

**DISTRICT OF COLUMBIA
BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY**

MEETING MINUTES – June 5, 2025

The District of Columbia Board of Ethics and Government Accountability held a hybrid meeting at the Board of Ethics and Government Accountability, 1030 15th Street, NW, Suite 700 West, and virtually on June 5, 2025, at 10:00 a.m. Chairperson Norma Hutcheson and Board members Felice Smith, Darrin Sobin, and Melissa Tucker attended the meeting and Board member Charles Nottingham joined the meeting virtually.

Members of the public were welcome to attend, and a recording of the meeting will be available on open-dc.gov and BEGA’s YouTube channel.

I. Call to Order

The meeting was called to order at 10:00 a.m.

II. Ascertainment of Quorum

All Board members were present at the start of the meeting. Board member Nottingham attended the meeting virtually.

III. Adoption of the Agenda/Approval of Minutes

The Board voted unanimously to adopt the agenda for the meeting and approve the minutes from the May 2025 meeting.

IV. Report by the Director of Open Government

Good morning, Chairperson Hutcheson, and Members of the Board. I am Niquelle Allen, Director of Open Government. I am pleased to present this report on the activities of the Office of Open Government (“OOG”). Our mission is to ensure that all persons receive full and complete information concerning the affairs of the District of Columbia government and the actions of its officials. Since the last Board meeting, OOG has continued its work to ensure that the District of Columbia government’s operations are transparent, open to the public, and promote civic engagement. To that end, OOG has enforced the Open Meetings Act, advised on the Freedom of Information Act’s requirements, and provided training on those transparency laws. OOG has proudly served as advocates for an open and transparent government.

A. Open Meetings Act (“OMA”) and Freedom of Information Act (“FOIA”) Advice

1. Advisory Opinions

a. OMA Advisory Opinion – Criminal Justice Coordinating Council (“CJCC”), #OOG-2024-0010

On February 6, 2025, I issued a provisional Advisory Opinion # OOG-2024-0010, opining that the District of Columbia's Criminal Justice Coordinating Council ("CJCC") is a public body subject to the Open Meetings Act ("OMA"). Pursuant to DCMR § 10405.2, I provided CJCC with the opportunity to respond formally to the Complaint. CJCC provided a formal response on April 2, 2025, that did not substantively address the legal arguments raised in the Advisory Opinion. The response requested that I address the issues with quorum that the public body experienced. As such, the opinion became final as of May 2, 2025, and I provided a response clarifying current issues related to CJCC's April 2, 2025, letter.

The CJCC is currently excluded from the OMA, until July 6, 2025, due to A26-0041 - the Open Meetings Clarification Emergency Amendment Act of 2025. I have concluded that the meetings of the CJCC will be subject to the OMA, upon the expiration of the emergency legislation. A copy of the final Advisory Opinion that discusses the application of the OMA to CJCC is in Dropbox.

b. OMA Advisory Opinion – Zoning Commission, #OOG-2024-003

On May 8, 2025, I issued Advisory Opinion #OOG-2024-003, opining that the District of Columbia Zoning Commission's practice of holding stand-alone closed sessions violates the Open Meetings Act ("OMA") because its practice provides inadequate notice of the Zoning Commission's closed meetings and is inconsistent with the protocol that public bodies must follow to lawfully enter closed/executive sessions as set forth in D.C. Official Code § 2-575(c). My Advisory Opinion states OOG's position that "the Commission cannot hold one open session at the beginning of a year-long meeting period, then conduct repeated closed session meetings thereafter, and be [compliant] with the OMA." I found that the Zoning Commission displayed a pattern and practice of willfully participating in one or more closed session meetings in violation of the OMA. The opinion also addressed the Zoning Commission's reliance on an outdated 2019 advice letter from the Office of the Attorney General, Legal Counsel Division, that advised the Zoning Commission that adhering to OOG's advisory opinions is not mandatory for OMA compliance. I clarified for the Zoning Commission that compliance with OOG's advisory opinions is necessary to avoid a civil enforcement action. I also made known OOG's readiness to exercise its enforcement authority under the OMA if the Zoning Commission continues the pattern and practice as described, as the action complained of in this matter has the possibility of a civil fine. A copy of the Advisory Opinion and Complaint have been added to Dropbox.

2. Informal Advice

Since the last Board meeting, OOG has responded informally, via e-mail, telephone, or teleconference to requests for assistance as follows:

21 requests for OMA advice;
9 requests for FOIA advice; and
11 requests for technical assistance with open-dc.gov.

B. Meeting Monitoring

OOG's staff attends public bodies' meetings, in person and remotely, to ensure compliance with the OMA. They also inspect public bodies' websites and OOG's Central Meeting Calendar for public meeting notices and records. OOG's attorneys provide legal advice on OMA compliance and take corrective action, if necessary.

Since the last Board meeting, OOG's legal staff attended twenty-two (22) public body meetings. As a result of the monitoring, one corrective measure was communicated. The public body failed to post a proper agenda pursuant to the regulations - the agenda did not have the governing language.

C. Training/Outreach

1. OOG's Local School Advisory Teams ("LSAT") Training Schedule Meeting with District of Columbia Public Schools' Representative

On May 14, 2025, I, along with Chief Counsel Louis Neal and Attorney Advisor Joan Lelma, met with Sharona Robinson, Community Affairs and Engagement Manager, District of Columbia Public Schools to discuss revisions to the Local School Advisory Teams' ("LSAT") training schedule to further accommodate the schedule of the LSATs, which comprise of specific numbers of teachers, parents/guardians, instructional staff, a community member, and sometimes a student. We aim to provide a training schedule that aligns with the schools' academic calendar and LSAT elections.

2. "Making the Open Meetings Act ("OMA") Simple/(r)" Training

On May 15, 2025, Attorney Advisor Anthony J Scerbo, presented the fourth training in OOG's Open Meetings Act ("OMA") training series for this year, titled "Making the Open Meetings Act Simple/(r)," to public bodies and their support staff. The training provided a brief overview of the Open Meetings Act with an emphasis on the key questions and challenges that OOG has identified facing most public bodies. I, along with OOG's staff, attended the training.

3. National Association of Attorneys General ("NAAG") Deposition Skills Training

On May 20, 2025, and May 21, 2025, Attorney Scerbo attended Depositions Skills Training facilitated by the National Association of Attorneys General. The training sessions covered how to do the following: develop a strategy for deposing witnesses, use best practices for discovering information from a deponent, and effectively defend a deposition through witness preparation and strategic use of objections.

4. “Effectively Managing the DC Freedom of Information Act (DC FOIA) Process” Training

On May 20, 2025, Attorney Lelma presented “Effectively Managing the DC Freedom of Information Act (“DC FOIA”) Process training to DC FOIA Officers. The training introduced DC FOIA and covered how to do the following: respond to FOIA requests, conduct searches for records, produce records, and prepare decision letters. I, along with OOG’s staff, attended the training. I responded to one of the attendees’ questions about what measures, if any, will be put in place for FOIA processing if the current work operations in the District are disrupted due to the issues with the FY25 budget, which includes the possibility of furloughs and facility closures. I advised that this is a matter that would be taken up by the Mayor and DC Council, as was the case with the pandemic-related facility closures.

5. Center for Creative Leadership for the Payton Leadership Academy “Navigating Organizational Tensions ...” Program

On April 25, 2025, Attorney Scerbo attended “Navigating Organizational Tensions: A Strategic Approach to Polarity Management for Leadership Professionals” program, facilitated by the Center for Creative Leadership for the Payton Leadership Academy. Participants considered the art of polarity management – a critical leadership skill that transforms seemingly irreconcilable tensions into strategic opportunities for organizational growth: the foundational framework of polarity thinking, teaching legal leaders how to identify, map, and leverage seemingly opposing forces within their teams and organizations.

D. Litigation and Legislative Update

1. Litigation

a. Associated Press v. Taylor Budowich, in his official capacity as White House Deputy Chief of Staff, et al. (Case No. 1:25-cv-00532 (U.S. District Court for D.C.))

The Associated Press (“AP”) moved for Preliminary Injunction against the White House Chief of Staff, Deputy Chief of Staff, and Press Secretary (collectively, “the Government”). AP sought to enjoin the Government from denying it access to the Oval Office, Air Force One, and other limited spaces because of AP’s viewpoint. On April 8, 2024, Judge Trevor N. McFadden granted the preliminary injunction, ordering the White House to restore AP’s access to press events. The judge found that the exclusion was unconstitutional and caused irreparable harm to the AP.

The Court found that the First Amendment prohibits the White House from excluding journalists from events based on their viewpoint. The Order specifically enjoins the White House from excluding AP from the White House press corps access because AP refuses to relabel the Gulf of Mexico as the Gulf of America in its style guide. This is impermissible viewpoint discrimination. Even though the Oval Office is a nonpublic forum, viewpoint

discrimination is still prohibited. Photojournalism and notetaking in the Oval Office are not pre-speech because photographs taken there are transmitted to editors near-instantaneously and print journalists send out news alerts in real time. The government's decision to curtail the Plaintiff's access to parts of the White House and press pool events due to its editorial decision to continue using "Gulf of Mexico" in its style guide indicates retaliation and has adversely affected its ability to report news and its business.

The Court granted AP's Preliminary Injunction request. It then moved on its own Motion, to stay the Court's Memorandum Order, imposing a Preliminary Injunction through April 13, 2025, to provide the Government time to seek an emergency stay from a higher court and to prepare to implement the Court's injunction. Absent further relief from the higher court, the stay automatically dissolves after April 13, 2025. A copy of the Court's decision has been added to Dropbox.

- b. Gooch v. District (Metropolitan Police Dept.) (Case No. 2023-CAB-002404 (D.C. Super. Ct.))

I have previously reported on this case in which a Requester-Plaintiff sued the District for records "related to his...conviction." The Plaintiff had received partly redacted records.

The parties previously agreed to work on redactions, the Vaughn Index, and to provide updates at each status hearing. A status hearing was held on March 28, 2025. Following the status hearing, the Court issued an order directing the Plaintiff to file a Motion by May 12, 2025, describing the requests made for information, the information received that is still redacted, and the Plaintiff's basis for why the remaining redactions are insufficient as a matter of law.

The Defendant was ordered to file an Opposition on or before June 11, 2025, including the unredacted documents for the court's review *in camera*. The Plaintiff's reply is due July 11, 2025, and a Motions Hearing has been scheduled for September 2, 2025.

On May 12, 2025, the Plaintiff filed a Motion challenging the sufficiency of the Defendant's most recent FOIA production. Copies of the Court's Order and the Plaintiff's Motion have been added to Dropbox. OOG's staff will continue to monitor.

- c. D.C. Open Government Coalition v. District (Case No. 2023-CAB-007251 (D.C. Super. Ct.))

I have previously reported on this case which involves the D.C. Open Government Coalition's ("DC OGC") lawsuit against the District seeking an accounting of the backlog of public-records requests submitted through the FOIAXpress Public Access Link.

The Plaintiff filed an Amended Complaint on January 24, 2025. A Status Hearing was held on May 15, 2025. Following the Status Hearing, the Court set a Briefing Schedule for Summary Judgment. The Defendant's Motion and Brief are due by July 7, 2025. The Plaintiff's Opposition and Cross-Motion are due by August 4, 2025. The Defendant's Opposition and Reply are due by August 18, 2025. The Plaintiff's final Reply is due by September 1, 2025, and a Motion Hearing has been set for October 2, 2025.

A copy of the Court Order with the Briefing Schedule has been added to Dropbox. OOG's staff will continue to monitor.

d. Phillips v. District of Columbia (Case No. 1:22-cv-00277-JEB (D.D.C.))

I have previously reported on this case in which Amy Phillips alleged in a federal "section 1983" action that the Metropolitan Police Department maintains a "watchlist" targeting certain D.C. FOIA requesters.

On March 10, 2025, according to the Parties' stipulation, the Court ordered this case dismissed with prejudice because the Parties reached a settlement agreement. A copy of the Stipulation and docket entry notes of the Order have been added to Dropbox.

2. Legislation

- a. Legislative Action regarding the OMA: As I previously reported, Chairman Mendelson introduced B26-200, the Open Meetings Clarification Temporary Amendment Act of 2025. On April 1, the Council passed the bill on its first reading, with Councilmembers Allen and Lewis-George voting against the measure. On May 6, 2025, the Council voted on the measure again, with 7 members voting for and 5 members against. The bill was postponed to the next Legislative Meeting. On Tuesday, June 3, the bill passed the second reading by an identical margin to the first reading (10-2), without amendment.

U.S. Senate Bill 1450, introduced by Utah Senator Mike Lee in April, and referred to the Senate Committee on Homeland Security and Governmental Affairs, has not had any additional legislative action. This bill would repeal the Open Meetings Clarification Emergency Amendment Act of 2025, reading "The Open Meetings Clarification Emergency Amendment Act of 2025 (D.C. Act 26-41) is repealed, and any provision of law amended or repealed by that Act shall be restored or revived as if that Act had not been enacted into law."

A copy of the bill has been added to Dropbox. OOG's staff will continue to monitor.

- b. Legislative Action regarding the Boards of Trustees for DC Public Charter Schools: On January 17, 2025, Councilmember Christina Henderson introduced B26-0062, “the Board of Trustees Training Amendment Act of 2025.” The bill was referred to the Committee of the Whole on February 4, 2025, and the public hearing was held on March 26, 2025. The Bill’s introduction states that “[it] aims to require the Public Charter School Board, in collaboration with the Office of the State Superintendent of Education, to provide a no-cost training program for newly elected or appointed members of a public charter school’s Board of Trustees.”

In response to the abrupt closure of Eagle Academy last August, leaving 362 students and the entire school staff without a school one week prior to the beginning of the school year, there are heightened concerns regarding financial oversight and board training within the charter school sector. The hearing had 3 experts, 14 public, and 2 government witnesses. Justin Lessek, Executive Director, Sojourner Truth PCS, submitted that “[i]t is incredibly important that all members - regardless of committee participation or specific area of expertise - also have a strong understanding of the Open Meetings Act and DC’s Robert’s Rules of Order.”

Sharn Boone-Ruffin, a former Eagle Academy parent, and a former member of Eagle Academy’s Board of Trustees, submitted that “[e]nsuring a board is properly trained can allow board members to pinpoint areas of mismanagement and identify issues before they become serious. This can prevent situations like what happened with Eagle Academy. In my own experience as a member of the Board of Trustees of Eagle Academy, we received very little training, and the training we did receive was primarily focused on the policies around the Open Meetings Act.”

Though OMA compliance was not a centerpiece of the testimonies, it was referenced by numerous witnesses as a part of required training on local statutes, regulations, and policies. The bill was marked up on May 13, 2025, with the Committee Report being issued on June 2, 2025. The Notice of Mark-up was filed in the Office of the Secretary on June 3, 2025.

A copy of the Committee Report is available in Dropbox. OOG’s staff will continue to monitor this legislation.

- c. Legislative Action regarding a government agency’s interpretation of its administering statutes and regulations: On June 3, 2025, the Council passed B26-0048, the Council Review of Agency Action Clarification Amendment Act of 2025. The bill, introduced by Chairman Mendelson on Jan. 13, 2025, passed unanimously on its first reading. The bill amends the D.C. Administrative Procedure Act in response to the Supreme Court decision in *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024), where the

Court overruled the *Chevron* doctrine that had mandated that courts defer to reasonable agency interpretations of ambiguous statutes. The bill codifies the principle of agency deference in the District of Columbia and clarifies that a reviewing court or tribunal must defer to an agency's reasonable interpretation of a statute or regulation. This is the permanent version of legislation that the Council enacted in the fall of 2024 on an emergency and temporary basis (D.C. Acts 25-634 and 25-664). On March 26, 2025, a public hearing was convened by the Committee of the Whole, and on June 2, 2025, the Notice of Mark-up was filed in the Office of Secretary.

The Committee's Public Hearing Record is available in Dropbox. OOG's staff will continue to monitor this legislation.

E. Administrative

FY25 Budget Resolution and FY26 Proposed Budget: On May 27, 2025, Mayor Bowser submitted her FY26 budget proposal. The proposed BEGA budget reflected a 31.4% decrease in BEGA's non-personnel services fund. The decrease was proposed as an offset to projected adjustments in the agency's personnel services costs. The D.C. Council Committee on the Judiciary and Public Safety (the "Committee") indicated that it will not hold a budget oversight hearing for BEGA. Instead, the Committee will send BEGA questions regarding the FY26 budget. With respect to the FY25 budget, Mayor Bowser has sought to reduce non-personnel services expenditures to alleviate spending pressures caused by Continuing Resolution. There is a waiver process administered by the Office of the City Administrator to provide an avenue for agencies to spend its non-personnel services budget funds. BEGA has sought waivers to expend funds its mission-critical IT expenses for OOG's website and training portal. BEGA is in the process of gaining access from OCA to its non-personnel funds for the continued maintenance and operation of open-dc.gov, which includes the Central Meeting Calendar for all boards and commissions, and its Parliamentary Procedure training portal license. The payment for the website is due this month and the waiver for this purpose has been partially granted. A copy of the proposed FY26 BEGA Budget chapter is in Dropbox for your information.

This concludes the Office of Open Government's June 5, 2025, report. I am happy to answer any questions the Board may have.

V. Report by the Director of Government Ethics

Good morning, Chairperson Hutcheson and Members of the Board. I am Ashley Cooks, the Director of Government Ethics. I am pleased to present this report on the activities of the Office of Government Ethics ("OGE").

A. Update on Status of OGE Operations

The information reported today regarding OGE's cases will not reflect any status changes that may occur because of actions taken by the Board during today's meeting.

OPEN INVESTIGATIONS BY STATUS	
Open	49
Open - Negotiations	0
Open - Show Cause Hearing	1
Grand Total	50

OPEN "UNDOCKETED MATTERS"	
Grand Total	2

PENDING/STAYED INVESTIGATIONS BY STATUS	
Closed - Pending Collection	35
Stayed - Pending DC Superior Court Case	2
Stayed - OAG False Claims Act Case	0
Stayed - OIG Investigation	3
Stayed - US District Court Case	2
Grand Total	42

REGULATORY MATTERS BY STATUS	
Closed - Pending Collection	39
Open	75
Grand Total	114

	Current	Last month	April
Investigations Open	50	49	47
Investigations Stayed	7	8	9

The number of open preliminary and formal investigations includes 8 new matters. The investigative team resolved 10 investigations since the Board last met. This total does not reflect the number of complaints that were dismissed for a lack of jurisdiction.

Last month I reported that the Quarterly Complaint Report for Quarter 2 of Fiscal Year 2025 was published to the BEGA website. The press release and heatmap—outlining the number and types of cases closed in the quarter—were published shortly after and a copy of the press release and heatmap for Quarter 2 is in the DropBox.

B. Training/Outreach

1. Professional Development Trainings Attended by Staff

Administrative Officer Naquita Titus took MS Office 365 Excel Part 3 offered by the DC Department of Human Resources. Investigator Ileana Corrales took Resilient Leadership offered by Harvard Business School Online. General Counsel Rashee Raj took Small Business Training for Attorneys by the DC Bar's

Pro Bono Center, LGBTQIA+ Cultural Humility: A Space for Queer Life, and the Council on Governmental Ethics Laws (COGEL)'s Limits of the Law: Reflections on the Exercise of Power Using the Historical Record. She also attended the Emotionally Intelligent Attorney and Navigating Organizational Tensions both by D.C. Bar's John Payton Leadership Academy.

2. Conducted by staff

Since the last Board meeting, OGE conducted 5 training sessions: two New Employee Orientation Ethics Segments, the May Monthly Ethics Training, a Board and Commission Training for the Citizen Review Panel, and the May Brown Bag Session. Also, OGE conducted the Quarterly Outside Employment Training, an Advisory Neighborhood Commissions training with the Office of the Attorney General, which was not included in the May report to the Board.

On Tuesday, May 27th, Attorney Advisor Maurice Echols presented the May Ethics Counselor Brown Bag Session on How to Know When You're Being Lobbied. Eighteen Ethics Counselors attended the session, and a copy of the presentation was placed in the DropBox.

During the month of May, the Learning Management System registered 1,701 course completions. The Training Team has been meeting with LRN to discuss creating new courses and updating existing courses to make them more accessible to users. Last month, OGE started to identify low and underperforming courses to remove from our library of 29 available courses.

3. Outreach

Next week, OGE will issue its bi-monthly newsletter, Ethically Speaking.

C. Advisory Opinions/Advice

1. Informal Advice

OGE's legal staff provided advice for approximately 37 ethics inquiries, which is 16 more than the 21 reported at the May Board meeting. This number does not include responses we have provided to questions regarding the Lobbyist and FDS e-filing systems.

2. Formal Advisory Opinions

OGE has two advisory opinions in the works on Widely Attended Gatherings and an edited Advisory Neighborhood Commissioner Sign-on Letter opinion.

D. Legislation and Rulemaking Updates

1. Uniform College Athlete Name, Image, or Likeness Emergency and Temporary Amendment Acts of 2025

On May 6, 2025, Council Chairman Mendelson introduced emergency and temporary legislation that halts the financial disclosure requirement for boards and commissions that were designated by BEGA's September 27, 2024, rulemaking. The legislation provides that the rulemaking will not apply before January 1, 2026. OGE expressed concerns to the Council that the designated public officials meet the filing requirement because their duties and responsibility create a financial conflict of interest or the appearance of the conflict of interest. I also expressed the extensive designation process that the agency undertook in reviewing those designated boards and the extensive notice and training that were provided to them. Nonetheless, the emergency legislation was signed by the Mayor on May 19th and on this past Tuesday, the Council passed the temporary legislation. BEGA maintains its position that those board and commission members should be public financial disclosure filers as a means of government transparency and to ensure compliance with ethical standards.

2. 2026 Budget and Budget Support Act Proposal

The Mayor submitted the FY26 Budget and the FY25 Supplemental Budget to the Council on last week. BEGA's FY26 Budget remains the same which includes an increase of \$139,131 to align personnel services and fringe benefits and a decrease of that amount in the non-personnel services fund. The FY25 Supplement Budget proposes to rescind \$42,630 from BEGA local funds and \$54,378 from special purposes revenue.

The proposed Budget Support Act includes severe changes to BEGA's operating budget. The Act will convert remaining funds in BEGA's Ethics Fund and Lobbyist Fund, which are non-lapsing accounts, to the general fund. The Ethics and Lobbyist accounts are derived from revenue collected for ethics fines and lobbying registration fees and fines. It was the Council's intent when drafting our enabling statute that those accounts remain separate from the District's general fund. Since the creation of this agency, the Ethics and Lobbyist funds have been used to supplement the local budget and to maintain the operations of the agency. BEGA's local budget is insufficient to acquire the necessary services and personnel that are needed for the agency to operate. The special purposes revenue is currently used to support one FTE, the learning management system contract, employee training, and support services. The Act not only affects BEGA's fiscal independence, but it also negates our ability to independently enforce the ethics rules within all the executive and legislative branches of our local government. In addition, the Act also seeks to regulate agency telework policies to the Mayor's discretion. We plan to oppose these sections of the Act. Given the constraints on completing the budget, the Council decided that BEGA will not have an official budget oversight hearing, instead we will submit testimony and answer questions. I intend to provide written testimony on behalf of OGE and meet with members of the Council to address these issues.

3. Lobbyist Registration and Reporting

OGE is in the process of amending the Lobbyist section of BEGA's regulations to make technical changes and clarify reporting requirements. Specifically, the amendments change the registration fee and late filing fine amounts to the new fee schedule that was implemented at the beginning of this fiscal year. The amendments will also include language that notifies registrants that the best course of action is to file a termination report when they don't intend to engage in lobbying activity. The proposed rulemaking was posted May 23rd, and the final date will be June 23rd. A copy was placed in the Dropbox for the Board's review.

E. OGE Administrative Matters

1. Vacancies

OGE's vacancy announcement for the Legal Fellow position closed, managers reviewed resumes, and interviewed candidates. The hiring of the selected individuals is contingent upon the ongoing budget situation. OGE will post its Program Support Assistant vacancy announcement as soon as possible once allowed. OGE has requested a waiver to hire for both vacancies amidst the city-wide hiring freeze.

F. Financial Disclosure Statement (FDS)

Pursuant to D.C. Official Code §§ 1-1162.24 and 1-1162.25, public officials and certain government employees must file a financial disclosure statement as a means of transparency and to prevent engaging in conduct that violates the financial conflicts of interest statute. BEGA is responsible for ensuring that employees and public officials, who meet the statutory requirement, file their annual financial disclosure statement.

The 2025 Financial Disclosure season has closed, and the FDS filing deadline was May 15th. OGE opened the season with 10,147 names in the e-filing system. 8,321 users had filed by May 15. Since then, an additional 395 files have filed. We are in the process of receiving financial disclosure review reports from agency ethics counselors and sending notices to delinquent filers.

G. Lobbying Registration and Reporting (LRR)

Pursuant to D.C. Official Code § 1-1162.27(a), a person who receives compensation or expends funds in an amount of \$250 or more in any 3-consecutive-calendar-month period for lobbying shall register with the Director of Government Ethics and pay the required registration fee. According to D.C. Official Code § 1-1162.30, each registrant shall file a quarterly report concerning the registrant's lobbying activities during the previous quarter.

The first quarter activity reports were due on April 15th, and reminder notices were sent to delinquent filers on May 29. The notice for 2nd Quarter Reporting will go out at the end of this month. The 2nd Quarter Reporting deadline is July 15. Attorney Advisor Echols and Program Coordinator Kosick are planning another Lobbyist training for June 25.

H. Public Investigations

1. 24-0016-F and 25-0002-F In re Trayon White – These are formal investigations based on: (1) the criminal indictment in which Respondent, Council member for Ward 8, alleged agreed to receive \$156,000 in bribes and accepted \$35,000 in cash from a business owner in exchange for assisting with renewing the company's violence-interruption contracts with the D.C. government; and (2) allegations that the Respondent violated the Code of Conduct by failing to file a full and complete public financial disclosure statements pursuant to D.C. Official Code § 1-1162.24. Investigation 24-0016-F is stayed pending the outcome of the criminal court case, which is scheduled for trial on January 12, 2026.

Thank you. This concludes the Office of Government Ethics' June 5, 2025, report.

Board member Sobin asked about the language in the Budget Support Act and noted the importance for agency independence to maintain access to the funds at issue in the BSA. He also asked whether the agency's telework policy differed from the Mayor's policy for subordinate agencies. Director Cooks advised that BEGA requires two days a week in office as opposed to the four days required by the Mayor.

VI. Public Comment

There were no public comments.

VII. Executive Session (nonpublic)

The Board voted unanimously to enter into Executive Session to discuss ongoing, confidential investigations pursuant to D.C. Official Code § 2-575(b)(14), to consult with an attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and a public body pursuant to D.C. Official Code § 2-575(b)(4)(A), to discuss personnel matters including the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials pursuant to D.C. Official Code § 2-575(b)(10), and to deliberate on a decision in which the Ethics Board will exercise quasi-judicial functions pursuant to D.C. Official Code § 2-575(b)(13).

VIII. Resumption of Public Meeting

The meeting resumed at 11:54 a.m.

The Board approved negotiated dispositions in 25-0001- F In re A. Lozada and 24-0124-P In re A. Smith.

The Board approved a Final Decision and Final Order in **24-0010-F In re Marcellus Willis**.

The Board will meet next on July 10, 2025 at 10:00 a.m.

The meeting adjourned at 11:55 a.m.

DRAFT