

BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY

NOTICE OF FINAL RULEMAKING

The Board of Ethics and Government Accountability (“Ethics Board”), pursuant to the authority set forth in sections 209 and 230 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code §§ 1-1162.09, and 1162.30) (2014 Supp.), hereby gives notice of its adoption, on August 17, 2015, of the following amendments to Chapter 58 (Registration of Lobbyists) to Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (“DCMR”). Section 2(b) of the Campaign Finance Reform and Transparency Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-79; D.C. Official Code § 1-1162.30(a)(7)), provides that Lobbyist Activity Reports shall include “[a]ll bundled contributions in accordance with rules promulgated by the Ethics Board.” This rulemaking amends section 5802.2 to include information on bundled contributions on Lobbyist Activity Reports, and requires lobbyists to provide more specific information concerning their communications with public officials.

Comments were received on the proposed rules that were published on June 12, 2015, at 62 DCR 8349. Those comments recommended technical and conforming changes to ensure the definition of “contributions” was consistent with D.C. Law 20-79. Those non-substantive changes have been incorporated into the text of the final rules. These rules are effective upon the date of publication in the District of Columbia Register.

Title 3, Chapter 58 (Registration of Lobbyists) of the DCMR is amended as follows:

Section 5802.2 is amended as follows:

1. Paragraph (f) is amended to read as follows:

- “(f) Each official in the executive or legislative branch with whom the registrant has had written or oral communications, including electronic mail, text messages, or any other form of communication, during the reporting periods related to lobbying activities conducted by the registrant shall also be included in the report, identifying:
 - (i) The official with whom the communication was made;
 - (ii) The specific date on which the communication was made to a specific official;
 - (iii) The type of communication; and
 - (iv) The nature and purpose of communication.”

2. Paragraph (g) is amended by striking the period at the end and inserting the phrase “; and” in its place.

3. A new paragraph (h) is added to read as follows:

- “(h) All bundled contributions, as defined in D.C. Official Code § 1-1161.01, forwarded or arranged to be forwarded from one or more persons, including:
 - (i) The name of each contributor;
 - (ii) Address, and employer of each person from whom the contributions were received, and
 - (iii) The name of the candidate or committee for whom the contributions were collected.”