylor (b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, Danielle Brian <dbrian@pogo.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6) @polisci.ucla.edu>, Neil R Brown <(b) (6) @neilrobertbrown.com>, Paul Bugala <(b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>

"Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)"

CC:	<jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, "Wong, Alexandra (US - Arlington)" <alexandwong@deloitte.com>, Judith Wilson <judith.wilson@onrr.gov>, Robert Kronebusch <robert.kronebusch@onrr.gov>, Nathan Brannberg <nathan.brannberg@onrr.gov>, Jennifer Malcolm <jennifer.malcolm@onrr.gov>, Treci Johnson <treci.johnson@onrr.gov>, Chris Mentasti <chris.mentasti@onrr.gov>, KSweeney@nma.org, Ryan Winzenburg <ryan.winzenburg@onrr.gov>
Subject:	USEITI Colorado State Addition - Please Review
Attachments:	Colorado Addition Draft_7-27-2017.pdf Colorado Revenue Stream Graphic_7-27-2017.pdf

Hello and good evening:

Deloitte has completed the State Addition for Colorado. We are asking that the MSG review this Addition for fatal flaws. An important item to note is that only a portion of the Addition needs to be reviewed. Deloitte marked it in the document as “New State Content for Review.” The rest of the content mirrors the current USEITI Colorado page and is included so that people can understand how the additional content slots in.

Please reply with your comments for fatal flaws on or before COB, Friday, September 1st.

Thank you,
Kim

Kim Oliver
Program Analyst
Office of Natural Resources Revenue
202/513-0370 office phone
Kimiko.Oliver@ONRR.gov

--
Follow us on Twitter and Facebook

Regards,

USEITI Secretariat
202-208-0272 voicemail

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Tue Aug 22 2017 18:07:36 GMT-0600 (MDT)
To:	"OS, USEITI" <useiti@ios.doi.gov>, Veronika Kohler <VKohler@nma.org>, Greg Gould <Greg.Gould@onrr.gov>
Subject:	Re: USEITI Colorado State Addition - Please Review

I'm just not sure how we should keep proceeding. We have no reason to believe we will meet again as an MSG to approve all these additions you are sending us. I think it's great that the govt keeps asking us for input, but i think it's important that I put on the record that silence is not consent and we can not reflect later that these documents have been deliberated and approved by the MSG. I really appreciate Greg that you are making the best of the Deloitte contract, but while we sit in this limbo, I'm not sure what to reasonably ask of my sector?

On Tue, Aug 22, 2017 at 3:56 PM, OS, USEITI <useiti@ios.doi.gov> wrote:

> Hello and good evening:
>
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> Please reply with your comments for fatal flaws on or before COB, Friday, September 1st.
>
> Thank you,
> Kim
>
> **Kim Oliver**
> Program Analyst
> Office of Natural Resources Revenue
> 202/513-0370 office phone
> Kimiko.Oliver@ONRR.gov
>
> --
> Follow us on Twitter and Facebook
>
> Regards,
>
> USEITI Secretariat
> 202-208-0272 voicemail

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Wed Aug 23 2017 17:06:01 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>

CC: "OS, USEITI" <useiti@ios.doi.gov>, Veronika Kohler <VKohler@nma.org>

Subject: Re: USEITI Colorado State Addition - Please Review

We are seeking any input you and your sector would like to provide.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Tue, Aug 22, 2017 at 6:07 PM, Danielle Brian <dbrian@pogo.org> wrote:

> I'm just not sure how we should keep proceeding. We have no reason to believe we will meet again as an MSG to approve all these additions you are sending us. I think it's great that the govt keeps asking us for input, but i think it's important that I put on the record that silence is not consent and we can not reflect later that these documents have been deliberated and approved by the MSG. I really appreciate Greg that you are making the best of the Deloitte contract, but while we sit in this limbo, I'm not sure what to reasonably ask of my sector?
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--

Danielle Brian
Executive Director

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1100 G Street NW, Washington DC 20005
202.347.1122

Colorado Addition

July 2017

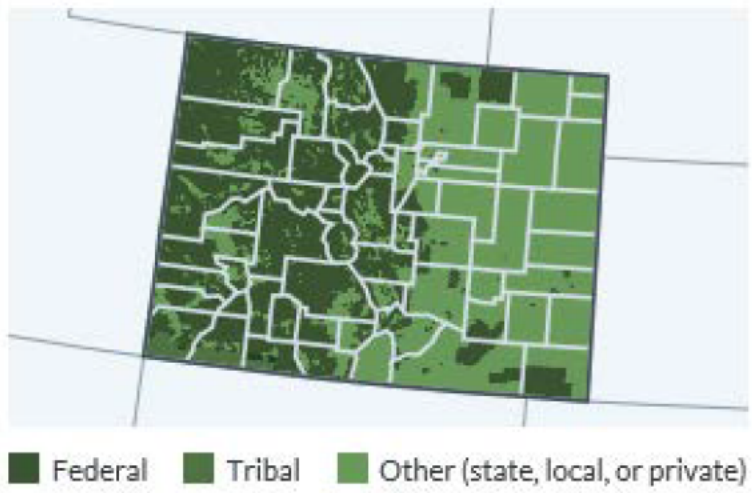
Colorado

Natural resource extraction varies from state to state. In Colorado, extractive industries accounted for 4.2% of gross domestic product (GDP) in 2015.

Natural resource ownership in the U.S. is tied to land ownership. Land can be owned by citizens, corporations, Indian tribes or individuals, or governments (for instance, federal, state, or local governments). Many USEITI datasets only cover natural resource extraction on federal land, which represents 35.9% of all land in Colorado.

The state of Colorado chose to participate in an extended USEITI information sharing process, so this page includes additional state revenue and disbursements data, as well as contextual information about state governance of natural resources

Land ownership



Production

Energy Production: The U.S. Energy Information Administration publishes a profile of energy production and usage in Colorado.

Nonenergy Minerals: The U.S. Geological Survey publishes nonenergy mineral extraction in the USGS Minerals Yearbook for Colorado.

Energy production in the entire state of Colorado

The Energy Information Administration collects data about all energy-related natural resources produced on federal, sate, and privately owned land.

2016

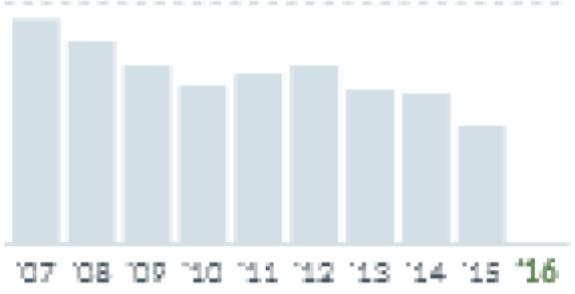
The Energy Information Administration collects data about all energy-related natural resources produced on federal, state, and privately owned land.

Data and documentation

These screenshots are representative not inclusive of all of the content on the USEITI data portal

COAL

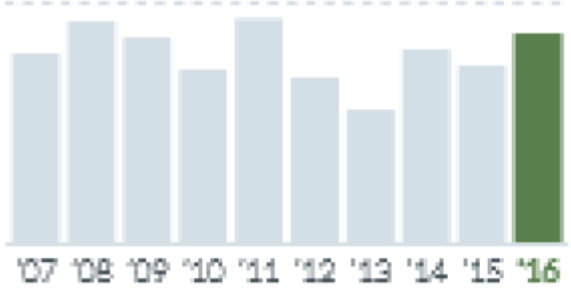
40m short tons



There is no data about production of coal in Colorado in 2016.

HYDROELECTRIC

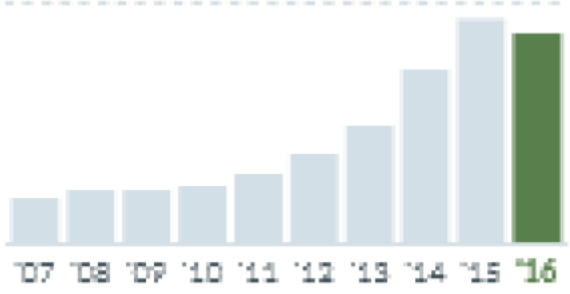
2.2m megawatt hours



1,918,115 megawatt hours of hydroelectric energy were produced in Colorado in 2016.

CRUDE OIL

130m barrels



115,359,000 barrels of crude oil were produced in Colorado in 2016.

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Production on federal land in Colorado

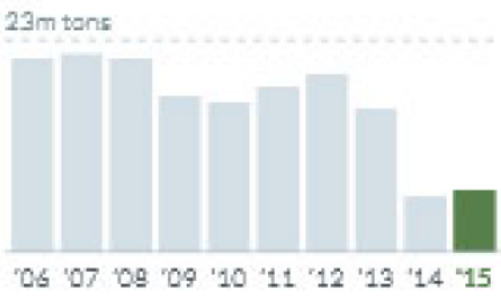
2015

The Office of Natural Resources Revenue collects detailed data about natural resource production on federal land in Colorado.

Data and documentation

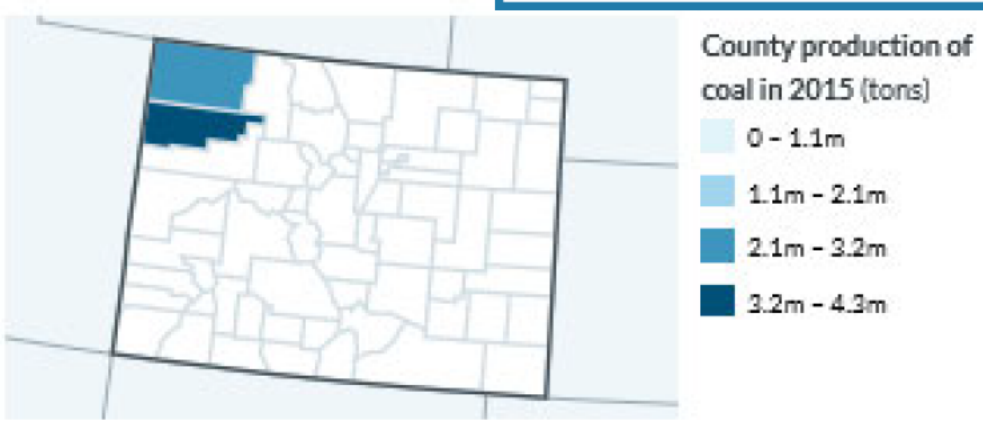
These screenshots are representative not inclusive of all of the content on the USEITI data portal

COAL



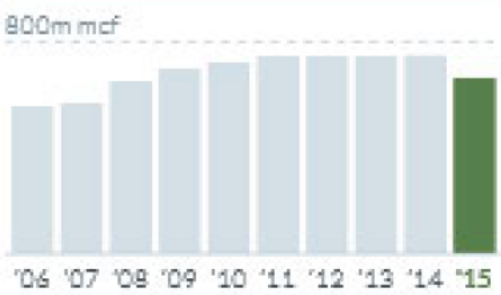
6,591,181 tons of coal were produced on federal land in Colorado in 2015.

COUNTY PRODUCTION



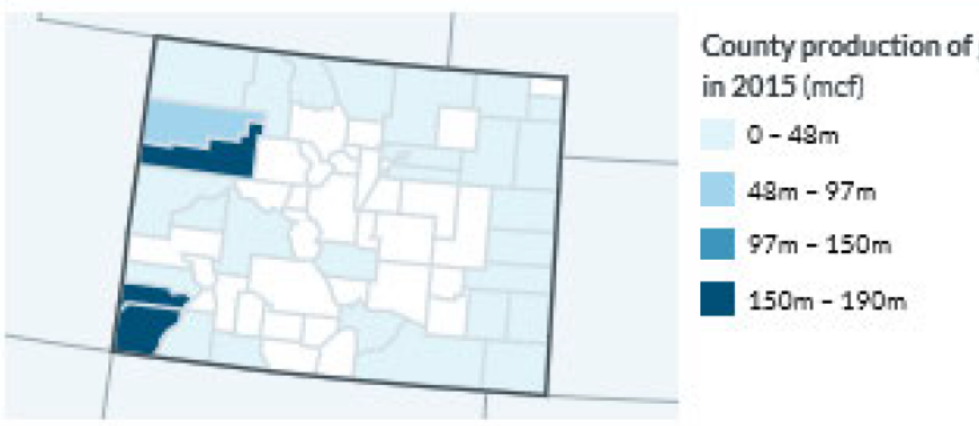
Show table

GAS



635,425,824 mcf of gas were produced on federal land in Colorado in 2015.

COUNTY PRODUCTION

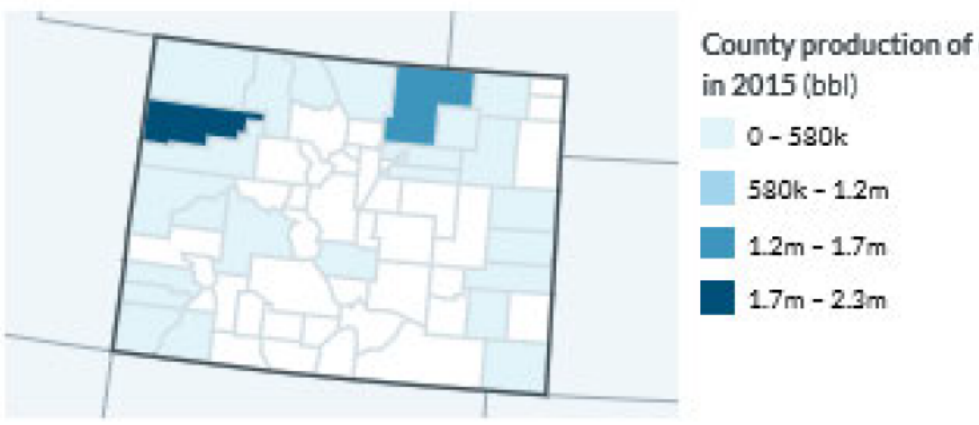


Show table

OIL

4,866,150 barrels of oil were produced on federal land in Colorado in 2015.

COUNTY PRODUCTION



Show table

New State Content for Review

Production on state land in Colorado

The state of Colorado covers over 66.5 million acres. The state owns and stewards 2.8 million acres of land and 4 million acres of mineral rights. In total, it owns 4% of Colorado, making it the state's second-largest landowner, just behind the federal government.[1] The state of Colorado does not publish production data for state lands. To obtain this data, contact the Colorado State Land Board.

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Revenue

Companies pay a range of fees, rates, and taxes to extract natural resources in the United States. What companies pay to federal, state, and local governments often depends on who owns the natural resources.

Federal revenue

Natural resource extraction can lead to federal revenue in two ways: non-tax revenue and tax revenue. Most USEITI data covers non-tax revenue from extractive industry activity on federal land.

Revenue from production on federal land by resource

When companies extract natural resources on federal lands and waters, they pay royalties, rents, bonuses, and other fees, much like they would to any landowner. This non-tax revenue is collected and reported by the Office of Natural Resources Revenues (ONRR).

For details about the laws and policies that govern how rights are awarded to companies and what they pay to extract natural resources on federal land: coal, oil and gas, renewable resources, and hardrock minerals.

The federal government collects different kinds of fees at each phase of natural resource extraction. This chart shows how much federal revenue was collected in 2016 for production or potential production of natural resources on federal land in Colorado, broken down by phase of production.

Federal revenue by phase (2016) | Revenue details by phase

Commodity	1. Securing rights	2. Before production	3. During production	Other revenue
OIL AND GAS				
Oil & Gas $115,802,622	$10,251,733	$2,256,112	Oil $23,589,208 Gas $63,008,750 NGL $10,835,982	$5,860,837
COAL				
Coal $36,827,806	$319,296	$149,554	$36,299,727	$59,229
GEOTHERMAL				
Geothermal $27,462	$0	$27,462	$0	$0
OTHER PRODUCTS				
Carbon dioxide $44,342,735	$0	$0	$44,342,735	$0
Sodium $2,109,750	$0	$13,326	$2,056,107	$40,317

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Revenue from production on federal land by county

2016

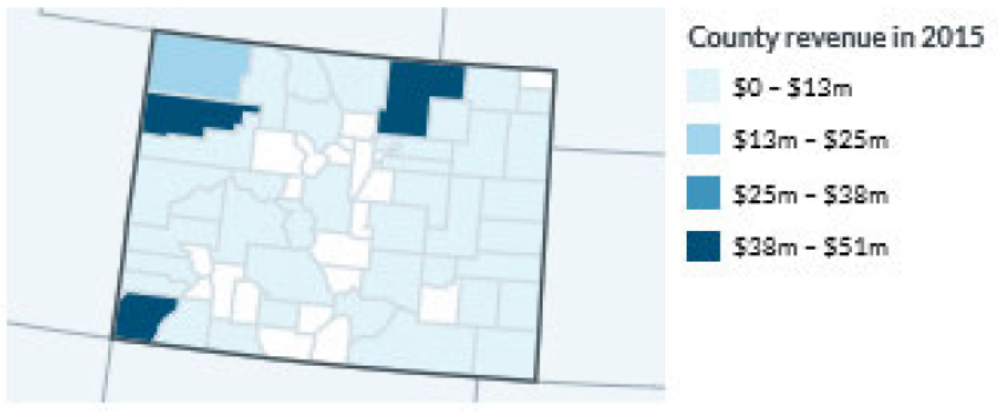
Most non-tax revenue collected by ONRR comes from counties with significant natural resources on federal land.

Data and documentation

ALL COMMODITIES

Companies paid **$199,115,729** to produce natural resources on federal land in Colorado in **2016**.

REVENUE COLLECTED BY COUNTY



Show table

Federal tax revenue

Individuals and corporations (specifically C-corporations, which are taxed separately from its owners) pay income taxes to the IRS. Depending on company income, federal corporate income tax rates can range from 15-35%. Public policy provisions, such as tax expenditures, can decrease corporate income tax and other revenue payments in order to promote other policy goals.

Learn more about reve[illegible] and waters.

New State Content for Review

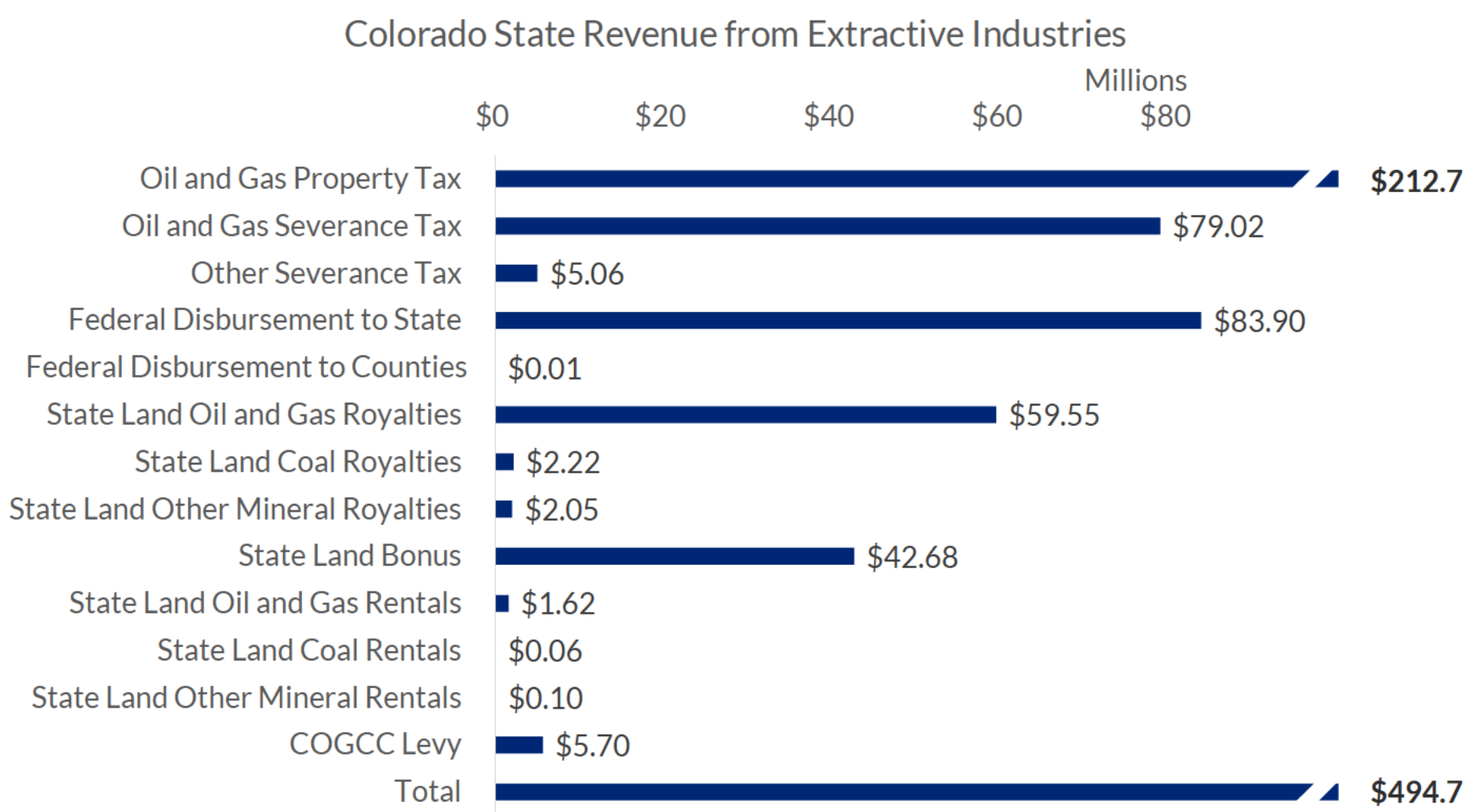
State revenue[1]

State and local governments in Colorado collect or receive revenue from natural resource extraction on federal, state, and private lands.

Download: Colorado revenue streams (PDF)

See attached PDF for revenue streams document

The major extraction-related revenue streams for the state government include: severance tax, federal disbursements, and state land revenue. In FY2016, the Colorado state government collected $281,953,715 from natural resource extraction. County governments also collect and distribute their own revenue from the extractive industry primarily through local property taxes. 32 of 64 Colorado's counties collected extractive related property taxes in FY0216, totaling $212,707,846. To read more about Colorado's revenues, see the state's Comprehensive Financial Report for FY2016.



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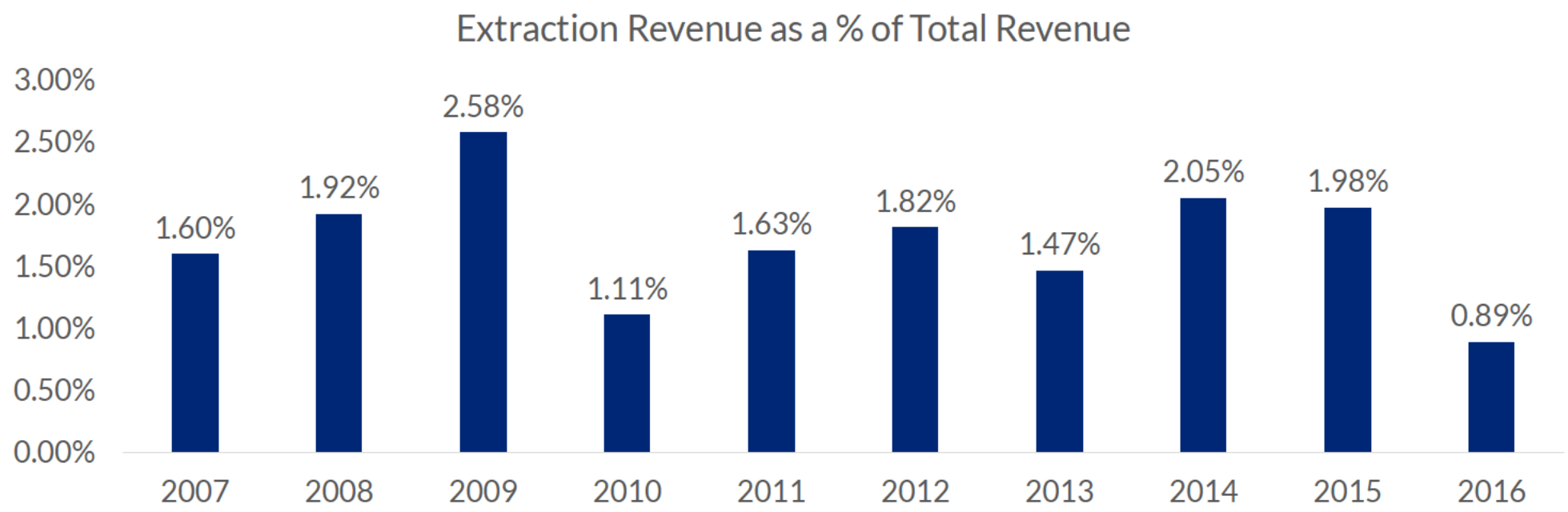
Revenue sustainability[2]

New State Content for Review

In FY2016, natural resource revenue accounted for 0.89% of total revenue collected by the Colorado Department of Revenue. Colorado has a diverse set of revenue streams; however, the downturn of oil and gas markets in 2016 did have a substantial impact on certain government funds. The State Land Board, for example, saw its total trust revenue decrease by 28% due to a 35% decrease in mineral revenues.



Tax expenditures[3]

New State Content for Review

Tax expenditure programs are policy instruments that reduce state and local revenue through changes to the tax code (e.g., tax credits, exemptions, preferential tax rates, deferrals).

In FY2015, Colorado had 15 tax expenditures directly related to the extractive industries which reduced state and local revenue. Data on the exact revenue impact for all expenditures is largely unavailable due to confidentiality requirements or inability to collect that information, however, the Oil and Gas Ad Valorem Credit had an impact of $134,915,000. The Colorado Department of Revenue outlines tax expenditures in its annual Tax Profile and Expenditure Report.

Disbursements

Federal disbursements

After collecting revenue from natural resource extraction, the Office of Natural Resources Revenue distributes that money to different agencies, funds, and local governments for public use. This process is called "disbursement."

Most federal revenue disbursements go into national funds. For detailed data about which expenditures and projects from those national funds are in Colorado, see nationwide federal disbursements.

ONRR also disburses some revenue from natural resource extraction to state governments. **In FY2016, ONRR disbursed $83,895,364 to Colorado and $7,974 to various counties in Colorado.[1]**

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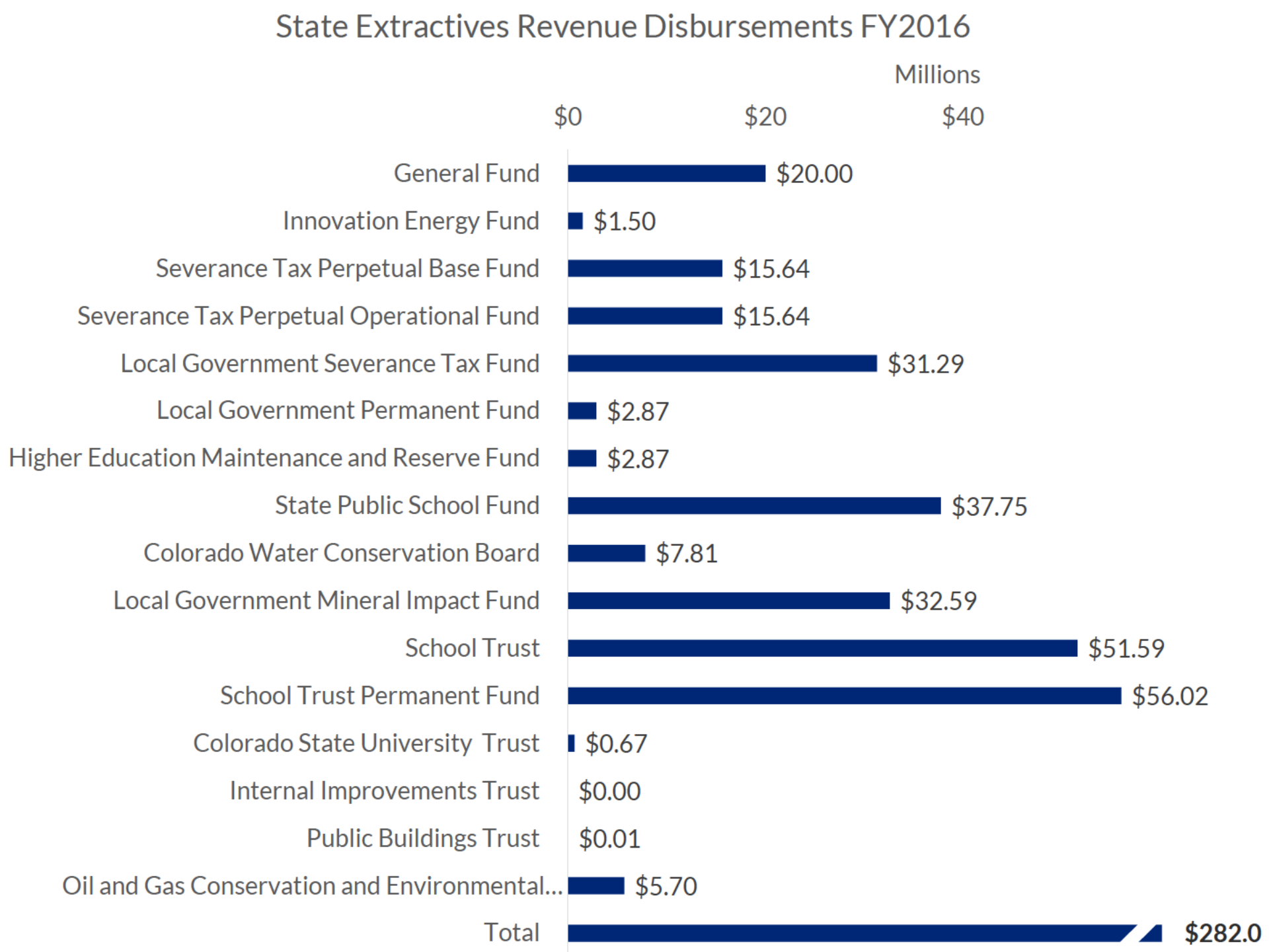
State disbursements[2]

New State Content for Review

State agencies distribute revenue according to the Colorado State Code. In addition to receiving distributions from the state, counties also collect and distribute revenue from local taxes, chiefly property taxes. Weld County, for example, produces the most oil and gas in the state, and generates a signification portion of its property tax revenue from oil and gas. It then disburses this revenue to help fund local schools, fire departments, libraries, towns, and water districts, among other items. For more details on how Weld County disburses property tax revenue see the county's distribution statements and treasurer reports.



Saving and spending revenue from extraction[3]

New State Content for Review

Many states choose to establish permanent mineral trust funds, which can help governments smooth revenue and investments across boom and bust cycles.

In FY2016, Colorado saved 28.05% of total state revenue from extractive activities. In a given year, most of Colorado's saved extractive revenues goes to one of these funds:

Local Government Permanent Fund: Money in this fund cannot be used for any purpose except when the amount of Federal Mineral Lease revenue is 10% less than the amount received the previous year.

Higher Education Maintenance and Reserve Fund: The interest and income earned on this fund is used for maintenance projects controlled by the Colorado Commission on Higher Education's Capital Improvements Program. The principal in this fund must remain unused unless General Fund revenue is projected to dip below the required 4% reserve.

School Trust Permanent Fund: Colorado created this fund at statehood. Interest generated on the principal must support K-12 education. Interest earnings of the fund are credited to the Public School Income Fund and transferred to the Colorado Department of Education.

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Economic Impact

USEITI economic impact data covers gross domestic product and two different types of jobs data.

To learn more about direct energy employment across all sectors of the U.S. economy, another useful resource is 2017 U.S. Energy and Employment Report from the Department of Energy. This report has a separate state-by-state analysis of energy employment.

In addition to generating economic activity, extractive industries can have fiscal costs for state and local communities.

Gross domestic product (GDP)

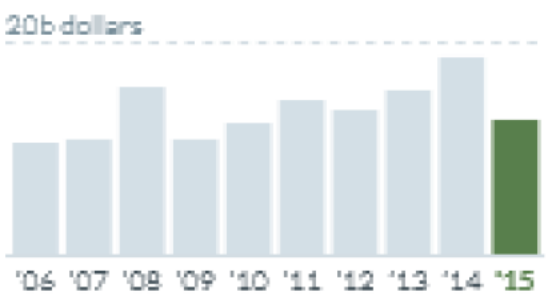
These screenshots are representative not inclusive of all of the content on the USEITI data portal

2015

Data about each state's gross domestic product comes from the Bureau of Economic Analysis.

Data and documentation

GDP (DOLLARS)



In **2015**, extractive industries accounted for 4.22% of Colorado's GDP, or **$13,246,000,000**

Wage and salary jobs

2015

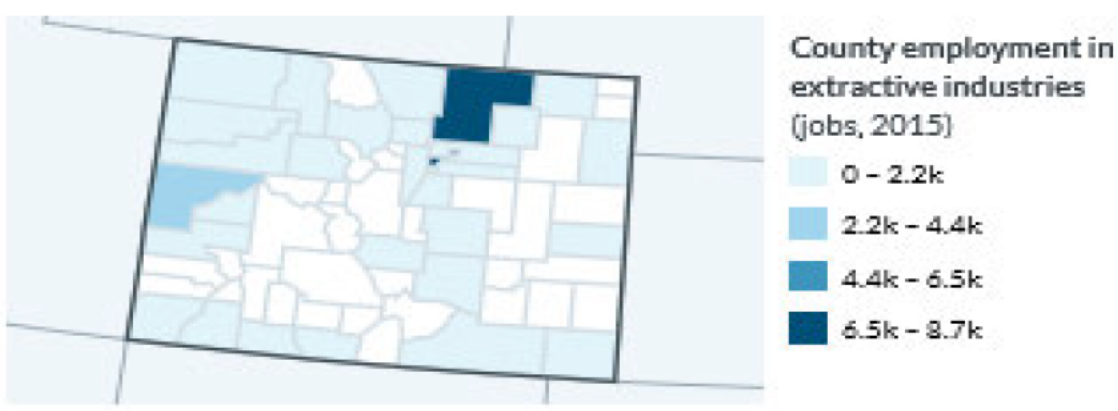
Wage and salary data, from the Bureau of Labor Statistics, describes the number of people employed in natural resource extraction that receive wages or salaries from companies.

Data and documentation

WAGE AND SALARY JOBS

In **2015**, there were **30,551** jobs in the extractive industries in Colorado, and they accounted for 1.22% of statewide employment.

COUNTY WAGE AND SALARY JOBS



Show table

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New State Content for Review

State Governance

The state of Colorado participated in additional information sharing with USEITI. As part of the USEITI process, the Independent Administrator gathered information about state and local natural resource governance, revenues, and disbursements in Colorado.

State agencies

The state of Colorado regulates an array of activities related to natural resource extraction and interacts with the extractive industries, especially when the activity is occurring on state or private land.

The Colorado Department of Revenue collects, manages, and distributes revenue from companies engaged in extraction in Colorado. It publishes annual summary, expenditure, and severance tax reports. Additionally, county governments collect oil and gas related property taxes, with the Colorado Department of Local Affairs' Division of Property Taxation coordinating this process.

The Colorado Department of Natural Resources manages the state's natural resources, which includes administering state trust lands.

- The Colorado Oil and Gas Conservation Commission ensures that oil and gas wells and operations comply with state law. It is involved in all stages of extraction—issuing exploration permits, auctioning leases, addressing incidents/complaints, enforcing rules and regulations, collecting levies, etc. The commission is governed by rules and regulations, runs a data portal, and publishes reports.
- The Division of Reclamation, Mining, and Safety works to protect the public, miners, and the environment during current mining operations. It holds responsibility for restoring abandoned mines and ensuring that all mined land is reclaimed to beneficial use. It works to achieve these goals through four major programs: coal regulatory program, minerals regulatory program, inactive mine reclamation program, and mine safety and training program. The commission is governed by rules and regulations, runs a data portal, and publishes reports. Click here for more information about the costs of reclamation.

The Colorado Department of Public Health and Environment (CDPHE) plays a role in regulating oil and gas operations. CDPHE deals primarily with:

- Air emission requirements for the oil and gas industry
- Water quality and stormwater discharge permits for oil and gas facilities
- Hazardous, radioactive, and solid waste requirements affecting oil and gas facilities
- Climate change and greenhouse gases through mandatory reporting rules, reports, and presentations
- Public health effects from oil and gas operations through reporting, community investigations, and assessments

State laws and regulations

The Colorado Constitution includes Article XVI on Mining and Irrigation which outlines laws regulating the safety, and environmental implications of extraction as well as the organizational structure charged with overseeing extractive activities.

The Code of Colorado Regulations also has several sections that govern natural resource extraction, including:

- Practice and Procedure (2 CCR 404-1) outlines rules and regulations to prevent waste and conserve oil and gas in the state of Colorado, while protecting public health, safety, welfare, including the environment and wildlife resources
- Hard Rock Metal Mining (2 CCR 407-1) includes general provisions and requirements regarding the permit process
- Regulations for Coal Mining (2CCR 407-2) establishes the provision known as the Colorado Surface Coal Mining Reclamation Act
- Control of Hazardous Air Pollutants (5 CCR 1001-10) regulates all new sources of air pollution and all modified or reconstructed sources of air pollution, including those generated by the extraction industry
- Storage Tank Regulations (7 CCR 1101-14) outlines rules for the design, installation, registration, construction and operation of storage tanks used to store regulated substances (including petroleum)
- Rules Regarding Electric Utilities (4 CCR 723-3) describes the specific provisions applicable to public utilities, includes specific regulations related to renewable energy, and recognizes that is it in the best interest of the public to utilize and develop renewable energy resources

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Fiscal Costs of Extractive Activi

New State Content for Review

In addition to generating revenue and economic activity, extractive industries can also bring certain costs to state and local communities. In Colorado, these are concentrated in a few areas due to the fact that nearly all production occurs in just six counties: Weld, Garfield, La Plata, Adams, Rio Blanco, and Jackson.[1] Attention to and analysis of costs is, therefore, focused on these areas.

The USEITI Multi-Stakeholder Group (MSG) prioritized four types of fiscal costs: transportation, water, emergency services, and reclamation.

Transportation[2]

Extractive activities have resulted in not only more traffic on Colorado roads and highways, but also greater loads on the state's transportation infrastructure. In certain areas, such as Highway 85C between Fort Lupton and Platteville, traffic has increased by 58.72% over a five year period due to oil and gas development. Additionally, according to a Colorado Department of Transportation (CDOT) study, the load impact of trucks used in extraction can be as much as 15,000 to 46,000 times that of a passenger car. Oil and gas loads are estimated to be 3-10% of the total loads on the Colorado highway system.

According to CDOT, the estimated cost to offset the impact of the oil and gas extraction on state roads and highways ranges from $10 to $30 million, which is up to 13% of the CDOT's annual surface treatment budget. To read more, see the CDOT's study, "Oil and Gas Impacts on Transportation."

Water

Increased extraction can put added demand on both water supplies and water infrastructure in communities. This can lead to increased rates and the need for infrastructure investments. Oil and gas extraction in Colorado reported using approximately 6.7 billion gallons of water from 2011-2013.[3] Additionally, COGCC found that extractive activities produced 304,451,972 BBL of water in 2016, 0.006% of which was spilled.[4]

In addition to water use and production, the environmental and engineering staff of the COGCC also monitor and assess water quality in Colorado. Currently, they are investigating 22 instances of Thermogenic stray gas impacts in domestic water wells in the Denver-Julesberg basin.[5] Additionally, the state, through the Department of Public Health and Environment, also has multiple large remediation obligations related to the extractive industry, including a total of: $57 million at Summerville Mine operating a water treatment plant, $64.8 at Clear Creek Basin cleaning up metal mine contaminated surface water, and $5.5 million at Captain Jack Mill addressing mine waste piles and drainage.[6] See Colorado's Comprehensive Annual Report to read more about the state's remediation obligations.

Emergency services

The increased population that often corresponds with increased extraction can place greater demands on the emergency medical, fire, and police services of the state, counties, and towns.

Notably, a study conducted on the extractive industry in Weld County found a 163% increase in large truck crashes and a 64% increase in fatal crashes between 2000 and 2014 (a time of major growth in active wells in the area).[7]

Additionally, increased extractive activity has also led to increased oil and gas fires and explosions. Though the exact number of such incidents is not published by the government, general incidents and complaints can be searched through the Colorado Oil and Gas Information System. Additionally, a study conducted in 2005 found 32 incidents of active coal mine fires.[8]

(Continued)

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Reclamation

Multiple organizations in the Colorado state government work on the reclamation and remediation of sites related to extraction.

The Colorado Oil and Gas Conservation Commission oversees spill incidents associated with oil and gas exploration and production related activities. The Colorado Department of Labor and Employment's Division of Oil and Public Safety oversees cleanup of petroleum released from regulated underground storage tanks. Finally, the Colorado Department of Transportation oversees spill incidents within Colorado highways and beyond.[9]

Colorado has not been "certified" by the federal Abandoned Mine Land (AML) Reclamation program, meaning that it has remaining high-priority abandoned coal mine areas. Reclamation efforts in Colorado are led by the Colorado Division of Reclamation, Mining, and Safety (DRMS) which works to reclaim abandoned and inactive mines. DRMS has reclaimed 6,127 of the estimated 23,000 abandoned mines in Colorado.[10] In 2017, Colorado received $2,793,000 from the federal AML Program, sourced from fees paid by coal mine operators, in line with the historic annual average.[11] The average cost for closing a hazardous abandoned mine feature is $5,000. An overview of DRMS' history and work can be found here.

Colorado currently has $75.3M in unfunded abandoned mine land areas in need of reclamation. Priority 1 abandoned mine land (AML) areas, the highest priority, account for $41.5M (or 55.2%) of those unfunded costs. Priority 1 AML areas are those that are necessary to reclaim in order to protect public health, safety, and property from extreme danger of adverse effects of coal mining practices pre-1977.[12] This can include restoration of land, water, and/or the environment. For more information, see the AML Reclamation section of this website.

As of June 2017, $4.2M in reclamation work was underway and $63.2M had been completed across the three priority types.[11]

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"Platts, Sarah (US - Arlington)" <splatts@deloitte.com>

From: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>

Sent: Tue Jun 06 2017 08:55:22 GMT-0600 (MDT)

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Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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USEITI MSG Members –

I hope this note finds all of you well! Attached please find the USEITI Mainstreaming Feasibility Report for your review. The IA completed this along with numerous stakeholders throughout the past couple of months. We'd now like for you to review this and **provide any feedback or comments directly to me (ideally via track changes) by Tuesday, June 27th.**

If you have any questions at all about the attached, please let me know.

Best,

Sarah

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Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Fri Jun 09 2017 13:21:21 GMT-0600 (MDT)
To:	Greg Gould <Greg.Gould@onrr.gov>, Veronika Kohler <VKohler@nma.org>
Subject:	Fwd: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
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Date: Tue, Jun 6, 2017 at 10:55 AM
Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
To: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor (b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, Danielle Brian <dbrian@pogo.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6) @polisci.ucla.edu>, Neil R Brown <(b) (6) @neilrobertbrown.com>, Paul Bugala (b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>
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Danielle Brian
Executive Director

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"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Fri Jun 09 2017 13:43:23 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>
CC:	Veronika Kohler <VKohler@nma.org>

Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Attachments: image002.png

Yes, we welcome all comments on this document, we want to make sure we complete all the work we have planned for this year.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Date: Tue, Jun 6, 2017 at 10:55 AM
> Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
> To: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir <(b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor <betsy.taylor@gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, Danielle Brian <dbrian@pogo.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6) @polisci.ucla.edu>, Neil R Brown (b) (6) @neilrobertbrown.com>, Paul Bugala <(b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>
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If you have any questions at all about the attached, please let me know.

Best,
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
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splatts@deloitte.com | www.deloitte.com

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--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Mon Jun 12 2017 15:18:19 GMT-0600 (MDT)
To:	"Platts, Sarah (US - Arlington)" <splatts@deloitte.com>, Greg Gould <Greg.Gould@onrr.gov>, Veronika Kohler <VKohler@nma.org>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
Attachments:	image002.png

Hi Sarah - just a heads up that CSO's strongly object to the statements that the MSG made a decision to support mainstreaming. We were only told of your feasibility study, but we were never given your final findings or an opportunity to debate and support or object. We are working on line edits but since this was so significant I wanted to make sure you were aware. Thanks.
Danielle

On Tue, Jun 6, 2017 at 10:55 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:

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Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
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"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Mon Jun 12 2017 15:38:11 GMT-0600 (MDT)
To:	Judith Wilson <judith.wilson@onrr.gov>, "Malcolm, Jennifer" <jennifer.malcolm@onrr.gov>, Kimiko Oliver <kimiko.oliver@onrr.gov>
Subject:	Fwd: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
Attachments:	image002.png

FYI - Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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---------- Forwarded message ----------
From: **Danielle Brian** <dbrian@pogo.org>
Date: Mon, Jun 12, 2017 at 3:18 PM
Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>, Greg Gould <Greg.Gould@onrr.gov>, Veronika Kohler <VKohler@nma.org>

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Executive Director

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"Platts, Sarah (US - Arlington)" <splatts@deloitte.com>

From: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>

Sent: Thu Jun 22 2017 05:58:05 GMT-0600 (MDT)

To: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware (b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor <(b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, Danielle Brian <dbrian@pogo.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6) @polisci.ucla.edu>, Neil R Brown (b) (6) @neilrobertbrown.com>, Paul Bugala (b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>

CC: "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US - Arlington)" <alexandwong@deloitte.com>, Judith Wilson <judith.wilson@onrr.gov>, Robert Kronebusch <robert.kronebusch@onrr.gov>, Nathan Brannberg <nathan.brannberg@onrr.gov>, Pat Field <pfield@cbuilding.org>, "tkansal@cbuilding.org" <tkansal@cbuilding.org>, Jennifer Malcolm

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Subject: RE: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Attachments: image002.png image004.png

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Thank you!
Sarah

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Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett <(b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir (b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor <(b) (6) @vt.edu>; Betsy Taylor <(b) (6) @gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill <jkrill@earthworksaction.org>; Keith Romig <kromig@usw.org>; Lynda Farrell <lynda@pscoalition.org>; Michael Levine <mlevine@oceana.org>; Michael Ross <(b) (6) @polisci.ucla.edu>; Neil R Brown (b) (6) @neilrobertbrown.com>; Paul Bugala <(b) (6) @gmail.com>; Rebecca Adamson <radamson@firstpeoples.org>; Zorka Milin <zmilin@globalwitness.org>
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Danielle Brian <dbrian@pogo.org>

From: Danielle Brian <dbrian@pogo.org>

Sent: Thu Jun 22 2017 06:04:24 GMT-0600 (MDT)

To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>

CC: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett (b) (6) @choctawnation.com>, Claire Ware (b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor (b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6) @polisci.ucla.edu>, Neil R Brown (b) (6) @neilrobertbrown.com>, Paul Bugala (b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker,

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Sarah, we are having a co-chair meeting this morning where we will discuss handling this document. As I told you earlier, civil society has significant problems with the suggestion that Deloitte's mainstreaming recommendation was presented and accepted by the MSG, since neither happened. Danielle

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On Jun 22, 2017, at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:

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Greg Gould <greg.gould@onrr.gov>

From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Thu Jun 22 2017 06:21:50 GMT-0600 (MDT)
To:	Judith Wilson <judith.wilson@onrr.gov>
Subject:	Fwd: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Judy,

We discussed mainstreaming many times at our MSG meetings, correct. I believe we did approve the concept as well as to have the IA do the initial work. Can you check the mins?

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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Begin forwarded message:

From: Danielle Brian <dbrian@pogo.org>
Date: June 22, 2017 at 8:04:24 AM EDT
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett [redacted] (b) (6) @choctawnation.com>, Claire Ware <[redacted] (b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir <[redacted] (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <[redacted] (b) (6) @vt.edu>, Betsy Taylor <[redacted] (b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <[redacted] (b) (6) @polisci.ucla.edu>, Neil R Brown <[redacted] (b) (6) @neilrobertbrown.com>, Paul Bugala <[redacted] (b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US - Arlington)" <alexandwong@deloitte.com>, Judith Wilson <judith.wilson@onrr.gov>, Robert Kronebusch <robert.kronebusch@onrr.gov>, Nathan Brannberg <nathan.brannberg@onrr.gov>, Pat Field <pfield@cbuilding.org>, "tkansal@cbuilding.org" <tkansal@cbuilding.org>, Jennifer Malcolm <jennifer.malcolm@onrr.gov>, Treci Johnson <treci.johnson@onrr.gov>, Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>, Chris Mentasti <chris.mentasti@onrr.gov>

Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Sarah, we are having a co-chair meeting this morning where we will discuss handling this document. As I told you earlier, civil society has significant problems with the suggestion that Deloitte's mainstreaming recommendation was presented and accepted by the MSG, since neither happened.
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Thank you!
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Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
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"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Thu Jun 22 2017 06:39:18 GMT-0600 (MDT)
To:	Greg Gould <greg.gould@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

Greg Gould <greg.gould@onrr.gov>

From: Greg Gould <greg.gould@onrr.gov>
Sent: Thu Jun 22 2017 06:45:24 GMT-0600 (MDT)
To: "Wilson, Judith" <judith.wilson@onrr.gov>
Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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Mendoza <jeannette.angel.mendoza@onrr.gov>; Wong, Alexandra (US - Arlington) <alexandwong@deloitte.com>; Judith Wilson <judith.wilson@onrr.gov>; Robert Kronebusch <robert.kronebusch@onrr.gov>; Nathan Brannberg <nathan.brannberg@onrr.gov>; Pat Field <pfield@cbuilding.org>; tkansal@cbuilding.org; Jennifer Malcolm <jennifer.malcolm@onrr.gov>; Treci Johnson <treci.johnson@onrr.gov>; Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>; Chris Mentasti <chris.mentasti@onrr.gov>
Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

USEITI MSG Members –

I hope this note finds all of you well! Attached please find the USEITI Mainstreaming Feasibility Report for your review. The IA completed this along with numerous stakeholders throughout the past couple of months. We'd now like for you to review this and **provide any feedback or comments directly to me (ideally via track changes) by Tuesday, June 27th.**

If you have any questions at all about the attached, please let me know.

Best,
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Thu Jun 22 2017 07:21:49 GMT-0600 (MDT)
To:	Greg Gould <greg.gould@onrr.gov>

Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Attachments: MSG meetings on Mainstreaming.docx

See attached word doc.

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Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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Begin forwarded message:

From: Danielle Brian <dbrian@pogo.org>
Date: June 22, 2017 at 8:04:24 AM EDT
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir <(b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor <(b) (6) @gmail.com>, Brian Sanson

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Sarah, we are having a co-chair meeting this morning where we will discuss handling this document. As I told you earlier, civil society has significant problems with the suggestion that Deloitte's mainstreaming recommendation was presented and accepted by the MSG, since neither happened.
Danielle

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

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> Thank you!
> Sarah
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> **Sarah Platts**
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> splatts@deloitte.com | www.deloitte.com
>
> <image002.png>
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> Please consider the environment before printing.
>
> ---
>
> **From:** Platts, Sarah (US - Arlington)
> **Sent:** Tuesday, June 6, 2017 10:55 AM
> **To:** OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett (b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis

Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir <[redacted]@blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor <[redacted]@vt.edu>; Betsy Taylor [redacted]@gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill <jkrill@earthworksaction.org>; Keith Romig <kromig@usw.org>; Lynda Farrell <lynda@pscoalition.org>; Michael Levine <mlevine@oceana.org>; Michael Ross <[redacted]@polisci.ucla.edu>; Neil R Brown [redacted]@neilrobertbrown.com>; Paul Bugala <[redacted]@gmail.com>; Rebecca Adamson <radamson@firstpeoples.org>; Zorka Milin <zmilin@globalwitness.org>
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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

Greg Gould <greg.gould@onrr.gov>

From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Thu Jun 22 2017 07:24:26 GMT-0600 (MDT)
To:	"Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Perfect!

I'll let you know how it goes.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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From: Danielle Brian <dbrian@pogo.org>
Date: June 22, 2017 at 8:04:24 AM EDT
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor (b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6) @polisci.ucla.edu>, Neil R Brown (b) (6) @neilrobertbrown.com>, Paul Bugala <(b) (6) @gmail.com>,

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<image002.png>

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Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett (b) (6) @choctawnation.com>; Claire Ware (b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir (b) (6) @blackfeetnation.com>; Marina Voskanian

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v.E.1

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

<MSG meetings on Mainstreaming.docx>

Greg Gould <greg.gould@onrr.gov>

From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Thu Jun 22 2017 07:25:37 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>, Veronika Kohler <vkohler@nma.org>
Subject:	Fwd: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
Attachments:	MSG meetings on Mainstreaming.docx

See attached. We can talk more at 10.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>

Sent: Thu Jun 22 2017 10:56:17 GMT-0600 (MDT)
To: Greg Gould <greg.gould@onrr.gov>
Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Are you on the Mega Bus? Any change in your mother-in-law?

How did the Co-Chair Meeting go? Did you get signatures for the Annual Activity Report? What was the response to the letter? What was the discussion on mainstreaming?

On Thu, Jun 22, 2017 at 9:24 AM, Greg Gould <greg.gould@onrr.gov> wrote:

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>
> I'll let you know how it goes.
>
> Thanks,
>
> Greg
>
> *Gregory J. Gould*
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> *Director*
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>>> Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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Begin forwarded message:

From: Danielle Brian <dbrian@pogo.org>
Date: June 22, 2017 at 8:04:24 AM EDT
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir <(b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor (b) (6) @vt.edu>, Betsy Taylor <(b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross (b) (6) @polisci.ucla.edu>, Neil R Brown (b) (6) @neilrobertbrown.com>, Paul Bugala (b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US - Arlington)" <alexandwong@deloitte.com>, Judith Wilson <judith.wilson@onrr.gov>, Robert Kronebusch <robert.kronebusch@onrr.gov>, Nathan Brannberg

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Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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Danielle

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

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MSG Members –

I wanted to send a gentle reminder to you that comments on the Mainstreaming report are due next Tuesday, June 27th. Please let me know if you have any questions or concerns.

Thank you!
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

<image002.png>

Please consider the environment before printing.

From: Platts, Sarah (US - Arlington)
Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett (b) (6) @choctawnation.com>; Claire Ware (b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir <(b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch

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Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

USEITI MSG Members –

I hope this note finds all of you well! Attached please find the USEITI Mainstreaming Feasibility Report for your review. The IA completed this along with numerous stakeholders throughout the past couple of months. We'd now like for you to review this and **provide any feedback or comments directly to me (ideally via track changes) by Tuesday, June 27th.**

If you have any questions at all about the attached, please let me know.

Best,
Sarah

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prohibited.

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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

<MSG meetings on Mainstreaming.docx>

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Thu Jun 22 2017 11:23:59 GMT-0600 (MDT)
To:	"Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

On the bus. She was able to go home with (b) (6) [redacted] until she improves, so we are starting to look for (b) (6) [redacted] tomorrow morning. My wife may be staying with her for a little longer than she had planned, so I may be back in the DC office next week.

Thank you for asking!

On a work related note, the co-chair meeting went pretty well. They both signed the annual report, so I have that with me, and they both agreed to delay the letter for a few months as we let things settle down. In terms of the mainstreaming report, I told Danielle to send in the CSO comments and we will work through them to have an IA completed product. We will then hold off on MSG approval until we figure out a process for that prior to the end of the year. Bottom line, neither of them want to do any approving since we will be withdrawing our application at some point prior to the end of the year. Have you heard that Mary Warlick was going to be reassigned and has decided to retire? I haven't talked to her in several weeks, so that was news to me. Have you heard anything from Micah?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, Jun 22, 2017 at 12:56 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> Are you on the Mega Bus? Any change in your mother-in-law?
>
> How did the Co-Chair Meeting go? Did you get signatures for the Annual Activity Report? What was the response to the letter? What was the discussion on mainstreaming?
>
> On Thu, Jun 22, 2017 at 9:24 AM, Greg Gould <greg.gould@onrr.gov> wrote:
>
> > Perfect!
> >
> > I'll let you know how it goes.
> >
> > Thanks,
> >
> > Greg
> >
> > *Gregory J. Gould*
> >
> > *Director*
> > *Office of Natural Resources Revenue*
> > *U.S. Department of the Interior*
> > *(202) 513-0600*
> >
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Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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<image002.png>

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To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett (b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir (b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig

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<MSG meetings on Mainstreaming.docx>

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Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Attachments: image002.png image004.png Mainstreaming Feasibility Study_June22017_vF_CSO.docx

Sarah and all,
After our cochair meeting, I understand that we are not approving this document until the next MSG meeting, whenever that may be scheduled, right Greg? That right now we are simply reviewing a draft? I believe a much clearer description of this document would be that it is a report on feasibility of mainstreaming the reconciliation of DOI revenues. Please see attached additional edits/comments.

On Thu, Jun 22, 2017 at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:

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> **From:** Platts, Sarah (US - Arlington)
> **Sent:** Tuesday, June 6, 2017 10:55 AM
> **To:** OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett <(b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir (b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig

<david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor (b) (6) @vt.edu>; Betsy Taylor <(b) (6) @gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill <jkrill@earthworksaction.org>; Keith Romig <kromig@usw.org>; Lynda Farrell <lynda@pscoalition.org>; Michael Levine <mlevine@oceana.org>; Michael Ross <(b) (6) @polisci.ucla.edu>; Neil R Brown <(b) (6) @neilrobertbrown.com>; Paul Bugala <(b) (6) @gmail.com>; Rebecca Adamson <radamson@firstpeoples.org>; Zorka Milin <zmilin@globalwitness.org>
Cc: Cassidy, John Kenneth (US - Arlington) <jocassidy@deloitte.com>; Mennel, John (US - Arlington) <jmennel@deloitte.com>; Hawbaker, Luke Malcolm (US - San Francisco) <lhawbaker@deloitte.com>; Mia Steinle <msteinle@pogo.org>; Emily Hague <Hague@api.org>; Norfleet, Charles <charles.norfleet@boem.gov>; Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>; Wong, Alexandra (US - Arlington) <alexandwong@deloitte.com>; Judith Wilson <judith.wilson@onrr.gov>; Robert Kronebusch <robert.kronebusch@onrr.gov>; Nathan Brannberg <nathan.brannberg@onrr.gov>; Pat Field <pfield@cbuilding.org>; tkansal@cbuilding.org; Jennifer Malcolm <jennifer.malcolm@onrr.gov>; Treci Johnson <treci.johnson@onrr.gov>; Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>; Chris Mentasti <chris.mentasti@onrr.gov>
Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

USEITI MSG Members –

I hope this note finds all of you well! Attached please find the USEITI Mainstreaming Feasibility Report for your review. The IA completed this along with numerous stakeholders throughout the past couple of months. We'd now like for you to review this and **provide any feedback or comments directly to me (ideally via track changes) by Tuesday, June 27th.**

If you have any questions at all about the attached, please let me know.

Best,
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

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--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Judith Wilson <judith.wilson@onrr.gov>

From:	Judith Wilson <judith.wilson@onrr.gov>
Sent:	Thu Jun 22 2017 12:55:56 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
Subject:	RE: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

I haven't heard from Michigan since last week.

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: "Gould, Greg" <greg.gould@onrr.gov>
Date: 6/22/17 1:24 PM (GMT-05:00)
To: "Wilson, Judith" <judith.wilson@onrr.gov>
Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

On the bus. She was able to go home with (b) (6) [redacted] until she improves, so we are starting to look for (b) (6) [redacted] tomorrow morning. My wife may be staying with her for a little longer than she had planned, so I may be back in the DC office next week.

Thank you for asking!

On a work related note, the co-chair meeting went pretty well. They both signed the annual report, so I have that with me, and they both agreed to delay the letter for a few months as we let things settle down. In terms of the mainstreaming report, I told Danielle to send in the CSO comments and we will work through them to have an IA completed product. We will then hold off on MSG approval until we figure out a process for that prior to the end of the year. Bottom line, neither of them want to do any approving since we will be withdrawing our application at some point prior to the end of the year. Have you heard that Mary Warlick was going to be reassigned and has decided to retire? I haven't talked to her in several weeks, so that was news to me. Have you heard anything from Micah?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, Jun 22, 2017 at 12:56 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> Are you on the Mega Bus? Any change in your mother-in-law?
>
> How did the Co-Chair Meeting go? Did you get signatures for the Annual Activity Report? What was the response to the letter? What was the discussion on mainstreaming?

On Thu, Jun 22, 2017 at 9:24 AM, Greg Gould <greg.gould@onrr.gov> wrote:

Perfect!

I'll let you know how it goes.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On Jun 22, 2017, at 9:22 AM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

See attached word doc.

Essentially we were all working on the premise that our audit and assurance practices along with DOI reporting of non-tax revenues/unilateral disclosure was the first step in mainstreaming for the U.S.

On Thu, Jun 22, 2017 at 8:21 AM, Greg Gould <greg.gould@onrr.gov> wrote:

Judy,

We discussed mainstreaming many times at our MSG meetings, correct. I believe we did approve the concept as well as to have the IA do the initial work. Can you check the mins?

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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Begin forwarded message:

From: Danielle Brian <dbrian@pogo.org>
Date: June 22, 2017 at 8:04:24 AM EDT
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett [redacted] @choctawnation.com>, Claire Ware <[redacted] @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir <[redacted] @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <[redacted] @vt.edu>, Betsy Taylor <[redacted] @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <[redacted] @polisci.ucla.edu>, Neil R Brown <[redacted] @neilrobertbrown.com>, Paul Bugala <[redacted] @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US - Arlington)" <alexandwong@deloitte.com>, Judith Wilson <judith.wilson@onrr.gov>, Robert Kronebusch <robert.kronebusch@onrr.gov>, Nathan Brannberg <nathan.brannberg@onrr.gov>, Pat Field <pfield@cbuilding.org>, "tkansal@cbuilding.org" <tkansal@cbuilding.org>, Jennifer Malcolm <jennifer.malcolm@onrr.gov>, Treci Johnson <treci.johnson@onrr.gov>, Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>, Chris Mentasti <chris.mentasti@onrr.gov>
Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Sarah, we are having a co-chair meeting this morning where we will discuss handling this document. As I told you earlier, civil society has significant problems with the suggestion that Deloitte's mainstreaming recommendation was presented and accepted by the MSG, since neither happened.
Danielle

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On Jun 22, 2017, at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:

MSG Members –

I wanted to send a gentle reminder to you that comments on the Mainstreaming report are due next Tuesday, June 27th. Please let me know if you have any questions or concerns.

Thank you!
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
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Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

<image002.png>

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From: Platts, Sarah (US - Arlington)
Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett <(b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir <(b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor <(b) (6) @vt.edu>; Betsy Taylor <(b) (6) @gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill

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Cc: Cassidy, John Kenneth (US - Arlington) <jocassidy@deloitte.com>; Mennel, John (US - Arlington) <jmennel@deloitte.com>; Hawbaker, Luke Malcolm (US - San Francisco) <lhawbaker@deloitte.com>; Mia Steinle <msteinle@pogo.org>; Emily Hague <Hague@api.org>; Norfleet, Charles <charles.norfleet@boem.gov>; Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>; Wong, Alexandra (US - Arlington) <alexandwong@deloitte.com>; Judith Wilson <judith.wilson@onrr.gov>; Robert Kronebusch <robert.kronebusch@onrr.gov>; Nathan Brannberg <nathan.brannberg@onrr.gov>; Pat Field <pfield@cbuilding.org>; tkansal@cbuilding.org; Jennifer Malcolm <jennifer.malcolm@onrr.gov>; Treci Johnson <treci.johnson@onrr.gov>; Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>; Chris Mentasti <chris.mentasti@onrr.gov>
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If you have any questions at all about the attached, please let me know.

Best,
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

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--
Judy Wilson

Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

<MSG meetings on Mainstreaming.docx>

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Gould, Greg" <greg.gould@onrr.gov>

From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Thu Jun 22 2017 13:01:12 GMT-0600 (MDT)
To: Danielle Brian <dbrian@pogo.org>

CC: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>, "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor <(b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6) @polisci.ucla.edu>, Neil R Brown <(b) (6) @neilrobertbrown.com>, Paul Bugala <(b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US

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Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Attachments: image004.png image002.png

Thanks Danielle. You are correct, the IA needs our comments so that they can finish their work on this study. This is the IA's work, which is a part of the process, and will be included in any future MSG decisions on moving forward with a mainstreaming request.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, Jun 22, 2017 at 2:44 PM, Danielle Brian <dbrian@pogo.org> wrote:

> Sarah and all,
> After our cochair meeting, I understand that we are not approving this document until the next MSG meeting, whenever that may be scheduled, right Greg? That right now we are simply reviewing a draft? I believe a much clearer description of this document would be that it is a report on feasibility of mainstreaming the reconciliation of DOI revenues. Please see attached additional edits/comments.
>
> On Thu, Jun 22, 2017 at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:
>
>> MSG Members –
>>
>> I wanted to send a gentle reminder to you that comments on the Mainstreaming report are due next Tuesday, June 27th. Please let me know if you have any questions or concerns.
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>> Thank you!
>> Sarah
>>
>> **Sarah Platts**
>> Manager | Strategy
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Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Microsoft Outlook <postmaster@doi.gov>

From:	Microsoft Outlook <postmaster@doi.gov>
Sent:	Thu Jun 22 2017 13:02:55 GMT-0600 (MDT)
To:	<greg.gould@onrr.gov>
Subject:	Undeliverable: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th
Attachments:	image004.png image002.png

server-7.tower-164.messagelabs.com rejected your message to the following e-mail addresses:

Nicholas Cotts (Nicholas.Cotts@newmont.com)

server-7.tower-164.messagelabs.com gave this error:
Message filtered. Refer to the Troubleshooting page at http://www.symanteccloud.com/troubleshooting for more information. (#5.7.1)

A problem occurred during the delivery of this message to this e-mail address. Try sending this message again. If the problem continues, please contact your helpdesk.

Diagnostic information for administrators:

Generating server: smtp2.doi.gov

<p>Nicholas.Cotts@newmont.com
server-7.tower-164.messagelabs.com #553-Message filtered. Refer to the Troubleshooting page at 553-
http://www.symanteccloud.com/troubleshooting for more 553 information. (#5.7.1) ##

Original message headers:


```
Received: from smtp4.smgd.doi.gov (10.10.82.14) by smtp2.doi.gov (10.10.82.22)
 with Microsoft SMTP Server (TLS) id 14.3.351.0; Thu, 22 Jun 2017 13:02:53
 -0600
DKIM-Signature: v=1; a=rsa-sha256; d=onrr.gov; s=mail; c=relaxed/simple;
        q=dns/txt; i=@onrr.gov; t=1498158121;
        h=From:Sender:Reply-To:Subject:Date:Message-ID:To:CC:MIME-Version:Content-Type:
        Content-Transfer-Encoding:Content-ID:Content-Description:Resent-Date:Resent-From:
        Resent-Sender:Resent-To:Resent-Cc:Resent-Message-ID:In-Reply-To:References:List-Id:
        List-Help:List-Unsubscribe:List-Subscribe:List-Post:List-Owner:List-Archive;
        bh=BR7Yn0yMgaOznaQcE2kian3ZUkROfswE5UrXezlhbNE=;
        b=BBBfJl9P2AS7DDYFYZDF8z1MUFRWQR2Gf1eLTubdMTgrp6Ce6G+4x65QmwF0w391
        rCsslGSVwkjMRgA0Bd61gT+Q1QlqBJKQsxiIf9R/C+64yy6aiu4IDkNpkwSo6Dtf
        RP/Rph9l7rnwCq+UEvg0ojxZm7lkZrmWTU/vMaP1ykU=;
X-AuditID: 89e35218-be5ff70000000eb6-6b-594c14285e90
Received: from gsmtp1.doi.gov ( [10.10.82.15])  (using TLS with cipher
 ECDHE-RSA-AES256-SHA (256/256 bits))   (Client did not present a certificate)
```

by smtp4.smgd.doi.gov (Hello) with SMTP id 64.06.03766.8241C495; Thu, 22 Jun
2017 13:02:00 -0600 (MDT)
Received: from mail-io0-f198.google.com (209.85.223.198) by gsmtp1.doi.gov
(137.227.82.15) with Microsoft SMTP Server (TLS) id 14.3.351.0; Thu, 22 Jun
2017 13:02:00 -0600
Received: by mail-io0-f198.google.com with SMTP id 84so20147328iop.15
for <Nicholas.Cotts@newmont.com>; Thu, 22 Jun 2017 12:02:00 -0700
(PDT)
X-Google-DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;
d=1e100.net; s=20161025;
h=x-gm-message-state:mime-version:in-reply-to:references:from:date
:message-id:subject:to:cc;
bh=27H3Ke75DTrpj7rhz/bwYGpcYRALft8PVHjKrjiCKiU=;
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SFoA==
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4xzL7rr125ekusoOBXdGHgH5+IbbPG5ofXUXJ4EL7i/zB+TigDU0OoPQ53rjB9QwufgeOhxy68n
MPKtGxnZS8rT3uDKMbwBCJaYoC5ZGJFw==
X-Received: by 10.107.40.18 with SMTP id o18mr3685741ioo.128.1498158116105;
Thu, 22 Jun 2017 12:01:56 -0700 (PDT)
X-Received: by 10.107.40.18 with SMTP id o18mr3685491ioo.128.1498158113855;
Thu, 22 Jun 2017 12:01:53 -0700 (PDT)
MIME-Version: 1.0
Received: by 10.50.17.134 with HTTP; Thu, 22 Jun 2017 12:01:12 -0700 (PDT)
In-Reply-To: <CALsB61YfYXJQtDq9XOoy2SB8NrabaoW75GcZk=_qo2BNpeMpPA@mail.gmail.com>
References: <SN4PR85MB00939F6A44B459531B8A11AAC6CB0@SN4PR85MB0093.NAMPRD85.PROD.OUTLOOK.COM>
<SN4PR85MB0093C1F069ADEED646DBC257C6DB0@SN4PR85MB0093.NAMPRD85.PROD.OUTLOOK.COM>
<CALsB61YfYXJQtDq9XOoy2SB8NrabaoW75GcZk=_qo2BNpeMpPA@mail.gmail.com>
From: "Gould, Greg" <greg.gould@onrr.gov>
Date: Thu, 22 Jun 2017 15:01:12 -0400
Message-ID: <CAPaMr9_L-Csm7J4VuPuKK8s=1cnk6BBjXxfHJSdkNzq1OJ2aUw@mail.gmail.com>
Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by
Tues, June 27th
To: Danielle Brian <dbrian@pogo.org>
CC: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>, "OS, USEITI"
<useiti@ios.doi.gov>, Bruce Barnett [redacted] (b) (6) @choctawnation.com>, Claire Ware
<[redacted] (b) (6) @yahoo.com>, Curtis C[redacted]urtis.carlson@treasury.gov>,
"[redacted]jim.steward@onrr.gov>, Julie A Lenoir
<[redacted] (b) (6) @blackfeetnation.com>, Marina Voskanian
<[redacted]Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>,
Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla"
<padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>,
David Romig <david_romig@fmi.com>, "Edwin Mongan"
<edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle
<johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)"
<michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>,
Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning
<phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>,
Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>,
"Betsy Taylor" <[redacted] (b) (6) @vt.edu>, Betsy Taylor <[redacted] (b) (6) @gmail.com>, Brian
Sanson <bsanson@umwa.or[redacted]niel Dudis <ddudis@citiz[redacted]id Chambers
<dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan
<jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, "Keith
Romig" <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael
Levine <mlevine@oceana.org>, Michael Ross [redacted] (b) (6) @polisci.ucla.edu>, Neil R
Brown <[redacted] (b) (6) @neilrobertbrown.com>, Paul Bug[redacted] (b) (6) @gmail.com>, Rebecca
Adamson[redacted]damson@firstpeoples.org>, Zorka Mili[redacted]in@globalwitness.org>,
"Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel,
John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US -
San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>,
Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>,
Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra
(US - Arlington)" <alexandwong@deloitte.com>, Judith Wilson
<judith.wilson@onrr.gov>, Robert Kronebusch <robert.kronebusch@onrr.gov>,
Nathan Brannberg <nathan.brannberg@onrr.gov>, Pat Field
<pfield@cbuilding.org>, "tkansal@cbuilding.org" <tkansal@cbuilding.org>,
Jennifer Malcolm <jennifer.malcolm@onrr.gov>, Treci Johnson

```
        <treci.johnson@onrr.gov>, Anita Gonzales-Evans
        <anita.gonzales-evans@onrr.gov>, Chris Mentasti <chris.mentasti@onrr.gov>
Content-Type: multipart/related; boundary="001a1141fa9434f70b0552911e5b"
X-Gm-Spam: 0
X-Gm-Phishy: 0
Return-Path: greg.gould@onrr.gov
X-CFilter-Loop: Reflected
X-Brightmail-Tracker: H4sIAAAAAAAAA+NgFjrDKsWRmVeSWpSXmKPExsXCxfzrg66miE+kwcLNHBZHtq5kdmD0+HTq
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        vLp7n7WLkYODRUBVYs2pUog5ARJvpreB9QoLxEo8O3AEbKaIgIrEyz8f2UDmMAusFpZ42PiP
        FSTBLOAh8WzBO6iDeCSmzL3IDmHzSay5sgXqIAWJ17dPQcUlJQ6uuMEygVF8FpK7ZyEZBWH7
        SOy5fZgJwtaUaN3+mx3C1pZYtvA1M4StIbHgzj5GTHEdiQlP77FC2CYSqyZcgpqjKDGl+yHQ
        HA6wmudHmUFMCaDvX8/KgqnYsKefHWbKzJ03WGCmdMw/z4JqCkTN5E3rwTaBjDnYd40Rpub4
        0atMCxiFVzEKFeeWFJjoFeemp+il5GfqpeeXbWIEpqvOx0ESOxh/7bI8xCjAwajEw5t41jtS
        iDWxrLgy9xCjCtCQRxtWX2CUYsnLz0tVEuH9/wIozZuSWFmVWpQfX1Sak1p8iFGag0VJnNfB
        LilYSCA9sSQ1OzW1ILUIJsvEwSnVwFhSEMlS+DZP3ntCfb/Xnnv/u3P99gv+PRs87cKrE3v4
        fh/mvlysyz77peSh+IXqJtfqYpX0LItzl3OxFFmX7pg3nXHNRPsfSzsnisY/VNqXvNDAv/6Y
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        oqEWc1FxIgAi02QFXwMAAA==
```


Thanks Danielle. You are correct, the IA needs our comments so that they can finish their work on this study. This is the IA's work, which is a part of the process, and will be included in any future MSG decisions on moving forward with a mainstreaming request.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, Jun 22, 2017 at 2:44 PM, Danielle Brian <dbrian@pogo.org> wrote:

> Sarah and all,
> After our cochair meeting, I understand that we are not approving this document until the next MSG meeting, whenever that may be scheduled, right Greg? That right now we are simply reviewing a draft? I believe a much clearer description of this document would be that it is a report on feasibility of mainstreaming the reconciliation of DOI revenues. Please see attached additional edits/comments.
>
> On Thu, Jun 22, 2017 at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:
>
>> MSG Members –
>>
>> I wanted to send a gentle reminder to you that comments on the Mainstreaming report are due next Tuesday, June 27th. Please let me know if you have any questions or concerns.
>>
>> Thank you!
>> Sarah
>>
>>
>> **Sarah Platts**
>> Manager | Strategy
>> Deloitte Consulting LLP
>> 1919 N. Lynn St., Arlington, VA 22209
>> Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
>> splatts@deloitte.com | www.deloitte.com
>>

SNAGHTMLb487530

Please consider the environment before printing.

From: Platts, Sarah (US - Arlington)
Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett <(b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir (b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor <(b) (6) @vt.edu>; Betsy Taylor <(b) (6) @gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill <jkrill@earthworksaction.org>; Keith Romig <kromig@usw.org>; Lynda Farrell <lynda@pscoalition.org>; Michael Levine <mlevine@oceana.org>; Michael Ross <(b) (6) @polisci.ucla.edu>; Neil R Brown (b) (6) @neilrobertbrown.com>; Paul Bugala <(b) (6) @gmail.com>; Rebecca Adamson <radamson@firstpeoples.org>; Zorka Milin <zmilin@globalwitness.org>
Cc: Cassidy, John Kenneth (US - Arlington) <jocassidy@deloitte.com>; Mennel, John (US - Arlington) <jmennel@deloitte.com>; Hawbaker, Luke Malcolm (US - San Francisco) <lhawbaker@deloitte.com>; Mia Steinle <msteinle@pogo.org>; Emily Hague <Hague@api.org>; Norfleet, Charles <charles.norfleet@boem.gov>; Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>; Wong, Alexandra (US - Arlington) <alexandwong@deloitte.com>; Judith Wilson <judith.wilson@onrr.gov>; Robert Kronebusch <robert.kronebusch@onrr.gov>; Nathan Brannberg <nathan.brannberg@onrr.gov>; Pat Field <pfield@cbuilding.org>; tkansal@cbuilding.org; Jennifer Malcolm <jennifer.malcolm@onrr.gov>; Treci Johnson <treci.johnson@onrr.gov>; Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>; Chris Mentasti <chris.mentasti@onrr.gov>
Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

USEITI MSG Members –

I hope this note finds all of you well! Attached please find the USEITI Mainstreaming Feasibility Report for your review. The IA completed this along with numerous stakeholders throughout the past couple of months. We'd now like for you to review this and **provide any feedback or comments directly to me (ideally via track changes) by Tuesday, June 27th.**

If you have any questions at all about the attached, please let me know.

Best,
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

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v.E.1

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Thu Jun 22 2017 13:02:21 GMT-0600 (MDT)
To:	<greg.gould@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Hello, I'm out of the office until Monday, June 26, 2017 and will respond to your email at that time. If you need assistance in the meantime, please contact Sofia Soto Reyes at ssotoreyes@cbuilding.org. Thanks, Tushar

Judith Wilson <judith.wilson@onrr.gov>

From:	Judith Wilson <judith.wilson@onrr.gov>
Sent:	Thu Jun 22 2017 13:02:27 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>, "Platts, Sarah (US - Arlington)" <splatts@deloitte.com> "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor <(b) (6) @gmail.com>, Brian

CC: Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross <(b) (6)@polisci.ucla.edu>, Neil R Brown <(b) (6)@neilrobertbrown.com>, Paul Bugala <(b) (6)@gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US - Arlington)" <alexandwong@deloitte.com>, Robert Kronebusch <robert.kronebusch@onrr.gov>, Nathan Brannberg <nathan.brannberg@onrr.gov>, Pat Field <pfield@cbuilding.org>, "tkansal@cbuilding.org" <tkansal@cbuilding.org>, Jennifer Malcolm <jennifer.malcolm@onrr.gov>, Treci Johnson <treci.johnson@onrr.gov>, Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>, Chris Mentasti <chris.mentasti@onrr.gov>

Subject: RE: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Attachments: image004.png image002.png

Thank you Danielle

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: Danielle Brian <dbrian@pogo.org>
Date: 6/22/17 2:47 PM (GMT-05:00)
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6)@choctawnation.com>, Claire Ware <(b) (6)@yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir <(b) (6)@blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6)@vt.edu>, Betsy Taylor <(b) (6)@gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross (b) (6)@polisci.ucla.edu>, Neil R Brown <(b) (6)@neilrobertbrown.com>, Paul Bugala (b) (6)@gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US - Arlington)"

<alexandwong@deloitte.com>, Judith Wilson <judith.wilson@onrr.gov>, Robert Kronebusch <robert.kronebusch@onrr.gov>, Nathan Brannberg <nathan.brannberg@onrr.gov>, Pat Field <pfield@cbuilding.org>, tkansal@cbuilding.org, Jennifer Malcolm <jennifer.malcolm@onrr.gov>, Treci Johnson <treci.johnson@onrr.gov>, Anita Gonzales-Evans <anita.gonzales-evans@onrr.gov>, Chris Mentasti <chris.mentasti@onrr.gov>
Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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MSG Members –

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Thank you!
Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

SNAGHTMLb487530

Please consider the environment before printing.

From: Platts, Sarah (US - Arlington)
Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett <(b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir (b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor <(b) (6) @vt.edu>; Betsy Taylor (b) (6) @gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill <jkrill@earthworksaction.org>; Keith Romig <kromig@usw.org>; Lynda Farrell <lynda@pscoalition.org>; Michael Levine <mlevine@oceana.org>; Michael Ross <(b) (6) @polisci.ucla.edu>; Neil R Brown (b) (6) @neilrobertbrown.com>; Paul Bugala (b) (6) @gmail.com>; Rebecca Adamson <radamson@firstpeoples.org>; Zorka Milin <zmilin@globalwitness.org>
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Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Thu Jun 22 2017 13:54:22 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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Judy Wilson
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202-208-4410

<MSG meetings on Mainstreaming.docx>

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"Gould, Greg" <greg.gould@onrr.gov>

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Sent:	Thu Jun 22 2017 13:59:29 GMT-0600 (MDT)
To:	"Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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Thanks,

Greg

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Director
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From: Platts, Sarah (US - Arlington)
Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett <(b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir (b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor <(b) (6) @vt.edu>; Betsy Taylor <(b) (6) @gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill <jkrill@earthworksaction.org>; Keith Romig <kromig@usw.org>; Lynda Farrell <lynda@pscoalition.org>; Michael Levine <mlevine@oceana.org>; Michael Ross <(b) (6) @polisci.ucla.edu>; Neil R Brown <(b) (6) @neilrobertbrown.com>; Paul Bugala <(b) (6) @gmail.com>; Rebecca Adamson <radamson@firstpeoples.org>; Zorka Milin <zmilin@globalwitness.org>
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Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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I hope this note finds all of you well! Attached please find the USEITI Mainstreaming Feasibility Report for your review. The IA completed this along with numerous stakeholders throughout the past couple of months. We'd now like for you to review this and **provide any feedback or comments directly to me (ideally via track changes) by Tuesday, June 27th.**

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Best,
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Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
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<image004.png>

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v.E.1

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

<MSG meetings on Mainstreaming.docx>

--
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"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Thu Jun 22 2017 14:04:06 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

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Thanks,

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Gregory J. Gould

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U.S. Department of the Interior

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Gregory J. Gould

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U.S. Department of the Interior
(202) 513-0600

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Begin forwarded message:

From: Danielle Brian <dbrian@pogo.org>
Date: June 22, 2017 at 8:04:24 AM EDT
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir <(b) (6)@blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch

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Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Sarah, we are having a co-chair meeting this morning where we will discuss handling this document. As I told you earlier, civil society has significant problems with the suggestion that Deloitte's mainstreaming recommendation was presented and accepted by the MSG, since neither happened.
Danielle

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On Jun 22, 2017, at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:

> MSG Members –
>
> I wanted to send a gentle reminder to you that comments on the Mainstreaming report are due next Tuesday, June 27th. Please let me know if you have any questions or concerns.
>
> Thank you!

Sarah

Sarah Platts
Manager | Strategy
Deloitte Consulting LLP
1919 N. Lynn St., Arlington, VA 22209
Tel Direct: +1 571 814 6255 | Mobile: +1 202 258 4417 (preferred)
splatts@deloitte.com | www.deloitte.com

<image002.png>

Please consider the environment before printing.

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Sent: Tuesday, June 6, 2017 10:55 AM
To: OS, USEITI <useiti@ios.doi.gov>; Bruce Barnett <(b) (6) @choctawnation.com>; Claire Ware <(b) (6) @yahoo.com>; Curtis Carlson <curtis.carlson@treasury.gov>; Greg Gould <Greg.Gould@onrr.gov>; Jim Steward <jim.steward@onrr.gov>; Julie A Lenoir <(b) (6) @blackfeetnation.com>; Marina Voskanian <Marina.Voskanian@slc.ca.gov>; Michael D Matthews <mike.matthews@wyo.gov>; Mike Smith <mike.smith@iogcc.state.ok.us>; Aaron P. Padilla <padillaa@api.org>; Christopher Chambers <christopher_chambers@fmi.com>; David Romig <david_romig@fmi.com>; Edwin Mongan <edwin.mongan@bhpbilliton.com>; Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>; Michael Gardner (RTHQ) <michael.gardner@riotinto.com>; Nicholas Cotts <Nicholas.Cotts@newmont.com>; Nicholas Welch <nick.welch@nblenergy.com>; Phillip Denning <phillip.denning@shell.com>; Stella Alvarado <Stella.Alvarado@anadarko.com>; Susan Ginsberg <sginsberg@ipaa.org>; Veronika Kohler <VKohler@nma.org>; Betsy Taylor <(b) (6) @vt.edu>; Betsy Taylor <(b) (6) @gmail.com>; Brian Sanson <bsanson@umwa.org>; Daniel Dudis <ddudis@citizen.org>; Danielle Brian <dbrian@pogo.org>; David Chambers <dchambers@csp2.org>; Isabel Munilla <imunilla@oxfamamerica.org>; Jana Morgan <jmorgan@pwypusa.org>; Jennifer Krill <jkrill@earthworksaction.org>; Keith Romig <kromig@usw.org>; Lynda Farrell <lynda@pscoalition.org>; Michael Levine <mlevine@oceana.org>; Michael Ross <(b) (6) @polisci.ucla.edu>; Neil R Brown <(b) (6) @neilrobertbrown.com>; Paul Bugala <(b) (6) @gmail.com>; Rebecca Adamson <radamson@firstpeoples.org>; Zorka Milin <zmilin@globalwitness.org>
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<MSG meetings on Mainstreaming.docx>

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"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Thu Jun 22 2017 14:06:01 GMT-0600 (MDT)
To:	"Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

That's life! I think there's a song by that title!

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, Jun 22, 2017 at 4:04 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

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> >
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Date: June 22, 2017 at 8:04:24 AM EDT
To: "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>
Cc: "OS, USEITI" <useiti@ios.doi.gov>, Bruce Barnett <(b) (6) @choctawnation.com>, Claire Ware <(b) (6) @yahoo.com>, Curtis Carlson <curtis.carlson@treasury.gov>, Greg Gould <Greg.Gould@onrr.gov>, Jim Steward <jim.steward@onrr.gov>, Julie A Lenoir (b) (6) @blackfeetnation.com>, Marina Voskanian <Marina.Voskanian@slc.ca.gov>, Michael D Matthews <mike.matthews@wyo.gov>, Mike Smith <mike.smith@iogcc.state.ok.us>, "Aaron P. Padilla" <padillaa@api.org>, Christopher Chambers <christopher_chambers@fmi.com>, David Romig <david_romig@fmi.com>, Edwin Mongan <edwin.mongan@bhpbilliton.com>, Johanna Nesseth Tuttle <johanna.nesseth@chevron.com>, "Michael Gardner (RTHQ)" <michael.gardner@riotinto.com>, Nicholas Cotts <Nicholas.Cotts@newmont.com>, Nicholas Welch <nick.welch@nblenergy.com>, Phillip Denning <phillip.denning@shell.com>, Stella Alvarado <Stella.Alvarado@anadarko.com>, Susan Ginsberg <sginsberg@ipaa.org>, Veronika Kohler <VKohler@nma.org>, Betsy Taylor <(b) (6) @vt.edu>, Betsy Taylor <(b) (6) @gmail.com>, Brian Sanson <bsanson@umwa.org>, Daniel Dudis <ddudis@citizen.org>, David Chambers <dchambers@csp2.org>, Isabel Munilla <imunilla@oxfamamerica.org>, Jana Morgan <jmorgan@pwypusa.org>, Jennifer Krill <jkrill@earthworksaction.org>, Keith Romig <kromig@usw.org>, Lynda Farrell <lynda@pscoalition.org>, Michael Levine <mlevine@oceana.org>, Michael Ross (b) (6) @polisci.ucla.edu>, Neil R Brown (b) (6) @neilrobertbrown.com>, Paul Bugala <(b) (6) @gmail.com>, Rebecca Adamson <radamson@firstpeoples.org>, Zorka Milin <zmilin@globalwitness.org>, "Cassidy, John Kenneth (US - Arlington)" <jocassidy@deloitte.com>, "Mennel, John (US - Arlington)" <jmennel@deloitte.com>, "Hawbaker, Luke Malcolm (US - San Francisco)" <lhawbaker@deloitte.com>, Mia Steinle <msteinle@pogo.org>, Emily Hague <Hague@api.org>, "Norfleet, Charles" <charles.norfleet@boem.gov>, Jeannette Angel Mendoza <jeannette.angel.mendoza@onrr.gov>, "Wong, Alexandra (US - Arlington)" <alexandwong@deloitte.com>,

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Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Sarah, we are having a co-chair meeting this morning where we will discuss handling this document. As I told you earlier, civil society has significant problems with the suggestion that Deloitte's mainstreaming recommendation was presented and accepted by the MSG, since neither happened.
Danielle

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On Jun 22, 2017, at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:

> MSG Members –
>
> I wanted to send a gentle reminder to you that comments on the Mainstreaming report are due next Tuesday, June 27th. Please let me know if you have any questions or concerns.
>
> Thank you!
> Sarah
>
> **Sarah Platts**
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> **From:** Platts, Sarah (US - Arlington)
> **Sent:** Tuesday, June 6, 2017 10:55 AM
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Subject: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

USEITI MSG Members –

I hope this note finds all of you well! Attached please find the USEITI Mainstreaming Feasibility Report for your review. The IA completed this along with numerous stakeholders throughout the past couple of months. We'd now like for you to review this and **provide any feedback or comments directly to me (ideally via track changes) by Tuesday, June 27th.**

If you have any questions at all about the attached, please let me know.

Best,
Sarah

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v.E.1

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<MSG meetings on Mainstreaming.docx>

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Zorka Milin <zmilin@globalwitness.org>

From: Zorka Milin <zmilin@globalwitness.org>

Sent: Tue Jun 27 2017 15:01:59 GMT-0600 (MDT)

To: Danielle Brian <dbrian@pogo.org>, "Platts, Sarah (US - Arlington)" <splatts@deloitte.com>

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Subject: RE: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Attachments: image002.png image004.png Mainstreaming Feasibility Study_June22017_vF_CSO pb zm.docx

Hi Sarah

I have serious reservation about this document as it stands and would not be able to support it or rely on it to inform any future decision, unless it is completely overhauled.

See attached for some comments from me.

A couple of points I wanted to highlight:

- Much of this discussion seems to completely miss the point of EITI as a **transparency** initiative: the question is whether data **that is disclosed** is sufficiently comprehensive and reliable etc. It makes no sense to argue that data that is withheld and kept secret (such as tax payments, beneficial owners) is sufficiently comprehensive, as to negate any need for transparency. That is simply not the spirit of EITI nor is it what is contemplated by mainstreaming.

- There's no mention of Section 1504 of Dodd-Frank, the one law that would make mainstreaming possible. While the SEC regulation was nullified earlier this year, the Congressional mandate remains in place and is still required to be implemented by the SEC. That needs to be prominently included here.

- The extensive detail on laws and standards that govern corporate reporting seems totally beside the point given that company reporting of EITI-relevant information is very minimal. So I would recommend leaving out that entire discussion because it is misleading to suggest that companies already report sufficient info – it's irrelevant that it's audited, if none of it is what EITI requires. At the very least, you need to point out that company reporting at present does not include any payment reporting on a cash basis.

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Subject: Re: Review | USEITI Mainstreaming Feasibility Report - comments by Tues, June 27th

Sarah and all,
After our cochair meeting, I understand that we are not approving this document until the next MSG meeting, whenever that may be scheduled, right Greg? That right now we are simply reviewing a draft? I believe a much clearer description of this document would be that it is a report on feasibility of mainstreaming the reconciliation of DOI revenues. Please see attached additional edits/comments.

On Thu, Jun 22, 2017 at 7:58 AM, Platts, Sarah (US - Arlington) <splatts@deloitte.com> wrote:
MSG Members –

I wanted to send a gentle reminder to you that comments on the Mainstreaming report are due next Tuesday, June 27th. Please let me know if you have any questions or concerns.

Thank you!
Sarah

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Manager | Strategy

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The United States Extractive Industries Transparency Initiative

The United States Extractive Industries Transparency Initiative

USEITI Mainstreaming Feasibility Study

June 2017

The United States Extractive Industries Transparency Initiative

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EarthRights International v. U.S. Department of the Interior, 22-cv-01503-CKK_00000125

The United States Extractive Industries Transparency Initiative

Executive Summary

This mainstreaming feasibility study was prepared by the United States Extractive Industries Transparency Initiative (USEITI) International Administrator (IA) in consultation with the USEITI multi-stakeholder group (MSG) and other stakeholders from government, industry and civil society. The process for mainstreaming consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review. Based on the evidence available, the USEITI MSG recommends pursing mainstreaming. The United States has made the formal commitment to mainstreaming, and with the submission of this feasibility study and the recommendation to pursue mainstreaming, USEITI will proceed to the preparation of a mainstreaming application for review by the EITI International Secretariat.

Mainstreaming Overview

What Is the Purpose and Process for Mainstreaming?

The objective of mainstreaming is to recognize implementing countries that make transparency integral to their systems. Requirement six of the EITI Standard states that "where legally and technically feasible, implementing countries should consider automated online disclosure of extractive revenue and payments by governments and companies on a continuous basis." Mainstreaming is the formal process countries pursue to demonstrate integrated transparency. The process consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review.

What Does the USEITI Mainstreaming Feasibility Study Entail?

The USEITI Independent Administrator (IA) is preparing this study at the request of the USEITI MSG in anticipation of the submission of a formal application for mainstreaming by the United States. The IA completed this feasibility study in close consultation with the USEITI MSG, as well as government and company stakeholders, and the information in this report is a reflection of those consultations as well as an independent assessment of U.S. processes and controls.

The mainstreaming process consists of four main components—review of materials, stakeholder consultation, feasibility study, and plan of action. This study presents information on the U.S. track record of reconciliation, an explanation of how the United States will increase and embed disclosures, an evaluation of data quality, and options for data reconciliation. This study makes a statement about U.S. readiness on each of those components.

In order to prepare this study, the IA gathered and reviewed relevant documents and research around processes, systems, data, and controls of both the U.S. government and U.S. companies. In addition to this literature review, the IA also interviewed select stakeholders from three

sectors: government, industry, and civil society. The IA used a standard interview guide to gain perspectives and insights on data timeliness, reliability, and comprehensiveness, as well as on U.S. progress toward mainstreaming to meet EITI international standards.

Lastly, the IA spoke to select stakeholders from government and industry in order to fill any data gaps or better understand processes and controls relevant to this study.

U.S. Track Record of Reconciliation

In order for countries to be considered for mainstreaming by the EITI International Board, they must show a track record of reconciliation without major errors. The EITI International Board does not define the length of time required, materiality threshold, or maximum number of discrepancies. As a result, this section contains a summary of the U.S. track record of reconciliation, thresholds, and unexplained variances.

Unilateral Disclosure of Revenue (UDR) in the United States

Each year, the Office of Natural Resources Revenue (ONRR), a division of the U.S. Department of the Interior (DOI), unilaterally discloses calendar year (CY) energy and mineral revenue paid to DOI. Only the revenue deemed to be in-scope is unilaterally disclosed. These disclosures are disaggregated at the company level and reported by natural resource and revenue type. The UDR showcases the United States' commitment to the unilateral disclosure of federal natural resources revenue by company, natural resource, and revenue stream. The UDR uses data reported by federal lease holders on Forms ONRR-2014 and ONRR-4430[1], as well as ONRR direct billing. The UDR is available on both ONRR's statistical information site and USEITI's data portal.

Specifically, the UDR includes:

Topic	Disclosure Detail
Calendar Years Disclosed	2013–2016
Unique Identified Companies	1,635
Total $ Amount Disclosed[2]	$38,699,490,038
Natural Resource Categories	17
Government Agencies Included	Three (ONRR, the U.S. Bureau of Land Management (BLM), and the U.S. Office of Surface Mining Reclamation and Enforcement (OSMRE))
Revenue Streams	Nine (ONRR royalties, inspection fees, civil penalties, and other revenue; ONRR/BLM rents and bonuses;

[1] OSMRE and BLM revenue streams are not collected through Forms ONRR-2014 and ONRR-4430. Also, not all UDR AML fee revenue for OSMRE is from federal lease holders.
[2] This disclosure represents all revenue paid to DOI in CYs 2013–2016.

	ONRR/BLM permit fees; and OSMRE abandoned mine land (AML) fees, including audit and civil penalties, as well as late charges)

These amounts will grow annually as production and/or prices increase, and ONRR will continue to unilaterally disclose revenue. The data set has been cleaned and organized for ease of use by the general public. It delineates aggregate payments by calendar year, corporate name, natural resource, and revenue.

Adapted Implementation for Subnational Payments in the United States

EITI Standard Requirement 4.2 (d) mandates reporting and reconciliation of material company payments to subnational government entities and the receipt of such payments. Separately, EITI Standard Requirement 4.2 (e) mandates reporting on mandatory revenue transfers from national governments to subnational governments. The EITI International Board approved USEITI's request for adapted implementation of the EITI Standard for subnational reporting as part of USEITI's candidacy application. The EITI Standard allows for adapted implementation "where the country faces exceptional circumstances that necessitate deviation from the implementation requirements" (EITI Standard Requirement 1.5). The approved adapted implementation considers that USEITI's reporting will comply with EITI Standard Requirement 4.2 (e), which mandates reporting 100% of revenue specific to extractive industries collected by the U.S. federal government and transferred to U.S. state governments within the unilateral data disclosure. However, payments made by companies to state governments (4.2 (d)) and revenue collected by state governments are not directly be included in the reconciliation.

What Is the U.S. Record of Results for Reconciliation?

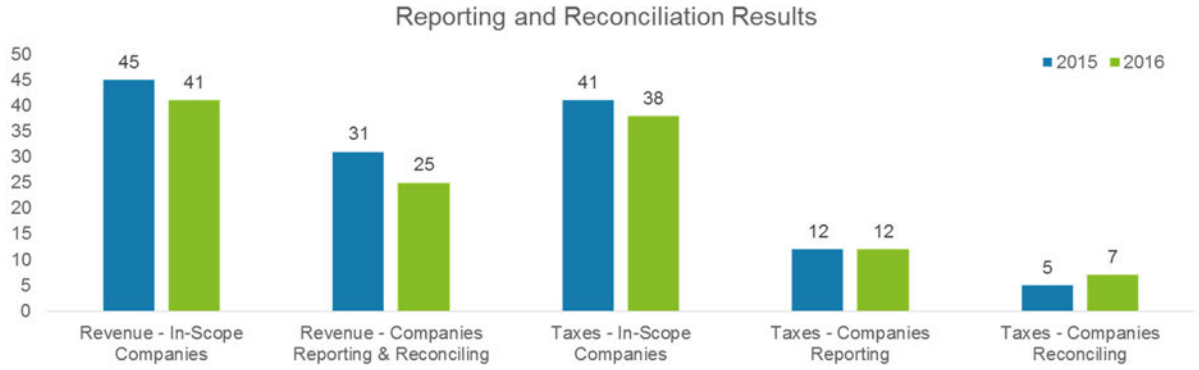
The United States conducted its first reconciliation in 2015. The MSG set the scope of reconciliation to include the top paying companies that, together, accounted for 80% of revenue paid to ONRR. The first period of reconciliation was CY 2013. Across 31 companies (out of 45 invited to reconcile) and 10 revenue streams, the overall variance for all DOI revenue came to $93,976,582, or 1.1% of all revenue reported by the 45 companies. For five companies reconciling taxes, there was one variance that totaled $6,297,360, or 3.3% of reconciled taxes. Seventeen discrepancies exceeded the allowable margin of variance determined by the USEITI MSG. The IA, in collaboration with in-scope companies and government entities, resolved or explained all discrepancies, which included differences regarding when payments were recorded and how they were classified.

In the following year, the United States conducted its second reconciliation covering CY 2015 revenue. Similar to the CY 2013 reconciliation, the USEITI MSG set the scope of reconciliation to include the top paying companies that, together, accounted for 80% of revenue paid to ONRR.

Of the 25 companies reporting (out of 41 invited to reconcile), the overall variance for all DOI revenue came to $156,387,357, or 3.24%. For seven companies reconciling taxes, the overall variance came to $120,122,958, or 33.8% of the total value of taxes reconciled. Additionally, 21 discrepancies exceeded the allowable margin of variance determined by the USEITI MSG. The IA, in collaboration with in-scope companies and government entities, resolved or explained all 21 discrepancies, which included differences regarding when payments were recorded and how they were classified.

Each year, companies may choose to report and reconcile both taxes and DOI revenue; however, per the reconciliation history, more companies choose to report and reconcile DOI revenue than taxes.

Figure 1. USEITI Reporting and Reconciliation Results (2015 and 2016)



Result	2015	2016
DOI Revenues Unilaterally Disclosed	100% of 2013 revenues	100% of 2014 and 2015 revenues (only 2015 reconciled)
Companies Participating	31 of 45 companies	25 of 41 companies
DOI Revenues Reported & Reconciled	$8.5B (81% of in-scope DOI revenues, 67% of all DOI revenues)	$4.83B (79% of in-scope DOI revenues, 62% of all DOI revenues)
Companies Reporting Taxes	12 of 41 reported $190M	12 of 38 reported -$308M
Companies Reconciling Taxes	5 of 41 reconciled $90M	7 of 38 reconciled -$130M
Variances	17	21
Variances Resolved or Explained	100%	100%

What Are the Expected Results for 2017?

The USEITI MSG has decided not to conduct a reconciliation of extractive industries revenue reported by U.S. government and U.S. companies for 2017 due to its judgement that the reconciliation process is redundant with established audit and assurance procedures and controls in place in the United States[3]. Instead, the USEITI MSG has decided to use the UDR to document controls in place in the contextual narrative as it believes the UDR process will continue to be comprehensive, timely, and accurate. The USEITI MSG plans to make the UDR

[3] Decision made by the USEITI MSG on February 2, 2017.

publicly available via existing sources, except where current laws or regulations prohibit data disclosure.

The USEITI MSG plans to produce an annual report for 2017 and will continue to update USEITI's data portal with additional contextual narrative information and data from U.S. states.

Increasing and Embedding Disclosures

How Does the Government Embed and Increase Disclosures?

The 2016 EITI Standard encourages countries to make use of existing reporting for EITI rather than duplicate their findings in an EITI report. To this end, the EITI International Secretariat has hailed USEITI's data portal as a good example of mainstreaming data.

The U.S. government publicly discloses all data embedded in USEITI's data portal. This data is updated annually. Key information in USEITI's data portal includes:

- **Federal production data** for 55 products extracted from 2006 to 2015. This data can be filtered by product type, region (including state, county, and offshore region), and both calendar and fiscal years.
- **Federal revenue by region and company** for 2006 to 2015. This data can be filtered by natural resource category and/or region.
- **Company data** for 2013 to 2015, provided by ONRR in its unilateral disclosure. This data can be filtered by natural resource category and/or revenue type.
- **Economic impact data on the extractive industries** for 2006 to 2015, including gross domestic product, exports, and jobs. This data can be filtered by region, with results shown as dollar values or percentage values. The data can be further filtered by natural resource category for exports and by job type for jobs.
- Beyond disclosing DOI data, the portal **aggregates and makes accessible relevant data sets from other government organizations**, including the U.S. Energy Information Administration, the U.S. Bureau of Economic Analysis, and the U.S. Bureau of Labor Statistics, as well as select state and local government data.

In addition to USEITI's data portal, ONRR's statistical information site (http://statistics.onrr.gov/) provides data sets on disbursements (at the fund or state level and by fiscal year) and reported revenue data (i.e., sales volumes, sales values, and revenue by natural resource category), which is shared at the state, onshore, offshore, and Indian levels in the United States.

USEITI's data portal also includes reconciliation data and Corporate Income Tax data for companies that have opted to report their tax data. Currently, the Tax Reform Act of 1976 (26 U.S. Code § 6103) prohibits disclosure of Federal Income Tax data without the consent of the taxpayer. However, the Internal Revenue Service (IRS) discloses aggregate tax liability by industry based on a stratified sample of individual company tax returns, and this aggregate information has been included in the 2015 and 2016 USEITI reports.

Furthermore, the collection of Corporate Income Taxes are subject to financial controls similar to other government revenue collections. The Bureau of the Fiscal Service, a division of the U.S. Department of the Treasury ("US Treasury"), collects Corporate Income Taxes.

In summary, the U.S. government discloses the majority of data required for mainstreaming on USEITI's data portal. Disclosures by the IRS provide information on taxes at an aggregate industry level, but not by company. Opportunities for the U.S. government to increase and embed disclosures include the expansion of the revenue streams disclosed, such as the Coal Excise Tax and in-scope natural resources.

How Does the Extractives Industry Increase and Embed Disclosures?

Companies in the extractive industries in the United States operate within a system of controls and audits that vary based on their ownership status and internal procedures.

Public Companies

In 2016, 34 of the 41 in-scope companies were public (i.e., stock traded on the open market). Public companies must annually disclose their financial statements and the result of their audits. Of the 34 companies, 29 follow accounting principles general accepted in the United States of America (GAAP). The remaining five companies follow International Financial Reporting Standards (IFRS). For each company, independent auditors review and attest to the company's internal controls, in addition to auditing the company's financial statements. Based on a review of company 10-Ks, these public companies arrange their internal controls according to the *Internal Control—Integrated Framework* (2013) established by the Committee of Sponsoring Organizations of the Treadway Commission's (COSO), which is a joint initiative of the American Accounting Association, the American Institute of Certified Public Accountants (AICPA), Financial Executives International, the Association of Accountants and Financial Professionals in Business, and the Institute of Internal Auditors. *Appendix 3* contains information on the disclosures, forms, and auditors of in-scope companies, as well as links to available annual reports or 10-Ks for 2015, the last year for which all companies created such reports.

Private Companies

Private companies have fewer requirements to make their information and financial statements public. In 2016, seven in-scope companies were private. These companies, while not subject to the same disclosure requirements as public companies, still operate within the system of

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controls and audits in which public companies operate. Importantly, private companies can be subject to audits by the IRS.

Voluntary Disclosures

In addition to these internal controls, external audits, and related disclosures, a number of in-scope companies report EITI-related data voluntarily or according to European regulations. (Rio Tinto, included below, is not an in-scope company, but is a USEITI MSG member and, therefore, is included.)

Company	Natural Resource	Reports Under	Disclosures
BP p.l.c. (BP)	Oil & Gas	U.K. law	BP reports payments to governments at the project level, and such payments are unaudited, but independently assured by Ernst & Young. BP does not include tax information. http://www.bp.com/content/dam/bp/pdf/sustainability/group-reports/bp-report-on-payments-to-governments-2015.pdf
Eni S.p.A. (ENI)	Oil & Gas	Voluntary	ENI reports payments to governments at the national level, as well as additional contextual information. The ENI report is unaudited. https://www.eni.com/en_IT/sustainability/integrity-human-rights/transparency-of-payments.page
Shell Oil Company ("Shell")	Oil & Gas	U.K. law	Shell voluntarily reported payments to governments prior to the implementation of British regulations and now reports according to those regulations. It reports all payments to governments at the project level. The Shell report is unaudited. http://www.shell.com/sustainability/transparency/revenues-for-governments.html
Statoil ASA ("Statoil")	Oil & Gas	Norwegian law	Statoil reports payments to governments at the project and country levels. It also includes contextual information in its annual report. The Statoil report is unaudited. https://www.statoil.com/en/investors.html#annual-reports
BHP Billiton (BHP)	Coal & Hardrock	Voluntary	BHP reports both tax and non-tax payments to governments, as well as contextual information and data on broader economic contributions (e.g., wages). BHP's non-tax data includes payments to governments at the project level. BHP's report is audited by an independent auditor according to Australian Auditing Standards. http://www.bhpbilliton.com/our-approach/operating-with-integrity/tax-and-transparency

Company	Natural Resource	Reports Under	Disclosures
Rio Tinto	Coal & Hardrock	Voluntary	Rio Tinto reports both tax and non-tax payments to governments, as well as publishes an annual "Taxes Paid" report. Payments are reported at the government and project levels. The report includes economic contribution data and contextual information, including case studies. Rio Tinto's report is independently audited. http://www.riotinto.com/ourcommitment/spotlight-18130_18998.aspx

These reports suggest best practices for encouraging further disclosure of payments by private companies.

In addition, publicly listed companies in the United States must comply with the reporting requirements under the Sarbanes-Oxley Act of 2002 (the "Act") and the corresponding U.S. Securities and Exchange Commission (SEC) Final Rule, *Management's Report on Internal Control Over Financial Reporting and Certification of Disclosure in Exchange Act Periodic Reports* (https://www.sec.gov/rules/final/33-8238.htm). The SEC Final Rule requires that a company's board of directors "include in their annual reports a report of management on the company's internal control over financial reporting."[4] Specifically, the SEC Final Rule states the annual report must include:

1) A statement of management's responsibility for establishing and maintaining adequate internal control over financial reporting at the company.

2) Management's assessment of the effectiveness of the company's internal control over financial reporting as of the end of the company's most recent fiscal year.

3) A statement identifying the framework used by management to evaluate the effectiveness of the company's internal control over financial reporting (i.e., *Internal Control—Integrated Framework*, established by COSO, is the most commonly used).

4) A statement affirming that the registered public accounting firm that audited the company's financial statements has issued an attestation report on management's assessment of the company's internal control over financial reporting. This review of controls by the company's external auditors (monitored by the Public Company Accounting Oversight Board) follows a review by the company's own internal auditors (reporting to the company's audit committee).

[4] U.S. Securities and Exchange Commission, *Final Rule: Management's Report on Internal Control Over Financial Reporting and Certification of Disclosure in Exchange Act Periodic Reports*, 17 CFR PARTS 210, 228, 229, 240, 249, 270, and 274. https://www.sec.gov/rules/final/33-8238.htm. Accessed on May 2, 2017.

A review of controls is part of the annual financial statement audit that every public company must complete with an independent public accounting firm. This audit provides investors and other interested parties with an assessment as to whether the company's financial results are fairly presented, in all material respects, in conformity with an established uniform body of accounting standards. Private companies typically are subject to financial statement audits when other parties, such as creditors and lenders, rely on and require the same level of assurance and attestation.

Evaluating Data Quality

The requirements for mainstreaming include determining whether data from both government and industry sources is up to date, comprehensive, and reliable outside of the EITI reporting structure. This section outlines the characteristics of U.S. data in these three categories.

Up-to-Date Data

The EITI Standard requires that information be reported on an annual basis and requires that the data disclosed be "no older than the second to last complete accounting period." For government and industry entities that currently report, U.S. data is disclosed on an annual basis and within the second to last complete accounting period. DOI UDR data is reported for the previous accounting period (e.g., the 2016 report includes 2015 data).

Comprehensive Data

The U.S. government's UDR covers all in-scope, non-tax payments received by the U.S. government, including payments from companies not in scope for USEITI revenue reconciliation purposes. Unilateral disclosure in the United States covers royalties, rents, bonuses, and other revenue, both by revenue stream and by company.

Federal Income Tax disclosure is made by the U.S. Treasury on an aggregate basis by industry. Some companies voluntarily disclose Federal Income Tax data as part of EITI reporting, to fulfill regulatory requirements in other countries, or as part of their own transparency reporting.

USEITI provides contextual narrative information through USEITI's data portal, which provides a detailed overview of the extractive industry on federal government lands in the United States. The portal contains dozens of pages, tables, and graphics that allow users to dynamically explore data related to the extractive industries in the United States. It also explains USEITI and how the extractive industries function in the United States. Specifically, the portal includes:

- More than 15 in-depth contextual pages about the entities that own natural resources, the laws governing natural resource extraction, how natural resources result in federal revenue, details on revenue streams, and data accuracy and accountability measures.

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- Fifty-five dynamic regional profile pages with contextual data integrated throughout.
- Twelve county case study pages that examine major producers of in-scope natural resources and the socioeconomic impact extractives industries have on these counties.

Additionally, the data portal includes a glossary related to the extractive industries, downloadable data sets for further analysis, and data documentation and usage notes.

Reliable Data

Companies in the extractive industries are subject to laws and regulations related to payments to the U.S. government, including the process for submitting those payments to the federal government. The processes for how these payments and revenue are recorded and verified are detailed in USEITI's *Audit and Assurance Practices and Controls in the U.S. Factsheet*, which is available at https://useiti.doi.gov/downloads/USEITI_budget-audit-factsheet_2016-08-17.pdf. *Appendix 2* includes tables that outline the major laws establishing the fiscal regime, fees, and fines related to extractive industries revenue collection in the United States.

Standards for both the federal government and companies in the extractive industries are promulgated by regulatory and voluntary oversight bodies[5]. These standards define:

- How companies and the U.S. government report revenue and financial information.
- How internal and external audit procedures provide payment and collection assurance.
- How external auditors provide assurance on companies' financial statements, as well as disclose audit results and audited financial statements for public companies.

Appendix 2 provides a table of laws, regulations, professional standards, and regulatory organizations used by companies, governments, and auditors to guide the reporting of financial information in the United States, including the financial statement audit process.

Reconciliation and Mainstreaming

Once a country is approved for mainstreaming, it is no longer required to complete the reconciliation process. If EITI data is comprehensive and reliable, then the data is "audited in accordance with international standards, the procedure does not require a comprehensive reconciliation of government revenue and company payments." This section details the audit, reconciliation, and assurance processes in place at ONRR and other U.S. government agencies.

[5] "Tracking and Verifying Company Payments to Government Agencies in the U.S. Extractive Industries," n.d., USEITI, https://useiti.doi.gov/downloads/USEITI_budget-audit-factsheet_2016-08-17.pdf.

There are generally four levels of mainstreamed controls:

- Upfront reconciliation of transaction data between DOI, U.S. Treasury, and companies
- Internal audit and other assurance processes within DOI
- External audit of DOI
- Other ad hoc oversight from the Office of the Inspector General (OIG), Congress, and other bodies

As part of the pre-reconciliation process integral to ONRR's receipt and processing of company payments and reporting, ONRR conducts 100% upfront reconciliation.

This report covers CY 2015 rents, royalties, and bonuses that, together, constitute 95% of DOI revenue streams, as well as Corporate Income Taxes. The following table provides additional details:

Revenue Stream	Percent of DOI Revenue	Upfront Reconciliation	Internal Controls	External Audits	Ad Hoc Oversight
ONRR Royalties	78.2%	✓	✓	✓	✓
ONRR & BLM Bonuses	14.6%	✓	✓	✓	✓
ONRR & BLM Rents	3.1%	✓	✓	✓	✓
OSMRE AML Fees	2.5%	✓	✓	✓	✓
BLM Permit Fees	1.3%	✓	✓	✓	✓
ONRR Offshore Inspection Fees	0.7%	✓	✓	✓	✓
ONRR Other Revenue	0.4% *(Negative Amount)*	✓	✓	✓	✓
ONRR Civil Penalties	0.1%	✓	✓	✓	✓
OSMRE Civil Penalties	0.03%	✓	✓	✓	✓
Corporate Income Taxes	N/A	N/A	✓	✓	✓

Note: Percentages total more than 100% due to rounding and negative ONRR other revenue.

ONRR's Upfront Reconciliation Process

ONRR's mission is to collect, account for, and verify natural resources revenue due to U.S. states, American Indians, and the federal government. Each month, ONRR receives and processes 49,000 royalty and production reports. ONRR's reconciliation process determines whether the U.S. government has been paid what it is owed, as well as whether companies made payments to the federal government in a timely manner. For ONRR's reconciliation process, companies report data the month after the month of production. Comprehensive reporting by companies and payors occurs on a project or lease level[6] basis.

[6] A "project" is defined as the operational activities governed by a single contract, license, lease, concession, or similar legal agreements that forms the basis for payment liabilities to a government. If multiple agreements are interconnected, they should be considered a project.

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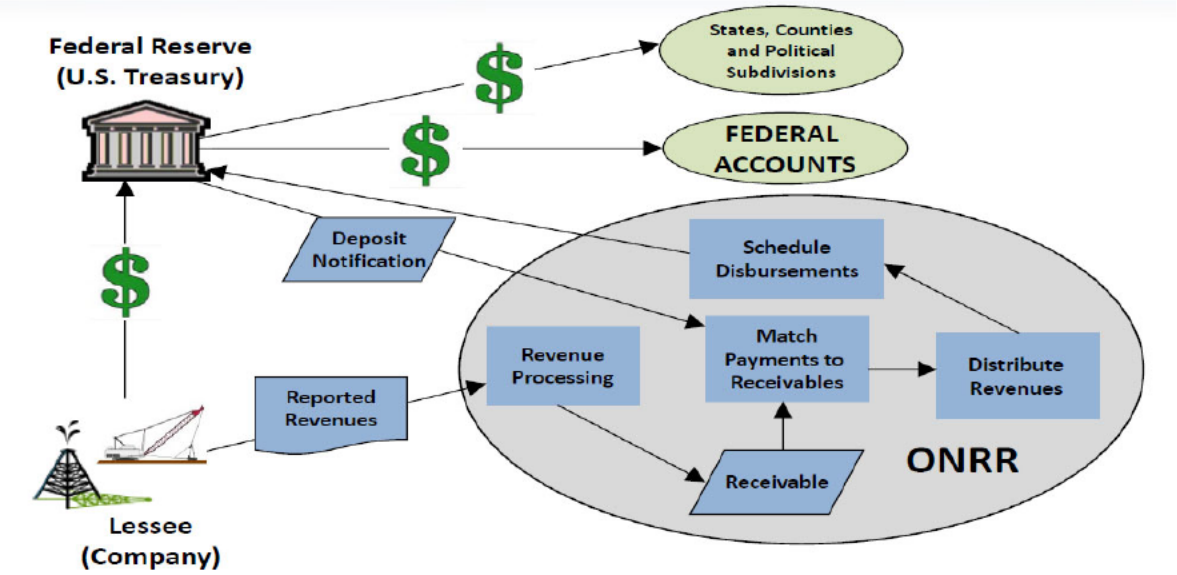
The following graphic illustrates the 100% upfront reconciliation and matching of company payments to ONRR revenue, as well as the distribution of revenue to recipients.

Figure 2. Upfront Reconciliation and Matching of Company Payments to ONRR Revenue



In this process, companies make payments to the U.S. Treasury and report those payments to ONRR on a monthly basis.

DOI Mainstreamed Processes and Controls

ONRR's Internal Controls and Processes

The United States has a set of standards and internal controls that are aimed at achieving reliability and accuracy in payment collection, accounting, and reporting. In accordance with guidance from the U.S. Government Accountability Office (GAO) Green Book, These standards and internal controls are outlined as follows:

Components of Internal Control	Principles
Control Environment	1. Demonstrate commitment to integrity and ethical values 2. Exercise oversight responsibility 3. Establish structure, responsibility, and authority 4. Demonstrate commitment to competence 5. Enforce accountability
Risk Assessment	6. Define objectives and risk tolerances 7. Identify, analyze, and respond to risk 8. Assess fraud risk 9. Analyze and respond to change
Control Activities	10. Design control activities 11. Design activities for information systems 12. Implement control activities

Components of Internal Control	Principles
Information and Communication	13. Use quality information 14. Communicate internally 15. Communicate externally
Monitoring	16. Perform monitoring activities 17. Remediate deficiency

Source: OMB Circular A-123

Internal Controls

In addition to annual OIG audits, external third parties audit ONRR's financial functions on an annual basis in accordance with generally accepted government auditing standards (GAGAS). Audits in the United States have a high standard of verification in the form of evidence for source documents and records, resulting in greater accuracy of payment and reporting information. Additionally, ONRR uses U.S. Standard Government Ledger (USSGL) accounts to prepare external reports for the Office of Management and Budget (OMB) and the U.S. Treasury, which includes this financial information in its annual consolidated DOI Agency Financial Report. Finally, the Chief Financial Officer (CFO) Act requires annual audits of DOI's financial statements, which include a thorough review of ONRR.

OMB Circular A-123 is part of the DOI Agency Financial Report. Per this regulation, the secretary of the DOI must provide an assurance statement on the state of the DOI's internal controls to the president and Congress. OMB, GAO, and Congress established the requirement for agencies to develop and maintain effective internal controls by issuing federal guidance, including OMB Circular A-123, *Management's Responsibility for Internal Control*. Under this guidance, management is responsible for establishing and maintaining effective internal controls and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act of 1982.

The A-123 process at ONRR begins with the director of ONRR issuing guidance to employees that outlines the compliance assurance activities that must be completed. ONRR's Internal Review, Oversight, and Compliance (IROC) program provides leadership and technical support to ONRR employees as they complete the A-123 process. Program managers of each assessable unit (AU) in ONRR use DOI's Integrated Risk Rating Tool (IRRT) to complete a risk assessment of their processes. With that information, IROC develops ONRR's Three-Year Component Inventory and Annual Risk-Based Internal Control Review Plan (Three-Year Plan).

In order for ONRR to maintain compliance with OMB Circular A-123, it must complete the following activities:

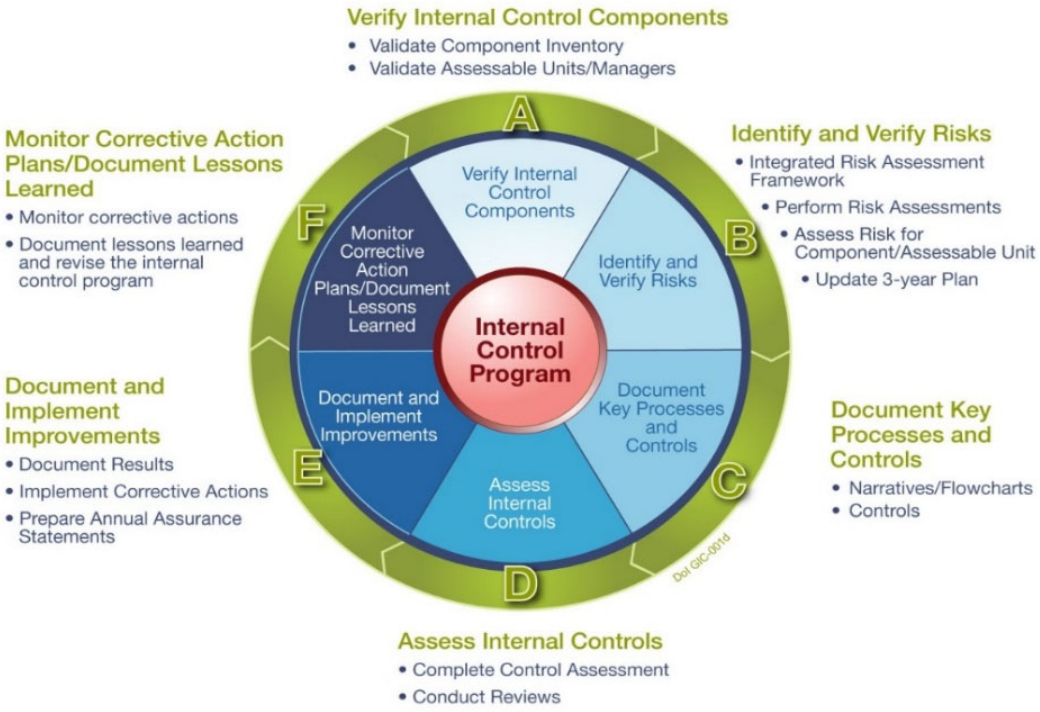
- Submit entry-level risk assessments for each of the program directorates: director, deputy director, and directorate support office; audit and compliance management;

coordination, enforcement, valuation, and appeals; and financial and program management

- Document or update AU key business processes, risks, and internal controls in both narrative and flow chart form
- Identify, document, and test key controls of all processes that are significant to a line item on DOI's financial statements
- Perform DOI-directed and ONRR-directed internal control reviews (ICRs)
- Develop DOI-required information technology (IT) and overall annual assurance statements

Additionally, DOI has designed an **Integrated Internal Control Program** comprising the plans, methods, and procedures used to support its mission, goals, and objectives. DOI has a six-step approach for its Integrated Internal Control Program that aims to enable performance-based management and supports DOI's mission, while addressing multiple legislative requirements.

Figure 3. DOI's Integrated Internal Control Program



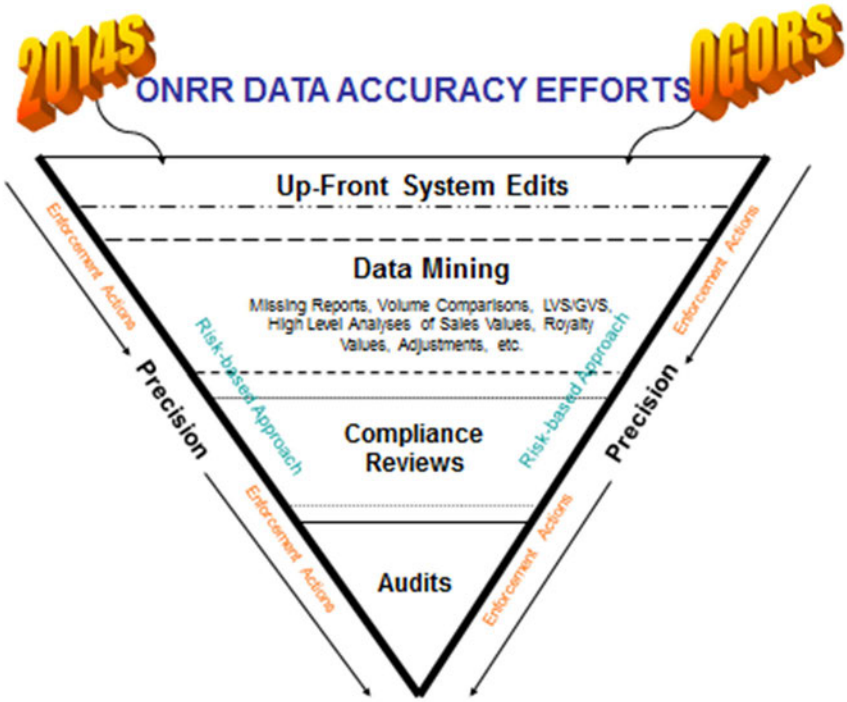
The goals of DOI's Integrated Internal Control Program are to:

- Ensure senior management oversight and coordination at the department and bureau level
- Follow a structured approach for assessing the risks facing the organization
- Implement a risk-based approach that weighs costs and benefits

- Improve consistency and comparability of bureau internal control programs by refining internal control guidance and using standardized tools, templates, and training
- Improve the maturity of DOI's risk management and internal control practices

Lastly, ONRR has controls in place to determine if data submitted by extractive industries companies is reliable and accurate. These controls occur at different points in the data collection and analysis process, as depicted in the following graphic, and provide the foundation for ONRR's compliance reviews and audits.

Figure 4. ONRR's Data Accuracy Process



Data control and verification starts at the submission stage of extractive industries reporting. Royalty reports (i.e., Forms ONRR-2014 and ONRR-4430) and production reports (i.e., oil and gas operations reports (OGORs)) go through hundreds of upfront system edits and checks for individual companies before they are submitted and accepted into ONRR's financial systems. These edits help prevent companies from submitting incorrect data, such as erroneous lease agreement amounts, incorrect prices, mathematical errors, or missing data elements.

Once the data is submitted by companies, ONRR's data mining office analyzes and works with individual companies to resolve various types of reporting errors and anomalies. The data mining phase helps identify specific issues with Form ONRR-2014 and OGOR submissions, as well as identifies errors that occur across multiple companies. When such errors are identified, ONRR works to provide specific guidance to companies and/or establish improved internal

processes for data collection and review. Data mining focuses on resolving issues collaboratively with companies prior to any compliance review and/or potential audit by using a system-generated variance to identify the required workload.

Audit and Compliance Management Function

ONRR's audit and compliance management (ACM) function is a part of the U.S. process for data accuracy and assurance. The ACM function serves to verify the accuracy of data reported to ONRR and examines statements, records, and operations of companies to verify compliance with lease instruments and established regulations, laws, and guidelines. The subsequent information detailed in this section is based on interviews with federal officials. This information was not independently verified by the IA.

ONRR's ACM function uses a risk-based approach to conduct compliance reviews and audits. This approach uses a risk calculation tool to develop audit and compliance work plans and identify potential risks of noncompliance based on a number of proprietary indicators, including previous audits and compliance reviews and the significance of royalty dollars. The risk calculation tool stratifies the compliance of companies and properties into high-, medium-, and low-risk categories. ACM's work is performed by more than 240 ONRR staff in six regional offices and 125 auditors working for states and tribal nations that have significant activity in extractive industries. The auditors on the State and Tribal Royalty Audit Committee perform audit and compliance reviews under the 202/205 cooperative agreements between ONRR, states, and tribes.

Through the ACM function, ONRR uses multiple evaluative techniques to determine if payments received from companies are for the appropriate amounts. These techniques include the following:

- One month after sales of production, a report and payment is due. At the time of the reporting, ONRR uses upfront system edits to verify royalty and production reports, including transportation and processing limits, multiple royalty rates, pricing edits, and agreement amounts.

- One to two years after a payment, ONRR uses data mining to increase the accuracy of company-reported data before the data is subjected to compliance reviews and audits. Missing reports, adjustment monitoring, adjustments to completed cases, and production volume comparisons are key components of data mining efforts to determine if company payments are accurate and verifiable.

- Two to three years after a payment, following the upfront-system edits and data mining, ONRR conducts compliance reviews and audits. Compliance reviews are used to examine issues and potential reporting errors after the upfront system checks and data mining. The compliance reviews are conducted two to three years after the original data

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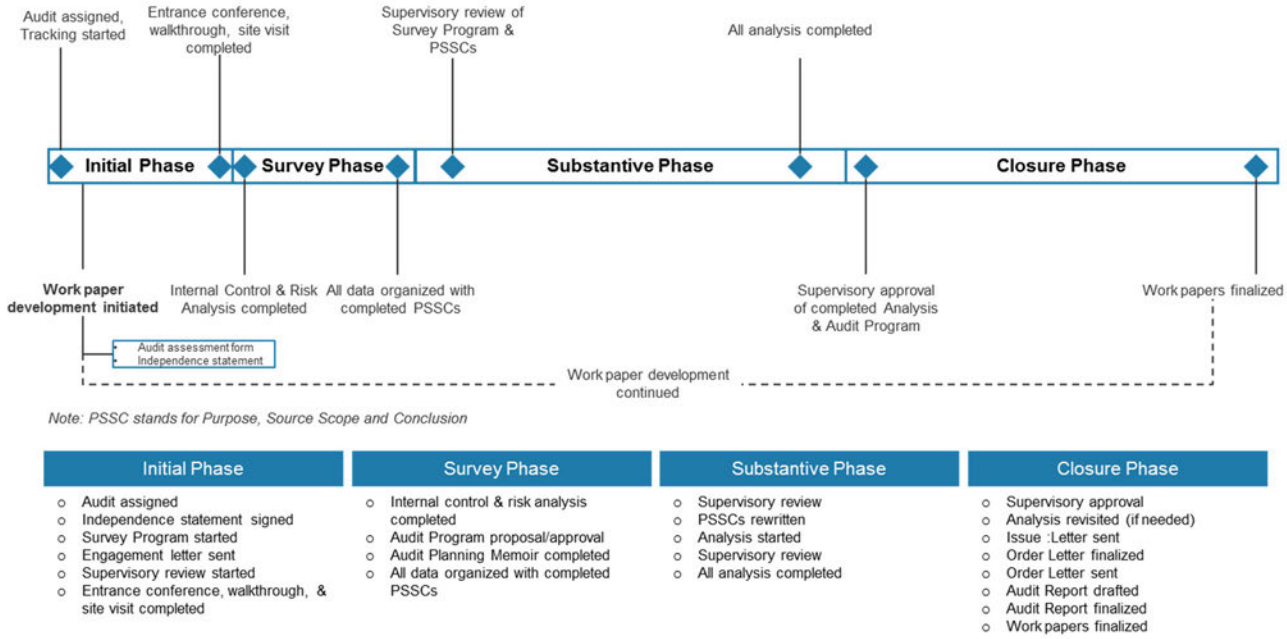
submissions to allow for adjustments and clarification of the data. In fiscal year (FY) 2016, ONRR completed more than 500 compliance reviews. Compliance reviews can come from a variety of sources, including a referral from another part of the agency, information obtained from the IRRT, or data anomalies found by the system.

Audits are performed based on source documentation or other verifying information obtained to analyze the completeness and accuracy of the production volumes, sales volumes, sales values, transportation and processing allowances, and royalty values reported by companies, in accordance with the reporting and valuation regulations. In FY 2016, the ACM function conducted 128 audits. ACM's audit process timeline is outlined in Figure 5.

Figure 5. Audit Process Timeline for ACM



When ONRR discovers inaccurate payments or potential fraud, it has several enforcement mechanisms at its disposal, including alternative dispute resolution, litigation, and civil penalties.

Additional Audits by the State and Tribal Royalty Audit Committee (STRAC)

In addition to the ONRR's audits, state government agencies also audit companies' reported production and payments, and these state government agencies are in turn subject to controls and audits of their own. Likewise, tribes in the United States also complete audits and are subject to controls and audits of their own. This multilayered system of checks and balances strengthens the data's reliability. Furthermore, STRAC works with ONRR to audit leases within its respective jurisdictions. STRAC consists of representatives from nine states and six Indian tribes. STRAC's purpose is to help ensure proper royalty payments are made by oil, gas, and solid mineral companies. STRAC's agreements are authorized under Sections 202 and 205 of the Federal Oil and Gas Royalty Management Act of 1982(FOGRMA), as amended by the Federal Oil

and Gas Royalty Simplification and Fairness Act of 1996 (FOGRSFA). STRAC helps further the accountability of money owed to its jurisdictions and improves the reliability of reported data.

U.S. Bureau of Land Management (BLM) Controls

BLM uses several methods and processes to ensure data accuracy and integrity when collecting rents, bonuses, and BLM permit fees.

First, the BLM Collections and Billings System (CBS) builds data integrity into the data collection system design. BLM uses CBS as a single point of entry for billings and collections data entry by field office personnel. CBS interfaces nightly with DOI's Financial and Business Management System to allow exchange and posting of collection information to the general ledger. CBS uses BLM's intranet to transmit collection information and includes several layers of security. In addition, CBS allows field personnel to enter any type of collection and organizes receipts into the correct accounts by natural resource category, subject, and action. BLM conducts continuous internal reviews and reports to ensure the timeliness, accuracy, and compliance of data entered into CBS.

Second, the Automated Fluid Minerals Support System (AFMSS) is a BLM-wide fluid mineral (i.e., oil and gas, geothermal, and helium) system with authorized use and inspection and enforcement support. AFMSS supports oil, gas, and geothermal lease operations on federal and Indian trust lands; post-lease operational approvals; well and facility data; inspection and enforcement data; and assessments and penalties for noncompliance and undesirable events (i.e., spills), as well as displays well production data (OGOR) collected by ONRR and data on customers (i.e., producers and operators). A number of reports supporting BLM business requirements are also included on a field office, state office, and national basis.

AFMSS contains oil, gas, and geothermal facility inspection and compliance data, including data related to preconstruction, drilling, production measurement and accountability, facility abandonment, undesirable events, enforcement actions (i.e., assessments and penalties), and inspection strategy information. AFMSS also contains the following: oil, gas, and geothermal leases; unit agreements; participating areas; communitization agreements; bond coverage; and drainage assessment data.

These assurance mechanisms and processes help BLM meet internal and external audit requirements and support accurate accounting and reporting.

Office of Surface Mining Reclamation and Enforcement (OSMRE) Controls

OSMRE uses the Internet-based Coal Fee Collection Management System (CFCMS) to report on 99% of U.S. coal production. The system is designed to prepopulate information about companies with coal-producing permits, thus reducing data entry error. The system contains numerous edits to ensure data accuracy, as well as automatically calculates fee amounts based

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on the production data entered by companies. OSMRE also completes paper-based reports for the remaining 1% of U.S. coal production.

Internally, OSMRE conducts continuous reviews of both automated and manual data entered into CFCMS to ensure the timeliness, accuracy, and compliance of data.

Externally, OSMRE conducts independent reviews of CFCMS data during audits of coal company records. During such audits, OSMRE auditors review data entered into CFCMS against coal company records of reported tonnage to determine whether there are any discrepancies in the CFCMS data.

OSMRE's Division of Compliance Management (DCM) performs audits of coal mining operations nationwide in accordance with GAGAS. These audits are performed using an internally developed automated audit program that is integrated with other OSMRE systems to increase efficiencies and reduce errors. DCM maintains an internal quality control system that is monitored on an ongoing basis to provide reasonable assurance that the policies and quality controls are appropriately designed and effectively applied. DCM's audit plan uses a risk-based approach, prioritizing audits based on identified risk factors. The audit program is designed to promote timely and accurate reporting of coal tonnage and ensures correct fee payments. In accordance with the requirements of GAGAS, DCM is subject to a peer review every three years performed by an independent certified public accounting firm.

The efficiencies of the audit program and its related activities have enabled OSMRE to achieve a compliance rate of more than 99% at a minimal cost to the Abandoned Mine Land (AML) Fund. OSMRE's process improvements and successful migration to electronic reporting has automated virtually all audit functions and eliminated 100% of data entry errors.

OIG Oversight

OIG provides independent oversight and promotes accountability within programs, operations, and management of the department. OIG performs the following functions:

- Oversees the contract with an independent certified public accounting firm to perform the annual DOI financial statement/CFO audit
- Conducts energy-focused reviews of DOI energy and mineral revenue programs
- Provides leadership and coordination and recommends policies for activities
- Identifies risks and vulnerabilities that directly affect DOI's mission
- Keeps interested parties informed about deficiencies related to the administration of programs and operations and the progress of necessary corrective actions
- Reviews the activities related to the EITI initiative

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Additional DOI Controls

Various entities within DOI support the accuracy, reliability, and timeliness of data collection and reporting, as detailed in the following table:

DOI Office	Responsibilities/Functions
Financial and Production Management	• Collects, verifies, and distributes all royalties, rents, and bonuses • Receives, processes, and verifies industry-submitted royalty reports • Performs data mining functions • Receives, processes, and verifies industry-submitted production reports and error corrections for all federal and Indian production • Oversees meter inspections for production verification
General Ledger (GL)	• Accounts for billions of dollars collected and disbursed by ONRR, in accordance with GAAP • Processes payments • Prepares reports and reconciliations for the U.S. Treasury • Processes revenue-sharing disbursements to states and counties through the U.S. Treasury, as well as transfers to other federal agencies • Processes refunds of overpayments to lease holders • Provides the initial trial balance used to develop departmental financial statements • GL is subject to an annual financial audit by OIG
Accounting Services	• Defines accounts payable (AP) functions as either federal or Indian • Ensures revenue is received with correct information and proper recipients • Prepares disbursement data for the U.S. Treasury and the Office of the Special Trustee • Provides distribution and mineral revenue reports to federal agencies, states, tribes, tribal allottees, and other requestors
Accounts Payable (AP) Federal	• Oversees system processing of all payor reporting and payments • Works closely with recipient agencies, states, and counties to resolve issues and ensure timely distribution of shared revenue • Ensures AP federal processes are in compliance with federal statutes regarding mineral extraction on federal lands
Accounts Payable (AP) Indian	• Collects daily rents and royalties on behalf of Indian tribes and allottees • Works extensively with the Bureau of Indian Affairs (BIA), the Office of the Special Trustee for American Indians (OST), and recipient Indian tribes • Prepares a daily report of deposits for OST and a twice-monthly distribution report on leases held by individual Indian allottees • Works with OST and Indian tribes to answer questions and reconcile accounts, as needed • Works with ONRR's Indian outreach organization to resolve allottee issues
Financial Services	• Manages other related federal and Indian account reconciliations • Reconciles payments to receivables within customer accounts • Establishes receivables for mineral royalty reports • Identifies credit and refund actions and processes related paperwork

U.S. Government Mainstreamed Processes and Controls

U.S. Treasury Single Source Cash Flow

The U.S. Treasury and Federal Reserve System (the "Treasury") serves as the sole provider of financial services for all U.S. federal agencies, including ONRR. Treasury maintains a centralized system of accounts for all federal agencies. The core tenet of this centralized system of accounts is that no single federal agency controls the receipt and payment of public funds. All federal agencies that handle government financial transactions must properly perform their functions to support internal government controls and the system of central accounts.

Treasury performs variance analysis and other reconciliations on transactions and balances contained within its systems. Treasury contacts ONRR with any questions it may have and can request ONRR justify or make changes to transactions or balances. DOI's external auditor also samples deposit and disbursement data from all Treasury systems and traces that data back to originating lease documents within ONRR's systems or other agency accounting advice.

To accomplish these ends, there are several primary systems maintained by Treasury that ONRR utilizes for cash flows, including the Collections Information Repository (CIR) for revenue collections, the Intra-Governmental Payments and Collections System (IPAC) for intragovernmental transfers, the Secure Payment System (SPS) for disbursements, and the Central Accounting Reporting System (CARS) for Treasury fund reconciliation.

ONRR receives the majority of its oil and gas revenue, as well as geothermal and solid minerals revenue through the CIR, which serves as a transaction broker, data warehouse, and reporting solution. CIR provides a single touchpoint to exchange all financial transaction information for settled transactions across all collections systems. This enables the U.S. government to normalize financial transaction reporting and standardize the availability of financial information across all settlement mechanisms and collections systems. CIR greatly improves the way ONRR collects, analyzes, and redistributes financial transaction information, which in turn eliminates redundancies and disconnects across and between the numerous point-to-point connections. CIR is a self-contained system with various related external system interfaces. CIR provides ONRR with revenue related to payments from the public sent via Fedwire, Pay.gov, automated clearing house (ACH), and check. All payment method transaction information submitted to ONRR is summarized daily into vouchers by CIR. CIR does not allow ONRR to create or alter deposit information.

Whereas CIR is used for revenue collected by ONRR from extractive industries companies, IPAC is used for oil and gas revenue collected by other federal agencies and transferred to ONRR. ONRR also uses IPAC to disburse revenue to other federal agencies in accordance with applicable statutes. The IPAC system's primary purpose is to provide a standardized interagency fund transfer mechanism for federal program agencies (FPAs). IPAC facilitates the

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intragovernmental transfer of funds, with descriptive data from one FPA to another. The IPAC system enables FPAs to exchange accounting and other pertinent information to assist in the reconciliation of funds transferred between FPAs for various interagency transactions (i.e., buy, sell, fiduciary, and other miscellaneous payment transactions). Sender and receiver Treasury account symbols/business event type codes (TAS/BETC) are validated in a shared accounting module (SAM) and transmitted to the CARS account statements at the time of IPAC origination. IPAC standardizes interagency payment, collection, and adjustment procedures through an Internet-based application.

The SPS is an application that allows government agencies to create payment schedules in a secure fashion, with strictly enforced separation of duties. Access to SPS is rigidly controlled by both Treasury and ONRR. SPS is ONRR's only avenue to disburse revenue from Treasury to state or local governments and to refund overpayments back to companies.

Lastly, ONRR uses the CARS to report and reconcile all collections and disbursement activity. CARS is a one-stop tool to:

- Provide and retrieve data and information from Treasury
- Capture and record TAS information for payments
- Deposit intragovernmental transactions
- Provide an account statement of the fund balance with Treasury
- Allow access to transaction details to support research and reconciliation
- Improve the usability and currency of government-wide financial information
- Minimize data redundancy and enhance data sharing between Treasury's central accounting system, financial service provider systems, and ONRR's core financial systems

ONRR reconciles the CARS fund balance with Treasury. ONRR's accounting system does this via reclassification of collection and disbursement transactions to identify the proper fund within Treasury. This reconciliation process is performed during the first three business days of each month. Any statements of difference between Treasury and ONRR are not permitted. All discrepancies and out of balances found must be corrected during the current accounting period, or a restatement is required for closed periods. CARS does not allow ONRR to create or delete transactions from the system.

Third-Party Audit Procedures

The annual agency financial report (AFR) provides important financial and performance information related to the stewardship, management, and leadership of the public funds and resources entrusted to DOI. Specifically, the report contains DOI's audited financial statements as required by the Chief Financial Officers Act of 1990. The audited financial statements include the custodial revenue managed by ONRR, OSMRE, and BLM. In FY 2016, DOI obtained an

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unmodified opinion from its independent certified public accounting firm—this was the 20th consecutive unmodified opinion for DOI.

DOI adheres to strict audit and assurance procedures in order to fulfill its fiduciary trust responsibilities to the nation's taxpayers, states, tribal affiliates, and local municipalities. The procedures outlined below reflect the best efforts to compile, structure, and summarize processes generally employed across DOI's bureaus and offices to achieve the department's overarching mission.

- First is an examination of the external and independent audit requirements used to evaluate DOI's compliance with audit and assurance protocols.
- Next is a review of the department's internal audit controls, audit and compliance activities, and peer review processes.
- Last is an examination of the department's data and IT assurance mechanisms.

In engaging a third party to conduct its audit, DOI entrusts this independent auditor to conduct audits of the department's general-purpose financial statements and closing-package financial statements in accordance with GAAP. The purpose of such an audit is the expression of an opinion as to whether the general-purpose financial statements that have been prepared by management conform with GAAP.

In the United States, such a third-party audit involves the following types of high-level activities:

- Performing procedures to obtain audit evidence about the amounts and disclosures in the general-purpose financial statements and closing-package financial statements
- Performing tests of the accounting records and assessing the risks of material misstatements of the general-purpose financial statements and closing-package financial statements, whether due to error or fraud, to provide a reasonable basis for opinions
- Evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management
- Evaluating the overall general-purpose financial statement and closing-package financial statement presentation

KPMG, LLP, DOI's independent auditor, noted in one of the Independent Auditor's Report, "In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of the U.S. Department of the Interior … and its net

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costs, changes in net position, budgetary resources, and custodial activity for the years then ended in accordance with U.S. generally accepted accounting principles."[7]

The audit of ONRR and DOI was conducted in accordance with GAGAS. This framework is used for conducting high-quality audits with competence, integrity, objectivity, and independence. These standards are promulgated by the GAO.

Additional Oversight

In addition to external audits from third-party auditors, DOI and ONRR are subject to additional oversight related to the collection, distribution, and reporting of revenue. OIG provides oversight in a number of areas. OIG's Office of Audits, Inspections, and Evaluations examines financial statements to determine if they are presented fairly and in accordance with GAAP. OIG's Office of Investigations conducts, supervises, and coordinates investigations related to allegations of fraud, waste, abuse, or mismanagement of financial resources or that result in significant financial losses to DOI.

Ultimately, as members of the executive branch, DOI and ONRR are subject to congressional oversight. Congress has a constitutional responsibility and right to investigate the actions of the executive branch and can compel reports, witnesses, and testimony.

The U.S. Government Accountability Office (GAO)

GAO supports Congress in meeting its constitutional responsibilities and assists in improving the performance and accountability of the federal government. GAO's work is done at the request of congressional committees or subcommittees or is mandated by public laws or committee reports, and includes the following activities:

- Audits agency operations to determine whether federal funds are spent efficiently and effectively
- Investigates allegations of illegal and improper activities
- Reports on how well government programs and policies are meeting their objectives
- Performs policy analyses and outlines options for congressional consideration
- Issues legal decisions and opinions
- Advises Congress and the heads of executive agencies on ways to make government more efficient, effective, ethical, and responsive
- Publishes a high-risk list (http://www.gao.gov/highrisk/overview)
- Its work leads to laws and acts that improve government operations

[7] "DOI Agency Financial Report FY 2013," http://www.doi.gov/pfm/afr/2013/upload/DOI-FY-2013-AFR.pdf; "DOI Agency Financial Report FY 2014," http://www.doi.gov/pfm/afr/2014/upload/DOI-FY-2014-AFR.pdf.

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- Maintains and updates GAGAS

The GAO comptroller general issues GAGAS, which were first published in 1972 and are commonly referred to as the "Yellow Book." GAGAS cover federal entities and those organizations receiving federal funds. The most recent 2011 revision of *Government Auditing Standards* takes into account recent changes in other auditing standards, including IFRS.

GAGAS incorporates, by reference, the AICPA *Statements on Auditing Standards (SAS)* and *Statements on Standards for Attestation Engagements (SSAE)*. Auditors may elect to use the International Auditing and Assurance Standards Board (IAASB) standards, the International Standards on Auditing (ISA), and International Standards on Assurance Engagements (ISAE) in conjunction with GAGAS.

The Auditing Standards Board (ASB) of the AICPA develops its SAS using the ISA as the base standard (ISAs are developed by the IAASB), and modifies the base standard only where modifications are deemed necessary to better serve the needs of the U.S. legal and regulatory environment. ASB field work and reporting standards for financial audit and attestation engagements are incorporated, by reference, into the "Yellow Book," unless specifically excluded.

GAGAS, part 3.31 (2011), encourages internal auditors who work for management at audited entities to use the Institute of Internal Auditor's (IIA) International Standards for the Professional Practice of Internal Auditing in conjunction with GAGAS.

GAO is a member of the professional standards committee of the International Organization of Supreme Audit Institutions (INTOSAI), which strives to establish an effective framework for professional standards that correspond to the needs of member SAIs. Only GAO, the IIA, and INTOSAI currently issue standards on performance and compliance audits. GAGAS incorporates compliance auditing in it performance auditing standards. INTOSAI has also issued a separate set of compliance audit standards.

Overview of Beneficial Ownership Requirements in the 2016 EITI Standard

The 2016 EITI Standard requires implementing countries to ensure companies disclose their beneficial owners, as well as politically-exposed persons holding ownership rights by 2020[8]. The Standard recommends that beneficial ownership information be made available through public registers, and that at a minimum the information be included in the country's annual report. The Standard first requires implementing countries to publish a roadmap outlining activities and preparations that the MSG considers necessary to implement beneficial ownership requirements. The USEITI MSG published this roadmap in January 2017 and shared it with the

[8] The Standard outlines that this applies to corporate entities that bid for, operate or invest in extractive assets and that this disclosure should include the identities of beneficial owners (including name, nationality, and country of residence), the level of ownership and details about how ownership or control is exerted.

EITI International Board; the roadmap is available as part of the meeting materials for the November 16-17, 2016 MSG.

Current Status of Beneficial Ownership in the United States

There is currently no a single definition for beneficial ownership in the United States, nor is there an institutional framework for beneficial ownership disclosure, a specific framework for the level of detail of beneficial ownership information collected, or a single methodology for assessing the accuracy of the data. However, the U.S. does have a number of frameworks for the collection of beneficial ownership information, but data collection and requirements vary.

The first framework for collection is the corporate formation process. In the United States, individual states manage the corporate formation process. As such, information requirements for incorporation vary widely, but no states require persons forming corporations to name beneficial owners at the time of corporate formation. There are no mechanisms that capture, track, and manage beneficial owners at the state level. Some states do make certain data on incorporated companies public through online systems. There are no federal laws regulating incorporation.

At the federal level, three requirements provide an institutional framework for beneficial ownership information collection, but not disclosure. First, the U.S. Treasury's Customer Due Diligence Rule[9] requires U.S. financial institutions to know the real people who own, control, and profit from companies (beneficial owners) and to verify their identities. Whenever companies open a new account at a covered financial institution, the customer must disclose the identity of 1) each individual who owns 25% or more of the company and 2) any individual who controls the company. Second, legal entities that file federal taxes must obtain and have an Employer Identification Number (EIN). To do so, they must name a "responsible party." A responsible party is generally defined as "the person who has a level of control over, or entitlement to, the funds or assets in the entity that, as a practical matter, enables the individual, directly or indirectly, to control, manage, or direct the entity and the disposition of its funds or assets."[10] Finally, the Securities Exchange Act of 1934 requires any person or group that acquires more than 5% beneficial ownership of public company equity securities must disclose its position within 10 days of crossing the threshold.

For extraction on federal lands, the Mineral Leasing Act of 1920 (MLA) and the Outer Continental Shelf Leasing Act (OCSLA) require companies to meet certain requirements pertaining to ownership. The MLA requires companies holding onshore federal mineral leases to meet citizenship and acreage requirements. For coal and leasable solid minerals, a 10% ownership in a partnership or association must be disclosed to ensure this compliance. For oil and gas, publicly traded partnerships and associations must certify that their constituent

[9] https://www.federalregister.gov/documents/2016/05/11/2016-10567/customer-due-diligence-requirements-for-financial-institutions
[10] USEITI Beneficial Ownership Work Group meeting minutes, 2016

members who own more than 10% are in compliance with the MLA. There are no comparable requirements for geothermal. The OCSLA governs oil, gas, sulfur, other minerals, and renewables leased on the Outer Continental Shelf of the United States. It requires that bidders prove they are qualified to bid by demonstrating: 1) if an individual, that they are a citizen or national of the U.S. or an alien lawfully admitted for permanent residence, 2) if a corporation, that they are organized under the laws of a state or territory, or 3) if an association, that the association's members must be qualified individuals or corporations. They don't need to disclose underlying owners. Furthermore, to obtain a mining claim for locatable minerals (such as gold or copper) on federal lands one must prove that one is either a U.S. citizen, legal immigrant who has filed for citizen, business entity organized under the laws of the state, or an agent or person falling into those categories.

There is no authoritative source for beneficial ownership information of legal entities, given that there is no requirement for U.S. states to collect this information when a company is formed. For the information that is collected, there are a number of restrictions to its disclosure. Safeguarding personally identifiable information in possession of the government and preventing its breach are essential to ensure that the government retains the American public's trust. This applies to CDD and EIN information collected, among others. All information collected on an EIN application is confidential and cannot be disclosed or used for any purpose other than U.S. Federal tax administration. SEC filings are public, given their intent to safeguard investors.

The United States does have significant statutes and regulations restricting U.S. government employee ownership of certain financial interests, requiring employee reporting on certain financial interests, and restricting employee participation in certain official government matters that would affect an employee's personal or imputed financial interests or that might affect an employee's personal or business relationships. These laws are outlined in the USEITI MSG's beneficial ownership roadmap and are detailed in Appendix 3.

USEITI MSG's Proposed Activities from Beneficial Ownership Roadmap

The USEITI MSG outlined these considerations and more in detail in its beneficial ownership roadmap. It also outlined a proposed timeline and objectives for meeting the beneficial ownership requirement. Details of these timelines and activities is outlined below:

Timeframe	Activity
Calendar Year 2017	The MSG agrees to working definition of beneficial owner and conducts a legal review of the legal barriers and enablers to public disclosure of beneficial ownership information under U.S. law

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2017 USEITI Reporting Season (March – August)	The MSG explores the possibility of requesting beneficial ownership information through the USEITI reporting template and collection of data for disclosure in the 2018 report (public companies may have the opportunity to indicate that beneficial ownership is done through periodic filings with the SEC, where appropriate, and, if it is determined, this disclosure is sufficient)
2017 and 2018	DOI and other relevant parties explore possibilities to request beneficial ownership information from companies engaged in bidding processes or otherwise operating in lands under its jurisdiction consistent with MLA, OCSLA, and/or other regulatory action within the power of the agency
January 2018	Assuming that the preceding was successful, USEITI report with 2017 data including results of beneficial ownership query is released
2018 USEITI Reporting Season	Assuming that the preceding was successful, a request for beneficial ownership information is included in the USEITI reporting template, and results will be included in the 2019 USEITI report
2018	The USEITI MSG explores the possibility of regulatory/legislation action related to the "invest in" provision of the beneficial ownership requirement
2019 USEITI Reporting Season	Assuming that preceding efforts were successful, a request for beneficial ownership information is included in the USEITI reporting template, and results will be included in 2020 USEITI report
2019	Assuming that preceding efforts were successful, DOI and other relevant parties seek to request beneficial ownership information from companies engaged in bidding processes or otherwise operating in lands under its jurisdiction consistent with the MLA, the OCSLA, and/or other regulatory action within the power of the agency

2019	The USEITI MSG explores the possibility of regulatory/legislation action related to the "invest in" provision of the beneficial ownership requirement
2020	Assuming that the preceding was successful, reporting by entities bidding for activities and operating on lands in the jurisdiction of the MLA, the OCSLA, and/or other regulatory action within the power of DOI commences
2020	Assuming that preceding efforts were successful, reporting related to the "invest in" provision commences

Conclusions of the Report and Recommendation on Mainstreaming

This feasibility study was prepared by the IA in consultation with the USEITI MSG and other stakeholders from government, industry and civil society. The following three primary conclusions reflect those consultations and a review of documents:

1. *The United States has* ***routine disclosures at the requisite level of detail for a significant amount of the data required by the EITI Standard and the terms of reference developed by the USEITI MSG.*** *The U.S. government's UDR covers all in-scope, non-tax payments received by the U.S. government, including payments from companies not in scope for USEITI, and covers royalties, rents, bonuses, and other revenue by revenue stream and company. The disclosure is available to the public through a data portal (https://useiti.doi.gov/downloads/federal-revenue-by-company/). The USEITI MSG and EITI International Secretariat have made significant efforts toward the usability and public awareness of the data portal. The EITI document, "Toward Mainstreaming Action Plan," approved by the EITI International Board on October 25, 2016, specifically highlights USEITI's data portal as an example of "the trend toward mainstreamed EITI implementation."*

   That said, there are two areas in which there is not currently routine disclosure:

   - *Corporate Income Tax, which is an in-scope revenue stream, is not currently disclosed at the company level. Federal law, including Section 6103 of the*

Internal Revenue Code (26 U.S.C.), which provides for the confidentiality of tax returns and return information, prohibits unilateral disclosure by the U.S. government of taxpayer information at the company level. However, the U.S. Treasury does publicly disclose Corporate Income Tax on an aggregate basis by industry, including for the oil and gas and mining industries. Also, the IRS, which is under the U.S. Treasury umbrella, has the right to audit individual taxpayer returns. In addition, some companies voluntarily disclose Corporate Income Tax data as part of EITI reporting, to fulfill regulatory requirements in other countries, or as part of their own transparency reporting. Fuller tax disclosure would require either new legislation and/or expanded voluntary company disclosure. Based on consultations conducted in preparation of this report, the USEITI MSG members and other stakeholders did not see a path to either at this time.

- *Beneficial ownership disclosures are required by Section 2.5 of the EITI Standard starting on January 1, 2020. There is an existing framework of Federal banking, securities, mineral extraction and other regulations which require routine disclosure of significant owners and "responsible persons" for U.S. companies in many situations. There are also existing ethics rules which require Federal employees to disclose financial interests in companies and limit conflicts of interest. (See page 30 for more detail). However, because companies can register in any of the 50 states, there is no single authoritative source for beneficial ownership information, and the level of disclosure at the state level varies widely. Based on consultations conducted in preparation of this report, the USEITI MSG members and other stakeholders did not see a legislative or regulatory path to create such a source at the present time.*

Considered together, the system of internal controls, the disclosure of non-tax revenue through the UDR, and the disclosure of industry aggregates for Corporate Income Tax, the United States has routine disclosure of a significant amount of the data required under the 2016 EITI Standard. In the areas of Corporate Income Tax and Beneficial ownership, the EITI Board would need to decide if current routine disclosures meet the substance of the "agreed-upon" procedures for mainstreaming.

2. ***In-scope financial data for the U.S. government and the majority of in-scope companies is subject to independent audit, applying international standards**, as required by the EITI Standard and laid out in the "Mainstreaming Action Plan."[11] The U.S. government and companies (both public and private) generally have controls and systems of internal and external audit consistent with international standards.*

[11] https://eiti.org/sites/default/files/documents/2016-10-towards_mainstreaming_action_plan.pdf

With respect to the external audit of DOI, OIG engages an external auditor to conduct an annual audit of ONRR's financial functions. The external audit is conducted according to GAGAS, an internationally recognized standard. While the specific tests used in DOI's external audit have not been disclosed, interviews with OIG and other DOI personnel indicate that source documents and records are used to verify the accuracy of financial reports. In addition to the external audit, DOI and ONRR are subject to oversight related to the collection, distribution, and reporting of revenue, including oversight from DOI's Office of Audits, Inspections, and Evaluations and DOI's Office of Investigations.

In addition, all publicly traded in-scope companies undergo external audits in accordance with international standards, either GAAP or IFRS, and disclose their financial statements and the results of their audits to the SEC. Privately held U.S. companies also generally undergo audits in accordance with international standards and may be audited by the IRS, although they are not required to publicly disclose their results. See Appendix 3 for available data on audits for all in-scope companies—both public and private.

3. ***Internal controls exist to support the reliability and accuracy of payment collection, accounting, and reporting of in-scope data****. Internal processes and controls between the U.S. Treasury, DOI, and company payors are in place, including an upfront reconciliation of a large percentage of transactions, which compares the amounts owed to the amounts collected. These processes and controls are designed to monitor the accuracy and timeliness of revenue collection and reporting between the company payor and the U.S. government. This system of controls is also intended to reduce the opportunities for fraud by the company payors or U.S. government officials. The OMB Circular A-123 program, DOI's Integrated Internal Control Program, and ONRR's data accuracy efforts for Form ONRR-2014 and OGOR submissions are examples of the additional controls in place in the United States to support the reliability and accuracy of data. The ACM function within DOI serves to verify the accuracy of data reported to ONRR and examines statements, records, and operations of companies to verify compliance with lease instruments and established regulations, laws, and guidelines. Additionally, states and tribes in the United States maintain internal audit committees.*

Recommendation for Mainstreaming and Next Steps

Based on available evidence, the USEITI MSG recommends that USEITI pursue mainstreaming.

The process for mainstreaming consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review. The United States has made the formal commitment to mainstreaming, and with the submission of this feasibility study, USEITI will proceed to the preparation of a mainstreaming application for review by the EITI International Secretariat. Prior to the submission of this application, the USEITI MSG will agree on a schedule for disclosure and assurance, including any capacity building and technical

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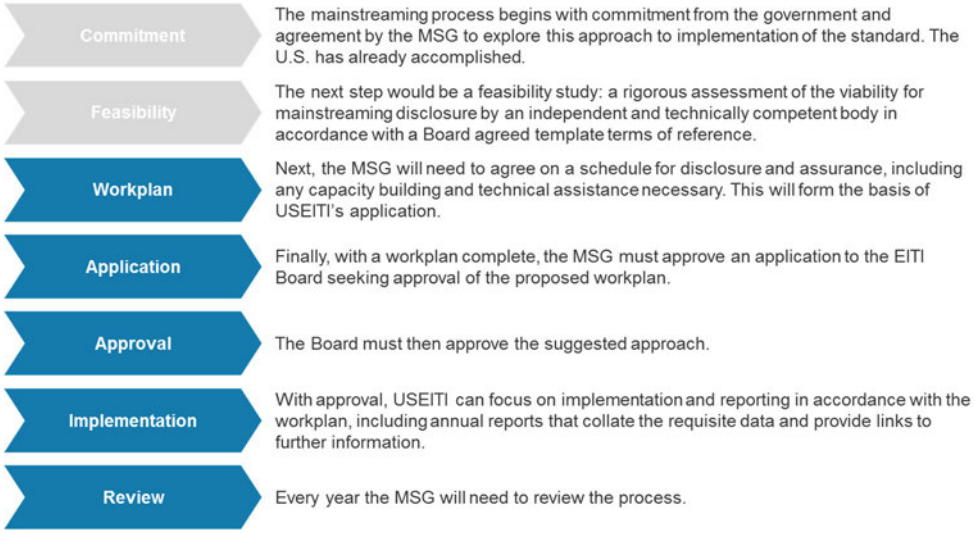
assistance necessary; this will form the basis of USEITI's application. An overview of the process is outlined below.

Figure 6. USEITI Mainstreaming Process



Source: EITI International Secretariat. Board Paper. Annex A – Draft Agreed Upon Procedure for Mainstreaming Disclosures https://eiti.org/files/board_paper_30-4-a_annex_a_draft_agreed_upon_procedure_for_mainstreamed_disclosures.pdf

As part of developing the mainstreaming work plan and application, the following steps will be necessary:

1. Documentation of commitment by the USEITI Secretariat to maintain the UDR and data portal to the current level of timeliness, comprehensiveness, and reliability for a reasonable period of time.
2. Agreement with the EITI International Board that the current disclosures of non-tax revenue and aggregate disclosure of Corporate Income Tax are sufficient for mainstreamed implementation for a reasonable period of time.
3. Agreement with the EITI International Board on continued adapted implementation with regards to subnational disclosures related to the federal nature of the United States.
4. Documentation of a process for periodic review of mainstreamed implementation by a multi-stakeholder group, either the current USEITI MSG or a new body that meets the requirements of Section 1.4 of the EITI Standard.

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Appendix 1 — Stakeholder Interview Notes

Interviewees

The IA invited 11 USEITI MSG members and alternates from across civil society, industry, and government to engage in stakeholder interviews, and the following nine people agreed to participate:

Sector	Name	Organization
Civil Society	Danielle Brian	Project on Government Oversight
Civil Society	Keith Romig, Jr.	United Steelworkers
Industry	Veronika Kohler	National Mining Association
Industry	Phil Denning	Shell Oil Company
Industry	Aaron Padilla	American Petroleum Institute
Government	Greg Gould	Department of the Interior
Government	Curtis Carlson	Department of the Treasury
Government	Mike Matthews	State of Wyoming—Department of Audit
Government	Jim Steward	Department of the Interior

Responses

The interviews covered each individual's goals for USEITI and the U.S. track record of reconciliation, as well as evaluated the data quality of USEITI as it relates to mainstreaming. Key takeaways from these interviews follow:

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Topic	Sector	Takeaway
Goals for USEITI	Civil Society (CSO)	CSO representatives spoke about a range of goals for USEITI, including consolidating already available public data in an easily accessible place, creating a meaningful contextual narrative, revealing data not previously available to the public, and representing specific constituents. CSO representatives were split on how reconciliation fits into their goals. One interviewee expressed the view that reconciliation inherently compares company data to company data (i.e., government data was just company data provided to the government by the company). Another interviewee found reporting and reconciliation to be positive, with the exception of tax reporting and reconciliation. Neither interviewee saw mainstreaming specifically fitting into their goals for USEITI.
Goals for USEITI	Government	The U.S. government expressed a range of goals, including educating the public, participating and leading on the international stage, creating useful data for the public and the government, improving government operations, achieving a workable solution within U.S. laws, and achieving validation. The U.S. government did not see reconciliation as part of its goals, a value-add for the U.S. public, a valuable use of taxpayer money, an achievable reality for taxes, or valuable to USEITI as a whole. Mainstreaming was seen as the only feasible way for the United States to achieve validation. Mainstreaming is viewed as easier than reconciliation and likely to increase participation. The government believes U.S. audits and controls already achieve the purpose of reconciliation laid out in USEITI.

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Topic	Sector	Takeaway
Goals for USEITI	Industry	Industry representatives stated their goals for USEITI are to increase transparency and data accessibility to the public, increase public understanding and confidence, articulate the current state of U.S. management as a model internationally, and build trust with other sectors. Industry representatives did not see reconciliation as fitting materially with these goals and noted it was a check-the-box exercise and a waste of time. Mainstreaming is seen as essential by industry representatives and merited based on the current systems in place. Mainstreaming would save taxpayer money, reduce the burden on companies, and free up time to undertake activities more useful to the American public.
Track Record of Reconciliation	CSO	CSO representatives saw the U.S. track record of reconciliation as strong with regards to non-tax revenue, but tax revenue reconciliation was seen as weak and lacked reporting.
Track Record of Reconciliation	Government	The U.S. government saw the track record of revenue as very strong given the U.S. system of audits, controls, checks, and balances. The government viewed tax reporting and reconciliation as the biggest weakness, given the legal prohibitions against disclosure and the lack of company involvement. The U.S. government viewed the decline in the number of companies as an effect of broader market forces (the decline in prices for natural resources, as well as company bankruptcies) not specifically reflective of USEITI.

Topic	Sector	Takeaway
Track Record of Reconciliation	Industry	Industry representatives saw the U.S. track record of reconciliation as strong, given the audits, controls, and systems in place. Reconciliation helped prove the numbers match and that the United States has already mainstreamed. Industry representative did not view the decline in the number of companies as important; instead they saw reconciliation as having achieved its purpose of showing that dollars match. They also did not view the net decline as decreasing the amount of information available given data disclosures.
Evaluating U.S. Data Quality	CSO	CSO representatives saw the strength of U.S. data in government disclosures and the promise of government project-level disclosures, even if those are completed upon request. CSO representatives also noted that U.S. data was up to date and reliable. CSO representatives viewed the lack of tax reporting and reconciliation and the rescinding of Section 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act") as fatal weaknesses in U.S. data quality.
Evaluating U.S. Data Quality	Government	The U.S. government found U.S. data to be up to date, reliable (due to the stringent system of audits and controls in the United States), and comprehensive for non-tax revenue. The U.S. government noted that USEITI has achieved an unprecedented level of disclosure and that contextual narrative information helps make data comprehensible. The U.S. government viewed the lack of tax disclosure, given U.S. laws, as the chief weakness in U.S. data comprehensiveness and the rescinding of Section 1504 of the Dodd-Frank Act as fatal to U.S. hopes of achieving that kind of disclosure, and with it mainstreaming.

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Topic	Sector	Takeaway
Evaluating U.S. Data Quality	Industry	Industry representatives articulated an extensive list of U.S. data quality strengths, including public accessibility, level of disaggregation, up-to-date nature, control- and audit-based reliability, contextual explanations of data, and the comprehensive release of appropriate data. Industry representatives generally saw less cause for concern with the rescinding of Section 1504 of the Dodd-Frank Act and articulated cases for how the United States could mainstream, given current controls and disclosures. They saw limited influence on U.S. companies due to EU directives related to disclosure.

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Appendix 2 — Relevant U.S. Laws and Regulations

Select Laws Establishing the Fiscal Regime for Extractive Industries in the United States.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
General Mining Act of 1872, as Amended[12] **(30 USC § 29 and 43 CFR 3860)**	Provides the right to patent, meaning transfer to private ownership, federal land and natural resources for mining. Since October 1, 1994, Congress has imposed a budget moratorium on any new mineral patent applications.	Federal Onshore Lands (Public Domain)	Locatable hardrock minerals (e.g., gold, silver, and copper)
Leases of Allotted Lands for Mining Purposes[13] **(25 USC § 396 and 25 CFR 212)**	States that all lands allotted to Indians, except those made to members of the Five Civilized Tribes and Osage, may be leased for mining purposes for any term of years as may be deemed advisable by the Secretary of the Interior.	Indian Lands (Allotted)	Not specified
Mineral Leasing Act of 1920, as Amended[14] **(30 USC 181 et. seq.)**	Creates a system of leasing mineral resources on federal lands for extraction, and grants BLM the authority to administer mineral leasing.	Federal Onshore Lands (Public Domain)	Coal, oil, gas, oil or gas shale, sodium, potassium, phosphate, sulfur, and gilsonite
Indian Mineral Leasing Act of 1938[15] **(25 USC § 396a et. seq.)**	Opens unallotted lands within any Indian reservation for leasing for mining purposes by authority of the tribal council and approval from the Secretary of the Interior.	Indian Lands (Tribal)	Not specified

[12] http://apps2.eere.energy.gov/wind/windexchange/wind_installed_capacity.asp.
[13] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title25/pdf/USCODE-2011-title25-chap12-sec396.pdf.
[14] https://www.onrr.gov/Laws_R_D/PubLaws/PDFDocs/MineralLeasingAct1920.pdf.
[15] http://www.gpo.gov/fdsys/pkg/USCODE-2009-title25/html/USCODE-2009-title25-chap12.htm.

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Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Mineral Leasing Act for Acquired Lands of 1947[16] (30 USC § 351 et seq. and 43 CFR 3420)	Extends the Mineral Leasing Act of 1920 and the authority of the Secretary of the Interior to govern mineral leasing on federal acquired lands.	Federal Onshore Lands (Acquired)	Coal, oil, gas, oil or gas shale, sodium, potassium, phosphate, sulfur, and gilsonite
Materials Act of 1947[17] (30 USC § 601 et. seq.)	Also known as the Common Varieties Act, it regulates the sale and permitting of the most common hardrock minerals. It replaces the General Mining Law of 1872.	Federal Onshore Lands	Common hardrock minerals (e.g., sand, gravel, stone, pumice, cinder)
Submerged Lands Act of 1953[18] (43 USC § 1301 et. seq.)	Recognizes states' rights to the submerged navigable lands within their boundaries, as well as the marine waters within their boundaries often defined as three geographical miles from the coastline.	State Offshore Lands	All natural resources
Outer Continental Shelf Lands Act of 1953, as Amended[19] (43 USC § 1331)	Gives the Secretary of the Interior responsibility for administering mineral exploration and development and other energy resources on the Outer Continental Shelf, subject to environmental safeguards. Mandates receipt of fair market value for mineral leasing.	Outer Continental Shelf	Oil, gas, and other minerals
Geothermal Steam Act of 1970[20] (30 USC § 1001 et. seq.)	Allows the leasing of federal land under BLM's administration for geothermal resource development, excluding prohibited lands.	Federal Onshore Lands	Geothermal

[16] http://legcounsel.house.gov/Comps/mlaacq.pdf
[17] http://legcounsel.house.gov/Comps/Act%20Of%20July%2031 %201937-(Materials%20Act%20Of%201947).pdf.
[18] http://www.boem.gov/uploadedFiles/submergedLA.pdf.
[19] http://www.gpo.gov/fdsys/pkg/USCODE-2010-title43/html/USCODE-2010-title43-chap29-subchapIII.htm.
[20] http://www.gpo.gov/fdsys/pkg/STATUTE-84/pdf/STATUTE-84-Pg1566.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Mining and Minerals Policy Act of 1970[21] **(30 USC § 21a)**	Amends the Mining Act of 1920 to establish the national interest to develop a domestic private enterprise mining industry, while addressing adverse environmental impacts.	Federal Onshore Lands	All natural resources
Federal Coal Leasing Amendments Act of 1975 (FCLAA)[22] **(90 STAT 1083)**	Amends Section 2 of the Mineral Leasing Act of 1920 by requiring all public lands available for coal leasing to be leased competitively, with the government only accepting lease bids equal to or more than fair market value, as well as the consolidation of leasing into logical mining units, the continual operation by lease holders, and other measures.	Federal Onshore Lands	Coal
Surface Mining Control and Reclamation Act of 1977 (SMCRA)[23] **(30 USC § 1201 et. seq.)**	Creates the Office of Surface Mining, Reclamation, and Enforcement (OSMRE) to establish a nationwide program to protect society and the environment from the adverse effects of surface coal mining operations. OSMRE is charged with balancing the nation's need for continued domestic coal production with protection of the environment. In this effort, OSMRE requires coal mine owners to post bonds as insurance for reclaiming the land after current mining operations are complete, as well as requires them to pay into the Abandoned Mine Reclamation Fund, which is intended to address mines abandoned prior to 1977.	Federal Onshore Lands	Coal

[21] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title30/pdf/USCODE-2011-title30-chap2-sec21a.pdf.
[22] http://www.gpo.gov/fdsys/pkg/STATUTE-90/pdf/STATUTE-90-Pg1083.pdf.
[23] http://www.gpo.gov/fdsys/pkg/STATUTE-91/pdf/STATUTE-91-Pg445.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA)[24] (30 USC § 1701 et. seq.)	Grants the Secretary of the Interior authority for managing and collecting oil and gas royalties from leases on federal and Indian lands.	Federal Onshore and Indian Lands, and Outer Continental Shelf	Oil and gas
Indian Mineral Development Act of 1982[25] (25 USC §§ 2101–2108)	Provides Indian tribes with flexibility in the development and sale of mineral resources, including opportunities to enter into joint venture agreements with mineral developers.	Indian Lands (Tribal)	Oil and gas, coal, geothermal, and other mineral resources
Federal Onshore Oil and Gas Leasing Reform Act of 1987 (FOOGLRA)[26] (30 USC § 181 et. seq.)	Amends the Mineral Leasing Act of 1920 to give the U.S. Forest Service the authority to proactively offer leases for oil and gas on National Forest System lands, provided environmental and other land-use regulations are met. BLM largely administers leasing on these lands.	Federal Onshore Lands	Oil and gas
Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA)[27] (30 USC § 1701 et. seq.)	Improves royalty management from federal onshore and Outer Continental Shelf oil and gas leases.	Federal Onshore Lands and Outer Continental Shelf	Oil and gas

[24] http://www.boem.gov/uploadedFiles/BOEM/Oil_and_Gas_Energy_Program/Leasing/Outer_Continental_Shelf/Lands_Act_History/federal%20og%20royalty%20mgmt.pdf.
[25] http://www.gpo.gov/fdsys/pkg/STATUTE-96/pdf/STATUTE-96-Pg1938.pdf.
[26] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title30/pdf/USCODE-2011-title30.pdf.
[27] http://www.onrr.gov/laws_r_d/PubLaws/PDFDocs/rsfa.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Energy Policy Act of 2005 (EPA Act)[28] **(42 USC § 13201 et. seq.)**	Addresses energy production in the United States, including the production, transportation, and transmission of energy, other than oil and gas (e.g., wind energy), in the waters of the Outer Continental Shelf; incentives for oil and gas development; and provisions to access oil and gas resources on federal lands.	Federal Onshore Lands and Outer Continental Shelf	Oil, gas, coal, wind, solar, hydropower, and geothermal
Gulf of Mexico Energy Security Act of 2006 (GOMESA)[29] **(120 Stat. 2922)**	Opens 8.3 million acres in the Gulf of Mexico for oil and gas leasing; shares leasing revenue with oil-producing gulf states and the Land and Water Conservation Fund; and bans oil and gas leasing within 125 miles off the Florida coastline in the Eastern Planning Area and a portion of the Central Planning Area until 2022.	Outer Continental Shelf	Oil and gas

There are other laws governing natural resources and companies operating in the extractive industries. Some of these laws require companies to pay fees. Violating some of these laws can also result in the incursion of fines.

Select Laws Resulting in Fines or Fees for Extractive Industries Companies in the United States.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Federal Land Policy and Management Act of 1976 (FLPMA)[30] **(43 USC § 1701 et. seq.)**	Requires BLM to administer federal lands using a land use planning framework that includes no unnecessary or undue degradation; multiple-use, sustained yield, considerations for present and future generations; and public planning. Requires receipt of fair market value for use of federal lands and resources.	Federal Onshore and Indian Lands	All natural resources

[28] http://www.gpo.gov/fdsys/pkg/BILLS-109hr6enr/pdf/BILLS-109hr6enr.pdf.
[29] http://www.boem.gov/Oil-and-Gas-Energy-Program/Energy-Economics/econ/GOMESA-pdf.aspx.
[30] http://www.boem.gov/Oil-and-Gas-Energy-Program/Energy-Economics/econ/GOMESA-pdf.aspx.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Clean Air Act of 1970 (CAA)[31] **(42 USC § 7401 et. seq.)**	Outlines steps that federal agencies, state and local governments, and industry must take to decrease air pollution. Oil and gas wells are exempt from legal aggregation, whereby the emissions from small sites that are connected in close proximity or under shared ownership are added together and regulated as "stationary sources" if they emit or could emit 100 tons per year of a pollutant.	All Lands	All natural resources, except when oil and gas are exempted
Clean Water Act of 1977 (CWA)[32] **(33 USC § 1251 et. seq.)**	Establishes a regulatory framework to protect water quality and monitor discharges of pollutants into waters in the United States. The U.S. Environmental Protection Agency (EPA) does not require National Pollutant Discharge Elimination System (NPDES) permits for uncontaminated storm water discharges from oil and gas exploration, production, processing, or treatment operations, or transmission or drill site preparation.[33]	All Lands	All natural resources, except when oil and gas are exempted
Safe Drinking Water Act of 1974 (SDWA)[34] **(42 USC 300f–300j)**	Protects public health by regulating the nation's public drinking water supply and its sources. As of the 2005 Energy Policy Act, hydraulic fracturing fluids are exempt from underground injection control permits, unless diesel fuel is used in the extraction process.[35]	All Lands	All natural resources, except when oil and gas are exempted

[31] http://www.gpo.gov/fdsys/pkg/USCODE-2008-title42/pdf/USCODE-2008-title42-chap85.pdf.
[32] http://www.gpo.gov/fdsys/pkg/USCODE-2010-title33/pdf/USCODE-2010-title33-chap26.pdf.
[33] U.S. Environmental Protection Agency, "Regulation of Oil and Gas Construction Activities," March 9, 2009, http://water.epa.gov/polwaste/npdes/stormwater/Regulation-of-Oil-and-Gas-Construction-Activities.cfm
[34] http://www.epw.senate.gov/sdwa.pdf.
[35] U.S. Environmental Protection Agency, "Regulation of Hydraulic Fracturing Under the Safe Drinking Water Act," http://water.epa.gov/type/groundwater/uic/class2/hydraulicfracturing/wells_hydroreg.cfm.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)[36] (42 USC 9601–9675)	Provides a federal superfund to clean up uncontrolled or abandoned hazardous waste sites, as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment, and gives EPA the power to seek out those parties responsible for any release and ensure their cooperation in the cleanup.	All Lands	All natural resources, except when oil and gas are exempted
Endangered Species Act of 1973 (ESA)[37] (16 USC § 1531 et. seq.)	Protects and recovers imperiled species and the ecosystems upon which they depend.	All Lands	All natural resources
Marine Mammal Protection Act of 1972, as Amended[38] (16 USC 1361 et. seq.)	Prohibits, with certain exceptions, the taking of marine mammals in U.S. waters and by U.S. citizens on the high seas, and the importation of marine mammals and marine mammal products into the United States.	All Lands	All natural resources, except when oil and gas are exempted

Extractive industries companies must comply with many other laws. The websites for DOI, EPA, the National Oceanic and Atmospheric Administration (NOAA), and other federal agencies contain more comprehensive lists of related laws that they enforce:

- DOI Bureau of Ocean Energy Management (BOEM): http://www.boem.gov/Regulations/BOEM-Governing-Statutes.aspx
- DOI Bureau of Safety and Environmental Enforcement (BSEE): http://www.bsee.gov/Regulations-and-Guidance/BSEE-Governing-Statutes/
- DOI BLM: https://www.blm.gov/about/laws-and-regulations
- EPA: http://www2.epa.gov/laws-regulations/laws-and-executive-orders#majorlaws
- NOAA: http://www.nmfs.noaa.gov/ole/about/what_we_do/laws.html

[36] http://www.epw.senate.gov/cercla.pdf.
[37] http://www.nmfs.noaa.gov/pr/pdfs/laws/esa.pdf.
[38] http://www.nmfs.noaa.gov/pr/pdfs/laws/mmpa.pdf.

Laws, Regulations, Professional Standards, and Regulatory Organizations

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Accounting Principles Generally Accepted in the United States of America	GAAP	GAAP is the standardized accounting rule set for federal government entities and publicly traded or private companies domiciled in the United States or other international jurisdictions in which GAAP is required. GAAP enables company stakeholders to compare accounting statements for different companies and industries using a standard methodology. Because of various accounting and financial reporting standards, the federal government tailors GAAP to meet its unique characteristics and circumstances.
Internal Revenue Service	IRS	The IRS is the revenue service of the U.S. government. The IRS is a bureau within the U.S. Treasury and is under the immediate direction of the Commissioner of Internal Revenue. The IRS is responsible for collecting taxes and the administration of the Internal Revenue Code.
Securities and Exchange Commission Act	SEC	The Securities Exchange Act of 1934 established the SEC to govern the securities industry. By regulation of the SEC, public companies must have their financial statements prepared in accordance with GAAP or IFRS, as issued by the International Accounting Standards Board (IASB), and audited each year by an independent registered public accounting firm. During an audit, the independent auditor examines, on a test basis, evidence supporting the amounts and disclosures in the financial statements. The auditor provides a written opinion on whether the company's financial statements are, in all material respects, fairly presented in accordance with GAAP or IFRS, whichever is applicable.

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Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Sarbanes-Oxley Act of 2002	SOX	SOX requires all financial reports for large public companies (i.e., those with market capitalizations of $75 million and referred to as "accelerated" filers and those subject to SEC reporting requirements) to include certification of internal control over financial reporting (ICFR) by company management and an ICFR opinion by an independent auditor as of the specified balance sheet date. Congress passed SOX in 2002, in part, to further protect investors from fraudulent accounting activities by public companies.
Public Company Accounting Oversight Board	PCAOB	PCAOB exists to confirm that registered public accounting firms are auditing the financial statements and ICFR of public companies in accordance with auditing standards established and adopted by the PCAOB. The PCAOB is a nonprofit corporation established by Congress to oversee the audits of public companies in order to protect the interests of investors and further the public interest in the preparation of informative, accurate, and independent audit reports.
American Institute of Certified Public Accountants	AICPA	AICPA requires independent auditors to comply with the audit standards issued by the AICPA for the audits of all companies that are not subject to SEC jurisdiction. The AICPA has released mandatory audit and attestation standards for conducting, planning, and reporting on audit and attestation engagements of private companies.
Financial Accounting Standards Board	FASB	The FASB is a private, nonprofit organization whose primary purpose is establishing and improving GAAP within the United States. The SEC designated the FASB as the organization responsible for setting accounting standards for public companies in the United States. The FASB created the Private Company Council (PCC), which works jointly with the FASB to mutually agree on a set of criteria to decide whether and when alternatives within GAAP are warranted for private companies.

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Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
International Financial Reporting Standards	IFRS	IFRS are accounting standards developed by the IASB that are intended to establish a consistent global standard for the preparation of public company financial statements for entities domiciled outside the United States. The IASB, based in London, is an independent accounting standard-setting body. It is funded by contributions from major accounting firms, private financial institutions, industrial companies, central and development banks, national funding regimes, and other international and professional organizations throughout the world. Approximately 120 nations and reporting jurisdictions permit or require IFRS for domestic-listed companies. The SEC is currently considering whether it will incorporate IFRS into the financial reporting system for U.S. issuers. There is currently no estimated date for when such a decision might be made.
Generally Accepted Auditing Standards	GAAS	GAAS are the minimum standards for auditing private companies and come in three categories: general standards, standards of fieldwork, and standards of reporting. PCAOB has adopted these standards for public (i.e., traded on the open market) companies. Each audit engagement may require audit work beyond what is specified in the GAAS in order to provide a written opinion on whether a set of financial statements is, in all material respects, fairly presented in accordance with GAAP.
Generally Accepted Government Auditing Standards	GAGAS	GAGAS provides a framework for conducting high-quality audits of government resources and programs with competence, integrity, objectivity, and independence. Government auditing allows legislators, oversight bodies, those charged with governance, and the public to hold government agencies accountable. GAGAS is used by auditors of government entities, entities that receive government awards, and other audit organizations performing audits. GAO, an independent, nonpartisan agency that works for Congress, is responsible for maintaining and updating GAGAS. GAO is often called the "congressional watchdog" and investigates the executive branch of the federal government.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Chief Financial Officers Act of 1990 (P.L. 101–576)	CFO Act	The CFO Act establishes a leadership structure, provides for long-range planning, requires audited financial statements, and strengthens accountability reporting in the federal government. The aim of the CFO Act is to improve financial management systems and information. The CFO Act also requires the development and maintenance of agency financial management systems that comply with the following: applicable accounting principles, standards, and requirements: internal control standards; OMB requirements; U.S. Treasury requirements, and requirements of other agencies. Reports of audits conducted under the CFO Act are done on an annual basis and must be completed by November 15 following the close of the fiscal year (September 30) for which the financial statements were prepared.
Government Management Reform Act of 1994 (P.L. 103–356)	GMRA	GMRA requires the independent, external audit of agency financial statements and the preparation and audit of a consolidated financial statement for the federal government on an annual basis.
OMB Circular A-136 (Financial Reporting Requirements)	A-136	A-136, which is updated annually by OMB, provides federal guidance for agency and government-wide financial reporting. This circular establishes a central point of reference for all federal financial reporting guidance for the departments, agencies, and entities in the executive branch that are required to submit an Agency Financial Report (AFR) under the CFO Act and the GMRA. In compliance with the CFO Act, the GMRA, and A-136, DOI publishes an AFR every fiscal year.
Federal Financial Management Improvement Act of 1996 (P.L. 104–208)	FFMIA	FFMIA requires federal agencies to implement and maintain financial management systems that substantially comply with federal financial management system requirements, applicable federal accounting standards, and the USGGL at the transactional level.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Federal Information Security Management Act of 2002 (P.L. 107–347)	FISMA	FISMA requires federal agencies to provide information security controls commensurate with the risk and potential harm of not having those controls in place. FISMA also requires the heads of agencies and OIG to conduct annual IT security reviews, perform annual independent evaluations of the effectiveness of the agency's security programs and systems, and report their results to OMB and Congress.
Federal Accounting Standards Advisory Board	FASAB	FASAB was established in October 1990 by the secretary of the treasury, the director of OMB, and the U.S. comptroller general. This board possesses the legal authority, under various laws, to establish accounting and financial reporting standards for the federal government. In October 1999, the AICPA recognized FASAB as the board that promulgates GAAP for federal entities.
OMB Circular No. A-123	A-123	A-123 prescribes management's responsibilities for establishing and maintaining effective internal controls and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act of 1982.
OMB Bulletin 14-02 (Audit Requirements for Federal Financial Statements)		OMB Bulletin No. 14-02, issued on October 21, 2013, establishes minimum requirements for independent audits of federal financial statements. This bulletin implements the audit provisions of the CFO Act, as amended, the GMRA, and FFMIA.

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Appendix 3 – U.S. Statutes and Regulations Related to Beneficial Ownership

Below is a summary of relevant U.S. statutes and regulations that restrict employee ownership of certain financial interests, require employee reporting of certain financial interests, and restrict employee participation in certain official Government matters that would affect an employee's personal or imputed financial interests or that might affect an employee's personal or business relationships.

5 CFR § 3501.103(c) prohibits, with limited exceptions, all DOI employees, their spouses, and their minor children from acquiring or retaining any claim, permit, lease, small tract entries, or other rights that are granted by DOI in Federal lands. This prohibition does not restrict the recreational or other personal or non-commercial use of Federal lands by an employee, or the employee's spouse or minor children, on the same terms available to the general public.

5 CFR § 3501.103(b), with limited exceptions, prohibits the Secretary of the Interior and employees of the Office of the Secretary and other Departmental offices that report directly to a Secretarial officer who are in positions classified at GS-15 and above from acquiring or holding any direct or indirect financial interest in Federal lands or resources that the Department administers. This generally includes stock or bond interests in most oil, gas, and mining companies that hold leases on Federal lands to conduct their operations.

43 USC § 11, implemented by 43 CFR § 20.401, prohibits Bureau of Land Management (BLM) employees from voluntarily acquiring direct or indirect financial interests in Federal lands. Prohibited interests include stocks and bonds in oil, gas, geothermal, and mining companies that hold leases or other property rights on Federal lands, as well as companies that hold substantial rights-of-way on Federal lands. BLM employees may not be members or employees of a business that has interests in Federal lands. Additionally, BLM employees may not occupy or use Federal lands (other than for recreational or other personal and non-commercial use on the same terms as use of Federal lands is available to the general public), or take any benefits from Federal lands, based upon a contract, grant, lease, permit, easement, rental agreement, or application.

43 USC § 31(a), implemented by 43 CFR § 20.401(b), prohibits U.S. Geological Survey (USGS) employees from holding financial interests in Federal lands which DOI administers or controls. Prohibited interests include stocks and bonds in oil, gas, and other mining companies that hold significant leases on such lands. Additionally, 5 CFR § 3501.104 sets limits on investments in entities engaged in mining activities on private land in the U.S. The ability of USGS employees to

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own oil, gas, or other mineral leases or to receive royalties from those leases is extremely limited.

30 USC § 1211(f), implemented by 30 CFR Part 706 and 43 CFR § 20.402, prohibits all Office of Surface Mining Reclamation and Enforcement (OSMRE) employees and any other Federal employee who performs functions and duties under the Surface Mining Control and Reclamation Act of 1977 from having any direct or indirect financial interests in underground or surface coal mining operations. Prohibited financial interests under this law include interests in companies that are involved in developing, producing, preparing, or loading coal or reclaiming the areas upon which such activities occur. Additionally, 30 USC § 1267(g), as implemented by 30 CFR Part 705, provides that no employee of a State regulatory authority performing any function or duty under the Surface Mining Control and Reclamation Act of 1977 shall have a direct or indirect financial interest in any underground or surface coal mining operations.

The Ethics in Government Act of 1978, as amended (5 USC app. § 101), implemented by 5 CFR Part 2634, requires senior officials in the executive, legislative, and judicial branches to file public reports of their finances, as well as other interests outside the Government. Executive branch personnel file such reports using the OGE Forms 278e (previously the OGE Form 278) and 278-T. Unlike confidential financial statements that some mid-level employees file, the OGE Forms 278e and 278-T are available to the public. Ethics officials within each executive branch agency review, certify, and maintain these reports. Executive branch agencies also forward OGE Forms 278e and 278-T that Presidential appointees, which the Senate confirms, submit to the Office of Government Ethics (OGE) for additional review and certification. The primary purpose of the public disclosure program is to prevent conflicts of interest and to identify potential conflicts of interest of current and prospective employees. If a reviewing official identifies a potential conflict of interest, several remedies are available to avoid an actual or apparent violation of Federal ethics laws and regulations, which include recusal, reassignment, and divestiture of the financial interest(s). 28 USC § 535 requires executive branch agencies to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the U.S. Code involving Government officers and employees.

5 USC app. § 107, implemented by Subpart I of 5 CFR Part 2634, also provides that certain executive branch employees who are not required to file a public financial disclosure report but whose duties involve the exercise of discretion in sensitive areas, such as contracting, procurement, administration of grants and licenses, and regulating or auditing non-Federal entities, are required to file confidential financial disclosure reports (OGE Form 450). This reporting system generally tracks the approach of the public financial disclosure system with some differences. For example, asset values and income amounts are not required to be reported, nor are interests in or income from bank accounts, money market mutual funds, U.S. obligations, and Government securities. The most notable difference between public and confidential reports, however, is that confidential financial disclosure reports are not available to the public.

30 USC § 1211(f), implemented by 30 CFR Part 706, requires that each OSMRE employee and any other Federal employee who performs any function or duty under the Surface Mining Control and Reclamation Act of 1977 must file a statement of employment and financial interests upon entrance to duty and annually thereafter. 30 USC § 1267(g), as implemented by 30 CFR Part 705, also requires State regulatory authority employees performing any duties or functions under the Act to file a statement of employment and financial interest upon entrance to duty and annually thereafter.

A Federal criminal conflict of interest statute, 18 USC § 208, prohibits executive branch employees from participating personally and substantially, in an official capacity, in any "particular matter" that would have a direct and predictable effect on the employee's own financial interests or on the financial interests of,

- The employee's spouse or minor child
- A general partner of a partnership in which the employee is a limited or general partner
- An organization in which the employee serves as an officer, director, trustee, general partner, or employee
- A person with whom the employee is negotiating for or has an arrangement concerning prospective employment

A "particular matter" is virtually any Government matter to which an employee might be assigned, including policy matters and matters involving specific parties, such as contracts or grants. (A few matters in Government, however, may be so broad in scope that the conflict of interest law does not require an employee's disqualification even though the employee's own or "imputed" financial interests are among those affected by the matter.) Disqualification ("recusal") is mandatory in the circumstances specified in the statute. Moreover, disqualification is often the appropriate way to prevent a conflict of interest in the long term, unless an "exemption" applies or the circumstances warrant the use of other means of resolving the conflict of interest.

An executive branch-wide regulation, 5 CFR § 2635.502, recognizes that a reasonable person may believe that an employee's impartiality can be influenced by interests other than the employee's own or those that are imputed to the employee by the conflict of interest laws. Under 5 CFR § 2635.502, employees are required to consider whether their impartiality would be questioned whenever their involvement in a "particular matter involving specific parties" might affect certain personal or business relationships. The term "particular matter involving specific parties" refers to a subset of all "particular matters" and includes Government matters, such as a contract, grant, permit, license, or loan. If a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interests of a member of the employee's household, or if a person with whom the employee has a "covered relationship" is or represents a party to such matter, the employee must consider whether a reasonable person

would question the employee's impartiality in the matter. An employee has a covered relationship with,

- A person with whom the employee has or seeks a business, contractual, or other financial relationship
- A person who is a member of the employee's household or is a relative with whom the employee has a close personal relationship
- A person for whom the employee's spouse, parent, or dependent child serves or seeks to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee
- Any person for whom the employee has, within the last year, served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee
- Any organization (other than a political party) in which the employee is an active participant

If the employee concludes that participation in such a matter would cause a reasonable person to question the employee's impartiality, the employee should not work on the matter pending possible authorization from the appropriate agency official. Moreover, an employee should not work on any matter if the employee is concerned that circumstances other than those expressly described in the regulation would raise a question regarding the employee's impartiality. The employee should follow agency procedures so that the agency can determine whether participation is appropriate.

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Appendix 4 — In-Scope Company Audits

Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Alpha Natural Resources, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	KPMG
Anadarko Petroleum Corporation	Public	Corporation	Yes	GAAP	✓	·	·	Yes	KPMG
Apache Corporation	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
Arch Coal, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
Arena Energy, LLC	Private	Limited Partnership	Yes		·	·	·	No	Unavailable
BHP Billiton LTD	Public	Foreign Corporation (Australia)	Yes	IFRS	✓	✓	·	Yes - Annual Report	KPMG
BOPCO, LP	Private	Limited partnership	No		·	·	·	No	Unavailable
BP America Inc.	Public	Subsidiary of Foreign Corporation (England)	Yes	IFRS	✓	✓	·	Parent Only*	E&Y
Chevron U.S.A. Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes - Annual Report	PWC
Cimarex Energy Co.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	KPMG
Cloud Peak Energy Resources, LLC	Public	Corporation	Yes	GAAP	✓	·	·	Yes	PWC
Concho Resources, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	Grant Thornton
ConocoPhillips	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
Continental Resources, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	Grant Thornton
Devon Energy Corporation	Public	Corporation	Yes	GAAP	✓	·	·	Yes	KPMG

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Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Encana Corporation	Public	Foreign Corporation (Canada)	Yes	GAAP	✓	·	✓	Yes - Annual Report	PWC
Energy XXI	N/A	Foreign Corporation (Bermuda)	Yes	GAAP	✓	·	·	Yes	BDO USA
ENI Petroleum	Public	Foreign corporation (Italy)	Yes	IFRS	✓	·	·	Yes	Unavailable
EOG Resources, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	Deloitte & Touche LLP
EPL Oil & Gas, Inc.	Public	Subsidiary of Foreign Corporation (Italy)	Yes	GAAP	✓	·	·	Parent Only*	BDO USA
Exxon Mobil Corporation	Public	Corporation	Yes	GAAP	✓	·	·	Yes	PWC
Fieldwood Energy LLC	Private	Limited Liability Company	Yes		·	·	·	No	Unavailable
Freeport-McMoRan Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
Hess Corporation	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
Jonah Energy LLC	Private	Limited Liability Company	Yes		·	·	·	No	Unavailable
Linn Energy, LLC	Public	Limited Liability Company	Yes	GAAP	✓	·	·	Yes	KPMG
LLOG Exploration Company LLC	Private	Subsidiary of Limited Liability Company	Yes		·	·	·	No	Unavailable
Marathon Oil Company	Public	Corporation	Yes	GAAP	✓	·	·	Yes	PWC
Murphy Oil USA Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	KPMG
Noble Energy, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	KPMG
Oxy USA, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Parent Only*	KPMG
Peabody Energy Corporation	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
QEP Resources, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	PWC
Red Willow Offshore, LLC	Private	Limited Liability Company, Southern UTE Indian Tribe	No		·	·	·	No	Unavailable

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Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Shell E&P Company	Public	Foreign Corporation (UK)	Yes	IFRS	✓	✓	·	Yes - Annual Report	PWC
Statoil Gulf of Mexico	Public	Foreign Corporation (Norway)	Yes	IFRS	✓	✓	·	Yes - Annual Report	Unavailable
Stone Energy Corporation	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
Talos Energy LLC	Private	Limited Liability Company	Yes		·	·	·	No	Unavailable
Ultra Resources Inc.	Public	Foreign Corporation (Canada)	Yes	GAAP	✓	·	·	Yes	E&Y
W&T Offshore, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y
WPX Energy, Inc.	Public	Corporation	Yes	GAAP	✓	·	·	Yes	E&Y

Note: Annual reports and 10-Ks are accessible as of April 6, 2017, and link to the 2015 reports, the most recent year for which all companies (or parent companies) have filed reports.

Acronyms of auditors are as follows: Ernst & Young (E&Y) and PricewaterhouseCoopers (PWC)

From the Approved March 2016 MSG meeting when the EITI document on Mainstreaming was distributed as a meeting material:

4. Subcommittee and Work Group Planning

Mr. Gould asked the Reconciliation and Reporting Work Group to explore how the EITI International Board's recently announced "mainstreaming" policy could be applied in the US context.

Mr. Gould suggested that the International Board's focus on "mainstreaming" may allow for some efficiencies in reporting that could allow for consideration of other issues, such as defining materiality.

Ms. Milin suggested that the "mainstreaming" approach suggested by the International Board could be a more effective approach to conserving resources than trying to create a new, different sampling approach that may pose validation issues.

Members of the industry and government sectors expressed support for including a visualization about the US budget, audit, and assurance processes in order to support USEITI's case for future mainstreaming of reporting.

A CSO sector member suggested that state opt-in is relevant for "mainstreaming" efforts because it involves enhancing collaboration between agencies and sharing data in cost-efficient ways. She suggested that setting up forums for peer-to-peer learning could be useful to state opt-in. Another CSO sector member posited that universities may be able to set up those sorts of forums.

From the June 2016 Approved Minutes:

The purpose of the meeting was to receive updates from the Independent Administrator on various aspects of developing the online report and executive summary for the 2016 USEITI Report and how to move forward with these; discuss communications and state and tribal opt-in efforts; and discuss the prospects for proceeding with mainstreaming of USEITI reporting into US government processes, the inclusion of beneficial ownership information, and validation of US EITI Reports.

The MSG approved the undertaking of a pre-feasibility exercise for mainstreaming of USEITI.

The Secretariat was charged with Working with the International EITI Secretariat and the IA to conduct a prefeasibility exercise for mainstreaming of USEITI. Report on results at November MSG meeting.

3. Mainstreaming

John Harrington presented information about the Reporting and Reconciliation Work Group's due diligence and discussions around the new EITI option to pursue mainstreaming of reporting. He explained that an increasing number of legal mandates coming into place in the United States, European Union, and other jurisdictions replicate some of the EITI requirements. So, the revised EITI Standard introduces the option for countries to include the reporting of EITI-related information through regular

government channels as opposed to a stand-alone EITI report. Mainstreaming could also mean that some core elements of EITI, such as reconciliation of reported revenue, would no longer be required. Mr. Harrington reviewed the principles underpinning mainstreaming, the procedures for mainstreamed disclosures, and the uncertainties for USEITI around participating in mainstreaming. Mr. Harrington noted that the EITI Board Chair indicated that the Board is intending to initiate mainstreaming with countries that can more fully meet all of the requirements in the EITI Standard, meaning that the US likely would not be considered in the first batch.

From Mr. Bartlett: The full feasibility study would be much more extensive. The pre-feasibility exercise could likely focus on scoping and likely hurdles and be prepared by the next MSG meeting in November. Another consideration for USEITI is that, with adapted implementation approved for the first two reports, a mainstreaming feasibility study could choose to focus only on Federal revenues or it could include state and tribal revenues given the need to report these beginning with the third USEITI report.

Following the presentation, MSG members asked the following questions and made the following comments:

• What are the advantages and disadvantages of mainstreaming?

o It would allow USEITI to avoid the cost of reconciliation and instead dedicate those resources to making the contextual narrative and overall reporting more robust. It could also provide an incentive for other countries to pursue strengthening their controls to a similar level as the US so that they can also forgo reconciliation.

o John Mennel, IA team member, added: Mainstreaming would also make the EITI process more sustainable in the sense that integrating reporting into normal government functioning is more likely to persist than a standalone EITI reporting process. Additionally, the US likely saw some benefits from the reconciliation process in 2015 in terms of cleaning up data, but the costs of reconciliation likely outweigh those benefits over time.

o Sam Bartlett, International EITI Secretariat, also suggested that mainstreaming could have a public benefit in that it makes up-to-date information more readily and easily publicly accessible. For example, an internet search for royalty payments in their state should yield accurate data.

The concept of mainstreaming has been part of the thinking for USEITI from the beginning since EITI implementation was intended to spur greater transparency across the Department of the Interior. The inclusion of mainstreaming in the 2016 EITI Standard allows the US to formalize that greater transparency.

• The Office of Natural Resources Revenue (ONRR) already undertakes significant effort to verify data with payers. The EITI reconciliation process could be seen as duplicative of this ONRR verification process.

o Mainstreaming could obviate the need for reconciliation. ▯ Comment from Pat Field, facilitator: We will need to clarify whether mainstreaming applies to all aspects of reporting or only to some aspects.

From the November 2016 Meeting:

Review of DOI Audit Procedures

▯ Initially, the review of DOI audit procedures was also for purposes of determining the potential for mainstreaming. USEITI should include some linkages to that issue in the report.

K. Mainstreaming

John Cassidy, IA team member from Deloitte, presented the IA's assessment of the feasibility of mainstreaming. He commented that mainstreaming is based on an idea that drafting an annual EITI report may not be the best use of time for every country; it might be preferable to automate the process and make it part of the everyday business of the government and companies. He clarified that mainstreaming does not change what the EITI standard requires; rather, it is another way of meeting the requirement.

Mr. Cassidy reviewed the various steps for mainstreaming, noted that from now into next year the MSG is focused on studying the feasibility of mainstreaming, reviewed next steps in the IA's feasibility study, reviewed current processes and procedures related to mainstreaming in the U.S., and suggested a number of potential areas for the U.S. to improve its EITI performance and potential for success with mainstreaming.

Potential areas for improvement include doing more to showcase unilateral disclosure already occurring in the U.S., filling the gap on tax and project-level reporting through SEC 1504, and better explaining the audit requirements that currently exist. He concluded by noting that a decision on mainstreaming did not need to be made at the present MSG meeting.

MSG members made the following comments and asked the following questions on the presentation; direct responses are indicated in italics, with the speaker identified as appropriate:

▯ I thought the MSG had agreed to conduct a pre-feasibility study, not a feasibility study.

o Mr. Gould: The MSG did discuss a pre-feasibility study. ONRR opted to have the IA start on a full feasibility study in order to keep moving forward if USEITI is to pursue mainstreaming. If there are concerns about this, the MSG can discuss this further.

o IA team member: Upon review, the IA determined that the differences between a pre-feasibility study and a full feasibility study were minimal.

▯ You mentioned the politics have changed on Dodd Frank. How so? IA team member: There is now increased uncertainty on what might happen. Dodd Frank would play an important role if mainstreaming goes forward. The IA's view is mainstreaming would be a multi-year process, and in many ways would follow a parallel path with SEC 1504.

 What EITI documents authorize the criteria that the data must be comprehensive, up-to-date, and reliable, and are they really an adequate scoping for whether government data is helpful? IA team member: The comprehensive, reliable and up-to-date standard is from the validation guidelines document. Two additional criteria might be data quality and transparency.

 Commenters expressed diverse opinions on the significance of corporate income tax reporting and reconciliation. One suggested that what matters is that the USEITI numbers are adding up in reconciliation, and the taxes would therefore add up as well. Another commented that even if the Treasury Department has excellent systems, the U.S. is still falling short on making tax information publicly available. Another noted that it would be helpful for civil society to indicate if its priority right now is EITI compliance or tax reporting, so that USEITI can prioritize its efforts. Mr. Cassidy noted that the IA will set up stakeholder interviews on the tax issue, which will likely happen between now and February. Mr. Mennel suggested there is an argument that what is required by 1504 is sufficient for mainstreaming.

 There were various perspectives on how much of a “deal breaker” the tax issue will be for the U.S. One suggested it would definitely be a problem with the EITI International Board. Another noted that ONRR worked closely with the SEC to use USEITI as a means for compliance with the 1504 standard and suggested that will bode very well for mainstreaming. An IA team member commented that it is impossible to know whether tax reporting is a deal breaker at this time. No other feasibility study has been conducted and the only other country going forward on mainstreaming is Norway. The language in the standard says “all transactions,” which implies all companies. However, it is reasonable to assume that the board will draw the line somewhere short of “all transactions” for the sake of practicality but USEITI will need to make a case for where the line should be.

 USEITI might be able to look at mainstreaming as an opportunity help maintain momentum on government efficiency

From February Draft Minutes

1. Reporting and Reconciliation of Company Revenues - Judy Wilson and Bob Kronebusch of ONRR presented information about the work of the Reporting Improvement Workgroup. Following the presentations, Dan Dudis, Public Citizen, thanked Ms. Wilson and expressed support for the workgroup’s proposed approach of conducting reconciliation via “mainstreaming of EITI reporting” rather than performing an independent reconciliation of revenues for USEITI by the Independent Administrator as this would avoid duplication of work. Mike Matthews, State of Wyoming, noted that states and tribes also conduct compliance reviews in addition to the federal and company audits and reviews surveyed by the workgroup.

b) Audit & Assurances

Mr. Hawbaker provided an overview of existing content about the US audit and assurance process and of potential new content that could be added with the intention of strengthening USEITI's case for mainstreaming and foregoing independent reconciliation by the Independent Administrator. Mr. Bugala suggested that USEITI use an alternate term for "foregoing reconciliation," such as "not reconciling twice."

The United States Extractive Industries Transparency Initiative

The United States Extractive Industries Transparency Initiative

USEITI Mainstreaming Feasibility Study

June 2017

The United States Extractive Industries Transparency Initiative

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The United States Extractive Industries Transparency Initiative

Executive Summary

This mainstreaming feasibility study was prepared by the United States Extractive Industries Transparency Initiative (USEITI) International Administrator (IA) in consultation with the USEITI multi-stakeholder group (MSG) and other stakeholders from government, industry and civil society. The process for mainstreaming consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review. Based on the evidence available, the USEITI MSG recommends pursing mainstreaming. The United States has made the formal commitment to mainstreaming, and with the submission of this feasibility study and the recommendation to pursue mainstreaming, USEITI will proceed to the preparation of a mainstreaming application for review by the EITI International Secretariat.

Commented [DB1]: This was never presented as an option at the MSG. We agreed that Deloitte was going to do a feasibility study but their findings were not reported to us. In fact, the comments in this document show that Keith and I both opposed this move.

Commented [MS2]: As things currently stand, this report is confusing because the USEITI will likely be disbanded soon. Any sort of mainstreaming efforts would be undertaken unilaterally by the US government, but would not be a product of the USEITI MSG.

Mainstreaming Overview

What Is the Purpose and Process for Mainstreaming?

The objective of mainstreaming is to recognize implementing countries that make transparency integral to their systems. Requirement six of the EITI Standard states that "where legally and technically feasible, implementing countries should consider automated online disclosure of extractive revenue and payments by governments and companies on a continuous basis." Mainstreaming is the formal process countries pursue to demonstrate integrated transparency. The process consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review.

What Does the USEITI Mainstreaming Feasibility Study Entail?

The USEITI Independent Administrator (IA) is preparing this study at the request of the USEITI MSG in anticipation of the submission of a formal application for mainstreaming by the United States. The IA completed this feasibility study in close consultation with the USEITI MSG, as well as government and company stakeholders, and the information in this report is a reflection of those consultations as well as an independent assessment of U.S. processes and controls.

The mainstreaming process consists of four main components—review of materials, stakeholder consultation, feasibility study, and plan of action. This study presents information on the U.S. track record of reconciliation, an explanation of how the United States will increase and embed disclosures, an evaluation of data quality, and options for data reconciliation. This study makes a statement about U.S. readiness on each of those components.

In order to prepare this study, the IA gathered and reviewed relevant documents and research around processes, systems, data, and controls of both the U.S. government and U.S. companies. In addition to this literature review, the IA also interviewed select stakeholders from three

sectors: government, industry, and civil society. The IA used a standard interview guide to gain perspectives and insights on data timeliness, reliability, and comprehensiveness, as well as on U.S. progress toward mainstreaming to meet EITI international standards.

Lastly, the IA spoke to select stakeholders from government and industry in order to fill any data gaps or better understand processes and controls relevant to this study.

U.S. Track Record of Reconciliation

In order for countries to be considered for mainstreaming by the EITI International Board, they must show a track record of reconciliation without major errors. The EITI International Board does not define the length of time required, materiality threshold, or maximum number of discrepancies. As a result, this section contains a summary of the U.S. track record of reconciliation, thresholds, and unexplained variances.

Unilateral Disclosure of Revenue (UDR) in the United States

Each year, the Office of Natural Resources Revenue (ONRR), a division of the U.S. Department of the Interior (DOI), unilaterally discloses calendar year (CY) energy and mineral revenue paid to DOI. Only the revenue deemed to be in-scope is unilaterally disclosed. These disclosures are disaggregated at the company level and reported by natural resource and revenue type. The UDR showcases the United States' commitment to the unilateral disclosure of federal natural resources revenue by company, natural resource, and revenue stream. The UDR uses data reported by federal lease holders on Forms ONRR-2014 and ONRR-4430[1], as well as ONRR direct billing. The UDR is available on both ONRR's statistical information site and USEITI's data portal.

Specifically, the UDR includes:

Topic	Disclosure Detail
Calendar Years Disclosed	2013–2016
Unique Identified Companies	1,635
Total $ Amount Disclosed[2]	$38,699,490,038
Natural Resource Categories	17
Government Agencies Included	Three (ONRR, the U.S. Bureau of Land Management (BLM), and the U.S. Office of Surface Mining Reclamation and Enforcement (OSMRE))
Revenue Streams	Nine (ONRR royalties, inspection fees, civil penalties, and other revenue; ONRR/BLM rents and bonuses;

[1] OSMRE and BLM revenue streams are not collected through Forms ONRR-2014 and ONRR-4430. Also, not all UDR AML fee revenue for OSMRE is from federal lease holders.
[2] This disclosure represents all revenue paid to DOI in CYs 2013–2016.

	ONRR/BLM permit fees; and OSMRE abandoned mine land (AML) fees, including audit and civil penalties, as well as late charges)

These amounts will grow annually as production and/or prices increase, and ONRR will continue to unilaterally disclose revenue. The data set has been cleaned and organized for ease of use by the general public. It delineates aggregate payments by calendar year, corporate name, natural resource, and revenue.

Adapted Implementation for Subnational Payments in the United States

EITI Standard Requirement 4.2 (d) mandates reporting and reconciliation of material company payments to subnational government entities and the receipt of such payments. Separately, EITI Standard Requirement 4.2 (e) mandates reporting on mandatory revenue transfers from national governments to subnational governments. The EITI International Board approved USEITI's request for adapted implementation of the EITI Standard for subnational reporting as part of USEITI's candidacy application. The EITI Standard allows for adapted implementation "where the country faces exceptional circumstances that necessitate deviation from the implementation requirements" (EITI Standard Requirement 1.5). The approved adapted implementation considers that USEITI's reporting will comply with EITI Standard Requirement 4.2 (e), which mandates reporting 100% of revenue specific to extractive industries collected by the U.S. federal government and transferred to U.S. state governments within the unilateral data disclosure. However, payments made by companies to state governments (4.2 (d)) and revenue collected by state governments are not directly be included in the reconciliation.

What Is the U.S. Record of Results for Reconciliation?

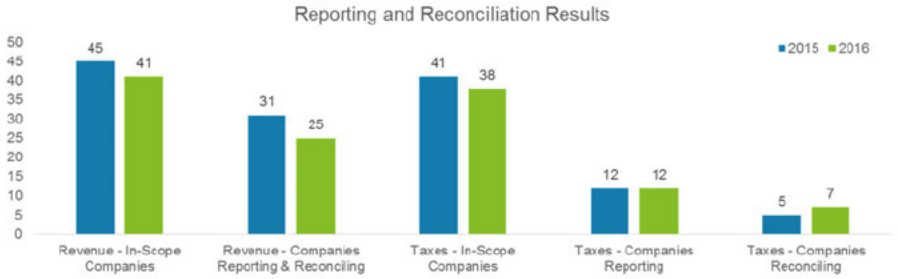
The United States conducted its first reconciliation in 2015. The MSG set the scope of reconciliation to include the top paying companies that, together, accounted for 80% of revenue paid to ONRR. The first period of reconciliation was CY 2013. Across 31 companies (out of 45 invited to reconcile) and 10 revenue streams, the overall variance for all DOI revenue came to $93,976,582, or 1.1% of all revenue reported by the 45 companies. For five companies reconciling taxes, there was one variance that totaled $6,297,360, or 3.3% of reconciled taxes. Seventeen discrepancies exceeded the allowable margin of variance determined by the USEITI MSG. The IA, in collaboration with in-scope companies and government entities, resolved or explained all discrepancies, which included differences regarding when payments were recorded and how they were classified.

In the following year, the United States conducted its second reconciliation covering CY 2015 revenue. Similar to the CY 2013 reconciliation, the USEITI MSG set the scope of reconciliation to include the top paying companies that, together, accounted for 80% of revenue paid to ONRR.

Of the 25 companies reporting (out of 41 invited to reconcile), the overall variance for all DOI revenue came to $156,387,357, or 3.24%. For seven companies reconciling taxes, the overall variance came to $120,122,958, or 33.8% of the total value of taxes reconciled. Additionally, 21 discrepancies exceeded the allowable margin of variance determined by the USEITI MSG. The IA, in collaboration with in-scope companies and government entities, resolved or explained all 21 discrepancies, which included differences regarding when payments were recorded and how they were classified.

Each year, companies may choose to report and reconcile both taxes and DOI revenue; however, per the reconciliation history, more companies choose to report and reconcile DOI revenue than taxes.

Figure 1. USEITI Reporting and Reconciliation Results (2015 and 2016)



Result	2015	2016
DOI Revenues Unilaterally Disclosed	100% of 2013 revenues	100% of 2014 and 2015 revenues (only 2015 reconciled)
Companies Participating	31 of 45 companies	25 of 41 companies
DOI Revenues Reported & Reconciled	$8.5B (81% of in-scope DOI revenues, 67% of all DOI revenues)	$4.83B (79% of in-scope DOI revenues, 62% of all DOI revenues)
Companies Reporting Taxes	12 of 41 reported $190M	12 of 38 reported -$306M
Companies Reconciling Taxes	5 of 41 reconciled $90M	7 of 38 reconciled -$130M
Variances	17	21
Variances Resolved or Explained	100%	100%

What Are the Expected Results for 2017?

The USEITI MSG has decided not to conduct a reconciliation of extractive industries revenue reported by U.S. government and U.S. companies for 2017 due to its judgement that the reconciliation process is redundant with established audit and assurance procedures and controls in place in the United States[3]. Instead, the USEITI MSG has decided to use the UDR to document controls in place in the contextual narrative as it believes the UDR process will continue to be comprehensive, timely, and accurate. The USEITI MSG plans to make the UDR

Commented [DB3]: NO! The CSOs believe that the existing DOI process with its third party audit firm provides the level of reconciliation that is meaningful and that Deloitte's work was redundant, but we did NOT decide not to reconcile.

[3] Decision made by the USEITI MSG on February 2, 2017.

publicly available via existing sources, except where current laws or regulations prohibit data disclosure.

The USEITI MSG plans to produce an annual report for 2017 and will continue to update USEITI's data portal with additional contextual narrative information and data from U.S. states.

Commented [MS4]: The USEITI MSG does not make any decisions in regards to unilateral disclosure. Those decisions are solely the US government's.

Commented [DB5]: This is not possible since the MSG will not be meeting to approve it.

Increasing and Embedding Disclosures

How Does the Government Embed and Increase Disclosures?

The 2016 EITI Standard encourages countries to make use of existing reporting for EITI rather than duplicate their findings in an EITI report. To this end, the EITI International Secretariat has hailed USEITI's data portal as a good example of mainstreaming data.

The U.S. government publicly discloses all data embedded in USEITI's data portal. This data is updated annually. Key information in USEITI's data portal includes:

- **Federal production data** for 55 products extracted from 2006 to 2015. This data can be filtered by product type, region (including state, county, and offshore region), and both calendar and fiscal years.
- **Federal revenue by region and company** for 2006 to 2015. This data can be filtered by natural resource category and/or region.
- **Company data** for 2013 to 2015, provided by ONRR in its unilateral disclosure. This data can be filtered by natural resource category and/or revenue type.
- **Economic impact data on the extractive industries** for 2006 to 2015, including gross domestic product, exports, and jobs. This data can be filtered by region, with results shown as dollar values or percentage values. The data can be further filtered by natural resource category for exports and by job type for jobs.
- Beyond disclosing DOI data, the portal **aggregates and makes accessible relevant data sets from other government organizations**, including the U.S. Energy Information Administration, the U.S. Bureau of Economic Analysis, and the U.S. Bureau of Labor Statistics, as well as select state and local government data.

In addition to USEITI's data portal, ONRR's statistical information site (http://statistics.onrr.gov/) provides data sets on disbursements (at the fund or state level and by fiscal year) and reported revenue data (i.e., sales volumes, sales values, and revenue by natural resource category), which is shared at the state, onshore, offshore, and Indian levels in the United States.

USEITI's data portal also includes reconciliation data and Corporate Income Tax data for companies that have opted to report their tax data. Currently, the Tax Reform Act of 1976 (26 U.S. Code § 6103) prohibits disclosure of Federal Income Tax data without the consent of the taxpayer. However, the Internal Revenue Service (IRS) discloses aggregate tax liability by industry based on a stratified sample of individual company tax returns, and this aggregate information has been included in the 2015 and 2016 USEITI reports.

Furthermore, the collection of Corporate Income Taxes are subject to financial controls similar to other government revenue collections. The Bureau of the Fiscal Service, a division of the U.S. Department of the Treasury ("US Treasury"), collects Corporate Income Taxes.

In summary, the U.S. government discloses the majority of data required for mainstreaming on USEITI's data portal. Disclosures by the IRS provide information on taxes at an aggregate industry level, but not by company. Opportunities for the U.S. government to increase and embed disclosures include the expansion of the revenue streams disclosed, such as the Coal Excise Tax and in-scope natural resources.

How Does the Extractives Industry Increase and Embed Disclosures?

Companies in the extractive industries in the United States operate within a system of controls and audits that vary based on their ownership status and internal procedures.

Public Companies

In 2016, 34 of the 41 in-scope companies were public (i.e., stock traded on the open market). Public companies must annually disclose their financial statements and the result of their audits. Of the 34 companies, 29 follow accounting principles general accepted in the United States of America (GAAP). The remaining five companies follow International Financial Reporting Standards (IFRS). For each company, independent auditors review and attest to the company's internal controls, in addition to auditing the company's financial statements. Based on a review of company 10-Ks, these public companies arrange their internal controls according to the *Internal Control—Integrated Framework* (2013) established by the Committee of Sponsoring Organizations of the Treadway Commission's (COSO), which is a joint initiative of the American Accounting Association, the American Institute of Certified Public Accountants (AICPA), Financial Executives International, the Association of Accountants and Financial Professionals in Business, and the Institute of Internal Auditors. *Appendix 3* contains information on the disclosures, forms, and auditors of in-scope companies, as well as links to available annual reports or 10-Ks for 2015, the last year for which all companies created such reports.

Private Companies

Private companies have fewer requirements to make their information and financial statements public. In 2016, seven in-scope companies were private. These companies, while not subject to the same disclosure requirements as public companies, still operate within the system of

controls and audits in which public companies operate. Importantly, private companies can be subject to audits by the IRS.

Voluntary Disclosures

In addition to these internal controls, external audits, and related disclosures, a number of in-scope companies report EITI-related data voluntarily or according to European regulations. (Rio Tinto, included below, is not an in-scope company, but is a USEITI MSG member and, therefore, is included.)

Company	Natural Resource	Reports Under	Disclosures
BP p.l.c. (BP)	Oil & Gas	U.K. law	BP reports payments to governments at the project level and such payments are unaudited, but independently assured by Ernst & Young. BP does not include tax information. http://www.bp.com/content/dam/bp/pdf/sustainability/group-reports/bp-report-on-payments-to-governments-2015.pdf
Eni S.p.A. (ENI)	Oil & Gas	Voluntary	ENI reports payments to governments at the national level, as well as additional contextual information. The ENI report is unaudited. https://www.eni.com/en_IT/sustainability/integrity-human-rights/transparency-of-payments.page
Shell Oil Company ("Shell")	Oil & Gas	U.K. law	Shell voluntarily reported payments to governments prior to the implementation of British regulations and now reports according to those regulations. It reports all payments to governments at the project level. The Shell report is unaudited. http://www.shell.com/sustainability/transparency/revenues-for-governments.html
Statoil ASA ("Statoil")	Oil & Gas	Norwegian law	Statoil reports payments to governments at the project and country levels. It also includes contextual information in its annual report. The Statoil report is unaudited. https://www.statoil.com/en/investors.html#annual-reports
BHP Billiton (BHP)	Coal & Hardrock	Voluntary	BHP reports both tax and non-tax payments to governments, as well as contextual information and data on broader economic contributions (e.g., wages). BHP's non-tax data includes payments to governments at the project level. BHP's report is audited by an independent auditor according to Australian Auditing Standards. http://www.bhpbilliton.com/our-approach/operating-with-integrity/tax-and-transparency

Commented [MS6]: Section should be renamed to reflect the fact these disclosures are not necessarily voluntary but may be required by other jurisdictions.

Commented [MS7]: Should note that, in most of these reports, the companies define "project" in the US as state-level reporting.

Company	Natural Resource	Reports Under	Disclosures
Rio Tinto	Coal & Hardrock	Voluntary	Rio Tinto reports both tax and non-tax payments to governments, as well as publishes an annual "Taxes Paid" report. Payments are reported at the government and project levels. The report includes economic contribution data and contextual information, including case studies. Rio Tinto's report is independently audited. http://www.riotinto.com/ourcommitment/spotlight-18130_18998.aspx

These reports suggest best practices for encouraging further disclosure of payments by private companies.

In addition, publicly listed companies in the United States must comply with the reporting requirements under the Sarbanes-Oxley Act of 2002 (the "Act") and the corresponding U.S. Securities and Exchange Commission (SEC) Final Rule, *Management's Report on Internal Control Over Financial Reporting and Certification of Disclosure in Exchange Act Periodic Reports* (https://www.sec.gov/rules/final/33-8238.htm). The SEC Final Rule requires that a company's board of directors "include in their annual reports a report of management on the company's internal control over financial reporting."[4] Specifically, the SEC Final Rule states the annual report must include:

1) A statement of management's responsibility for establishing and maintaining adequate internal control over financial reporting at the company.
2) Management's assessment of the effectiveness of the company's internal control over financial reporting as of the end of the company's most recent fiscal year.
3) A statement identifying the framework used by management to evaluate the effectiveness of the company's internal control over financial reporting (i.e., *Internal Control—Integrated Framework*, established by COSO, is the most commonly used).
4) A statement affirming that the registered public accounting firm that audited the company's financial statements has issued an attestation report on management's assessment of the company's internal control over financial reporting. This review of controls by the company's external auditors (monitored by the Public Company Accounting Oversight Board) follows a review by the company's own internal auditors (reporting to the company's audit committee).

[4] U.S. Securities and Exchange Commission, *Final Rule: Management's Report on Internal Control Over Financial Reporting and Certification of Disclosure in Exchange Act Periodic Reports*, 17 CFR PARTS 210, 228, 229, 240, 249, 270, and 274. https://www.sec.gov/rules/final/33-8238.htm. Accessed on May 2, 2017.

A review of controls is part of the annual financial statement audit that every public company must complete with an independent public accounting firm. This audit provides investors and other interested parties with an assessment as to whether the company's financial results are fairly presented, in all material respects, in conformity with an established uniform body of accounting standards. Private companies typically are subject to financial statement audits when other parties, such as creditors and lenders, rely on and require the same level of assurance and attestation.

Evaluating Data Quality

The requirements for mainstreaming include determining whether data from both government and industry sources is up to date, comprehensive, and reliable outside of the EITI reporting structure. This section outlines the characteristics of U.S. data in these three categories.

Up-to-Date Data

The EITI Standard requires that information be reported on an annual basis and requires that the data disclosed be "no older than the second to last complete accounting period." For government and industry entities that currently report, U.S. data is disclosed on an annual basis and within the second to last complete accounting period. DOI UDR data is reported for the previous accounting period (e.g., the 2016 report includes 2015 data).

Comprehensive Data

The U.S. government's UDR covers all in-scope, non-tax payments received by the U.S. government, including payments from companies not in scope for USEITI revenue reconciliation purposes. Unilateral disclosure in the United States covers royalties, rents, bonuses, and other revenue, both by revenue stream and by company.

Federal Income Tax disclosure is made by the U.S. Treasury on an aggregate basis by industry. Some companies ~~voluntarily~~ disclose Federal Income Tax data as part of EITI reporting, to fulfill regulatory requirements in other countries, or as part of their own transparency reporting.

USEITI provides contextual narrative information through USEITI's data portal, which provides a detailed overview of the extractive industry on federal government lands in the United States. The portal contains dozens of pages, tables, and graphics that allow users to dynamically explore data related to the extractive industries in the United States. It also explains USEITI and how the extractive industries function in the United States. Specifically, the portal includes:

- More than 15 in-depth contextual pages about the entities that own natural resources, the laws governing natural resource extraction, how natural resources result in federal revenue, details on revenue streams, and data accuracy and accountability measures.

- Fifty-five dynamic regional profile pages with contextual data integrated throughout.
- Twelve county case study pages that examine major producers of in-scope natural resources and the socioeconomic impact extractives industries have on these counties.

Additionally, the data portal includes a glossary related to the extractive industries, downloadable data sets for further analysis, and data documentation and usage notes.

Reliable Data

Companies in the extractive industries are subject to laws and regulations related to payments to the U.S. government, including the process for submitting those payments to the federal government. The processes for how these payments and revenue are recorded and verified are detailed in USEITI's *Audit and Assurance Practices and Controls in the U.S. Factsheet*, which is available at https://useiti.doi.gov/downloads/USEITI_budget-audit-factsheet_2016-08-17.pdf. *Appendix 2* includes tables that outline the major laws establishing the fiscal regime, fees, and fines related to extractive industries revenue collection in the United States.

Standards for both the federal government and companies in the extractive industries are promulgated by regulatory and voluntary oversight bodies[5]. These standards define:

- How companies and the U.S. government report revenue and financial information.
- How internal and external audit procedures provide payment and collection assurance.
- How external auditors provide assurance on companies' financial statements, as well as disclose audit results and audited financial statements for public companies.

Appendix 2 provides a table of laws, regulations, professional standards, and regulatory organizations used by companies, governments, and auditors to guide the reporting of financial information in the United States, including the financial statement audit process.

Reconciliation and Mainstreaming

Once a country is approved for mainstreaming, it is no longer required to complete the reconciliation process. If EITI data is comprehensive and reliable, then the data is "audited in accordance with international standards, the procedure does not require a comprehensive reconciliation of government revenue and company payments." This section details the audit, reconciliation, and assurance processes in place at ONRR and other U.S. government agencies.

[5] "Tracking and Verifying Company Payments to Government Agencies in the U.S. Extractive Industries," n.d., USEITI, https://useiti.doi.gov/downloads/USEITI_budget-audit-factsheet_2016-08-17.pdf.

There are generally four levels of mainstreamed controls:

- Upfront reconciliation of transaction data between DOI, U.S. Treasury, and companies
- Internal audit and other assurance processes within DOI
- External audit of DOI
- Other ad hoc oversight from the Office of the Inspector General (OIG), Congress, and other bodies

As part of the pre-reconciliation process integral to ONRR's receipt and processing of company payments and reporting, ONRR conducts 100% upfront reconciliation.

This report covers CY 2015 rents, royalties, and bonuses that, together, constitute 95% of DOI revenue streams, as well as Corporate Income Taxes. The following table provides additional details:

Revenue Stream	Percent of DOI Revenue	Upfront Reconciliation	Internal Controls	External Audits	Ad Hoc Oversight
ONRR Royalties	78.2%	✓	✓	✓	✓
ONRR & BLM Bonuses	14.6%	✓	✓	✓	✓
ONRR & BLM Rents	3.1%	✓	✓	✓	✓
OSMRE AML Fees	2.5%	✓	✓	✓	✓
BLM Permit Fees	1.3%	✓	✓	✓	✓
ONRR Offshore Inspection Fees	0.7%	✓	✓	✓	✓
ONRR Other Revenue	0.4% *(Negative Amount)*	✓	✓	✓	✓
ONRR Civil Penalties	0.1%	✓	✓	✓	✓
OSMRE Civil Penalties	0.03%	✓	✓	✓	✓
Corporate Income Taxes	N/A	N/A	✓	✓	✓

Note: Percentages total more than 100% due to rounding and negative ONRR other revenue.

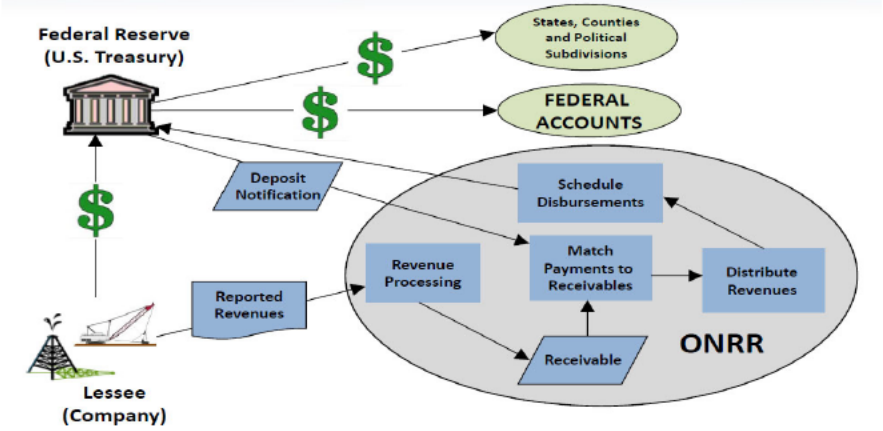
ONRR's Upfront Reconciliation Process

ONRR's mission is to collect, account for, and verify natural resources revenue due to U.S. states, American Indians, and the federal government. Each month, ONRR receives and processes 49,000 royalty and production reports. ONRR's reconciliation process determines whether the U.S. government has been paid what it is owed, as well as whether companies made payments to the federal government in a timely manner. For ONRR's reconciliation process, companies report data the month after the month of production. Comprehensive reporting by companies and payors occurs on a project or lease level[6] basis.

[6] A "project" is defined as the operational activities governed by a single contract, license, lease, concession, or similar legal agreements that forms the basis for payment liabilities to a government. If multiple agreements are interconnected, they should be considered a project.

The following graphic illustrates the 100% upfront reconciliation and matching of company payments to ONRR revenue, as well as the distribution of revenue to recipients.

Figure 2. Upfront Reconciliation and Matching of Company Payments to ONRR Revenue



In this process, companies make payments to the U.S. Treasury and report those payments to ONRR on a monthly basis.

DOI Mainstreamed Processes and Controls

ONRR's Internal Controls and Processes

The United States has a set of standards and internal controls that are aimed at achieving reliability and accuracy in payment collection, accounting, and reporting. In accordance with guidance from the U.S. Government Accountability Office (GAO) Green Book, These standards and internal controls are outlined as follows:

Components of Internal Control	Principles
Control Environment	1. Demonstrate commitment to integrity and ethical values 2. Exercise oversight responsibility 3. Establish structure, responsibility, and authority 4. Demonstrate commitment to competence 5. Enforce accountability
Risk Assessment	6. Define objectives and risk tolerances 7. Identify, analyze, and respond to risk 8. Assess fraud risk 9. Analyze and respond to change
Control Activities	10. Design control activities 11. Design activities for information systems 12. Implement control activities

Components of Internal Control	Principles
Information and Communication	13. Use quality information 14. Communicate internally 15. Communicate externally
Monitoring	16. Perform monitoring activities 17. Remediate deficiency

Source: OMB Circular A-123

Internal Controls

In addition to annual OIG audits, external third parties audit ONRR's financial functions on an annual basis in accordance with generally accepted government auditing standards (GAGAS). Audits in the United States have a high standard of verification in the form of evidence for source documents and records, resulting in greater accuracy of payment and reporting information. Additionally, ONRR uses U.S. Standard Government Ledger (USSGL) accounts to prepare external reports for the Office of Management and Budget (OMB) and the U.S. Treasury, which includes this financial information in its annual consolidated DOI Agency Financial Report. Finally, the Chief Financial Officer (CFO) Act requires annual audits of DOI's financial statements, which include a thorough review of ONRR.

OMB Circular A-123 is part of the DOI Agency Financial Report. Per this regulation, the secretary of the DOI must provide an assurance statement on the state of the DOI's internal controls to the president and Congress. OMB, GAO, and Congress established the requirement for agencies to develop and maintain effective internal controls by issuing federal guidance, including OMB Circular A-123, *Management's Responsibility for Internal Control*. Under this guidance, management is responsible for establishing and maintaining effective internal controls and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act of 1982.

The A-123 process at ONRR begins with the director of ONRR issuing guidance to employees that outlines the compliance assurance activities that must be completed. ONRR's Internal Review, Oversight, and Compliance (IROC) program provides leadership and technical support to ONRR employees as they complete the A-123 process. Program managers of each assessable unit (AU) in ONRR use DOI's Integrated Risk Rating Tool (IRRT) to complete a risk assessment of their processes. With that information, IROC develops ONRR's Three-Year Component Inventory and Annual Risk-Based Internal Control Review Plan (Three-Year Plan).

In order for ONRR to maintain compliance with OMB Circular A-123, it must complete the following activities:

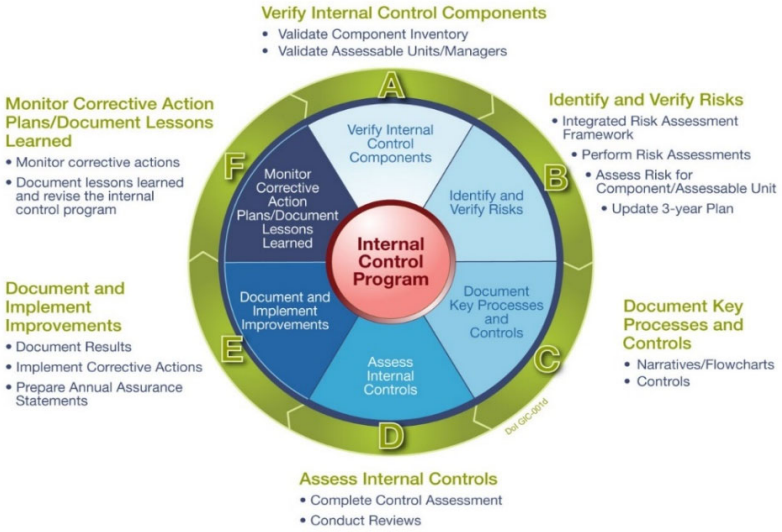
- Submit entry-level risk assessments for each of the program directorates: director, deputy director, and directorate support office; audit and compliance management;

coordination, enforcement, valuation, and appeals; and financial and program management

- Document or update AU key business processes, risks, and internal controls in both narrative and flow chart form
- Identify, document, and test key controls of all processes that are significant to a line item on DOI's financial statements
- Perform DOI-directed and ONRR-directed internal control reviews (ICRs)
- Develop DOI-required information technology (IT) and overall annual assurance statements

Additionally, DOI has designed an **Integrated Internal Control Program** comprising the plans, methods, and procedures used to support its mission, goals, and objectives. DOI has a six-step approach for its Integrated Internal Control Program that aims to enable performance-based management and supports DOI's mission, while addressing multiple legislative requirements.

Figure 3. DOI's Integrated Internal Control Program



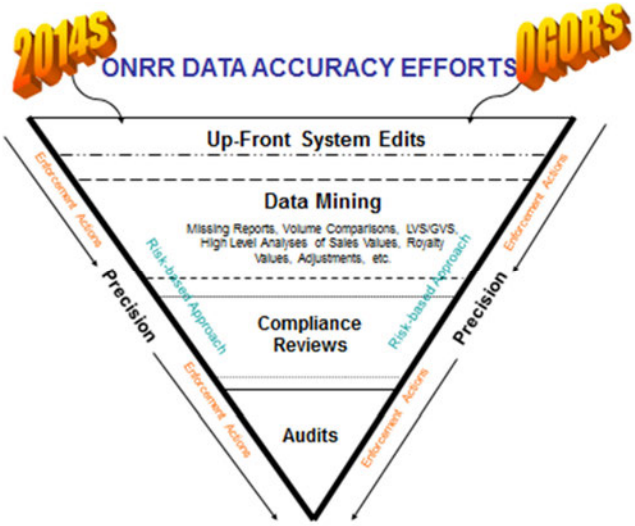
The goals of DOI's Integrated Internal Control Program are to:

- Ensure senior management oversight and coordination at the department and bureau level
- Follow a structured approach for assessing the risks facing the organization
- Implement a risk-based approach that weighs costs and benefits

- Improve consistency and comparability of bureau internal control programs by refining internal control guidance and using standardized tools, templates, and training
- Improve the maturity of DOI's risk management and internal control practices

Lastly, ONRR has controls in place to determine if data submitted by extractive industries companies is reliable and accurate. These controls occur at different points in the data collection and analysis process, as depicted in the following graphic, and provide the foundation for ONRR's compliance reviews and audits.

Figure 4. ONRR's Data Accuracy Process



Data control and verification starts at the submission stage of extractive industries reporting. Royalty reports (i.e., Forms ONRR-2014 and ONRR-4430) and production reports (i.e., oil and gas operations reports (OGORs)) go through hundreds of upfront system edits and checks for individual companies before they are submitted and accepted into ONRR's financial systems. These edits help prevent companies from submitting incorrect data, such as erroneous lease agreement amounts, incorrect prices, mathematical errors, or missing data elements.

Once the data is submitted by companies, ONRR's data mining office analyzes and works with individual companies to resolve various types of reporting errors and anomalies. The data mining phase helps identify specific issues with Form ONRR-2014 and OGOR submissions, as well as identifies errors that occur across multiple companies. When such errors are identified, ONRR works to provide specific guidance to companies and/or establish improved internal

processes for data collection and review. Data mining focuses on resolving issues collaboratively with companies prior to any compliance review and/or potential audit by using a system-generated variance to identify the required workload.

Audit and Compliance Management Function

ONRR's audit and compliance management (ACM) function is a part of the U.S. process for data accuracy and assurance. The ACM function serves to verify the accuracy of data reported to ONRR and examines statements, records, and operations of companies to verify compliance with lease instruments and established regulations, laws, and guidelines. The subsequent information detailed in this section is based on interviews with federal officials. This information was not independently verified by the IA.

ONRR's ACM function uses a risk-based approach to conduct compliance reviews and audits. This approach uses a risk calculation tool to develop audit and compliance work plans and identify potential risks of noncompliance based on a number of proprietary indicators, including previous audits and compliance reviews and the significance of royalty dollars. The risk calculation tool stratifies the compliance of companies and properties into high-, medium-, and low-risk categories. ACM's work is performed by more than 240 ONRR staff in six regional offices and 125 auditors working for states and tribal nations that have significant activity in extractive industries. The auditors on the State and Tribal Royalty Audit Committee perform audit and compliance reviews under the 202/205 cooperative agreements between ONRR, states, and tribes.

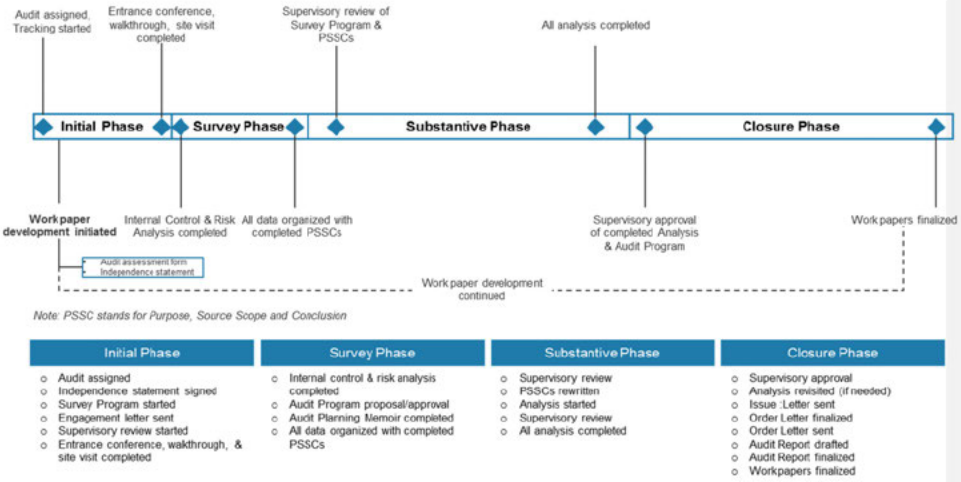
Through the ACM function, ONRR uses multiple evaluative techniques to determine if payments received from companies are for the appropriate amounts. These techniques include the following:

- One month after sales of production, a report and payment is due. At the time of the reporting, ONRR uses upfront system edits to verify royalty and production reports, including transportation and processing limits, multiple royalty rates, pricing edits, and agreement amounts.
- One to two years after a payment, ONRR uses data mining to increase the accuracy of company-reported data before the data is subjected to compliance reviews and audits. Missing reports, adjustment monitoring, adjustments to completed cases, and production volume comparisons are key components of data mining efforts to determine if company payments are accurate and verifiable.
- Two to three years after a payment, following the upfront-system edits and data mining, ONRR conducts compliance reviews and audits. Compliance reviews are used to examine issues and potential reporting errors after the upfront system checks and data mining. The compliance reviews are conducted two to three years after the original data

submissions to allow for adjustments and clarification of the data. In fiscal year (FY) 2016, ONRR completed more than 500 compliance reviews. Compliance reviews can come from a variety of sources, including a referral from another part of the agency, information obtained from the IRRT, or data anomalies found by the system.

Audits are performed based on source documentation or other verifying information obtained to analyze the completeness and accuracy of the production volumes, sales volumes, sales values, transportation and processing allowances, and royalty values reported by companies, in accordance with the reporting and valuation regulations. In FY 2016, the ACM function conducted 128 audits. ACM's audit process timeline is outlined in Figure 5.

Figure 5. Audit Process Timeline for ACM



When ONRR discovers inaccurate payments or potential fraud, it has several enforcement mechanisms at its disposal, including alternative dispute resolution, litigation, and civil penalties.

Additional Audits by the State and Tribal Royalty Audit Committee (STRAC)

In addition to the ONRR's audits, state government agencies also audit companies' reported production and payments, and these state government agencies are in turn subject to controls and audits of their own. Likewise, tribes in the United States also complete audits and are subject to controls and audits of their own. This multilayered system of checks and balances strengthens the data's reliability. Furthermore, STRAC works with ONRR to audit leases within its respective jurisdictions. STRAC consists of representatives from nine states and six Indian tribes. STRAC's purpose is to help ensure proper royalty payments are made by oil, gas, and solid mineral companies. STRAC's agreements are authorized under Sections 202 and 205 of the Federal Oil and Gas Royalty Management Act of 1982(FOGRMA), as amended by the Federal Oil

and Gas Royalty Simplification and Fairness Act of 1996 (FOGRSFA). STRAC helps further the accountability of money owed to its jurisdictions and improves the reliability of reported data.

U.S. Bureau of Land Management (BLM) Controls

BLM uses several methods and processes to ensure data accuracy and integrity when collecting rents, bonuses, and BLM permit fees.

First, the BLM Collections and Billings System (CBS) builds data integrity into the data collection system design. BLM uses CBS as a single point of entry for billings and collections data entry by field office personnel. CBS interfaces nightly with DOI's Financial and Business Management System to allow exchange and posting of collection information to the general ledger. CBS uses BLM's intranet to transmit collection information and includes several layers of security. In addition, CBS allows field personnel to enter any type of collection and organizes receipts into the correct accounts by natural resource category, subject, and action. BLM conducts continuous internal reviews and reports to ensure the timeliness, accuracy, and compliance of data entered into CBS.

Second, the Automated Fluid Minerals Support System (AFMSS) is a BLM-wide fluid mineral (i.e., oil and gas, geothermal, and helium) system with authorized use and inspection and enforcement support. AFMSS supports oil, gas, and geothermal lease operations on federal and Indian trust lands; post-lease operational approvals; well and facility data; inspection and enforcement data; and assessments and penalties for noncompliance and undesirable events (i.e., spills), as well as displays well production data (OGOR) collected by ONRR and data on customers (i.e., producers and operators). A number of reports supporting BLM business requirements are also included on a field office, state office, and national basis.

AFMSS contains oil, gas, and geothermal facility inspection and compliance data, including data related to preconstruction, drilling, production measurement and accountability, facility abandonment, undesirable events, enforcement actions (i.e., assessments and penalties), and inspection strategy information. AFMSS also contains the following: oil, gas, and geothermal leases; unit agreements; participating areas; communitization agreements; bond coverage; and drainage assessment data.

These assurance mechanisms and processes help BLM meet internal and external audit requirements and support accurate accounting and reporting.

Office of Surface Mining Reclamation and Enforcement (OSMRE) Controls

OSMRE uses the Internet-based Coal Fee Collection Management System (CFCMS) to report on 99% of U.S. coal production. The system is designed to prepopulate information about companies with coal-producing permits, thus reducing data entry error. The system contains numerous edits to ensure data accuracy, as well as automatically calculates fee amounts based

on the production data entered by companies. OSMRE also completes paper-based reports for the remaining 1% of U.S. coal production.

Internally, OSMRE conducts continuous reviews of both automated and manual data entered into CFCMS to ensure the timeliness, accuracy, and compliance of data.

Externally, OSMRE conducts independent reviews of CFCMS data during audits of coal company records. During such audits, OSMRE auditors review data entered into CFCMS against coal company records of reported tonnage to determine whether there are any discrepancies in the CFCMS data.

OSMRE's Division of Compliance Management (DCM) performs audits of coal mining operations nationwide in accordance with GAGAS. These audits are performed using an internally developed automated audit program that is integrated with other OSMRE systems to increase efficiencies and reduce errors. DCM maintains an internal quality control system that is monitored on an ongoing basis to provide reasonable assurance that the policies and quality controls are appropriately designed and effectively applied. DCM's audit plan uses a risk-based approach, prioritizing audits based on identified risk factors. The audit program is designed to promote timely and accurate reporting of coal tonnage and ensures correct fee payments. In accordance with the requirements of GAGAS, DCM is subject to a peer review every three years performed by an independent certified public accounting firm.

The efficiencies of the audit program and its related activities have enabled OSMRE to achieve a compliance rate of more than 99% at a minimal cost to the Abandoned Mine Land (AML) Fund. OSMRE's process improvements and successful migration to electronic reporting has automated virtually all audit functions and eliminated 100% of data entry errors.

OIG Oversight

OIG provides independent oversight and promotes accountability within programs, operations, and management of the department. OIG performs the following functions:

- Oversees the contract with an independent certified public accounting firm to perform the annual DOI financial statement/CFO audit
- Conducts energy-focused reviews of DOI energy and mineral revenue programs
- Provides leadership and coordination and recommends policies for activities
- Identifies risks and vulnerabilities that directly affect DOI's mission
- Keeps interested parties informed about deficiencies related to the administration of programs and operations and the progress of necessary corrective actions
- Reviews the activities related to the EITI initiative

Additional DOI Controls

Various entities within DOI support the accuracy, reliability, and timeliness of data collection and reporting, as detailed in the following table:

DOI Office	Responsibilities/Functions
Financial and Production Management	• Collects, verifies, and distributes all royalties, rents, and bonuses • Receives, processes, and verifies industry-submitted royalty reports • Performs data mining functions • Receives, processes, and verifies industry-submitted production reports and error corrections for all federal and Indian production • Oversees meter inspections for production verification
General Ledger (GL)	• Accounts for billions of dollars collected and disbursed by ONRR, in accordance with GAAP • Processes payments • Prepares reports and reconciliations for the U.S. Treasury • Processes revenue-sharing disbursements to states and counties through the U.S. Treasury, as well as transfers to other federal agencies • Processes refunds of overpayments to lease holders • Provides the initial trial balance used to develop departmental financial statements • GL is subject to an annual financial audit by OIG
Accounting Services	• Defines accounts payable (AP) functions as either federal or Indian • Ensures revenue is received with correct information and proper recipients • Prepares disbursement data for the U.S. Treasury and the Office of the Special Trustee • Provides distribution and mineral revenue reports to federal agencies, states, tribes, tribal allottees, and other requestors
Accounts Payable (AP) Federal	• Oversees system processing of all payor reporting and payments • Works closely with recipient agencies, states, and counties to resolve issues and ensure timely distribution of shared revenue • Ensures AP federal processes are in compliance with federal statutes regarding mineral extraction on federal lands
Accounts Payable (AP) Indian	• Collects daily rents and royalties on behalf of Indian tribes and allottees • Works extensively with the Bureau of Indian Affairs (BIA), the Office of the Special Trustee for American Indians (OST), and recipient Indian tribes • Prepares a daily report of deposits for OST and a twice-monthly distribution report on leases held by individual Indian allottees • Works with OST and Indian tribes to answer questions and reconcile accounts, as needed • Works with ONRR's Indian outreach organization to resolve allottee issues
Financial Services	• Manages other related federal and Indian account reconciliations • Reconciles payments to receivables within customer accounts • Establishes receivables for mineral royalty reports • Identifies credit and refund actions and processes related paperwork

U.S. Government Mainstreamed Processes and Controls

U.S. Treasury Single Source Cash Flow

The U.S. Treasury and Federal Reserve System (the "Treasury") serves as the sole provider of financial services for all U.S. federal agencies, including ONRR. Treasury maintains a centralized system of accounts for all federal agencies. The core tenet of this centralized system of accounts is that no single federal agency controls the receipt and payment of public funds. All federal agencies that handle government financial transactions must properly perform their functions to support internal government controls and the system of central accounts.

Treasury performs variance analysis and other reconciliations on transactions and balances contained within its systems. Treasury contacts ONRR with any questions it may have and can request ONRR justify or make changes to transactions or balances. DOI's external auditor also samples deposit and disbursement data from all Treasury systems and traces that data back to originating lease documents within ONRR's systems or other agency accounting advice.

To accomplish these ends, there are several primary systems maintained by Treasury that ONRR utilizes for cash flows, including the Collections Information Repository (CIR) for revenue collections, the Intra-Governmental Payments and Collections System (IPAC) for intragovernmental transfers, the Secure Payment System (SPS) for disbursements, and the Central Accounting Reporting System (CARS) for Treasury fund reconciliation.

ONRR receives the majority of its oil and gas revenue, as well as geothermal and solid minerals revenue through the CIR, which serves as a transaction broker, data warehouse, and reporting solution. CIR provides a single touchpoint to exchange all financial transaction information for settled transactions across all collections systems. This enables the U.S. government to normalize financial transaction reporting and standardize the availability of financial information across all settlement mechanisms and collections systems. CIR greatly improves the way ONRR collects, analyzes, and redistributes financial transaction information, which in turn eliminates redundancies and disconnects across and between the numerous point-to-point connections. CIR is a self-contained system with various related external system interfaces. CIR provides ONRR with revenue related to payments from the public sent via Fedwire, Pay.gov, automated clearing house (ACH), and check. All payment method transaction information submitted to ONRR is summarized daily into vouchers by CIR. CIR does not allow ONRR to create or alter deposit information.

Whereas CIR is used for revenue collected by ONRR from extractive industries companies, IPAC is used for oil and gas revenue collected by other federal agencies and transferred to ONRR. ONRR also uses IPAC to disburse revenue to other federal agencies in accordance with applicable statutes. The IPAC system's primary purpose is to provide a standardized interagency fund transfer mechanism for federal program agencies (FPAs). IPAC facilitates the

intragovernmental transfer of funds, with descriptive data from one FPA to another. The IPAC system enables FPAs to exchange accounting and other pertinent information to assist in the reconciliation of funds transferred between FPAs for various interagency transactions (i.e., buy, sell, fiduciary, and other miscellaneous payment transactions). Sender and receiver Treasury account symbols/business event type codes (TAS/BETC) are validated in a shared accounting module (SAM) and transmitted to the CARS account statements at the time of IPAC origination. IPAC standardizes interagency payment, collection, and adjustment procedures through an Internet-based application.

The SPS is an application that allows government agencies to create payment schedules in a secure fashion, with strictly enforced separation of duties. Access to SPS is rigidly controlled by both Treasury and ONRR. SPS is ONRR's only avenue to disburse revenue from Treasury to state or local governments and to refund overpayments back to companies.

Lastly, ONRR uses the CARS to report and reconcile all collections and disbursement activity. CARS is a one-stop tool to:

- Provide and retrieve data and information from Treasury
- Capture and record TAS information for payments
- Deposit intragovernmental transactions
- Provide an account statement of the fund balance with Treasury
- Allow access to transaction details to support research and reconciliation
- Improve the usability and currency of government-wide financial information
- Minimize data redundancy and enhance data sharing between Treasury's central accounting system, financial service provider systems, and ONRR's core financial systems

ONRR reconciles the CARS fund balance with Treasury. ONRR's accounting system does this via reclassification of collection and disbursement transactions to identify the proper fund within Treasury. This reconciliation process is performed during the first three business days of each month. Any statements of difference between Treasury and ONRR are not permitted. All discrepancies and out of balances found must be corrected during the current accounting period, or a restatement is required for closed periods. CARS does not allow ONRR to create or delete transactions from the system.

Third-Party Audit Procedures

The annual agency financial report (AFR) provides important financial and performance information related to the stewardship, management, and leadership of the public funds and resources entrusted to DOI. Specifically, the report contains DOI's audited financial statements as required by the Chief Financial Officers Act of 1990. The audited financial statements include the custodial revenue managed by ONRR, OSMRE, and BLM. In FY 2016, DOI obtained an

unmodified opinion from its independent certified public accounting firm—this was the 20th consecutive unmodified opinion for DOI.

DOI adheres to strict audit and assurance procedures in order to fulfill its fiduciary trust responsibilities to the nation's taxpayers, states, tribal affiliates, and local municipalities. The procedures outlined below reflect the best efforts to compile, structure, and summarize processes generally employed across DOI's bureaus and offices to achieve the department's overarching mission.

- First is an examination of the external and independent audit requirements used to evaluate DOI's compliance with audit and assurance protocols.
- Next is a review of the department's internal audit controls, audit and compliance activities, and peer review processes.
- Last is an examination of the department's data and IT assurance mechanisms.

In engaging a third party to conduct its audit, DOI entrusts this independent auditor to conduct audits of the department's general-purpose financial statements and closing-package financial statements in accordance with GAAP. The purpose of such an audit is the expression of an opinion as to whether the general-purpose financial statements that have been prepared by management conform with GAAP.

In the United States, such a third-party audit involves the following types of high-level activities:

- Performing procedures to obtain audit evidence about the amounts and disclosures in the general-purpose financial statements and closing-package financial statements
- Performing tests of the accounting records and assessing the risks of material misstatements of the general-purpose financial statements and closing-package financial statements, whether due to error or fraud, to provide a reasonable basis for opinions
- Evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management
- Evaluating the overall general-purpose financial statement and closing-package financial statement presentation

KPMG, LLP, DOI's independent auditor, noted in one of the Independent Auditor's Report, "In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of the U.S. Department of the Interior … and its net

costs, changes in net position, budgetary resources, and custodial activity for the years then ended in accordance with U.S. generally accepted accounting principles."[7]

The audit of ONRR and DOI was conducted in accordance with GAGAS. This framework is used for conducting high-quality audits with competence, integrity, objectivity, and independence. These standards are promulgated by the GAO.

Additional Oversight

In addition to external audits from third-party auditors, DOI and ONRR are subject to additional oversight related to the collection, distribution, and reporting of revenue. OIG provides oversight in a number of areas. OIG's Office of Audits, Inspections, and Evaluations examines financial statements to determine if they are presented fairly and in accordance with GAAP. OIG's Office of Investigations conducts, supervises, and coordinates investigations related to allegations of fraud, waste, abuse, or mismanagement of financial resources or that result in significant financial losses to DOI.

Ultimately, as members of the executive branch, DOI and ONRR are subject to congressional oversight. Congress has a constitutional responsibility and right to investigate the actions of the executive branch and can compel reports, witnesses, and testimony.

The U.S. Government Accountability Office (GAO)

GAO supports Congress in meeting its constitutional responsibilities and assists in improving the performance and accountability of the federal government. GAO's work is done at the request of congressional committees or subcommittees or is mandated by public laws or committee reports, and includes the following activities:

- Audits agency operations to determine whether federal funds are spent efficiently and effectively
- Investigates allegations of illegal and improper activities
- Reports on how well government programs and policies are meeting their objectives
- Performs policy analyses and outlines options for congressional consideration
- Issues legal decisions and opinions
- Advises Congress and the heads of executive agencies on ways to make government more efficient, effective, ethical, and responsive
- Publishes a high-risk list (http://www.gao.gov/highrisk/overview)
- Its work leads to laws and acts that improve government operations

Commented [MS8]: It would be an oversight not to mention that the GAO considers Interior's management of its oil and gas resources to be a "high risk" area. http://www gao.gov/highrisk/management_federal_oil_gas /why_did_study

[7] "DOI Agency Financial Report FY 2013," http://www.doi.gov/pfm/afr/2013/upload/DOI-FY-2013-AFR.pdf; "DOI Agency Financial Report FY 2014," http://www.doi.gov/pfm/afr/2014/upload/DOI-FY-2014-AFR.pdf.

- Maintains and updates GAGAS

The GAO comptroller general issues GAGAS, which were first published in 1972 and are commonly referred to as the "Yellow Book." GAGAS cover federal entities and those organizations receiving federal funds. The most recent 2011 revision of *Government Auditing Standards* takes into account recent changes in other auditing standards, including IFRS.

GAGAS incorporates, by reference, the AICPA *Statements on Auditing Standards (SAS)* and *Statements on Standards for Attestation Engagements (SSAE)*. Auditors may elect to use the International Auditing and Assurance Standards Board (IAASB) standards, the International Standards on Auditing (ISA), and International Standards on Assurance Engagements (ISAE) in conjunction with GAGAS.

The Auditing Standards Board (ASB) of the AICPA develops its SAS using the ISA as the base standard (ISAs are developed by the IAASB), and modifies the base standard only where modifications are deemed necessary to better serve the needs of the U.S. legal and regulatory environment. ASB field work and reporting standards for financial audit and attestation engagements are incorporated, by reference, into the "Yellow Book," unless specifically excluded.

GAGAS, part 3.31 (2011), encourages internal auditors who work for management at audited entities to use the Institute of Internal Auditor's (IIA) International Standards for the Professional Practice of Internal Auditing in conjunction with GAGAS.

GAO is a member of the professional standards committee of the International Organization of Supreme Audit Institutions (INTOSAI), which strives to establish an effective framework for professional standards that correspond to the needs of member SAIs. Only GAO, the IIA, and INTOSAI currently issue standards on performance and compliance audits. GAGAS incorporates compliance auditing in it performance auditing standards. INTOSAI has also issued a separate set of compliance audit standards.

Overview of Beneficial Ownership Requirements in the 2016 EITI Standard

The 2016 EITI Standard requires implementing countries to ensure companies disclose their beneficial owners, as well as politically-exposed persons holding ownership rights by 2020[8]. The Standard recommends that beneficial ownership information be made available through public registers, and that at a minimum the information be included in the country's annual report. The Standard first requires implementing countries to publish a roadmap outlining activities and preparations that the MSG considers necessary to implement beneficial ownership requirements. The USEITI MSG published this roadmap in January 2017 and shared it with the

[8] The Standard outlines that this applies to corporate entities that bid for, operate or invest in extractive assets and that this disclosure should include the identities of beneficial owners (including name, nationality, and country of residence), the level of ownership and details about how ownership or control is exerted.

EITI International Board; the roadmap is available as part of the meeting materials for the November 16-17, 2016 MSG.

Current Status of Beneficial Ownership in the United States

There is currently no a single definition for beneficial ownership in the United States, nor is there an institutional framework for beneficial ownership disclosure, a specific framework for the level of detail of beneficial ownership information collected, or a single methodology for assessing the accuracy of the data. However, the U.S. does have a number of frameworks for the collection of beneficial ownership information, but data collection and requirements vary.

The first framework for collection is the corporate formation process. In the United States, individual states manage the corporate formation process. As such, information requirements for incorporation vary widely, but no states require persons forming corporations to name beneficial owners at the time of corporate formation. There are no mechanisms that capture, track, and manage beneficial owners at the state level. Some states do make certain data on incorporated companies public through online systems. There are no federal laws regulating incorporation.

At the federal level, three requirements provide an institutional framework for beneficial ownership information collection, but not disclosure. First, the U.S. Treasury's Customer Due Diligence Rule[9] requires U.S. financial institutions to know the real people who own, control, and profit from companies (beneficial owners) and to verify their identities. Whenever companies open a new account at a covered financial institution, the customer must disclose the identity of 1) each individual who owns 25% or more of the company and 2) any individual who controls the company. Second, legal entities that file federal taxes must obtain and have an Employer Identification Number (EIN). To do so, they must name a "responsible party." A responsible party is generally defined as "the person who has a level of control over, or entitlement to, the funds or assets in the entity that, as a practical matter, enables the individual, directly or indirectly, to control, manage, or direct the entity and the disposition of its funds or assets."[10] Finally, the Securities Exchange Act of 1934 requires any person or group that acquires more than 5% beneficial ownership of public company equity securities must disclose its position within 10 days of crossing the threshold.

For extraction on federal lands, the Mineral Leasing Act of 1920 (MLA) and the Outer Continental Shelf Leasing Act (OCSLA) require companies to meet certain requirements pertaining to ownership. The MLA requires companies holding onshore federal mineral leases to meet citizenship and acreage requirements. For coal and leasable solid minerals, a 10% ownership in a partnership or association must be disclosed to ensure this compliance. For oil and gas, publicly traded partnerships and associations must certify that their constituent

[9] https://www.federalregister.gov/documents/2016/05/11/2016-10567/customer-due-diligence-requirements-for-financial-institutions
[10] USEITI Beneficial Ownership Work Group meeting minutes, 2016

members who own more than 10% are in compliance with the MLA. There are no comparable requirements for geothermal. The OCSLA governs oil, gas, sulfur, other minerals, and renewables leased on the Outer Continental Shelf of the United States. It requires that bidders prove they are qualified to bid by demonstrating: 1) if an individual, that they are a citizen or national of the U.S. or an alien lawfully admitted for permanent residence, 2) if a corporation, that they are organized under the laws of a state or territory, or 3) if an association, that the association's members must be qualified individuals or corporations. They don't need to disclose underlying owners. Furthermore, to obtain a mining claim for locatable minerals (such as gold or copper) on federal lands one must prove that one is either a U.S. citizen, legal immigrant who has filed for citizen, business entity organized under the laws of the state, or an agent or person falling into those categories.

There is no authoritative source for beneficial ownership information of legal entities, given that there is no requirement for U.S. states to collect this information when a company is formed. For the information that is collected, there are a number of restrictions to its disclosure. Safeguarding personally identifiable information in possession of the government and preventing its breach are essential to ensure that the government retains the American public's trust. This applies to CDD and EIN information collected, among others. All information collected on an EIN application is confidential and cannot be disclosed or used for any purpose other than U.S. Federal tax administration. SEC filings are public, given their intent to safeguard investors.

The United States does have significant statutes and regulations restricting U.S. government employee ownership of certain financial interests, requiring employee reporting on certain financial interests, and restricting employee participation in certain official government matters that would affect an employee's personal or imputed financial interests or that might affect an employee's personal or business relationships. These laws are outlined in the USEITI MSG's beneficial ownership roadmap and are detailed in Appendix 3.

USEITI MSG's Proposed Activities from Beneficial Ownership Roadmap

The USEITI MSG outlined these considerations and more in detail in its beneficial ownership roadmap. It also outlined a proposed timeline and objectives for meeting the beneficial ownership requirement. Details of these timelines and activities is outlined below:

Timeframe	Activity
Calendar Year 2017	The MSG agrees to working definition of beneficial owner and conducts a legal review of the legal barriers and enablers to public disclosure of beneficial ownership information under U.S. law

2017 USEITI Reporting Season (March – August)	The MSG explores the possibility of requesting beneficial ownership information through the USEITI reporting template and collection of data for disclosure in the 2018 report (public companies may have the opportunity to indicate that beneficial ownership is done through periodic filings with the SEC, where appropriate, and, if it is determined, this disclosure is sufficient)
2017 and 2018	DOI and other relevant parties explore possibilities to request beneficial ownership information from companies engaged in bidding processes or otherwise operating in lands under its jurisdiction consistent with MLA, OCSLA, and/or other regulatory action within the power of the agency
January 2018	Assuming that the preceding was successful, USEITI report with 2017 data including results of beneficial ownership query is released
2018 USEITI Reporting Season	Assuming that the preceding was successful, a request for beneficial ownership information is included in the USEITI reporting template, and results will be included in the 2019 USEITI report
2018	The USEITI MSG explores the possibility of regulatory/legislation action related to the "invest in" provision of the beneficial ownership requirement
2019 USEITI Reporting Season	Assuming that preceding efforts were successful, a request for beneficial ownership information is included in the USEITI reporting template, and results will be included in 2020 USEITI report
2019	Assuming that preceding efforts were successful, DOI and other relevant parties seek to request beneficial ownership information from companies engaged in bidding processes or otherwise operating in lands under its jurisdiction consistent with the MLA, the OCSLA, and/or other regulatory action within the power of the agency

2019	The USEITI MSG explores the possibility of regulatory/legislation action related to the "invest in" provision of the beneficial ownership requirement
2020	Assuming that the preceding was successful, reporting by entities bidding for activities and operating on lands in the jurisdiction of the MLA, the OCSLA, and/or other regulatory action within the power of DOI commences
2020	Assuming that preceding efforts were successful, reporting related to the "invest in" provision commences

Conclusions of the Report and Recommendation on Mainstreaming

This feasibility study was prepared by the IA in consultation with the USEITI MSG and other stakeholders from government, industry and civil society. The following three primary conclusions reflect those consultations and a review of documents:

1. *The United States has* ***routine disclosures at the requisite level of detail for a significant amount of the data required by the EITI Standard and the terms of reference developed by the USEITI MSG.*** *The U.S. government's UDR covers all in-scope, non-tax payments received by the U.S. government, including payments from companies not in scope for USEITI, and covers royalties, rents, bonuses, and other revenue by revenue stream and company. The disclosure is available to the public through a data portal (https://useiti.doi.gov/downloads/federal-revenue-by-company/). The USEITI MSG and EITI International Secretariat have made significant efforts toward the usability and public awareness of the data portal. The EITI document, "Toward Mainstreaming Action Plan," approved by the EITI International Board on October 25, 2016, specifically highlights USEITI's data portal as an example of "the trend toward mainstreamed EITI implementation."*

   That said, there are two areas in which there is not currently routine disclosure:

   - *Corporate Income Tax, which is an in-scope revenue stream, is not currently disclosed at the company level. Federal law, including Section 6103 of the*

Internal Revenue Code (26 U.S.C.), which provides for the confidentiality of tax returns and return information, prohibits unilateral disclosure by the U.S. government of taxpayer information at the company level. However, the U.S. Treasury does publicly disclose Corporate Income Tax on an aggregate basis by industry, including for the oil and gas and mining industries. Also, the IRS, which is under the U.S. Treasury umbrella, has the right to audit individual taxpayer returns. In addition, some companies ~~voluntarily~~ disclose Corporate Income Tax data as part of EITI reporting, to fulfill regulatory requirements in other countries, or as part of their own transparency reporting. Fuller tax disclosure would require either new legislation and/or expanded voluntary company disclosure. Based on consultations conducted in preparation of this report, the USEITI MSG members and other stakeholders did not see a path to either at this time.

Commented [MS9]: Tax disclosure is not voluntary under EITI. Would be more accurate to state that most in-scope US companies did not comply with this requirement of the standard.

- *Beneficial ownership disclosures are required by Section 2.5 of the EITI Standard starting on January 1, 2020. There is an existing framework of Federal banking, securities, mineral extraction and other regulations which require routine disclosure of significant owners and "responsible persons" for U.S. companies in many situations. There are also existing ethics rules which require Federal employees to disclose financial interests in companies and limit conflicts of interest. (See page 30 for more detail). However, because companies can register in any of the 50 states, there is no single authoritative source for beneficial ownership information, and the level of disclosure at the state level varies widely. Based on consultations conducted in preparation of this report, the USEITI MSG members and other stakeholders did not see a legislative or regulatory path to create such a source at the present time.*

Considered together, the system of internal controls, the disclosure of non-tax revenue through the UDR, and the disclosure of industry aggregates for Corporate Income Tax, the United States has routine disclosure of a significant amount of the data required under the 2016 EITI Standard. In the areas of Corporate Income Tax and Beneficial ownership, the EITI Board would need to decide if current routine disclosures meet the substance of the "agreed-upon" procedures for mainstreaming.

Commented [DB10]: This makes no sense to me and I would just strike

2. ***In-scope financial data for the U.S. ~~government~~ Department of Interior and the majority of in-scope companies is subject to independent audit, applying international standards**, as required by the EITI Standard and laid out in the "Mainstreaming Action Plan."[11] The U.S. government and companies (both public and private) generally have*

[11] https://eiti.org/sites/default/files/documents/2016-10-towards_mainstreaming_action_plan.pdf

controls and systems of internal and external audit consistent with international standards.

With respect to the external audit of DOI, OIG engages an external auditor to conduct an annual audit of ONRR's financial functions. The external audit is conducted according to GAGAS, an internationally recognized standard. While the specific tests used in DOI's external audit have not been disclosed, interviews with OIG and other DOI personnel indicate that source documents and records are used to verify the accuracy of financial reports. In addition to the external audit, DOI and ONRR are subject to oversight related to the collection, distribution, and reporting of revenue, including oversight from DOI's Office of Audits, Inspections, and Evaluations and DOI's Office of Investigations.

In addition, all publicly traded in-scope companies undergo external audits in accordance with international standards, either GAAP or IFRS, and disclose their financial statements and the results of their audits to the SEC. Privately held U.S. companies also generally undergo audits in accordance with international standards and may be audited by the IRS, although they are not required to publicly disclose their results. See Appendix 3 for available data on audits for all in-scope companies—both public and private.

3. ***Internal controls exist to support the reliability and accuracy of payment collection, accounting, and reporting of in-scope data.*** *Internal processes and controls between the U.S. Treasury, DOI, and company payors are in place, including an upfront reconciliation of a large percentage of transactions, which compares the amounts owed to the amounts collected. These processes and controls are designed to monitor the accuracy and timeliness of revenue collection and reporting between the company payor and the U.S. government. This system of controls is also intended to reduce the opportunities for fraud by the company payors or U.S. government officials. The OMB Circular A-123 program, DOI's Integrated Internal Control Program, and ONRR's data accuracy efforts for Form ONRR-2014 and OGOR submissions are examples of the additional controls in place in the United States to support the reliability and accuracy of data. The ACM function within DOI serves to verify the accuracy of data reported to ONRR and examines statements, records, and operations of companies to verify compliance with lease instruments and established regulations, laws, and guidelines. Additionally, states and tribes in the United States maintain internal audit committees.*

Recommendation for Mainstreaming and Next Steps

Based on available evidence, the USEITI MSG recommends that USEITI pursue mainstreaming.

Commented [DB11]: You can say the USG recommends this but not the MSG

The process for mainstreaming consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review. The United States has made the formal commitment to mainstreaming, and with the submission of this feasibility study, USEITI

will proceed to the preparation of a mainstreaming application for review by the EITI International Secretariat. Prior to the submission of this application, the USEITI MSG will agree on a schedule for disclosure and assurance, including any capacity building and technical assistance necessary; this will form the basis of USEITI's application. An overview of the process is outlined below.

Figure 6. USEITI Mainstreaming Process

Source: EITI International Secretariat. Board Paper. Annex A – Draft Agreed Upon Procedure for Mainstreaming Disclosures https://eiti.org/files/board_paper_30-4-a_annex_a_draft_agreed_upon_procedure_for_mainstreamed_disclosures.pdf

As part of developing the mainstreaming work plan and application, the following steps will be necessary:

1. Documentation of commitment by the USEITI Secretariat to maintain the UDR and data portal to the current level of timeliness, comprehensiveness, and reliability for a reasonable period of time.
2. Agreement with the EITI International Board that the current disclosures of non-tax revenue and aggregate disclosure of Corporate Income Tax are sufficient for mainstreamed implementation for a reasonable period of time.
3. Agreement with the EITI International Board on continued adapted implementation with regards to subnational disclosures related to the federal nature of the United States.
4. Documentation of a process for periodic review of mainstreamed implementation by a multi-stakeholder group, either the current USEITI MSG or a new body that meets the requirements of Section 1.4 of the EITI Standard.

The United States Extractive Industries Transparency Initiative

Appendix 1 — Stakeholder Interview Notes

Interviewees

The IA invited 11 USEITI MSG members and alternates from across civil society, industry, and government to engage in stakeholder interviews, and the following nine people agreed to participate:

Sector	Name	Organization
Civil Society	Danielle Brian	Project on Government Oversight
Civil Society	Keith Romig, Jr.	United Steelworkers
Industry	Veronika Kohler	National Mining Association
Industry	Phil Denning	Shell Oil Company
Industry	Aaron Padilla	American Petroleum Institute
Government	Greg Gould	Department of the Interior
Government	Curtis Carlson	Department of the Treasury
Government	Mike Matthews	State of Wyoming—Department of Audit
Government	Jim Steward	Department of the Interior

Responses

The interviews covered each individual's goals for USEITI and the U.S. track record of reconciliation, as well as evaluated the data quality of USEITI as it relates to mainstreaming. Key takeaways from these interviews follow:

Topic	Sector	Takeaway
Goals for USEITI	Civil Society (CSO)	CSO representatives spoke about a range of goals for USEITI, including consolidating already available public data in an easily accessible place, creating a meaningful contextual narrative, revealing data not previously available to the public, and representing specific constituents. CSO representatives were split on how reconciliation fits into their goals. One interviewee expressed the view that reconciliation inherently compares company data to company data (i.e., government data was just company data provided to the government by the company). Another interviewee found reporting and reconciliation to be positive, with the exception of tax reporting and reconciliation. Neither interviewee saw mainstreaming specifically fitting into their goals for USEITI.
Goals for USEITI	Government	The U.S. government expressed a range of goals, including educating the public, participating and leading on the international stage, creating useful data for the public and the government, improving government operations, achieving a workable solution within U.S. laws, and achieving validation. The U.S. government did not see reconciliation as part of its goals, a value-add for the U.S. public, a valuable use of taxpayer money, an achievable reality for taxes, or valuable to USEITI as a whole. Mainstreaming was seen as the only feasible way for the United States to achieve validation. Mainstreaming is viewed as easier than reconciliation and likely to increase participation. The government believes U.S. audits and controls already achieve the purpose of reconciliation laid out in USEITI.

Topic	Sector	Takeaway
Goals for USEITI	Industry	Industry representatives stated their goals for USEITI are to increase transparency and data accessibility to the public, increase public understanding and confidence, articulate the current state of U.S. management as a model internationally, and build trust with other sectors. Industry representatives did not see reconciliation as fitting materially with these goals and noted it was a check-the-box exercise and a waste of time. Mainstreaming is seen as essential by industry representatives and merited based on the current systems in place. Mainstreaming would save taxpayer money, reduce the burden on companies, and free up time to undertake activities more useful to the American public.
Track Record of Reconciliation	CSO	CSO representatives saw the U.S. track record of reconciliation as strong with regards to non-tax revenue, but tax revenue reconciliation was seen as weak and lacked reporting.
Track Record of Reconciliation	Government	The U.S. government saw the track record of revenue as very strong given the U.S. system of audits, controls, checks, and balances. The government viewed tax reporting and reconciliation as the biggest weakness, given the legal prohibitions against disclosure and the lack of company involvement. The U.S. government viewed the decline in the number of companies as an effect of broader market forces (the decline in prices for natural resources, as well as company bankruptcies) not specifically reflective of USEITI.

Topic	Sector	Takeaway
Track Record of Reconciliation	Industry	Industry representatives saw the U.S. track record of reconciliation as strong, given the audits, controls, and systems in place. Reconciliation helped prove the numbers match and that the United States has already mainstreamed. Industry representative did not view the decline in the number of companies as important; instead they saw reconciliation as having achieved its purpose of showing that dollars match. They also did not view the net decline as decreasing the amount of information available given data disclosures.
Evaluating U.S. Data Quality	CSO	CSO representatives saw the strength of U.S. data in government disclosures and the promise of government project-level disclosures, even if those are completed upon request. CSO representatives also noted that U.S. data was up to date and reliable. CSO representatives viewed the lack of tax reporting and reconciliation and the rescinding of Section 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act") as fatal weaknesses in U.S. data quality.
Evaluating U.S. Data Quality	Government	The U.S. government found U.S. data to be up to date, reliable (due to the stringent system of audits and controls in the United States), and comprehensive for non-tax revenue. The U.S. government noted that USEITI has achieved an unprecedented level of disclosure and that contextual narrative information helps make data comprehensible. The U.S. government viewed the lack of tax disclosure, given U.S. laws, as the chief weakness in U.S. data comprehensiveness and the rescinding of Section 1504 of the Dodd-Frank Act as fatal to U.S. hopes of achieving that kind of disclosure, and with it mainstreaming.

Topic	Sector	Takeaway
Evaluating U.S. Data Quality	Industry	Industry representatives articulated an extensive list of U.S. data quality strengths, including public accessibility, level of disaggregation, up-to-date nature, control- and audit-based reliability, contextual explanations of data, and the comprehensive release of appropriate data. Industry representatives generally saw less cause for concern with the rescinding of Section 1504 of the Dodd-Frank Act and articulated cases for how the United States could mainstream, given current controls and disclosures. They saw limited influence on U.S. companies due to EU directives related to disclosure.

The United States Extractive Industries Transparency Initiative

Appendix 2 — Relevant U.S. Laws and Regulations

Select Laws Establishing the Fiscal Regime for Extractive Industries in the United States.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
General Mining Act of 1872, as Amended[12] **(30 USC § 29 and 43 CFR 3860)**	Provides the right to patent, meaning transfer to private ownership, federal land and natural resources for mining. Since October 1, 1994, Congress has imposed a budget moratorium on any new mineral patent applications.	Federal Onshore Lands (Public Domain)	Locatable hardrock minerals (e.g., gold, silver, and copper)
Leases of Allotted Lands for Mining Purposes[13] **(25 USC § 396 and 25 CFR 212)**	States that all lands allotted to Indians, except those made to members of the Five Civilized Tribes and Osage, may be leased for mining purposes for any term of years as may be deemed advisable by the Secretary of the Interior.	Indian Lands (Allotted)	Not specified
Mineral Leasing Act of 1920, as Amended[14] **(30 USC 181 et. seq.)**	Creates a system of leasing mineral resources on federal lands for extraction, and grants BLM the authority to administer mineral leasing.	Federal Onshore Lands (Public Domain)	Coal, oil, gas, oil or gas shale, sodium, potassium, phosphate, sulfur, and gilsonite
Indian Mineral Leasing Act of 1938[15] **(25 USC § 396a et. seq.)**	Opens unallotted lands within any Indian reservation for leasing for mining purposes by authority of the tribal council and approval from the Secretary of the Interior.	Indian Lands (Tribal)	Not specified

[12] http://apps2.eere.energy.gov/wind/windexchange/wind_installed_capacity.asp.
[13] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title25/pdf/USCODE-2011-title25-chap12-sec396.pdf.
[14] https://www.onrr.gov/Laws_R_D/PubLaws/PDFDocs/MineralLeasingAct1920.pdf.
[15] http://www.gpo.gov/fdsys/pkg/USCODE-2009-title25/html/USCODE-2009-title25-chap12.htm.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Mineral Leasing Act for Acquired Lands of 1947[16] **(30 USC § 351 et seq. and 43 CFR 3420)**	Extends the Mineral Leasing Act of 1920 and the authority of the Secretary of the Interior to govern mineral leasing on federal acquired lands.	Federal Onshore Lands (Acquired)	Coal, oil, gas, oil or gas shale, sodium, potassium, phosphate, sulfur, and gilsonite
Materials Act of 1947[17] **(30 USC § 601 et. seq.)**	Also known as the Common Varieties Act, it regulates the sale and permitting of the most common hardrock minerals. It replaces the General Mining Law of 1872.	Federal Onshore Lands	Common hardrock minerals (e.g., sand, gravel, stone, pumice, cinder)
Submerged Lands Act of 1953[18] **(43 USC § 1301 et. seq.)**	Recognizes states' rights to the submerged navigable lands within their boundaries, as well as the marine waters within their boundaries often defined as three geographical miles from the coastline.	State Offshore Lands	All natural resources
Outer Continental Shelf Lands Act of 1953, as Amended[19] **(43 USC § 1331)**	Gives the Secretary of the Interior responsibility for administering mineral exploration and development and other energy resources on the Outer Continental Shelf, subject to environmental safeguards. Mandates receipt of fair market value for mineral leasing.	Outer Continental Shelf	Oil, gas, and other minerals
Geothermal Steam Act of 1970[20] **(30 USC § 1001 et. seq.)**	Allows the leasing of federal land under BLM's administration for geothermal resource development, excluding prohibited lands.	Federal Onshore Lands	Geothermal

[16] http://legcounsel.house.gov/Comps/mlaacg.pdf
[17] http://legcounsel.house.gov/Comps/Act%20Of%20July%2031 %201937-(Materials%20Act%20Of%201947).pdf.
[18] http://www.boem.gov/uploadedFiles/submergedLA.pdf.
[19] http://www.gpo.gov/fdsys/pkg/USCODE-2010-title43/html/USCODE-2010-title43-chap29-subchapIII.htm.
[20] http://www.gpo.gov/fdsys/pkg/STATUTE-84/pdf/STATUTE-84-Pg1566.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Mining and Minerals Policy Act of 1970[21] **(30 USC § 21a)**	Amends the Mining Act of 1920 to establish the national interest to develop a domestic private enterprise mining industry, while addressing adverse environmental impacts.	Federal Onshore Lands	All natural resources
Federal Coal Leasing Amendments Act of 1975 (FCLAA)[22] **(90 STAT 1083)**	Amends Section 2 of the Mineral Leasing Act of 1920 by requiring all public lands available for coal leasing to be leased competitively, with the government only accepting lease bids equal to or more than fair market value, as well as the consolidation of leasing into logical mining units, the continual operation by lease holders, and other measures.	Federal Onshore Lands	Coal
Surface Mining Control and Reclamation Act of 1977 (SMCRA)[23] **(30 USC § 1201 et. seq.)**	Creates the Office of Surface Mining, Reclamation, and Enforcement (OSMRE) to establish a nationwide program to protect society and the environment from the adverse effects of surface coal mining operations. OSMRE is charged with balancing the nation's need for continued domestic coal production with protection of the environment. In this effort, OSMRE requires coal mine owners to post bonds as insurance for reclaiming the land after current mining operations are complete, as well as requires them to pay into the Abandoned Mine Reclamation Fund, which is intended to address mines abandoned prior to 1977.	Federal Onshore Lands	Coal

[21] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title30/pdf/USCODE-2011-title30-chap2-sec21a.pdf.
[22] http://www.gpo.gov/fdsys/pkg/STATUTE-90/pdf/STATUTE-90-Pg1083.pdf.
[23] http://www.gpo.gov/fdsys/pkg/STATUTE-91/pdf/STATUTE-91-Pg445.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA)[24] **(30 USC § 1701 et. seq.)**	Grants the Secretary of the Interior authority for managing and collecting oil and gas royalties from leases on federal and Indian lands.	Federal Onshore and Indian Lands, and Outer Continental Shelf	Oil and gas
Indian Mineral Development Act of 1982[25] **(25 USC §§ 2101–2108)**	Provides Indian tribes with flexibility in the development and sale of mineral resources, including opportunities to enter into joint venture agreements with mineral developers.	Indian Lands (Tribal)	Oil and gas, coal, geothermal, and other mineral resources
Federal Onshore Oil and Gas Leasing Reform Act of 1987 (FOOGLRA)[26] **(30 USC § 181 et. seq.)**	Amends the Mineral Leasing Act of 1920 to give the U.S. Forest Service the authority to proactively offer leases for oil and gas on National Forest System lands, provided environmental and other land-use regulations are met. BLM largely administers leasing on these lands.	Federal Onshore Lands	Oil and gas
Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA)[27] **(30 USC § 1701 et. seq.)**	Improves royalty management from federal onshore and Outer Continental Shelf oil and gas leases.	Federal Onshore Lands and Outer Continental Shelf	Oil and gas

[24] http://www.boem.gov/uploadedFiles/BOEM/Oil_and_Gas_Energy_Program/Leasing/Outer_Continental_Shelf/Lands_Act_History/federal%20og%20royalty%20mgmt.pdf.
[25] http://www.gpo.gov/fdsys/pkg/STATUTE-96/pdf/STATUTE-96-Pg1938.pdf.
[26] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title30/pdf/USCODE-2011-title30.pdf.
[27] http://www.onrr.gov/laws_r_d/PubLaws/PDFDocs/rsfa.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Energy Policy Act of 2005 (EPA Act)[28] **(42 USC § 13201 et. seq.)**	Addresses energy production in the United States, including the production, transportation, and transmission of energy, other than oil and gas (e.g., wind energy), in the waters of the Outer Continental Shelf; incentives for oil and gas development; and provisions to access oil and gas resources on federal lands.	Federal Onshore Lands and Outer Continental Shelf	Oil, gas, coal, wind, solar, hydropower, and geothermal
Gulf of Mexico Energy Security Act of 2006 (GOMESA)[29] **(120 Stat. 2922)**	Opens 8.3 million acres in the Gulf of Mexico for oil and gas leasing; shares leasing revenue with oil-producing gulf states and the Land and Water Conservation Fund; and bans oil and gas leasing within 125 miles off the Florida coastline in the Eastern Planning Area and a portion of the Central Planning Area until 2022.	Outer Continental Shelf	Oil and gas

There are other laws governing natural resources and companies operating in the extractive industries. Some of these laws require companies to pay fees. Violating some of these laws can also result in the incursion of fines.

Select Laws Resulting in Fines or Fees for Extractive Industries Companies in the United States.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Federal Land Policy and Management Act of 1976 (FLPMA)[30] **(43 USC § 1701 et. seq.)**	Requires BLM to administer federal lands using a land use planning framework that includes no unnecessary or undue degradation; multiple-use, sustained yield, considerations for present and future generations; and public planning. Requires receipt of fair market value for use of federal lands and resources.	Federal Onshore and Indian Lands	All natural resources

[28] http://www.gpo.gov/fdsys/pkg/BILLS-109hr6enr/pdf/BILLS-109hr6enr.pdf.
[29] http://www.boem.gov/Oil-and-Gas-Energy-Program/Energy-Economics/econ/GOMESA-pdf.aspx.
[30] http://www.boem.gov/Oil-and-Gas-Energy-Program/Energy-Economics/econ/GOMESA-pdf.aspx.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Clean Air Act of 1970 (CAA)[31] **(42 USC § 7401 et. seq.)**	Outlines steps that federal agencies, state and local governments, and industry must take to decrease air pollution. Oil and gas wells are exempt from legal aggregation, whereby the emissions from small sites that are connected in close proximity or under shared ownership are added together and regulated as "stationary sources" if they emit or could emit 100 tons per year of a pollutant.	All Lands	All natural resources, except when oil and gas are exempted
Clean Water Act of 1977 (CWA)[32] **(33 USC § 1251 et. seq.)**	Establishes a regulatory framework to protect water quality and monitor discharges of pollutants into waters in the United States. The U.S. Environmental Protection Agency (EPA) does not require National Pollutant Discharge Elimination System (NPDES) permits for uncontaminated storm water discharges from oil and gas exploration, production, processing, or treatment operations, or transmission or drill site preparation.[33]	All Lands	All natural resources, except when oil and gas are exempted
Safe Drinking Water Act of 1974 (SDWA)[34] **(42 USC 300f–300j)**	Protects public health by regulating the nation's public drinking water supply and its sources. As of the 2005 Energy Policy Act, hydraulic fracturing fluids are exempt from underground injection control permits, unless diesel fuel is used in the extraction process.[35]	All Lands	All natural resources, except when oil and gas are exempted

[31] http://www.gpo.gov/fdsys/pkg/USCODE-2008-title42/pdf/USCODE-2008-title42-chap85.pdf.
[32] http://www.gpo.gov/fdsys/pkg/USCODE-2010-title33/pdf/USCODE-2010-title33-chap26.pdf.
[33] U.S. Environmental Protection Agency, "Regulation of Oil and Gas Construction Activities," March 9, 2009, http://water.epa.gov/polwaste/npdes/stormwater/Regulation-of-Oil-and-Gas-Construction-Activities.cfm
[34] http://www.epw.senate.gov/sdwa.pdf.
[35] U.S. Environmental Protection Agency, "Regulation of Hydraulic Fracturing Under the Safe Drinking Water Act," http://water.epa.gov/type/groundwater/uic/class2/hydraulicfracturing/wells_hydroreg.cfm.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)[36] (42 USC 9601–9675)	Provides a federal superfund to clean up uncontrolled or abandoned hazardous waste sites, as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment, and gives EPA the power to seek out those parties responsible for any release and ensure their cooperation in the cleanup.	All Lands	All natural resources, except when oil and gas are exempted
Endangered Species Act of 1973 (ESA)[37] (16 USC § 1531 et. seq.)	Protects and recovers imperiled species and the ecosystems upon which they depend.	All Lands	All natural resources
Marine Mammal Protection Act of 1972, as Amended[38] (16 USC 1361 et. seq.)	Prohibits, with certain exceptions, the taking of marine mammals in U.S. waters and by U.S. citizens on the high seas, and the importation of marine mammals and marine mammal products into the United States.	All Lands	All natural resources, except when oil and gas are exempted

Extractive industries companies must comply with many other laws. The websites for DOI, EPA, the National Oceanic and Atmospheric Administration (NOAA), and other federal agencies contain more comprehensive lists of related laws that they enforce:

- DOI Bureau of Ocean Energy Management (BOEM): http://www.boem.gov/Regulations/BOEM-Governing-Statutes.aspx
- DOI Bureau of Safety and Environmental Enforcement (BSEE): http://www.bsee.gov/Regulations-and-Guidance/BSEE-Governing-Statutes/
- DOI BLM: https://www.blm.gov/about/laws-and-regulations
- EPA: http://www2.epa.gov/laws-regulations/laws-and-executive-orders#majorlaws
- NOAA: http://www.nmfs.noaa.gov/ole/about/what_we_do/laws.html

[36] http://www.epw.senate.gov/cercla.pdf.
[37] http://www.nmfs.noaa.gov/pr/pdfs/laws/esa.pdf.
[38] http://www.nmfs.noaa.gov/pr/pdfs/laws/mmpa.pdf.

Laws, Regulations, Professional Standards, and Regulatory Organizations

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Accounting Principles Generally Accepted in the United States of America	GAAP	GAAP is the standardized accounting rule set for federal government entities and publicly traded or private companies domiciled in the United States or other international jurisdictions in which GAAP is required. GAAP enables company stakeholders to compare accounting statements for different companies and industries using a standard methodology. Because of various accounting and financial reporting standards, the federal government tailors GAAP to meet its unique characteristics and circumstances.
Internal Revenue Service	IRS	The IRS is the revenue service of the U.S. government. The IRS is a bureau within the U.S. Treasury and is under the immediate direction of the Commissioner of Internal Revenue. The IRS is responsible for collecting taxes and the administration of the Internal Revenue Code.
Securities and Exchange Commission Act	SEC	The Securities Exchange Act of 1934 established the SEC to govern the securities industry. By regulation of the SEC, public companies must have their financial statements prepared in accordance with GAAP or IFRS, as issued by the International Accounting Standards Board (IASB), and audited each year by an independent registered public accounting firm. During an audit, the independent auditor examines, on a test basis, evidence supporting the amounts and disclosures in the financial statements. The auditor provides a written opinion on whether the company's financial statements are, in all material respects, fairly presented in accordance with GAAP or IFRS, whichever is applicable.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Sarbanes-Oxley Act of 2002	SOX	SOX requires all financial reports for large public companies (i.e., those with market capitalizations of $75 million and referred to as "accelerated" filers and those subject to SEC reporting requirements) to include certification of internal control over financial reporting (ICFR) by company management and an ICFR opinion by an independent auditor as of the specified balance sheet date. Congress passed SOX in 2002, in part, to further protect investors from fraudulent accounting activities by public companies.
Public Company Accounting Oversight Board	PCAOB	PCAOB exists to confirm that registered public accounting firms are auditing the financial statements and ICFR of public companies in accordance with auditing standards established and adopted by the PCAOB. The PCAOB is a nonprofit corporation established by Congress to oversee the audits of public companies in order to protect the interests of investors and further the public interest in the preparation of informative, accurate, and independent audit reports.
American Institute of Certified Public Accountants	AICPA	AICPA requires independent auditors to comply with the audit standards issued by the AICPA for the audits of all companies that are not subject to SEC jurisdiction. The AICPA has released mandatory audit and attestation standards for conducting, planning, and reporting on audit and attestation engagements of private companies.
Financial Accounting Standards Board	FASB	The FASB is a private, nonprofit organization whose primary purpose is establishing and improving GAAP within the United States. The SEC designated the FASB as the organization responsible for setting accounting standards for public companies in the United States. The FASB created the Private Company Council (PCC), which works jointly with the FASB to mutually agree on a set of criteria to decide whether and when alternatives within GAAP are warranted for private companies.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
International Financial Reporting Standards	IFRS	IFRS are accounting standards developed by the IASB that are intended to establish a consistent global standard for the preparation of public company financial statements for entities domiciled outside the United States. The IASB, based in London, is an independent accounting standard-setting body. It is funded by contributions from major accounting firms, private financial institutions, industrial companies, central and development banks, national funding regimes, and other international and professional organizations throughout the world. Approximately 120 nations and reporting jurisdictions permit or require IFRS for domestic-listed companies. The SEC is currently considering whether it will incorporate IFRS into the financial reporting system for U.S. issuers. There is currently no estimated date for when such a decision might be made.
Generally Accepted Auditing Standards	GAAS	GAAS are the minimum standards for auditing private companies and come in three categories: general standards, standards of fieldwork, and standards of reporting. PCAOB has adopted these standards for public (i.e., traded on the open market) companies. Each audit engagement may require audit work beyond what is specified in the GAAS in order to provide a written opinion on whether a set of financial statements is, in all material respects, fairly presented in accordance with GAAP.
Generally Accepted Government Auditing Standards	GAGAS	GAGAS provides a framework for conducting high-quality audits of government resources and programs with competence, integrity, objectivity, and independence. Government auditing allows legislators, oversight bodies, those charged with governance, and the public to hold government agencies accountable. GAGAS is used by auditors of government entities, entities that receive government awards, and other audit organizations performing audits. GAO, an independent, nonpartisan agency that works for Congress, is responsible for maintaining and updating GAGAS. GAO is often called the "congressional watchdog" and investigates the executive branch of the federal government.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Chief Financial Officers Act of 1990 (P.L. 101–576)	CFO Act	The CFO Act establishes a leadership structure, provides for long-range planning, requires audited financial statements, and strengthens accountability reporting in the federal government. The aim of the CFO Act is to improve financial management systems and information. The CFO Act also requires the development and maintenance of agency financial management systems that comply with the following: applicable accounting principles, standards, and requirements: internal control standards; OMB requirements; U.S. Treasury requirements, and requirements of other agencies. Reports of audits conducted under the CFO Act are done on an annual basis and must be completed by November 15 following the close of the fiscal year (September 30) for which the financial statements were prepared.
Government Management Reform Act of 1994 (P.L. 103–356)	GMRA	GMRA requires the independent, external audit of agency financial statements and the preparation and audit of a consolidated financial statement for the federal government on an annual basis.
OMB Circular A-136 (Financial Reporting Requirements)	A-136	A-136, which is updated annually by OMB, provides federal guidance for agency and government-wide financial reporting. This circular establishes a central point of reference for all federal financial reporting guidance for the departments, agencies, and entities in the executive branch that are required to submit an Agency Financial Report (AFR) under the CFO Act and the GMRA. In compliance with the CFO Act, the GMRA, and A-136, DOI publishes an AFR every fiscal year.
Federal Financial Management Improvement Act of 1996 (P.L. 104–208)	FFMIA	FFMIA requires federal agencies to implement and maintain financial management systems that substantially comply with federal financial management system requirements, applicable federal accounting standards, and the USGGL at the transactional level.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Federal Information Security Management Act of 2002 (P.L. 107–347)	FISMA	FISMA requires federal agencies to provide information security controls commensurate with the risk and potential harm of not having those controls in place. FISMA also requires the heads of agencies and OIG to conduct annual IT security reviews, perform annual independent evaluations of the effectiveness of the agency's security programs and systems, and report their results to OMB and Congress.
Federal Accounting Standards Advisory Board	FASAB	FASAB was established in October 1990 by the secretary of the treasury, the director of OMB, and the U.S. comptroller general. This board possesses the legal authority, under various laws, to establish accounting and financial reporting standards for the federal government. In October 1999, the AICPA recognized FASAB as the board that promulgates GAAP for federal entities.
OMB Circular No. A-123	A-123	A-123 prescribes management's responsibilities for establishing and maintaining effective internal controls and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act of 1982.
OMB Bulletin 14-02 (Audit Requirements for Federal Financial Statements)		OMB Bulletin No. 14-02, issued on October 21, 2013, establishes minimum requirements for independent audits of federal financial statements. This bulletin implements the audit provisions of the CFO Act, as amended, the GMRA, and FFMIA.

The United States Extractive Industries Transparency Initiative

Appendix 3 – U.S. Statutes and Regulations Related to Beneficial Ownership

Below is a summary of relevant U.S. statutes and regulations that restrict employee ownership of certain financial interests, require employee reporting of certain financial interests, and restrict employee participation in certain official Government matters that would affect an employee's personal or imputed financial interests or that might affect an employee's personal or business relationships.

5 CFR § 3501.103(c) prohibits, with limited exceptions, all DOI employees, their spouses, and their minor children from acquiring or retaining any claim, permit, lease, small tract entries, or other rights that are granted by DOI in Federal lands. This prohibition does not restrict the recreational or other personal or non-commercial use of Federal lands by an employee, or the employee's spouse or minor children, on the same terms available to the general public.

5 CFR § 3501.103(b), with limited exceptions, prohibits the Secretary of the Interior and employees of the Office of the Secretary and other Departmental offices that report directly to a Secretarial officer who are in positions classified at GS-15 and above from acquiring or holding any direct or indirect financial interest in Federal lands or resources that the Department administers. This generally includes stock or bond interests in most oil, gas, and mining companies that hold leases on Federal lands to conduct their operations.

43 USC § 11, implemented by 43 CFR § 20.401, prohibits Bureau of Land Management (BLM) employees from voluntarily acquiring direct or indirect financial interests in Federal lands. Prohibited interests include stocks and bonds in oil, gas, geothermal, and mining companies that hold leases or other property rights on Federal lands, as well as companies that hold substantial rights-of-way on Federal lands. BLM employees may not be members or employees of a business that has interests in Federal lands. Additionally, BLM employees may not occupy or use Federal lands (other than for recreational or other personal and non-commercial use on the same terms as use of Federal lands is available to the general public), or take any benefits from Federal lands, based upon a contract, grant, lease, permit, easement, rental agreement, or application.

43 USC § 31(a), implemented by 43 CFR § 20.401(b), prohibits U.S. Geological Survey (USGS) employees from holding financial interests in Federal lands which DOI administers or controls. Prohibited interests include stocks and bonds in oil, gas, and other mining companies that hold significant leases on such lands. Additionally, 5 CFR § 3501.104 sets limits on investments in entities engaged in mining activities on private land in the U.S. The ability of USGS employees to

own oil, gas, or other mineral leases or to receive royalties from those leases is extremely limited.

30 USC § 1211(f), implemented by 30 CFR Part 706 and 43 CFR § 20.402, prohibits all Office of Surface Mining Reclamation and Enforcement (OSMRE) employees and any other Federal employee who performs functions and duties under the Surface Mining Control and Reclamation Act of 1977 from having any direct or indirect financial interests in underground or surface coal mining operations. Prohibited financial interests under this law include interests in companies that are involved in developing, producing, preparing, or loading coal or reclaiming the areas upon which such activities occur. Additionally, 30 USC § 1267(g), as implemented by 30 CFR Part 705, provides that no employee of a State regulatory authority performing any function or duty under the Surface Mining Control and Reclamation Act of 1977 shall have a direct or indirect financial interest in any underground or surface coal mining operations.

The Ethics in Government Act of 1978, as amended (5 USC app. § 101), implemented by 5 CFR Part 2634, requires senior officials in the executive, legislative, and judicial branches to file public reports of their finances, as well as other interests outside the Government. Executive branch personnel file such reports using the OGE Forms 278e (previously the OGE Form 278) and 278-T. Unlike confidential financial statements that some mid-level employees file, the OGE Forms 278e and 278-T are available to the public. Ethics officials within each executive branch agency review, certify, and maintain these reports. Executive branch agencies also forward OGE Forms 278e and 278-T that Presidential appointees, which the Senate confirms, submit to the Office of Government Ethics (OGE) for additional review and certification. The primary purpose of the public disclosure program is to prevent conflicts of interest and to identify potential conflicts of interest of current and prospective employees. If a reviewing official identifies a potential conflict of interest, several remedies are available to avoid an actual or apparent violation of Federal ethics laws and regulations, which include recusal, reassignment, and divestiture of the financial interest(s). 28 USC § 535 requires executive branch agencies to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the U.S. Code involving Government officers and employees.

5 USC app. § 107, implemented by Subpart I of 5 CFR Part 2634, also provides that certain executive branch employees who are not required to file a public financial disclosure report but whose duties involve the exercise of discretion in sensitive areas, such as contracting, procurement, administration of grants and licenses, and regulating or auditing non-Federal entities, are required to file confidential financial disclosure reports (OGE Form 450). This reporting system generally tracks the approach of the public financial disclosure system with some differences. For example, asset values and income amounts are not required to be reported, nor are interests in or income from bank accounts, money market mutual funds, U.S. obligations, and Government securities. The most notable difference between public and confidential reports, however, is that confidential financial disclosure reports are not available to the public.

30 USC § 1211(f), implemented by 30 CFR Part 706, requires that each OSMRE employee and any other Federal employee who performs any function or duty under the Surface Mining Control and Reclamation Act of 1977 must file a statement of employment and financial interests upon entrance to duty and annually thereafter. 30 USC § 1267(g), as implemented by 30 CFR Part 705, also requires State regulatory authority employees performing any duties or functions under the Act to file a statement of employment and financial interest upon entrance to duty and annually thereafter.

A Federal criminal conflict of interest statute, 18 USC § 208, prohibits executive branch employees from participating personally and substantially, in an official capacity, in any "particular matter" that would have a direct and predictable effect on the employee's own financial interests or on the financial interests of,

- The employee's spouse or minor child
- A general partner of a partnership in which the employee is a limited or general partner
- An organization in which the employee serves as an officer, director, trustee, general partner, or employee
- A person with whom the employee is negotiating for or has an arrangement concerning prospective employment

A "particular matter" is virtually any Government matter to which an employee might be assigned, including policy matters and matters involving specific parties, such as contracts or grants. (A few matters in Government, however, may be so broad in scope that the conflict of interest law does not require an employee's disqualification even though the employee's own or "imputed" financial interests are among those affected by the matter.) Disqualification ("recusal") is mandatory in the circumstances specified in the statute. Moreover, disqualification is often the appropriate way to prevent a conflict of interest in the long term, unless an "exemption" applies or the circumstances warrant the use of other means of resolving the conflict of interest.

An executive branch-wide regulation, 5 CFR § 2635.502, recognizes that a reasonable person may believe that an employee's impartiality can be influenced by interests other than the employee's own or those that are imputed to the employee by the conflict of interest laws. Under 5 CFR § 2635.502, employees are required to consider whether their impartiality would be questioned whenever their involvement in a "particular matter involving specific parties" might affect certain personal or business relationships. The term "particular matter involving specific parties" refers to a subset of all "particular matters" and includes Government matters, such as a contract, grant, permit, license, or loan. If a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interests of a member of the employee's household, or if a person with whom the employee has a "covered relationship" is or represents a party to such matter, the employee must consider whether a reasonable person

would question the employee's impartiality in the matter. An employee has a covered relationship with,

- A person with whom the employee has or seeks a business, contractual, or other financial relationship
- A person who is a member of the employee's household or is a relative with whom the employee has a close personal relationship
- A person for whom the employee's spouse, parent, or dependent child serves or seeks to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee
- Any person for whom the employee has, within the last year, served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee
- Any organization (other than a political party) in which the employee is an active participant

If the employee concludes that participation in such a matter would cause a reasonable person to question the employee's impartiality, the employee should not work on the matter pending possible authorization from the appropriate agency official. Moreover, an employee should not work on any matter if the employee is concerned that circumstances other than those expressly described in the regulation would raise a question regarding the employee's impartiality. The employee should follow agency procedures so that the agency can determine whether participation is appropriate.

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Appendix 4 — In-Scope Company Audits

Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Alpha Natural Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Anadarko Petroleum Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Apache Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Arch Coal, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Arena Energy, LLC	Private	Limited Partnership	Yes		-	-	-	No	Unavailable
BHP Billiton LTD	Public	Foreign Corporation (Australia)	Yes	IFRS	✓	✓	-	Yes - Annual Report	KPMG
BOPCO, LP	Private	Limited partnership	No		-	-	-	No	Unavailable
BP America Inc.	Public	Subsidiary of Foreign Corporation (England)	Yes	IFRS	✓	✓	-	Parent Only*	E&Y
Chevron U.S.A. Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes - Annual Report	PWC
Cimarex Energy Co.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Cloud Peak Energy Resources, LLC	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Concho Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	Grant Thornton
ConocoPhillips	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Continental Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	Grant Thornton
Devon Energy Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG

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Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Encana Corporation	Public	Foreign Corporation (Canada)	Yes	GAAP	✓	-	✓	Yes - Annual Report	PWC
Energy XXI	N/A	Foreign Corporation (Bermuda)	Yes	GAAP	✓	-	-	Yes	BDO USA
ENI Petroleum	Public	Foreign corporation (Italy)	Yes	IFRS	✓	-	-	Yes	Unavailable
EOG Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	Deloitte & Touche LLP
EPL Oil & Gas, Inc.	Public	Subsidiary of Foreign Corporation (Italy)	Yes	GAAP	✓	-	-	Parent Only*	BDO USA
Exxon Mobil Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Fieldwood Energy LLC	Private	Limited Liability Company	Yes		-	-	-	No	Unavailable
Freeport-McMoRan Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Hess Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Jonah Energy LLC	Private	Limited Liability Company	Yes		-	-	-	No	Unavailable
Linn Energy, LLC	Public	Limited Liability Company	Yes	GAAP	✓	-	-	Yes	KPMG
LLOG Exploration Company LLC	Private	Subsidiary of Limited Liability Company	Yes		-	-	-	No	Unavailable
Marathon Oil Company	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Murphy Oil USA Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Noble Energy, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Oxy USA, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Parent Only*	KPMG
Peabody Energy Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
QEP Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Red Willow Offshore, LLC	Private	Limited Liability Company, Southern UTE Indian Tribe	No		-	-	-	No	Unavailable

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Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Shell E&P Company	Public	Foreign Corporation (UK)	Yes	IFRS	✓	✓	-	Yes - Annual Report	PWC
Statoil Gulf of Mexico	Public	Foreign Corporation (Norway)	Yes	IFRS	✓	✓	-	Yes - Annual Report	Unavailable
Stone Energy Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Talos Energy LLC	Private	Limited Liability Company	Yes		-	-	-	No	Unavailable
Ultra Resources Inc.	Public	Foreign Corporation (Canada)	Yes	GAAP	✓	-	-	Yes	E&Y
W&T Offshore, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
WPX Energy, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y

Note: Annual reports and 10-Ks are accessible as of April 6, 2017, and link to the 2015 reports, the most recent year for which all companies (or parent companies) have filed reports.

Acronyms of auditors are as follows: Ernst & Young (E&Y) and PricewaterhouseCoopers (PWC)

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USEITI Mainstreaming Feasibility Study

June 2017

The United States Extractive Industries Transparency Initiative

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The United States Extractive Industries Transparency Initiative

Executive Summary

This mainstreaming feasibility study was prepared by the United States Extractive Industries Transparency Initiative (USEITI) International Administrator (IA) in consultation with the USEITI multi-stakeholder group (MSG) and other stakeholders from government, industry and civil society. The process for mainstreaming consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review. Based on the evidence available, the USEITI MSG recommends pursing mainstreaming. The United States has made the formal commitment to mainstreaming, and with the submission of this feasibility study and the recommendation to pursue mainstreaming, USEITI will proceed to the preparation of a mainstreaming application for review by the EITI International Secretariat.

Commented [DB1]: This was never presented as an option at the MSG. We agreed that Deloitte was going to do a feasibility study but their findings were not reported to us. In fact, the comments in this document show that Keith and I both opposed this move.

Commented [MS2]: As things currently stand, this report is confusing because the USEITI will likely be disbanded soon. Any sort of mainstreaming efforts would be undertaken unilaterally by the US government, but would not be a product of the USEITI MSG.

Mainstreaming Overview

What Is the Purpose and Process for Mainstreaming?

The objective of mainstreaming is to recognize implementing countries that make transparency integral to their systems. Requirement six of the EITI Standard states that "where legally and technically feasible, implementing countries should consider automated online disclosure of extractive revenue and payments by governments and companies on a continuous basis." Mainstreaming is the formal process countries pursue to demonstrate integrated transparency. The process consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review.

What Does the USEITI Mainstreaming Feasibility Study Entail?

The USEITI Independent Administrator (IA) is preparing this study at the request of the USEITI MSG ~~in anticipation of the submission of a formal application for mainstreaming by the United States~~. The IA completed this feasibility study in close consultation with the USEITI MSG, as well as government and company stakeholders, and the information in this report is a reflection of those consultations as well as an independent assessment of U.S. processes and controls.

Commented [U3]: This false. The MSG approved a process for reviewing mainstreaming to determine whether it met the requirements of the EITI Standard, particularly Section 4. During the February 2017 USEITI MSG meeting, Deloitte made a presentation ti led "Mainstreaming Feasibility In-Progress Update."[1] The presentation indicates that at the time Deloitte was in the progress of "comple ing a feasibility study" of mainstreaming. The same slide indicates that MSG approval of the feasibility study would lead to the need for MSG agreement on a schedule for disclosure and assurance, which would form the basis for a mainstreaming application. The same slide states, "MSG must approve an application to the EITI Board seeking approval of the proposed workplan," which must in turn be approved by the International Board. Until all of this is completed and approved on a consensus basis, this statement is false and invalidates this entire document, because it ignores Deloitte's own outline of MSG approval for mainstreaming and appears to be shared for comment in bad faith.

Further, without a functioning MSG and its public meetings this document cannot be approved and the subsequent mainstreaming steps cannot be taken.

I hereby withhold my approval of this document. Paul Bugala

Commented [U4]: Not possible. The MSG has not met since February and has no scheduled meetings.

The mainstreaming process consists of four main components—review of materials, stakeholder consultation, feasibility study, and plan of action. This study presents information on the U.S. track record of reconciliation, an explanation of how the United States will increase and embed disclosures, an evaluation of data quality, and options for data reconciliation. This study makes a statement about U.S. readiness on each of those components.

In order to prepare this study, the IA gathered and reviewed relevant documents and research around processes, systems, data, and controls of both the U.S. government and U.S. companies. In addition to this literature review, the IA also interviewed select stakeholders from three

sectors: government, industry, and civil society. The IA used a standard interview guide to gain perspectives and insights on data timeliness, reliability, and comprehensiveness, as well as on U.S. progress toward mainstreaming to meet EITI international standards.

Lastly, the IA spoke to select stakeholders from government and industry in order to fill any data gaps or better understand processes and controls relevant to this study.

U.S. Track Record of Reconciliation

In order for countries to be considered for mainstreaming by the EITI International Board, they must show a track record of reconciliation without major errors. The EITI International Board does not define the length of time required, materiality threshold, or maximum number of discrepancies. As a result, this section contains a summary of the U.S. track record of reconciliation, thresholds, and unexplained variances.

Unilateral Disclosure of Revenue (UDR) in the United States

Each year, the Office of Natural Resources Revenue (ONRR), a division of the U.S. Department of the Interior (DOI), unilaterally discloses calendar year (CY) energy and mineral revenue paid to DOI. Only ~~the revenue~~material payments deemed to be in-scope ~~is~~are unilaterally disclosed. These disclosures are disaggregated at the company level and reported by natural resource and revenue type. The UDR showcases the United States' commitment to the unilateral disclosure of federal natural resources revenue by company, natural resource, and revenue stream. The UDR uses data reported by federal lease holders on Forms ONRR-2014 and ONRR-4430[1], as well as ONRR direct billing. The UDR is available on both ONRR's statistical information site and USEITI's data portal.

Commented [ZM5]: Suggest clarifying what is "in scope" and roughly what percentage of ONRR revenues are disclosed in this way

Specifically, the UDR includes:

Topic	Disclosure Detail
Calendar Years Disclosed	2013–2016
Unique Identified Companies	1,635
Total $ Amount Disclosed[2]	$38,699,490,038
Natural Resource Categories	17
Government Agencies Included	Three (ONRR, the U.S. Bureau of Land Management (BLM), and the U.S. Office of Surface Mining Reclamation and Enforcement (OSMRE))
Revenue Streams	Nine (ONRR royalties, inspection fees, civil penalties, and other revenue; ONRR/BLM rents and bonuses;

[1] OSMRE and BLM revenue streams are not collected through Forms ONRR-2014 and ONRR-4430. Also, not all UDR AML fee revenue for OSMRE is from federal lease holders.
[2] This disclosure represents all revenue paid to DOI in CYs 2013–2016.

	ONRR/BLM permit fees; and OSMRE abandoned mine land (AML) fees, including audit and civil penalties, as well as late charges)

These amounts will grow annually as production and/or prices increase, and ONRR will continue to unilaterally disclose revenue. The data set has been cleaned and organized for ease of use by the general public. It delineates aggregate payments by calendar year, corporate name, natural resource, and revenue type.

Adapted Implementation for Subnational Payments in the United States

EITI Standard Requirement 4.2 (d) mandates reporting and reconciliation of material company payments to subnational government entities and the receipt of such payments. Separately, EITI Standard Requirement 4.2 (e) mandates reporting on mandatory revenue transfers from national governments to subnational governments. The EITI International Board approved USEITI's request for adapted implementation of the EITI Standard for subnational reporting as part of USEITI's candidacy application. The EITI Standard allows for adapted implementation "where the country faces exceptional circumstances that necessitate deviation from the implementation requirements" (EITI Standard Requirement 1.5). The approved adapted implementation considers that USEITI's reporting will comply with EITI Standard Requirement 4.2 (e), which mandates reporting 100% of revenue specific to extractive industries collected by the U.S. federal government and transferred to U.S. state governments within the unilateral data disclosure. However, payments made by companies to state governments (4.2 (d)) and revenue collected by state governments are not directly be included in the reconciliation.

Commented [ZM6]: This doesn't seem right: the issue here is not just reconciliation but also reporting, so shouldn't it say something like: "reported, unless a state opts in"?

What Is the U.S. Record of Results for Reconciliation?

The United States conducted its first reconciliation in 2015. The MSG set the scope of reconciliation to include the top paying companies that, together, accounted for 80% of revenue paid to ONRR. The first period of reconciliation was CY 2013. Across 31 companies (out of 45 invited to reconcile) and 10 revenue streams, the overall variance for all DOI revenue came to $93,976,582, or 1.1% of all revenue reported by the 45 companies. For five companies reconciling taxes, there was one variance that totaled $6,297,360, or 3.3% of reconciled taxes. Seventeen discrepancies exceeded the allowable margin of variance determined by the USEITI MSG. The IA, in collaboration with in-scope companies and government entities, resolved or explained all discrepancies, which included differences regarding when payments were recorded and how they were classified.

In the following year, the United States conducted its second reconciliation covering CY 2015 revenue. Similar to the CY 2013 reconciliation, the USEITI MSG set the scope of reconciliation to include the top paying companies that, together, accounted for 79~~80~~% of revenue paid to

ONRR[3]. The 79% reconciliation rate was below the materiality threshold of 80% set by the MSG. Of the 25 companies reporting (out of 41 invited ~~to reconcile~~), the overall variance for all DOI revenue came to $156,387,357, or 3.24%. For seven companies reconciling taxes, the overall variance came to $120,122,958, or 33.8% of the total value of taxes reconciled. Additionally, 21 discrepancies exceeded the allowable margin of variance determined by the USEITI MSG. The IA, in collaboration with in-scope companies and government entities, resolved or explained all 21 discrepancies, which included differences regarding when payments were recorded and how they were classified.

Each year, companies may choose to report and reconcile both taxes and DOI revenue; however, per the reconciliation history, more companies choose to report and reconcile DOI revenue than taxes. Nevertheless, once a countries choses to implement EITI "all companies and government agencies making or receiving payments must participate[4]." So, it is not for in-scope companies to choose whether to report taxes or DOI revenue. The necessity of in-scope company reporting is also emphasized in a 2010 blog post by the EITI International Secretariat's Deputy Head[5].

[3] https://www.doi.gov/sites/doi.gov/files/uploads/rr_results_msg_presentation_vfinal_1.pdf
[4] EITI Secretariat. "Frequently Asked Questions. ' Is the EITI voluntary?'". EITI Web Site. https://eiti.org/FAQ#voluntary
[5] Rich, Eddie. "The voluntary dimension of the EITI." EITI Web Site. September 16, 2010. https://eiti.org/blog/voluntary-dimension-of-eiti

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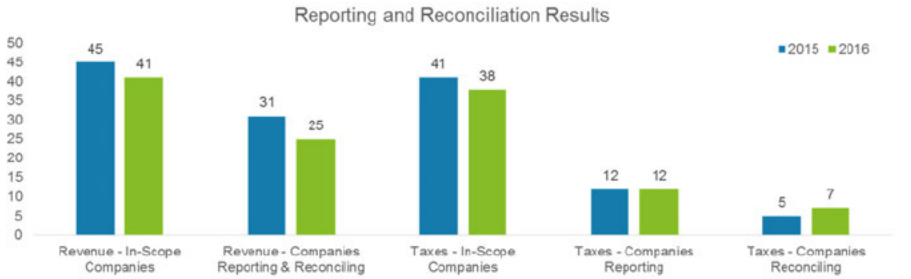
Figure 1. USEITI Reporting and Reconciliation Results (2015 and 2016)



Result	2015	2016
DOI Revenues Unilaterally Disclosed	100% of 2013 revenues	100% of 2014 and 2015 revenues (only 2015 reconciled)
Companies Participating	31 of 45 companies	25 of 41 companies
DOI Revenues Reported & Reconciled	$8.5B (81% of in-scope DOI revenues, 67% of all DOI revenues)	$4.83B (79% of in-scope DOI revenues, 62% of all DOI revenues)
Companies Reporting Taxes	12 of 41 reported $190M	12 of 38 reported -$306M
Companies Reconciling Taxes	5 of 41 reconciled $90M	7 of 38 reconciled -$130M
Variances	17	21
Variances Resolved or Explained	100%	100%

What Are the Expected Results for 2017?

The USEITI MSG has decided not to conduct a reconciliation of extractive industries revenue reported by U.S. government and U.S. companies for 2017 due to its judgement that the reconciliation process is redundant with established audit and assurance procedures and controls in place in the United States[6]. Instead, the USEITI MSG has decided to use the UDR to document controls in place in the contextual narrative as it believes the UDR process will continue to be comprehensive, timely, and accurate. The USEITI MSG plans to make the UDR publicly available via existing sources, except where current laws or regulations prohibit data disclosure.

The USEITI MSG plans to produce an annual report for 2017 and will continue to update USEITI's data portal with additional contextual narrative information and data from U.S. states.

Commented [DB7]: NO! The CSOs believe that the existing DOI process with its third party audit firm provides the level of reconciliation that is meaningful and that Deloitte's work was redundant, but we did NOT decide not to reconcile.

Commented [U8]: This is a lie. Show us where this happened in the MSG minutes.

Commented [MS9]: The USEITI MSG does not make any decisions in regards to unilateral disclosure. Those decisions are solely the US government's.

Commented [U10]: This decision was not made and I contradict it whenever and wherever I can.

Commented [DB11]: This is not possible since the MSG will not be meeting to approve it.

Commented [U12]: This is contradicted by the letters the MSG members were sent on March 9, which state the following. "Building on your direction in December 2017, ONRR will complete a third online report." This is also impossible wi h MSG meeting, involvement, and consensus approval.

[6] Decision made by the USEITI MSG on February 2, 2017.

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Increasing and Embedding Disclosures

How Does the Government Embed and Increase Disclosures?

The 2016 EITI Standard encourages countries to make use of existing reporting for EITI rather than duplicate their findings in an EITI report. To this end, the EITI International Secretariat has hailed USEITI's data portal as a good example of mainstreaming data.

Commented [U13]: A statement like this surely deserves a reference.

The U.S. government publicly discloses all data embedded in USEITI's data portal. This data is updated annually. Key information in USEITI's data portal includes:

- **Federal production data** for 55 products extracted from 2006 to 2015. This data can be filtered by product type, region (including state, county, and offshore region), and both calendar and fiscal years.
- **Federal revenue by region and company** for 2006 to 2015. This data can be filtered by natural resource category and/or region.
- **Company data** for 2013 to 2015, provided by ONRR in its unilateral disclosure. This data can be filtered by natural resource category and/or revenue type.
- **Economic impact data on the extractive industries** for 2006 to 2015, including gross domestic product, exports, and jobs. This data can be filtered by region, with results shown as dollar values or percentage values. The data can be further filtered by natural resource category for exports and by job type for jobs.
- Beyond disclosing DOI data, the portal **aggregates and makes accessible relevant data sets from other government organizations**, including the U.S. Energy Information Administration, the U.S. Bureau of Economic Analysis, and the U.S. Bureau of Labor Statistics, as well as select state and local government data.

In addition to USEITI's data portal, ONRR's statistical information site (http://statistics.onrr.gov/) provides data sets on disbursements (at the fund or state level and by fiscal year) and reported revenue data (i.e., sales volumes, sales values, and revenue by natural resource category), which is shared at the state, onshore, offshore, and Indian levels in the United States.

USEITI's data portal also includes reconciliation data and Corporate Income Tax data for companies that have opted to report their tax data. Companies can also authorize government's disclosure of their tax payments pursuant to~~Currently,~~ the Tax Reform Act of 1976 (26 U.S. Code § 6103), but few companies have chosen to provide this authorization ~~prohibits disclosure of Federal Income Tax data without the consent of the taxpayer~~. ~~However, t~~The Internal Revenue Service (IRS) discloses aggregate tax liability by industry based on a

Commented [U14]: I'm sure other commenters have pointed this out, but there's nothing keeping in-scope companies from giving permission for these disclosures. For example, Exxon and Chevron make tax disclosure per Canadian and EU law. Chevron Canada Limited. "Extractive Sector Transparency Measures Act - Annual Report." May 29, 2017. http://www.chevron.ca/documents/ESTMA-Reporting-Template-Chevron-Canada.pdf;ExxonMobil Canada Investments Company. "Extractive Sector Transparency Measures Act - Annual Report." April 24, 2017. http://cdn.exxonmobil.com/~/media/global/files/other/2017/exxonmobil-canada-investments-company-estma-report-30nov2016.pdf

[1] Chevron North Sea Limited. "Annual Extractive Report." U.K. Companies House Extractives Service. November 15, 2016. https://extractives.companieshouse.gov.uk/company/01546623

[1] EITI International Secretariat. "EITI Board Members 2016-2019." May 31, 2017. p. 2. https://eiti.org/sites/default/files/documents/eiti_board_members_2016-2019_as_of_31_may_2017.pdf

stratified sample of individual company tax returns, and this aggregate information has been included in the 2015 and 2016 USEITI reports.

Furthermore, the collection of Corporate Income Taxes are subject to financial controls similar to other government revenue collections. The Bureau of the Fiscal Service, a division of the U.S. Department of the Treasury ("US Treasury"), collects Corporate Income Taxes.

In summary, the U.S. government discloses the majority of data required for mainstreaming on USEITI's data portal. Disclosures by the IRS provide information on taxes at an aggregate industry level, but not by company. Opportunities for the U.S. government to increase and embed disclosures include the expansion of the revenue streams disclosed, such as the Coal Excise Tax and in-scope natural resources.

How Does the Extractives Industry Increase and Embed Disclosures?

Companies in the extractive industries in the United States operate within a system of controls and audits that vary based on their ownership status and internal procedures.

Public Companies

In 2016, 34 of the 41 in-scope companies were public (i.e., stock traded on the open market). Public companies must annually disclose their financial statements and the result of their audits. Of the 34 companies, 29 follow accounting principles general accepted in the United States of America (GAAP). The remaining five companies follow International Financial Reporting Standards (IFRS). For each company, independent auditors review and attest to the company's internal controls, in addition to auditing the company's financial statements. Based on a review of company 10-Ks, these public companies arrange their internal controls according to the *Internal Control—Integrated Framework* (2013) established by the Committee of Sponsoring Organizations of the Treadway Commission's (COSO), which is a joint initiative of the American Accounting Association, the American Institute of Certified Public Accountants (AICPA), Financial Executives International, the Association of Accountants and Financial Professionals in Business, and the Institute of Internal Auditors. *Appendix 3* contains information on the disclosures, forms, and auditors of in-scope companies, as well as links to available annual reports or 10-Ks for 2015, the last year for which all companies created such reports.

None of these disclosures are comparable to information required to be reported under the EITI Standard. The US does have a law that requires such disclosures, known as Section 1504 of the Dodd-Frank Act, which is required to be implemented by the SEC.

Private Companies

Private companies have fewer requirements to make their information and financial statements public. In 2016, seven in-scope companies were private. These companies, while not subject to the same disclosure requirements as public companies, still operate within the system of

Commented [ZM15]: This requires a lot more detail

Commented [U16]: The whole of the U S. Government should be engaged in the USEITI process. This is not an excuse.

Commented [U17]: I don't think you've made this case.

Commented [U18]: Perhaps by not fighting to overturn the law and SEC rule that required these disclsoures?

Commented [ZM19]: Yes but the real question is, what about actual disclosure? AN honest assessment would point out that we have almost no disclosure of EITI-relevant information from companies

Commented [ZM20]: Why go on about this at such detail since none of these disclosures have any relevance to EITI? Suggest abbreviating to make the point that although there are extensive disclosure requirements, none of them really fit with the EITI Standard

controls and audits in which public companies operate. Importantly, private companies can be subject to audits by the IRS.

~~Voluntary~~ Related Disclosures

In addition to these internal controls, external audits, and related disclosures, a number of in-scope companies report their payments in other EITI countries, and/~~-related data voluntarily~~ or according to European regulations. (Rio Tinto, included below, is not an in-scope company, but is a USEITI MSG member and, therefore, is included.)

Company	Natural Resource	Reports Under	Disclosures
BP p.l.c. (BP)	Oil & Gas	U.K. law	BP reports payments to governments at the project level and such payments are unaudited, but independently assured by Ernst & Young. ~~BP does not include tax information.~~ http://www.bp.com/content/dam/bp/pdf/sustainability/group-reports/bp-report-on-payments-to-governments-2015.pdf
Eni S.p.A. (ENI)	Oil & Gas	Voluntary	ENI reports payments to governments at the national level, as well as additional contextual information. The ENI report is unaudited. https://www.eni.com/en_IT/sustainability/integrity-human-rights/transparency-of-payments.page
Shell Oil Company ("Shell")	Oil & Gas	U.K. law	Shell voluntarily reported payments to governments prior to the implementation of British regulations and now reports according to those regulations. It reports all payments to governments at the project level. The Shell report is unaudited. http://www.shell.com/sustainability/transparency/revenues-for-governments.html
Statoil ASA ("Statoil")	Oil & Gas	Norwegian law	Statoil reports payments to governments at the project and country levels. It also includes contextual information in its annual report. The Statoil report is unaudited. https://www.statoil.com/en/investors.html#annual-reports
BHP Billiton (BHP)	Coal & Hardrock	Voluntary	BHP reports both tax and non-tax payments to governments, as well as contextual information and data on broader economic contributions (e.g., wages). BHP's non-tax data includes payments to governments at the project level. BHP's report is audited by an independent auditor according to Australian Auditing Standards. http://www.bhpbilliton.com/our-approach/operating-with-integrity/tax-and-transparency

Commented [MS21]: Section should be renamed to reflect the fact these disclosures are not necessarily voluntary but may be required by other jurisdictions.

Commented [U22]: Further, this should note that members of the MSG lobbied to have legal disclosure requirements in the U.S. overturned and revoked. Letter from Jack N. Gerard, President and CEO of the American Petroleum Ins itute, to the Honorable Paul D. Ryan, Speaker of he U.S. House of Representatives, and the Honorable Nancy Pelosi, Democratic Leader of the U.S. House of Representatives, about H J. Res. 41, January 31, 2017. http://www.api.org/~/media/Files/News/Letters-Comments/2017/1-1-31-17_Letter_to_House_Leadership-CRA_Sec_1504.pdf

Commented [ZM23]: What about those in-scope companies that do not provide this information? That should also be noted for completeness

Commented [MS24]: Should note that, in most of these reports, the companies define "project" in the US as state-level reporting.

Commented [ZM25]: Not true! They do include taxes, see p6, e.g. $138m in US taxes

Company	Natural Resource	Reports Under	Disclosures
Rio Tinto	Coal & Hardrock	Voluntary	Rio Tinto reports both tax and non-tax payments to governments, as well as publishes an annual "Taxes Paid" report. Payments are reported at the government and project levels. The report includes economic contribution data and contextual information, including case studies. Rio Tinto's report is independently audited. http://www.riotinto.com/ourcommitment/spotlight-18130_18998.aspx

These reports suggest best practices for encouraging further disclosure of payments by private companies.

In addition, publicly listed companies in the United States must comply with the reporting requirements under the Sarbanes-Oxley Act of 2002 (the "Act") and the corresponding U.S. Securities and Exchange Commission (SEC) Final Rule, *Management's Report on Internal Control Over Financial Reporting and Certification of Disclosure in Exchange Act Periodic Reports* (https://www.sec.gov/rules/final/33-8238.htm). The SEC Final Rule requires that a company's board of directors "include in their annual reports a report of management on the company's internal control over financial reporting."[7] Specifically, the SEC Final Rule states the annual report must include:

Commented [ZM26]: Unclear how this is relevant to EITI reporting given there are no comparable SEC disclosures unless & until 1504 is implemented.
Therefore this whole discussion of SOX should be deleted, unless you can explain how it's relevant in the EITI context

1) A statement of management's responsibility for establishing and maintaining adequate internal control over financial reporting at the company.
2) Management's assessment of the effectiveness of the company's internal control over financial reporting as of the end of the company's most recent fiscal year.
3) A statement identifying the framework used by management to evaluate the effectiveness of the company's internal control over financial reporting (i.e., *Internal Control—Integrated Framework*, established by COSO, is the most commonly used).
4) A statement affirming that the registered public accounting firm that audited the company's financial statements has issued an attestation report on management's assessment of the company's internal control over financial reporting. This review of controls by the company's external auditors (monitored by the Public Company Accounting Oversight Board) follows a review by the company's own internal auditors (reporting to the company's audit committee).

[7] U.S. Securities and Exchange Commission, *Final Rule: Management's Report on Internal Control Over Financial Reporting and Certification of Disclosure in Exchange Act Periodic Reports*, 17 CFR PARTS 210, 228, 229, 240, 249, 270, and 274. https://www.sec.gov/rules/final/33-8238.htm. Accessed on May 2, 2017.

A review of controls is part of the annual financial statement audit that every public company must complete with an independent public accounting firm. This audit provides investors and other interested parties with an assessment as to whether the company's financial results are fairly presented, in all material respects, in conformity with an established uniform body of accounting standards. Private companies typically are subject to financial statement audits when other parties, such as creditors and lenders, rely on and require the same level of assurance and attestation.

Evaluating Data Quality

The requirements for mainstreaming include determining whether data from both government and industry sources is up to date, comprehensive, and reliable outside of the EITI reporting structure. This section outlines the characteristics of U.S. data in these three categories.

Up-to-Date Data

The EITI Standard requires that information be reported on an annual basis and requires that the data disclosed be "no older than the second to last complete accounting period." For government and industry entities that currently report, U.S. data is disclosed on an annual basis and within the second to last complete accounting period. DOI UDR data is reported for the previous accounting period (e.g., the 2016 report includes 2015 data). There is, however, not sufficient payment data from companies until Section 1504 is implemented, which will require up-to-date payment disclosures from public companies.

Comprehensive Data

The U.S. government's UDR covers all in-scope, non-tax payments received by the U.S. government, including payments from companies not in scope for USEITI revenue reconciliation purposes. Unilateral disclosure in the United States covers royalties, rents, bonuses, and other revenue, both by revenue stream and by company.

Federal Income Tax disclosure is made by the U.S. Treasury on an aggregate basis by industry. Some companies ~~voluntarily~~ disclose Federal Income Tax data as part of EITI reporting, to fulfill regulatory requirements in other countries, or as part of their own transparency reporting.

Commented [ZM27]: How many? Nowhere near enough to be fairly described as "comprehensive"

Commented [U28]: As noted above, once a countries choses to implement EITI "all companies and government agencies making or receiving payments must participate." The necessity of in-scope company reporting is also emphasized in a 2010 blog post by the EITI International Secretariat's Deputy Head[1].

USEITI provides contextual narrative information through USEITI's data portal, which provides a detailed overview of the extractive industry on federal government lands in the United States. The portal contains dozens of pages, tables, and graphics that allow users to dynamically explore data related to the extractive industries in the United States. It also explains USEITI and how the extractive industries function in the United States. Specifically, the portal includes:

- More than 15 in-depth contextual pages about the entities that own natural resources, the laws governing natural resource extraction, how natural resources result in federal revenue, details on revenue streams, and data accuracy and accountability measures.
- Fifty-five dynamic regional profile pages with contextual data integrated throughout.
- Twelve county case study pages that examine major producers of in-scope natural resources and the socioeconomic impact extractives industries have on these counties.

Additionally, the data portal includes a glossary related to the extractive industries, downloadable data sets for further analysis, and data documentation and usage notes.

Reliable Data

Companies in the extractive industries are subject to laws and regulations related to payments to the U.S. government, including the process for submitting those payments to the federal government. The processes for how these payments and revenue are recorded and verified are detailed in USEITI's *Audit and Assurance Practices and Controls in the U.S. Factsheet*, which is available at https://useiti.doi.gov/downloads/USEITI_budget-audit-factsheet_2016-08-17.pdf. *Appendix 2* includes tables that outline the major laws establishing the fiscal regime, fees, and fines related to extractive industries revenue collection in the United States.

Standards for both the federal government and companies in the extractive industries are promulgated by regulatory and voluntary oversight bodies[8]. These standards define:

- How companies and the U.S. government report revenue and financial information.
- How internal and external audit procedures provide payment and collection assurance.
- How external auditors provide assurance on companies' financial statements, as well as disclose audit results and audited financial statements for public companies.

Appendix 2 provides a table of laws, regulations, professional standards, and regulatory organizations used by companies, governments, and auditors to guide the reporting of financial information in the United States, including the financial statement audit process.

Reconciliation and Mainstreaming

Commented [U29]: The following section includes a lot of very useful regarding reconciliation and government audit systems. It seems this information that should be shared with the public regardless of mainstreaming efforts.

Once a country is approved for mainstreaming, it is no longer required to complete the reconciliation process. If EITI data is comprehensive and reliable, then the data is "audited in accordance with international standards, the procedure does not require a comprehensive

[8] "Tracking and Verifying Company Payments to Government Agencies in the U.S. Extractive Industries," n.d., USEITI, https://useiti.doi.gov/downloads/USEITI_budget-audit-factsheet_2016-08-17.pdf.

reconciliation of government revenue and company payments." This section details the audit, reconciliation, and assurance processes in place at ONRR and other U.S. government agencies.

There are generally four levels of mainstreamed controls:

- Upfront reconciliation of transaction data between DOI, U.S. Treasury, and companies
- Internal audit and other assurance processes within DOI
- External audit of DOI
- Other ad hoc oversight from the Office of the Inspector General (OIG), Congress, and other bodies

As part of the pre-reconciliation process integral to ONRR's receipt and processing of company payments and reporting, ONRR conducts 100% upfront reconciliation.

This report covers CY 2015 rents, royalties, and bonuses that, together, constitute 95% of DOI revenue streams, as well as Corporate Income Taxes. The following table provides additional details:

Revenue Stream	Percent of DOI Revenue	Upfront Reconciliation	Internal Controls	External Audits	Ad Hoc Oversight
ONRR Royalties	78.2%	✓	✓	✓	✓
ONRR & BLM Bonuses	14.6%	✓	✓	✓	✓
ONRR & BLM Rents	3.1%	✓	✓	✓	✓
OSMRE AML Fees	2.5%	✓	✓	✓	✓
BLM Permit Fees	1.3%	✓	✓	✓	✓
ONRR Offshore Inspection Fees	0.7%	✓	✓	✓	✓
ONRR Other Revenue	0.4% *(Negative Amount)*	✓	✓	✓	✓
ONRR Civil Penalties	0.1%	✓	✓	✓	✓
OSMRE Civil Penalties	0.03%	✓	✓	✓	✓
Corporate Income Taxes	N/A	N/A	✓	✓	✓

Note: Percentages total more than 100% due to rounding and negative ONRR other revenue.

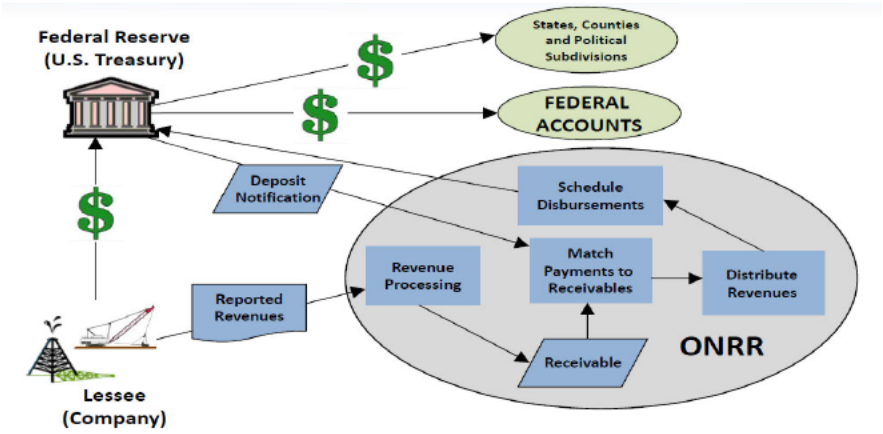
ONRR's Upfront Reconciliation Process

ONRR's mission is to collect, account for, and verify natural resources revenue due to U.S. states, American Indians, and the federal government. Each month, ONRR receives and processes 49,000 royalty and production reports. ONRR's reconciliation process determines whether the U.S. government has been paid what it is owed, as well as whether companies made payments to the federal government in a timely manner. For ONRR's reconciliation

process, companies report data the month after the month of production. Comprehensive reporting by companies and payors occurs on a project or lease level[9] basis.

The following graphic illustrates the 100% upfront reconciliation and matching of company payments to ONRR revenue, as well as the distribution of revenue to recipients.

Figure 2. Upfront Reconciliation and Matching of Company Payments to ONRR Revenue



In this process, companies make payments to the U.S. Treasury and report those payments to ONRR on a monthly basis.

DOI Mainstreamed Processes and Controls

ONRR's Internal Controls and Processes

The United States has a set of standards and internal controls that are aimed at achieving reliability and accuracy in payment collection, accounting, and reporting. In accordance with guidance from the U.S. Government Accountability Office (GAO) Green Book, These standards and internal controls are outlined as follows:

Components of Internal Control	Principles
Control Environment	1. Demonstrate commitment to integrity and ethical values 2. Exercise oversight responsibility 3. Establish structure, responsibility, and authority 4. Demonstrate commitment to competence 5. Enforce accountability

[9] A "project" is defined as the operational activities governed by a single contract, license, lease, concession, or similar legal agreements that forms the basis for payment liabilities to a government. If multiple agreements are interconnected, they should be considered a project.

Components of Internal Control	Principles
Risk Assessment	6. Define objectives and risk tolerances 7. Identify, analyze, and respond to risk 8. Assess fraud risk 9. Analyze and respond to change
Control Activities	10. Design control activities 11. Design activities for information systems 12. Implement control activities
Information and Communication	13. Use quality information 14. Communicate internally 15. Communicate externally
Monitoring	16. Perform monitoring activities 17. Remediate deficiency

Source: OMB Circular A-123

Internal Controls

In addition to annual OIG audits, external third parties audit ONRR's financial functions on an annual basis in accordance with generally accepted government auditing standards (GAGAS). Audits in the United States have a high standard of verification in the form of evidence for source documents and records, resulting in greater accuracy of payment and reporting information. Additionally, ONRR uses U.S. Standard Government Ledger (USSGL) accounts to prepare external reports for the Office of Management and Budget (OMB) and the U.S. Treasury, which includes this financial information in its annual consolidated DOI Agency Financial Report. Finally, the Chief Financial Officer (CFO) Act requires annual audits of DOI's financial statements, which include a thorough review of ONRR.

OMB Circular A-123 is part of the DOI Agency Financial Report. Per this regulation, the secretary of the DOI must provide an assurance statement on the state of the DOI's internal controls to the president and Congress. OMB, GAO, and Congress established the requirement for agencies to develop and maintain effective internal controls by issuing federal guidance, including OMB Circular A-123, *Management's Responsibility for Internal Control*. Under this guidance, management is responsible for establishing and maintaining effective internal controls and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act of 1982.

The A-123 process at ONRR begins with the director of ONRR issuing guidance to employees that outlines the compliance assurance activities that must be completed. ONRR's Internal Review, Oversight, and Compliance (IROC) program provides leadership and technical support to ONRR employees as they complete the A-123 process. Program managers of each assessable unit (AU) in ONRR use DOI's Integrated Risk Rating Tool (IRRT) to complete a risk assessment of

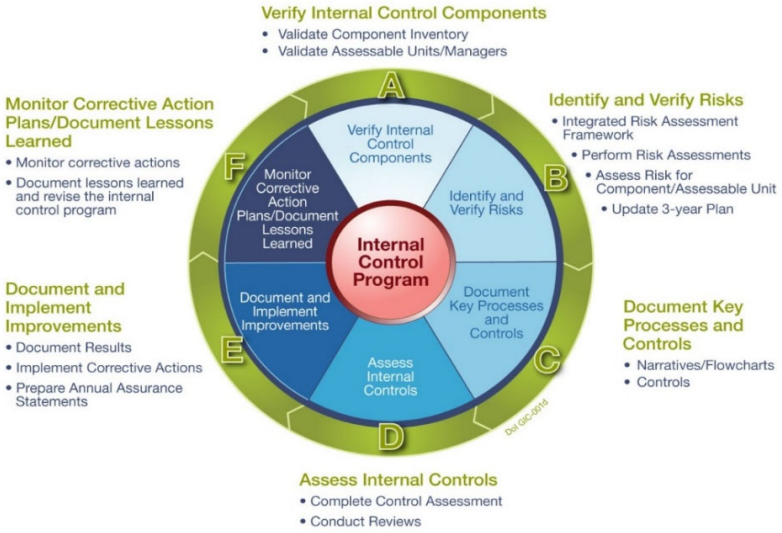
their processes. With that information, IROC develops ONRR's Three-Year Component Inventory and Annual Risk-Based Internal Control Review Plan (Three-Year Plan).

In order for ONRR to maintain compliance with OMB Circular A-123, it must complete the following activities:

- Submit entry-level risk assessments for each of the program directorates: director, deputy director, and directorate support office; audit and compliance management; coordination, enforcement, valuation, and appeals; and financial and program management
- Document or update AU key business processes, risks, and internal controls in both narrative and flow chart form
- Identify, document, and test key controls of all processes that are significant to a line item on DOI's financial statements
- Perform DOI-directed and ONRR-directed internal control reviews (ICRs)
- Develop DOI-required information technology (IT) and overall annual assurance statements

Additionally, DOI has designed an **Integrated Internal Control Program** comprising the plans, methods, and procedures used to support its mission, goals, and objectives. DOI has a six-step approach for its Integrated Internal Control Program that aims to enable performance-based management and supports DOI's mission, while addressing multiple legislative requirements.

Figure 3. DOI's Integrated Internal Control Program

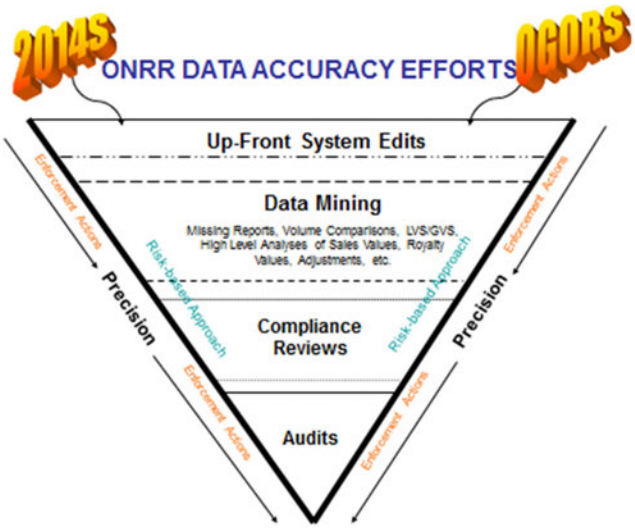


The goals of DOI's Integrated Internal Control Program are to:

- Ensure senior management oversight and coordination at the department and bureau level
- Follow a structured approach for assessing the risks facing the organization
- Implement a risk-based approach that weighs costs and benefits
- Improve consistency and comparability of bureau internal control programs by refining internal control guidance and using standardized tools, templates, and training
- Improve the maturity of DOI's risk management and internal control practices

Lastly, ONRR has controls in place to determine if data submitted by extractive industries companies is reliable and accurate. These controls occur at different points in the data collection and analysis process, as depicted in the following graphic, and provide the foundation for ONRR's compliance reviews and audits.

Figure 4. ONRR's Data Accuracy Process



Data control and verification starts at the submission stage of extractive industries reporting. Royalty reports (i.e., Forms ONRR-2014 and ONRR-4430) and production reports (i.e., oil and gas operations reports (OGORs)) go through hundreds of upfront system edits and checks for individual companies before they are submitted and accepted into ONRR's financial systems. These edits help prevent companies from submitting incorrect data, such as erroneous lease agreement amounts, incorrect prices, mathematical errors, or missing data elements.

Once the data is submitted by companies, ONRR's data mining office analyzes and works with individual companies to resolve various types of reporting errors and anomalies. The data mining phase helps identify specific issues with Form ONRR-2014 and OGOR submissions, as well as identifies errors that occur across multiple companies. When such errors are identified, ONRR works to provide specific guidance to companies and/or establish improved internal processes for data collection and review. Data mining focuses on resolving issues collaboratively with companies prior to any compliance review and/or potential audit by using a system-generated variance to identify the required workload.

Audit and Compliance Management Function

ONRR's audit and compliance management (ACM) function is a part of the U.S. process for data accuracy and assurance. The ACM function serves to verify the accuracy of data reported to ONRR and examines statements, records, and operations of companies to verify compliance with lease instruments and established regulations, laws, and guidelines. The subsequent

information detailed in this section is based on interviews with federal officials. This information was not independently verified by the IA.

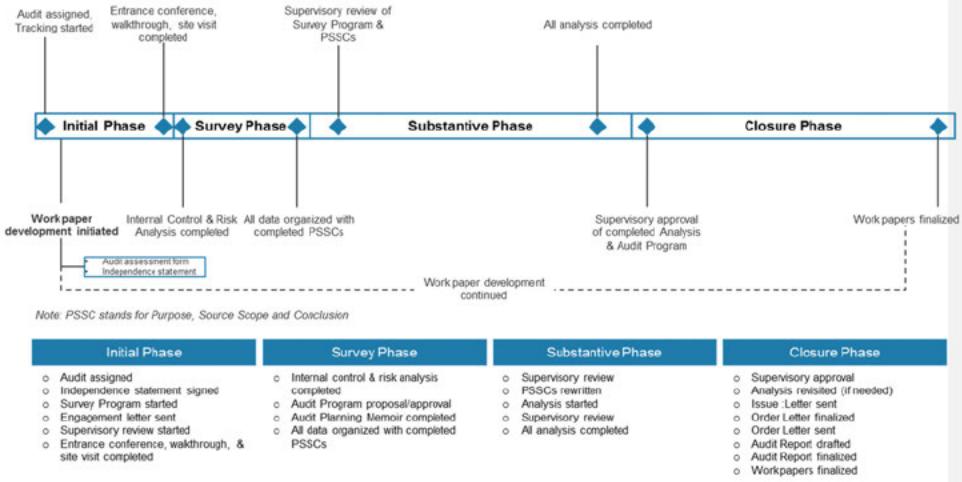
ONRR's ACM function uses a risk-based approach to conduct compliance reviews and audits. This approach uses a risk calculation tool to develop audit and compliance work plans and identify potential risks of noncompliance based on a number of proprietary indicators, including previous audits and compliance reviews and the significance of royalty dollars. The risk calculation tool stratifies the compliance of companies and properties into high-, medium-, and low-risk categories. ACM's work is performed by more than 240 ONRR staff in six regional offices and 125 auditors working for states and tribal nations that have significant activity in extractive industries. The auditors on the State and Tribal Royalty Audit Committee perform audit and compliance reviews under the 202/205 cooperative agreements between ONRR, states, and tribes.

Through the ACM function, ONRR uses multiple evaluative techniques to determine if payments received from companies are for the appropriate amounts. These techniques include the following:

- One month after sales of production, a report and payment is due. At the time of the reporting, ONRR uses upfront system edits to verify royalty and production reports, including transportation and processing limits, multiple royalty rates, pricing edits, and agreement amounts.
- One to two years after a payment, ONRR uses data mining to increase the accuracy of company-reported data before the data is subjected to compliance reviews and audits. Missing reports, adjustment monitoring, adjustments to completed cases, and production volume comparisons are key components of data mining efforts to determine if company payments are accurate and verifiable.
- Two to three years after a payment, following the upfront-system edits and data mining, ONRR conducts compliance reviews and audits. Compliance reviews are used to examine issues and potential reporting errors after the upfront system checks and data mining. The compliance reviews are conducted two to three years after the original data submissions to allow for adjustments and clarification of the data. In fiscal year (FY) 2016, ONRR completed more than 500 compliance reviews. Compliance reviews can come from a variety of sources, including a referral from another part of the agency, information obtained from the IRRT, or data anomalies found by the system.

Audits are performed based on source documentation or other verifying information obtained to analyze the completeness and accuracy of the production volumes, sales volumes, sales values, transportation and processing allowances, and royalty values reported by companies, in accordance with the reporting and valuation regulations. In FY 2016, the ACM function conducted 128 audits. ACM's audit process timeline is outlined in Figure 5.

Figure 5. Audit Process Timeline for ACM



When ONRR discovers inaccurate payments or potential fraud, it has several enforcement mechanisms at its disposal, including alternative dispute resolution, litigation, and civil penalties.

Additional Audits by the State and Tribal Royalty Audit Committee (STRAC)

In addition to the ONRR's audits, state government agencies also audit companies' reported production and payments, and these state government agencies are in turn subject to controls and audits of their own. Likewise, tribes in the United States also complete audits and are subject to controls and audits of their own. This multilayered system of checks and balances strengthens the data's reliability. Furthermore, STRAC works with ONRR to audit leases within its respective jurisdictions. STRAC consists of representatives from nine states and six Indian tribes. STRAC's purpose is to help ensure proper royalty payments are made by oil, gas, and solid mineral companies. STRAC's agreements are authorized under Sections 202 and 205 of the Federal Oil and Gas Royalty Management Act of 1982(FOGRMA), as amended by the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (FOGRSFA). STRAC helps further the accountability of money owed to its jurisdictions and improves the reliability of reported data.

U.S. Bureau of Land Management (BLM) Controls

BLM uses several methods and processes to ensure data accuracy and integrity when collecting rents, bonuses, and BLM permit fees.

First, the BLM Collections and Billings System (CBS) builds data integrity into the data collection system design. BLM uses CBS as a single point of entry for billings and collections data entry by field office personnel. CBS interfaces nightly with DOI's Financial and Business Management System to allow exchange and posting of collection information to the general ledger. CBS uses

BLM's intranet to transmit collection information and includes several layers of security. In addition, CBS allows field personnel to enter any type of collection and organizes receipts into the correct accounts by natural resource category, subject, and action. BLM conducts continuous internal reviews and reports to ensure the timeliness, accuracy, and compliance of data entered into CBS.

Second, the Automated Fluid Minerals Support System (AFMSS) is a BLM-wide fluid mineral (i.e., oil and gas, geothermal, and helium) system with authorized use and inspection and enforcement support. AFMSS supports oil, gas, and geothermal lease operations on federal and Indian trust lands; post-lease operational approvals; well and facility data; inspection and enforcement data; and assessments and penalties for noncompliance and undesirable events (i.e., spills), as well as displays well production data (OGOR) collected by ONRR and data on customers (i.e., producers and operators). A number of reports supporting BLM business requirements are also included on a field office, state office, and national basis.

AFMSS contains oil, gas, and geothermal facility inspection and compliance data, including data related to preconstruction, drilling, production measurement and accountability, facility abandonment, undesirable events, enforcement actions (i.e., assessments and penalties), and inspection strategy information. AFMSS also contains the following: oil, gas, and geothermal leases; unit agreements; participating areas; communitization agreements; bond coverage; and drainage assessment data.

These assurance mechanisms and processes help BLM meet internal and external audit requirements and support accurate accounting and reporting.

Office of Surface Mining Reclamation and Enforcement (OSMRE) Controls

OSMRE uses the Internet-based Coal Fee Collection Management System (CFCMS) to report on 99% of U.S. coal production. The system is designed to prepopulate information about companies with coal-producing permits, thus reducing data entry error. The system contains numerous edits to ensure data accuracy, as well as automatically calculates fee amounts based on the production data entered by companies. OSMRE also completes paper-based reports for the remaining 1% of U.S. coal production.

Internally, OSMRE conducts continuous reviews of both automated and manual data entered into CFCMS to ensure the timeliness, accuracy, and compliance of data.

Externally, OSMRE conducts independent reviews of CFCMS data during audits of coal company records. During such audits, OSMRE auditors review data entered into CFCMS against coal company records of reported tonnage to determine whether there are any discrepancies in the CFCMS data.

OSMRE's Division of Compliance Management (DCM) performs audits of coal mining operations nationwide in accordance with GAGAS. These audits are performed using an internally developed automated audit program that is integrated with other OSMRE systems to increase efficiencies and reduce errors. DCM maintains an internal quality control system that is monitored on an ongoing basis to provide reasonable assurance that the policies and quality controls are appropriately designed and effectively applied. DCM's audit plan uses a risk-based approach, prioritizing audits based on identified risk factors. The audit program is designed to promote timely and accurate reporting of coal tonnage and ensures correct fee payments. In accordance with the requirements of GAGAS, DCM is subject to a peer review every three years performed by an independent certified public accounting firm.

The efficiencies of the audit program and its related activities have enabled OSMRE to achieve a compliance rate of more than 99% at a minimal cost to the Abandoned Mine Land (AML) Fund. OSMRE's process improvements and successful migration to electronic reporting has automated virtually all audit functions and eliminated 100% of data entry errors.

OIG Oversight

OIG provides independent oversight and promotes accountability within programs, operations, and management of the department. OIG performs the following functions:

- Oversees the contract with an independent certified public accounting firm to perform the annual DOI financial statement/CFO audit
- Conducts energy-focused reviews of DOI energy and mineral revenue programs
- Provides leadership and coordination and recommends policies for activities
- Identifies risks and vulnerabilities that directly affect DOI's mission
- Keeps interested parties informed about deficiencies related to the administration of programs and operations and the progress of necessary corrective actions
- Reviews the activities related to the EITI initiative

Additional DOI Controls

Various entities within DOI support the accuracy, reliability, and timeliness of data collection and reporting, as detailed in the following table:

DOI Office	Responsibilities/Functions
Financial and Production Management	• Collects, verifies, and distributes all royalties, rents, and bonuses • Receives, processes, and verifies industry-submitted royalty reports • Performs data mining functions • Receives, processes, and verifies industry-submitted production reports and error corrections for all federal and Indian production • Oversees meter inspections for production verification

DOI Office	Responsibilities/Functions
General Ledger (GL)	• Accounts for billions of dollars collected and disbursed by ONRR, in accordance with GAAP • Processes payments • Prepares reports and reconciliations for the U.S. Treasury • Processes revenue-sharing disbursements to states and counties through the U.S. Treasury, as well as transfers to other federal agencies • Processes refunds of overpayments to lease holders • Provides the initial trial balance used to develop departmental financial statements • GL is subject to an annual financial audit by OIG
Accounting Services	• Defines accounts payable (AP) functions as either federal or Indian • Ensures revenue is received with correct information and proper recipients • Prepares disbursement data for the U.S. Treasury and the Office of the Special Trustee • Provides distribution and mineral revenue reports to federal agencies, states, tribes, tribal allottees, and other requestors
Accounts Payable (AP) Federal	• Oversees system processing of all payor reporting and payments • Works closely with recipient agencies, states, and counties to resolve issues and ensure timely distribution of shared revenue • Ensures AP federal processes are in compliance with federal statutes regarding mineral extraction on federal lands
Accounts Payable (AP) Indian	• Collects daily rents and royalties on behalf of Indian tribes and allottees • Works extensively with the Bureau of Indian Affairs (BIA), the Office of the Special Trustee for American Indians (OST), and recipient Indian tribes • Prepares a daily report of deposits for OST and a twice-monthly distribution report on leases held by individual Indian allottees • Works with OST and Indian tribes to answer questions and reconcile accounts, as needed • Works with ONRR's Indian outreach organization to resolve allottee issues
Financial Services	• Manages other related federal and Indian account reconciliations • Reconciles payments to receivables within customer accounts • Establishes receivables for mineral royalty reports • Identifies credit and refund actions and processes related paperwork

U.S. Government Mainstreamed Processes and Controls

U.S. Treasury Single Source Cash Flow

The U.S. Treasury and Federal Reserve System (the "Treasury") serves as the sole provider of financial services for all U.S. federal agencies, including ONRR. Treasury maintains a centralized system of accounts for all federal agencies. The core tenet of this centralized system of accounts is that no single federal agency controls the receipt and payment of public funds. All

federal agencies that handle government financial transactions must properly perform their functions to support internal government controls and the system of central accounts.

Treasury performs variance analysis and other reconciliations on transactions and balances contained within its systems. Treasury contacts ONRR with any questions it may have and can request ONRR justify or make changes to transactions or balances. DOI's external auditor also samples deposit and disbursement data from all Treasury systems and traces that data back to originating lease documents within ONRR's systems or other agency accounting advice.

To accomplish these ends, there are several primary systems maintained by Treasury that ONRR utilizes for cash flows, including the Collections Information Repository (CIR) for revenue collections, the Intra-Governmental Payments and Collections System (IPAC) for intragovernmental transfers, the Secure Payment System (SPS) for disbursements, and the Central Accounting Reporting System (CARS) for Treasury fund reconciliation.

ONRR receives the majority of its oil and gas revenue, as well as geothermal and solid minerals revenue through the CIR, which serves as a transaction broker, data warehouse, and reporting solution. CIR provides a single touchpoint to exchange all financial transaction information for settled transactions across all collections systems. This enables the U.S. government to normalize financial transaction reporting and standardize the availability of financial information across all settlement mechanisms and collections systems. CIR greatly improves the way ONRR collects, analyzes, and redistributes financial transaction information, which in turn eliminates redundancies and disconnects across and between the numerous point-to-point connections. CIR is a self-contained system with various related external system interfaces. CIR provides ONRR with revenue related to payments from the public sent via Fedwire, Pay.gov, automated clearing house (ACH), and check. All payment method transaction information submitted to ONRR is summarized daily into vouchers by CIR. CIR does not allow ONRR to create or alter deposit information.

Whereas CIR is used for revenue collected by ONRR from extractive industries companies, IPAC is used for oil and gas revenue collected by other federal agencies and transferred to ONRR. ONRR also uses IPAC to disburse revenue to other federal agencies in accordance with applicable statutes. The IPAC system's primary purpose is to provide a standardized interagency fund transfer mechanism for federal program agencies (FPAs). IPAC facilitates the intragovernmental transfer of funds, with descriptive data from one FPA to another. The IPAC system enables FPAs to exchange accounting and other pertinent information to assist in the reconciliation of funds transferred between FPAs for various interagency transactions (i.e., buy, sell, fiduciary, and other miscellaneous payment transactions). Sender and receiver Treasury account symbols/business event type codes (TAS/BETC) are validated in a shared accounting module (SAM) and transmitted to the CARS account statements at the time of IPAC origination.

IPAC standardizes interagency payment, collection, and adjustment procedures through an Internet-based application.

The SPS is an application that allows government agencies to create payment schedules in a secure fashion, with strictly enforced separation of duties. Access to SPS is rigidly controlled by both Treasury and ONRR. SPS is ONRR's only avenue to disburse revenue from Treasury to state or local governments and to refund overpayments back to companies.

Lastly, ONRR uses the CARS to report and reconcile all collections and disbursement activity. CARS is a one-stop tool to:

- Provide and retrieve data and information from Treasury
- Capture and record TAS information for payments
- Deposit intragovernmental transactions
- Provide an account statement of the fund balance with Treasury
- Allow access to transaction details to support research and reconciliation
- Improve the usability and currency of government-wide financial information
- Minimize data redundancy and enhance data sharing between Treasury's central accounting system, financial service provider systems, and ONRR's core financial systems

ONRR reconciles the CARS fund balance with Treasury. ONRR's accounting system does this via reclassification of collection and disbursement transactions to identify the proper fund within Treasury. This reconciliation process is performed during the first three business days of each month. Any statements of difference between Treasury and ONRR are not permitted. All discrepancies and out of balances found must be corrected during the current accounting period, or a restatement is required for closed periods. CARS does not allow ONRR to create or delete transactions from the system.

Third-Party Audit Procedures

The annual agency financial report (AFR) provides important financial and performance information related to the stewardship, management, and leadership of the public funds and resources entrusted to DOI. Specifically, the report contains DOI's audited financial statements as required by the Chief Financial Officers Act of 1990. The audited financial statements include the custodial revenue managed by ONRR, OSMRE, and BLM. In FY 2016, DOI obtained an unmodified opinion from its independent certified public accounting firm—this was the 20th consecutive unmodified opinion for DOI.

DOI adheres to strict audit and assurance procedures in order to fulfill its fiduciary trust responsibilities to the nation's taxpayers, states, tribal affiliates, and local municipalities. The procedures outlined below reflect the best efforts to compile, structure, and summarize

processes generally employed across DOI's bureaus and offices to achieve the department's overarching mission.

- First is an examination of the external and independent audit requirements used to evaluate DOI's compliance with audit and assurance protocols.
- Next is a review of the department's internal audit controls, audit and compliance activities, and peer review processes.
- Last is an examination of the department's data and IT assurance mechanisms.

In engaging a third party to conduct its audit, DOI entrusts this independent auditor to conduct audits of the department's general-purpose financial statements and closing-package financial statements in accordance with GAAP. The purpose of such an audit is the expression of an opinion as to whether the general-purpose financial statements that have been prepared by management conform with GAAP.

In the United States, such a third-party audit involves the following types of high-level activities:

- Performing procedures to obtain audit evidence about the amounts and disclosures in the general-purpose financial statements and closing-package financial statements
- Performing tests of the accounting records and assessing the risks of material misstatements of the general-purpose financial statements and closing-package financial statements, whether due to error or fraud, to provide a reasonable basis for opinions
- Evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management
- Evaluating the overall general-purpose financial statement and closing-package financial statement presentation

KPMG, LLP, DOI's independent auditor, noted in one of the Independent Auditor's Report, "In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of the U.S. Department of the Interior … and its net costs, changes in net position, budgetary resources, and custodial activity for the years then ended in accordance with U.S. generally accepted accounting principles."[10]

[10] "DOI Agency Financial Report FY 2013," http://www.doi.gov/pfm/afr/2013/upload/DOI-FY-2013-AFR.pdf "DOI Agency Financial Report FY 2014," http://www.doi.gov/pfm/afr/2014/upload/DOI-FY-2014-AFR.pdf.

The audit of ONRR and DOI was conducted in accordance with GAGAS. This framework is used for conducting high-quality audits with competence, integrity, objectivity, and independence. These standards are promulgated by the GAO.

Additional Oversight

In addition to external audits from third-party auditors, DOI and ONRR are subject to additional oversight related to the collection, distribution, and reporting of revenue. OIG provides oversight in a number of areas. OIG's Office of Audits, Inspections, and Evaluations examines financial statements to determine if they are presented fairly and in accordance with GAAP. OIG's Office of Investigations conducts, supervises, and coordinates investigations related to allegations of fraud, waste, abuse, or mismanagement of financial resources or that result in significant financial losses to DOI.

Ultimately, as members of the executive branch, DOI and ONRR are subject to congressional oversight. Congress has a constitutional responsibility and right to investigate the actions of the executive branch and can compel reports, witnesses, and testimony.

The U.S. Government Accountability Office (GAO)

GAO supports Congress in meeting its constitutional responsibilities and assists in improving the performance and accountability of the federal government. GAO's work is done at the request of congressional committees or subcommittees or is mandated by public laws or committee reports, and includes the following activities:

- Audits agency operations to determine whether federal funds are spent efficiently and effectively
- Investigates allegations of illegal and improper activities
- Reports on how well government programs and policies are meeting their objectives
- Performs policy analyses and outlines options for congressional consideration
- Issues legal decisions and opinions
- Advises Congress and the heads of executive agencies on ways to make government more efficient, effective, ethical, and responsive
- Publishes a high-risk list (http://www.gao.gov/highrisk/overview)
- Its work leads to laws and acts that improve government operations
- Maintains and updates GAGAS

The GAO comptroller general issues GAGAS, which were first published in 1972 and are commonly referred to as the "Yellow Book." GAGAS cover federal entities and those organizations receiving federal funds. The most recent 2011 revision of *Government Auditing Standards* takes into account recent changes in other auditing standards, including IFRS.

GAGAS incorporates, by reference, the AICPA *Statements on Auditing Standards (SAS)* and *Statements on Standards for Attestation Engagements (SSAE)*. Auditors may elect to use the

Commented [MS30]: It would be an oversight not to mention that the GAO considers Interior's management of its oil and gas resources to be a "high risk" area. http://www gao.gov/highrisk/management_federal_oil_gas /why_did_study

International Auditing and Assurance Standards Board (IAASB) standards, the International Standards on Auditing (ISA), and International Standards on Assurance Engagements (ISAE) in conjunction with GAGAS.

The Auditing Standards Board (ASB) of the AICPA develops its SAS using the ISA as the base standard (ISAs are developed by the IAASB), and modifies the base standard only where modifications are deemed necessary to better serve the needs of the U.S. legal and regulatory environment. ASB field work and reporting standards for financial audit and attestation engagements are incorporated, by reference, into the "Yellow Book," unless specifically excluded.

GAGAS, part 3.31 (2011), encourages internal auditors who work for management at audited entities to use the Institute of Internal Auditor's (IIA) International Standards for the Professional Practice of Internal Auditing in conjunction with GAGAS.

GAO is a member of the professional standards committee of the International Organization of Supreme Audit Institutions (INTOSAI), which strives to establish an effective framework for professional standards that correspond to the needs of member SAIs. Only GAO, the IIA, and INTOSAI currently issue standards on performance and compliance audits. GAGAS incorporates compliance auditing in it performance auditing standards. INTOSAI has also issued a separate set of compliance audit standards.

Overview of Beneficial Ownership Requirements in the 2016 EITI Standard

The 2016 EITI Standard requires implementing countries to ensure companies disclose their beneficial owners, as well as politically-exposed persons holding ownership rights by 2020[11]. The Standard recommends that beneficial ownership information be made available through public registers, and that at a minimum the information be included in the country's annual report. The Standard first requires implementing countries to publish a roadmap outlining activities and preparations that the MSG considers necessary to implement beneficial ownership requirements. The USEITI MSG published this roadmap in January 2017 and shared it with the EITI International Board; the roadmap is available as part of the meeting materials for the November 16-17, 2016 MSG.

Current Status of Beneficial Ownership in the United States

There is currently no a single definition for beneficial ownership in the United States, nor is there an institutional framework for beneficial ownership disclosure, a specific framework for the level of detail of beneficial ownership information collected, or a single methodology for

[11] The Standard outlines that this applies to corporate entities that bid for, operate or invest in extractive assets and that this disclosure should include the identities of beneficial owners (including name, nationality, and country of residence), the level of ownership and details about how ownership or control is exerted.

assessing the accuracy of the data. However, the U.S. does have a number of frameworks for the collection of beneficial ownership information, but data collection and requirements vary.

The first framework for collection is the corporate formation process. In the United States, individual states manage the corporate formation process. As such, information requirements for incorporation vary widely, but no states require persons forming corporations to name beneficial owners at the time of corporate formation. There are no mechanisms that capture, track, and manage beneficial owners at the state level. Some states do make certain data on incorporated companies public through online systems. While no State registries consistent with the EITI Standard exist, there is an existing framework at the State level (the incorporation system), which collects much of this data and, in some cases, makes it public upon request. Examples of States that make certain data on incorporated companies accessible to the public through online systems include Alabama[12], Connecticut[13], Massachusetts[14], Nebraska[15], North Carolina[16], Texas[17], and Virginia[18]. There are no federal laws regulating incorporation.

At the federal level, three requirements provide an institutional framework for beneficial ownership information collection, but not disclosure. First, the U.S. Treasury's Customer Due Diligence Rule[19] requires U.S. financial institutions to know the real people who own, control, and profit from companies (beneficial owners) and to verify their identities. Whenever companies open a new account at a covered financial institution, the customer must disclose the identity of 1) each individual who owns 25% or more of the company and 2) any individual who controls the company. Second, legal entities that file federal taxes must obtain and have an Employer Identification Number (EIN). To do so, they must name a "responsible party." A responsible party is generally defined as "the person who has a level of control over, or entitlement to, the funds or assets in the entity that, as a practical matter, enables the individual, directly or indirectly, to control, manage, or direct the entity and the disposition of its funds or assets."[20] Finally, the Securities Exchange Act of 1934 requires any person or group that acquires more than 5% beneficial ownership of public company equity securities must disclose its position within 10 days of crossing the threshold.

For extraction on federal lands, the Mineral Leasing Act of 1920 (MLA) and the Outer Continental Shelf Leasing Act (OCSLA) require companies to meet certain requirements pertaining to ownership. The MLA requires companies holding onshore federal mineral leases

[12] http://www.sos.alabama.gov/government-records/business-entity-records
[13] http://www.ct.gov/sots/site/default.asp
[14] https://www.sec.state.ma.us/cor/
[15] https://www.nebraska.gov/sos/corp/corpsearch.cgi
[16] https://www.sosnc.gov/corporations/
[17] http://www.sos.state.tx.us/Corp/sosda/index.shtml
[18] https://www.scc.virginia.gov/clk/bussrch aspx
[19] https://www.federalregister.gov/documents/2016/05/11/2016-10567/customer-due-diligence-requirements-for-financial-institutions
[20] USEITI Beneficial Ownership Work Group meeting minutes, 2016

Commented [U31]: Per the request of the co-chairs, the following beneficial ownership definition was developed for include in the 2017 reporting template.

USEITI Proposed Beneficial Ownership Definition
March 7, 2017

In accordance with requirement 2.5.f ii "The definition should be aligned wi h (f)(i)[1] above and take international norms and relevant national laws into account, and should include ownership threshold(s). The definition should also specify reporting obligations for politically exposed persons".

Proposed Defini ion:

A beneficial owner in respect of a company means the natural person(s) who directly or indirectly ultimately owns or controls he corporate en ity. For purposes of this definition: "Owns" means holding 5% or more of the shares and/or voting rights in the corporate entity, disregarding any shares or voting rights held by the entity itself. "Controls" includes but is not limited to influencing the company via controlling ownership interests, voting rights, agreement or otherwise. Those whose control over a corporate entity arises solely from their position as a paid employee of the entity are not beneficial owners for the purposes of his definition. Those wi h legal agency to control interests held by minor children are the beneficial owners for the purpose of this definition. For the avoidance of doubt, nominees, agents or other forms of proxy cannot be identified in the place of the actual beneficial owner(s).

The term 'politically exposed person' means a natural person who is or who has been entrusted with prominent public functions and includes the following:

(a) heads of State, heads of government, secretaries and deputy or assistant secretaries;
(b) members of Congress or of similar legislative bodies;
(c) members of he governing bodies of political parties;
(d) members of supreme courts, of constitutional courts or of other high-level judicial bodies, the decisions of which are not subject to further appeal, except in exceptional circumstances; ... [1]

Commented [ZM32]: Suggest deleting this, irrelevant here because none of these are with respect to **beneficial** owners (they all deal with legal owners, i.e. name-only)

Commented [ZM33]: Need to make the point here that the EITI requirement on BO cannot be mainstreamed unless US also has adequate public disclosure of BO data; data collection alone is not enough

Commented [ZM34]: Not quite the same as BO

to meet citizenship and acreage requirements. For coal and leasable solid minerals, a 10% ownership in a partnership or association must be disclosed to ensure this compliance. For oil and gas, publicly traded partnerships and associations must certify that their constituent members who own more than 10% are in compliance with the MLA. There are no comparable requirements for geothermal. The OCSLA governs oil, gas, sulfur, other minerals, and renewables leased on the Outer Continental Shelf of the United States. It requires that bidders prove they are qualified to bid by demonstrating: 1) if an individual, that they are a citizen or national of the U.S. or an alien lawfully admitted for permanent residence, 2) if a corporation, that they are organized under the laws of a state or territory, or 3) if an association, that the association's members must be qualified individuals or corporations. They don't need to disclose underlying owners. Furthermore, to obtain a mining claim for locatable minerals (such as gold or copper) on federal lands one must prove that one is either a U.S. citizen, legal immigrant who has filed for citizen, business entity organized under the laws of the state, or an agent or person falling into those categories.

There is no authoritative source for beneficial ownership information of legal entities, given that there is no requirement for U.S. states to collect this information when a company is formed. For the information that is collected, there are a number of restrictions to its disclosure. Safeguarding personally identifiable information in possession of the government and preventing its breach are essential to ensure that the government retains the American public's trust. This applies to CDD and EIN information collected, among others. ~~All information collected on an EIN application is confidential and cannot be disclosed or used for any purpose other than U.S. Federal tax administration.~~ SEC filings are public, given their intent to safeguard investors.

Commented [ZM35]: This is an opinion not a statement of fact, or a conclusion supported by any facts

Commented [ZM36]: Not relevant as it does not deal with BO but with responsible parties

The United States does have significant statutes and regulations restricting U.S. government employee ownership of certain financial interests, requiring employee reporting on certain financial interests, and restricting employee participation in certain official government matters that would affect an employee's personal or imputed financial interests or that might affect an employee's personal or business relationships. These laws are outlined in the USEITI MSG's beneficial ownership roadmap and are detailed in Appendix 3.

USEITI MSG's Proposed Activities from Beneficial Ownership Roadmap

The USEITI MSG outlined these considerations and more in detail in its beneficial ownership roadmap. It also outlined a proposed timeline and objectives for meeting the beneficial ownership requirement. Details of these timelines and activities is outlined below:

Timeframe	Activity
Calendar Year 2017	The MSG agrees to working definition of beneficial owner and conducts a legal review of the legal barriers and enablers to public

	disclosure of beneficial ownership information under U.S. law
2017 USEITI Reporting Season (March – August)	The MSG explores the possibility of requesting beneficial ownership information through the USEITI reporting template and collection of data for disclosure in the 2018 report (public companies may have the opportunity to indicate that beneficial ownership is done through periodic filings with the SEC, where appropriate, and, if it is determined, this disclosure is sufficient)
2017 and 2018	DOI and other relevant parties explore possibilities to request beneficial ownership information from companies engaged in bidding processes or otherwise operating in lands under its jurisdiction consistent with MLA, OCSLA, and/or other regulatory action within the power of the agency
January 2018	Assuming that the preceding was successful, USEITI report with 2017 data including results of beneficial ownership query is released
2018 USEITI Reporting Season	Assuming that the preceding was successful, a request for beneficial ownership information is included in the USEITI reporting template, and results will be included in the 2019 USEITI report
2018	The USEITI MSG explores the possibility of regulatory/legislation action related to the "invest in" provision of the beneficial ownership requirement
2019 USEITI Reporting Season	Assuming that preceding efforts were successful, a request for beneficial ownership information is included in the USEITI reporting template, and results will be included in 2020 USEITI report
2019	Assuming that preceding efforts were successful, DOI and other relevant parties seek to request beneficial ownership information from companies engaged in bidding processes or otherwise operating in lands under its jurisdiction consistent with

Commented [U37]: Much of the preceding three steps will be very difficult to achieve given the cancelation of MSG meetings and halt of working group activities. An honest assessment of the situation would note that.

	the MLA, the OCSLA, and/or other regulatory action within the power of the agency
2019	The USEITI MSG explores the possibility of regulatory/legislation action related to the "invest in" provision of the beneficial ownership requirement
2020	Assuming that the preceding was successful, reporting by entities bidding for activities and operating on lands in the jurisdiction of the MLA, the OCSLA, and/or other regulatory action within the power of DOI commences
2020	Assuming that preceding efforts were successful, reporting related to the "invest in" provision commences

Conclusions of the Report and Recommendation on Mainstreaming

This feasibility study was prepared by the IA in consultation with the USEITI MSG and other stakeholders from government, industry and civil society. The following three primary conclusions reflect those consultations and a review of documents:

Commented [U38]: The MSG has not been in operation since March. This should be noted and no claims of consultation beyond that point should be made. Further, it should be clear that these are the recommendations of Deloitte on its own. My further comments reflect this understanding of our circumstances.

1. *The United States has* ***routine disclosures at the requisite level of detail for a significant amount (though not all) of the data required by the EITI Standard and the terms of reference developed by the USEITI MSG****. The U.S. government's UDR covers all in-scope, non-tax payments received by the U.S. government, including payments from companies not in scope for USEITI, and covers royalties, rents, bonuses, and other revenue by revenue stream and company. The disclosure is available to the public through a data portal (https://useiti.doi.gov/downloads/federal-revenue-by-company/). The USEITI MSG and EITI International Secretariat have made significant efforts toward the usability and public awareness of the data portal. The EITI document, "Toward Mainstreaming Action Plan," approved by the EITI International Board on October 25, 2016, specifically highlights USEITI's data portal as an example of "the trend toward mainstreamed EITI implementation."*

   That said, there are two areas in which there is not currently routine disclosure:

- *Corporate Income Tax, which is an in-scope revenue stream, is not currently disclosed at the company level. Federal law, including Section 6103 of the Internal Revenue Code (26 U.S.C.), which provides for the confidentiality of tax returns and return information, authorizes ~~prohibits unilateral~~ disclosure by the U.S. government of taxpayer information at the company level provided the taxpayer explicitly authorizes such disclosure; but most in-scope companies have chosen not to authorize tax disclosure. However, the U.S. Treasury does publicly disclose Corporate Income Tax on an aggregate basis by industry, including for the oil and gas and mining industries. Also, the IRS, which is under the U.S. Treasury umbrella, has the right to audit ~~individual~~ taxpayer returns. In addition, some companies ~~voluntarily~~ disclose Corporate Income Tax data as part of EITI reporting, to fulfill regulatory requirements in other countries, or as part of their voluntary~~own~~ transparency reporting. Fuller tax disclosure would require ~~either~~ implementation of Dodd-Frank Section 1504~~new legislation and/or expanded voluntary company disclosure. Based on consultations conducted in preparation of this report, the USEITI MSG members and other stakeholders did not see a path to either at this time~~.*

- *Beneficial ownership disclosures are required by Section 2.5 of the EITI Standard starting on January 1, 2020. There is an existing framework of Federal banking, securities, mineral extraction and other regulations which require routine disclosure of significant owners and "responsible persons" for U.S. companies in many situations. There are also existing ethics rules which require Federal employees to disclose financial interests in companies and limit conflicts of interest. (See page 30 for more detail). However, ~~because~~ companies can register in any of the 50 states, and no state requires tracking or disclosure of~~there is no single authoritative source for~~ beneficial ownership information~~, and the level of disclosure at the state level varies widely. Based on consultations conducted in preparation of this report, the USEITI MSG members and other stakeholders did not see a legislative or regulatory path to create such a source at the present time~~.*

Considered together, the system of internal controls, the disclosure of non-tax revenue through the UDR, and the disclosure of industry aggregates for Corporate Income Tax, the United States has routine disclosure of a significant amount of the data required under the 2016 EITI Standard. In the areas of Corporate Income Tax and Beneficial ownership, the EITI Board would need to decide if current routine disclosures meet the substance of the "agreed-upon" procedures for mainstreaming.

Commented [ZM39]: No, we already have the legislation, what is needed is for it to be implemented

Commented [MS40]: Tax disclosure is not voluntary under EITI. Would be more accurate to state that most in-scope US companies did not comply with this requirement of the standard.

Commented [U41]: As noted above, once a countries choses to implement EITI "all companies and government agencies making or receiving payments must participate." (EITI Secretariat. "Frequently Asked Questions. ' Is the EITI voluntary?'". EITI Web Site. https://eiti.org/FAQ#voluntary) The necessity of in-scope company reporting is also emphasized in a 2010 blog post by the EITI International Secretariat's Deputy Head[1].

Commented [ZM42]: This does not appear to be justified given lack of tax and BO information.
The following sentence misrepresents disclosure of tax and BO as routine, when it is closer to non-existent

Commented [DB43]: This makes no sense to me and I would just strike

2. ***In-scope financial data for the U.S. ~~government~~ Department of Interior and the majority of in-scope companies is subject to independent audit, applying international standards****, as required by the EITI Standard and laid out in the "Mainstreaming Action Plan."[21] The U.S. government and companies (both public and private) generally have controls and systems of internal and external audit consistent with international standards.*

   With respect to the external audit of DOI, OIG engages an external auditor to conduct an annual audit of ONRR's financial functions. The external audit is conducted according to GAGAS, an internationally recognized standard. While the specific tests used in DOI's external audit have not been disclosed, interviews with OIG and other DOI personnel indicate that source documents and records are used to verify the accuracy of financial reports. In addition to the external audit, DOI and ONRR are subject to oversight related to the collection, distribution, and reporting of revenue, including oversight from DOI's Office of Audits, Inspections, and Evaluations and DOI's Office of Investigations.

   In addition, all publicly traded in-scope companies undergo external audits in accordance with international standards, either GAAP or IFRS, and disclose their financial statements and the results of their audits to the SEC. Privately held U.S. companies also generally undergo audits in accordance with international standards and may be audited by the IRS, although they are not required to publicly disclose their results. See Appendix 3 for available data on audits for all in-scope companies—both public and private.

3. ***Internal controls exist to support the reliability and accuracy of payment collection, accounting, and reporting of in-scope data****. Internal processes and controls between the U.S. Treasury, DOI, and company payors are in place, including an upfront reconciliation of a large percentage of transactions, which compares the amounts owed to the amounts collected. These processes and controls are designed to monitor the accuracy and timeliness of revenue collection and reporting between the company payor and the U.S. government. This system of controls is also intended to reduce the opportunities for fraud by the company payors or U.S. government officials. The OMB Circular A-123 program, DOI's Integrated Internal Control Program, and ONRR's data accuracy efforts for Form ONRR-2014 and OGOR submissions are examples of the additional controls in place in the United States to support the reliability and accuracy of data. The ACM function within DOI serves to verify the accuracy of data reported to ONRR and examines statements, records, and operations of companies to verify compliance with lease instruments and established regulations, laws, and guidelines. Additionally, states and tribes in the United States maintain internal audit committees.*

[21] https://eiti.org/sites/default/files/documents/2016-10-towards_mainstreaming_action_plan.pdf

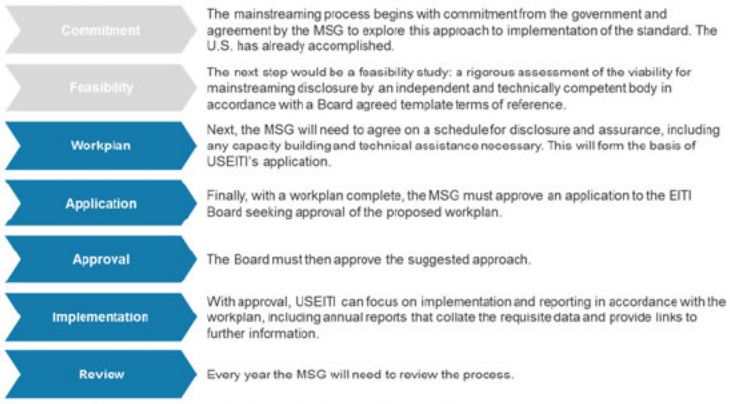
Based on available evidence, the USEITI MSG recommends that USEITI pursue mainstreaming.

Commented [DB44]: You can say the USG recommends this but not the MSG

Commented [U45]: What evidence? Show a reference to the MSG meeting minutes? Anything. This is not a truthful statement. Again, I withhold my consent to approve this document and of mainstreaming in general at this time. Paul Bugala

The process for mainstreaming consists of seven phases: formal commitment, feasibility study, work plan, application, approval, implementation, and review. The United States has made the formal commitment to mainstreaming, and with the submission of this feasibility study, USEITI will proceed to the preparation of a mainstreaming application for review by the EITI International Secretariat. Prior to the submission of this application, the USEITI MSG will agree on a schedule for disclosure and assurance, including any capacity building and technical assistance necessary; this will form the basis of USEITI's application. An overview of the process is outlined below.

Figure 6. USEITI Mainstreaming Process



Source: EITI International Secretariat Board Paper. Annex A - Draft Agreed Upon Procedure for Mainstreaming Disclosures https://eiti.org/files/board_paper_30-4-a_annex_a_draft_agreed_upon_procedure_for_mainstreamed_disclosures.pdf

As part of developing the mainstreaming work plan and application, the following steps will be necessary:

1. Documentation of commitment by the USEITI Secretariat to maintain the UDR and data portal to the current level of timeliness, comprehensiveness, and reliability for a reasonable period of time.
2. Agreement with the EITI International Board that the current disclosures of non-tax revenue and aggregate disclosure of Corporate Income Tax are sufficient for mainstreamed implementation for a reasonable period of time.

Commented [ZM46]: We cannot make this argument with a straight face

3. Agreement with the EITI International Board on continued adapted implementation with regards to subnational disclosures related to the federal nature of the United States.

4. Documentation of a process for periodic review of mainstreamed implementation by a multi-stakeholder group, either the current USEITI MSG or a new body that meets the requirements of Section 1.4 of the EITI Standard.

The United States Extractive Industries Transparency Initiative

Appendix 1 — Stakeholder Interview Notes

Interviewees

The IA invited 11 USEITI MSG members and alternates from across civil society, industry, and government to engage in stakeholder interviews, and the following nine people agreed to participate:

Sector	Name	Organization
Civil Society	Danielle Brian	Project on Government Oversight
Civil Society	Keith Romig, Jr.	United Steelworkers
Industry	Veronika Kohler	National Mining Association
Industry	Phil Denning	Shell Oil Company
Industry	Aaron Padilla	American Petroleum Institute
Government	Greg Gould	Department of the Interior
Government	Curtis Carlson	Department of the Treasury
Government	Mike Matthews	State of Wyoming—Department of Audit
Government	Jim Steward	Department of the Interior

Responses

The interviews covered each individual's goals for USEITI and the U.S. track record of reconciliation, as well as evaluated the data quality of USEITI as it relates to mainstreaming. Key takeaways from these interviews follow:

Topic	Sector	Takeaway

Topic	Sector	Takeaway
Goals for USEITI	Civil Society (CSO)	CSO representatives spoke about a range of goals for USEITI, including consolidating already available public data in an easily accessible place, creating a meaningful contextual narrative, revealing data not previously available to the public, and representing specific constituents. CSO representatives were split on how reconciliation fits into their goals. One interviewee expressed the view that reconciliation inherently compares company data to company data (i.e., government data was just company data provided to the government by the company). Another interviewee found reporting and reconciliation to be positive, with the exception of tax reporting and reconciliation. Neither interviewee saw mainstreaming specifically fitting into their goals for USEITI.
Goals for USEITI	Government	The U.S. government expressed a range of goals, including educating the public, participating and leading on the international stage, creating useful data for the public and the government, improving government operations, achieving a workable solution within U.S. laws, and achieving validation. The U.S. government did not see reconciliation as part of its goals, a value-add for the U.S. public, a valuable use of taxpayer money, an achievable reality for taxes, or valuable to USEITI as a whole. Mainstreaming was seen as the only feasible way for the United States to achieve validation. Mainstreaming is viewed as easier than reconciliation and likely to increase participation. The government believes U.S. audits and controls already achieve the purpose of reconciliation laid out in USEITI.

Commented [U47]: It's not possible for this CSO statement to be true and for this unreferenced assertion to be true at the same time. "Based on available evidence, the USEITI MSG recommends that USEITI pursue mainstreaming." Paul Bugala

USEITI
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Topic	Sector	Takeaway
Goals for USEITI	Industry	Industry representatives stated their goals for USEITI are to increase transparency and data accessibility to the public, increase public understanding and confidence, articulate the current state of U.S. management as a model internationally, and build trust with other sectors. Industry representatives did not see reconciliation as fitting materially with these goals and noted it was a check-the-box exercise and a waste of time. Mainstreaming is seen as essential by industry representatives and merited based on the current systems in place. Mainstreaming would save taxpayer money, reduce the burden on companies, and free up time to undertake activities more useful to the American public.
Track Record of Reconciliation	CSO	CSO representatives saw the U.S. track record of reconciliation as strong with regards to non-tax revenue, but tax revenue reconciliation was seen as weak and lacked reporting.
Track Record of Reconciliation	Government	The U.S. government saw the track record of revenue as very strong given the U.S. system of audits, controls, checks, and balances. The government viewed tax reporting and reconciliation as the biggest weakness, given the legal prohibitions against disclosure and the lack of company involvement. The U.S. government viewed the decline in the number of companies as an effect of broader market forces (the decline in prices for natural resources, as well as company bankruptcies) not specifically reflective of USEITI.

Topic	Sector	Takeaway
Track Record of Reconciliation	Industry	Industry representatives saw the U.S. track record of reconciliation as strong, given the audits, controls, and systems in place. Reconciliation helped prove the numbers match and that the United States has already mainstreamed. Industry representative did not view the decline in the number of companies as important; instead they saw reconciliation as having achieved its purpose of showing that dollars match. They also did not view the net decline as decreasing the amount of information available given data disclosures.
Evaluating U.S. Data Quality	CSO	CSO representatives saw the strength of U.S. data in government disclosures and the promise of government project-level disclosures, even if those are completed upon request. CSO representatives also noted that U.S. data was up to date and reliable. CSO representatives viewed the lack of tax reporting and reconciliation and the rescinding of Section 1504 of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act") as fatal weaknesses in U.S. data quality.
Evaluating U.S. Data Quality	Government	The U.S. government found U.S. data to be up to date, reliable (due to the stringent system of audits and controls in the United States), and comprehensive for non-tax revenue. The U.S. government noted that USEITI has achieved an unprecedented level of disclosure and that contextual narrative information helps make data comprehensible. The U.S. government viewed the lack of tax disclosure, given U.S. laws, as the chief weakness in U.S. data comprehensiveness and the rescinding of Section 1504 of the Dodd-Frank Act as fatal to U.S. hopes of achieving that kind of disclosure, and with it mainstreaming.

Topic	Sector	Takeaway
Evaluating U.S. Data Quality	Industry	Industry representatives articulated an extensive list of U.S. data quality strengths, including public accessibility, level of disaggregation, up-to-date nature, control- and audit-based reliability, contextual explanations of data, and the comprehensive release of appropriate data. Industry representatives generally saw less cause for concern with the rescinding of Section 1504 of the Dodd-Frank Act and articulated cases for how the United States could mainstream, given current controls and disclosures. They saw limited influence on U.S. companies due to EU directives related to disclosure.

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Appendix 2 — Relevant U.S. Laws and Regulations

Select Laws Establishing the Fiscal Regime for Extractive Industries in the United States.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
General Mining Act of 1872, as Amended[22] **(30 USC § 29 and 43 CFR 3860)**	Provides the right to patent, meaning transfer to private ownership, federal land and natural resources for mining. Since October 1, 1994, Congress has imposed a budget moratorium on any new mineral patent applications.	Federal Onshore Lands (Public Domain)	Locatable hardrock minerals (e.g., gold, silver, and copper)
Leases of Allotted Lands for Mining Purposes[23] **(25 USC § 396 and 25 CFR 212)**	States that all lands allotted to Indians, except those made to members of the Five Civilized Tribes and Osage, may be leased for mining purposes for any term of years as may be deemed advisable by the Secretary of the Interior.	Indian Lands (Allotted)	Not specified
Mineral Leasing Act of 1920, as Amended[24] **(30 USC 181 et. seq.)**	Creates a system of leasing mineral resources on federal lands for extraction, and grants BLM the authority to administer mineral leasing.	Federal Onshore Lands (Public Domain)	Coal, oil, gas, oil or gas shale, sodium, potassium, phosphate, sulfur, and gilsonite
Indian Mineral Leasing Act of 1938[25] **(25 USC § 396a et. seq.)**	Opens unallotted lands within any Indian reservation for leasing for mining purposes by authority of the tribal council and approval from the Secretary of the Interior.	Indian Lands (Tribal)	Not specified

[22] http://apps2.eere.energy.gov/wind/windexchange/wind_installed_capacity.asp.
[23] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title25/pdf/USCODE-2011-title25-chap12-sec396.pdf.
[24] https://www.onrr.gov/Laws_R_D/PubLaws/PDFDocs/MineralLeasingAct1920.pdf.
[25] http://www.gpo.gov/fdsys/pkg/USCODE-2009-title25/html/USCODE-2009-title25-chap12.htm.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Mineral Leasing Act for Acquired Lands of 1947[26] **(30 USC § 351 et seq. and 43 CFR 3420)**	Extends the Mineral Leasing Act of 1920 and the authority of the Secretary of the Interior to govern mineral leasing on federal acquired lands.	Federal Onshore Lands (Acquired)	Coal, oil, gas, oil or gas shale, sodium, potassium, phosphate, sulfur, and gilsonite
Materials Act of 1947[27] **(30 USC § 601 et. seq.)**	Also known as the Common Varieties Act, it regulates the sale and permitting of the most common hardrock minerals. It replaces the General Mining Law of 1872.	Federal Onshore Lands	Common hardrock minerals (e.g., sand, gravel, stone, pumice, cinder)
Submerged Lands Act of 1953[28] **(43 USC § 1301 et. seq.)**	Recognizes states' rights to the submerged navigable lands within their boundaries, as well as the marine waters within their boundaries often defined as three geographical miles from the coastline.	State Offshore Lands	All natural resources
Outer Continental Shelf Lands Act of 1953, as Amended[29] **(43 USC § 1331)**	Gives the Secretary of the Interior responsibility for administering mineral exploration and development and other energy resources on the Outer Continental Shelf, subject to environmental safeguards. Mandates receipt of fair market value for mineral leasing.	Outer Continental Shelf	Oil, gas, and other minerals
Geothermal Steam Act of 1970[30] **(30 USC § 1001 et. seq.)**	Allows the leasing of federal land under BLM's administration for geothermal resource development, excluding prohibited lands.	Federal Onshore Lands	Geothermal

[26] http://legcounsel.house.gov/Comps/mlaacg.pdf
[27] http://legcounsel.house.gov/Comps/Act%20Of%20July%2031 %201937-(Materials%20Act%20Of%201947).pdf.
[28] http://www.boem.gov/uploadedFiles/submergedLA.pdf.
[29] http://www.gpo.gov/fdsys/pkg/USCODE-2010-title43/html/USCODE-2010-title43-chap29-subchapIII.htm.
[30] http://www.gpo.gov/fdsys/pkg/STATUTE-84/pdf/STATUTE-84-Pg1566.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Mining and Minerals Policy Act of 1970[31] **(30 USC § 21a)**	Amends the Mining Act of 1920 to establish the national interest to develop a domestic private enterprise mining industry, while addressing adverse environmental impacts.	Federal Onshore Lands	All natural resources
Federal Coal Leasing Amendments Act of 1975 (FCLAA)[32] **(90 STAT 1083)**	Amends Section 2 of the Mineral Leasing Act of 1920 by requiring all public lands available for coal leasing to be leased competitively, with the government only accepting lease bids equal to or more than fair market value, as well as the consolidation of leasing into logical mining units, the continual operation by lease holders, and other measures.	Federal Onshore Lands	Coal
Surface Mining Control and Reclamation Act of 1977 (SMCRA)[33] **(30 USC § 1201 et. seq.)**	Creates the Office of Surface Mining, Reclamation, and Enforcement (OSMRE) to establish a nationwide program to protect society and the environment from the adverse effects of surface coal mining operations. OSMRE is charged with balancing the nation's need for continued domestic coal production with protection of the environment. In this effort, OSMRE requires coal mine owners to post bonds as insurance for reclaiming the land after current mining operations are complete, as well as requires them to pay into the Abandoned Mine Reclamation Fund, which is intended to address mines abandoned prior to 1977.	Federal Onshore Lands	Coal

[31] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title30/pdf/USCODE-2011-title30-chap2-sec21a.pdf.
[32] http://www.gpo.gov/fdsys/pkg/STATUTE-90/pdf/STATUTE-90-Pg1083.pdf.
[33] http://www.gpo.gov/fdsys/pkg/STATUTE-91/pdf/STATUTE-91-Pg445.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA)[34] **(30 USC § 1701 et. seq.)**	Grants the Secretary of the Interior authority for managing and collecting oil and gas royalties from leases on federal and Indian lands.	Federal Onshore and Indian Lands, and Outer Continental Shelf	Oil and gas
Indian Mineral Development Act of 1982[35] **(25 USC §§ 2101–2108)**	Provides Indian tribes with flexibility in the development and sale of mineral resources, including opportunities to enter into joint venture agreements with mineral developers.	Indian Lands (Tribal)	Oil and gas, coal, geothermal, and other mineral resources
Federal Onshore Oil and Gas Leasing Reform Act of 1987 (FOOGLRA)[36] **(30 USC § 181 et. seq.)**	Amends the Mineral Leasing Act of 1920 to give the U.S. Forest Service the authority to proactively offer leases for oil and gas on National Forest System lands, provided environmental and other land-use regulations are met. BLM largely administers leasing on these lands.	Federal Onshore Lands	Oil and gas
Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA)[37] **(30 USC § 1701 et. seq.)**	Improves royalty management from federal onshore and Outer Continental Shelf oil and gas leases.	Federal Onshore Lands and Outer Continental Shelf	Oil and gas

[34] http://www.boem.gov/uploadedFiles/BOEM/Oil_and_Gas_Energy_Program/Leasing/Outer_Continental_Shelf/Lands_Act_History/federal%20og%20royalty%20mgmt.pdf.
[35] http://www.gpo.gov/fdsys/pkg/STATUTE-96/pdf/STATUTE-96-Pg1938.pdf.
[36] http://www.gpo.gov/fdsys/pkg/USCODE-2011-title30/pdf/USCODE-2011-title30.pdf.
[37] http://www.onrr.gov/laws_r_d/PubLaws/PDFDocs/rsfa.pdf.

Law Name and Code	Description	Relevant Lands or Waters	Relevant Natural Resources
Energy Policy Act of 2005 (EPA Act)[38] **(42 USC § 13201 et. seq.)**	Addresses energy production in the United States, including the production, transportation, and transmission of energy, other than oil and gas (e.g., wind energy), in the waters of the Outer Continental Shelf; incentives for oil and gas development; and provisions to access oil and gas resources on federal lands.	Federal Onshore Lands and Outer Continental Shelf	Oil, gas, coal, wind, solar, hydropower, and geothermal
Gulf of Mexico Energy Security Act of 2006 (GOMESA)[39] **(120 Stat. 2922)**	Opens 8.3 million acres in the Gulf of Mexico for oil and gas leasing; shares leasing revenue with oil-producing gulf states and the Land and Water Conservation Fund; and bans oil and gas leasing within 125 miles off the Florida coastline in the Eastern Planning Area and a portion of the Central Planning Area until 2022.	Outer Continental Shelf	Oil and gas

There are other laws governing natural resources and companies operating in the extractive industries. Some of these laws require companies to pay fees. Violating some of these laws can also result in the incursion of fines.

Select Laws Resulting in Fines or Fees for Extractive Industries Companies in the United States.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Federal Land Policy and Management Act of 1976 (FLPMA)[40] **(43 USC § 1701 et. seq.)**	Requires BLM to administer federal lands using a land use planning framework that includes no unnecessary or undue degradation; multiple-use, sustained yield, considerations for present and future generations; and public planning. Requires receipt of fair market value for use of federal lands and resources.	Federal Onshore and Indian Lands	All natural resources

[38] http://www.gpo.gov/fdsys/pkg/BILLS-109hr6enr/pdf/BILLS-109hr6enr.pdf.
[39] http://www.boem.gov/Oil-and-Gas-Energy-Program/Energy-Economics/econ/GOMESA-pdf.aspx.
[40] http://www.boem.gov/Oil-and-Gas-Energy-Program/Energy-Economics/econ/GOMESA-pdf.aspx.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Clean Air Act of 1970 (CAA)[41] **(42 USC § 7401 et. seq.)**	Outlines steps that federal agencies, state and local governments, and industry must take to decrease air pollution. Oil and gas wells are exempt from legal aggregation, whereby the emissions from small sites that are connected in close proximity or under shared ownership are added together and regulated as "stationary sources" if they emit or could emit 100 tons per year of a pollutant.	All Lands	All natural resources, except when oil and gas are exempted
Clean Water Act of 1977 (CWA)[42] **(33 USC § 1251 et. seq.)**	Establishes a regulatory framework to protect water quality and monitor discharges of pollutants into waters in the United States. The U.S. Environmental Protection Agency (EPA) does not require National Pollutant Discharge Elimination System (NPDES) permits for uncontaminated storm water discharges from oil and gas exploration, production, processing, or treatment operations, or transmission or drill site preparation.[43]	All Lands	All natural resources, except when oil and gas are exempted
Safe Drinking Water Act of 1974 (SDWA)[44] **(42 USC 300f–300j)**	Protects public health by regulating the nation's public drinking water supply and its sources. As of the 2005 Energy Policy Act, hydraulic fracturing fluids are exempt from underground injection control permits, unless diesel fuel is used in the extraction process.[45]	All Lands	All natural resources, except when oil and gas are exempted

[41] http://www.gpo.gov/fdsys/pkg/USCODE-2008-title42/pdf/USCODE-2008-title42-chap85.pdf.
[42] http://www.gpo.gov/fdsys/pkg/USCODE-2010-title33/pdf/USCODE-2010-title33-chap26.pdf.
[43] U.S. Environmental Protection Agency, "Regulation of Oil and Gas Construction Activities," March 9, 2009, http://water.epa.gov/polwaste/npdes/stormwater/Regulation-of-Oil-and-Gas-Construction-Activities.cfm
[44] http://www.epw.senate.gov/sdwa.pdf.
[45] U.S. Environmental Protection Agency, "Regulation of Hydraulic Fracturing Under the Safe Drinking Water Act," http://water.epa.gov/type/groundwater/uic/class2/hydraulicfracturing/wells_hydroreg.cfm.

Law Name and Code	Description	Relevant Lands	Relevant Natural Resources
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA)[46] (42 USC 9601–9675)	Provides a federal superfund to clean up uncontrolled or abandoned hazardous waste sites, as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment, and gives EPA the power to seek out those parties responsible for any release and ensure their cooperation in the cleanup.	All Lands	All natural resources, except when oil and gas are exempted
Endangered Species Act of 1973 (ESA)[47] (16 USC § 1531 et. seq.)	Protects and recovers imperiled species and the ecosystems upon which they depend.	All Lands	All natural resources
Marine Mammal Protection Act of 1972, as Amended[48] (16 USC 1361 et. seq.)	Prohibits, with certain exceptions, the taking of marine mammals in U.S. waters and by U.S. citizens on the high seas, and the importation of marine mammals and marine mammal products into the United States.	All Lands	All natural resources, except when oil and gas are exempted

Extractive industries companies must comply with many other laws. The websites for DOI, EPA, the National Oceanic and Atmospheric Administration (NOAA), and other federal agencies contain more comprehensive lists of related laws that they enforce:

- DOI Bureau of Ocean Energy Management (BOEM): http://www.boem.gov/Regulations/BOEM-Governing-Statutes.aspx
- DOI Bureau of Safety and Environmental Enforcement (BSEE): http://www.bsee.gov/Regulations-and-Guidance/BSEE-Governing-Statutes/
- DOI BLM: https://www.blm.gov/about/laws-and-regulations
- EPA: http://www2.epa.gov/laws-regulations/laws-and-executive-orders#majorlaws
- NOAA: http://www.nmfs.noaa.gov/ole/about/what_we_do/laws.html

[46] http://www.epw.senate.gov/cercla.pdf.
[47] http://www.nmfs.noaa.gov/pr/pdfs/laws/esa.pdf.
[48] http://www.nmfs.noaa.gov/pr/pdfs/laws/mmpa.pdf.

Laws, Regulations, Professional Standards, and Regulatory Organizations

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Accounting Principles Generally Accepted in the United States of America	GAAP	GAAP is the standardized accounting rule set for federal government entities and publicly traded or private companies domiciled in the United States or other international jurisdictions in which GAAP is required. GAAP enables company stakeholders to compare accounting statements for different companies and industries using a standard methodology. Because of various accounting and financial reporting standards, the federal government tailors GAAP to meet its unique characteristics and circumstances.
Internal Revenue Service	IRS	The IRS is the revenue service of the U.S. government. The IRS is a bureau within the U.S. Treasury and is under the immediate direction of the Commissioner of Internal Revenue. The IRS is responsible for collecting taxes and the administration of the Internal Revenue Code.
Securities and Exchange Commission Act	SEC	The Securities Exchange Act of 1934 established the SEC to govern the securities industry. By regulation of the SEC, public companies must have their financial statements prepared in accordance with GAAP or IFRS, as issued by the International Accounting Standards Board (IASB), and audited each year by an independent registered public accounting firm. During an audit, the independent auditor examines, on a test basis, evidence supporting the amounts and disclosures in the financial statements. The auditor provides a written opinion on whether the company's financial statements are, in all material respects, fairly presented in accordance with GAAP or IFRS, whichever is applicable. The SEC is required by law to implement payment reporting rules comparable to the EITI Standard with respect to extractive issuers. The SEC's two previous attempts to implement this law have been vacated in court and in Congress due to opposition from certain oil industry members.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Sarbanes-Oxley Act of 2002	SOX	SOX requires all financial reports for large public companies (i.e., those with market capitalizations of $75 million and referred to as "accelerated" filers and those subject to SEC reporting requirements) to include certification of internal control over financial reporting (ICFR) by company management and an ICFR opinion by an independent auditor as of the specified balance sheet date. Congress passed SOX in 2002, in part, to further protect investors from fraudulent accounting activities by public companies.
Public Company Accounting Oversight Board	PCAOB	PCAOB exists to confirm that registered public accounting firms are auditing the financial statements and ICFR of public companies in accordance with auditing standards established and adopted by the PCAOB. The PCAOB is a nonprofit corporation established by Congress to oversee the audits of public companies in order to protect the interests of investors and further the public interest in the preparation of informative, accurate, and independent audit reports.
American Institute of Certified Public Accountants	AICPA	AICPA requires independent auditors to comply with the audit standards issued by the AICPA for the audits of all companies that are not subject to SEC jurisdiction. The AICPA has released mandatory audit and attestation standards for conducting, planning, and reporting on audit and attestation engagements of private companies.
Financial Accounting Standards Board	FASB	The FASB is a private, nonprofit organization whose primary purpose is establishing and improving GAAP within the United States. The SEC designated the FASB as the organization responsible for setting accounting standards for public companies in the United States. The FASB created the Private Company Council (PCC), which works jointly with the FASB to mutually agree on a set of criteria to decide whether and when alternatives within GAAP are warranted for private companies.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
International Financial Reporting Standards	IFRS	IFRS are accounting standards developed by the IASB that are intended to establish a consistent global standard for the preparation of public company financial statements for entities domiciled outside the United States. The IASB, based in London, is an independent accounting standard-setting body. It is funded by contributions from major accounting firms, private financial institutions, industrial companies, central and development banks, national funding regimes, and other international and professional organizations throughout the world. Approximately 120 nations and reporting jurisdictions permit or require IFRS for domestic-listed companies. The SEC is currently considering whether it will incorporate IFRS into the financial reporting system for U.S. issuers. There is currently no estimated date for when such a decision might be made.
Generally Accepted Auditing Standards	GAAS	GAAS are the minimum standards for auditing private companies and come in three categories: general standards, standards of fieldwork, and standards of reporting. PCAOB has adopted these standards for public (i.e., traded on the open market) companies. Each audit engagement may require audit work beyond what is specified in the GAAS in order to provide a written opinion on whether a set of financial statements is, in all material respects, fairly presented in accordance with GAAP.
Generally Accepted Government Auditing Standards	GAGAS	GAGAS provides a framework for conducting high-quality audits of government resources and programs with competence, integrity, objectivity, and independence. Government auditing allows legislators, oversight bodies, those charged with governance, and the public to hold government agencies accountable. GAGAS is used by auditors of government entities, entities that receive government awards, and other audit organizations performing audits. GAO, an independent, nonpartisan agency that works for Congress, is responsible for maintaining and updating GAGAS. GAO is often called the "congressional watchdog" and investigates the executive branch of the federal government.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Chief Financial Officers Act of 1990 (P.L. 101–576)	CFO Act	The CFO Act establishes a leadership structure, provides for long-range planning, requires audited financial statements, and strengthens accountability reporting in the federal government. The aim of the CFO Act is to improve financial management systems and information. The CFO Act also requires the development and maintenance of agency financial management systems that comply with the following: applicable accounting principles, standards, and requirements: internal control standards; OMB requirements; U.S. Treasury requirements, and requirements of other agencies. Reports of audits conducted under the CFO Act are done on an annual basis and must be completed by November 15 following the close of the fiscal year (September 30) for which the financial statements were prepared.
Government Management Reform Act of 1994 (P.L. 103–356)	GMRA	GMRA requires the independent, external audit of agency financial statements and the preparation and audit of a consolidated financial statement for the federal government on an annual basis.
OMB Circular A-136 (Financial Reporting Requirements)	A-136	A-136, which is updated annually by OMB, provides federal guidance for agency and government-wide financial reporting. This circular establishes a central point of reference for all federal financial reporting guidance for the departments, agencies, and entities in the executive branch that are required to submit an Agency Financial Report (AFR) under the CFO Act and the GMRA. In compliance with the CFO Act, the GMRA, and A-136, DOI publishes an AFR every fiscal year.
Federal Financial Management Improvement Act of 1996 (P.L. 104–208)	FFMIA	FFMIA requires federal agencies to implement and maintain financial management systems that substantially comply with federal financial management system requirements, applicable federal accounting standards, and the USGGL at the transactional level.

Law, Regulation, Professional Standard, or Regulatory Organization	Acronym	Description
Federal Information Security Management Act of 2002 (P.L. 107–347)	FISMA	FISMA requires federal agencies to provide information security controls commensurate with the risk and potential harm of not having those controls in place. FISMA also requires the heads of agencies and OIG to conduct annual IT security reviews, perform annual independent evaluations of the effectiveness of the agency's security programs and systems, and report their results to OMB and Congress.
Federal Accounting Standards Advisory Board	FASAB	FASAB was established in October 1990 by the secretary of the treasury, the director of OMB, and the U.S. comptroller general. This board possesses the legal authority, under various laws, to establish accounting and financial reporting standards for the federal government. In October 1999, the AICPA recognized FASAB as the board that promulgates GAAP for federal entities.
OMB Circular No. A-123	A-123	A-123 prescribes management's responsibilities for establishing and maintaining effective internal controls and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act of 1982.
OMB Bulletin 14-02 (Audit Requirements for Federal Financial Statements)		OMB Bulletin No. 14-02, issued on October 21, 2013, establishes minimum requirements for independent audits of federal financial statements. This bulletin implements the audit provisions of the CFO Act, as amended, the GMRA, and FFMIA.

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Appendix 3 – U.S. Statutes and Regulations Related to Conflicts of Interest~~Beneficial Ownership~~

Commented [ZM48]: None of the laws discussed here deal with BO per se, but with preventing conflicts of interest

Below is a summary of relevant U.S. statutes and regulations that restrict employee ownership of certain financial interests, require employee reporting of certain financial interests, and restrict employee participation in certain official Government matters that would affect an employee's personal or imputed financial interests or that might affect an employee's personal or business relationships.

5 CFR § 3501.103(c) prohibits, with limited exceptions, all DOI employees, their spouses, and their minor children from acquiring or retaining any claim, permit, lease, small tract entries, or other rights that are granted by DOI in Federal lands. This prohibition does not restrict the recreational or other personal or non-commercial use of Federal lands by an employee, or the employee's spouse or minor children, on the same terms available to the general public.

5 CFR § 3501.103(b), with limited exceptions, prohibits the Secretary of the Interior and employees of the Office of the Secretary and other Departmental offices that report directly to a Secretarial officer who are in positions classified at GS-15 and above from acquiring or holding any direct or indirect financial interest in Federal lands or resources that the Department administers. This generally includes stock or bond interests in most oil, gas, and mining companies that hold leases on Federal lands to conduct their operations.

43 USC § 11, implemented by 43 CFR § 20.401, prohibits Bureau of Land Management (BLM) employees from voluntarily acquiring direct or indirect financial interests in Federal lands. Prohibited interests include stocks and bonds in oil, gas, geothermal, and mining companies that hold leases or other property rights on Federal lands, as well as companies that hold substantial rights-of-way on Federal lands. BLM employees may not be members or employees of a business that has interests in Federal lands. Additionally, BLM employees may not occupy or use Federal lands (other than for recreational or other personal and non-commercial use on the same terms as use of Federal lands is available to the general public), or take any benefits from Federal lands, based upon a contract, grant, lease, permit, easement, rental agreement, or application.

43 USC § 31(a), implemented by 43 CFR § 20.401(b), prohibits U.S. Geological Survey (USGS) employees from holding financial interests in Federal lands which DOI administers or controls. Prohibited interests include stocks and bonds in oil, gas, and other mining companies that hold significant leases on such lands. Additionally, 5 CFR § 3501.104 sets limits on investments in entities engaged in mining activities on private land in the U.S. The ability of USGS employees to

own oil, gas, or other mineral leases or to receive royalties from those leases is extremely limited.

30 USC § 1211(f), implemented by 30 CFR Part 706 and 43 CFR § 20.402, prohibits all Office of Surface Mining Reclamation and Enforcement (OSMRE) employees and any other Federal employee who performs functions and duties under the Surface Mining Control and Reclamation Act of 1977 from having any direct or indirect financial interests in underground or surface coal mining operations. Prohibited financial interests under this law include interests in companies that are involved in developing, producing, preparing, or loading coal or reclaiming the areas upon which such activities occur. Additionally, 30 USC § 1267(g), as implemented by 30 CFR Part 705, provides that no employee of a State regulatory authority performing any function or duty under the Surface Mining Control and Reclamation Act of 1977 shall have a direct or indirect financial interest in any underground or surface coal mining operations.

The Ethics in Government Act of 1978, as amended (5 USC app. § 101), implemented by 5 CFR Part 2634, requires senior officials in the executive, legislative, and judicial branches to file public reports of their finances, as well as other interests outside the Government. Executive branch personnel file such reports using the OGE Forms 278e (previously the OGE Form 278) and 278-T. Unlike confidential financial statements that some mid-level employees file, the OGE Forms 278e and 278-T are available to the public. Ethics officials within each executive branch agency review, certify, and maintain these reports. Executive branch agencies also forward OGE Forms 278e and 278-T that Presidential appointees, which the Senate confirms, submit to the Office of Government Ethics (OGE) for additional review and certification. The primary purpose of the public disclosure program is to prevent conflicts of interest and to identify potential conflicts of interest of current and prospective employees. If a reviewing official identifies a potential conflict of interest, several remedies are available to avoid an actual or apparent violation of Federal ethics laws and regulations, which include recusal, reassignment, and divestiture of the financial interest(s). 28 USC § 535 requires executive branch agencies to report to the Attorney General any information, allegations, or complaints relating to violations of title 18 of the U.S. Code involving Government officers and employees.

5 USC app. § 107, implemented by Subpart I of 5 CFR Part 2634, also provides that certain executive branch employees who are not required to file a public financial disclosure report but whose duties involve the exercise of discretion in sensitive areas, such as contracting, procurement, administration of grants and licenses, and regulating or auditing non-Federal entities, are required to file confidential financial disclosure reports (OGE Form 450). This reporting system generally tracks the approach of the public financial disclosure system with some differences. For example, asset values and income amounts are not required to be reported, nor are interests in or income from bank accounts, money market mutual funds, U.S. obligations, and Government securities. The most notable difference between public and confidential reports, however, is that confidential financial disclosure reports are not available to the public.

30 USC § 1211(f), implemented by 30 CFR Part 706, requires that each OSMRE employee and any other Federal employee who performs any function or duty under the Surface Mining Control and Reclamation Act of 1977 must file a statement of employment and financial interests upon entrance to duty and annually thereafter. 30 USC § 1267(g), as implemented by 30 CFR Part 705, also requires State regulatory authority employees performing any duties or functions under the Act to file a statement of employment and financial interest upon entrance to duty and annually thereafter.

A Federal criminal conflict of interest statute, 18 USC § 208, prohibits executive branch employees from participating personally and substantially, in an official capacity, in any "particular matter" that would have a direct and predictable effect on the employee's own financial interests or on the financial interests of,

- The employee's spouse or minor child
- A general partner of a partnership in which the employee is a limited or general partner
- An organization in which the employee serves as an officer, director, trustee, general partner, or employee
- A person with whom the employee is negotiating for or has an arrangement concerning prospective employment

A "particular matter" is virtually any Government matter to which an employee might be assigned, including policy matters and matters involving specific parties, such as contracts or grants. (A few matters in Government, however, may be so broad in scope that the conflict of interest law does not require an employee's disqualification even though the employee's own or "imputed" financial interests are among those affected by the matter.) Disqualification ("recusal") is mandatory in the circumstances specified in the statute. Moreover, disqualification is often the appropriate way to prevent a conflict of interest in the long term, unless an "exemption" applies or the circumstances warrant the use of other means of resolving the conflict of interest.

An executive branch-wide regulation, 5 CFR § 2635.502, recognizes that a reasonable person may believe that an employee's impartiality can be influenced by interests other than the employee's own or those that are imputed to the employee by the conflict of interest laws. Under 5 CFR § 2635.502, employees are required to consider whether their impartiality would be questioned whenever their involvement in a "particular matter involving specific parties" might affect certain personal or business relationships. The term "particular matter involving specific parties" refers to a subset of all "particular matters" and includes Government matters, such as a contract, grant, permit, license, or loan. If a particular matter involving specific parties is likely to have a direct and predictable effect on the financial interests of a member of the employee's household, or if a person with whom the employee has a "covered relationship" is or represents a party to such matter, the employee must consider whether a reasonable person

would question the employee's impartiality in the matter. An employee has a covered relationship with,

- A person with whom the employee has or seeks a business, contractual, or other financial relationship
- A person who is a member of the employee's household or is a relative with whom the employee has a close personal relationship
- A person for whom the employee's spouse, parent, or dependent child serves or seeks to serve as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee
- Any person for whom the employee has, within the last year, served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee
- Any organization (other than a political party) in which the employee is an active participant

If the employee concludes that participation in such a matter would cause a reasonable person to question the employee's impartiality, the employee should not work on the matter pending possible authorization from the appropriate agency official. Moreover, an employee should not work on any matter if the employee is concerned that circumstances other than those expressly described in the regulation would raise a question regarding the employee's impartiality. The employee should follow agency procedures so that the agency can determine whether participation is appropriate.

USEITI
The United States Extractive Industries Transparency Initiative

Appendix 4 — In-Scope Company Audits

Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Alpha Natural Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Anadarko Petroleum Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Apache Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Arch Coal, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Arena Energy, LLC	Private	Limited Partnership	Yes		-	-	-	No	Unavailable
BHP Billiton LTD	Public	Foreign Corporation (Australia)	Yes	IFRS	✓	✓	-	Yes - Annual Report	KPMG
BOPCO, LP	Private	Limited partnership	No		-	-	-	No	Unavailable
BP America Inc.	Public	Subsidiary of Foreign Corporation (England)	Yes	IFRS	✓	✓	-	Parent Only*	E&Y
Chevron U.S.A. Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes - Annual Report	PWC
Cimarex Energy Co.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Cloud Peak Energy Resources, LLC	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Concho Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	Grant Thornton
ConocoPhillips	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Continental Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	Grant Thornton
Devon Energy Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG

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The United States Extractive Industries Transparency Initiative

Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
Encana Corporation	Public	Foreign Corporation (Canada)	Yes	GAAP	✓	-	✓	Yes - Annual Report	PWC
Energy XXI	N/A	Foreign Corporation (Bermuda)	Yes	GAAP	✓	-	-	Yes	BDO USA
ENI Petroleum	Public	Foreign corporation (Italy)	Yes	IFRS	✓	-	-	Yes	Unavailable
EOG Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	Deloitte & Touche LLP
EPL Oil & Gas, Inc.	Public	Subsidiary of Foreign Corporation (Italy)	Yes	GAAP	✓	-	-	Parent Only*	BDO USA
Exxon Mobil Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Fieldwood Energy LLC	Private	Limited Liability Company	Yes		-	-	-	No	Unavailable
Freeport-McMoRan Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Hess Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Jonah Energy LLC	Private	Limited Liability Company	Yes		-	-	-	No	Unavailable
Linn Energy, LLC	Public	Limited Liability Company	Yes	GAAP	✓	-	-	Yes	KPMG
LLOG Exploration Company LLC	Private	Subsidiary of Limited Liability Company	Yes		-	-	-	No	Unavailable
Marathon Oil Company	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Murphy Oil USA Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Noble Energy, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	KPMG
Oxy USA, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Parent Only*	KPMG
Peabody Energy Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
QEP Resources, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	PWC
Red Willow Offshore, LLC	Private	Limited Liability Company, Southern UTE Indian Tribe	No		-	-	-	No	Unavailable
Shell E&P Company	Public	Foreign Corporation (UK)	Yes	IFRS	✓	✓	-	Yes - Annual	PWC

Company	Public / Private	Entity Type	Disclosure of Beneficial Owners	Applicable Accounting Standards	Form 10-K or Annual Report	Form 20-F	Form 40-F	Publicly Available Financial Statements	External Auditors
								Report	
Statoil Gulf of Mexico	Public	Foreign Corporation (Norway)	Yes	IFRS	✓	✓	-	Yes - Annual Report	Unavailable
Stone Energy Corporation	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
Talos Energy LLC	Private	Limited Liability Company	Yes		-	-	-	No	Unavailable
Ultra Resources Inc.	Public	Foreign Corporation (Canada)	Yes	GAAP	✓	-	-	Yes	E&Y
W&T Offshore, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y
WPX Energy, Inc.	Public	Corporation	Yes	GAAP	✓	-	-	Yes	E&Y

Note: Annual reports and 10-Ks are accessible as of April 6, 2017, and link to the 2015 reports, the most recent year for which all companies (or parent companies) have filed reports.

Acronyms of auditors are as follows: Ernst & Young (E&Y) and PricewaterhouseCoopers (PWC)

Page 31: [1] Commented [U31] User 6/27/2017 9:00:00 AM

Per the request of the co-chairs, the following beneficial ownership definition was developed for include in the 2017 reporting template.

USEITI Proposed Beneficial Ownership Definition

March 7, 2017

In accordance with requirement 2.5.f.ii "The definition should be aligned with (f)(i)[1] above and take international norms and relevant national laws into account, and should include ownership threshold(s). The definition should also specify reporting obligations for politically exposed persons".

Proposed Definition:

A beneficial owner in respect of a company means the natural person(s) who directly or indirectly ultimately owns or controls the corporate entity. For purposes of this definition: "Owns" means holding 5% or more of the shares and/or voting rights in the corporate entity, disregarding any shares or voting rights held by the entity itself. "Controls" includes but is not limited to influencing the company via controlling ownership interests, voting rights, agreement or otherwise. Those whose control over a corporate entity arises solely from their position as a paid employee of the entity are not beneficial owners for the purposes of this definition. Those with legal agency to control interests held by minor children are the beneficial owners for the purpose of this definition. For the avoidance of doubt, nominees, agents or other forms of proxy cannot be identified in the place of the actual beneficial owner(s).

The term 'politically exposed person' means a natural person who is or who has been entrusted with prominent public functions and includes the following:

(a) heads of State, heads of government, secretaries and deputy or assistant secretaries;

(b) members of Congress or of similar legislative bodies;

(c) members of the governing bodies of political parties;

(d) members of supreme courts, of constitutional courts or of other high-level judicial bodies, the decisions of which are not subject to further appeal, except in exceptional circumstances;

(e) members of courts of auditors or of the boards of central banks;

(f) ambassadors, chargés d'affaires and high-ranking officers in the armed forces;

(g) members of the administrative, management or supervisory bodies of State-owned enterprises;

(h) directors, deputy directors and members of the board or equivalent function of an international organization.

(i) family members of politically exposed persons as determined by this definition.

Label: "FOIA EITI"

Created by:greg.gould@onrr.gov

Total Messages in label:370 (41 conversations)

Created: 11-30-2017 at 14:41 PM

Conversation Contents

Quick check in

Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Fri Jun 23 2017 15:22:18 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>, "Kohler, Veronika" <VKohler@nma.org>, "Gould, Greg" <Greg.Gould@onrr.gov>
CC:	Tushar Kansal <tkansal@cbuilding.org>
Subject:	Quick check in

Co-Chairs

Just wanted to do a quick check-in. Wanted to know next steps, if any, for transitioning US EITI and the like. Mostly wanted to know for our own interest and better understanding any final process details that need to be implemented.

Hope everyone is well.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Sat Jun 24 2017 13:16:39 GMT-0600 (MDT)
To:	Pat Field <pfield@cbuilding.org>
CC:	Danielle Brian <dbrian@pogo.org>, "Kohler, Veronika" <VKohler@nma.org>, Tushar Kansal <tkansal@cbuilding.org>
Subject:	Re: Quick check in

Pat,

Thanks for checking in. At this point we are still finishing up the work for 2017, which Tushar continues to do a great job on, thanks Tushar! We are all working on next steps within our sectors. Within the Government Sector, we are waiting on the administration to bring its senior leadership on board, and for Secretary Zinke to complete his review of the 100+ FACA Committee's at Interior.

Bottom line, for now we are all set.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, Jun 23, 2017 at 5:22 PM, Pat Field <pfield@cbuilding.org> wrote:

> Co-Chairs
>
> Just wanted to do a quick check-in. Wanted to know next steps, if any, for transitioning US EITI and the like. Mostly wanted to know for our own interest and better understanding any final process details that need to be implemented.
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> Patrick Field
> Managing Director
> Consensus Building Institute
> 617-844-1118
> pfield@cbuilding.org

Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Sun Jun 25 2017 05:49:15 GMT-0600 (MDT)
To:	"Gould, Greg" <Greg.Gould@onrr.gov>
CC:	Danielle Brian <dbrian@pogo.org>, "Kohler, Veronika" <VKohler@nma.org>, Tushar Kansal <tkansal@cbuilding.org>
Subject:	Re: Quick check in

Greg

Thanks much for the update. Appreciate it.

Patrick Field
Managing Director
Consensus Building Institute

617-844-1118
pfield@cbuilding.org

On Jun 24, 2017, at 3:16 pm, Gould, Greg <Greg.Gould@onrr.gov> wrote:

Pat,

Thanks for checking in. At this point we are still finishing up the work for 2017, which Tushar continues to do a great job on, thanks Tushar! We are all working on next steps within our sectors. Within the Government Sector, we are waiting on the administration to bring its senior leadership on board, and for Secretary Zinke to complete his review of the 100+ FACA Committee's at Interior.

Bottom line, for now we are all set.

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Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Patrick Field
> Managing Director
> Consensus Building Institute
> 617-844-1118
> pfield@cbuilding.org

Label: "FOIA EITI"

Created by:greg.gould@onrr.gov

Total Messages in label:370 (41 conversations)

Created: 11-30-2017 at 14:42 PM

Conversation Contents

USEITI co-chairs meeting summary

Attachments:

/5. USEITI co-chairs meeting summary/1.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx
/5. USEITI co-chairs meeting summary/3.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170516).docx
/5. USEITI co-chairs meeting summary/18.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170519).docx
/5. USEITI co-chairs meeting summary/38.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v3 (170523).docx
/5. USEITI co-chairs meeting summary/41.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v4 (170526).docx
/5. USEITI co-chairs meeting summary/46.1 image001.png
/5. USEITI co-chairs meeting summary/46.2 image002.png
/5. USEITI co-chairs meeting summary/47.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v5 (170530).docx
/5. USEITI co-chairs meeting summary/63.1 USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v6 (170612).docx

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Thu May 18 2017 11:37:20 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Veronika Kohler <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	USEITI co-chairs meeting summary
Attachments:	USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute

716-907-2868
tkansal@cbuilding.org

"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Thu May 18 2017 11:44:36 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Veronika Kohler <VKohler@nma.org>
Subject:	Re: USEITI co-chairs meeting summary

Thank you Tushar!

On Thu, May 18, 2017 at 1:37 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
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> --
>
> Tushar Kansal
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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Kohler, Veronika" <VKohler@nma.org>

From:	"Kohler, Veronika" <VKohler@nma.org>
Sent:	Thu May 18 2017 12:07:54 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, "Wilson, Judith"

	<judith.wilson@onrr.gov>
Subject:	RE: USEITI co-chairs meeting summary
Attachments:	USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170516).docx

What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.

These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

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716-907-2868
tkansal@cbuilding.org
--

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716-907-2868
tkansal@cbuilding.org

"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Thu May 18 2017 12:32:42 GMT-0600 (MDT)
To:	"Kohler, Veronika" <VKohler@nma.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

I don't recall any discussion or option regarding an additional validation request, neither does Greg.

I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.

One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>
> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
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> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
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> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Thursday, May 18, 2017 1:37 PM
> **To:** Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
> **Subject:** USEITI co-chairs meeting summary
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> Tushar Kansal
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> --
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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Thu May 18 2017 15:59:13 GMT-0600 (MDT)
To:	"Wilson, Judith" <judith.wilson@onrr.gov>
CC:	"Kohler, Veronika" <VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>
Subject:	Re: USEITI co-chairs meeting summary

Thanks for your comments, Veronika and Judy.

I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

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Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Kohler, Veronika" <VKohler@nma.org>

From:	"Kohler, Veronika" <VKohler@nma.org>
Sent:	Thu May 18 2017 17:24:28 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>
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Veronika Kohler Shime
Vice President, International Policy
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Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Thu May 18 2017 19:17:11 GMT-0600 (MDT)
To:	"Kohler, Veronika" <VKohler@nma.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>
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All

Just to add in on Veronika's last point where I concur, we did have several conversations that mainstreaming reconciliation was not to forego reconciliation, but to recognize, perhaps with some minor adjustments, the combination of processes and procedures at ONRR plus the independent auditor of ONRR's work, add up to the same or better. We haven't reviewed the final mainstreaming report, but it maybe the independent auditor that already exists for ONRR functions in general could or would be the IA for this function.

Patrick Field
Managing Director
Consensus Building Institute
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pfield@cbuilding.org

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Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Fri May 19 2017 05:25:07 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Veronika Kohler <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

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Danielle Brian
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202-347-1122

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> <USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v1 (170516).docx>

"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Fri May 19 2017 05:35:12 GMT-0600 (MDT)
To:	"Kohler, Veronika" <VKohler@nma.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>
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Thank you VK that clears it up. I agree the point of the IA not doing a reconciliation is that it is redundant of the audit/assurances and external audit reconciliation processes the government has already in place. It is an important point to include.

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Danielle, please let me know if there is anything I can do for you and the family!

Regarding the last point, I think Tushar is accurate. I heard, the secretariat had the exact opposite opinion of the cso. Jonas mAde it very clear that he thought details about why we were withdrawing would be very bad and that we should focus on the positive and progress. Yes, cso felt strongly that bullets of why we were withdrawing should be included but I think the secretariat made it clear they advised differently.

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Danielle,
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From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Fri May 19 2017 08:51:20 GMT-0600 (MDT)
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CC:	"Wilson, Judith" <judith.wilson@onrr.gov>, "Kohler, Veronika" <VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>
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Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

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716-907-2868
tkansal@cbuilding.org
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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Kohler, Veronika" <VKohler@nma.org>

From:	"Kohler, Veronika" <VKohler@nma.org>
Sent:	Fri May 19 2017 09:13:33 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>
CC:	"Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>
Subject:	RE: USEITI co-chairs meeting summary

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Sent: Friday, May 19, 2017 10:51 AM

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From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Fri May 19 2017 09:27:06 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>, Pat Field <pfield@cbuilding.org>
CC:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, "Kohler, Veronika" <VKohler@nma.org>
Subject:	Re: USEITI co-chairs meeting summary

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Sent:	Fri May 19 2017 09:33:14 GMT-0600 (MDT)
To:	"Kohler, Veronika" <VKohler@nma.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>
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To:	"Gould, Greg" <Greg.Gould@onrr.gov>
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Subject:	Re: USEITI co-chairs meeting summary

Can I request including Isabel in this conversation to handle this on behalf of CSO's?

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

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716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Fri May 19 2017 09:42:31 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>
CC:	"Kohler, Veronika" <VKohler@nma.org>, Tushar Kansal <tkansal@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>
Subject:	Re: USEITI co-chairs meeting summary

Of course, adding her now, please focus on (b) (6)

Isabel, see below.

Greg

Gregory J. Gould

Director

Office of Natural Resources Revenue
U.S. Department of the Interior

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Can I request including Isabel in this conversation to handle this on behalf of CSO's?

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Executive Director
Project On Government Oversight (POGO)
202-347-1122

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Subject:	Re: USEITI co-chairs meeting summary
Attachments:	USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170519).docx

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I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*

With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:

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The distinction between my list and Greg's list is particularly around Option #2: *The International*

EITI Board could create a new path for USEITI to continue under different requirements / protocols. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

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Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

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tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

Tushar Kansal <tkansal@cbuilding.org>

From: Tushar Kansal <tkansal@cbuilding.org>
Sent: Fri May 19 2017 13:20:04 GMT-0600 (MDT)

To: "Gould, Greg" <greg.gould@onrr.gov>

CC: Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Kohler, Veronika" <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Great, thanks much, Greg.

Tushar

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tkansal@cbuilding.org

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> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
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> Greg
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>
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To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Kohler, Veronika" <VKohler@nma.org>, Pat Field <pfield@cbuilding.org>
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Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

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> > **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> > **Subject:** Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

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Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

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>> **Subject:** USEITI co-chairs meeting summary
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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Fri May 19 2017 13:38:57 GMT-0600 (MDT)
To:	"Kohler, Veronika" <VKohler@nma.org>
CC:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>
Subject:	Re: USEITI co-chairs meeting summary

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have

discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.

- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

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>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:

1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
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3) Mainstreaming of USEITI reporting into US government reporting
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The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

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On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
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>
> *Gregory J. Gould*
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> *Director*
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> >
> > Danielle Brian
> > Executive Director
> > Project On Government Oversight (POGO)
> > 202-347-1122
> >
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

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Judy Wilson
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Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Wilson, Judith" <judith.wilson@onrr.gov>

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Sent:	Fri May 19 2017 13:51:54 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Kohler, Veronika" <VKohler@nma.org>, "Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, Pat Field <pfield@cbuilding.org>
Subject:	Re: USEITI co-chairs meeting summary

My recollection is consistent with Tushar's.

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Subject: Re: USEITI co-chairs meeting summary

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Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
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Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

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Subject: USEITI co-chairs meeting summary

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202-208-4410

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"Kohler, Veronika" <VKohler@nma.org>

From:	"Kohler, Veronika" <VKohler@nma.org>
Sent:	Fri May 19 2017 13:57:31 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Pat Field <pfield@cbuilding.org>
Subject:	RE: USEITI co-chairs meeting summary

I think my point is addressed/clarified in your second bullet and we should somehow find a way for this info to be included in the summary. Perhaps stating somewhere that all of these options were identified by the secretariat for the cochairs and then we discussed….the point being that the secretariat identified these options for us, we did not come up with them but then just discussed.

My recollection about the adapted implementation request is different, as per my original bullets 2 and 3 out of the 5 I sent below. If no one sees that these are separate options that then I can agree to move forward with just the one. I liked Greg's suggestions below about combining them, but leave it up to all of you

- USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 19, 2017 3:39 PM
To: Kohler, Veronika <VKohler@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
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open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
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> **Subject:** Re: USEITI co-chairs meeting summary
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> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
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> *Director*
> *Office of Natural Resources Revenue*
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> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*

3) Mainstreaming of USEITI reporting into US government reporting
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The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

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>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
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> > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
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> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
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> Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.
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Judy Wilson
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Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Fri May 19 2017 15:10:27 GMT-0600 (MDT)
To:	"Wilson, Judith" <judith.wilson@onrr.gov>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, Pat Field <pfield@cbuilding.org>
Subject:	Re: USEITI co-chairs meeting summary

That's my recollection as well.

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Tushar
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> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
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From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

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202-208-4410

--
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judith.wilson@onrr.gov
202-208-4410

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Mon May 22 2017 08:24:55 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
CC:	"Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, Pat Field <pfield@cbuilding.org>
Subject:	Re: USEITI co-chairs meeting summary

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> *Director*
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- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
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Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

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> Danielle Brian
> Executive Director
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> 202-347-1122
>
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> > **To:** Tushar Kansal <tkansal@cbuilding.org>
> > **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> > **Subject:** Re: USEITI co-chairs meeting summary
> >
> > Danielle, so sorry to hear about your [redacted], my thoughts and prayers are with you and your family.
> >
> > I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

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Option 3 was discussed as the preferred option.

Thanks,

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
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Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Kohler, Veronika" <VKohler@nma.org>

From:	"Kohler, Veronika" <VKohler@nma.org>
Sent:	Mon May 22 2017 09:30:47 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>
CC:	"Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, Pat Field <pfield@cbuilding.org>
Subject:	RE: USEITI co-chairs meeting summary

Glad to hear he is home now.

I am not aware of the conversation being taken off line. I have not heard anything since the last email. What is the status?

From: Danielle Brian [mailto:dbrian@pogo.org]
Sent: Monday, May 22, 2017 10:25 AM
To: Gould, Greg <greg.gould@onrr.gov>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Tushar Kansal <tkansal@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Pat Field <pfield@cbuilding.org>
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> **Subject:** Re: USEITI co-chairs meeting summary
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> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
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Office of Natural Resources Revenue
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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
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> Tushar
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> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
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options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

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> **Sent:** Thursday, May 18, 2017 1:37 PM
> **To:** Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
> **Subject:** USEITI co-chairs meeting summary
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> All,
> Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.
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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

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--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Mon May 22 2017 09:32:30 GMT-0600 (MDT)
To:	"Kohler, Veronika" <VKohler@nma.org>
CC:	Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, "Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>
Subject:	Re: USEITI co-chairs meeting summary

Tushar

Can you let folks know where the summary stands?

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 22, 2017, at 11:30 am, Kohler, Veronika <VKohler@nma.org> wrote:

Glad to hear he is home now.

I am not aware of the conversation being taken off line. I have not heard anything since the last email. What is the status?

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Subject: Re: USEITI co-chairs meeting summary

hello all - Thank you for your patience with me. I'm back in the office. My (b) (6) is home now with (b) (6) [redacted]. Has this been resolved? I didn't see Isabel weighing in, but I realize this may have been taken off-line.

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All,
I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*

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1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

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On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

Of course, adding her now, please focus on [redacted] (b) (6)

Isabel, see below.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

Can I request including Isabel in this conversation to handle this on behalf of CSO's?

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying

new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

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Office of Natural Resources Revenue
U.S. Department of the Interior

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Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Mon May 22 2017 09:40:23 GMT-0600 (MDT)
To:	"Kohler, Veronika" <VKohler@nma.org>
CC:	Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, "Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>
Subject:	Re: USEITI co-chairs meeting summary

All

Tushar's on vacation but should be available by cell on Tuesday. I'll reach out to check in on status.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

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Subject: Re: USEITI co-chairs meeting summary

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Gregory J. Gould

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
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> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
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> Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.
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> Option 3 was discussed as the preferred option.
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> Thanks,
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> Greg
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> **Sent:** Thursday, May 18, 2017 1:37 PM
> **To:** Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

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--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Mon May 22 2017 09:43:58 GMT-0600 (MDT)
To:	Pat Field <pfield@cbuilding.org>
CC:	"Kohler, Veronika" <VKohler@nma.org>, Danielle Brian <dbrian@pogo.org>, "Gould, Greg" <greg.gould@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>

Subject: Re: USEITI co-chairs meeting summary

Thank you Pat. I'm not aware of any offline conversations regarding the summary and I also have no e-mails from Isabelle weighing in after VKs e-mail.

On Mon, May 22, 2017 at 11:40 AM, Pat Field <pfield@cbuilding.org> wrote:

All

Tushar's on vacation but should be available by cell on Tuesday. I'll reach out to check in on status.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 22, 2017, at 11:30 am, Kohler, Veronika <VKohler@nma.org> wrote:

Glad to hear he is home now.

I am not aware of the conversation being taken off line. I have not heard anything since the last email. What is the status?

From: Danielle Brian [mailto:dbrian@pogo.org]
Sent: Monday, May 22, 2017 10:25 AM
To: Gould, Greg <greg.gould@onrr.gov>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Tushar Kansal <tkansal@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

hello all - Thank you for your patience with me. I'm back in the office. My [redacted] (b) (6) is home now with [redacted] (b) (6). Has this been resolved? I didn't see Isabel weighing in, but I realize this may have been taken off-line.

On Fri, May 19, 2017 at 5:10 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

That's my recollection as well.

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 3:51 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

My recollection is consistent with Tushar's.

On Fri, May 19, 2017 at 3:38 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
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> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
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> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.
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> Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.
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> > Of course, adding her now, please focus on (b) (6)
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> > Isabel, see below.
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> Danielle Brian
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Subject: Re: USEITI co-chairs meeting summary

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Pat Field <pfield@cbuilding.org>

From:	Pat Field <pfield@cbuilding.org>
Sent:	Mon May 22 2017 09:46:45 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Kohler, Veronika" <VKohler@nma.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

All

For what it is worth, the last correspondence I have from Tushar, looking for comments for his revision to see if ok to proceed to include and then to send on to the Sectors.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
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Office of Natural Resources Revenue
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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
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Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

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implementation request (taxes and subnational)

5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

<USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v2 (170519).docx>

Pat Field <pfield@cbuilding.org>

From: Pat Field <pfield@cbuilding.org>
Sent: Mon May 22 2017 09:48:05 GMT-0600 (MDT)

To: Tushar Kansal <tkansal@cbuilding.org>

CC: "Kohler, Veronika" <VKohler@nma.org>, "Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All

One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

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Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

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>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
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> >
> > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
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> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
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> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
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> Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.
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> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:
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> 1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
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> Option 3 was discussed as the preferred option.
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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Mon May 22 2017 12:41:42 GMT-0600 (MDT)
To:	Pat Field <pfield@cbuilding.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, "Gould, Greg" <greg.gould@onrr.gov>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.

On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:

> All
>
> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>
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> ---
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>> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
>> **Sent:** Thursday, May 18, 2017 1:37 PM
>> **To:** Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
>> **Subject:** USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

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Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Gould, Greg" <greg.gould@onrr.gov>

From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Mon May 22 2017 13:15:04 GMT-0600 (MDT)
To: Danielle Brian <dbrian@pogo.org>
CC: Pat Field <pfield@cbuilding.org>, Tushar Kansal <tkansal@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> > Patrick Field
> > Managing Director
> > Consensus Building Institute
> > 617-844-1118
> > pfield@cbuilding.org
> >
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> >
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- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
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Tushar Kansal
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716-907-2868
tkansal@cbuilding.org

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> **Subject:** Re: USEITI co-chairs meeting summary
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> Greg
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
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>>> **Sent:** Friday, May 19, 2017 10:51 AM
>>> **To:** Tushar Kansal <tkansal@cbuilding.org>
>>> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
>>> **Subject:** Re: USEITI co-chairs meeting summary
>>>
>>> Danielle, so sorry to hear about your (b) (6), my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
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Option 3 was discussed as the preferred option.

Thanks,

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego

independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

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Subject: USEITI co-chairs meeting summary

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judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Mon May 22 2017 13:16:09 GMT-0600 (MDT)
To:	<greg.gould@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

Hello, I'm out of the office until Tuesday, May 30, 2017 and will respond to your email at that time. If you need assistance in the meantime, please contact Sofia Soto Reyes at ssotoreyes@cbuilding.org. Thanks, Tushar

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Mon May 22 2017 21:26:28 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
CC:	Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

All,
I'll take care of this tomorrow (Tuesday) morning.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
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On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:

All

One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

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> **To:** Tushar Kansal <tkansal@cbuilding.org>
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Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
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>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

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> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
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>>
>> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
>> **Sent:** Thursday, May 18, 2017 1:37 PM
>> **To:** Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
>> **Subject:** USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

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Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

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716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Tue May 23 2017 12:20:14 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
CC:	Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary
Attachments:	USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v3 (170523).docx

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6). I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

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> All,
> I'll take care of this tomorrow (Tuesday) morning.
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>>
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My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.

On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:

All

One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
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a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
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On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

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> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
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> >
> > With regards to the options discussed at the meeting, I recall the options on

the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:

1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on [redacted].
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
>> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>>
>> Danielle Brian
>> Executive Director
>> Project On Government Oversight (POGO)

202-347-1122

On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your [redacted] (b) (6), my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:
>
> 1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
> 2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting,

subnational, and beneficial ownership.

3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

_____

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

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Judy Wilson
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202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Judith Wilson <judith.wilson@onrr.gov>

From:	Judith Wilson <judith.wilson@onrr.gov>
Sent:	Tue May 23 2017 12:29:43 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>, "Gould, Greg" <greg.gould@onrr.gov>
CC:	Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Isabel Munilla <IMunilla@oxfamamerica.org>
Subject:	RE: USEITI co-chairs meeting summary

Thank you so much Tushar.

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: Tushar Kansal <tkansal@cbuilding.org>
Date: 5/23/17 12:23 PM (GMT-07:00)
To: "Gould, Greg" <greg.gould@onrr.gov>
Cc: Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>, "Kohler, Veronika" <VKohler@nma.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
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Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

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Best,
Tushar

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Consensus Building Institute

716-907-2868
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> > > >
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> > > > Patrick Field
> > > > Managing Director
> > > > Consensus Building Institute
> > > > 617-844-1118
> > > > pfield@cbuilding.org
> > > >
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> tkansal@cbuilding.org
>
> On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
> > Of course, adding her now, please focus on (b) (6).
> >
> > Isabel, see below.
> >
> > Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> ---
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:
>>
>>> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out

in writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your [redacted] (b) (6), my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the

five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
> > What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
> >
> > These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue

judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Shime, Veronika" <vshime@nma.org>

From:	"Shime, Veronika" <vshime@nma.org>
Sent:	Wed May 24 2017 09:07:47 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>, "Gould, Greg" <greg.gould@onrr.gov>
CC:	Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	RE: USEITI co-chairs meeting summary

I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.

I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was

the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <greg.gould@onrr.gov>
Cc: Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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communication is strictly proh bited. If you have received this communication in error, please notify the sender immediately by return e-mail.

On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>
>> All
>>
>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>
>> Patrick Field
>> Managing Director
>> Consensus Building Institute
>> 617-844-1118
>> pfield@cbuilding.org
>>
>>> On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>>
>>> Hi All,
>>> Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:
>>>
>>> - Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
>>> - Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).
>>>
>>> Best,
>>> Tushar
>>>
>>> Tushar Kansal
>>> Consensus Building Institute
>>> 716-907-2868
>>> tkansal@cbuilding.org
>>>
>>> On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
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>
> On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
> > Can I request including Isabel in this conversation to handle this on behalf of CSO's?
> >
> > Danielle Brian
> > Executive Director
> > Project On Government Oversight (POGO)
> > 202-347-1122
> >
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> > >
> > > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
> > >
> > > Greg
> > >
> > > *Gregory J. Gould*
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> > > *Office of Natural Resources Revenue*

U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your [redacted] (b) (6), my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:
>
> 1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
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> 3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.
>
> Option 3 was discussed as the preferred option.
>
> Thanks,
>
> Greg
>
> *Gregory J. Gould*

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
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> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:
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>> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
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>>
>> One thing to clarify also is as I

understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>
> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
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> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
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> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Thursday, May 18, 2017 1:37 PM
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> **Subject:** USEITI co-chairs meeting summary
>
> All,
> Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Tushar Kansal <tkansal@cbuilding.org>

From: Tushar Kansal <tkansal@cbuilding.org>
Sent: Fri May 26 2017 12:31:05 GMT-0600 (MDT)
To: "Shime, Veronika" <vshime@nma.org>

CC:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary
Attachments:	USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v4 (170526).docx

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
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> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
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>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
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>>
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>>>
>>> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>>>
>>>> All
>>>>
>>>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>>>
>>>> Patrick Field
>>>> Managing Director
>>>> Consensus Building Institute
>>>> 617-844-1118
>>>> pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
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> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
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> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
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> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.
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> Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.
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>> Of course, adding her now, please focus on (b) [redacted]
>>
>> Isabel, see below.
>>
>> Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
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>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
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>>>
>>> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]

Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request"

in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue

judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Shime, Veronika" <vshime@nma.org>

From:	"Shime, Veronika" <vshime@nma.org>
Sent:	Fri May 26 2017 12:56:00 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	RE: USEITI co-chairs meeting summary

Hi,

I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.

The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith

<judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
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we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.

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Patrick Field
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pfield@cbuilding.org

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Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

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Office of Natural Resources Revenue
U.S. Department of the Interior

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Subject: Re: USEITI co-chairs meeting summary

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I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:
>
>> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
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>> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
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>> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>>
>> On Thu, May 18, 2017 at 2:07 PM, Kohler,

Veronika <VKohler@nma.org> wrote:

What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.

These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
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3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--

Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Fri May 26 2017 13:03:44 GMT-0600 (MDT)
To:	"Shime, Veronika" <vshime@nma.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

My memory is that Jonas said the opposite: that in fact it was important to have very short

bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

> Hi,
>
> I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
>
> The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
>
> Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
>
> veronika
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Friday, May 26, 2017 2:31 PM
> **To:** Shime, Veronika <vshime@nma.org>
> **Cc:** Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Hi All,
> Revised version attached. Please let me know if any additional concerns.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:
>
>> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is

quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.

I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <greg.gould@onrr.gov>
Cc: Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.

On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:

All

One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal

Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:
>
> > All,
> > I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
> >
> > With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
> >
> > *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> > *2) The International EITI Board could create a new path for USEITI to*

continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) [redacted]
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
> >
> > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our

preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your (b)(6) my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:
>
> 1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
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Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
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> Tushar
>
> Tushar Kansal
> Consensus Building Institute

716-907-2868
tkansal@cbuilding.org

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> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
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Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

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Tushar

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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Greg Gould <greg.gould@onrr.gov>

From:	Greg Gould <greg.gould@onrr.gov>
Sent:	Fri May 26 2017 13:09:41 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>
CC:	"Shime, Veronika" <vshime@nma.org>, Tushar Kansal <tkansal@cbuilding.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

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Hi,

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The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

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>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
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> > All,
> > I'll take care of this tomorrow (Tuesday) morning.
> >
> > Tushar
> >
> > Tushar Kansal
> > Consensus Building Institute
> > 716-907-2868
> > tkansal@cbuilding.org

On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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One more after the one I just sent. If we need a call, let me know and we'll schedule it.

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Managing Director
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617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move

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Tushar

Tushar Kansal
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tkansal@cbuilding.org

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>
> **Subject:** Re: USEITI co-chairs meeting summary
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> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
>
> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.
>
> Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Of course, adding her now, please focus on (b) [redacted]
>>
>> Isabel, see below.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> _____
>> *Director*

Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> ---
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:
>>
>>> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the

same page before sending anything out in writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith

<judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>>
>> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
>> 2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)

3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue

judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Shime, Veronika" <vshime@nma.org>

From:	"Shime, Veronika" <vshime@nma.org>
Sent:	Fri May 26 2017 16:14:54 GMT-0600 (MDT)
To:	Jonas Moberg <JMoberg@eiti.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>
Subject:	Re: USEITI co-chairs meeting summary

Dear Jonas,

I hope this email finds you well. We seem to have some differing memories about your advice on the withdrawal letter. Would you mind clarifying what your advice for the withdrawal letter was?

Veronika Kohler Shime
Vice President, International Policy
Ph. 202.463.2626
Fax. 202.463.2648

On May 26, 2017, at 3:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
> >
> > Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
> >
> > veronika
> >
> > **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> > **Sent:** Friday, May 26, 2017 2:31 PM
> > **To:** Shime, Veronika <vshime@nma.org>
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> >
> > **Subject:** Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

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716-907-2868
tkansal@cbuilding.org

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> *Gregory J. Gould*

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.
>
> Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

Of course, adding her now, please focus on (b) (6)

Isabel, see below.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
> >
> > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
> >
> > Greg
> >
> > *Gregory J. Gould*
> >
> > ---
> >
> > *Director*
> > *Office of Natural Resources Revenue*
> > *U.S. Department of the Interior*
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> >
> > On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) [redacted] my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
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> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>>
>> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)

2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Jonas Moberg <JMoberg@eiti.org>

From: Jonas Moberg <JMoberg@eiti.org>

Sent:	Tue May 30 2017 13:10:33 GMT-0600 (MDT)
To:	"Shime, Veronika" <vshime@nma.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Gould, Greg" <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Danielle Brian <dbrian@pogo.org>, Sam Bartlett <SBartlett@eiti.org>, Eddie Rich <ERich@eiti.org>, Dyveke Rogan <DRogan@eiti.org>
Subject:	RE: USEITI co-chairs meeting summary
Attachments:	image001.png image002.png

Dear Veronika, all,

I am sorry for the delay in responding. Thanks again for taking the time to participate in the meeting.

My advice was and continues to be to keep it simple and short. The reason for this is that what one stakeholder is likely to find positive another stakeholder may find provocative or negative. It is surely inevitable that some blaming will be portioned out after the announcement and the more the letter comments on various aspects the more inviting it will be to comment back.

That is all.

Best wishes,

Jonas

Jonas Moberg
Head of the Secretariat
EITI International Secretariat
Extractive Industries Transparency Initiative

+47 95 81 77 62
jmoberg@eiti.org
www.eiti.org
Twitter: @jonasMoberg1 and @EITIorg
Address: Ruseløkkveien 26, 0251 Oslo, Norway

READ ABOUT THE IMPACT OF THE EITI IN ITS 51 IMPLEMENTING COUNTRIES
EITI 2016 Progress Report: https://eiti.org/files/progressreport.pdf.

From: Shime, Veronika [mailto:vshime@nma.org]
Sent: lørdag 27. mai 2017 00.15
To: Jonas Moberg <JMoberg@eiti.org>
Cc: Tushar Kansal <tkansal@cbuilding.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>; Danielle Brian <dbrian@pogo.org>
Subject: Re: USEITI co-chairs meeting summary

Dear Jonas,

I hope this email finds you well. We seem to have some differing memories about your advice on the withdrawal letter. Would you mind clarifying what your advice for the withdrawal letter was?

Veronika Kohler Shime
Vice President, International Policy
Ph. 202.463.2626
Fax. 202.463.2648

On May 26, 2017, at 3:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on.~~

~~Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
> > Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
> >
> > Greg
> >
> > *Gregory J. Gould*
> >
> > *Director*
> > *Office of Natural Resources Revenue*
> > *U.S. Department of the Interior*
> >
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> >
> > On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:
> >
> > > My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
> > >
> > > On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
> > >
> > > > All
> > > >
> > > > One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla

<lMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
>
> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) [redacted]
>
> Isabel, see below.
>
> Greg
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> *Gregory J. Gould*
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>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
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> > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
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> > Greg
> >
> > *Gregory J. Gould*
> >
> > *Director*
> > *Office of Natural Resources Revenue*

U.S. Department of the Interior

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> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
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> **To:** Tushar Kansal <tkansal@cbuilding.org>
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> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:
>
> 1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
> 2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
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progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
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> Finally, your line edits mostly look

good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

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> > These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
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3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
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716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

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1100 G Street NW, Washington DC 20005
202.347.1122

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Tue May 30 2017 13:24:44 GMT-0600 (MDT)
To:	Greg Gould <greg.gould@onrr.gov>
CC:	Danielle Brian <dbrian@pogo.org>, "Shime, Veronika" <vshime@nma.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary
Attachments:	USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v5 (170530).docx

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

> As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
> *(202) 513-0600*
>
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>
> On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:
>
>> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

Hi,

I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.

The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO

want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.

I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector.....not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <greg.gould@onrr.gov>
Cc: Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>
>> All
>>
>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>
>> Patrick Field
>> Managing Director
>> Consensus Building Institute
>> 617-844-1118
>> pfield@cbuilding.org
>>
>>> On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>>
>>> Hi All,
>>> Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:
>>>
>>> - Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
>>> - Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other

OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

All,
I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*

With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:

1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6) [redacted]
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> ---
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:
>>
>>> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in

writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b)(6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director

Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute

716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>>
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Tushar

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tkansal@cbuilding.org
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--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
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202-208-4410

--

Danielle Brian
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Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Shime, Veronika" <vshime@nma.org>

From: "Shime, Veronika" <vshime@nma.org>

Sent:	Thu Jun 01 2017 11:36:48 GMT-0600 (MDT)
To:	Greg Gould <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>
CC:	Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>
Subject:	RE: USEITI co-chairs meeting summary

Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 30, 2017 3:25 PM
To: Greg Gould <greg.gould@onrr.gov>
Cc: Danielle Brian <dbrian@pogo.org>; Shime, Veronika <vshime@nma.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

> As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
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My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

> Hi,
>
> I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
>
> The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
>
> Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
>
> veronika
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Friday, May 26, 2017 2:31 PM
> **To:** Shime, Veronika <vshime@nma.org>
> **Cc:** Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Hi All,
> Revised version attached. Please let me know if any additional concerns.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:
>
> > I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and

ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.

I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector.....not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <greg.gould@onrr.gov>
Cc: Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>
>> All
>>
>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>
>> Patrick Field
>> Managing Director
>> Consensus Building Institute
>> 617-844-1118
>> pfield@cbuilding.org
>>
>>> On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>>
>>> Hi All,
>>> Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:
>>>
>>> - Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
>>> - Option #2 was framed by Sam as something specifically

for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
>
> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.
>
> Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Of course, adding her now, please focus on (b) [redacted]
>>
>> Isabel, see below.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*

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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> ---
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:
>>
>>> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in

writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) [redacted] my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

_

Director

Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute

716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>>
>> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
>> 2. USEITI moves forward with Letter to the board to reaffirming government commitment and

identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Danielle Brian <dbrian@pogo.org>

From: Danielle Brian <dbrian@pogo.org>

Sent:	Fri Jun 02 2017 06:16:24 GMT-0600 (MDT)
To:	"Shime, Veronika" <vshime@nma.org>
CC:	Greg Gould <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Tushar Kansal <tkansal@cbuilding.org>
Subject:	Re: USEITI co-chairs meeting summary

Sure.

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On Jun 1, 2017, at 1:36 PM, Shime, Veronika <vshime@nma.org> wrote:

> Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 30, 2017 3:25 PM
> **To:** Greg Gould <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Shime, Veronika <vshime@nma.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Hi All,
> I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:
>
> > As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
> >
> > Greg
> >
> > *Gregory J. Gould*
> >
> > *Director*
> > *Office of Natural Resources Revenue*
> > *U.S. Department of the Interior*
> > *(202) 513-0600*

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
>> Hi,
>>
>> I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
>>
>> The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
>>
>> Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
>>
>> veronika
>>
>> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
>> **Sent:** Friday, May 26, 2017 2:31 PM
>> **To:** Shime, Veronika <vshime@nma.org>
>> **Cc:** Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
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> **Sent:** Tuesday, May 23, 2017 2:20 PM
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>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.
>
> Best,

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>>> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>>>
>>> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>>>
>>>> All
>>>>
>>>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what

would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension*

from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) [redacted]
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
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>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> ---
>>
>> *Director*
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>>
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>>
>>> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at

the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b)(6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting,

subnational, and beneficial ownership.

3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being

discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov

> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
> > What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
> >
> > These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

1. Voluntary suspension-letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal

letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal

Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--

Judy Wilson
Program Manager
USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Fri Jun 02 2017 22:06:46 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>
CC:	"Shime, Veronika" <vshime@nma.org>, Greg Gould <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

I believe that we've gotten sign-offs from Danielle and Veronika. Greg, could you please let us know if you have any concerns with this version of the meeting summary?

On Friday, June 2, 2017, Danielle Brian <dbrian@pogo.org> wrote:

> Sure.
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
> On Jun 1, 2017, at 1:36 PM, Shime, Veronika <vshime@nma.org> wrote:
>
>> Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?
>>
>> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
>> **Sent:** Tuesday, May 30, 2017 3:25 PM
>> **To:** Greg Gould <greg.gould@onrr.gov>
>> **Cc:** Danielle Brian <dbrian@pogo.org>; Shime, Veronika <vshime@nma.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>> **Subject:** Re: USEITI co-chairs meeting summary
>>
>> Hi All,
>> I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.
>>
>> Best,
>> Tushar
>>
>> Tushar Kansal
>> Consensus Building Institute
>> 716-907-2868
>> tkansal@cbuilding.org
>>
>> On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:
>>
>>> As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
>>>
>>> Greg
>>>
>>> *Gregory J. Gould*

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
>> Hi,
>>
>> I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
>>
>> The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
>>
>> Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
>>
>> veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector.....not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the

decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6). I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:
>>
>>> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the

purview of the government to decide, just want clarity for these minutes.

On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:

All

One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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> > All,
> > I have attached a revised version of the meeting summary that incorporates

Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*

With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:

1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) [redacted]
>
> Isabel, see below.
>
> Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> ---
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your (b) [redacted] my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final

decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG

continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.

One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>
> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>
> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and

identifying how we will continue to be transparent during the suspension. (historically used due to political instability)

2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request

(taxes and subnational)

5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus
Building Institute
716-907-2868
tkansal@cbuilding.org
--

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Building Institute
716-907-2868
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--

Judy Wilson
Program Manager
USEITI
Secretariat
Office of Natural
Resources
Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

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1100 G Street NW, Washington DC 20005
202.347.1122

--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Tue Jun 06 2017 05:31:14 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	"Shime, Veronika" <vshime@nma.org>, Greg Gould <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

Also I see Greg tried to move the co-chair mtg to the 20th which I cannot make as I will be out of town. Could we make it on the 22nd or 23rd?

On Sat, Jun 3, 2017 at 12:06 AM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> I believe that we've gotten sign-offs from Danielle and Veronika. Greg, could you please let us know if you have any concerns with this version of the meeting summary?
>
> On Friday, June 2, 2017, Danielle Brian <dbrian@pogo.org> wrote:
>
> > Sure.
> >
> > Danielle Brian
> > Executive Director
> > Project On Government Oversight (POGO)
> > 202-347-1122
> >
> > On Jun 1, 2017, at 1:36 PM, Shime, Veronika <<a>vshime@nma.org> wrote:
> >
> > > Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?

From: Tushar Kansal [<a>mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 30, 2017 3:25 PM
To: Greg Gould <<a>greg.gould@onrr.gov>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Shime, Veronika <<a>vshime@nma.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <<a>greg.gould@onrr.gov> wrote:

> As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
> *(202) 513-0600*
>
> Warning: This message is intended only for use of the individual or entity to which it is addressed and may contain information that is privileged or confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail.
>
> On May 26, 2017, at 1:04 PM, Danielle Brian <<a>dbrian@pogo.org> wrote:
>
>> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>>
>> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <<a>vshime@nma.org> wrote:
>>
>>> Hi,
>>>
>>> I am not sure what to say because this is turning out to be much

more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.

The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:<a>tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <<a>vshime@nma.org>
Cc: Gould, Greg <<a>greg.gould@onrr.gov>; Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <<a>vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My

suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.

I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto:<a>tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <<a>greg.gould@onrr.gov>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Shime, Veronika <<a>vshime@nma.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Mon, May 22, 2017 at 3:15 PM, Gould, Greg
<<a>greg.gould@onrr.gov> wrote:

> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Mon, May 22, 2017 at 12:41 PM, Danielle Brian
> <<a>dbrian@pogo.org> wrote:
>
> > My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
> >
> > On Mon, May 22, 2017 at 11:48 AM, Pat Field
> > <<a>pfield@cbuilding.org> wrote:
> >
> > > All
> > >
> > > One more after the one I just sent. If we need a call, let me know and we'll schedule it.
> > >
> > > Patrick Field
> > > Managing Director
> > > Consensus Building Institute
> > > 617-844-1118
> > > <a>pfield@cbuilding.org
> > >
> > > On May 19, 2017, at 3:38 pm, Tushar Kansal
> > > <<a>tkansal@cbuilding.org> wrote:
> > >
> > > Hi All,
> > > Here's my take on Veronika's questions.
> > > Please let me know if you see it differently and
> > > we might want to have a quick phone call to

hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:

<a>greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <<a>tkansal@cbuilding.org>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Kohler, Veronika <<a>VKohler@nma.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>; Pat Field <<a>pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set*

up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <<a>greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) [redacted]
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> _____
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <<a>Greg.Gould@onrr.gov> wrote:
>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> _____
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <<a>VKohler@nma.org> wrote:
>>
>>> Thank you! So should we send

Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto: <a>greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <<a>tkansal@cbuilding.org>
Cc: Wilson, Judith <<a>judith.wilson@onrr.gov>; Kohler, Veronika <<a>VKohler@nma.org>; Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) [redacted] my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves

forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).

2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

_____

_____

Director

Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your

option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <<a>judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.

I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.

One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>
> These were

the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.

1. Voluntary suspension-letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
2. USEITI moves forward with Letter to the board to reaffirming government commitment and

identifying new MSG structure necessary for success (presidential or congressional MSG set up)

3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto: <a>tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <<a>dbrian@pogo.org>; Gould, Greg <<a>greg.gould@onrr.gov>; Pat Field <<a>pfield@cbuilding.org>; Kohler, Veronika <<a>VKohler@nma.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
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716-907-2868
<a>tkansal@cbuilding.org
--

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<a>tkansal@c
building.org

--

Judy Wilson
Program
Manager USEITI
Secretariat
Office of
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Resources
Revenue
<a>judith.wilso
n@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

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Danielle Brian
Executive Director

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716-907-2868
tkansal@cbuilding.org

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Shime, Veronika" <vshime@nma.org>

From:	"Shime, Veronika" <vshime@nma.org>
Sent:	Tue Jun 06 2017 06:30:31 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, Greg Gould <greg.gould@onrr.gov>, Pat Field <pfield@cbuilding.org>, "Wilson, Judith" <judith.wilson@onrr.gov>, Isabel Munilla <IMunilla@oxfamamerica.org>
Subject:	Re: USEITI co-chairs meeting summary

I can make the 22 and 23 also am available the next week.

Veronika Kohler Shime
Vice President, International Policy
Ph. 202.463.2626
Fax. 202.463.2648

On Jun 6, 2017, at 7:31 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Also I see Greg tried to move the co-chair mtg to the 20th which I cannot make as I will be out of town. Could we make it on the 22nd or 23rd?
>
> On Sat, Jun 3, 2017 at 12:06 AM, Tushar Kansal <tkansal@cbuilding.org> wrote:

I believe that we've gotten sign-offs from Danielle and Veronika. Greg, could you please let us know if you have any concerns with this version of the meeting summary?

On Friday, June 2, 2017, Danielle Brian <dbrian@pogo.org> wrote:

Sure.

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On Jun 1, 2017, at 1:36 PM, Shime, Veronika <<a>vshime@nma.org> wrote:

Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?

From: Tushar Kansal [<a>mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 30, 2017 3:25 PM
To: Greg Gould <<a>greg.gould@onrr.gov>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Shime, Veronika <<a>vshime@nma.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <<a>greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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entity to which it is addressed and may contain information that is privileged or confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail.

On May 26, 2017, at 1:04 PM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <<a>vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
> >
> > Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend.

If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:<a>tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <<a>vshime@nma.org>
Cc: Gould, Greg <<a>greg.gould@onrr.gov>; Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <<a>vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto: <a>tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM

To: Gould, Greg <<a>greg.gould@onrr.gov>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Shime, Veronika <<a>vshime@nma.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> <a>tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <<a>greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*

U.S. Department of the Interior

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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <<a>pfield@cbuilding.org> wrote:
>
>> All
>>
>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>
>> Patrick Field
>> Managing Director
>> Consensus Building Institute
>> 617-844-1118
>> <a>pfield@cbuilding.org
>>
>>> On May 19, 2017, at 3:38 pm, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:
>>>
>>> Hi All,
>>> Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:
>>>
>>> - Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that

the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.

- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that

the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto: <a>greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <<a>tkansal@cbuilding.org>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Kohler, Veronika <<a>VKohler@nma.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>; Pat Field <<a>pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

_____

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <<a>tkansal@cbuilding.org>

wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
>
> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <<a>greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) [redacted]
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
> Warning: This message is intended only for use of the individual or entity to which it is addressed and may contain information that is privileged or confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distr bution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail.

On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director

Project On Government Oversight (POGO)
202-347-1122

On May 19, 2017, at 11:33 AM, Gould, Greg <<a>Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

_____
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Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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recipient or the employee or agent respons ble for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return e-mail.

On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the

cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto: <a>greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <<a>tkansal@cbuilding.org>
Cc: Wilson, Judith <<a>judith.wilson@onrr.gov>; Kohler, Veronika <<a>VKohler@nma.org>; Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>
Subject: Re: USEITI

co-chairs meeting summary

Danielle, so sorry to hear about your (b) [redacted] my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. US EITI moves forward with Letter to the board to reaffirming government

ment commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).

2. USEITI moves forward with mainstreaming highlighting current succes

ses, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.

3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will con

tinue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

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Director
Office of Natural Resources Revenue
U.S. Departme nt of the Interior

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On Thu, May 18,

2017 at 5:59 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request

" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being

discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree

that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <<a>judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option rega

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presidential or congressional MSG setup)

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progress made and what will continue.

From: Tushar Kansal [mailto:<a>tkansal@cbuilding.org]
Se

nt: Thursday, May 18, 2017 1:37 PM **To:** Danielle Brian <<a>dbrian@pogo.org>; Gould, Greg <<a>greg.gould@onrr.gov>; Pat Field <<a>pfield

@cbuilding.org>; Kohler, Veronika <<a>VKohler@nma.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>
Subject: US EITI co-chairs meetin

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is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal Consensus Building Institute 716-907-2868 <a>tkansal@cbuilding.org

--

Tushar Kansal Consensus Building Institute 716-907-2868 <a

>tkansal@cbuilding.org

--
Judy Wilson Program Manager USEITI Secretariat Office of Natural Resources Revenue <a>judith.wilson@onrr.gov 202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Gould, Greg" <greg.gould@onrr.gov>

From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Tue Jun 06 2017 07:52:56 GMT-0600 (MDT)

To: Tushar Kansal <tkansal@cbuilding.org>

CC: Danielle Brian <dbrian@pogo.org>, "Shime, Veronika" <vshime@nma.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Sorry for the delay, I'm all set with the meeting summary.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, Jun 2, 2017 at 10:06 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> I believe that we've gotten sign-offs from Danielle and Veronika. Greg, could you please let us know if you have any concerns with this version of the meeting summary?
>
> On Friday, June 2, 2017, Danielle Brian <dbrian@pogo.org> wrote:
>
> > Sure.
> >
> > Danielle Brian
> > Executive Director
> > Project On Government Oversight (POGO)
> > 202-347-1122
> >
> > On Jun 1, 2017, at 1:36 PM, Shime, Veronika <<a>vshime@nma.org> wrote:
> >
> > > Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?
> > >
> > > **From:** Tushar Kansal [<a>mailto:tkansal@cbuilding.org]
> > > **Sent:** Tuesday, May 30, 2017 3:25 PM
> > > **To:** Greg Gould <<a>greg.gould@onrr.gov>
> > > **Cc:** Danielle Brian <<a>dbrian@pogo.org>; Shime, Veronika <<a>vshime@nma.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>
> > > **Subject:** Re: USEITI co-chairs meeting summary
> > >
> > > Hi All,
> > > I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <<a>greg.gould@onrr.gov> wrote:

> As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
> *(202) 513-0600*
>
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>
> On May 26, 2017, at 1:04 PM, Danielle Brian <<a>dbrian@pogo.org> wrote:
>
>> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>>
>> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <<a>vshime@nma.org> wrote:
>>
>>> Hi,
>>>
>>> I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
>>>
>>> The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually

strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:<a>tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <<a>vshime@nma.org>
Cc: Gould, Greg <<a>greg.gould@onrr.gov>; Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <<a>vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.

I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector.....not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto:<a>tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <<a>greg.gould@onrr.gov>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Shime, Veronika <<a>vshime@nma.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your [redacted] (b) (6). I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> <a>tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <<a>greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <<a>pfield@cbuilding.org> wrote:
>
> > All
> >
> > One more after the one I just sent. If we need a call, let me know and we'll schedule it.
> >
> > Patrick Field
> > Managing Director
> > Consensus Building Institute
> > 617-844-1118
> > <a>pfield@cbuilding.org
> >
> > On May 19, 2017, at 3:38 pm, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:
> >
> > Hi All,
> > Here's my take on Veronika's questions.
> > Please let me know if you see it differently and we might want to have a quick phone call to hash this out:
> >
> > - Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that

"mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.

- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto: <a>greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <<a>tkansal@cbuilding.org>
> **Cc:** Danielle Brian <<a>dbrian@pogo.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Kohler, Veronika <<a>VKohler@nma.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>; Pat Field <<a>pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting

summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could*

create a new path for USEITI to continue under different requirements / protocols. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <<a>greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) [redacted]
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> _____
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <<a>dbrian@pogo.org> wrote:
>
> > Can I request including Isabel in this conversation to handle this on behalf of CSO's?
> >
> > Danielle Brian
> > Executive Director
> > Project On Government Oversight (POGO)

202-347-1122

On May 19, 2017, at 11:33 AM, Gould, Greg <<a>Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary

as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto: <a>greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <<a>tkansal@cbuilding.org>
Cc: Wilson, Judith <<a>judith.wilson@onrr.gov>; Kohler, Veronika <<a>VKohler@nma.org>; Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b)(6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success

(presidential or congressional MSG set up).

2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distr bution, or copying of this communication is strictly proh bited. If you have received this communication in error, please notify the sender immediately by return e-mail.

On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <<a>judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to

clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>
> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>
> 1. Voluntary

suspension-letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)

2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congres

sional MSG set up)

3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto: <a>tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <<a>dbrian@pogo.org>;

Gould, Greg <<a>greg.gould@onrr.gov>; Pat Field <<a>pfield@cbuilding.org>; Kohler, Veronika <<a>VKohler@nma.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

--

Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
<a>judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Tue Jun 06 2017 10:02:26 GMT-0600 (MDT)
To:	"Shime, Veronika" <vshime@nma.org>, Danielle Brian <dbrian@pogo.org>
Subject:	Re: USEITI co-chairs meeting summary

I moved the meeting to 2:00 on the 22nd. Do you want the meeting to be just the 3 of us, or do you want to include others?

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Tue, Jun 6, 2017 at 6:30 AM, Shime, Veronika <vshime@nma.org> wrote:

> I can make the 22 and 23 also am available the next week.
>
> Veronika Kohler Shime
> Vice President, International Policy
> Ph. 202.463.2626
> Fax. 202.463.2648
>
> On Jun 6, 2017, at 7:31 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
>> Also I see Greg tried to move the co-chair mtg to the 20th which I cannot make as I will be out of town. Could we make it on the 22nd or 23rd?
>>
>> On Sat, Jun 3, 2017 at 12:06 AM, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>> I believe that we've gotten sign-offs from Danielle and Veronika. Greg, could you please let us know if you have any concerns with this version of the meeting

summary?

On Friday, June 2, 2017, Danielle Brian <dbrian@pogo.org> wrote:

Sure.

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

On Jun 1, 2017, at 1:36 PM, Shime, Veronika <<a>vshime@nma.org> wrote:

Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?

From: Tushar Kansal [<a>mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 30, 2017 3:25 PM
To: Greg Gould <<a>greg.gould@onrr.gov>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Shime, Veronika <<a>vshime@nma.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>
Subject: Re: USEITI co-chairs meeting summary

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <<a>greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <<a>vshime@nma.org> wrote:
>
>> Hi,
>>
>> I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
>>
>> The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
>>
>> Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has

changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto: <a>tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <<a>vshime@nma.org>
Cc: Gould, Greg <<a>greg.gould@onrr.gov>; Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <<a>vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto: <a>tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <<a>greg.gould@onrr.gov>
Cc: Danielle Brian <<a>dbrian@pogo.org>; Pat Field <<a>pfield@cbuilding.org>; Shime, Veronika <<a>vshime@nma.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> <a>tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <<a>greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <<a>pfield@cbuilding.org> wrote:
>
> > All
> >
> > One more after the one I just sent. If we need a call, let me know and we'll schedule it.
> >
> > Patrick Field
> > Managing Director
> > Consensus Building Institute
> > 617-844-1118
> > <a>pfield@cbuilding.org
> >
> > On May 19, 2017, at 3:38 pm, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:
> >
> > Hi All,
> > Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:
> >
> > - Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short

term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25

PM, Kohler, Veronika <<a>VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto: <a>greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <<a>tkansal@cbuilding.org>
> **Cc:** Danielle Brian <<a>dbrian@pogo.org>; Isabel Munilla <<a>IMunilla@oxfamamerica.org>; Kohler, Veronika <<a>VKohler@nma.org>; Wilson, Judith <<a>judith.wilson@onrr.gov>; Pat Field <<a>pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> _____
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <<a>tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is

particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
<a>tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <<a>greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <<a>dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
>> On May 19, 2017, at 11:33 AM, Gould, Greg <<a>Greg.Gould@onrr.gov> wrote:
>>
>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>>
>> Greg

Gregory J. Gould

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Director
Office of Natural Resources Revenue
U.S. Departme nt of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <<a>VKo hler@nm

a.org>
wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just

want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto:<a>greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <<a>tkansal@cbuilding.org>
Cc: Wilson, Judith <<a>judith.wilson@onrr.gov>; Kohler, Veronika <<a>VKohler@nma.org>; Danielle Brian <<a>dbrian@pogo.o

rg>; Pat Field <<a>pfield@cbuilding.org> **Subject:** Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) [redacted] my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all

pretty much agreed to 3 options:

1. USEIT moves forward with Letter to the board to reaffirming government

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2. USEIT Imoves forward with mainstream in

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3. Withdrawal Lett

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lationontheUSDataPortal,whichhasbecomeaninternationalbestpracticefor

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Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

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Director Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <<a>tkansal @cbuilding.org> wrote:

> Tha nks for your

comments, Veronika and Judy.

I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional

adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your optio

n #4 would involve USE ITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested

deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of

you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal Consensus Building Institute 716-907-2868 <a>tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <<a>judith.wilson@onrr.gov>

wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does

Greg.

I'm not sure your option 4 was a stand alone option, it was discussed though, may be as part of opti

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1. Voluntary suspension-letter approved by

MSG asking for voluntary suspension and identifying how we will con

tinuetobetransparentduringthesuspension.(historicallyused

due to political instability)

2. USEIT Improves forward with Letter to

the board to reaffirming government commitment and identifying ne

wMSGstructurenecessaryforsuccess(presidentialorcongressio

nal MSG setup)

3. USEIT Imoves forward with mainstream ingh ighlight

ingcurrentsuccesses

4. USEITImovesforwardwithanadditionalada

pted implementation request (taxes and subnational)

5. Withdrawal

letter from USG highlighting success, progress made and what will c

ontinue.

From: Tushar Kansal [mailto:<a>tkansal@cbuilding.org] **Se**

nt: Thursday, May 18, 2017 1:37 PM **To:** Danielle Brian <<a>dbrian@pogo.org>

.,Gould,Greg<<a>greg.gould@onrr.gov>.,Patfield<<a>pfield@cbuilding

.org>;Kohler,Veronika<<a>VKohler@nma.org>;Wilson,Judith<<a>judit

h.wilson@onrr.gov>**Subject:** USEITI co-chairs meeting summary

All, I've a

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you'll see, the focus of the summary is on options and next steps. Please let m

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ldingInstitute716-907-2868<a>tkansal@cbuilding.org

--JudyWilsonProgr

amManagerUSEITISecretariatOfficeofNaturalResourcesRevenue<a>judith.wilson@onrr.gov202-208-4410

--

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Executive Director

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1100 G Street NW, Washington DC 20005
202.347.1122

--

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--

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--

Danielle Brian
Executive Director

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"Shime, Veronika" <vshime@nma.org>

From:	"Shime, Veronika" <vshime@nma.org>
Sent:	Tue Jun 06 2017 10:20:48 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>, Danielle Brian <dbrian@pogo.org>
Subject:	RE: USEITI co-chairs meeting summary

Which others were you thinking of? Isn't it usually just us?

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Tuesday, June 06, 2017 12:02 PM
To: Shime, Veronika <vshime@nma.org>; Danielle Brian <dbrian@pogo.org>
Subject: Re: USEITI co-chairs meeting summary

I moved the meeting to 2:00 on the 22nd. Do you want the meeting to be just the 3 of us, or do you want to include others?

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Tue, Jun 6, 2017 at 6:30 AM, Shime, Veronika <vshime@nma.org> wrote:

> I can make the 22 and 23 also am available the next week.
>
> Veronika Kohler Shime
> Vice President, International Policy
> Ph. 202.463.2626
> Fax. 202.463.2648
>
> On Jun 6, 2017, at 7:31 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
>> Also I see Greg tried to move the co-chair mtg to the 20th which I cannot make as I will be out of town. Could we make it on the 22nd or 23rd?
>>
>> On Sat, Jun 3, 2017 at 12:06 AM, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>
>>> I believe that we've gotten sign-offs from Danielle and Veronika. Greg, could you please let us know if you have any concerns with this version of the meeting summary?
>>>
>>> On Friday, June 2, 2017, Danielle Brian <dbrian@pogo.org> wrote:
>>>
>>>> Sure.
>>>>
>>>> Danielle Brian
>>>> Executive Director

Project On Government Oversight (POGO)
202-347-1122

On Jun 1, 2017, at 1:36 PM, Shime, Veronika <vshime@nma.org> wrote:

> Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 30, 2017 3:25 PM
> **To:** Greg Gould <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Shime, Veronika <vshime@nma.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Hi All,
> I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:
>
>> As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>> *(202) 513-0600*
>>
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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
> >
> > Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
> >
> > veronika
> >
> > **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> > **Sent:** Friday, May 26, 2017 2:31 PM
> > **To:** Shime, Veronika <vshime@nma.org>
> > **Cc:** Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla

<IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's

concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>
>> All
>>
>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>
>> Patrick Field
>> Managing Director
>> Consensus Building Institute
>> 617-844-1118
>> pfield@cbuilding.org
>>
>>> On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>>
>>> Hi All,
>>> Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:
>>>
>>> - Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard

EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.

- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but

make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,

I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*

With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:

1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
> > Can I request including Isabel in this conversation to

handle this on behalf of CSO's?

Danielle Brian
Executive Director
Project On Government Oversight (POGO)
202-347-1122

> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
>
> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
>
> Greg
>
> *Gregory J. Gould*
> _____
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you

resend ?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing .

From:

Gould, Greg [mailto: greg.gould@onrr.gov] **Sent:** Friday, May 19, 2017 10:51 AM **To:** Tushar Kansal <tkansal@cbuilding.org> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org> **Subject:** Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) [redacted] my thoughts and

prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEIT Imoves forward w

ith Letter to the board to reaffirming government commitment and identifying new M

SGstructure necessary for success (presidential or congressional MSG setup

).

2. USEIT Improves forward with mainstreaming highlighting current successes, and

applying for a adapted implementation related to tax reporting, subnational, an

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ess, progress made, and that we will continue to publish non-tax revenue data at

helowestlevelallowedbylawandregulationonontheUSDataPortal,whichhasbeco

meaninternationalbestpracticefordatadissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

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Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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immediately by return e-mail.

On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of

"additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discu

ssed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Final

ly, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and foregoing independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to mak

e clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal Consensus Building Institute 716-907-2868 tkansal@cbuilding.org

On Thu,

May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither do

es Greg.

I'm not sure your option 4 was a stand alone option, it was discussed though, may be as part of option 1.

One thing

to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decide

r. Option 5 above does not require the Board to render a decision.

It is a notification to the Board by the Government (Gov.

Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> What do you think about

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request.

These were the options I heard but realize that my 2 is your

2 but I just forgot what the letter was going to say.

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identifying how we will continue to be transparent during the suspe

n s i o n . (h i s t o r i c a l l y u s e d d u e t o p o l i t i c a l i n s t a b i l i t y)

2. U S E I T I m

overs forward with Letter to the board to reaffirming government com

mitmentandidentifyingnewMSGstructurenecessaryforsuccess(p

residential or congressional MSG setup)

3. USEIT Improves forward wit

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F r o m : T u s h a r K a n s a l [m a i l t o : t k

ansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Bri

an<dbrian@pogo.org>;Gould,Greg<greg.gould@onrr.gov>;PatField<pfi

e l d @ c b u i l d i n g . o r g > ; K o h l e r , V e r o n i k a < V K o h l e r @ n m a . o r g > ; W i l s o n , J u d i t

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ting. As you'll see, the focus of the summary is on options and next steps. Ple

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nstitute716.907.2868tkansal@cbuilding.org--

TusharKansalConsensu

s Building Institute 716.907.2868 tkansal@cbuilding.org

--
Judy Wilson Programs

m Manager US EITI Secretariat Office of Natural Resources Revenue judith.wilson@onrr.gov **202-208-4410**

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

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Danielle Brian
Executive Director

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Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Gould, Greg" <greg.gould@onrr.gov>

From: "Gould, Greg" <greg.gould@onrr.gov>
Sent: Tue Jun 06 2017 10:33:00 GMT-0600 (MDT)

To: "Shime, Veronika" <vshime@nma.org>
CC: Danielle Brian <dbrian@pogo.org>
Subject: Re: USEITI co-chairs meeting summary

I'm thinking just us, but wanted to check to see what you were both thinking about including Johanna, Isabel, and Judy since we were going to discuss next steps from our meeting with Jonas and Sam and the summary sent out to the sectors, etc. I'm truly fine with the three of us talking about next steps.

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Tue, Jun 6, 2017 at 10:20 AM, Shime, Veronika <vshime@nma.org> wrote:

> Which others were you thinking of? Isn't it usually just us?
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Tuesday, June 06, 2017 12:02 PM
> **To:** Shime, Veronika <vshime@nma.org>; Danielle Brian <dbrian@pogo.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> I moved the meeting to 2:00 on the 22nd. Do you want the meeting to be just the 3 of us, or do you want to include others?
>
> Thanks,
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Tue, Jun 6, 2017 at 6:30 AM, Shime, Veronika <vshime@nma.org> wrote:

> I can make the 22 and 23 also am available the next week.
>
> Veronika Kohler Shime

Vice President, International Policy
Ph. 202.463.2626
Fax. 202.463.2648

On Jun 6, 2017, at 7:31 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Also I see Greg tried to move the co-chair mtg to the 20th which I cannot make as I will be out of town. Could we make it on the 22nd or 23rd?
>
> On Sat, Jun 3, 2017 at 12:06 AM, Tushar Kansal <tkansal@cbuilding.org> wrote:
>
> > I believe that we've gotten sign-offs from Danielle and Veronika. Greg, could you please let us know if you have any concerns with this version of the meeting summary?
> >
> > On Friday, June 2, 2017, Danielle Brian <dbrian@pogo.org> wrote:
> >
> > > Sure.
> > >
> > > Danielle Brian
> > > Executive Director
> > > Project On Government Oversight (POGO)
> > > 202-347-1122
> > >
> > > On Jun 1, 2017, at 1:36 PM, Shime, Veronika <vshime@nma.org> wrote:
> > >
> > > > Are we sending this out now? My sector is eagerly waiting to see the summary of our meeting. Do the cochairs agree with the this version?
> > > >
> > > > **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> > > > **Sent:** Tuesday, May 30, 2017 3:25 PM
> > > > **To:** Greg Gould <greg.gould@onrr.gov>
> > > > **Cc:** Danielle Brian <dbrian@pogo.org>; Shime, Veronika <vshime@nma.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
> > > > **Subject:** Re: USEITI co-chairs meeting summary
> > > >
> > > > Hi All,
> > > > I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.
> > > >
> > > > Best,
> > > > Tushar
> > > >
> > > > Tushar Kansal
> > > > Consensus Building Institute
> > > > 716-907-2868
> > > > tkansal@cbuilding.org
> > > >
> > > > On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:
> > > >
> > > > > As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
> > > > >
> > > > > Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and~~

~~the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.

I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Tuesday, May 23, 2017 2:20 PM
To: Gould, Greg <greg.gould@onrr.gov>
Cc: Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org

On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>
>> All
>>
>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>
>> Patrick Field
>> Managing Director
>> Consensus Building Institute
>> 617-844-1118
>> pfield@cbuilding.org
>>
>>> On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>>
>>> Hi All,

Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would

open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

_____

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg

summarized. My meeting noted document the options as follows:

1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))
2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868

tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
> > Can I request including Isabel in this conversation to handle this on behalf of CSO's?
> >
> > Danielle Brian
> > Executive Director
> > Project On Government Oversight (POGO)
> > 202-347-1122
> >
> > On May 19, 2017, at

11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

_____

Director Office of Natural Resources Revenue U.S.

Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohl

er@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at

the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto:greg.gould@on

rr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs

meeting summary

Danielle, so sorry to hear about your (b) (6) [redacted] my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that

said, I think we all pretty much agreed to 3 options:

1. USE IT I moves forward with Letter to the board to reaffirm

ingovernmentcommitmentandidentifyingnewMSGstructurenecessaryfor

success (presidential or congressional MSG setup).

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3. Withdraw all letter from USG, possibly highlighting success, p

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*Greg
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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuildin

g.org > wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but base

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apted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I do

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Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and for ego independent reconciliation of reve

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cision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tu

shar Kansal Consensus Building Institute 716-907-2868 tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.

gov> wrote:

> I don' trecallanydiscussionoroptionregardinganaddition

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On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wr

ote:

What do you think about the attached 3 changes. I also don't see a

majoroptionthatlthoughthadbeendiscussedwhichwascontinuewi

thadditionalvalidationrequest.

Theseweretheoptionslheardb

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1. Voluntary suspension - letter approved by MSG asking for

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a l i n s t a b i l i t y)

2. U S E I T I m o v e s f o r w a r d w i t h L e t t e r t o t h e b o a r d t o r e

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3. USEITIMovesforwardwithmainstreamingHighlightingcurrentsu

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4. USEITI moves forward with an additional adapted implemen

tationrequest(taxesandsubnational)

5. Withdrawallettterfrom US

Highlightingsuccess, progressmadeandwhatwillcontinue.

Fr

om: Tushar Kansal [mailto:tkansal@cbuilding.org] **Sent:** Thursday, May 18

,20171:37PM **To:** Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gou

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co-chairs meeting summary

All, I've attached a summary of key discussions f

rom last week's co-chairs meeting. As you'll see, the focus of the summary is

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rKansalConsensusBuildingInstitute716-907-2868tkansal@cbuilding.o

rg-- TusharKansalConsensusBuildingInstitute716-907-2868tkansal@c

building.org

--JudyWilsonProgramManagerUSEITISecretariat Offi

ceofNaturalResourcesRevenuejudith.wilson@onrr.gov2022-2088-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

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--

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--

Danielle Brian
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1100 G Street NW, Washington DC 20005

202.347.1122

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Fri Jun 09 2017 13:35:48 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	Greg Gould <greg.gould@onrr.gov>, "Shime, Veronika" <vshime@nma.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

Hi all I'm finally fully back at work. My (b) (6) [redacted] Thank you so much for your patience and notes of support.

Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence: Currently it reads:
CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.

But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.

On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
> >
> > Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
> >
> > veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6). I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:
>>
>>> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>>>
>>> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>>>
>>>> All
>>>>
>>>> One more after the one I just sent. If we need a call, let me know and

we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI*

Board could create a new path for USEITI to continue under different requirements / protocols. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
>> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>>
>> Danielle Brian
>> Executive Director
>> Project On Government Oversight (POGO)
>> 202-347-1122
>>
>>> On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
>>>
>>> I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option

3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your [redacted] my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty

much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

_____

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional

validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?

With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember,

options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>
> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>
> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
> 2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
> 3. USEITI moves forward with mainstreaming highlighting current successes
> 4. USEITI moves forward with an

additional adapted implementation request (taxes and subnational)

5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov

202-208-4410

--

Danielle Brian
Executive Director

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202.347.1122

--

Danielle Brian
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202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Wilson, Judith" <judith.wilson@onrr.gov>

From:	"Wilson, Judith" <judith.wilson@onrr.gov>
Sent:	Fri Jun 09 2017 13:40:31 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, Greg Gould <greg.gould@onrr.gov>, "Shime, Veronika" <vshime@nma.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>
Subject:	Re: USEITI co-chairs meeting summary

Danielle,
Please accept my heart-felt sympathy. Your (b) (6) was fortunate to surrounded by his family.

On Fri, Jun 9, 2017 at 3:35 PM, Danielle Brian <dbrian@pogo.org> wrote:

> Hi all I'm finally fully back at work. My (b) (6) [redacted] Thank you so much for your patience and notes of support.
>
> Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence: Currently it reads:
> CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.
>
> But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.
>
> On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:
>
>> Hi All,
>> I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.
>>
>> Best,
>> Tushar
>>
>> Tushar Kansal
>> Consensus Building Institute
>> 716-907-2868
>> tkansal@cbuilding.org
>>
>> On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:
>>
>>> As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.
>>>
>>> Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
> >
> > Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
> >
> > veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
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> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
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>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:
>>
>>> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>>>
>>> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>>>
>>>> All

One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be

necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new*

path for USEITI to continue under different requirements / protocols
3) Mainstreaming of USEITI reporting into US government reporting
4) Withdrawal of the United States from EITI

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122

On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian

<dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>>
>> 1. Voluntary suspension- letter approved by MSG

asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)

2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs

meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
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202.347.1122

--

Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Fri Jun 09 2017 13:45:16 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>
Subject:	Re: USEITI co-chairs meeting summary

My thoughts and prayers have been with you and your family during this difficult time for all of you.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, Jun 9, 2017 at 1:35 PM, Danielle Brian <dbrian@pogo.org> wrote:

Hi all I'm finally fully back at work. My (b) (6) [redacted] Thank you so much for your patience and notes of support.

Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence: Currently it reads:
CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.

But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.

On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

Hi,

I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.

The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>

Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
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> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
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> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
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> **Subject:** Re: USEITI co-chairs meeting summary
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> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
> > Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
> >
> > Greg
> >
> > *Gregory J. Gould*
> >
> > *Director*
> > *Office of Natural Resources Revenue*
> > *U.S. Department of the Interior*
> >
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> > My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
> >
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> >
> > > All
> > >
> > > One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader

issue they are going to have to face.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 2:56 PM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*

The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your(b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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communication is strictly proh bited. If you have received this communication in error, please notify the sender immediately by return e-mail.

On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>>
>> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be

transparent during the suspension. (historically used due to political instability)

2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting.

As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--

Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
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202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Fri Jun 09 2017 13:46:43 GMT-0600 (MDT)
To:	Danielle Brian <dbrian@pogo.org>
CC:	Tushar Kansal <tkansal@cbuilding.org>, "Shime, Veronika" <vshime@nma.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

Tushar,

Can you make the changes Danielle has requested and then send it back to all of us for our records. Note that I have no comments on the summary.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, Jun 9, 2017 at 1:35 PM, Danielle Brian <dbrian@pogo.org> wrote:

Hi all I'm finally fully back at work. My (b) (6) [redacted] Thank you so much for your patience and notes of support.

Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence: Currently it reads:
CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.

But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.

On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

Hi,

I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.

The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector.....not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute

716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
> > Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
> >
> > Greg
> >
> > *Gregory J. Gould*
> >
> > ---
> >
> > *Director*
> > *Office of Natural Resources Revenue*
> > *U.S. Department of the Interior*
> >
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>
> On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:
>
> > My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
> >
> > On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
> >
> > > All
> > >
> > > One more after the one I just sent. If we need a call, let me know and we'll schedule it.
> > >
> > > Patrick Field
> > > Managing Director
> > > Consensus Building Institute
> > > 617-844-1118
> > > pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
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tkansal@cbuilding.org

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>
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> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla

<lMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we

discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122

On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred

option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your [redacted] (b) (6) my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your

continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
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> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:
>
> > I don't recall any

discussion or option regarding an additional validation request, neither does Greg.

I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.

One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
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> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
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> 1. Voluntary suspension- letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)
> 2. USEITI moves

forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)

3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--

Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

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--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Danielle Brian <dbrian@pogo.org>

From:	Danielle Brian <dbrian@pogo.org>
Sent:	Fri Jun 09 2017 14:59:00 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

tx so much. Truly awful but so glad I just left everything behind and stayed with (b) (6) [redacted] (b) (6) [redacted]

On Fri, Jun 9, 2017 at 3:45 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

My thoughts and prayers have been with you and your family during this difficult time for all of you.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, Jun 9, 2017 at 1:35 PM, Danielle Brian <dbrian@pogo.org> wrote:

Hi all I'm finally fully back at work. My (b) (6) [redacted]

(b) (6) [redacted] Thank you so much for your patience and notes of support.

Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence: Currently it reads:
CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.

But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.

On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

Hi,

I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.

The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal

Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector.....not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:
>
> > All,
> > I'll take care of this tomorrow (Tuesday) morning.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
>
> On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
>
>> All
>>
>> One more after the one I just sent. If we need a call, let me know and we'll schedule it.
>>
>> Patrick Field
>> Managing Director
>> Consensus Building Institute
>> 617-844-1118
>> pfield@cbuilding.org
>>
>>> On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:
>>>
>>> Hi All,
>>> Here's my take on Veronika's questions. Please let me

know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
>
> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of

this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
> >
> > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
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> Danielle, so sorry to hear about your [redacted] (b) (6) my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to

making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
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3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute

716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
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> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
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suspension-letter approved by MSG asking for voluntary suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)

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From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>;

Pat Field
<pfield@cbuilding.org>;
Kohler, Veronika
<VKohler@nma.org>;
Wilson, Judith
<judith.wilson@onrr.gov
>
Subject: USEITI co-chairs meeting summary

All,
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Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
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Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

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Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

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Greg Gould <greg.gould@onrr.gov>

From: Greg Gould <greg.gould@onrr.gov>
Sent: Fri Jun 09 2017 15:23:45 GMT-0600 (MDT)
To: Danielle Brian <dbrian@pogo.org>
Subject: Re: USEITI co-chairs meeting summary

You put your priorities in the right place, family is always first. Again, so sorry.

I'll see you in a few weeks.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On Jun 9, 2017, at 2:59 PM, Danielle Brian <dbrian@pogo.org> wrote:

> tx so much. Truly awful but so glad I just left everything behind and stayed with (b) (6) (b) (6)
>
> On Fri, Jun 9, 2017 at 3:45 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
> My thoughts and prayers have been with you and your family during this difficult time for all of you.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, Jun 9, 2017 at 1:35 PM, Danielle Brian <dbrian@pogo.org> wrote:

Hi all I'm finally fully back at work. My (b) (6) [redacted] Thank you so much for your patience and notes of support.

Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence:
Currently it reads:
CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.

But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.

On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

> My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.
>
> On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:
>
> > Hi,
> >
> > I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
> >
> > The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
> >
> > Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
> >
> > veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary

All,
I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).

Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.

Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I'll take care of this tomorrow (Tuesday) morning.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:

My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.

On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:

All

One more after the one I just sent. If we need a call, let me know and we'll schedule it.

Patrick Field
Managing Director
Consensus Building Institute
617-844-1118
pfield@cbuilding.org

On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD

countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Thanks Tushar, well done, I'm all set with this write-up, no additional comments.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*

U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
>
> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:
>
> > Can I request including Isabel in this conversation to handle this on behalf of CSO's?
> >
> > Danielle Brian
> > Executive Director
> > Project On Government Oversight (POGO)
> > 202-347-1122
> >
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary

as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.

From: Gould, Greg [mailto:greg.gould@onrr.gov]
Sent: Friday, May 19, 2017 10:51 AM
To: Tushar Kansal <tkansal@cbuilding.org>
Cc: Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your [redacted] (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and

identifying new MSG structure necessary for success (presidential or congressional MSG set up).

2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to

#4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.

Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868

tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).

On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>
> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>
> 1. Voluntary suspension-letter approved by MSG asking for voluntary suspension and

identi fying how we will conti nue to be trans paren t durin g the susp ensio n. (histo rically used due to politic al insta bility)

2. USEI TI move s forwa rd with Letter to the board to reaffir ming gover nmen t com mitm ent and identi fying new MSG struct ure nece ssary for succ ess (presi

dential or congressional MSG set up)

3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting succ

ess, progr ess made and what will conti nue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next

steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
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Judy Wilson
Program Manager
USEITI Secretariat
Office of Natural Resources Revenue
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Executive Director

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Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

Tushar Kansal <tkansal@cbuilding.org>

From:	Tushar Kansal <tkansal@cbuilding.org>
Sent:	Mon Jun 12 2017 07:57:15 GMT-0600 (MDT)
To:	"Gould, Greg" <greg.gould@onrr.gov>
CC:	Danielle Brian <dbrian@pogo.org>, "Shime, Veronika" <vshime@nma.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary
Attachments:	USEITI - May 2017 Co-Chairs Mtg - Mtg Summary v6 (170612).docx

All,
Please find attached the summary from the co-chairs meeting. This version has been updated to reflect Danielle's correction from the end of last week.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, Jun 9, 2017 at 3:46 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Tushar,
>
> Can you make the changes Danielle has requested and then send it back to all of us for our records. Note that I have no comments on the summary.
>
> Thanks,
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, Jun 9, 2017 at 1:35 PM, Danielle Brian <dbrian@pogo.org> wrote:

> Hi all I'm finally fully back at work. My (b) (6) [redacted] hank you so much for your patience and notes of support.

Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence: Currently it reads:
CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.

But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.

On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:

As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

> Hi,
>
> I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.
>
> The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~
>
> Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.
>
> veronika
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Friday, May 26, 2017 2:31 PM
> **To:** Shime, Veronika <vshime@nma.org>
> **Cc:** Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Hi All,
> Revised version attached. Please let me know if any additional concerns.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868

tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector…..not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:
>
> > All,
> > I'll take care of this tomorrow (Tuesday) morning.
> >
> > Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>
> Greg
>
> *Gregory J. Gould*
>
> ---
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:
>
> > My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
> >
> > On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
> >
> > > All
> > >
> > > One more after the one I just sent. If we need a call, let me know and we'll schedule it.
> > >
> > > Patrick Field
> > > Managing Director
> > > Consensus Building Institute
> > > 617-844-1118
> > > pfield@cbuilding.org
> > >
> > > On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:
> > >
> > > Hi All,
> > > Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>
>
> **Subject:** Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.
>
> Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.
>
> Please take a look at the attached meeting

summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122
>
> > On May 19, 2017, at 11:33 AM, Gould, Greg <Greg.Gould@onrr.gov> wrote:
> >
> > I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?
> >
> > Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>; Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.
>
> I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With

that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

_____

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.
>
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Thu, May 18, 2017 at

2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).
>
> On Thu, May 18, 2017 at 2:07 PM, Kohler, Veronika <VKohler@nma.org> wrote:
>
>> What do you think about the attached 3 changes. I also don't see a major option that I thought had been discussed which was continue with additional validation request.
>>
>> These were the options I heard but realize that my 2 is your 2 but I just forgot what the letter was going to say.
>>
>> 1. Voluntary suspension- letter approved by MSG asking for voluntary

suspension and identifying how we will continue to be transparent during the suspension. (historically used due to political instability)

2. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up)
3. USEITI moves forward with mainstreaming highlighting current successes
4. USEITI moves forward with an additional adapted implementation request (taxes and subnational)
5. Withdrawal letter from USG highlighting success, progress made and what will continue.

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Thursday, May 18, 2017 1:37 PM
To: Danielle Brian <dbrian@pogo.org>; Gould, Greg <greg.gould@onrr.gov>; Pat Field <pfield@cbuilding.org>; Kohler, Veronika <VKohler@nma.org>;

Wilson, Judith
<judith.wilson@onrr.gov
>
Subject: USEITI co-chairs meeting summary

All,
Ive attached a summary of key discussions from last week's co-chairs meeting. As you'll see, the focus of the summary is on options and next steps. Please let me know if I've missed or misrepresented anything crucial for our path forward that was discussed.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org
--

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

--
Judy Wilson
Program Manager USEITI Secretariat
Office of Natural Resources Revenue
judith.wilson@onrr.gov
202-208-4410

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

--

Danielle Brian
Executive Director

Project On Government Oversight | pogo.org
1100 G Street NW, Washington DC 20005
202.347.1122

"Gould, Greg" <greg.gould@onrr.gov>

From:	"Gould, Greg" <greg.gould@onrr.gov>
Sent:	Mon Jun 12 2017 08:08:07 GMT-0600 (MDT)
To:	Tushar Kansal <tkansal@cbuilding.org>
CC:	Danielle Brian <dbrian@pogo.org>, "Shime, Veronika" <vshime@nma.org>, Pat Field <pfield@cbuilding.org>, Isabel Munilla <IMunilla@oxfamamerica.org>, "Wilson, Judith" <judith.wilson@onrr.gov>
Subject:	Re: USEITI co-chairs meeting summary

Thanks Tushar!

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Mon, Jun 12, 2017 at 7:57 AM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> Please find attached the summary from the co-chairs meeting. This version has been updated to reflect Danielle's correction from the end of last week.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Fri, Jun 9, 2017 at 3:46 PM, Gould, Greg <greg.gould@onrr.gov> wrote:
>
>> Tushar,
>>
>> Can you make the changes Danielle has requested and then send it back to all of us for our records. Note that I have no comments on the summary.
>>
>> Thanks,
>>
>> Greg
>>
>> *Gregory J. Gould*
>>
>> *Director*
>> *Office of Natural Resources Revenue*
>> *U.S. Department of the Interior*
>>
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>>
>> On Fri, Jun 9, 2017 at 1:35 PM, Danielle Brian <dbrian@pogo.org> wrote:
>>
>>> Hi all I'm finally fully back at work. My (b) (6) [redacted]

(b) (6) [redacted] Thank you so much for your patience and notes of support.

Turning back to work, I realize I signed off on this draft already, but I'm not sure if Greg has yet, so I'm hoping to get a chance to make a correction to this doc before it is finalized. I realize the one sentence quoting my intentions is inaccurate so I'm asking your permission to update just that one sentence: Currently it reads:
CSO sector representatives suggested that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw.

But that is not accurate. Avoiding criticism is not the reason I was pushing to include the reasons for withdrawing in the letter from the govt. The reason I think it is important to make clear why the US is unable to meet the Intl EITI standards is so that the public understands what we have and have not accomplished and why, and so that other countries that are trying to implement EITI do not assume they will have the same struggles we had.

On Tue, May 30, 2017 at 3:24 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:
Hi All,
I've attached a revised version of the meeting summary in accordance with Jonas' comments. Please let me know if you have any additional concerns.

Best,
Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 26, 2017 at 3:09 PM, Greg Gould <greg.gould@onrr.gov> wrote:
As I remember it, Jonas said a short brief letter would be best. If CSO's wanted to recommend some txt, then keep it to some short bullets, but best to not say much.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior
(202) 513-0600

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On May 26, 2017, at 1:04 PM, Danielle Brian <dbrian@pogo.org> wrote:

My memory is that Jonas said the opposite: that in fact it was important to have very short bullets explaining why the US is choosing to withdraw but that the language should not be extensive.

On Fri, May 26, 2017 at 2:56 PM, Shime, Veronika <vshime@nma.org> wrote:

Hi,

I am not sure what to say because this is turning out to be much more difficult that I thought it should be. I have not read the entire summary but jumped to the option 4 hoping it would just reflect what happened. I do not believe however we are there. To simplify I have made some suggestions below. By the way, industry never commented on this. We never said anything on if we thought it was a good idea or bad. The most vocal were the secretariat strongly advising against the bulleted explanation and CSO feeling strongly to include it and offering to supply GOV with suggestions.

The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision and actually strongly advised that the letter not include a reasoning for withdrawal but focus on our accomplishments and what will continue. CSO sector representatives felt that including some indication as to *why* the US is withdrawing from EITI could reduce some of the criticism that may be leveled against USEITI and against the US government for a decision to withdraw the EITI secretariat disagreed. ~~Other meeting participants, including representatives from the EITI International Secretariat, the government sector, and the industry sector cautioned against including explanatory language about the decision to withdraw, suggesting that it would likely be very difficult to craft language that all three USEITI sectors could agree on. Instead, these participants suggested keeping the letter relatively brief and focused on citing the DOI Inspector General's report and highlighting USEITI's record of accomplishments.~~

Happy to read the rest later, but need to run to a meeting now and may not get to it until this weekend. If nothing else in the summary has changed then I am fine with approving it with the changes above.

veronika

From: Tushar Kansal [mailto:tkansal@cbuilding.org]
Sent: Friday, May 26, 2017 2:31 PM
To: Shime, Veronika <vshime@nma.org>
Cc: Gould, Greg <greg.gould@onrr.gov>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>

Subject: Re: USEITI co-chairs meeting summary

Hi All,
Revised version attached. Please let me know if any additional concerns.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Wed, May 24, 2017 at 11:07 AM, Shime, Veronika <vshime@nma.org> wrote:

> I think this is unbalanced. My suggestions were by no means sector driven. I was not asking for something to be included that the industry sector is going to push for or not. My suggestions were caring about this process and ensuring the language does not come off differently as intended thereby hurting USEITI. Danielle's comment was purely CSO sector driven . CSO want GOV to put an explanation in the letter and don't feel that the inclusion is quite appropriate but definitely not as written. If you are going to include what one sector wants and is going to push for then at lease be more clear that the EITI Secretariat strongly advised against it. They did not just say that we don't need to include a reason why, but strongly opposed it for many reasons.
>
> I am ok with keeping Danielle's request in, but then two things should be clarified. 1 - that it was the CSO sector.....not "some participants" and 2 - that upon hearing that the International Secretariat strong advised against it. The International Secretariat said many times that the letter should not include the bullets about why US is withdrawing but remain high level and positive.
>
> **From:** Tushar Kansal [mailto:tkansal@cbuilding.org]
> **Sent:** Tuesday, May 23, 2017 2:20 PM
> **To:** Gould, Greg <greg.gould@onrr.gov>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>; Shime, Veronika <vshime@nma.org>; Isabel Munilla <IMunilla@oxfamamerica.org>; Wilson, Judith <judith.wilson@onrr.gov>
>
> **Subject:** Re: USEITI co-chairs meeting summary
>
> All,
> I've attempted to respond to both Veronika's concerns (indicating who raised which options and explicitly incorporating language around "mainstreaming" as part of Option #3) and Danielle's concerns (incorporating language around suggestions that were made that the withdrawal letter provide some explanation and rationale for the decision).
>
> Please let me know if you have any additional questions or concerns. If so, I would be happy to schedule a call to discuss further.
>
> Danielle, thanks for the update about your (b) (6) I hope that he is comfortable, and my thoughts are with you during this difficult time.
>
> Best,
> Tushar
>
> Tushar Kansal
> Consensus Building Institute
> 716-907-2868
> tkansal@cbuilding.org
>
> On Mon, May 22, 2017 at 11:26 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

All,
I'll take care of this tomorrow (Tuesday) morning.

Tushar

Tushar Kansal
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tkansal@cbuilding.org

On Mon, May 22, 2017 at 3:15 PM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Thanks Danielle. I'm not sure how productive it would be to state why we are withdrawing. I feel best to say we have done our best and it is now time to move on.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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>
> On Mon, May 22, 2017 at 12:41 PM, Danielle Brian <dbrian@pogo.org> wrote:
>
> > My only hesitation is that I thought Greg that in addition to highlighting the accomplishments of USEITI that you were open to considering whether to in the briefest way possible acknowledge the reasons the US is withdrawing? Is that wrong? It seems odd to me that the option is to say we are withdrawing but not saying why. I understand that is the purview of the government to decide, just want clarity for these minutes.
> >
> > On Mon, May 22, 2017 at 11:48 AM, Pat Field <pfield@cbuilding.org> wrote:
> >
> > > All
> > >
> > > One more after the one I just sent. If we need a call, let me know and we'll schedule it.
> > >
> > > Patrick Field
> > > Managing Director
> > > Consensus Building Institute
> > > 617-844-1118
> > > pfield@cbuilding.org
> > >
> > > On May 19, 2017, at 3:38 pm, Tushar Kansal <tkansal@cbuilding.org> wrote:

Hi All,
Here's my take on Veronika's questions. Please let me know if you see it differently and we might want to have a quick phone call to hash this out:

- Option #3 (*Mainstreaming of USEITI reporting into US government reporting*), as the only option in which USEITI effectively continues in the short term under current rules, would conceivably require adapted implementation. The way that Sam phrased this, however, is not that the US would need to apply for adapted implementation, but that "mainstreaming is intended to preserve the same comprehensiveness and granularity of reporting as is done under standard EITI reporting." He indicated that the Board would be unlikely to look favorably upon a USEITI move towards mainstreaming while we continue to have discrepancies from the standard (e.g. around corporate income tax reporting). The meeting summary reflects this discussion.
- Option #2 was framed by Sam as something specifically for the US. While it may be true that EITI may have to approach this as a broader issue at some point for other OECD countries, the concern that was expressed during the meeting is that the Board would be discussing Option #2 (a "new path" / deviation from the protocol) specifically in the context of USEITI and that this would open us up to additional criticism at the board level and in the media. The focus on the US was a key part of what made this option unattractive (at least as I understood the discussion).

Best,
Tushar

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716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 3:25 PM, Kohler, Veronika <VKohler@nma.org> wrote:

> Wait, Which is the option that we discussed would require us seeking additional adapted implementation? I think that needs to be included so that sectors understand what would be necessary. I also think that the phrasing of 2 should not sound so US centric but make it apparent that the board needs to make these decisions not just for the US but this is a broader issue they are going to have to face.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 2:56 PM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Danielle Brian <dbrian@pogo.org>; Isabel

Munilla <lMunilla@oxfamamerica.org>; Kohler, Veronika <VKohler@nma.org>; Wilson, Judith <judith.wilson@onrr.gov>; Pat Field <pfield@cbuilding.org>

Subject: Re: USEITI co-chairs meeting summary

Thanks Tushar, well done, I'm all set with this write-up, no additional comments.

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 2:44 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> All,
> I have attached a revised version of the meeting summary that incorporates Veronika's edits and also makes the following slight change to language to acknowledge Danielle's concern about the content of a withdrawal letter: *"The EITI Secretariat indicated that EITI would not need the letter to articulate why the US Government is making this decision."*
>
> With regards to the options discussed at the meeting, I recall the options on the table as being somewhat different than what Greg summarized. My meeting noted document the options as follows:
>
> *1) Request a temporary, voluntary suspension from EITI (this letter would also reaffirm government commitment to EITI and to identifying new MSG structure necessary for success (presidential or congressional MSG set up))*
> *2) The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*
> *3) Mainstreaming of USEITI reporting into US government reporting*
> *4) Withdrawal of the United States from EITI*
>
> The distinction between my list and Greg's list is

particularly around Option #2: *The International EITI Board could create a new path for USEITI to continue under different requirements / protocols*. This was an option that Sam Bartlett presented to us and that we discussed briefly.

Ultimately, of course, the withdrawal option seemed to be the "preferred" one, so the rest of this might be academic.

Please take a look at the attached meeting summary and let me know if there are any additional revisions that you would like to see made.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Fri, May 19, 2017 at 11:42 AM, Gould, Greg <greg.gould@onrr.gov> wrote:

> Of course, adding her now, please focus on (b) (6)
>
> Isabel, see below.
>
> Greg
>
> *Gregory J. Gould*
>
> *Director*
> *Office of Natural Resources Revenue*
> *U.S. Department of the Interior*
>
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On Fri, May 19, 2017 at 11:40 AM, Danielle Brian <dbrian@pogo.org> wrote:

> Can I request including Isabel in this conversation to handle this on behalf of CSO's?
>
> Danielle Brian
> Executive Director
> Project On Government Oversight (POGO)
> 202-347-1122

On May 19, 2017, at 11:33 AM, Gould, Greg

<Greg.Gould@onrr.gov> wrote:

I like the option of Tushar including the 3 options at the top, for us to discuss with our sectors for a final decision on June 22. Do you all agree that option 3 is our preferred option at this point?

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Fri, May 19, 2017 at 11:13 AM, Kohler, Veronika <VKohler@nma.org> wrote:

> Thank you! So should we send Tushar's updated summary (T, could you resend?) to our people but tell them that the 3 below are what they should decide on? Should Tushar include these three at the top of the summary as the options the cochairs have advised we select from? I just want to make sure we are all on the same page before sending anything out in writing.
>
> **From:** Gould, Greg [mailto:greg.gould@onrr.gov]
> **Sent:** Friday, May 19, 2017 10:51 AM
> **To:** Tushar Kansal <tkansal@cbuilding.org>
> **Cc:** Wilson, Judith <judith.wilson@onrr.gov>;

Kohler, Veronika <VKohler@nma.org>; Danielle Brian <dbrian@pogo.org>; Pat Field <pfield@cbuilding.org>
Subject: Re: USEITI co-chairs meeting summary

Danielle, so sorry to hear about your (b) (6) my thoughts and prayers are with you and your family.

I want to thank all of you for your continued attention to making sure we are all in agreement when we make a final decision on June 22. With that said, I think we all pretty much agreed to 3 options:

1. USEITI moves forward with Letter to the board to reaffirming government commitment and identifying new MSG structure necessary for success (presidential or congressional MSG set up).
2. USEITI moves forward with mainstreaming highlighting current successes, and applying for adapted implementation related to tax reporting, subnational, and beneficial ownership.
3. Withdrawal letter from USG, possibly highlighting success, progress made, and that we will continue to publish non-tax revenue data at the lowest level allowed by law and regulation on the US Data Portal, which has become an international best practice for data dissemination.

Option 3 was discussed as the preferred option.

Thanks,

Greg

Gregory J. Gould

Director
Office of Natural Resources Revenue
U.S. Department of the Interior

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On Thu, May 18, 2017 at 5:59 PM, Tushar Kansal <tkansal@cbuilding.org> wrote:

> Thanks for your comments, Veronika and Judy.
>
> I too don't recall an "additional validation request" being discussed, Veronika, but based I also don't see that same language of "additional validation request" in the five options that you sent. Did you perhaps mean to type "additional adapted implementation request" (your option #4)?
>
> With regards to #4, I agree that was discussed, but my memory is similar to Judy's: I don't remember that being discussed as a stand-along option. If I understand correctly what you've written, your option #4 would involve USEITI continuing in the same way that we did in 2016, with the MSG continuing to meet 3-4 times per year, etc. I don't recall this being discussed as an option.
>
> Finally, your line edits mostly look good. I only wonder about your

suggested deletion of the phrase "and forego independent reconciliation of revenue data by the Independent Administrator." I think that it could be useful to keep this language in the text as it helps to make clear how the MSG's decision is a departure from the EITI Standard. If all of you agree that the phrase is too sensitive, however, I am happy to take it out.

Tushar

Tushar Kansal
Consensus Building Institute
716-907-2868
tkansal@cbuilding.org

On Thu, May 18, 2017 at 2:32 PM, Wilson, Judith <judith.wilson@onrr.gov> wrote:

> I don't recall any discussion or option regarding an additional validation request, neither does Greg.
>
> I'm not sure your option 4 was a stand alone option, it was discussed though, maybe as part of option 1.
>
> One thing to clarify also is as I understand/remember, options 1-3 would require MSG consensus and the Board is the ultimate decider. Option 5 above does not require the Board to render a decision. It is a notification to the Board by the Government (Gov. Co-Chair).