

## **BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

### **NOTICE OF EMERGENCY AND PROPOSED 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 an emergency basis, of the following rulemaking amending 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 will amend section 5802.2 to include information on bundled contributions on Lobbyist Activity Reports, and to require lobbyists to provide more specific information concerning their communications with public officials.

Emergency action is necessary to comply with D.C. Law 20-79, and to ensure transparency related to the campaign contributions of registered lobbyists and their employers. The emergency rulemaking was adopted on June 1, 2015, and became effective immediately on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until October 1, 2015, unless superseded by publication of a Notice of Final Rulemaking in the D.C. Register. The Ethics Board also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the D.C. 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 campaign contributions forwarded or arranged to be forwarded from two (2) 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.”

All persons interested in commenting on the subject matter in this proposed rulemaking action may file comments in writing, not later than thirty (30) days after the publication of this notice in the *D.C. Register*, with Brian K. Flowers, General Counsel, Board of Ethics and Government Accountability, 441 4<sup>th</sup> Street, N.W., 830 South, Washington, D.C. 20001. Comments also may be sent electronically to [bega@dc.gov](mailto:bega@dc.gov).