

# District of Columbia Board of Ethics and Government Accountability

www.bega.dc.gov

Telephone: 202-481-3411

Description	FY 2013 Actual	FY 2014 Approved	FY 2015 Proposed	% Change from FY 2014
Operating Budget	\$1,041,412	\$1,315,283	\$1,497,583	13.9
FTEs	6.6	11.0	13.0	18.2

The Board of Ethics and Government Accountability (BEGA) is responsible for overseeing the Office of Government Ethics and the Office of Open Government. The Office of Government Ethics administers and enforces the District of Columbia Code of Conduct. The Office of Open Government is an independent office under BEGA and is tasked with ensuring government-wide compliance with the D.C. Freedom of Information Act and the Open Meetings Act.

## Summary of Services

Specifically, BEGA is responsible for:

- Investigating alleged violations of the Code of Conduct, holding adversarial hearings and, where appropriate, levying sanctions;
- Issuing Advisory Opinions, providing “safe-harbor” for good-faith reliance on these opinions;
- Issuing Advisory Opinions on its own initiative;
- Conducting mandatory ethics training for District government employees;
- Updating and maintaining the District Ethics Manual;
- Receiving and reviewing public financial disclosure statements from public officials, and certification statements from Advisory Neighborhood Commissioners;
- Overseeing compliance of certain government employees who must file confidential financial disclosure statements with their agency heads;
- Receiving and auditing lobbyist registration forms and lobbyist activity reports;
- Enforcing the Open Meetings Act;
- Monitoring the District’s compliance with the Freedom of Information Act; and
- Assisting government agencies in the implementation of open government practices.

The agency's FY 2015 proposed budget is presented in the following tables:

## **FY 2015 Proposed Gross Funds Operating Budget, by Revenue Type**

Table AG0-1 contains the proposed FY 2015 agency budget compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

**Table AG0-1**  
(dollars in thousands)

<b>Appropriated Fund</b>	<b>Actual FY 2012</b>	<b>Actual FY 2013</b>	<b>Approved FY 2014</b>	<b>Proposed FY 2015</b>	<b>Change from FY 2014</b>	<b>Percent Change*</b>
<b>General Fund</b>						
Local Funds	87	1,041	1,255	1,438	182	14.5
Special Purpose Revenue Funds	0	0	60	60	0	0.0
<b>Total for General Fund</b>	<b>87</b>	<b>1,041</b>	<b>1,315</b>	<b>1,498</b>	<b>182</b>	<b>13.9</b>
<b>Gross Funds</b>	<b>87</b>	<b>1,041</b>	<b>1,315</b>	<b>1,498</b>	<b>182</b>	<b>13.9</b>

\*Percent change is based on whole dollars.

**Note:** If applicable, for a breakdown of each Grant (Federal and Private), Special Purpose Revenue type and Intra-District agreement, please refer to **Schedule 80 Agency Summary by Revenue Source** in the **FY 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## **FY 2015 Proposed Full-Time Equivalents, by Revenue Type**

Table AG0-2 contains the proposed FY 2015 FTE level compared to the FY 2014 approved FTE level by revenue type. It also provides FY 2012 and FY 2013 actual data

**Table AG0-2**

<b>Appropriated Fund</b>	<b>Actual FY 2012</b>	<b>Actual FY 2013</b>	<b>Approved FY 2014</b>	<b>Proposed FY 2015</b>	<b>Change from FY 2014</b>	<b>Percent Change</b>
<b>General Fund</b>						
Local Funds	0.0	6.6	11.0	13.0	2.0	18.2
<b>Total for General Fund</b>	<b>0.0</b>	<b>6.6</b>	<b>11.0</b>	<b>13.0</b>	<b>2.0</b>	<b>18.2</b>
<b>Total Proposed FTEs</b>	<b>0.0</b>	<b>6.6</b>	<b>11.0</b>	<b>13.0</b>	<b>2.0</b>	<b>18.2</b>

## FY 2015 Proposed Operating Budget, by Comptroller Source Group

Table AG0-3 contains the proposed FY 2015 budget at the Comptroller Source Group (object class) level compared to the FY 2014 approved budget. It also provides FY 2012 and FY 2013 actual expenditures.

**Table AG0-3**  
(dollars in thousands)

Comptroller Source Group	Actual FY 2012	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Percent Change*
11 - Regular Pay - Continuing Full Time	0	546	981	1,019	38	3.8
12 - Regular Pay - Other	0	3	0	112	112	N/A
13 - Additional Gross Pay	0	1	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	0	97	201	238	36	18.1
<b>Subtotal Personal Services (PS)</b>	<b>0</b>	<b>647</b>	<b>1,182</b>	<b>1,369</b>	<b>186</b>	<b>15.8</b>
20 - Supplies and Materials	2	10	2	3	0	2.4
31 - Telephone, Telegraph, Telegram, Etc.	0	16	0	0	0	N/A
40 - Other Services and Charges	64	286	127	123	-4	-3.4
70 - Equipment and Equipment Rental	21	82	3	3	0	2.4
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>87</b>	<b>394</b>	<b>133</b>	<b>129</b>	<b>-4</b>	<b>-3.1</b>
<b>Gross Funds</b>	<b>87</b>	<b>1,041</b>	<b>1,315</b>	<b>1,498</b>	<b>182</b>	<b>13.9</b>

\*Percent change is based on whole dollars.

### Program Description

The District of Columbia Board of Ethics and Government Accountability operates through the following 2 programs:

**Office of Open Government** – administers and enforces the Code of Conduct through the Ethics Board, monitors the District’s compliance with the Freedom of Information Act (FOIA), assists the public and promotes effective use of the District’s FOIA, and resolves disputes between agencies and requesters regarding access to government records.

**Board of Ethics** – receives, investigates, assesses, and adjudicates violations of the Code of Conduct; provides mandatory ethics training; issues rules and regulations governing the ethical conduct of employees and public officials; and provides for an anonymous and confidential receipt of information related to violations of the Code of Conduct or other information with regard to its administration or enforcement.

### Program Structure Change

The District of Columbia Board of Ethics and Government Accountability has no program structure changes in the FY 2015 proposed budget.

## FY 2015 Proposed Operating Budget and FTEs, by Program and Activity

Table AG0-4 contains the proposed FY 2015 budget by program and activity compared to the FY 2014 approved budget. It also provides the FY 2013 actual data.

**Table AG0-4**

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014	Actual FY 2013	Approved FY 2014	Proposed FY 2015	Change from FY 2014
<b>(1000) Office of Open Government</b>								
(1100) Office of Open Government	422	304	300	-5	5.8	2.0	2.0	0.0
<b>Subtotal (1000) Office of Open Government</b>	<b>422</b>	<b>304</b>	<b>300</b>	<b>-5</b>	<b>5.8</b>	<b>2.0</b>	<b>2.0</b>	<b>0.0</b>
<b>(2000) Board of Ethics</b>								
(2010) Board of Ethics	620	1,011	1,198	187	0.7	9.0	11.0	2.0
<b>Subtotal (2000) Board of Ethics</b>	<b>620</b>	<b>1,011</b>	<b>1,198</b>	<b>187</b>	<b>0.7</b>	<b>9.0</b>	<b>11.0</b>	<b>2.0</b>
<b>Total Proposed Operating Budget</b>	<b>1,041</b>	<b>1,315</b>	<b>1,498</b>	<b>182</b>	<b>6.6</b>	<b>11.0</b>	<b>13.0</b>	<b>2.0</b>

(Change is calculated by whole numbers and numbers may not add up due to rounding)

**Note:** For more detailed information regarding the proposed funding for the activities within this agency's programs, please see **Schedule 30-PBB Program Summary by Activity** in the **FY 2015 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## FY 2015 Proposed Budget Changes

The Board of Ethics and Government Accountability's (BEGA) proposed FY 2015 gross budget is \$1,497,583, which represents a 13.9 percent increase over its FY 2014 approved gross budget of \$1,315,283. The budget is comprised of \$1,437,583 in Local funds and \$60,000 in Special Purpose Revenue funds.

### Current Services Funding Level

The Current Services Funding Level (CSFL) is a Local funds ONLY representation of the true cost of operating District agencies, before consideration of policy decisions. The CSFL reflects changes from the FY 2014 approved budget across multiple programs, and it estimates how much it would cost an agency to continue its current programs and operations into the following fiscal year. The FY 2015 CSFL adjustments to the FY 2014 Local funds budget are described in table 5 of this agency's budget chapter. Please see the CSFL Development section within Volume 1: Executive Summary for more information regarding the methodology used and components that comprise the CSFL.

BEGA's FY 2015 CSFL budget is \$1,302,464, which represents a \$47,181, or 3.8 percent, increase over the FY 2014 approved Local funds budget of \$1,255,283.

### CSFL Assumptions

The FY 2015 CSFL calculated for BEGA included adjustment entries that are not described in detail on table 5. These adjustments were made for increases of \$45,430 in personal services to account for Fringe Benefit costs based on trend and comparative analyses and the impact of cost-of-living adjustments implemented in FY 2013, and \$1,751 in nonpersonal services based on the Consumer Price Index factor of 2.4 percent.

### Agency Budget Submission

**Increase:** An increase of \$112,308 in Local funds reflects the realignment of 2.0 positions in the Board of Ethics program from full-time to part-time status to improve ethical compliance and to support projected salary steps and other personal services adjustments. The budget also increased by \$1,066 due to Fringe Benefits adjustments within the agency.

**Decrease:** The Local funds budget reflects a decrease in personal services of \$5,626 due to salary steps and other savings in the Office of Open Government program. Also within the Office of Open Government program, a reduction of \$5,916 in nonpersonal services is related to the alignment of the agency's operational costs for office support, stipends, and equipment purchases. Additionally, the budget reflects a decrease of \$101,832 due to the realignment of 2.0 positions from full-time to part-time status within the Board of Ethics program.

### Mayor's Proposed Budget

**Enhance:** The Local funds budget increased by \$135,119 and 2.0 FTEs in the Board of Ethics program to allow BEGA to effectively investigate ethics complaints and to timely process financial disclosure and lobbyist activity filings.

## FY 2014 Approved Budget to FY 2015 Proposed Budget, by Revenue Type

Table AG0-5 itemizes the changes by revenue type between the FY 2014 approved budget and the FY 2015 proposed budget.

**Table AG0-5**  
(dollars in thousands)

DESCRIPTION	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2014 Approved Budget and FTE</b>		<b>1,255</b>	<b>11.0</b>
Other CSFL Adjustments	Multiple Programs	47	0.0
<b>LOCAL FUNDS: FY 2015 Current Services Funding Level Budget (CSFL)</b>		<b>1,302</b>	<b>11.0</b>
Increase: To align resources with operational goals	Board of Ethics	112	2.0
Increase: To align Fringe Benefits budget with projected costs	Multiple Programs	1	0.0
Decrease: To adjust personal services	Office of Open Government	-6	0.0
Decrease: To streamline operational efficiency	Office of Open Government	-6	0.0
Decrease: To align resources with operational goals	Board of Ethics	-102	-2.0
<b>LOCAL FUNDS: FY 2015 Agency Budget Submission</b>		<b>1,302</b>	<b>11.0</b>
Enhance: Create one investigator and one staff assistant	Board of Ethics	135	2.0
<b>LOCAL FUNDS: FY 2015 Mayor's Proposed Budget</b>		<b>1,438</b>	<b>13.0</b>
<b>SPECIAL PURPOSE REVENUE FUNDS: FY 2014 Approved Budget and FTE</b>		<b>60</b>	<b>0.0</b>
No Change		0	0.0
<b>SPECIAL PURPOSE REVENUE FUNDS: FY 2015 Agency Budget Submission</b>		<b>60</b>	<b>0.0</b>
No Change		0	0.0
<b>SPECIAL PURPOSE REVENUE FUNDS: FY 2015 Mayor's Proposed Budget</b>		<b>60</b>	<b>0.0</b>
<b>Gross for AG0 - District of Columbia Board of Ethics and Government Accountability</b>		<b>1,498</b>	<b>13.0</b>

(Change is calculated by whole numbers and numbers may not add up due to rounding)

## Agency Performance Plan

The agency's performance plan has the following objectives for FY 2015:

### Board of Ethics

**Objective 1:** Conduct timely and appropriate investigations and enforcement actions.

**Objective 2:** Conduct mandatory training on the Code of Conduct and produce ethics training materials and a plain-language guide.

**Objective 3:** Issue formal, written Advisory Opinions upon application made by an employee or public official subject to the Code of Conduct and issue, on its own initiative, an advisory opinion on any general questions of law it deems of sufficient public importance.

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## KEY PERFORMANCE INDICATORS<sup>1</sup>

### Board of Ethics

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 Actual	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Percent of formal written Advisory Opinions issued within 30 days of receipt of complete information from requestor	Not Available	Not Available	74%	75%	80%	80%
Percent of investigations resolved by dismissal, negotiated disposition, or issuance of Notice of Violation within 90 days of initiation	Not Available	Not Available	59%	60%	65%	65%
Percent of enforcement actions completed within 75 days (from issuance of the Notice of Violation to final order of the Ethics Board)	Not Available	Not Available	67%	75%	80%	80%

## Office of Open Government

**Objective 1:** Ensure Compliance with the Freedom of Information Act (FOIA) and the Open Meetings Act (OMA).

**Objective 2:** Present legislative amendments to FOIA that will allow the Office of Open Government (OOG) greater enforcement authority by providing formal mediation of disputes among FOIA requestors and agencies; and making the OOG the formal body, in addition to the District of Columbia Superior Court, to receive formal appeals and provide binding opinions.

**Objective 3:** Work with the Executive Office of the Mayor to create a citywide transparency and open government policy addressing the city's formal intake of structured data from District agencies and making the data available to the public through open source platforms.<sup>2</sup>

**Objective 4:** Present legislative amendments to the OMA allowing the OOG greater enforcement and oversight authority by raising the \$250 limit on sanctions against public bodies for non-compliance; and requiring all Advisory Neighborhood Commissioners to comply with the OMA.

## KEY PERFORMANCE INDICATORS<sup>1</sup>

### Office of Open Government<sup>3</sup>

Measure	FY 2012 Actual	FY 2013 Target	FY 2013 Actual	FY 2014 Projection	FY 2015 Projection	FY 2016 Projection
Percent of Boards and Commissions trained on the Open Meetings Act <sup>4</sup>	Not Available	11.7% <sup>5</sup>	Not Available	50%	80%	100%
Percent of agencies trained on Freedom of Information Act <sup>6</sup>	Not Available	13%	Not Available	80%	100%	100%
Percent of agencies with Transparency Plans and Guidelines <sup>7</sup>	Not Available	Not Available	0%	40%	80%	100%
Percent of public core documents accessible on the BEGA Web site	Not Available	95%	95%	98%	100%	100%
Percent of public core documents posted to the BEGA Web site within five business days	Not Available	95%	90%	98%	100%	100%

### Performance Plan Endnotes

<sup>1</sup> BEGA is a new government entity, created in FY 2013. Therefore, this program does not have historical data for prior fiscal years.

<sup>2</sup> As referenced in Mayor's Memorandum 2011-01, Transparency and Open Government Policy.

<sup>3</sup> BEGA is a new government entity, created in FY 2013. Therefore, this program does not have historical data for prior fiscal years.

<sup>4</sup> OOG is staffed with one person, the director. One Attorney Advisor FTE has been approved for FY 2014 to assist with the training of 176 current boards and commissions. Current staffing levels will not allow for in-person training of all boards and commissions. OOG will offer training slides on the BEGA/OOG Website.

<sup>5</sup> From April 22, 2013 to September 30, 2013, the Office of Open Government, in collaboration with the Office of Boards and Commissions, conducted two trainings of all Board points of contact on the Open Meetings Act. Approximately 90 people attended each meeting. For the purposes of FY 2013 tracking, OOG considers the Board points of contact meetings to be individual trainings, rather than trainings of all Boards and Commissions represented by way of attendance.

<sup>6</sup> OOG will conduct yearly citywide trainings of all District government agencies and will perform agency specific trainings upon request.

<sup>7</sup> A transparency plan for the Council is included in the calculation.