

# D.C. Board of Ethics and Government Accountability

www.bega-dc.gov

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Description	FY 2014 Actual	FY 2015 Approved	FY 2016 Proposed	% Change from FY 2015
Operating Budget	\$1,377,197	\$1,497,583	\$1,773,892	18.5
FTEs	10.8	13.0	15.0	15.4

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 enforces 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 2016 proposed budget is presented in the following tables:

## **FY 2016 Proposed Gross Funds Operating Budget, by Revenue Type**

Table AG0-1 contains the proposed FY 2016 agency budget compared to the FY 2015 approved budget. It also provides FY 2013 and FY 2014 actual expenditures.

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

<b>Appropriated Fund</b>	<b>Actual FY 2013</b>	<b>Actual FY 2014</b>	<b>Approved FY 2015</b>	<b>Proposed FY 2016</b>	<b>Change from FY 2015</b>	<b>Percent Change*</b>
<b>General Fund</b>						
Local Funds	1,041	1,354	1,438	1,684	246	17.1
Special Purpose Revenue Funds	0	23	60	90	30	50.0
<b>Total for General Fund</b>	<b>1,041</b>	<b>1,377</b>	<b>1,498</b>	<b>1,774</b>	<b>276</b>	<b>18.5</b>
<b>Gross Funds</b>	<b>1,041</b>	<b>1,377</b>	<b>1,498</b>	<b>1,774</b>	<b>276</b>	<b>18.5</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 2016 Operating Appendices** located on the Office of the Chief Financial Officer's website.

## **FY 2016 Proposed Full-Time Equivalents, by Revenue Type**

Table AG0-2 contains the proposed FY 2016 FTE level compared to the FY 2015 approved FTE level by revenue type. It also provides FY 2013 and FY 2014 actual data

**Table AG0-2**

<b>Appropriated Fund</b>	<b>Actual FY 2013</b>	<b>Actual FY 2014</b>	<b>Approved FY 2015</b>	<b>Proposed FY 2016</b>	<b>Change from FY 2015</b>	<b>Percent Change</b>
<b>General Fund</b>						
Local Funds	6.6	10.8	13.0	15.0	2.0	15.4
<b>Total for General Fund</b>	<b>6.6</b>	<b>10.8</b>	<b>13.0</b>	<b>15.0</b>	<b>2.0</b>	<b>15.4</b>
<b>Total Proposed FTEs</b>	<b>6.6</b>	<b>10.8</b>	<b>13.0</b>	<b>15.0</b>	<b>2.0</b>	<b>15.4</b>

## FY 2016 Proposed Operating Budget, by Comptroller Source Group

Table AG0-3 contains the proposed FY 2016 budget at the Comptroller Source Group (object class) level compared to the FY 2015 approved budget. It also provides FY 2013 and FY 2014 actual expenditures.

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

Comptroller Source Group	Actual FY 2013	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Percent Change*
11 - Regular Pay - Continuing Full Time	546	963	1,019	1,313	294	28.8
12 - Regular Pay - Other	3	1	112	0	-112	-100.0
13 - Additional Gross Pay	1	1	0	0	0	N/A
14 - Fringe Benefits - Current Personnel	97	181	238	254	16	6.8
<b>Subtotal Personal Services (PS)</b>	<b>647</b>	<b>1,146</b>	<b>1,369</b>	<b>1,566</b>	<b>197</b>	<b>14.4</b>
20 - Supplies and Materials	10	6	3	3	0	0.0
31 - Telephone, Telegraph, Telegram, Etc.	16	1	0	0	0	N/A
40 - Other Services and Charges	286	221	123	202	79	64.1
70 - Equipment and Equipment Rental	82	3	3	3	0	0.0
<b>Subtotal Nonpersonal Services (NPS)</b>	<b>394</b>	<b>231</b>	<b>129</b>	<b>208</b>	<b>79</b>	<b>61.3</b>
<b>Gross Funds</b>	<b>1,041</b>	<b>1,377</b>	<b>1,498</b>	<b>1,774</b>	<b>276</b>	<b>18.5</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 2016 proposed budget.

## FY 2016 Proposed Operating Budget and FTEs, by Program and Activity

Table AG0-4 contains the proposed FY 2016 budget by program and activity compared to the FY 2015 approved budget. It also provides the FY 2014 actual data.

**Table AG0-4**

(dollars in thousands)

Program/Activity	Dollars in Thousands				Full-Time Equivalents			
	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015	Actual FY 2014	Approved FY 2015	Proposed FY 2016	Change from FY 2015
<b>(1000) Office of Open Government</b>								
(1100) Office of Open Government	417	300	442	142	2.0	2.0	3.0	1.0
<b>Subtotal (1000) Office of Open Government</b>	<b>417</b>	<b>300</b>	<b>442</b>	<b>142</b>	<b>2.0</b>	<b>2.0</b>	<b>3.0</b>	<b>1.0</b>
<b>(2000) Board of Ethics</b>								
(2010) Board of Ethics	960	1,198	1,332	134	8.8	11.0	12.0	1.0
<b>Subtotal (2000) Board of Ethics</b>	<b>960</b>	<b>1,198</b>	<b>1,332</b>	<b>134</b>	<b>8.8</b>	<b>11.0</b>	<b>12.0</b>	<b>1.0</b>
<b>Total Proposed Operating Budget</b>	<b>1,377</b>	<b>1,498</b>	<b>1,774</b>	<b>276</b>	<b>10.8</b>	<b>13.0</b>	<b>15.0</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 2016 Operating Appendices** located on the Office of the Chief Financial Officer's website.

### FY 2016 Proposed Budget Changes

The District of Columbia Board of Ethics and Government Accountability's (BEGA) proposed FY 2016 gross budget is \$1,773,892, which represents an 18.5 percent increase over its FY 2015 approved gross budget of \$1,497,583. The budget is comprised of \$1,683,892 in Local funds and \$90,000 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 2015 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 2016 CSFL adjustments to the FY 2015 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 2016 CSFL budget is \$1,474,032, which represents a \$36,449, or 2.5 percent, increase over the FY 2015 approved Local funds budget of \$1,437,583.

### CSFL Assumptions

The FY 2016 CSFL calculated for BEGA included adjustment entries that are not described in detail on table 5. These adjustments were made for a net increase of \$36,449 in personal services to account for Fringe Benefit costs based on trend and comparative analyses, the impact of cost-of-living adjustments, and approved compensation agreements implemented in FY 2015.

### **Agency Budget Submission**

**Increase:** In order to effectively investigate, improve review of ethics complaints, and process financial disclosure and lobbyist activity filings timely, BEGA proposes an increase of \$120,942 in Local funds to reflect the reclassification of 2.0 Full-Time Equivalent (FTE) positions in the Board of Ethics program from part-time to full-time status. This budget also includes funding for projected salary steps and other personal services adjustments. Additionally, the budget in Local funds reflects an increase of \$8,912 in nonpersonal services to cover projected costs for office support, professional services, and employee stipends.

Other adjustment includes an increase of \$30,000 in Special Purpose Revenue funds to support the projected revenue stream for the agency's Accountability Fund.

**Decrease:** The Local funds budget reflects a decrease of \$129,853 and 2.0 FTEs in the Board of Ethics program.

### **Mayor's Proposed Budget**

**No Change:** Board of Ethics and Government Accountability's budget proposal reflects no change from the agency budget submission to the Mayor's proposed budget.

### **District's Proposed Budget**

**Enhance:** The Local funds budget reflects an increase of \$169,860 to support a new Attorney Advisor position and a new Ethics Trainer position. Other adjustments include increases of \$25,000 to cover compensation for board members and \$15,000 for the Office of Open Government to fund a website upgrade.

## FY 2015 Approved Budget to FY 2016 Proposed Budget, by Revenue Type

Table AG0-5 itemizes the changes by revenue type between the FY 2015 approved budget and the FY 2016 proposed budget.

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

DESCRIPTION	PROGRAM	BUDGET	FTE
<b>LOCAL FUNDS: FY 2015 Approved Budget and FTE</b>		<b>1,438</b>	<b>13.0</b>
Other CSFL Adjustments	Multiple Programs	36	0.0
<b>LOCAL FUNDS: FY 2016 Current Services Funding Level (CSFL) Budget</b>		<b>1,474</b>	<b>13.0</b>
Increase: To adjust personal services	Multiple Programs	121	2.0
Increase: To align resources with operational goals	Office of Open Government	9	0.0
Decrease: To adjust temporary full-time personal services and Fringe Benefits with projected costs	Multiple Programs	-130	-2.0
<b>LOCAL FUNDS: FY 2016 Agency Budget Submission</b>		<b>1,474</b>	<b>13.0</b>
No Change		0	0.0
<b>LOCAL FUND: FY 2016 Mayor's Proposed Budget</b>		<b>1,474</b>	<b>13.0</b>
Enhance: To support additional FTEs	Multiple Programs	170	2.0
Enhance: To align funding with nonpersonal services costs	Board of Ethics	25	0.0
Enhance: To support program initiative(s)	Office of Open Government	15	0.0
<b>LOCAL FUNDS: FY 2016 District's Proposed Budget</b>		<b>1,684</b>	<b>15.0</b>
<b>SPECIAL PURPOSE REVENUE FUNDS: FY 2015 Approved Budget and FTE</b>		<b>60</b>	<b>0.0</b>
Increase: To align budget with projected revenues	Board of Ethics	30	0.0
<b>SPECIAL PURPOSE REVENUE FUNDS: FY 2016 Agency Budget Submission</b>		<b>90</b>	<b>0.0</b>
No Change		0	0.0
<b>SPECIAL PURPOSE REVENUE FUNDS: FY 2016 Mayor's Proposed Budget</b>		<b>90</b>	<b>0.0</b>
No Change		0	0.0
<b>SPECIAL PURPOSE REVENUE FUNDS: FY 2016 District's Proposed Budget</b>		<b>90</b>	<b>0.0</b>
<b>Gross for AG0 - D.C. Board of Ethics and Government Accountability</b>		<b>1,774</b>	<b>15.0</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 2016:

### Board of Ethics<sup>1</sup>

**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

### Board of Ethics

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 Actual	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Percent of formal written Advisory Opinions issued within 30 days of receipt of complete information from requestor	Not Available	75%	69.2%	80%	80%	80%
Percent of investigations resolved by dismissal, negotiated disposition, or issuance of Notice of Violation within 120 days of initiation <sup>2</sup>	Not Available	Not Available	Not Available	65%	65%	65%
Percent of final Ethics Board orders issued within 45 days of close of hearing record <sup>3</sup>	Not Available	Not Available	Not Available	80%	80%	80%

## Office of Open Government

**Objective 1:** Promote Transparency and Open Government Policies.<sup>4</sup>

**Objective 2:** Ensure Compliance with the Freedom of Information Act (FOIA) and the Open Meetings Act (OMA).

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### KEY PERFORMANCE INDICATORS

#### Office of Open Government (OOG)

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 Actual	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Percent of Boards and Commissions trained on the Open Meetings Act	Not Available	50%	16.2%	25%	45%	65%
Percent of Agencies trained on Freedom of Information Act <sup>5</sup>	Not Available	80%	35.2%	65%	80%	80%
Percent of public core documents accessible on the BEGA website	Not Available	98%	100%	100%	100%	100%
Percent of public core documents posted to the BEGA website within five business days	Not Available	98%	100%	100%	100%	100%

#### Performance Plan Endnotes

<sup>1</sup>The Board of Ethics consists of three Board Members. The Board of Ethics also includes the Office of Government Ethics staff, which includes the Director of Government Ethics, attorneys, investigators, and administrative support staff.

<sup>2</sup>This Key Performance Indicator (KPI) replaces the previous FY 2014 KPI, "Percent of investigations resolved by dismissal, negotiated disposition, or issuance of Notice of Violation within 90 days of initiation."

<sup>3</sup>This KPI replaces the previous FY 2014 KPI, "Percent of enforcement actions completed within 75 days (from issuance of the Notice of Violation to final order of the Ethics Board)."

<sup>4</sup>As referenced in Mayor's Order 2014-170 Transparency, Open Government and Open Data Directive.

<sup>5</sup>OOG will conduct yearly citywide trainings of all District government agencies and will perform agency specific trainings upon request.