



**FY 2013 PERFORMANCE PLAN  
DC Board of Ethics and Government Accountability**

**MISSION**

The Board of Ethics and Government Accountability (BEGA) is responsible for overseeing both the Office of Government Ethics and the Office of Open Government. Oversight of the Office of Government Ethics includes administering and enforcing the District’s Code of Conduct.

**SUMMARY OF SERVICES**

Specifically, BEGA is responsible for:

- Investigating alleged violations of the Code of Conduct, holding adversarial hearings and, where appropriate, issuing sanctions;
- Issuing Advisory Opinions, providing “safe-harbor” for good-faith reliance on these opinions;
- Conducting mandatory ethics training for District government employees;
- Receiving and reviewing public financial disclosure statements from public officials, except Advisory Neighborhood Commissioners;
- Receiving and reviewing confidential financial disclosure statements from Advisory Neighborhood Commissioners; and
- 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
- Assisting government agencies in the implementation of open government practices.

**AGENCY WORKLOAD MEASURES<sup>1</sup>**

<b>Metrics</b>	<b>FY 2010 Actual</b>	<b>FY 2011 Actual</b>	<b>FY 2012 Actual</b>
# preliminary investigations opened based on tips to the hotline	NA	NA	NA
# of preliminary investigations opened based on information provided in meetings/interviews	NA	NA	NA
# of preliminary investigations opened based on calls other than calls to the hotline	NA	NA	NA
# of preliminary investigations opened based on documents received, including emails	NA	NA	NA
# of preliminary investigations opened based on media reports/sources	NA	NA	NA
# of preliminary investigations of a possible violation of the Code of Conduct initiated	NA	NA	NA
# of formal investigations initiated	NA	NA	NA
# of preliminary investigations dismissed	NA	NA	NA
# of formal investigations completed	NA	NA	NA
# of formal Advisory Opinions issued	NA	NA	NA

<sup>1</sup> Agency was created in FY 2013



## **OBJECTIVE 1: Successfully operate the Office of Government Ethics**

### **INITIATIVE 1.1: Establish the Office of Government Ethics and hire critical personnel (One City Action Plan Action 3.8.3).**

The Board of Ethics and Government Accountability (BEGA) is a new agency in FY 2013. The Board is responsible for investigating alleged violations of the District Code of Conduct by District government employees and public officials. In addition, the Board will issue advisory opinions and conduct training on the District Government's Code of Conduct, which will help guide employees and public officials regarding ethical behavior and help prevent unethical behavior and the appearance of such behavior. The Office of Government Ethics also will accept and audit lobbyist registration and activity reports. With respect to Financial Disclosure Statement filings, the Office of Government Ethics has responsibility for accepting and making available public Financial Disclosure Statement filings, for accepting the confidential Financial Disclosure Statement filings of Advisory Neighborhood Commissioners, and taking enforcement action against any required filer who fails to file. The Office of Government Ethics will support the Ethics Board by providing administrative and technical support. The Office will be established in early FY 2013, which includes the hiring of new employees, development of new policies and procedures for day-to-day operations, etc. Refinements will be made throughout the fiscal year to improve the level and number of services provided by the Office. **Completion Date: September 30, 2013.**

### **INITIATIVE 1.2: The Director of Government Ethics shall produce and publish online a quarterly report.**

The Office of Government Ethics will publish a quarterly report online that will detail: (1) The posture of each complaint it received, including whether an investigation was initiated, is ongoing, or has concluded; (2) The referrals made to the Ethics Board; (3) Fines and penalties imposed by the Ethics Board; (4) Allegations dismissed by the Ethics Board; and (5) Other action taken with regard to an allegation of a violation of the Code of Conduct. The Quarter 1 report for Fiscal Year 2013 will be issued in early calendar year 2013. Additional quarterly reports will be posted online on BEGA's website on or about April 1, 2013, July 1, 2013, and October 1, 2013. **Completion date: September 30, 2013.**

### **INITIATIVE 1.3: The Board of Ethics and Government Accountability shall conduct a detailed assessment of national best practices of government ethics law, ethical guidelines, and requirements for employees and public officials.**

BEGA is required to submit recommendations, in the form of a Best Practices Report, on December 31 of each year. For the first year, the Best Practices Report was due December 24, 2012, (i.e. 240 days after April 27, 2012), but BEGA received an extension until March 31, 2013. This year, BEGA was asked to discuss in the Best Practices report the following recommendations:

- (1) Whether to adopt local laws that are similar in nature to federal ethics laws;
- (2) Whether to adopt post-employment restrictions;



- (3) Whether to adopt ethics laws pertaining to contracting and procurement;
- (4) Whether to adopt nepotism and cronyism prohibitions;
- (5) Whether to criminalize violations of ethics laws;
- (6) Whether to expel a member of the Council for certain violations of the Code of Conduct;
- (7) Whether to regulate campaign contributions from affiliated or subsidiary corporations; and
- (8) Any other matter as determined by the Ethics Board.

Currently, BEGA is finalizing this year's Best Practices Report and anticipates issuing it on or about March 31, 2013. **Completion Date: March 31, 2013.**

**INITIATIVE 1.4: Produce ethics training materials, including summary guidelines for all applicable laws and regulations and produce a plain-language ethics guide (One City Action Plan Action 3.8.3).**

BEGA will complete and make available online a plain-language ethics guide called The District Ethics Manual. The Manual will be updated as necessary to incorporate changes to the Hatch Act and financial disclosure statement laws and regulations. Training will also be provided throughout the fiscal year to District government employees and agency ethics counselors. **Completion Date: September 30, 2013.**

**INITIATIVE 1.5: Operate a confidential, anonymous telephone hotline to receive information related to violations of the Code of Conduct or other information with regard to the administration or enforcement of the Code of Conduct.**

BEGA will establish and operate an anonymous and confidential telephone hotline. The telephone hotline will be staffed by investigators during the workday and will accept voice mail messages 24 hours a day, 7 days a week. **Completion Date: September 30, 2013.**

**OBJECTIVE 2: Successfully operate the Office of Open Government.**

**INITIATIVE 1.1: Establish the Office of Open Government and hire critical personnel.**

The Office of Open Government is a new office in Fiscal Year 2013. In addition to the Director of Open Government, two key positions are immediately required to begin full operation. These positions include: (1) A staff attorney to assist the Director in training District Government employees on Open Government policies and the requirements of the Freedom of Information Act; and (2) An IT specialist to assist the Director in developing an open data platform and centralized system for Freedom of Information Act requests. **Completion Date: September 30, 2013.**

**INITIATIVE 1.2: Develop policies under which the Office of Open Government will Operate.**

The Office of Open Government is a new office in Fiscal Year 2013. Once staff are on board, the director will initiate policies and procedures to govern the Office of Open Government. These policies and procedures will be critical to the Office's success in FY 2013 and beyond. **Completion Date: September 30, 2013.**



## KEY PERFORMANCE INDICATORS

Measure	FY 2011 Actual <sup>2</sup>	FY 2012 Target <sup>2</sup>	FY 2012 YTD <sup>2</sup>	FY 2013 Projection	FY 2014 Projection	FY 2015 Projection
Office of Government Ethics - Produce and publish online quarterly reports	NA	NA	NA	4	4	4
Produce and publish BEGA Best Practices Report, due December 31st	NA	NA	NA	1	1	1
BEGA shall hold monthly open/public board meetings	NA	NA	NA	12	12	12

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<sup>2</sup> BEGA is a new government entity, created in FY 2013. Therefore, the agency does not have historical data for prior fiscal years.