

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON GOVERNMENT OPERATIONS**



COUNCIL OF THE DISTRICT OF COLUMBIA

PUBLIC HEARINGS

AGENCY PERFORMANCE BUDGET HEARING

FISCAL YEAR 2015

Testimony of Traci L. Hughes
Director, Office of Open Government
Board of Ethics and Government Accountability

Monday, April 14, 2014
10:00 A.M.
1350 Pennsylvania Avenue NW
Room 412
Washington, D.C. 20004

Good morning Chairperson McDuffie and members of the Committee. I am Traci Hughes, Director of the Office of Open Government, Board of Ethics and Government Accountability. I am pleased to be here today to discuss the budget needs of the office for Fiscal Year 2015.

As you are aware, the Office of Open Government has been operational for a year. When I took the position as director, the Office had no structure, no mission and only a budget for my salary. I pleased to inform the committee that despite severely limited resources, the Office of Open Government is making an impact on improving government transparency.

The Office of Open Government is responsible for ensuring that more than 170 boards, commissions, the Council of the District of Columbia, and all advisory councils are properly trained on and complying with the Open Meetings Act. Over the past year, I have conducted nearly 30 individual boards and commissions trainings, and on April 8th, trained the points of contacts representing 50 boards and commissions. Boards and commissions now have a greater awareness of the Open Meetings Act and its procedural requirements because of the training provided by my office, however, even a mere 30% training rate is difficult to sustain without additional support staff.

Providing training and ensuring that points of contact know how to publish meeting dates, agendas and minutes on the boards and commissions central calendar on the BEGA website is the extent of my ability to improve compliance rates. Absent staff, I am unable to truly measure and monitor compliance and enforce compliance as mandated by the Open Meetings Act.

Currently, the BEGA website is the District's only central repository of boards and commissions meeting dates and materials. In March of this year, I hired an Information Technology Specialist to maintain the site for BEGA and to provide technical support to boards and commissions in uploading information. As this Committee is aware, the FTE was initially funded and advertised at a yearly salary of \$44,000 and did not yield any candidates with the necessary skill sets for the position. Because it took six months to fill the FTE, I was able to hire an IT specialist at a rate of \$64,000 annual salary. The additional \$20,000 to support the FTE was because of the lapse created by the six-month delay in hiring a qualified candidate. The proposed funding for the position remains \$44,000 in the FY 2015 budget, leaving the Office of Open Government with a large personal services deficit.

In addition to Open Meetings Act Compliance, the Office of Open Government works with District agencies to comply with the Freedom of Information Act, and to assist members of the public in filing FOIA requests; mediates disputes between agencies and requestors prior to any formal appeal filed with the Mayor's Office; and is tasked with conducting yearly agency FOIA trainings and educating the public about FOIA. And, as director, I also serve as BEGA's FOIA officer and process all requests submitted to both the Office of Open Government and the Office of Government Ethics.

Since there is now greater awareness of my role and that of the Office of Open Government, there have been increased requests for advice on FOIA compliance from agency FOIA officers. Many of the requests require legal research and review of best practices. I am also processing more FOIA requests, all while conducting agency FOIA trainings and participating in community forums to educate the public about FOIA and the Open Meetings Act.

In addition to Open Meetings Act and FOIA compliance, this committee is aware of the push by the Office of Open Government to improve ease of access to District Government agencies and agency-generated data. Just as BEGA now provides a central portal for the public to view boards and commissions meetings, it is the intention of the Office of Open Government to create a similar portal for the public to access agency sites. This phase two of development has been contemplated since the office began operations. In fact, the OPEN-DC.GOV domain was approved by OCTO last year, and was properly secured and registered by the Office of Open Government to meet the purpose of developing this central portal. Unfortunately, the proposed FY 2015 contains no allotment for this expenditure.

By-in-large, much as been accomplished by the Office of Open Government over the last year, but in order for the office fulfill its intended purpose and statutory obligations, it is critical that the office receive funding to maintain the current salary level for the IT Specialist position; funding for website development; and funding for an attorney advisory to assist with conducting District-wide trainings, monitoring compliance, providing advice and drafting opinions.

Thank you. I am happy to answer any questions from the Committee.