

January 18, 2018

The Honorable Charles Allen
Member of the Council of the District of Columbia from Ward 6
Chairperson, Committee on the Judiciary & Public Safety
The John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 110
Washington, D.C. 20004

Dear Chairperson Allen:

This is to submit on behalf of the Office of Campaign Finance (OCF), the enclosed Responses to your Questions regarding the performance of the Agency during Fiscal Year 2017.

If you require additional information, please let me know.

Respectfully,

Cecily E. Collier-Montgomery
Director

Enclosure

Responses to Performance Oversight Pre-Hearing Questions: Office of Campaign Finance
January 18, 2018

GENERAL QUESTIONS

- 1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel, and note the date that the information was collected on the chart.**
 - a. Please provide an explanation of the roles and responsibilities of each division and subdivision.**
 - b. Please provide a narrative explanation of any changes to the organizational chart made during the previous year.**

RESPONSE:

The Office of Campaign Finance (OCF) is organized into three major divisions which operate under the direction of the Office of the Director: the Office of the General Counsel (OGC); the Reports Analysis and Audit Division (RAAD); and the Public Information and Records Management Division (PIRM). The current Organizational Structure and Staffing Chart (January 2018), and Organizational Charts for each OCF Division (January 2018) (**Attachment A**) are attached. The Office of Campaign Finance Functional Organization Chart (January 2018) is attached, and provides a breakdown of the responsibilities of each OCF Division. See **Attachment B**. The OCF currently has thirty (30) continuing full time positions.

The Office of the Director is responsible for planning, directing and coordinating the administrative operations of the Board of Elections pertaining to the Campaign Finance Act of 2011, as amended. The Director establishes policy and institutes clear directives to ensure the reasonable enforcement and administration of the Act.

The Director issues interpretative opinions; initiates investigations and informal hearings on violations of the Campaign Finance Act, and issues final decisions and imposes fines, where appropriate; and plans, directs, and coordinates the overall programs, as well as the administrative and legal functions of the Agency, and the educational outreach services. The administrative function of the Office of the Director includes budgeting, procurement, personnel, and overseeing the administration of the OCF Web Site, the Electronic Filing and Disclosure System, and the cross index system for documents filed within the OCF.

The Office of the General Counsel (OGC) is responsible for enforcement through directing investigations, conducting hearings, and rendering recommendations for decisions on charges of violations of the Campaign Finance Act. The Office of the General Counsel prepares draft regulations, recommends legislative changes, reviews OCF forms for changes, administers the Freedom of Information Act (FOIA), and interprets the Campaign Finance Act for appropriate application. This Office is also responsible for promoting through educational outreach (training seminars and mandatory entrance conferences) voluntary compliance for all filings, registrations, and activity requirements mandated by the Act.

The Reports Analysis and Audit Division (RAAD) is responsible for performing the audit analysis and review of all financial reports and other documents received in the Office. The Division conducts field audits and investigations based upon deficiencies and conditions noted during the Desk Audit reviews. The Division conducts periodic field audits, and compiles statistical reports and summaries for all reports of receipts and expenditures submitted by candidates, committees, and the Constituent Service and Statehood Fund Programs. This program area is the primary generator of compliance actions through audits and the monitoring of the financial disclosure of the financial operations of the Constituent Service and Statehood Fund Programs, candidates, principal campaign committees, political committees, political action committees, independent expenditure committees, and all others required to file with the Agency.

The Public Information and Records Management Division (PIRM) is responsible for providing public information online at the OCF Website and onsite in the OCF Offices; administering the records management and retention programs; compiling information for listings and reports published in the Biennial Report; managing the electronic filing of financial reports, the data entry of paper submissions, and the disclosure of information at the OCF Website; and making all reports and statements available for public inspection within forty-eight hours of receipt as statutorily mandated. The Division conducts the Filer Pre-Notification and Failure to File Programs.

- 2. Please provide a current Schedule A for the agency which identifies each position by program and activity, with the employee's title/position, salary, fringe benefits, and length of time with the agency. Please note the date the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.**

RESPONSE:

The complete and current Schedule A for the Office of Campaign Finance is attached. The Schedule A identifies each position by program and activity, with the employee's title/position, current salary, fringe benefits, including the specific grade, series, and step of position, and length of time with the Agency; whether the position held is continuing/term/temporary/contract, or vacant and/or frozen; and whether the position must be filled to comply with federal or local law. **See Attachment C.**

- 3. Please list all employees detailed to or from your agency, if any. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.**

RESPONSE:

During FY 17, and as of this date in FY 18, the Office of Campaign Finance did not detail any employees from the Agency, nor did it have employees detailed to the Agency.

4. Please provide the Committee with:

- a. A list of all employees who received or retained cell phones, personal digital assistants, or similar communications devices at agency expense in FY17 and FY18, to date;**

RESPONSE:

The employees of the Office of Campaign Finance do not have cell phones, personal digital assistants, or similar communications devices at agency expense. All cell phones were disconnected on July 25, 2009, as a cost savings measure.

- b. A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle accidents involving the agency's vehicles in FY17 and FY18, to date;**

RESPONSE:

The Agency has one (1) Vehicle, a 2001 Ford Taurus. The Vehicle is assigned to Nadine Journette, the Administrative Officer, April Williams, the Administrative Assistant, and Payam Zeraat, the Investigator. The Vehicle is used exclusively for government business. The Vehicle was not involved in any accidents in FY17, or FY18 to date. During FY18, to date, the Office of Campaign Finance has requested a proposed lease agreement for one (1) vehicle (Toyota Corolla Sedan) with the Department of Public Works at an annual cost of \$4,618.00.

- c. A list of travel expenses, arranged by employee for FY17 and FY18, to date, including the justification for travel; and**

RESPONSE:

The Office of Campaign Finance did not incur expenses for employee travel in FY17 and in FY18, to date.

- d. A list of the total workers' compensation payments paid in FY 17 and FY18, to date, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.**

RESPONSE:

The Office of Campaign Finance did not pay workers' compensation in FY17, and as of this date, in FY18.

5. For FY17 and FY18, to date, what was the total cost for mobile communications and devices, including equipment and service plans?

RESPONSE:

See the Response to Question 4a. The Office of Campaign Finance has not purchased any mobile communication devices, nor has the Agency incurred any costs for mobile communications and devices, including equipment and service plans.

- 6. For FY17 and FY18, to date, please list all intra-District transfers to or from the agency and the purpose for each.**

RESPONSE:

The intra-District transfers received by or transferred from the Agency during FY17 or FY18, to date, are reported in the attached Chart of Intra-District and MOU Transfers. See **Attachment D**.

- 7. For FY17 and FY18, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:**
- a. The revenue source name and code;**
 - b. The source of funding;**
 - c. A description of the program that generates the funds;**
 - d. The amount of funds generated by each source or program;**
 - e. Expenditures of funds, including the purpose of each expenditure; and**
 - f. The current fund balance.**

RESPONSE:

The Office of Campaign Finance did not maintain, use, or have available for use, any special purpose revenue funds during FY17, and FY18, to date.

- 8. For FY17 and FY18, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.**

RESPONSE:

The list of the purchase card spending by the Agency is attached, with the name of the employee making each expenditure, and the general purpose for each expenditure for FY17 and FY18, to date. See **Attachment E**.

- 9. Please list all memoranda of understanding (MOU) entered into by your agency during FY17 and FY18, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.**

RESPONSE:

The list of all MOUs/Intra-District Transfers in place during FY17 and FY18, to date, is attached with the requested information. **See Attachment D.**

- 10. Please list the ways, other than MOU, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY17 and FY18, to date.**

RESPONSE:

During FY17 and FY18 to date, the Office of Campaign Finance (OCF) collaborated with the Office of the Attorney General for the District of Columbia, the Office of the U.S. Attorney (OUSA) for the District of Columbia, and the Office of the Inspector General for the District of Columbia to provide these Agencies with an explanation of the policies and procedures governing the OCF Audit Program. The OCF also sought information from the Federal Elections Commission concerning the organizational structure of the federal agency and the format of their job announcements.

Further, the Office of the General Counsel consulted with analogous agencies in other jurisdictions including Connecticut, New York and Maryland regarding the public financing of political campaigns, relative to proposed legislation before the Council of the District of Columbia.

Finally in an effort to improve the Petition for Enforcement process, OCF entered into a Memorandum of Understanding in November 2016 with the Office of the General Counsel for the Board of Elections to assist with the drafting and filing of complaints in the Superior Court for the District of Columbia.

- 11. Please list all capital projects in the financial plan and provide an update on all capital projects under the agency's purview in FY17 and FY18, to date, including the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide:**

- a. An update on all capital projects begun, in progress, or concluded in FY16, FY17, and FY18, to date, including the amount budgeted, actual dollars spent, and any remaining balances.**
- b. An update on all capital projects planned for FY18, FY19, FY20, FY21, FY22, and FY23.**
- c. A description of whether the capital projects begun, in progress, or concluded in FY16, FY17, or FY18, to date, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact.**

RESPONSE:

The Office of Campaign Finance did not have any projects for which capital funds were available to the Agency, in FY16, FY17, and FY18, to date. The Agency does not have capital projects planned for FY18, FY19, FY20, FY21, FY22, and FY23.

- 12. Please provide a list of all budget enhancement requests (including capital improvement needs), for FY17 and FY18, to date. For each, include a description of the need and the amount of funding requested.**

RESPONSE:

The Office of Campaign Finance did not present budget enhancement requests for FY17 and FY18, to date.

- 13. Please list, in chronological order, every reprogramming in FY17 and FY18, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, and within the agency. Include the revised, final budget for your agency after the reprogrammings for FY17 and FY18. For each reprogramming, list the date, amount, rationale, and reprogramming number.**

RESPONSE:

There were two (2) reprogramming in FY17, and none in FY18, to date, at the Agency's request. The reprogramming moved funds within the Agency, and the revised, final budget for the Agency for FY17 was not affected.

First, on December 27, 2016 (approved January 25, 2017), the Office of Campaign Finance requested the Reprogramming of \$30,000.00 of Fiscal Year 2017 Local Funds budget authority from Personal Services to Non-Personal Services. Funds were needed to cover the cost of upgrades and maintenance for the E-Filing System available at www.ocf.dc.gov. (\$53,772.96). See **Attachment F**, the Chart of FY17 and FY18, to date, Reprogramming.

Second, on April 12, 2017 (approved April 26, 2017), the Office of Campaign Finance requested the Reprogramming of \$30,000.00 of Fiscal Year 2017 Local Funds budget authority from Personal Services to Non-Personal Services. Funds were needed to support costs for the enhancement of the Agency's E-Filing System available at www.ocf.dc.gov, specifically the Flagged Contribution Tracking and Reporting modules (\$29,043.26). See **Attachment G**, the Chart of FY17 and FY18, to date, Reprogramming.

- 14. Please list each grant or sub-grant received by your agency in FY17 and FY18, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.**

RESPONSE:

The Office of Campaign Finance did not receive any grant or sub-grant in FY17 and FY18, to date.

- a. **How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs?**

RESPONSE:

The FTEs of the Office of Campaign Finance are not dependent on grant funding, and are funded solely through local funds.

- 15. Please list each contract, procurement, and lease, entered into, extended, and option years exercised, by your agency during FY17 and FY18, to date. For each contract, please provide the following information, where applicable:**

- a. **The name of the contracting party;**
- b. **The nature of the contract, including the end product or service;**
- c. **The dollar amount of the contract, including amount budgeted and actually spent;**
- d. **The term of the contract;**
- e. **Whether the contract was competitively bid;**
- f. **The name of the agency's contract monitor and the results of any monitoring activity; and**
- g. **Funding source.**

RESPONSE:

The list of each contract, procurement, and lease, entered into, extended, and option years exercised, by the Office of Campaign Finance during FY17 and FY18, to date, is attached, with the requested information provided for each. **See Attachment G.**

- 16. Please list all pending lawsuits that name the agency as a party. Identify which cases on the list are lawsuits that potentially expose the District of Columbia to significant financial liability or will result in a change in agency practices, and describe the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation about the issues involved in each case.**

RESPONSE:

The Office of Campaign Finance, to date, is unaware of any pending lawsuits in which the Agency is named as a party.

- 17. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY17 of FY18, to date, and provide the parties' names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).**

RESPONSE:

During FY18, to date, the Office of the General Counsel negotiated settlements on behalf of the Office of Campaign Finance in the following administrative matters:

- (1) OCF v. Lee Calhoun (OCF FI-2013-013) – Campaign Contribution Violations. Settled on January 8, 2018 for \$2000.00 in fines and a commitment to refrain from engaging in political activity in the District of Columbia in the future.
- (2) OCF v. Stanley Straughter (OCF FI-2013-014) – Campaign Contribution Violations. Settled on January 8, 2018 for \$2000.00 in fines and a commitment to refrain from engaging in political activity in the District of Columbia in the future.
- (3) OCF v. Jeffrey Thompson (OCF FI-2013-015) – Campaign Contribution Violations. Settled on January 8, 2018 for \$80,000.00 in fines and a commitment to refrain from engaging in certain political activity in the District of Columbia during the 2018 Election Cycle and to consult with the OCF prior to any future engagement in certain political activity.

18. Please list the administrative complaints or grievances that the agency received in FY17 and FY18, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY17 and FY18, to date describe the resolution.

RESPONSE:

The Office of Campaign Finance did not receive any administrative complaints or grievances in FY17 and FY18, to date.

19. Please describe the agency's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY17 and FY18, to date, whether or not those allegations were resolved.

RESPONSE:

The Office of Campaign Finance did not receive any allegations of sexual harassment or misconduct in FY17 and FY18, to date. Notwithstanding, the procedures involved for investigating allegations of sexual harassment or misconduct would commence with the referral of the allegations to the Equal Employment Officer (EEO) for the Agency. The EEO Officer is responsible for ensuring that the Agency adheres to the mandates of the various laws enacted to make certain that a fair and non-discriminatory workplace is provided to all OCF employees. More importantly, the EEO Officer is available to address any EEO concerns the employees of the Agency may have. Consistent with the procedures of the Department of Human Resources, any investigation undertaken would include advising the parties of their right to representation, examining the relevant evidence, conducting interviews, and reviewing the applicable laws and

regulations. Following the conclusion of the investigation, the EEO Officer issues a report in which recommendations are made to the Director. After the review of the recommendations, the Director issues a final agency decision which may be appealed to the Office of Employee Appeals.

20. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during FY17 and FY18, to date.

RESPONSE:

First, by correspondence dated July 21, 2017, the Office of the Inspector General (OIG) advised the Office of Campaign Finance of its intent to commence a review of the OCF's Reports Analysis and Audit Division, focusing on the full field audit processes of the Agency, and certain specific Audit Reports issued by the Agency. The review is ongoing.

Second, by email dated October 5, 2017, the Draft OCF P-Card Audit Report by the Office of Procurement Integrity & Compliance (OPIC), on behalf of the District's Chief Procurement Officer (CPO), for the period April 21, 2017 through July 20, 2017, was forwarded to the Agency for review. The Responses of the Agency to the two (2) areas of concern were not included, and were brought to the attention of the OPIC by subsequent transmission. The matter remains under review.

Last, a former employee of the Agency is the current subject of criminal proceedings in the District of Columbia and the State of Maryland, which were initiated while the individual was an employee of the Agency. Because of the nature of the charge in one proceeding, the employee was terminated in November 2017 in accordance with the District Personnel Manual.

With the exception of the above referenced matters, the Agency is unaware of any other ongoing investigations, audits, or reports on the Agency or any employee of the agency, or any investigations, studies, audits, or reports on the Agency or any employee of the Agency that were completed during FY 17 and FY18, to date.

21. Please describe any spending pressures the agency experienced in FY17 and any anticipated spending pressures for the remainder of FY18. Include a description of the pressure and the estimated amount. If the spending pressure was in FY17, describe how it was resolved, and if the spending pressure is in FY18, describe any proposed solutions.

RESPONSE:

The Office of Campaign Finance did face spending pressures during FY17, but resolved those issues through the reprogramming of Fiscal Year 2017 Local funds budget authority within the Agency from Personal Services to Non-Personal Services, as more fully described in the Response to Question No. 13. Specifically, the Agency did not have sufficient funds in Non-Personal Services to cover the costs associated with the maintenance and support of the OCF E-filing Systems and the Registration, Administrative, Public Reports and Data Download modules

at the OCF Website, and the cost of enhancements to the Flagged Contribution Tracking and Reporting Modules of the System.

The Office of Campaign Finance is not facing spending pressures for FY18. However, in the event the campaign reform legislation proposed in Calendar Year 2017 becomes Law, additional funds will be needed to upgrade the OCF Electronic Filing and Disclosure System (EFS) to fully implement the new reporting requirements. Specifically, the proposals are **Bill 21-0442, the “Political Action Committee Contribution Regulation Amendment Act of 2015”**; **Bill 22-0032, the “Clean Elections Amendment Act of 2017”**; **Bill 22-0107, the “Campaign Finance Reform Amendment Act of 2017”**; **Bill 22-0008, the “Campaign Finance Transparency and Accountability Amendment Act of 2017”**; **Bill 22-0051, the “Comprehensive Campaign Finance Reform Amendment Act of 2017”**; and **Bill 22-0192, the “Fair Elections Act of 2017”**.

At a minimum, with the exception of **Bill 22-0192, the “Fair Elections Act of 2017”**, the proposed amendments will increase the enforcement and audit responsibilities of the Office of Campaign Finance. In the first instance, the OCF Audit Division will review the reports of receipts and expenditures to ensure compliance with the new reporting requirements and prohibitions. The OCF Office of the General Counsel will initiate enforcement actions where violations of the Act occur. The Agency’s FY 2018 approved budget of \$2,908,335.00 allocates \$2,771,992.31 to the personal services budget to fund the 30 continuing full time positions of the Office of Campaign Finance. The existing staffing levels of the Agency will enable the OCF to assume the increased audit and enforcement responsibilities anticipated under these proposals.

Notwithstanding, additional funding will be required to secure the upgrades and enhancements to the Electronic Filing System, necessary to fully implement and facilitate the increased reporting requirements of the various proposals. The vendor who developed the OCF Electronic Filing System, and who has been responsible for its annual maintenance and subsequent upgrades, provided the very rough estimate of costs for the upgrades in the total sum of \$67,320.00.

The funds allocated to the FY 2018 Non-Personal Services Budget, \$136,342.69, will not support the upgrades required by the various proposals. The budget in this area (0410-2010) \$77,817.04 and (0404-2010) \$16,272.65 barely supports the projected annual maintenance costs of the OCF Electronic Filing and Disclosure System (\$55,476.00); the annual recruitment and staffing support services from the Department of Human Resources (\$15,000.00); annual fleet or lease services from the Department of Public Works (\$16,272.00/\$4,618.00); annual copier maintenance (\$7,395.84); and annual infrastructure support services from the Office of the Chief Technology Officer (\$17,253.00).

More importantly, **Bill 22-0192, the “Fair Elections Act of 2017”** will dramatically change the mode of financing campaign operations in the District of Columbia by offering candidates for elective office, with the exception of candidates for the Office of Advisory Neighborhood Commissioner, the opportunity to qualify for the public funding of their election campaigns. The legislation will establish the Fair Elections Program (the Program) within the Office of Campaign Finance and charge the Agency with the responsibility to administer the laws and regulations governing the Program; to promulgate procedures to govern the audit and verification of qualified small dollar contributions for compliance with the threshold requirements of the Program; to require additional reporting by participating candidates within thirty (30) days of

each scheduled election; and to review and evaluate the Program, and submit periodic reports to the Mayor and the Council concerning the status of the Program and its effect on campaigns.

The Fair Elections Program is voluntary, and the regulation of the financial operations of those candidates who do not volunteer to participate in the program, will remain subject to the existing reporting requirements of the Campaign Finance Act. The legislation creates a special dedicated non-lapsing fund for use solely to distribute payments to candidates who participate in the Program.

To qualify for public financing, candidates must demonstrate public support for their candidacy. This is accomplished through the collection of the required minimum number of single qualified small donations from district residents (individuals) in a total dollar amount based on the office sought. If the qualifying threshold is met, the candidate in a contested election will receive allocations from the "elections fund" in stated base amounts, dependent on the office sought, as well as matching fund payments based on the number of qualified small dollar contributions collected, at a stated multiple, for every private dollar contributed. The disbursement of base amount allocations is also authorized for recounts. Participating candidates in uncontested primary or general elections will only qualify for matching fund payments. Further, a cap is set on the total amount of public matching funds a candidate may receive, based on 110 % of the average expenditures of winning candidates for the covered office sought based on prior election cycles.

The proposal will require participating candidates to file financial reports of the qualified small dollar contributions collected, with signed completed receipts and affidavits from each contributor. The Office of Campaign Finance must then audit and verify each of these contributions to ensure that the threshold requirements for participation are met.

Clearly, the impact of this proposal on the Office of Campaign Finance is significant. At a minimum, the oversight responsibilities associated with the management of the "elections fund" and the certification of eligibility to participate in the public funding program will warrant an audit unit solely dedicated to that process. In addition, the Fair Elections Program will require the development of an online financial reporting system unique to the pre-certification and post certification accounting, with associated costs. The creation of a parallel filing system will segregate the publicly financed candidate committees from those which remain in the traditional financing program.

Consequently, there will be costs associated with the initial development of an e-filing system solely dedicated to financial reporting under the Fair Elections Program, and to fund the additional positions (audit and legal) which will be required to effectively administer the Program. Moreover, the elections fund must be fully funded to support payments from the fund, which will be reoccurring in subsequent Fiscal Years.

22. Please provide a copy of the agency's FY17 performance plan. Please explain which performance plan objectives were completed in FY17 and whether they were completed on time and within budget. If they were not, please provide an explanation.

RESPONSE:

The copy of the FY17 Performance Plan and Report for the Office of Campaign Finance is attached. **See Attachment H.** The Office of Campaign Finance fully achieved all of its Initiatives on time and within budget as detailed in the Report.

23. Please provide a copy of your agency's FY18 performance plan as submitted to the Office of the City Administrator.

RESPONSE:

The FY18 Performance Plan for the Office of Campaign Finance is attached as submitted to the Office of the City Administrator. **See Attachment I.**

24. Please describe any regulations promulgated by the agency in FY17 or FY18, to date, and the status of each.

RESPONSE:

The Office of Campaign Finance submitted a Notice of Emergency and Proposed Rulemaking to the Board of Elections, which was adopted by the Board on April 5, 2017 at its regularly scheduled meeting, and published in the D.C. Register on April 21, 2017 (64 DCR 3804). The Notice of Final Rulemaking was adopted by the Board at its regularly scheduled meeting on September 6, 2017, and became effective upon publication in the D.C. Register on October 13, 2017 (64 DCR 10306). The purpose of the amendments was to place the Board's Regulations into conformity with the Campaign Finance Reform and Transparency Emergency Act of 2016, enacted December 24, 2016 (D.C. Act 21-584:63 DCR 16043 (December 30, 2016)), and the Campaign Finance Reform and Transparency Temporary Amendment Act of 2016, enacted April 1, 2017 (D.C. Act 21-619:64 DCR 885 (February 3, 2017)) (the "Acts"). The Regulations capture the application of the \$5,000 limitation on contributions to political action committees during non-election years, and the increased reporting requirements of political action committees and independent expenditure committees during non-election years; and clarify the requirements of the certification required by business contributors.

The specific amendments are as follows:

(1) Chapter 30, "Campaign Finance Operations: Committees, Candidates, Constituent Service Programs, and Statehood Funds." Adopted October 13, 2017

§ 3011.2. Revised to include the contribution limitation (h) Political Action Committee (PAC) five thousand dollars (\$5,000);

§ 3011.3. Revised to limit the amount PACs may receive during any one election to five thousand dollars (\$5,000);

§ 3011.29. Revised to require business contributors to a political committee, political action committee, or independent expenditure committee to include only the affiliated entities which have also made contributions to the committee;

§ 3011.30. Repealed provision which recited the statutory requirements for compliance with the OCF requests for information;

§ 3011.33. Repealed the provision which excepted political action committees from the contribution limitations; and

§ 3017.3. Revised to require political action committees and independent expenditure committees to also file R & E Reports on April 10th and October 10th of each year in which there is no election.

(2) Chapter 34, “Campaign Finance Recordkeeping”. The most recent revision of this Chapter was adopted October 13, 2017.

§§ 3400.3 (c) and 3402.2 (c) were Repealed.

(3) Chapter 38, “Legal Defense Committees”. The most recent revision of this Chapter was adopted on October 13, 2017.

§ 3802.5 (c). Revised to require the treasurer and the legal beneficiary of the legal defense committee to maintain only the names of the affiliated entities which have made contributions to a legal defense committee.

(4) Chapter 41, “Campaign Finance Operations: Exploratory Committees”. The most recent revision of this Chapter was adopted on October 13, 2017.

§ 4101.1. Revised to allow candidates to designate an exploratory committee as a principal campaign committee; and

§ 4101.2(a). Revised to require an exploratory committee to be named as a “Connected Organization or Affiliated Committee” in the Statement of Organization.

25. Please provide the number of FOIA requests for FY17 and FY18, to date submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time; the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.

RESPONSE:

During FY17 and FY18 to date, OCF received three (3) FOIA requests; one (1) request was submitted by a private citizen, and two (2) were submitted by a member of the media. Both requests from a member of the media were received on the same date and the responses were provided within 11 days of receipt. The first request was granted but the second request was denied because the documents requested were being utilized by the Reports Analysis and Audit Division to conduct an audit. The third FOIA request from a private citizen was denied because OCF did not possess the information which was requested. The denial was issued within 3 days of receipt of the request. The requests were processed by one (1) FTE; and there were no costs associated with compliance.

26. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared, or contracted for, during FY17 and FY18, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

RESPONSE:

First, on January 31, 2017, the Office of Campaign Finance issued and presented in an electronic format the 2017 Biennial Report of Contributions and Expenditures to the Mayor and the Council of the District of Columbia for the period from January 2015 through December 2016. The Campaign Finance Laws require the Director to make a Biennial Report to the Mayor, the Council, and the general public, commencing January 31, 2001, and every two years thereafter, on January 31st. The report describes the receipts and expenditures of candidates for elective office, with the exception of ANC candidates, and principal campaign committees for the prior two year period, in dollar amount and percentage terms, by donor categories and size of the donation, and expenditure type. Graphs are used to present the percentage terms. The receipts and expenditures of the political action committees, independent expenditures, and the exploratory, inaugural, transition, and legal defense committees must also be summarized. The Report was presented in an electronic format, and made available for members of the public at the OCF Web Site, the OCF Offices, and in the Washingtoniana Room of the Martin Luther King, Jr. Memorial Library. **See Attachment J**, the correspondence dated January 31, 2017 and addressed to the Honorable Charles Allen, Member of the Council of the District of Columbia from Ward 6, which forwarded the 2017 Biennial Report.

Second, the Office of Campaign Finance conducted extensive research and provided analyses relative to the issue of the District of Columbia adopting a public financing program. The research revealed that the purpose of adopting a public financing system is not to create different winners and losers but to create a more robust participation in the electoral process by increasing both the racial and socioeconomic diversity of the small donor pool.

Overall, the OCF conducted research in the following areas:

- (1) March 8, 2017 conducted research regarding how various jurisdictions identify excessive contributions. Contacted campaign finance offices in CT, WA, NY, VA, MD, DE and the FEC;
- (2) March 29, 2017 performed research and analysis of the Fair Elections Act of 2017;
- (3) May 4, 2017 conducted research regarding how several jurisdictions perform full Audits and Desk Reviews (Virginia, Delaware, and Maryland);
- (4) May 30, 2017 conducted research on the Campaign Finance Transparency and Accountability Amendment Act of 2017 (proposed legislation);
- (5) May 30, 2017 conducted research on the Campaign Finance Act of 2017 (proposed legislation);
- (6) May 30, 2017 conducted research on the Clean Elections Amendment Act of 2017 (proposed legislation);
- (7) May 30, 2017 conducted research on the Comprehensive Campaign Finance Reform Amendment Act of 2017 (proposed legislation); and

(8) June 26, 2017 conducted research regarding how New York City's Public Financing program works.

See Attachment K.

27. Please separately list each employee whose salary was \$100,000 or more in FY17 and FY18, to date. Provide the name, position number, position title, program, activity, salary, fringe, and the aggregate amount of any overtime or bonus pay received by each employee on the list.

RESPONSE:

The list of each OCF employee whose salary was \$100,000 or more in FY17 and FY18, to date, is attached with the requested information provided. **See Attachment L.**

28. Please list in descending order the top 25 overtime earners in your agency in FY17 and FY18, to date, if applicable. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned.

RESPONSE:

There were no employees in the Office of Campaign Finance who earned overtime in FY17 and FY18, to date.

29. For FY17 and FY18, to date, please provide a list of employee bonuses or special pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

RESPONSE:

The Office of Campaign Finance did not grant employee bonuses or special award pay during FY17 and FY18, to date.

30. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.

RESPONSE:

There is no collective bargaining agreement in effect for the employees of the Office of Campaign Finance.

31. If there are any boards or commissions associated with your agency, please provide a chart listing the names, confirmation dates, terms, and wards of residence of each member. Include any vacancies. Please also attach agendas and minutes of each board or commission meeting in FY17 or FY18, to date, if minutes were prepared.

Please inform the Committee if the board or commission did not convene during any month.

RESPONSE:

The Office of Campaign Finance is established within the Board of Elections (the Board), an independent Agency of the District Government. The Board is comprised of three (3) members. The Office of Campaign Finance is responsible for the administrative operations of the Board under the Campaign Finance Act of 2011, as amended. See D.C. Official Code § 1-1163.02. The Board is created under D.C. Official Code §1.1101.02. The Executive Director of the Board is responsible for managing the daily operations of the Board, which includes the scheduling of the monthly public meetings of the Board, the preparation of the meeting agenda, and maintaining the minutes of the meeting, as well as the records relative to the service of the Board Members.

32. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Provide a description of whether the agency is in compliance with these requirements, and if not, why not (e.g. the purpose behind the requirement is moot, etc.).

RESPONSE:

D.C. Official Code, § 1-1163.04 (7) (2001 Edition, as amended), requires the Director of the Office of Campaign Finance to present to the Mayor, the Council, and the general public, commencing January 31, 2001, and every two years thereafter, a biennial report, summarizing, for the prior two year period, the receipts and expenditures of candidates for public office (except candidates for Advisory Neighborhood Commission Member), and of political committees, including principal campaign, exploratory, inaugural, transition, and legal defense committees; political action committees; and independent expenditures. The Agency is in compliance with this requirement. The most recent OCF Biennial Reports (2011, 2013, 2015, and 2017) may be viewed at the OCF Website, www.ocf.dc.gov.

On January 31, 2017, the Agency presented the OCF 2017 Biennial Report of Contributions and Expenditures to the Mayor and the Council of the District of Columbia, and to the public. The Report describes the receipts and expenditures of candidates for elective office, with the exception of ANC candidates, for the prior two year period, in dollar amount and percentage terms, by donor categories and the size of the donation, and expenditure type. Graphs are used to present the percentage terms. The receipts and expenditures of the political committees, political action committees, and independent expenditure committees are also summarized. For the first time, the January 2017 Biennial Report presents a listing and chart depicting the “Top Three Committees by Contributions Received” during the past two year period by in Part I. Candidates and Principal Campaign Committees”, by office type; Part II, the Political Action Committees; Part III, Independent Expenditures; Part IV, Inaugural Committees; and Part V, Exploratory Committees.

33. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names

of the trainers, and the number of agency employees that were trained. Note whether the training was specifically related to campaign finance issues.

RESPONSE:

During FY 17 and FY18, to date, the Office of Campaign Finance provided vigorous educational opportunities for managers and staff. The courses offered included division specific seminars such as Writing Audit Reports by Objectives administered by a facilitator from the Graduate School USA and legal courses provided through the DC Bar. The Office of Campaign Finance continued its Professional Development Partnerships with the District of Columbia's Protective Services Agency and the Graduate School USA. In addition, as a means of encouraging employees to enhance their ability to work in teams and individually, the Department of Human Resources (Trainer: Tiffany Ramsey) provided onsite training which focused on the city's vast web-based Skillport Learning Management System (LMS). The LMS training provided the employees with round the clock access to training resources that include thousands of interactive learning resources that can be accessed from multiple devices. Overall, the knowledge gained during the training increases employee learning, abilities and curiosity. Employees are better equipped to carry out their duties and responsibilities which is paramount to helping the OCF meet its and the District's mission, goals and objectives. The Workforce Development statistics include a total of two (2) on-site training seminars, five (5) on-line training sessions, one (1) division specific course/seminar, five (5) DC Bar courses, and one (1) Information Technology course/trainings. The Division specific training is designed to keep employees abreast of advancements in their respective fields. The specialized training was offered to the Audit Division, and was administered by Elizabeth Cohen, a facilitator from the Graduate School USA. The three (3) day course titled "Writing Audit Reports by Objectives", explored the concept of why establishing audit objectives is essential to organizing data and information to achieve results, and directly addressed campaign finance audit issues. The OCF Auditors earned 24 Continuing Professional Education (CPE) credits for the successful completion of this course.

Professional Development Training was also provided to the Office of Campaign Finance by the District's Office of Disability Rights (ODR). The training addressed the procedures needed to ensure that city programs, services, benefits and activities are fully accessible to and useable by individuals with disabilities. Jessica Hunt, the ODR General Counsel, and Matthew McCollough, the ODR Acting Director, presented the training.

The courses provided in FY17 and FY18, to date, are listed below:

<i>FY 17and FY18, to date, Professional Development Statistics</i>		
FY 17 and FY18, to date, Workforce Development Statistics		
(On-Site)		
Date	Name of Course/Seminar	Number of Participants
8/10/2017	DCHR Skill Port Training	12
9/19/2017	Writing Audit Reports by Objectives	11
9/20/2017	Writing Audit Reports by Objectives	11

9/21/2017	Writing Audit Reports by Objectives	11
10/23/2017	Disability Rights in the Workplace	15
(Online)		
Date	Name of Course/Seminar	Number of Participants
3/07/2017	Cyber security Awareness Training	1
4/07/2017	Reasonable Suspicion Training	2
4/25/2017	Giving Appropriate Feedback	1
4/25/2017	Making Feedback a Required Occurrence	1
4/25/2017	Coaching to Shift Perception	1
<i>FY 17 and FY18, to date, Specialized Training Statistics</i>		
Audit Courses		
Date	Name of Course/Seminar	Number of Participants
9/19-9/21/2017	Writing Audit Reports by Objectives	11
Legal Courses-DC Bar		
Date	Name of Course/Seminar	Number of Participants
8/24/2017	Fundamentals of Taking Depositions	1
8/29/2017	High Stakes: Legal Ethics and Modern Practice	3
9/07/2017	Fee Agreements in DC; An Ethics and Practice Guide	1
9/13/2017	Supreme Court Review	1
9/15/2017	Providing Effective Written Feedback for Lawyers	1
<i>Information Technology Stats</i>		
Date	Name of Course/Seminar	Number of Registrants
3/07/2017	Cyber security Awareness Training	1

- 34. Does the agency conduct annual performance evaluations of all its employees? Who Conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements?**

RESPONSE:

The Office of Campaign Finance conducts annual performance evaluations of all employees in accordance with the District of Columbia Personnel Manual. The evaluation of the performance of line employees is conducted by the Division Managers for the employees who are assigned to their respective Divisions. The Director evaluates the performance of the OCF Managers, namely, the General Counsel, the Audit Manager, the Public Affairs Manager, the Training Officer, and the Administrative Officer. The OCF Managers, as well as Supervisors serving

within a Division, are responsible for the evaluation of the employees who serve under their direct supervision. All employees are evaluated following the close of the performance plan period, which begins on October 1st and ends on September 30th of each year. A Performance Plan is developed for each employee to state goals which are directly related to the job duties and responsibilities of the position held by the individual, and support the mission of the Agency. The work of each employee is monitored and reviewed throughout the performance period to ensure the completion of projects and the accuracy of tasks assigned. Moreover, because a significant number of the outputs of the Office of Campaign Finance are time sensitive, this affords another marker by which to measure performance. Where the performance of employees requires improvement, the OCF Manager is required to plan divisional training, and to meet quarterly with the affected employees to reassess performance and provide feedback to ensure progressive career growth.

The Agency has implemented an informal mid-year review process designed to monitor the progress of employees, and to assist staff in overcoming any deficiencies in their performance. During FY16, all Managers completed the “ePerformance for Supervisors” Training which focuses on the enhancement of management skills in the planning, tracking, and documenting the performance of employees in the evaluation process. The OCF line employees were also provided training on the evaluation process.

The OCF Training Officer works with the OCF Managers to identify areas where training may improve or enhance the job performance of employees, on an individual basis, and to plan and locate educational opportunities for the employees at large on an annual basis through the DCHR Workforce Development Administration and with the D.C. Bar. During FY 2017, the Training Officer planned and scheduled Professional Development Courses for employees through the Workforce Development Administration; specialized training for the Audit Branch; and coordinated specialized training for the Office of the General Counsel through the D.C. Bar.

AGENCY OPERATIONS

35. Please describe any initiatives that the Agency implemented in FY17 or FY18, to date, to improve the internal operations of the Agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.

RESPONSE:

First, during the 2016 Election Cycle, the Office of Campaign Finance focused on improving the internal operations of the Agency pertaining to monitoring the campaign operations of the Candidate for Advisory Neighborhood Commission Member. As a consequence, the Agency’s interaction with the ANC Candidate has improved.

Specifically, the Office of Campaign Finance expanded its Educational Program in FY 16 to focus on the ANC Candidate. As you know, the Board of Elections conducted at the November 8, 2016 General Election, the election of the candidates for the Office of Member of an Advisory Neighborhood Commission (ANC). There were approximately 443 active candidates in this Election, and on November 18, 2016, the Board certified 276 candidates as the winners in their respective Single Member Districts. The District of Columbia Municipal Regulations, at Chapter

30, “Elections and Ethics”, Section 3002.6, require that each ANC Candidate, regardless of the outcome of the election, win or lose, file the Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC) (OCF Form 18), no later than sixty (60) days after the certification of the election results. To better address the reporting responsibilities of the ANC Candidate during the 2016 Election Cycle, the Office of Campaign Finance revised the OCF 2016 Schedule of Training Seminars to offer comprehensive training dedicated solely to the ANC Candidate. The ANC candidates in all eight (8) Wards of the District of Columbia were invited. The Seminars titled “Understanding the Rules of the Game: A Campaign Finance Playbook for Advisory Neighborhood Commission (ANC) Candidates” were held on September 15, 2016, and on October 6, 13, and 20th, 2016 in the Office of Campaign Finance. The revised 2016 Schedule of Training Seminars (Revised) was published at the OCF Website on September 9, 2016. A total of 59 ANC Candidates participated in the training sessions, and received a Certificate of Completion. Notices of the ANC Training were also published at the OCF Face Book Page and the OCF Twitter Account.

To further assist the ANC Candidate, the Office of Campaign Finance developed and introduced online on September 29, 2016, the narrated training module, “Understanding the Rules of the Game: A Campaign Finance Playbook for Advisory Neighborhood Commission (ANC) Candidates”. The module was designed to familiarize the user with the reporting requirements for the ANC candidacy. ANC candidates were notified by email blast of the availability of the tutorial and the login codes for access at the OCF Website. Thirty-four (34) individuals completed the ANC Tutorial. As the result of these efforts, 425 of the 450 required filers (94%) submitted the ANC Financial Summary Statement to the Office of Campaign Finance, and all Statements were e-filed.

To better monitor the financial reporting of the ANC Candidate, the OCF revised the Standard Operating Procedures for the Audit Division to provide for the Desk Review of the ANC Summary Financial Statement (OCF Form 18). The Summary Financial Statement of the Candidate for the Office of Member of an ANC must include the total receipts and expenditures relative to seeking election to the ANC Office; the cash on hand at the close of the reporting period; the total amount of debts and obligations owed to and owed by the ANC candidate; the method of disposal of surplus funds; certification that the ANC candidate did not receive contributions from any person excluding the candidate, in excess of twenty-five (\$25) dollars; or a certification that the ANC candidate did not receive contributions from any person or make expenditures, including from or by the candidate, to support the election to the ANC Office. The deadline for the filing of the ANC Summary Financial Statement was January 17, 2017. The Audit Division has conducted the desk review of 428 Summary Financial Statements of ANC Candidates. This initiative will ensure accurate reporting by the ANC Candidate.

Second, the Office of Campaign Finance continues to implement initiatives that expand community outreach and assist the agency in carrying out its mission. One of those projects included the development of webinars titled Understanding the Rules of the Game and utilized in the Public Education Training Program. The Campaign Finance Playbook Webinar kicked off in March of 2017 and was held every other month. During the 2018 Election Cycle, the webinars will be held the first Tuesday of each month. The outreach is extended to new candidates and the treasurers of newly registered Committees. Notification of the webinars is made through email blasts, and placement on the OCF’s website and its social media platforms. The PowerPoint presentation is narrated by the OCF Supervisory Training Officer, and includes panelists (OCF

Managers) from each of the Agency's Divisions. To date 24 trainees have participated in the agency's webinars.

Third, on November 16, 2016, the OCF General Counsel and the BOE General Counsel entered into a Memorandum of Understanding (MOU) concerning the protocol for the preparation and filing of pleadings to expedite the initiation of actions in the Superior Court of the District of Columbia once the Board of Elections approves the OCF Petitions for the enforcement of its fines. The Board serves as the oversight authority for the Office of Campaign Finance, as well as the appellate body which adjudicates cases referred by the Agency for the enforcement of the OCF Orders imposing fines which are unpaid. Specifically, pursuant to 3 DCMR 3711.9, the Director may petition for enforcement of its Orders before the Board in an open and adversarial hearing within sixty (60) days after the expiration of the period provided for the payment of any fine. Many of these cases are settled prior to adjudication before the Board. However, others result, in referral, through the Board, to the Superior Court to affirm, modify or remand the Order to affect closure of the cases. Due to the increased staffing levels of the OCF Office of the General Counsel, the OCF will assist in the preparation and filing of associated pleadings directly with the Civil Division of the Superior Court. The Office of the General Counsel, during FY17 and FY18, has continued to utilize an internal calendar which OCF staff may review to obtain information regarding status of cases, schedules for informal hearings and due dates for fines. This internal calendar provides OGC staff members with a quick reference to check the status of cases and immediately respond to inquiries from respondents. As a result of the OGC internal calendar, the informal hearings process has become more efficient. During FY18 the OGC granted access to its internal calendar to the other divisions which has served to provide notice of upcoming events and eliminated scheduling conflicts.

Fourth, the Office of the General Counsel and the Public Information Records Management Division revised their Standard Operating Procedures to incorporate a process for the review of the contributions made by Business Contributors to better monitor compliance with the Campaign Finance Act, as amended. D.C. Official Code §§ 1-1161.01 (2A), (4A), and (10A), (18A), and 1-1163.33 (f-1), collectively require that a business entity making a contribution and all of its affiliated entities share the contribution limits. Of significance, the "business contributor" must disclose to a committee, when a contribution is made, the identities of the contributor's affiliated entities that have also contributed to the committee, and certify for each contribution made that no affiliated entities have contributed an amount that when aggregated with the contribution would exceed the limits. The committee must then disclose on their financial reports the contribution by the business contributor and the identity of each of its affiliated entities that have also contributed to the committee. See D.C. Official Code Sections 1-1163.09, 1-1163.13, and 1-1163.33. These amendments as a whole where disclosure is made at the time of contribution, result in the transparency of the contributions received from business entities and their affiliated relationships on the face of the financial reports, and validate the legality of the contribution.

Following each deadline for the filing of Reports of Receipts and Expenditures, the PIRM Division generates and forwards to the OGC a sampling of the data of at least fifty (50) business contributors from each committee or Program filing for review and verification of any associated affiliated entities. The review relies on the records and registration documents of the District of Columbia Department of Consumer and Regulatory Affairs, the current edition of America's Corporate Families Directory, business reference sources, and any other additional resources,

including the internet that may identify the affiliated entities which are connected to Business Contributors.

Once the information provided by the required filers is reviewed, the OGC staff compares the information in the filer's reports to the information uncovered through the resources and arrives at a determination regarding whether the Business Contributors and their Affiliated Entities have complied with the appropriate disclosures and the contribution limits. The OGC staff drafts a summary report on Business Contributors and their Affiliated Entities which includes findings and recommendations, and forwards the report to the General Counsel at least fifteen (15) days prior to the next filing date. In the event it appears that a violation may have occurred, the OGC refers the matter to the Reports Analysis and Audit Division for further examination. The initiative became effective for the January 31st 2017 Deadline for the filing of Reports of Receipts and Expenditures. During FY17 and FY18, to date, the Office of Campaign Finance has not uncovered any discrepancies in the information provided in the Financial Reports filed with the Agency.

Fifth, to improve the accuracy of the filer in the reporting of contributor information, as well as the ability of the Agency to track and identify excessive contributions that span more than one coverage period, enhancements were made to the OCF E-Filing System in the two (2) modules described below:

- (1) The Contributions Data Entry Screen allows filers to enter contribution details into the E-Filing System and was modified as follows:
 - a. Address auto-complete – The address of the contributor will be auto populated as the filer types. The integration of the USPS address database through the third party application Smarty Streets will prevent the entry of addresses which are not available in the USPS database.
 - b. Contributors List and auto-complete – The filer will have the option to select the name of a contributor from a pop up list where the contributor has given previously, and the system will also auto populate the name as the user types the first name or last name or organization name, if present; and will store a code for the name entered to identify similar sounding names. This will avoid the duplication of contributor information and will also simplify the data entry task.
 - c. Previous contributor validation – The system verifies if similar contributor exists in the system by comparing the sound of the contributor name.
- (2) **The Flagged Contributions Module** is available for administrative use only and initially lists the filers who have received contributions. This screen provides a quick summary that includes the committee name, number of excessive contributions, and the total amount received in excess of the allowed limit. The Module has been enhanced to allow contributors to be grouped by name, similar sounding names, and by address; or by both name and address by aggregate amount received.

36. What are the agency's top five priorities? Please explain how the agency expects to address these priorities in FY19. How did the Agency address its top priorities listed for this question last year?

RESPONSE:

The top five (5) priorities for the Agency listed during Fiscal Year 2017 and how the priorities were addressed are as follows:

- (1) The timely, effective, and objective execution of the responsibilities of the Agency associated with core mission and support functions directly related to the collection, review, and disclosure of financial reports, and enforcement responsibilities for the candidates and committees who participated in the 2016 General Election, continuing committees, and the Constituent Service and Statehood Fund Programs. The Agency will organize site visits by the OCF Staff to the Early Voting Centers and to at least ten (10) of the Election Precincts operated by the Board of Elections in each of the eight Wards during the November 8, 2016 General Election. The site visits afford the Agency the opportunity to be present in the community and available to the public to respond to questions, and to assist the public in understanding their obligations under the Campaign Finance Act, and the role of the Office of Campaign Finance in administering the Act.

Through the Audit Program, the Agency will ensure compliance with the reporting requirements, and the complete and accurate representation of campaign financial activity through the full field audit of the campaign operations of candidates newly elected to Office following the certification of the results of the November 2016 General Election. The Office of Campaign Finance will conduct Desk Reviews of all Reports of Receipts and Expenditures filed with the Agency throughout the Fiscal Year, and conduct periodic audits of the financial reports of the Constituent Service Programs, following the close of the October 1st and April 1st Filing Deadlines, and of the continuing committees following the January 31st and July 31st Filing Deadlines.

In addition, the Agency will focus on its responsibility to administer the provisions of D.C. Act 21-0584, the “Campaign Finance Reform and Transparency Emergency Amendment Act of 2016”, effective December 24, 2016. The Act expires on March 24, 2017. The Act increases the reporting cycles for political action committees and independent expenditure committees during nonelection years to include the 10th days of April and October, and applies the current contribution limitation of \$5,000 to political action committees during nonelection years. The Agency will desk review the additional reports for compliance with the reporting requirements, and will pursue enforcement where there is non-compliance.

The Agency through the E-Filing and Disclosure System will provide real time disclosure of all financial reports electronically filed, and the data entry of all paper submissions to facilitate the disclosure of these reports within 48 hours of receipt. Overall, these efforts will collectively serve the public interest by ensuring that the electorate has accurate information upon which it can rely to make educated, informed decisions during the election process.

Finally, to become more effective in the pursuit of enforcement actions before the Board of Elections where fines imposed by Orders of the Director have not been paid, the OCF entered into a Memorandum of Understanding with the Office of the

General Counsel for the Board to assist with the drafting and filing of complaints in the Superior Court for the District of Columbia.

ACTION TAKEN DURING FY17: The Office of Campaign Finance organized site visits to the Early Voting Centers and to 85 of the Election Precincts operated by the Board during the November 8, 2016 General Election. 10 or more Precincts were inspected within each Ward. The OCF Staff provided counsel where necessary, and found very few infractions during the site visits to the Election Precincts, Electioneering markers were accurately measured and placed at the 50 foot boundary from the Precinct entrance; electioneering activity was conducted within the appropriate boundaries; and most campaign signs observed displayed the proper disclaimers.

In the Audit Program, the Agency issued fourteen (14) Periodic Audit Reports of candidates active in the 2016 and 2018 Election Cycles, Political Action Committees, and the Constituent Service Programs; and two (2) Full Field Audits of newly Elected Officials. The Audit Branch conducted 1092 Desk Reviews of the financial reports filed with the Agency; issued 142 Requests for Additional information and received 92 Responses, remainder were due in FY18; and recommended 17 Committees for termination upon the approval of their Final Accounts. 128 matters (121 Failures to File Reports and 7 Failures to comply with Requests from the Audit Branch for Additional Information) were referred to the Office of the General Counsel for noncompliance with the reporting requirements. The OGC conducted 99 informal hearings and issued 105 Orders, 37 of which imposed fines.

To fully implement the provisions of the “Campaign Finance Reform and Transparency Emergency Amendment Act”, the Office of Campaign Finance submitted a Notice of Emergency and Proposed Rulemaking to the Board of Elections, which was adopted by the Board on April 5, 2017 at its regularly scheduled meeting, and published in the D.C. Register on April 21, 2017 (64 DCR 3804). The Notice of Final Rulemaking was adopted by the Board at its regularly scheduled meeting on September 6, 2017, and became effective upon publication in the D.C. Register on October 13, 2017 (64 DCR 10306). The purpose of the amendments was to place the Board’s Regulations into conformity with the Campaign Finance Reform and Transparency Emergency Act of 2016, enacted December 24, 2016 (D.C. Act 21-584:63 DCR 16043 (December 30, 2016)), and the Campaign Finance Reform and Transparency Temporary Amendment Act of 2016, enacted April 1, 2017 (D.C. Act 21-619:64 DCR 885 (February 3, 2017)) (the “Acts”). The Regulations capture the application of the \$5,000 limitation on contributions to political action committees during non-election years, and the increased reporting requirements of political action committees and independent expenditure committees during non-election years; and clarify the requirements of the certification required by business contributors. The Agency published notice of the changes in the contribution limitations for the political action committees and the increased reporting requirements during non-election years for the political action committees and the independent expenditure committees on January 9, 2017 at the OCF Website, and through Reminder letters to committees of impending filing deadlines of the changes in the law.

Further, the OCF E-Filing System was upgraded to capture the 10th day of both April and October as new reports under the “type of report” due by political action committees and independent expenditure committees in a non-election year, and to enable the e-filing of the reports on those dates. The administrative and public modules were modified for the e-filing applications, Schedule A, to recognize the application of the current limit of \$5000 for

contributions specific to the political action committee during the non-election year. The excel import feature was also modified to raise a red flag to the filer of the receipt of any contribution entered which exceeds the \$5000 contribution limit.

From a disclosure standpoint, the Office of Campaign Finance received by e filing at its website, during FY17, 1026 Reports of Receipts and Expenditures which were available real time to the public for its review at the OCF Website.

The Office of Campaign Finance referred twenty-nine (29) Petitions for the Enforcement of Fines in the total sum of \$41,575.00 to the Board of Elections during FY17, on November 1, 2016 and March 30, 2017, against respondents who either failed to pay outstanding fines or requested a hearing de novo before the Board by the due date. These cases were scheduled for Pre-Hearing Conferences on November 30, 2016, April 17, 2017 and April 26, 2017. Of the 29 cases referred, six (6) cases were settled for reduced fines, nine (9) cases were certified by the BOE for submission to the D.C. Superior Court (the Court entered judgments against the respondents in two (2) of these cases) and fourteen (14) cases remain pending before the BOE.

- (2) The evaluation of the results of the Online Survey published at the OCF Website in August 2016 to assess the effectiveness and efficiency of the redesigned OCF E-Filing Applications and Web Site to deliver information and services. The Survey closed for comment on December 31, 2016. The original OCF Website and E-Filing System were designed in Fiscal Year 2002. As previously reported, the Office of Campaign Finance during Fiscal Years 2013 and 2014, worked closely with the Office of the Chief Technology Officer to redesign the OCF homepage layout and navigation scheme. The redesign required the migration of the OCF database content and EFs applications to the new DC.Gov Drupal content management system. On April 15, 2015, the new OCF Website launched. The conversion of the website to the new easier web platform has improved navigation and performance, and provided a more citizen centric layout of information with a contemporary look and feel. The results of the Online Survey will aid the Office of Campaign Finance in its ongoing effort to ensure the disclosure, transparency, and easy access by the public of the financial reports received by the Agency. The OCF will consider and implement the recommendations, if any, of the Survey, where feasible.

ACTION TAKEN DURING FY17: A total of twenty-six (26) users of the Website participated in the survey via a popup window. The Website Usability Survey Report was submitted to the OCF on January 13, 2017, and the results evaluated and recommendations forwarded for enhancements to the OCF on September 26, 2017. The OCF Management Team has evaluated the recommendations and approved several for implementation. The selected items have been forwarded for cost estimates.

- (3) Development of the Database of Expedited Advice. The OCF Office of the General Counsel will create a database of advice issued concerning time-sensitive election related matters, numbered in chronological order and sorted by topic, for public search at the OCF Website. Because of time constraints, the requests for expedited advice are addressed within fifteen (15) days of receipt and are distinguished from requests for interpretative opinions. The creation of the database will provide an

additional resource for the public relative to the application of the campaign finance laws, and a reference point for OCF to ensure the consistency of advice.

ACTION TAKEN DURING FY17: The Office of the General Counsel completed the compilation of the expedited advice issued by the Agency on time sensitive election related matters during FY17, numbered in chronological order and sorted by topic for publication at the OCF Website. The Digest was published on the OCF Website on December 21, 2017.

(4) Dissemination of the January 2017 Biennial Report.

ACTION TAKEN DURING FY17: The Office of Campaign Finance produced and disseminated in an electronic format on January 31, 2017, the OCF Biennial Report of Contributions and Expenditures to the Mayor and the Council of the District of Columbia, and to the public. The Report describes the receipts and expenditures of candidates for elective office, with the exception of ANC candidates, for the prior two year period, in dollar amount and percentage terms, by donor categories and the size of the donation, and expenditure type. Graphs are used to present the percentage terms. The receipts and expenditures of the political committees, political action committees, and independent expenditures were also summarized. For the first time, the January 2017 Biennial Report presents a listing and chart depicting the “Top Three Committees by Contributions Received” during the past two year period in Part I, Candidates and Principal Campaign Committees”, by office type; Part II, the Political Action Committees; Part III, Independent Expenditures; Part IV, Inaugural Committees; and Part V, Exploratory Committees.

(5) Educational Outreach. The Office of Campaign Finance will reinforce to the filing community through educational outreach, onsite training and social media platforms, the new contribution limitations for political action committees, and the increased financial reporting dates for political action committees and independent expenditure committees. Specifically, the reporting cycles for political action committees and independent expenditure committees during nonelection years are increased to include the 10th days of April and October, and the current contribution limitation of \$5,000 is applied to political action committees during nonelection years.

ACTION TAKEN DURING FY17: The Agency incorporated clear instruction and guidance on the new reporting requirements, through the mandatory training conferences for new candidates and treasurers; the onsite educational seminars scheduled throughout Calendar Year 2017; and the Pre-Notification and Request for Additional information Programs. The conferences and seminars provide the opportunity for participants to speak directly with Senior Staff concerning the application of the Campaign Finance Laws, the audit and enforcement programs of the Agency, and the electronic filing of financial reports. The goal of the Educational Outreach Program is to promote voluntary compliance and deter future violation of the reporting requirements.

The top five (5) priorities for the Agency for Fiscal Year 2018 are as follows:

- (1) Conduct site visits to the Early Voting Centers and to at least ten (10) of the Election Precincts operated by the Board of Elections in each of the Eight (8) Wards during the June 19th, 2018 Primary Election.

- (2) Establish a Community Outreach Program through which information on the Campaign Finance Laws may be disseminated at events in the community.
- (3) Conduct a comprehensive review of the OCF Regulations, Forms, Brochures, and Standard Operating Procedures to fully implement any legislative enactments which impact the Campaign Finance Act.
- (4) Provide in-house training for members of the OCF Staff to reinforce their understanding of the Campaign Finance Act, as amended.
- (5) Provide a public search feature by topic of the “Complaints and Decisions” link at the OCF Website to increase the transparency of the OCF Enforcement Operations.

37. Please list each new program implemented by the agency during FY 17 and FY 18, to date. For each initiative please provide:

- a. A description of the initiative;**
- b. The funding required to implement the initiative; and**
- c. Any documented results of the initiative.**

RESPONSE:

I. FY17 Programs

First, the Office of Campaign Finance expanded its Educational Program to specifically focus on the Candidate for Advisory Neighborhood Commission Member. As you know, the Board of Elections conducted at the November 8, 2016 General Election, the election of the candidates for the Office of Member of an Advisory Neighborhood Commission (ANC). There were approximately 443 active candidates in this Election, and on November 18, 2016, the Board certified 276 candidates as the winners in their respective Single Member Districts. The District of Columbia Municipal Regulations, at Chapter 30, “Elections and Ethics”, Section 3002.6, require that each ANC Candidate, regardless of the outcome of the election, win or lose, file the Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC) (OCF Form 18), no later than sixty (60) days after the certification of the election results. To better address the reporting responsibilities of the ANC Candidate during the 2016 Election Cycle, the Office of Campaign Finance revised the OCF 2016 Schedule of Training Seminars to offer comprehensive training dedicated solely to the ANC Candidate. The ANC candidates in all eight (8) Wards of the District of Columbia were invited. The Seminars titled “Understanding the Rules of the Game: A Campaign Finance Playbook for Advisory Neighborhood Commission (ANC) Candidates” were held on September 15, 2016, and October 6, 13, and 20th, 2016 in the Office of Campaign Finance. The 2016 Schedule of Training Seminars (Revised) was published at the OCF Website on September 9, 2016. A total of 59 ANC candidates participated in the training sessions, and received a Certificate of Completion. Notices of the ANC Training were also published at the OCF Face Book Page and Twitter Account.

To further assist the ANC Candidate, the Office of Campaign Finance developed and introduced online on September 29, 2016, the narrated training module, “Understanding the Rules of the Game: A Campaign Finance Playbook for Advisory Neighborhood Commission (ANC)

Candidates”. The module was designed to familiarize the user with the reporting requirements for the ANC candidacy. ANC candidates were notified by email blast of the availability of the tutorial and the login codes for access at the OCF Website. Thirty-four (34) individuals completed the ANC Tutorial. As the result of these efforts, 425 of the 450 required filers (94%) submitted the ANC Financial Summary Statement to the Office of Campaign Finance, and all Statements were e-filed.

In addition, the Standard Operating Procedures for the Audit Division were revised to provide for the Desk Review of the ANC Summary Financial Statement (OCF Form 18). The Summary Financial Statement of the Candidate for the Office of Member of an ANC must include the total receipts and expenditures relative to seeking election to the ANC Office; the cash on hand at the close of the reporting period; the total amount of debts and obligations owed to and owed by the ANC candidate; the method of disposal of surplus funds; certification that the ANC candidate did not receive contributions from any person excluding the candidate, in excess of twenty-five (\$25) dollars; or a certification that the ANC candidate did not receive contributions from any person or make expenditures, including from or by the candidate, to support the election to the ANC Office. The deadline for the filing of the ANC Summary Financial Statement was January 17, 2017. The Audit Division has conducted the desk review of 428 Summary Financial Statements of ANC Candidates. This initiative will ensure accurate reporting by the ANC Candidate.

Second, the Agency expanded the Educational Program to introduce the Webinar as a live web based training tool to address the reporting requirements of the Campaign Finance Act. During FY17, the Office of Campaign Finance held three (3) Webinars on March 7, 2017, May 9, 2017, and September 5, 2017; and three (3) in FY18, to date, on October 3, 2017, November 7, 2017, and December 5, 2017. At the end of the Webinar presentation, the public is invited to ask questions. The Office of Campaign Finance will continue to offer the Webinar Seminar throughout Calendar Year 2018 on the first Tuesday of each month. All recently registered candidates and treasurers are invited by email to participate and further reinforce their reporting responsibilities. The Webinar is titled “Understanding the Rules of the Game”. The Campaign Finance Playbook webinar kicked off in March of 2017. Notification of the webinars is made through email blasts, and placement on the OCF’s website and its social media platforms. The PowerPoint presentation is narrated by the OCF’s Supervisory Training Officer and includes panelists (Division managers) from each of the agency’s Divisions. To date, 24 trainees have participated in the agency’s webinars.

Third, the Office of the General Counsel and the Public Information Records Management Division revised their Standard Operating Procedures to incorporate a process for the review of the contributions made by Business Contributors to better monitor compliance with the Campaign Finance Act, as amended. D.C. Official Code §§ 1-1161.01 (2A), (4A), and (10A), (18A), and 1-1163.33 (f-1), collectively require that a business entity making a contribution and all of its affiliated entities share the contribution limits. Of significance, the “business contributor” must disclose to a committee, when a contribution is made, the identities of the contributor’s affiliated entities that have also contributed to the committee, and certify for each contribution made that no affiliated entities have contributed an amount that when aggregated with the contribution would exceed the limits. The committee must then disclose on their financial reports the contribution by the business contributor and the identity of each of its affiliated entities that have also contributed to the committee. See D.C. Official Code Sections 1-

1163.09, 1-1163.13, and 1-1163.33. These amendments as a whole where disclosure is made at the time of contribution, result in the transparency of the contributions received from business entities and their affiliated relationships on the face of the financial reports, and validate the legality of the contribution.

Following each deadline for the filing of Reports of Receipts and Expenditures, the PIRM Division generates and forwards to the OGC a sampling of the data of at least fifty (50) business contributors from each committee or Program filing for review and verification of any associated affiliated entities. The review relies on the records and registration documents of the District of Columbia Department of Consumer and Regulatory Affairs, the current edition of America's Corporate Families Directory, business reference sources, and any other additional resources, including the internet that may identify the affiliated entities which are connected to Business Contributors.

Once the information provided by the required filers is reviewed, the OGC staff compares the information in the filer's reports to the information uncovered through the resources and arrives at a determination regarding whether the Business Contributors and their Affiliated Entities have complied with the appropriate disclosures and the contribution limits. The OGC staff drafts a summary report on Business Contributors and their Affiliated Entities which includes findings and recommendations, and forwards the report to the General Counsel at least fifteen (15) days prior to the next filing date. In the event it appears that a violation may have occurred, the OGC refers the matter to the Reports Analysis and Audit Division for further examination. The initiative became effective for the January 31st 2017 Deadline for the filing of Reports of Receipts and Expenditures. During FY17 and FY18, to date, the Agency has not uncovered any discrepancies in the information provided in the Financial Reports and the OCF verification process.

Fourth, the Agency, consistent with the provisions of the "Campaign Finance Reform and Transparency Amendment Act of 2015", made applicable January 31, 2015, continued to manage the Mandatory Training Program, introduced in February 2015, for new candidates and the treasurer of each newly organized political committee, political action committee, independent expenditure committee, and the Constituent Service and Statehood Fund Programs. The Program is designed to ensure compliance with the contribution limits, the prohibitions, and the reporting requirements of the Campaign Finance Act. The conferences were coordinated by the Office of the General Counsel at the registration of the entity, and supported by the Audit and Public Information Divisions. At the conclusion of the training, each participant was required to swear or affirm to follow the Campaign Finance Laws, and a Certification of Attendance issued. During FY 17, the OCF achieved 100% compliance with the legislative mandate for newly registered candidates and the treasurers of newly organized committees to attend the training. The Agency issued Certificates of Attendance to each of the twenty-nine (29) candidates and treasurers who registered during FY 17, and swore or affirmed to follow the Campaign Finance Laws. The names of the participants were posted at the OCF Web Site and included in the monthly production statistics of the Agency presented to the Board of Elections.

The 100% compliance rate assured the residents of the District of Columbia that the filing community has participated in, and received training to specifically address their obligations and duties under the Campaign Finance laws, and made a commitment to comply with those laws. The 100% compliance rate also promotes voluntary compliance with the Campaign Finance

Laws as demonstrated through the 99.7% compliance rate achieved for the filing of Reports of Receipts and Expenditures by newly registered candidates and treasurers who attended the mandatory training.

To evaluate the effectiveness of the educational seminars, including the mandatory training sessions, the OCF circulates surveys at the conclusion of each session to determine whether the presentations achieved acceptable satisfaction ratings. Of 69 completed user surveys, the participants overwhelmingly responded favorably to the Public Training Sessions, and those who participated in the mandatory training, found it to be informative and helpful in their roles as either Candidate or Treasurer. A total of 52 respondents rated the Trainer and Seminar as “Excellent” in the areas Knowledge of Subject Matter, Clear and Effective Presentation, and Useful Content.

During FY 17, the Office of Campaign Finance achieved a 99.7% compliance rate with the legislative mandate to file all financial reports online at the OCF Website. 1026 of the 1028 total reports received during FY 17 were filed electronically. The submission of financial reports online provides the public with real time access to the financial transactions reported by candidates, committees, and the Constituent Service and Statehood Fund Programs. The OCF fully utilized its Educational Training Program, Website, Social Media Platforms, and Filer Pre-Notification Program to reinforce to the filing community the legislative mandate to submit all financial reports online with the OCF, unless actual hardship in complying is demonstrated.

Last, the Agency enhanced the OCF E-Filing System to enable committees and Constituent Service Programs to use the Excel Application Software to file their respective Reports of Receipts and Expenditures. The Excel Upload Module was moved to production on November 7, 2016. This feature allows the filer of financial reports (OCF Forms 10 and 16) to import contribution (Schedule A) and expenditure (Schedule B) records from pre-defined Excel template files. The filer may use the OCF formatted excel spreadsheet to enter the committee’s information for Schedules A and B, and then upload the spreadsheet to automatically populate the Schedules. The first report available for the use of this function was the December 10, 2016 Filing Deadline for the Report of Receipts and Expenditures. Based on our records, at least four (4) Committees have elected to use the excel upload as of this date. All were successful, but there were some issues filers encountered which prevented the program from running as smoothly as we hoped. The problems encountered include that the filer altered or made changes to the excel template preventing it from uploading, entered an invalid address, or inadvertently failed to fill in a required field. This would result in the filer receiving an error message. To avoid these issues moving forward, the Agency has instituted a warning message advising the filer to not alter or change the excel template in any manner, and updated the template so that when an error occurs, the filer will know specifically where the error occurred so that it may be corrected. All changes are scheduled to be in place before the January 31st, 2018 Report of Receipts and Expenditures is due.

The FY17 Budget provided ample funding for the enhancements to the OCF Website and E-Filing System, and for the audit and enforcement responsibilities required by these programs through the increased staffing levels in both the Legal and Audit Divisions.

II. FY18 Programs

During FY18, the Office of Campaign Finance will establish a Community Outreach Program through which information on the Campaign Finance Laws and the responsibilities of the Office of Campaign Finance to administer and enforce those Laws may be disseminated at events in the community. The Agency will partner with the Board of Elections to coordinate with Civic Associations and the Office of the Advisory Neighborhood Commissions, to identify those events where the OCF may present information to the public.

Of significance, the Office of Campaign Finance will monitor the enactment of proposed legislation before the Council of the District of Columbia to amend the Campaign Finance Act, and introduce the public financing of campaigns in the District of Columbia. The changes in the Campaign Finance Laws will require the Agency to secure the enhancement of the OCF E-Filing and Disclosure System to facilitate the revision of existing e-filing applications or the development of new applications; the revision of OCF Regulations, Standard Operating Procedures, Forms, and Brochures; the expansion of the OCF Educational Program to incorporate instruction on the new amendments; and the training of staff to ensure the proper application of any revisions and the administration of any new programs.

38. How does the agency measure programmatic success? Please discuss any changes to outcomes measurement in FY17 and FY18, to date.

RESPONSE:

In general, the Agency measures the success of certain aspects of its Programs (Legal, Audit, Public Information) based upon the ability to complete/perform defined tasks within a time certain, established by the campaign finance laws or regulations, or the OCF Standard Operating Procedures. For example, the desk review of financial reports and the conduct of informal hearings must be completed before the next filing deadline; interpretative opinions must be issued within thirty (30) days of request; random audits must be completed within sixty days of initiation; financial reports must be made available for public review within 48 hours of receipt; and requests for expedited advice must be resolved within fifteen (15) days. In other areas, the success of a program may be based on the actual number of participants for a specific activity. Specifically, the measure for the success of the Mandatory Electronic Filing Program and the Mandatory Training Program has been based on the number of registrants with the Office of Campaign Finance who have complied with both Programs. Moreover, the decrease in the initiation of enforcement actions may be directly attributable to the success of these Programs and the personal accountability required of candidates and treasurers through the certification to follow and comply with the Campaign Finance Laws. The achievement of these goals ensures the timely, accurate, and complete portrayal of campaign operations and the disclosure of financial records to the public upon which it can rely to make informed decisions in the election process.

During FY 17, the Office of Campaign Finance achieved a 99.7% compliance rate with the legislative mandate to file all financial reports online at the OCF Website. 1026 of the 1028 total reports received during FY 17 were filed electronically. The submission of financial reports online provides the public with real time access to the financial transactions reported by candidates, committees, and the Constituent Service and Statehood Fund Programs. The OCF

fully utilized its Educational Training Program, Website, Social Media Platforms, and Filer Pre-Notification Program to reinforce to the filing community the legislative mandate to submit all financial reports online with the OCF, unless actual hardship in complying is demonstrated.

The Office of Campaign implemented the Mandatory Online Filing Program for all financial reports filed by candidates and committees registered with the Agency during FY15. The provisions of the “Campaign Finance Reform and Transparency Amendment Act of 2013”, made applicable January 31, 2015, mandate the online submission of all financial reports, unless actual hardship is demonstrated in complying with this requirement.

Section 3006 of Chapter 30, “Campaign Operations: Committees, Candidates, Constituent Service Programs, Statehood Funds”, of Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR), prescribes the procedures which govern the mandatory electronic filing of financial reports, including the steps and timeframes that must be followed to request an exception to the electronic filing requirement; and clearly states that the paper filing of the Report of Receipts and Expenditures will be considered a failure to file.

In addition, the OCF achieved 100% compliance with the legislative mandate for newly registered candidates and the treasurers of newly organized committees to attend the training. The Agency issued Certificates of Attendance to each of the twenty-nine (29) new candidates and treasurers who registered during FY 17, and swore or affirmed to follow the Campaign Finance Laws. The names of the participants were posted at the OCF Web Site and included in the monthly production statistics of the Agency presented to the Board of Elections.

The Mandatory Training Program was also introduced in February 2015, for new candidates and the treasurer of each newly organized political committee, political action committee, independent expenditure committee, and the Constituent Service and Statehood Fund Programs, pursuant to the provisions of the “Campaign Finance Reform and Transparency Amendment Act of 2015”, made applicable January 31, 2015.

The 100% compliance rate assured the residents of the District of Columbia that the filing community has participated in, and received training to specifically address their obligations and duties under the Campaign Finance laws, and made a commitment to comply with those laws. The 100% compliance rate also promotes voluntary compliance with the Campaign Finance Laws as demonstrated through the 99.7% compliance rate achieved for the filing of Reports of Receipts and Expenditures by newly registered candidates and treasurers who attended the mandatory training.

Lastly, the Agency uses Surveys in its Educational Program to assess the content and performance of the trainer, and online surveys to evaluate the E-Filing System and the Website content and services. There have been no changes to the Performance Plan indicators in FY17 and FY18, to date.

39. What are the top metrics regularly used by the agency to evaluate its operations? Please be specific about what data points are monitored by the agency.

RESPONSE:

The OCF Key Performance Indicators, Measures and Target, and the Workload Measures for each Program are discussed below:

- (1) Provide fair, effective, and timely enforcement programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (3 Measures)
 - a. Percent of informal hearings conducted and closed before the next filing deadline. The target is 100%. The objective of the Office of the General Counsel is to conduct informal hearings and resolve alleged violations of the reporting requirements prior to the next filing deadline. The corresponding Workload Measure is the “Total Number of informal hearings conducted”, which information is collected from the monthly activity reports of the OGC (which include the number of “Informal Hearings Referred”, “Informal Hearings completed”, and “Informal Hearing Orders Issued”), and is based upon the actual date of the referral of the reporting deficiency for enforcement, the notices of hearings, the Orders of the Director published at the OCF Website disposing of these matters, and the next filing date of the filer.
 - b. Percent of Interpretative Opinions issued within thirty (30) days. The target is 100%. Section 3305.5 of Title 3, “Elections and Ethics”, of the Regulations of the Board of Elections requires the Director of Campaign Finance to respond in writing within thirty (30) days of the acceptance for review of a request for an interpretative opinion. The corresponding Workload Measure is the “Total number of Interpretative Opinions and Expedited Advice issued”. The OCF collects data to evaluate this measure from the monthly activity reports of the Office of the General Counsel, which include the number of requests received and issued; and is based upon the records of the General Counsel which docket the date of receipt of the request, and assign a number that identifies the calendar year of receipt and the sequential order in which the request was received, and the date the Interpretative Opinion is issued and published at the OCF Website. The OCF determines whether the target of issuance within thirty (30) days was achieved from comparing the date of actual receipt against the date the opinion was issued, using the afore-mentioned sources.
 - c. Percent of expedited advice for time-sensitive election related matters issued within fifteen (15) days of request. The target is 100%. The corresponding Workload Measure is the “Total number of Interpretative Opinions and Expedited Advice issued”. The OCF collects data to evaluate this measure from the monthly activity reports of the Office of the General Counsel, which include the number of requests for “Internal Queries” received and issued; and is based upon the records of the General Counsel which docket the date of receipt, assign an advice number that includes the calendar year of receipt and the sequential order in which the request was received; and the date the advice is issued in writing. The OCF determines whether the target of issuance within fifteen (15) days was achieved from comparing the date of actual receipt against the date the advice was issued, using the afore-mentioned sources.

- (2) Provide high quality educational outreach services (entrance conferences, training seminars, publications, and online tutorials) to increase full disclosure and voluntary compliance with the Campaign Finance Act (1 Measure)
- a. Total number of mandatory training conferences conducted. The corresponding Workload Measure is the “Total number of mandatory training conferences conducted. The Campaign Finance Act of 2011, as amended, requires the candidates and treasurers of each committee to enroll in mandatory training at the OCF upon their registration. The objective of the measure is to measure the actual compliance with the mandatory training requirement and ensure that each new registrant receives training on the reporting requirements of the Campaign Finance Laws. The OCF collects data to evaluate this measure from the monthly activity reports of the Public Information and Records Management Division, which states the number of new candidate and committee registrations received during the coverage period, based on information stored in the OCF Database, the names of the participants, and the dates of the entrance conferences conducted. At registration, each new candidate and the treasurer of each new committee, is scheduled for mandatory training. At the conclusion of the training, the participant is issued a Certificate of Completion. The OCF maintains an attendance sheet and copies of the executed certificates in its records. The names of the participants are published at the OCF Website. To validate the actual number of entrance conferences conducted, the OCF generates a list of the new registrants from the OCF Database and compares it to the roster of entrance conference attendees, the executed certificates, and the monthly production reports of the Agency.
- (3) Provide fair, effective, and efficient audit programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (2 Measures).
- a. Percent of financial reports reviewed, evaluated, and analyzed before the next filing deadline. The target is 100%. D.C. Official Code § 1-1163.03 (a)(1)(H) authorizes the Director to make audits and field investigations from time to time of the financial reports filed under the Act. The corresponding Work Measure is the “Total number of financial reports reviewed, evaluated, and analyzed for the reporting period”. The objective is to review each report filed for complete and accurate reporting to ensure full disclosure before the next reporting deadline. The outputs and outcomes of this Performance Indicator are determined based upon the actual number of desk audits completed before the next filing deadline of the financial reports filed on the preceding filing deadline. To monitor this measure, the Agency collects the actual number of financial reports received as reported in the OCF Database, the listings of financial reports referred by the Public Information Division to the Audit Division for review, and the actual number of desk reviews conducted by the Audit Division as maintained in the Division Records and reported in its monthly production statistics provided to the Board of Elections and published at the OCF Website. To validate the data, the Agency compares the number of actual reports received as captured on the OCF Database, the listings referred by the PIRM Division to the Audit Division for review, and the monthly activity statistics of the Audit Division.

- b. Percent of periodic random audits conducted within sixty (60) days of initiation. The target is 100%. D.C. Official Code § 1-1163.03 (a)(1)(H) authorizes the Director to make audits and field investigations from time to time of the financial reports filed under the Act. The corresponding Work Measure is the “Total number of periodic random and full field audits completed by the Audit Division”. The objective of the measure is to obtain full and complete disclosure of campaign operations through the audit process in a timely manner. To monitor this measure, the Agency researches and collects the actual number of audits conducted based on the monthly production statistics of the Audit Division which report the status of all ongoing audits, the letters of notification to filers of the initiation of audits, the actual number and date of Audit Reports issued by the Director and published at the OCF Website, and the Agency monthly production statistics presented to the Board of Elections and published at the OCF Website. To validate the data, the Agency compares the number of Audit Reports approved by the Director and published at the Website with the OCF monthly production statistics which include the Audit Division statistics, and the audit notification letters.
- (4) Provide a high quality web-internet based public disclosure system to receive the online submission of financial reports, and to ensure the availability of campaign finance data and information in a manner that is easy to navigate, search, sort, and retrieve at the OCF Website. (1Measure)
 - a. Total number of financial reports filed electronically. The corresponding Workload Measures are the “Total number of financial reports filed electronically”, and the “Total number of financial reports filed”. The Campaign Finance Act of 2011, as amended, requires the submission of all financial reports online at the OCF Website, unless an exception to this requirement is granted. The OCF collects data from which to monitor the performance of this measure from the OCF Database which receives and stores the online submission of financial reports on the required due dates. The OCF generates from the Database a list of the required filers for the various report dates based on the number of active committees registered with the Agency, a list of the reports received electronically, a list of the paper submissions of those registrants granted an exception from the mandatory requirement, and the list of those registrants who failed to file. The total number of required filers from each filing due date, the number of electronic submissions, and the number of failures to file, or requests for extensions are reported in the monthly activity report of the Public Information Division and included in the monthly production report of the Agency provided to the Board of Elections and published at the OCF and BOE Websites. The performance data is validated through the comparison of the list of the online submissions generated by the OCF Database with the list of the required filers and the paper submissions.
- (5) Create and maintain a highly efficient, transparent and responsive District Government. (1 Measure)
 - a. Percent of Investigative matters closed within ninety (90) days of opening. The target is 100%. The objective of the Office of the General Counsel is to investigate and resolve complaints within ninety (90) days of receipt, unless the

time is extended by the Board of Elections for good cause shown. The corresponding Workload Measure is the “Total number of Investigations completed within 90 days”. The OGC records and monitors the number of complaints received and accepted, and as well as those initiated by the Agency, the date of completion of the investigation, and the date of the entry of the Order of the Director resolving the matter. This information is collected from the monthly activity reports of the Office of the General Counsel, which include the number of complaints received and the status of all investigative matters for the period covered. At the acceptance of a complaint, the case is assigned a docket number, which notes the calendar year of receipt and the sequential order in which the complaint was accepted. The Orders of the Director are dated and published at the OCF Website, and the status of all investigations is reported in the OCF monthly statistics provided to the Board of Elections and published at the OCF and BOE Websites. The OCF determines whether the target of completion within ninety (90) days was achieved from comparing the date of actual receipt against the date the Order of the Director was issued, using the afore-mentioned sources.

40. Please list the task forces and organizations of which the agency is a member.

RESPONSE:

The Office of Campaign Finance is a Member of the Council on Government Ethics Laws (COGEL). COGEL is an organization of government ethics administrators who work in the fields of governmental ethics, freedom of information, elections, lobbying, and campaign finance. COGEL affords the opportunity to network with colleagues in these fields. Several members of the OCF Staff are members of the International Association of Administrative Professionals (IAAP), which is dedicated to helping administrative professionals advance their careers through specialized training and other opportunities.

41. Please explain the impact on your agency of any legislation passed at the federal level during FY17 and FY18, to date, which significantly affected agency operations.

RESPONSE:

The Office of Campaign Finance is unaware of any legislation passed at the federal level during FY17 and FY18, to date, which would impact upon this Agency.

42. Please describe any steps the agency took in FY17 and FY18, to date, to improve the transparency of agency operations.

RESPONSE:

During FY17, the Office of Campaign Finance initiated and completed several projects which were designed to make both the operations of the Agency and the data it collects more transparent.

First, the Office of Campaign Finance continued to place a strong organizational focus on achieving voluntary compliance through educational outreach. The Office of Campaign Finance conducted Mandatory Entrance Conferences for new candidates and the treasurer of each newly organized political committee, political action committee, independent expenditure committee, and the Constituent Service and Statehood Fund Programs. The OCF Mandatory Training Program is designed to ensure compliance with the contribution limits, the prohibitions, and the reporting requirements of the Campaign Finance Act. The conferences were coordinated by the Office of the General Counsel at the registration of the entity, and supported by the Audit and Public Information Divisions. At the conclusion of the training, each participant was required to swear or affirm to follow the Campaign Finance Laws, and a Certification of Attendance issued. The names of the participants were posted at the OCF Web Site and included in the monthly statistics of the Agency presented to the Board.

The on-site informal educational seminars were made available for candidates, political committees, and any other interested parties who participated in the 2016 Election Cycle. Training was also scheduled for the Treasurers of the Constituent Service and Statehood Fund Programs. The training sessions focused on educating the filing community about the reporting requirements of the Campaign Finance Act of 2011, as amended, and the OCF Electronic Filing and Disclosure System. The Seminars were held in the Office of Campaign Finance on a monthly basis, and commenced in January 2017 through December 2018.

The Notices of the 2016 Schedule of Training Seminars were published at the OCF Web Site and Face Book Page, and revised in September 2016, to include for the first time, training for candidates for the Office of Advisory Neighborhood Commission Member; distributed through the mailing of reminder letters to reporting entities; and posted in the Public Information Division of the Agency. Overall, the Office of Campaign Finance conducted forty-nine (49) Training Seminars and mandatory conferences, with a total of 85 participants, and issued twenty-nine (29) Certificates of Attendance to new candidates and treasurers. To further increase participation, the Office of Campaign Finance publishes a monthly notice at its Website of the schedule of all training classes offered during the upcoming month. The OCF also uses its social media platforms to post notices and reminders of upcoming training dates.

Second, to further demystify the operations of the Agency and engage the public, the Office of Campaign Finance dispatched staff to visit the Early Voting Centers and eighty-five (85) of the Election Precincts operated by the Board of Elections throughout the 8 Wards during the November 8, 2016 General Election.

The visits afford the Agency the opportunity to observe the financial operations of registered entities, the activity around the perimeter of the Early Voting Centers and the Election Precincts to ensure compliance with the reporting requirements; to counsel individuals who may engage in activity which runs afoul of the Campaign Finance Laws; and to initiate enforcement actions where there is noncompliance. More importantly, the OCF staff is accessible to the public, available to respond to questions, and to assist the public in understanding their obligations under the Campaign Finance Act of 2011, as amended, and the role of the Office of Campaign Finance in administering the Act.

The OCF found at the Election Precincts that the markers were present for the placement of campaign literature, that the literature contained the appropriate disclaimer language, and that the campaign literature was properly posted outside the marked area

Third, the Office of the General Counsel continued to maintain the email address, ocf.gc@dc.gov, established in April 2013 through the Office of the Chief Technology Officer, from which the public may seek information concerning cases pending adjudication before the Agency. The language “Any inquiries regarding this Notice of Hearing should be sent to ocf.gc@dc.gov” is placed in the OGC “Notice of Hearing, Statements of Violations and Order of Appearance” Form issued to notify Respondents of the scheduling of hearings on alleged violations of the Campaign Finance Act. The email address affords the public an additional vehicle through which to communicate with the OCF relative to legal and related matters, including the status of scheduled hearings, Orders of the Director, and Petitions for Enforcement before the Board of Elections; the identity of the hearing officer assigned to a particular matter; information on how to file a Motion for Reconsideration; and the balance due on a fine imposed.

Fourth, on January 31, 2017, the Agency presented to the Mayor and the Council of the District of Columbia, and to the public, the OCF 2017 Biennial Report of Contributions and Expenditures, in an electronic format. The Report describes the receipts and expenditures of candidates for elective office, with the exception of ANC candidates, for the prior two year period, in dollar amount and percentage terms, by donor categories and the size of the donation, and expenditure type. Graphs are used to present the percentage terms. The receipts and expenditures of the political committees, political action committees, and independent expenditure committees are also summarized. For the first time, the January 2017 Biennial Report presents a listing and chart depicting the “Top Three Committees by Contributions Received” during the past two year period under Part I. Candidates and Principal Campaign Committees”, by office type; Part II, the Political Action Committees; Part III, Independent Expenditures; Part IV, Inaugural Committees; and Part V, Exploratory Committees.

Fifth, the OCF Office of the General Counsel developed a database of advice issued concerning time-sensitive election related matters, numbered in chronological order and sorted by topic, for public search at the OCF Website. Because of time constraints, the requests for expedited advice are addressed within fifteen (15) days of receipt and are distinguished from requests for interpretative opinions. The creation of the database will provide an additional resource for the public relative to the application of the campaign finance laws, and a reference point for OCF to ensure the consistency of advice. The Database was published at the OCF Website on December 21, 2017.

Sixth, the Office of Campaign Finance expanded its Educational Program to specifically focus on the Candidate for Advisory Neighborhood Commission Member. As you know, the Board of Elections conducted at the November 8, 2016 General Election, the election of the candidates for the Office of Member of an Advisory Neighborhood Commission (ANC). There were approximately 443 active candidates in this Election, and on November 18, 2016, the Board certified 276 candidates as the winners in their respective Single Member Districts. The District of Columbia Municipal Regulations, at Chapter 30, “Elections and Ethics”, Section 3002.6, require that each ANC Candidate, regardless of the outcome of the election, win or lose, file the Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC) (OCF Form 18), no later than sixty (60) days after the

certification of the election results. To better address the reporting responsibilities of the ANC Candidate during the 2016 Election Cycle, the Office of Campaign Finance revised the OCF 2016 Schedule of Training Seminars to offer comprehensive training dedicated solely to the ANC Candidate. The ANC candidates in all eight (8) Wards of the District of Columbia were invited. The Seminars titled “Understanding the Rules of the Game: A Campaign Finance Playbook for Advisory Neighborhood Commission (ANC) Candidates” were held on September 15, 2016, and October 6, 13, and 20th, 2016 in the Office of Campaign Finance. The 2016 Schedule of Training Seminars (Revised) was published at the OCF Website on September 9, 2016. A total of 59 ANC candidates participated in the training sessions, and received a Certificate of Completion.

To further assist the ANC Candidate, the Office of Campaign Finance developed and introduced online on September 29, 2016, the narrated training module, “Understanding the Rules of the Game: A Campaign Finance Playbook for Advisory Neighborhood Commission (ANC) Candidates”. The module was designed to familiarize the user with the reporting requirements for the ANC candidacy. ANC candidates were notified by email blast of the availability of the tutorial and the login codes for access at the OCF Website. Thirty-four (34) individuals completed the ANC Tutorial. As the result of these efforts, 425 of the 450 required filers (94%) submitted the ANC Financial Summary Statement to the Office of Campaign Finance, and all Statements were e-filed.

In addition, the Standard Operating Procedures for the Audit Division were revised to provide for the Desk Review of the ANC Summary Financial Statement (OCF Form 18). The Summary Financial Statement of the Candidate for the Office of Member of an ANC must include the total receipts and expenditures relative to seeking election to the ANC Office; the cash on hand at the close of the reporting period; the total amount of debts and obligations owed to and owed by the ANC candidate; the method of disposal of surplus funds; certification that the ANC candidate did not receive contributions from any person excluding the candidate, in excess of twenty-five (\$25) dollars; or a certification that the ANC candidate did not receive contributions from any person or make expenditures, including from or by the candidate, to support the election to the ANC Office. The deadline for the filing of the ANC Summary Financial Statement was January 17, 2017. The Audit Division has conducted the desk review of 428 Summary Financial Statements of ANC Candidates. This initiative will ensure accurate reporting by the ANC Candidate.

Last, the Agency expanded the Educational Program to introduce the Webinar as a live web based training tool to address the reporting requirements of the Campaign Finance Act. During FY17, the Office of Campaign Finance held three (3) Webinars on May 9, 2017, July 5, 2017, and September 5, 2017. At the end of the Webinar presentation, the public is invited to ask questions. During FY18, to date, the Office of Campaign Finance has held three (3) Webinars, on October 3, 2017, November 7, 2017, and December 5, 2017. A total of 24 trainees have participated in the Webinars. The Agency will continue to offer the Webinar Seminar monthly throughout the 2018 Calendar year, and invite by email all recently registered candidates and treasurers to participate and further reinforce their reporting responsibilities.

43. How many in-person training persons took place in FY17 and FY18, to date?

RESPONSE:

During FY17, the Office of Campaign Finance continued to place a strong organizational focus on achieving voluntary compliance through educational outreach. The Office of Campaign Finance conducted Mandatory Entrance Conferences for new candidates and the treasurer of each newly organized political committee, political action committee, independent expenditure committee, and the Constituent Service and Statehood Fund Programs. The OCF Mandatory Training Program is designed to ensure compliance with the contribution limits, the prohibitions, and the reporting requirements of the Campaign Finance Act. The conferences were coordinated by the Office of the General Counsel at the registration of the entity, and supported by the Audit and Public Information Divisions. At the conclusion of the training, each participant was required to swear or affirm to follow the Campaign Finance Laws, and a Certification of Attendance issued. The names of the participants were posted at the OCF Web Site and included in the monthly statistics of the Agency presented to the Board.

The on-site informal educational seminars were made available for candidates, political committees, and any other interested parties who participated in the 2016 Election Cycle. Training was also scheduled for the Treasurers of the Constituent Service and Statehood Fund Programs. The training sessions focused on educating the filing community about the reporting requirements of the Campaign Finance Act of 2011, as amended, and the OCF Electronic Filing and Disclosure System. The Seminars were held in the Office of Campaign Finance on a monthly basis, and commenced in January 2017 through December 2018.

The Notices of the 2016 Schedule of Training Seminars were published at the OCF Web Site and Face Book Page, and revised in September 2016, to include for the first time, training for candidates for the Office of Advisory Neighborhood Commission Member; distributed through the mailing of reminder letters to reporting entities; and posted in the Public Information Division of the Agency. Notices and reminders of training dates are also posted on the OCF Face Book Page and Twitter Account.

Overall, during FY17, the Office of Campaign Finance conducted forty-nine (49) Training Seminars and mandatory conferences, with a total of 85 participants, and issued twenty-nine (29) Certificates of Attendance to new candidates and treasurers.

To date, in FY18, the Office of Campaign Finance has conducted twenty-three in person mandatory conferences.

44. What training deficiencies, if any, did the agency identify during FY17 and FY18, to date?

RESPONSE:

To evaluate the effectiveness of the onsite educational seminars and entrance conferences, the OCF circulates surveys to solicit feedback from participants at the conclusion of each session to determine whether the presentations achieved acceptable satisfaction ratings. Participants are

invited to evaluate the thoroughness, timeliness and overall quality of the content of materials used, as well as the proficiency of agency facilitator(s), and the conduciveness to learning of agency facilities; and to suggest other subject areas for seminar coverage, or to make any other suggestion deemed to promote the efficiency or effectiveness of the OCF operations. Each evaluation form is reviewed by the training facilitator to ensure that suggestions requiring agency or programmatic consideration are transmitted for review.

Through the expanded Educational Program offered to the ANC Candidates, it was recommended that the training be offered much earlier in the Election Cycle. To address this concern, the training for the ANC Candidate will be offered beginning in July of 2018, to coincide with the first date the Nominating Petitions for this Office are made available by the Board of Elections to potential candidates on July 9, 2018. Further, based on the number of times the issue of the reporting requirements of the Business contributor arose during the training seminars, the Office of Campaign Finance is in active discussions with the District's Chamber of Commerce to offer annual training to its membership to facilitate a clear understanding of the applicable provisions of the current laws and regulations.

45. Please identify all electronic databases maintained by your agency, including the following:

- a. A detailed description of the information tracked within each system;**
- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and**
- c. Whether the public can be granted access to all or part of each system.**

RESPONSE:

- a. A detailed description of the information tracked within each system;

i) The agency tracks the following information for all filer types listed above

- a. Registration statements
- b. Reports of receipts and expenditures
- c. Financial statements
- d. Reporting deadline compliance; and
- e. Hard copy filings for the following filers:

Using the e-Filing System, the Agency also tracks Campaign Finance Enforcements in the form of Informal hearings, Complaints, Interpretative Opinions, and Audit Reports for all the filer types listed above.

ii) The agency also maintains and tracks the following electronic information through search features which are accessible by the Public:

- 1. Contributions and Expenditures of political committees and constituent service programs by amount, contributor, recipient, date, location, payer, and payee
- 2. Electronic disclosure of Registrant Statements of political Committees and Constituent-Service Programs
- 3. Affiliated Entity Search
- 4. Active Committees Search

5. Active Candidates Search
 6. Quick Statistics
 - a. Total Contributions by Denomination
 - b. Total Contributions by Contributor Type
 - c. Top 10 Committees by Total Contributions
 - d. Top 10 Committees by Total Loans
 - e. Recently Formed Committees
 7. Digital Images of the Financial Reports filed with OCF, both electronically, and by paper based filings, beginning 2005, by
 - a. Candidates and Political Committees
 - b. Political Action Committees (Includes Initiative, Referendum and Recall)
 - c. Exploratory Committees
 - d. Legal Defense Committees
 - e. Transition Committees
 - f. Inaugural Committees
 - g. Lobbying Program - until 2012
 - h. Citizen-Service Program
 - i. Senator/Representative Statehood Funds
 - j. Filers of the Financial Disclosure Statement – until 2012
 - k. Advisory Neighborhood Commission Candidates
 - l. Independent Expenditure Committee
- iii) The Agency also maintains the following information on its Website, which is available to the Public:
1. Administrative Dismissal and Vacated Orders of
 - a. Candidates and Political Committees
 - b. Lobbying Program
 - c. Citizen-Service Program
 - d. Financial Disclosure Program
 2. Complaints & Final Decisions
 3. Final Audit Reports
 4. Informal Hearings on Delinquent Filers including:
 - a. Candidates and Political Committees
 - b. Lobbying Program till 2011
 - c. Citizen-Service Program
 - d. Financial Disclosure Program till 2011
 5. Interpretative Opinions
 6. Biennial Reports
 7. Calendar of Events
 8. OCF Regulations and Campaign Finance Guide
 9. Summary Reports of Contributor and Expenditure Information with Graphs
 10. Educational Brochures and Online Tutorials
- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and

1. The Electronic Filing System (EFS) is about 14 years old. This was implemented and commissioned in August, 2002
2. The scanning system was integrated into the EFS in November, 2003
3. Biennial Reporting module was integrated into the system in 2007
4. The Electronic Signature modules integration that enables filers to file their online report without the need for a hard copy filing requirement was implemented in FY 10.
5. The Database download that will enable the public to download the reports of receipts and expenditures for political committees, citizen-service and statehood fund programs, and lobbyists in CSV and XML formats was implemented and integrated into the EFS module in 2010.
6. Implemented Cross-Browser Compatibility in 2010, so that the Electronic filing Application will be compatible for all browsers, including IE6.0 and above, Firefox, Safari and Chrome.
7. Additional Filer types (Exploratory, Transition Committees, Legal Defense Committees, and Inaugural Committees and Independent expenditure committees) have been added to the OCF e-Filing System – July 2013
8. Reports and Summaries for Citizen-Service Program was implemented - August 2014
9. Reports and Summaries for Senators and Representatives – August 2014
10. The OCF e-Filing System was re-written using ASP.NET 4.5 to offer better security, better performance and usability. The e-Filing System was originally created using Classic ASP in 2002. - February 2015
11. Enabled online Registration for all filer types
12. Enabled Approval of Online Registration by OCF Staff
13. Added Biennial Reports for Exploratory, Transition, Inaugural, and Legal Defense Committees - January 2015
14. Registrant Disclosure Search - This module provides detailed information on filers' registration statements and their filings, audit reports, and hearing orders. February 2015
15. The Contribution and Expenditure search feature was upgraded to include multiple search parameters including Recipient, Report, Amount, Receipt Date, Contributor, Contributor Location, and Contributor Type - February 2015.
16. Reports and Summaries Upgrade: All the reports under this section will automatically be generated along with the report submissions - February 2015.
17. Ability for Political Campaign Committees to file Consolidated Reports Online - February 2015.
18. Enabled reporting contributions from Affiliated entities and contribution limit validation for the same
19. Bulk Download: OCF has redesigned the Contributions and Expenditures search to include additional filters below:
 - Report Name
 - Contributor Location
 - Contribution typeThis module allows the user to export the search results to Excel, CSV, or XML file. Users can also search within the results. - February 2015.

a. Whether the public can be granted access to all or part of each system.

Modules	Administrator Section	User Filing Section
1. Candidate/Principal Campaign Committees Online Registration, EFS	OCF Staff	Filer
2. Political Action Committees (Includes Initiative, Referendum and Recall) Online Registration, EFS	OCF Staff	Filer
3. Lobbyists EFS	OCF Staff	Discontinued since June 2013
4. Exploratory Committees Online Registration, EFS	OCF Staff	Filer
5. Senators and Representatives Statehood Funds Online Registration, EFS	OCF Staff	Filer
6. Citizen-Service Programs Online Registration, EFS	OCF Staff	Filer
7. Independent Expenditure Committee Online Registration, EFS	OCF Staff	Filer
8. Financial Disclosure Statement (FDS) EFS	OCF Staff	Discontinued since June 2013
9. Advisory Neighborhood Commissioners EFS	OCF Staff	Filer
10. Administrative Dismissal and Vacated Orders	OCF Staff	Public Viewing
11. Complaints & Final Decisions	OCF Staff	Public Viewing
12. Final Audit Reports	OCF Staff	Public Viewing
13. Informal Hearings on Delinquent Filers	OCF Staff	Public Viewing
14. Interpretative Opinions	OCF Staff	Public Viewing
15. Images of Financial Reports submitted, beginning 2005	OCF Staff	Public Interaction
16. Contribution and Expenditure Search Feature	OCF Staff	Public Interaction
17. Registrant Disclosure Search	OCF Staff	Public Interaction

Modules	Administrator Section	User Filing Section
18. Affiliated Entity Search	OCF Staff	Public Interaction
19. Active Committees	OCF Staff	Public Interaction
20. Active Candidate	OCF Staff	Public Interaction
21. Quick Statistics	OCF Staff	Public Interaction
22. Biennial Reports and Summary Reports	OCF Staff	Public Viewing
23. Calendar of Events, Regulations, Campaign Finance Guide, News Items, Online Tutorials, and Educational Brochures	OCF Staff	Public Viewing

46. Please provide a detailed description about any new technology acquired in FY17 and FY18, to date, including the cost, where it is used, and what it does. Please explain if there have been any issues with implementation.

RESPONSE:

By way of background, during FY14, the Office of Campaign Finance upgraded and redesigned the OCF E-Filing and Disclosure System to use the latest Microsoft technologies (ASP.Net with MVC and SQL 2008 R2) and to conform to the specifications of the new Drupal Platform for the District Government Website. The technology upgrade and User Interface upgrades were moved to production on March 4, 2015. The additional functionalities listed below were developed and/or added during FY15:

- Statement of Candidacy Online Registration and approval by OCF
- Statement of Organization Online Registration and approval by OCF
- Linking registrations with reports
- Automated email notifications for new registration, filing and approval by OCF
- Automated summary report creation (by denomination, by donor type, expenditures)
- Quick Stats
 - Total Contributions by Denomination
 - Total Contributions by Contributor Type
 - Top 10 Committees by Total Contributions
 - Top 10 Committees by Total Loans
 - Recently Formed Committees
- Active Candidates

- Active Committees

During FY 17 and FY 18, to date, the following upgrades and functionalities were developed and /or added:

- Quick Stats – Moved to Production October 26, 2015
 - Total Contributions by Denomination
 - Total Contributions by Contributor Type
 - Top 10 Committees by Total Contributions
 - Top 10 Committees by Total Loans
 - Recently Formed Committees
- Active Candidates – Moved to Production October 26, 2015
- Active Committees - Moved to Production October 26, 2015
- Excel Upload Module – Moved to Production November 7, 2016
- Online Interactive Tutorial – Moved to Production June 22, 2016
- Online ANC Training Module – Moved to Production September 29, 2016
- Survey for the OCF Website and EFS Users – Moved to Production August 2016
- Capability added to the E-Filing System to allow the filing of consolidated reports for selected filers at the approval of the Audit Division – Moved to Production April 7, 2016
- “Schedule A4 – Transfers from Authorized Committees” implemented for the filer types below – Moved to Production January 29, 2016
 - Political Action Committee
 - Initiative
 - Referendum
 - Recall
 - Transition Committee
 - Inaugural Committee
 - Exploratory Committee
 - Independent Expenditure Committee
- Biennial Report Enhancement – Moved to Production January 31, 2017
 - The Biennial Report now includes a chart for top three committees by Contributions
- The Flagged Contributions Tracking and Reporting Enhancements

The cost for the technology acquired was incurred during FY14 under PO498599-V2 - OCF E-Filing Redesign and Technology Upgrades (Total Cost: \$249,799.48); and the additional functionalities of the E-Filing and Disclosure System were included in the Contracts for OCF e-Filing System Enhancements and/or Maintenance and Support, approved during FY15, Total Cost: \$83,154.64; FY16, Total Cost: \$51,744.00; FY17, Total Cost: \$84,519.26, and FY18, to date, \$55,476.00.

47. Please describe how OCF uses social media to engage the public and disseminate information.

RESPONSE:

The Office of Campaign Finance utilizes the agency's Facebook Page to increase its transparency and extend its outreach to the public. The goal of the social media tool is to provide the public and targeted groups with pertinent information in a timely manner. The Facebook posts include information relative to onsite Mandatory Training requirements, the schedule for onsite training seminars, filing dates, the release of Orders, Audits, the effective date of new legislation affecting the Campaign Finance Laws, the availability of financial reports for viewing and summary contributor and expenditure information, and job opportunities at the OCF. Visitors to the Agency's Website are able to click the Facebook Icon and access the Facebook Page.

The Office of Campaign Finance established a Twitter Account on April 25, 2016. The Twitter Account is used to disseminate information and to present data as it occurs in real time, and to engage the public. Through Twitter, the OCF has increased its transparency, audience, and ability to share information concerning the business of the Agency. The public is able to respond to the tweets with questions, comments or concerns and have them addressed immediately. Twitter is a social media broadcast platform that provides interactive engagement and dialogue. The Agency is also able to track and address areas of concern that might be trending. Twitter, similar to the OCF Facebook Page is a free social media site. It is an important tool that has enhanced OCF's transparency and increased the agency's social media outreach avenues. When needed, a link to the OCF's Facebook Page or Website is provided for additional information.

During FY17, and FY18, to date, OCF posted 128 messages on its Facebook Page, and one hundred and seventy-five people were reached; and tweeted 52 messages on the Twitter Account, with a total of 67 following and 68 followers.

48. Who does OCF view as its stakeholders?

RESPONSE:

The Office of Campaign Finance views the residents of the District of Columbia who comprise the electorate as its primary stakeholder, and anyone else viably connected to the political process in the District of Columbia, the public, candidates, committees, office holders, treasurers of committees, contributors.

49. How does OCF solicit feedback from its stakeholders to improve the website's functionality?

RESPONSE:

The Office of Campaign Finance employs online surveys at the OCF Website to elicit feedback from the public on the services, features, and information it provides at the OCF Website. For example, as the result of the responses from the 2009 Online Survey, it was recommended that the OCF Website be made compatible for all the industry standard browsers, and that the

requirement for the submission of paper reports be eliminated where financial reports were electronically filed. Based on these recommendations, in FY 2011, cross browser compatibility was implemented to ensure the compatibility of the Electronic Filing System Application with all browsers, including IE6.O, and above, Firefox, Safari, and Chrome. Further OCF sought legislative authority for the electronic signature, and the electronic signature functionality was introduced in FY 2010. Respondents of the first OCF Customer Service Survey, disseminated in Calendar Year 2000, strongly encouraged the use of electronic filing. The Council heeded the concerns of the Agency that notwithstanding the upgrade of the computer system at that time, timely disclosure remained hampered by the submission of hard copy documentation. Legislation providing for the electronic filing of finance and disclosure reports was subsequently enacted.

The most recent online Survey of the Website services and features was open from August 2016 to January 2017 for users of the website to participate in the survey via a popup window. A total of 26 users responded. The purpose of the Survey is to assess the effectiveness and efficiency of the redesigned OCF E-Filing Applications and Web Site to deliver information and services. The original OCF Website and E-Filing System were designed in Fiscal Year 2002. As previously reported, the Office of Campaign Finance during Fiscal Years 2013 and 2014, worked closely with the Office of the Chief Technology Officer to redesign the OCF homepage layout and navigation scheme. The redesign required the migration of the OCF database content and EFs applications to the new DC.Gov Drupal content management system. On April 15, 2015, the new OCF Website launched. The conversion of the website to the new easier web platform has improved navigation and performance, and provided a more citizen centric layout of information with a contemporary look and feel. The results of the Online Survey will aid the Office of Campaign Finance in its ongoing effort to ensure the disclosure, transparency, and easy access by the public of the financial reports received by the Agency.

The Website Usability Survey Report was submitted to the OCF on January 13, 2017, and the results evaluated and recommendations forwarded for enhancements to the OCF on September 26, 2017. The OCF Management Team has evaluated the recommendations and approved several for implementation. The selected items have been forwarded for cost estimates.

To evaluate the effectiveness of the onsite educational seminars and entrance conferences, the OCF circulates surveys to solicit feedback from participants at the conclusion of each session to determine whether the presentations achieved acceptable satisfaction ratings. Participants are invited to evaluate the thoroughness, timeliness and overall quality of the content of materials used, as well as the proficiency of agency facilitator(s), and the conduciveness to learning of agency facilities; and to suggest other subject areas for seminar coverage, or to make any other suggestion deemed to promote the efficiency or effectiveness of the OCF operations. Each evaluation form is reviewed by the training facilitator to ensure that suggestions requiring agency or programmatic consideration are transmitted for review.

The Agency has learned that citizens/constituents are actively engaged in the affairs of government, and that their knowledge, experiences and input should be considered when adopting practices and policies that affect them. In this regard, the Office of Campaign Finance continuously updates its website and seeks to improve its user-friendliness. The agency systematically reviews regulations to develop proposed regulations to impact the practical administration and enforcement of issues facing candidates and political committees, e.g., recordkeeping requirements of constituent services programs of incumbent officeholders

maintaining the same constituency; exclusions from the disclaimer requirements of certain campaign paraphernalia based on size; the reporting of contributions to campaigns via credit cards and PayPal; and the clarification of the filing deadlines for exploratory committees.

50. Please explain the methods in which OCF informs the public about the conduct, activities, and financial operations of candidates, political committees, constituent service and statehood fund programs?

RESPONSE:

The Office of Campaign Finance fully utilizes the Agency Website, the Facebook Page, the Twitter Account, the Email Subscription Service, the Biennial Reports, and the Monthly Production Statistics, to inform the public about the conduct, activities, and financial operations of the candidates, political committees, exploratory, transition, inaugural, and legal defense committees, and the Constituent Service and Statehood Fund Programs. The OCF Website offers features and services designed to provide campaign finance data in user friendly and accessible formats, including the following:

(1) Data and Reports Link

- (a) Financial Reports – Real time images of the financial reports filed with the Agency generated by the E-Filing Application or through the data entry of paper submissions are available, from 2006 through the current reporting period, for public inspection, and may be searched by Filer Type, Filing Year, and Report Name; and Reports and Summaries of Contribution Information by Denomination and Donor Type and Expenditure Information by Type, with visuals (pie charts) to denote percentages, are generated by the OCF Database when financial reports are submitted, and made available for public inspection. The Reports and Summaries may be searched by Filer Type, Filing Year, and Report Name.
- (b) Contributions and Expenditures – This Search Feature provides access to all contributions and expenditures reported from 2003, through the current reporting period, and allows the public to use several different criteria to define the results required and search contribution data (i.e., the contributor’s name, recipient, report name, amount, date of contribution, contributor’s location, and contribution type), or expenditure data (i.e., the payor, the report name, the amount, the date, the payee, the payee location, and the expenditure type).
- (c) Registration Disclosures – This Search Feature allows the public to search the OCF Database to view the Electronic Disclosure of Registration Statements filed with the Agency by candidates/principal campaign committees, political action committees, Constituent Service Programs, and others. To define the results required, the user may select Filer Type, Election Year, and Committee Name. For example, the Filer Type “candidate” search result will display for the Election Year selected, the names of all candidates who have registered to participate in that election cycle, their Party Affiliation and the Office for which election is sought. The user may then select a specific candidate, to view the candidate’s Statement of Registration, Committee Statement of Organization, Filing History (i.e., Report Name and coverage period)

And Enforcement/Complaints. The “Enforcement/Complaints” history is in development and requires the connection of the Informal Hearing Orders and the Audit Reports modules with the respective candidate/committee. Once completed, the Enforcement/ Complaints records (Orders and Audit Reports) for the selected candidate/committee in the Agency will be listed with the Docket Number, the Order Type, the Issuance Date, and Comments.

- (d) Biennial Reports – This Search Feature allows the public to search and select for public inspection the Biennial Reports of the Agency, by date, from which to view the summary of the receipts and expenditures of candidates for public office and committees for the prior two year period. The Biennial Reports provide a historical context of the money spent in DC Elections. For the coverage period selected, the contributions are sorted by denomination and donor type, and the expenditures by type, with graphs (pie charts) to visualize the percentages of the reported information.
- (e) Summary of Campaign Finance Reports – This Search Feature allows the public to select by calendar year and month, the Monthly Production Reports of the Office of Campaign Finance from which to view the activity of the Agency, including financial reports received, the names of committees who failed to file, new candidate and committee registrations, mandatory training conferences conducted, desk reviews conducted, audit reports, interpretative opinions, and informal hearing orders issued, the list of ongoing audits and investigations, fines issued, and petitions for enforcement filed before the Board of Elections. The Monthly Production Report of the Agency is presented at the open meetings held by the Board of Elections.
- (f) Affiliated Entity Search – This Search Feature allows the public to search contributions to identify contributions by a business entity, where the filer has listed all of the affiliated entities of the business contributor which have also contributed to the filer. The business contributor and its affiliated entities share the contribution limits imposed by the Campaign Finance Act. The user must select the criteria that best defines the results required (i.e., the recipient, the report name, the amount, the date, the contributor, the contribution location, and the contribution type).
- (g) Active Candidates List – This Search Feature provides the public with active lists based on the Election Year selected of Candidates with Committees and without Committees. The Active Candidates List displays for the Election Year selected the candidate name, committee name, election year, party, and office.
- (h) Active Committees List - This Search Feature provides the public with active lists of committees for the Election Year and Filer Type selected (includes principal campaign committees, political action committees, initiative, referendum, and recall committees, inaugural, legal defense, transition, exploratory and independent expenditure committees, and the Constituent Service and Statehood Fund Programs). The Active Committees List displays for the Filer Type and Election Year selected, the registration date of the committee, and the totals reported for contributions, expenditures, and loans.

- (i) Quick Stats – This Search Feature gives the public a quick view of various statistics maintained by the OCF specific to Principal Campaign Committees for the Filing Year selected, including the Total Contributions by Denomination, the Total Contributions by Contributor Type, the Top 10 Principal Campaign Committees by Total Contributions Received, the Top 10 Principal Campaign Committees by Total Loans Received, and a list of the Recently Formed Principal Campaign Committees with the organization date. Graphs are used to depict the percentage terms of the various statistics.

(2) Services Link

- (a) Contributions by Geography – This Service allows the public to search and view contributions by selection criteria for Election Year, Office, or Committee. The results provide the total contributions and of this amount, the contributions from the District of Columbia, for the office/ candidates/committee and election year selected, with a visual (pie chart) showing the percentage of contributions from the District of Columbia. A map is used to display the totals broken down by Zip Code within the District of Columbia.
- (b) Download Campaign Finance Filer Data – This Service allows the public to download data obtained from financial reports electronically filed or entered from paper submissions into the OCF Database. The information may be searched, sorted, viewed, and exported from the database into different formats, including PDF, Excel, CSV or XML. The user can organize and analyze the data in greater detail.

The Office of Campaign Finance also uses the Website to disseminate News Releases, to announce upcoming filing deadlines for the submission of financial reports, and to publish Audit Reports, Investigative and Informal Hearing Orders, and the schedule of Educational Training, to which the public is invited. The Campaign Finance Guide and the Educational Brochures are also available for public view at the Website. The Guide summarizes the procedures and guidelines which govern the registration, financial reporting, and disclosure requirements of candidates, committees, and elected public officials in the District of Columbia. The Brochures offer critical information in a more concise fashion.

The Agency continues to use the OCF Facebook Page to further extend educational outreach to the public through the posting daily of upcoming training, filings, the release of orders and audits, and links to new features at the Website. Social website users are referred by the OCF Face Book Page to the Agency's Website for more detailed information where appropriate, and links are provided to aid in that process. An Icon is provided at the OCF Website to select and connect with the Page.

The Office of Campaign Finance established a Twitter Account on April 25, 2016. The Twitter Account is used to disseminate information and to present data as it occurs in real time, and to engage the public. Through Twitter, the OCF has increased its transparency, audience, and ability to share information concerning the business of the Agency. The public is able to respond to the tweets with questions, comments or concerns and have them addressed immediately. Twitter is a social media broadcast platform that provides interactive engagement and dialogue. The Agency is also able to track and address areas of concern that might be trending. Twitter,

similar to the OCF Facebook Page is a free social media site. It is an important tool that has enhanced OCF's transparency and increased the agency's social media outreach avenues. When needed, a link to the OCF's Facebook Page or Website is provided for additional information.

The email subscription service invites members of the public to subscribe, indicating their preferences, to receive email updates on the issuance of final decisions in investigative cases, audit reports, and interpretative opinions. During FY 17, 316 new members of the public elected to use the service, and as of this date, in FY 18, there are 84 new subscribers (1455 total subscribers).

In addition, the Office of Campaign Finance reports monthly to the Board of Elections during its regularly scheduled meetings on the activity of the Agency for the previous thirty (30) day period. The Agency Report details the financial reports received, the failures to file, the new candidate and committee registrations, the mandatory training conferences conducted, the number of desk reviews conducted, audit reports issued, the status of ongoing audits and investigations, the imposition of any fines, and the filing of any petitions for enforcement with the Board.

Last, the Agency informs the public about the financial operations of its registrants through the conduct of periodic and Full Field Audits, which culminates in the issuance and publication of the Audit Reports at the OCF Website for public view. During the election cycle, the Audit Division conducts periodic audits of the Reports of Receipts and Expenditures of the candidates and principal campaign committees registered for the upcoming election, and of political action committees active in an election cycle. The Division also conducts periodic random audits of constituent service programs for every other filing deadline, and of continuing committees on every filing deadline. Full field audits are conducted on all newly elected officials and Inaugural Committees; and where warranted, in investigative matters.

51. Please describe OCF's enforcement measures and actions taken in FY17 and FY18, to date.

a. What enforcement measures, if any, are currently pending?

RESPONSE:

In general, the Office of Campaign Finance employs the informal hearings process as the initial stage of enforcement of the campaign finance laws when there is non-compliance. In the event that the matter is not resolved through the informal hearings process, pursuant to 3 DCMR § 3711.9, the OCF may file a Petition for Enforcement with the Board of Elections (BOE). If the matter remains unresolved after a Pre-Hearing Conference and a contested hearing before the Board, the General Counsel for the Board may seek a judgment against the respondent in the Superior Court for the District of Columbia which sustains the petition.

During FY17 and FY18, to date, the OCF informal hearing process has included the following:

Total Referrals	143
Hearing Notices issued	247 (161 First Notices and 86 Second Notices)
Hearings Conducted	106

Orders issued	112
Orders imposing fines	43
Amount of fines imposed	\$74, 250.00
Amount of fines collected	\$31, 200.00
Fines vacated or reduced	\$12, 925.00
Outstanding fines	\$30,125.00
Petitions for Enforcement	47

The OCF enforcement process commences when there is non-compliance by required filers to file financial reports or to provide timely responses to Requests for Additional Information. Following either the failure to timely file a required Report of Receipts and Expenditures with the Public Information and Records Management Division or the failure to provide a timely response to a Request for Additional Information to the Reports Analysis and Audit Division, the matter is referred to the Office of the General Counsel for an Informal Hearing. The Informal Hearings process may result in dismissal, imposition of fines or suspension of fines. If the respondent considers the decision by OCF adverse, he/she may file a petition for review within 15 days of receipt of an order with the Board of Elections (BOE). However, in matters in which fines have been imposed if the respondent fails to pay the fine or seek review by the BOE within the prescribed period, the OCF may file a Petition for Enforcement with the BOE. Following a referral to the BOE by a respondent or the OCF, the matter is scheduled for a pre-hearing conference to provide the parties with an opportunity for settlement. If the matter is not settled during the pre-hearing conference, a contested hearing before the BOE is scheduled. In the event that the BOE affirms an OCF decision which includes a fine and the respondent fails to pay the fine or enter into a payment plan, the Office of the General Counsel for the BOE files a complaint seeking judgment against the respondent in the Superior Court of the District of Columbia. Currently, thirty-two (32) Petitions for Enforcement (18 of which were transmitted on December 11, 2017) are pending before the BOE. Of the total cases referred, six (6) cases were settled for reduced fines, and nine (9) matters were certified by the Board for the initiation of enforcement actions in the Superior Court of the District of Columbia (the Court entered Judgments against the Respondents in two (2) of these proceedings).

The Office of the General Counsel also completed two (2) investigations; recommended the issuance of two (2) Interpretative Opinions; and responded to at least fifteen (15) Requests for Advice by email within 48 hours to five (5) days of the request from members of the public.

Because of the demonstrated ability of the Agency to consistently monitor and enforce the reporting requirements, a high level of compliance with the reporting deadlines has been maintained in general for all programs administered. In most instances, irregularities were resolved before the next filing deadline in accordance with the OCF Standard Operating Procedures. During FY 2017, a 100 % filing rate was achieved in the Constituent Service and Statehood Fund Programs; a 95% filing rate was achieved in campaign finance disclosure based on the actual filings by principal campaign committees, political committees, and political action committees; and a 94% filing rate was achieved in campaign disclosure by ANC Candidates.

More specifically, 47 of the 47 required filers in the Constituent Service and Statehood Fund Programs filed the Report of Receipts and Expenditures (OCF Forms 10 and 28) for their respective Programs; 556 of the required 584 principal campaign committees and political action

committees filed the Report of Receipts and Expenditures (OCF Form 16); and 425 of the required 450 ANC Candidates filed the ANC Summary Financial Statement (OCF Form 18).

There were 1081 required filers in all of the Campaign Finance Programs: 965 timely filers; 63 late filers; and approximately 53 filers who remain delinquent. The total number of actual filers represents 95% (95% in FY16) of the total required filers who complied with the reporting requirements during Fiscal Year 2017.

52. Please describe the agency's auditing process for receipts of contributions and expenditures.

- a. Please provide an update on changes made to OCF's auditing process, if any, in response to public criticism that the process does not provide voters with relevant information about candidates in a timely manner or in order to inform their voting decisions.**

RESPONSE:

As reported previously, the Records Analysis and Audit Branch (RAAD) is responsible for performing audit analysis and reviews of all financial reports and documents received in the Agency, including Reports of Receipts and Expenditures, and the ANC Summary Financial Statement. The Division conducts full field audits of the entire operations of the principal campaign committees of newly elected public officials from the organization of the committee to its termination. RAAD may also initiate full field audits and investigations based upon deficiencies and conditions noted during Desk Audit Reviews; upon complaints filed by members of the public; and upon order of the Board of Elections or the OCF Director. The Division conducts periodic random field audits in each OCF Program, including random audits of the financial reports submitted by candidates, principal campaign committees, political committees, political action committees, independent expenditure committees, and Constituent Service and Statehood Fund Programs. The periodic audits require reporting entities to submit all banking records and statements, invoices, and receipts maintained in support of the contributions and expenditures reported in the coverage period of the selected filing. This enables the Audit Division to verify report entries against the supporting documentation.

During Fiscal Year 2017, the Office of Campaign Finance conducted 1092 (includes Amended Reports) Desk Reviews of all Reports of Receipts and Expenditures filed with the Agency by candidates, committees, and the Constituent Service and Statehood Fund Programs. All Desk Reviews were completed before the next reporting period of the respective entity.

The Desk Reviews ensure that the public record provides a full and accurate portrayal of the financial operations and activities of campaigns, and the Constituent Service and Statehood Fund Programs. The Desk Reviews resulted in the issuance of 142 Requests for Additional Information directed to reporting entities to advise of deficiencies, and to extend the opportunity for compliance with the requirements of the Campaign Finance Act. Ninety-two (92) reporting entities complied with the request of the Audit Division, and submitted the necessary information. Fifty (50) responses were due in FY 2018, and the information has been received. The Audit Division referred seven (7) cases to the Office of the General Counsel for enforcement where there was a failure to respond to the request for additional information. RAAD assisted in

the termination of seventeen (17) committees, following the review and approval of their Final Report of Receipts and Expenditures.

In addition, the Audit Division revised the Standard Operating Procedures for the Division to provide for the Desk Review of the ANC Summary Financial Statement (OCF Form 18). The Summary Financial Statement of the Candidate for the Office of Member of an ANC must include the total receipts and expenditures relative to seeking election to the ANC Office; the cash on hand at the close of the reporting period; the total amount of debts and obligations owed to and owed by the ANC candidate; the method of disposal of surplus funds; certification that the ANC candidate did not receive contributions from any person excluding the candidate, in excess of twenty-five (\$25) dollars; or a certification that the ANC candidate did not receive contributions from any person or make expenditures, including from or by the candidate, to support the election to the ANC Office. The deadline for the filing of the ANC Summary Financial Statement was January 17, 2017. The Audit Division conducted the desk review of 428 Summary Financial Statements of ANC Candidates.

Moreover, the work load of the Audit Division increased during this calendar year due to the quarterly reporting required by political action committees and independent expenditure committees established by D.C. Act 21-0584, the “Campaign Finance Reform and Transparency Emergency Amendment Act of 2016”, effective December 24, 2016, and later reenacted in a subsequent Act. Specifically, the reporting cycles for political action committees and independent expenditure committees during nonelection years are increased from two (2) report dates, the January 31st and the July 31st Filing Deadlines, to include the 10th days of April and October, and the current contribution limitation of \$5,000 is applied to political action committees during nonelection years. The Standard Operating Procedures of the Audit Division were revised to include these report dates in the Desk Review Process.

Last, as the Committee was previously informed, the audit which was the source of criticism presented an unusual set of circumstances that impeded the ability of the Audit Division to complete the audit field work in a reasonable period of time. The goal of the Agency is to release an Audit report in a timely and useful manner for the public. However, the Agency must also ensure the release of a complete and accurate report. Each audit is unique, and the completion of the audit may vary dependent upon the number of receipt and disbursement transactions reported, the availability of all underlying documentation, the organization and completeness of the committee records, the audit scope and the issues that develop during the audit, and the opportunity to respond and the consideration of the responses to the draft audit.

Going forward, the Agency will strive to adhere strictly to the timeframes of its Standard Operating Procedures where non compliance issues are noted during the audit fieldwork process, the Statement of Findings or Preliminary Audit Report. Specifically, the committee under audit has fifteen (15) days and thirty (30) days, respectively, to respond to the Audit staff’s findings and recommendations enumerated within the Reports. Requests for extensions will not be granted for more than fifteen (10) days, absent extraordinary circumstances.

53. Please provide the Committee with the total amount of audits your office performed in FY17 and FY18, to date. Additionally, please sort these audits by classes such as random, reported, requested, etc., and describe the results of the audits.

RESPONSE:

The Reports Analysis and Audit Division completed fourteen (14) Periodic Audits and two (2) Full Field Audits during Fiscal Year 2017, and during Fiscal Year 2018, to date, five (5) Periodic Audits, and one (1) Full Field Audit. With the exception of the Audit Report of the Brandon Todd for Ward 4 Principal Campaign Committee, which was a Non-Compliance Report, all of the Audits conducted resulted in Compliance Audits. All Audit Reports are available at the OCF Website for review by the public.

Random Audits Conducted**Date Audit Issued****Political Action Committees**

SEIU Local 500 PAC	April 13, 2017
DC Dental	April 28, 2017
Ward Three Democrats Committee	May 1, 2017
DC Democratic State Committee	May 19, 2017
Ward 8 Matters	May 9, 2017
DC Legal PAC	October 3, 2017
Republican Committee DC PAC	October 26, 2017

Constituent Service Programs

Mary Cheh Ward 3 CSF	November 3, 2016
Evans Constituent Services Fund	November 8, 2016
Office of Ward 8 LaRuby May CSF	November 30, 2016
Mayor Bowser's CSF	May 8, 2017
Citizens Outreach Fund	August 31, 2017
Do Something Constituents Fund CSP	December 18, 2017
Ward 7 Constituent Services Fund	December 21, 2017

Continuing Committees**Candidates in the 2016 Election Cycle**

Friends of Jimmy Calomiris	October 25, 2016
Carter for DC	November 17, 2016
Re-Elect Orange 2016	May 19, 2017

Candidates in the 2018 Election Cycle

Carley for Ward 5 Council	September 18, 2017
Committee to Elect Lori Parker	November 1, 2017

Full Field Audits

Brianne for DC
Brandon Todd for Ward 4
Vince Gray 2016

October 25, 2016
March 30, 2017
October 6, 2017

54. How much did OCF impose in fines in FY17 and FY18, to date, and to which entities? Of this amount, how much has been collected, from what sources, and how much is outstanding?

a. How does OCF ensure that the imposition of fines deters unlawful conduct?

RESPONSE:

The Office of Campaign Finance imposed a total of \$74,250.00 in fines in FY17 and FY18, to date. \$21,850.00 in fines were imposed against 15 Candidates and Treasurers; \$44,900.00 in fines were imposed against 21 Principal Campaign Committees; and \$8,800.00 in fines were imposed against seven (7) Political Action Committees. The Agency has collected \$31,200.00 in fines, vacated or reduced fines in the total sum of \$12,925.00, and has fines outstanding in the total sum of \$30,125.00.

The breakdown of fines collected and the sources is as follows:

FY17 Office of Campaign Finance Fine Payments Collected

NAME	DATE	DOCKET #	CHECK #	AMOUNT
1199SEIU United Healthcare (1199 SEIU PAC)	11/22/2016	16-P-011	191121	\$600.00
Vincent Gray PCC	01/18/2017	OCF FI 2011-104	33164065-1	\$10,000.00
Horowitz & Ullmann CPAS, PC (1199 SEIU PAC)	02/06/2017	16-P-025	5390	\$700.00
Carrie L. Bachner (Bachner Committee PCC 2016)	04/14/2017	16C-055	2642	\$50.00
Re-Elect LaRuby May (LaRuby May)	05/18/2017	16C-069	6602022998	\$200
Re-Elect Brandon Todd for Ward 4 PCC	06/12/2017	OCF 2017 R-003	1180	\$5100
Re-Elect Brandon Todd for Ward 4 PCC	06/12/2017	OCF 2017 R-003	1179	\$300

Muriel Bowser for Mayor PCC	07/06/2017	OCF 2017 FI 2017-101	122672	\$13,000

FY18 Office of Campaign Finance Fine Payments Collected

Andrew Kline/ D.C. Chamber of Commerce PAC	11/22/2017	16P-030	1847	\$1,000.00
Aaron Holmes/Holmes for Ward 8 PCC	11/22/2017	16C-070	23876026367	\$250.00

a. While OCF cannot assure that the imposition of fines deters unlawful conduct, The Agency uses its training seminars and mandatory entrance conferences to emphasize the importance of compliance with existing laws and regulations and the consequences of non-compliance. Specifically, we highlight the fact that fines have increased substantially and both candidates and treasurers may be personally liable for fines resulting from violations of the Campaign Finance Act. In addition, we stress the fact that all orders issued by OCF are published at our website and become a permanent part of the public record. Therefore, any fines or sanctions imposed by the OCF are exposed to both members of the public and the media immediately. Thus, a history of non-compliance irrespective of how limited or extensive can only cast one in an unfavorable light.

55. How many committees are currently registered with OCF? How many committees have been registered with OCF each year, for the past ten years? Please break this number down by filer type.

RESPONSE:

There are currently 139 Committees and Programs registered with the Office of Campaign Finance, including 139 Principal Campaign Committees; 49 Political Action Committees; 9 Constituent Service Programs; 3 Statehood Fund Programs; 3 Initiative Committees; 0 Referendum Committees; 1 Recall Committee; 5 Independent Expenditure Committees; 1 Exploratory Committee; and 0 Legal Defense Committees.

	<u>PCC</u>	<u>PACs</u>	<u>CSP</u>	<u>Statehood</u>	<u>Initiative</u>	<u>Ref</u>	<u>Rec.</u>	<u>I.E.</u>	<u>Inaug.</u>	<u>Exp.</u>
2007	54	4	7	2	2	1	1	0	0	0
2008	51	6	0	0	1	0	0	0	0	0
2009	11	1	1	0	1	1	1	0	0	0

2010	42	15	0	0	0	2	0	0	0	0
2011	57	2	2	0	0	0	0	0	0	0
2012	53	10	1	0	2	0	2	0	0	0
2013	56	3	2	0	3	1	0	0	0	6
2014	72	11	0	0	7	0	1	0	1	4
2015	21	5	4	1	3	1	1	2	0	1
2016	38	3	0	0	4	0	1	8	0	1
2017	25	4	2	0	2	0	1	0	0	0

a. How many committees registered in FY17 and FY18, to date, by filer type?

	<u>FY2017</u>	<u>FY2018</u>
PCC	18	8
PAC	4	2
I.E.	1	0
CSP	2	0
Init.	3	0
Rec.	1	0

56. How many principal campaign committees are currently open for the purpose of retiring debt?

Eighteen (18)

a. How long has each committee been open, and what is the outstanding balance of each?

<u>Committee Name</u>	<u>Registered Date</u>	<u>Total Loans</u>
2006 Orange for Mayor	06/24/2005	\$97,500.00
Orange for Chair	05/10/2010	\$70,000.00
Carol Schwartz for Mayor Committee	06/10/2014	\$102,000.00
Carol Schwartz 2008	06/20/2008	\$64,060.90
Friends of Courtney R. Snowden	06/18/2014	\$16,000.00
Kinlow Ward 8 Strong	12/23/2014	\$9,000.00
Biddle 2012	11/08/2011	\$10,000.00
Committee to Elect Sekou Biddle At-Large	12/23/2010	\$15,000.00
Sheila Bunn for Ward 8	01/07/2015	\$44,919.42
Committee to Elect Natalie Williams for Ward 8	12/29/2014	\$24,414.86
Kinlow Ward 8 Strong	12/23/2014	\$9,000.00
Elect Renee Bowser	12/12/2014	\$42,000.00
Committee to Elect Khalid Pitts 2014	04/02/2014	\$15,000.00
Toliver for Ward 4	01/09/2015	\$5,000.00
Abraham for Ward 8	12/31/2014	\$5,026.98

2016 Committees

Klokel At Large	07/15/2016	\$352.00
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Carter for DC	06/24/2016	\$10,000.00
Robert White At-Large 2016	12/11/2015	\$2,031.03

It should be noted that all loans are loans primarily owed by the committee to the candidate.

- b. What activities, if any, did each of these committees undertake in FY17 and FY18, to date?

To date, none of the committees listed in the previous question have resolved any of their remaining debt. However, in calendar year 2017, five committees that were originally part of that list have since resolved the debt (i.e., loans) and have filed termination reports with OCF.

<u>Committee Name</u>	<u>Registered Date</u>	<u>Total Loans</u>
Zukerberg for Attorney General	11/08/2013	\$40,000.00
Karl Racine For AG	07/15/2014	\$451,000.00
Friends of Leon T. Andrews, Jr.	01/07/2015	\$96,000.00
Mary Lord 2016	05/16/2016	\$3,000.00
Friends of Leon T. Andrews, Jr. 2016	02/02/2016	\$140,000.00

57. Please provide an update on any enhancements OCF made to its e-filing and disclosure system in FY17 and FY18, to date.

- a. How has the agency used its e-filing system to flag excessive contributions upon filing?

Filer side – Contributions data entry module

To make the data entry of contributions easier and quicker the following enhancements have been made

1. **Address auto-complete:** The contributor address will be auto-populated as you type. This integrated with the entire USPS address database through SmartyStreets API. The system also prevents entering addresses not available in USPS database.
2. **Contributors List and auto-complete:** We have provided a contributors lookup list to choose a contributor if they have contributed before. In addition, the system also auto-completes contributor information if already present.
3. **Previous contributor validation:** The system checks if similar contributor exists in the database by comparing the sound of the contributor name. This allows prevention of typo and duplication of contributor information

Admin side – Flagged Contributions

We have enhanced the Flagged contributions module to group contributors by similar sounding names, similar addresses, and almost similar spellings. This allows the audit team to catch illegal contributions made by altering the name or address of the contributor. We have also included refunds related to the contributor if any.

58. Please describe OCF's records preservation policies. Did the agency make any changes to these policies in FY17 or FY18, to date?

During FY17, the Office of Campaign Finance worked with the Board of Elections to revise its Document Retention and Disposition Schedule which includes the following:

Office of Campaign Finance

DIA Number	Record Series Title	Minimum Retention Period and Final Disposition
1004.1	Registration Forms	Retain for 10 years then destroy
1004.2	Financial Disclosure Statements	Retain for 10 years then destroy
1004.3	Lobbyist Reports	Retain for 10 years then destroy
1004.4	Receipts, Expenditures, Exemptions Reports	Retain for 10 years then destroy
1004.5	Audit Reports	Retain for 10 years then destroy
1004.6	Case Files	Retain for 10 years then destroy
1004.7	Statement of Economic Interest	Retain for 10 years then destroy
1004.8	Legislation Files	Retain for 10 years then destroy

Many of the OCF documents or the information contained therein are available at the OCF Website in PDF, Excel or some other format, and are relied upon as our primary source for the information listed above.

59. Please provide an update on OCF's efforts to promote compliance with the "affiliated entity" reporting requirement?

- a. In how many instances were affiliated entities of business contributors listed in FY17 and FY18, to date? Out of how many business donors?**
- b. What plans does OCF have in the remainder of FY18 to enhance compliance with this requirement?**
- c. How has the Agency made information relating to affiliated entities publicly accessible?**
- d. How many reports of affiliated entities were there by campaigns?**
- e. How many were found later by OCF during its review?**

RESPONSE:

Business contributors bear the primary responsibility to disclose information regarding affiliated persons or entities to committees, which are then required to report same. However, during each required filing period, OCF examines a random sample of the contributions received by committees from business contributors and compares them to information included in publications and additional resources which identify business affiliates to determine whether any affiliated persons or entity of a business contributor has also contributed to the same committee. During FY 17 and FY18 to date, OCF has not uncovered any discrepancies in the information provided in Reports of Receipts and Expenditures and the OCF verification process.

During FY16, the Agency introduced at the OCF Website, the Affiliated Entity Search, which may be found at the "Data and Reports" Link on the Home Page. This Search Feature allows the

public to search contributions to identify contributions by a business entity, where the filer has listed all of the affiliated entities of the business contributor which have also contributed to the filer. The business contributor and its affiliated entities share the contribution limits imposed by the Campaign Finance Act. The user must select the criteria that best defines the results required (i.e., the recipient, the report name, the amount, the date, the contributor, the contribution location, and the contribution type). The database for this feature is dependent upon the reporting of affiliated entities on Schedule A (Contributions) of the Report of Receipts and Expenditures where the filer reports the receipt of contributions by a “Business Contributor” whose affiliated entities have also made a contribution to the same recipient.

By way of background, the provisions of D.C. Law 20-79, the “Campaign Finance Reform and Transparency Amendment Act of 2013”, made applicable on January 31, 2015, introduced more robust record keeping, reporting, and disclosure requirements. As the Committee has been previously advised, the enforcement of the contribution limits against business entities and their affiliates was problematic for the Agency prior to the most recent amendments to the Campaign Finance Act. Formerly, the term “person”, as defined by D.C. Official Code Section 1-1161.01 (42), to mean “an individual, partnership, committee, corporation, labor organization, and any other organization”, was identified in the Act as authorized to make contributions to political committees, campaigns to support candidates for office, to exploratory, inaugural, transition, and legal defense committees, and to the Constituent Service and Statehood Fund Programs. The attribution of contributions by partnerships was addressed in D.C. Official Code Section 1-1163.34, and traditionally, contributions by corporations were treated as separate from those of their individual owners. The treatment of a contribution by “any other organization”, which included limited liability companies, was unclear.

Under D.C. Law 20-79, the terms “affiliated entity”, business contributor”, “control”, “controlling interest”, and “entity”, are defined collectively to mean that a business entity making a contribution Under D.C. Law 20-79, the terms “affiliated entity”, “business contributor”, “control” or and its affiliated entities as a “business contributor” share contribution limits. Of significance, the “business contributor” must disclose to a committee, when a contribution is made, the identities of the contributor’s affiliated entities that have also contributed to the committee, and certify for each contribution made that no affiliated entities have contributed an amount that when aggregated with the contribution would exceed the limits. The committee must then disclose on their financial reports the contribution by the business contributor and the identity of each of its affiliated entities that have also contributed to the committee. See D.C. Official Code Sections 1-1163.09, 1-1163.13, and 1-1163.33 and the business contributor must certify for each contribution made that no affiliated entities have contributed an amount that, when aggregated with the business contributor’s contribution, would exceed the limits (D.C. Official Code Section 1-1163.33 New par. (b)). These amendments as a whole where disclosure is made at the time of contribution, result in the transparency of the contributions received from business entities and their affiliated relationships on the face of the financial reports, and validate the legality of the contribution.

During FY17 and FY18, to date, the Office of Campaign Finance intensified its efforts to promote compliance with the “Business Contributor” Rule. The Agency expanded its Educational Program to extend its outreach efforts to the Business Community and notify various associations of the availability of the Agency to present seminars concerning the “business contributor” disclosure requirement. The Agency is in active discussions with the

District's Chamber of Commerce to offer annual training during the month of January each year to its membership to facilitate a clear understanding of the applicable provisions of the current laws and regulations.

The reporting requirements of contributions received from business contributors is reinforced to the filing community through the mandatory entrance conferences, the onsite educational seminars, the Pre-Notification and Request for Additional Information Programs, and the OCF Website. It is imperative that the filing community understands the responsibility of the business entity to provide the committee at the time a contribution is tendered with the identity of each of its affiliated entities which have also contributed to the committee, and a certification that for each contribution made, none of its affiliated entities have made a contribution that when aggregated with its contribution, exceeds the contribution limits; and the responsibility of the committee to collect and disclose the information on its reports of receipts and expenditures. The Office of Campaign Finance modified the E-Filing Applications to provide a warning message that appears on the Screen when one is about to enter a business contribution which reminds the filer that "you are required to list the name of any affiliated entity that has also made a contribution to the committee".

Lastly, the Office of Campaign Finance following each filing deadline, commencing with the January 31st, 2017, has conducted the random sample of the reported contributions of at least fifty (50) "Business Contributors" from each financial report to verify that the contribution does not exceed the contribution limitation.

The breakdown of contributor data during FY17 and FY18, to date, follows:

Individual Contributions to PCCs (FY 2018: 10/1- 12/10)

3,207

Individual Contributions to PACs (FY 2018: 10/1/ - 12/10)

412

Business Contributions to PCCs (FY 2018: 10/1/ - 12/10)

261

Business Contributions to PACs (FY 2018: 10/1 – 12/10)

13

Individual Contributions to PCCs (FY 2017: 10/1/16- 9/30/17)

2292

Individual Contributions to PACs (FY 2017: 10/1/16 – 9/30/17)

3354

Business Contributions to PCCs (FY 2017: 10/1/16 – 9/30/17)

373

Business Contributions to PACs (FY 2017: 10/1 /16– 9/30/17)

101

Affiliated Entities Report (There were no Affiliated Entities reported during FY18, to date)

Committee Type	2017	2016	2015
PCC		15	7
Initiative	30	16	
CSP		3	1

60. To what extent does OCF view its mission as that of proactively making recommendations for improving the District’s campaign finance laws and evaluating national best practices?

RESPONSE:

OCF unequivocally views its obligation to make recommendations to improve the District’s campaign finance laws and encourage the application of national best practices as one of the corner stones of its mission. We have worked collaboratively and will continue to work with Council Oversight Chairpersons, their staffs and members of the community to assure that the District’s campaign finance laws and associated programs represent the fairness and equity the citizens of the District deserve.

61. How does OCF stay on top of national trends in campaign finance?

RESPONSE:

OCF relies on numerous resources including the Federal Elections Commission, the Brennan Center for Justice, the Council on Government Ethics Laws, the National Association of Administrative Law Judiciary and as a result of the proximity to the U.S. Congress, national news is also local news in the District of Columbia and “Campaign Finance Reform” is a frequent topic of discussion on Capitol Hill. In addition OCF conducts independent research to determine what trends are emerging in other jurisdictions.

LIST OF OCF ATTACHMENTS

JANUARY 18, 2018

RESPONSES TO QUESTIONS OF THE COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY

COUNCIL OF THE DISTRICT OF COLUMBIA

ATTACHMENT A – January 2018 Office of Campaign Finance Organizational Structure and Staffing Chart, and Organizational Charts for each OCF Division (Response to Question No. 1, General Questions)

ATTACHMENT B– January 2018 Office of Campaign Finance Functional Organization Chart (Response to Question No.1, General Questions)

ATTACHMENT C – January 2018 Schedule A for the Office of Campaign Finance (Response to Question No. 2, General Questions)

ATTACHMENT D – Chart of FY17 and FY18, to date, Intra-District Transfers and Memoranda of Understanding (Response to Questions No. 6 and 9, General Questions)

ATTACHMENT E – List of OCF Purchase Card Spending for FY17 and FY18, to date (Response to Question No.8, General Questions)

ATTACHMENT F – Chart of FY17 and FY18, to date, Reprogramming (Response to Question No. 13, General Questions)

ATTACHMENT G – List of OCF Contracts for FY17 and FY18, to date (Response to Question No. 15, General Questions)

ATTACHMENT H - FY17 Performance Plan and Report for the Office of Campaign Finance (Response to Question No. 22, General Questions)

ATTACHMENT I - FY18 Performance Plan for the Office of Campaign Finance (Response to Question No. 23, General Questions)

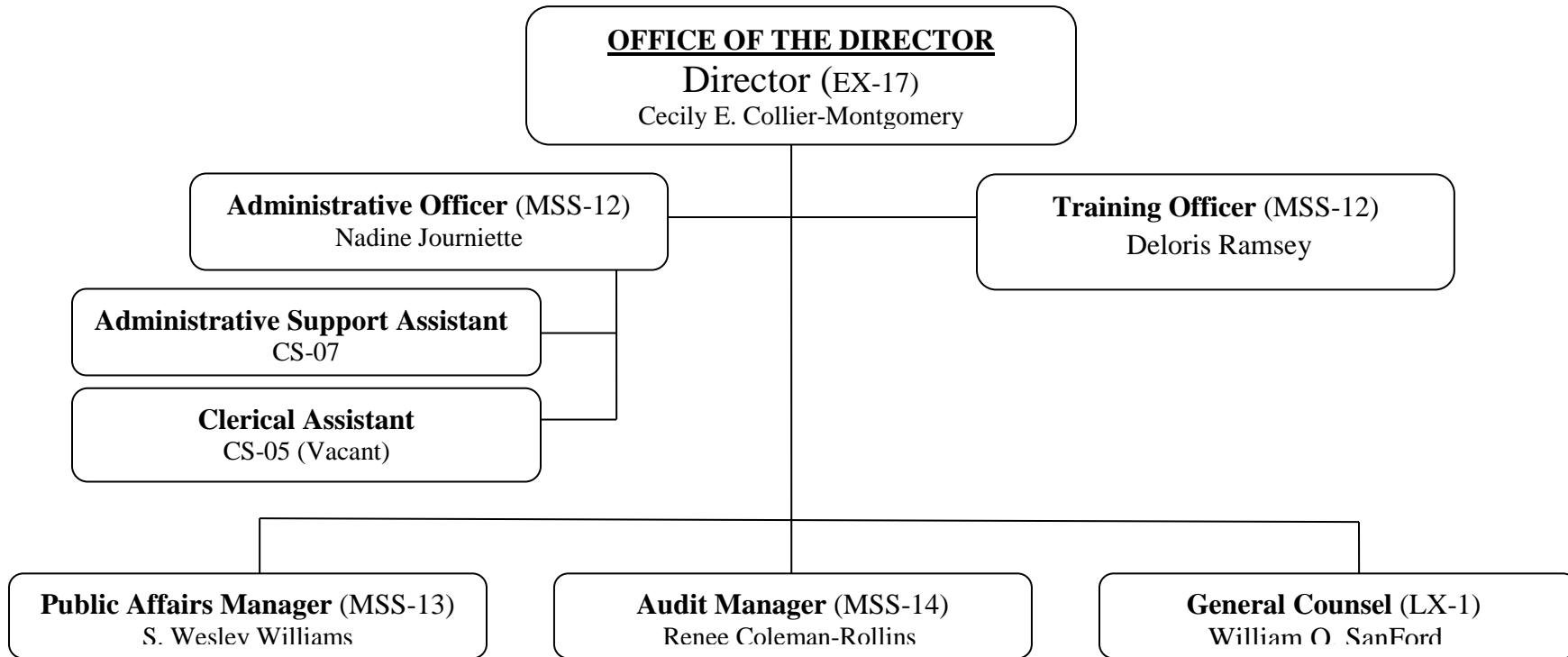
ATTACHMENT J – Copy of Correspondence dated January 31, 2017 to the Honorable Charles Allen, Member of the Council from Ward 6 (Response to Question No. 26, General Questions)

ATTACHMENT K – OCF Research Memoranda (Response to Question No. 26, General Questions)

ATTACHMENT L– List of OCF Employees whose salary exceeded \$100,000 or more in FY17 and FY18, to date (Response to Question No. 27, General Questions)

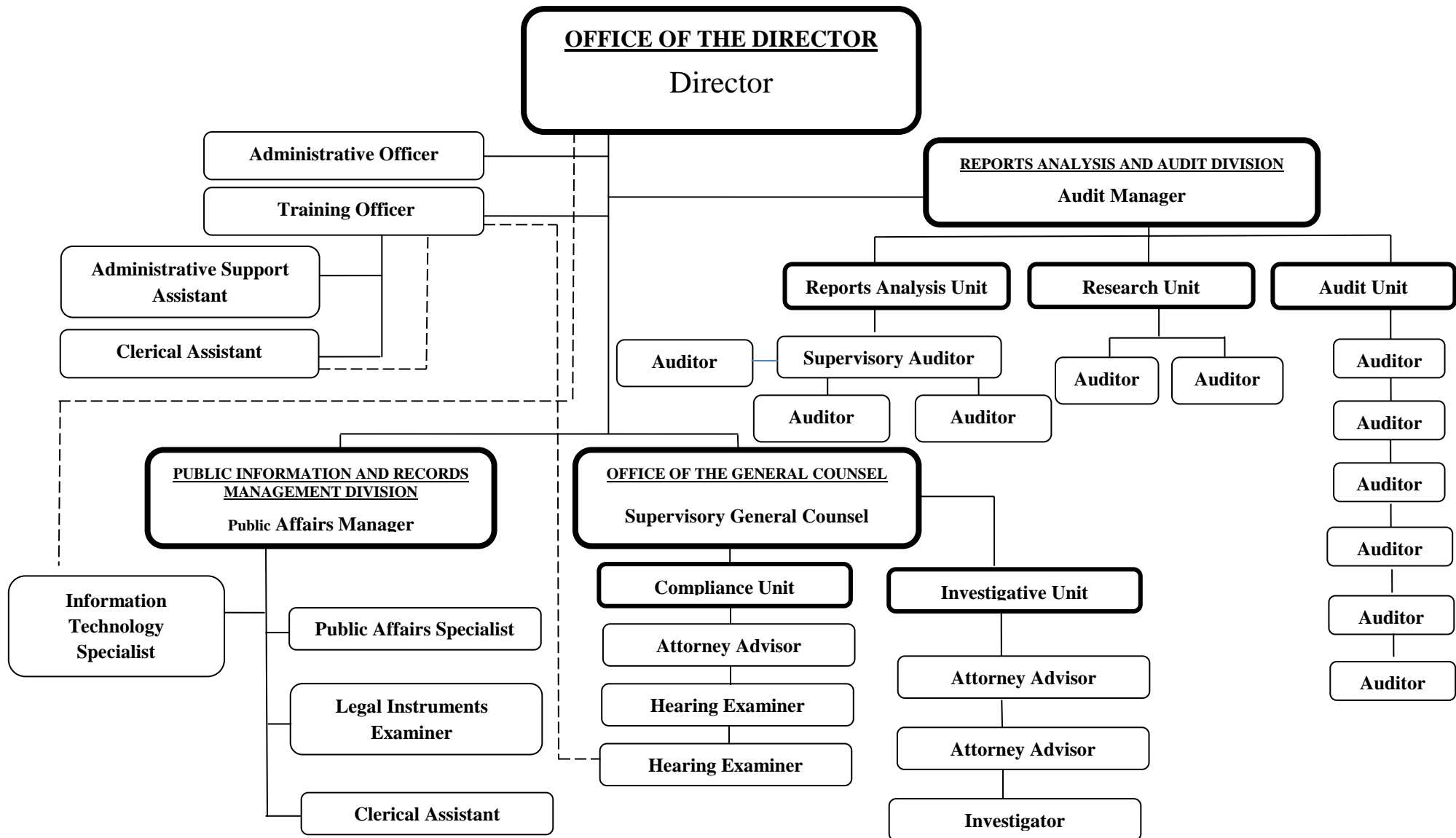
Office of the Director

5 Positions



January 2018 (1 Vacant Position in Active Recruitment)

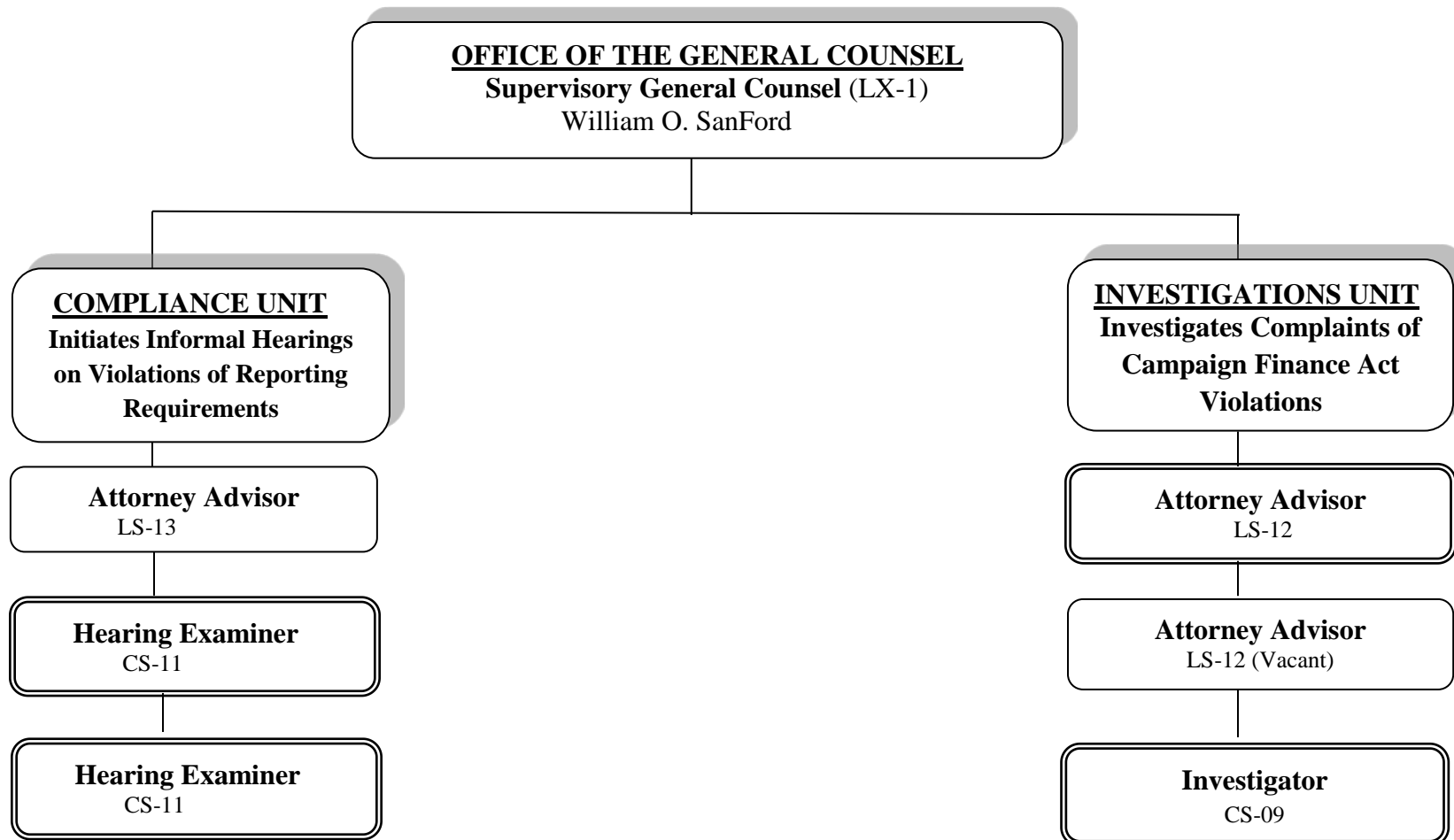
Organizational Structure and Staffing Chart



January 2018

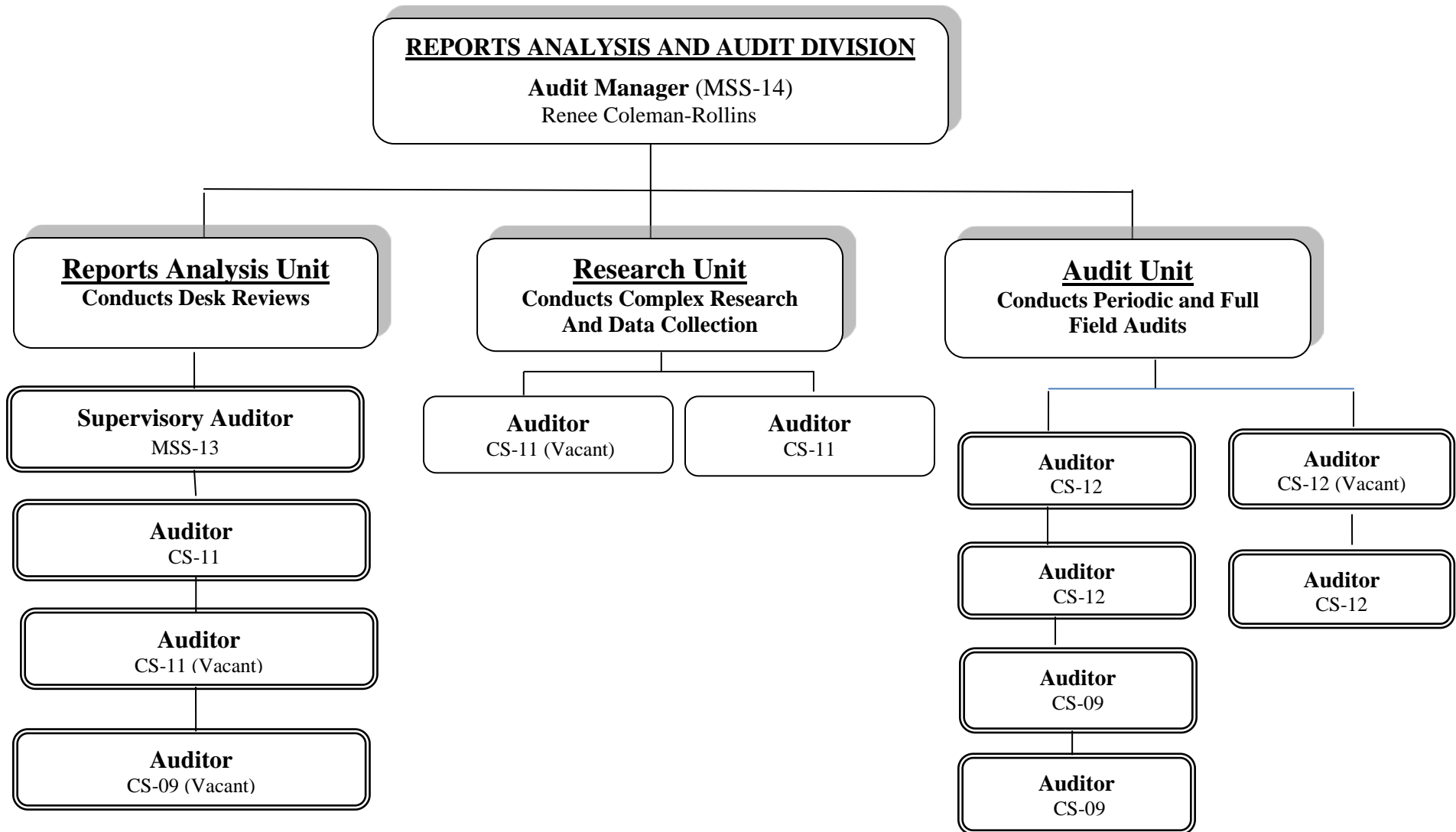
Office of the General Counsel

7 Positions



January 2018 (1 Vacant Position in Active Recruitment)

Reports Analysis and Audit Division

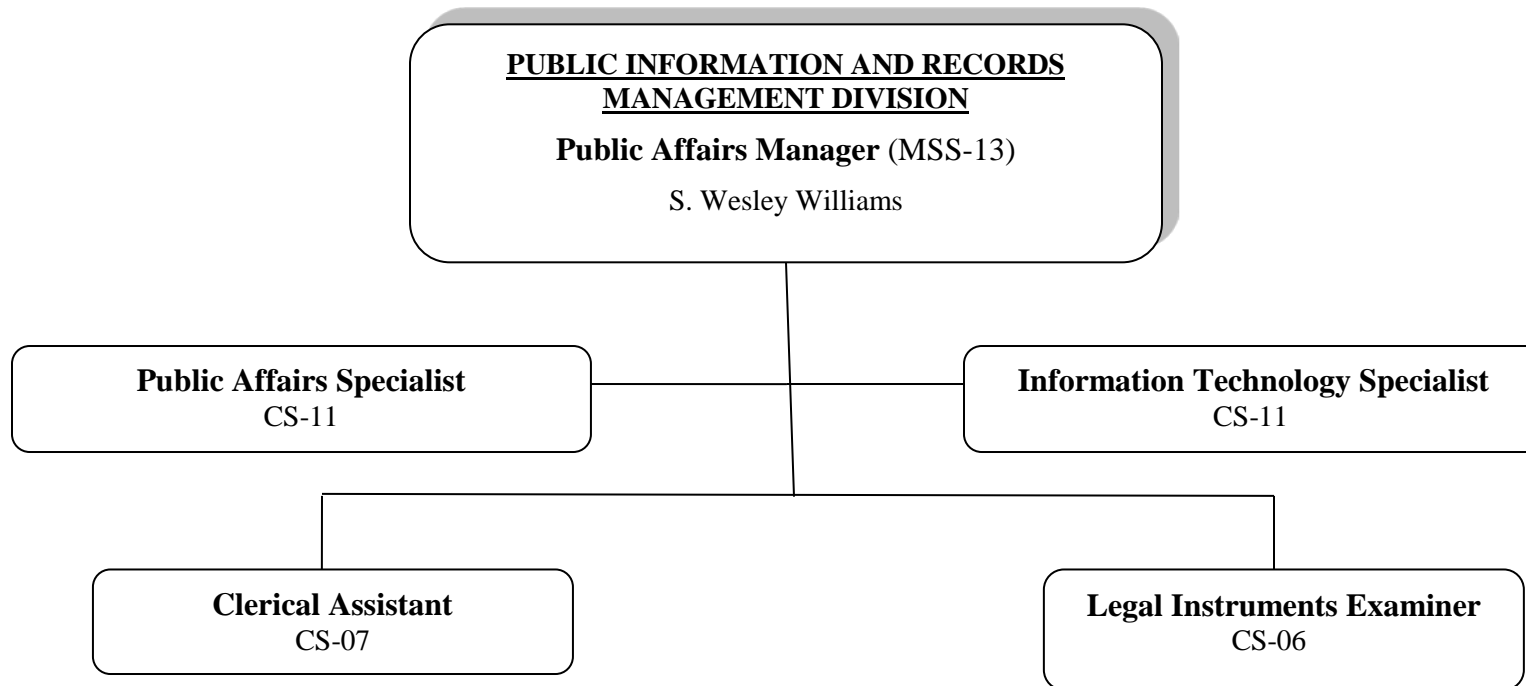


January 2018 (4 Vacant Positions in Active Recruitment, Auditor CS-12, Auditor CS-11 (2 Positions) and Auditor CS-09)

DC OFFICE OF CAMPAIGN FINANCE

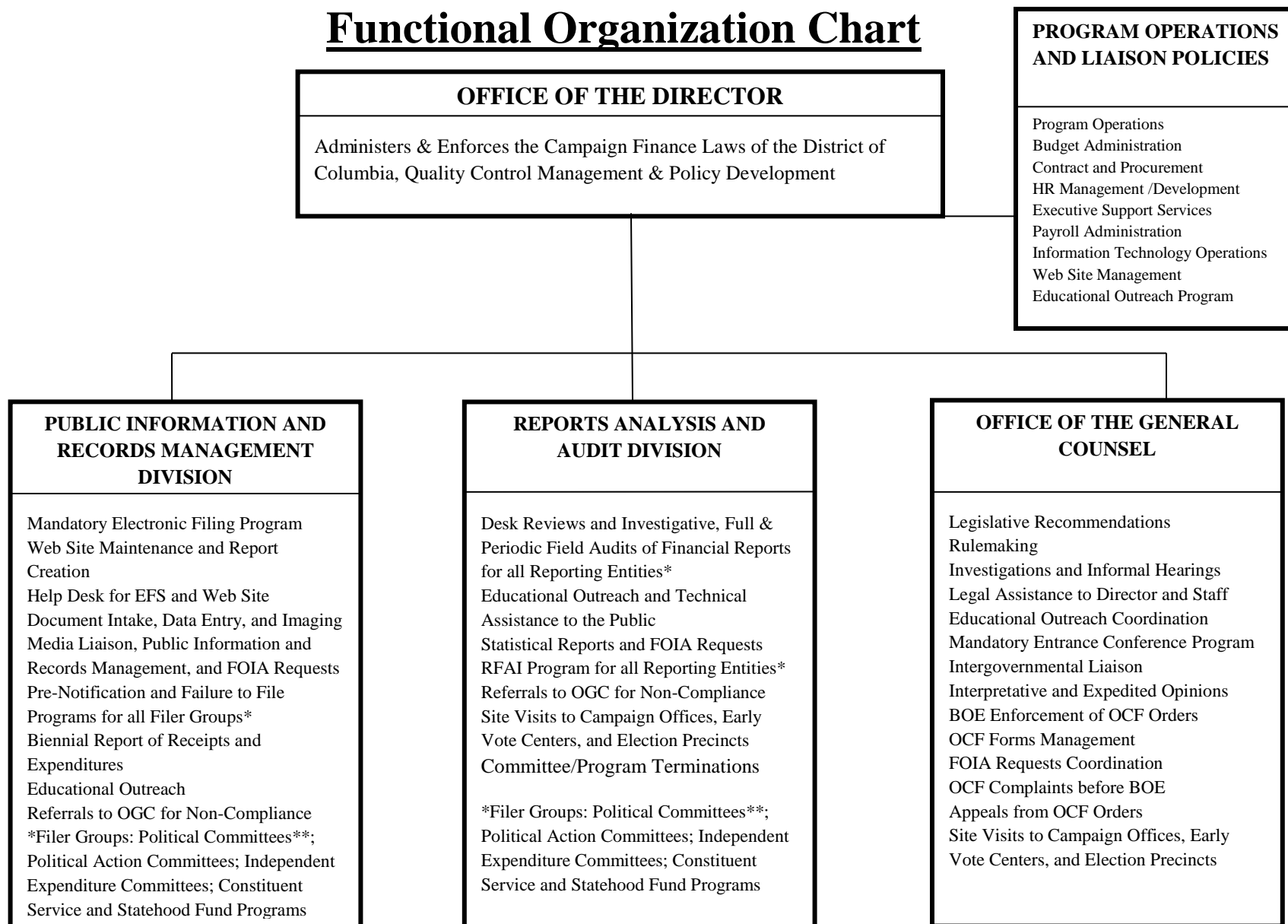
5 Positions

Public Information and Records Management Division



January 2018

DC OFFICE OF CAMPAIGN FINANCE
Functional Organization Chart



** - Political Committees include principal campaign committees, inaugural, transition, exploratory and legal defense committees, and ballot committees

January 2018

OCF RESPONSE TO QUESTION #2 (General Questions)

FY 18 CURRENT SCHEDULE A

List by Program and Activity of Positions by Title, Employee Name, Grade, Step, Series, Salary, Fringe Benefits, EOD, and Whether the Position is Vacant or Frozen

I. Agency Management Program

Title	Name	Grade	Step	Series	Salary	Fringe Benefits	EOD	Status Continuing/Term/Temporary/Contract/Vacant/Frozen	Recruitment/Activity
Agency Management Program									
Office of The Director									
Director	Collier-Montgomery Cecily E.	17		0087	172,870.30	39,760.16	08/02/96	Continuing	
Training Officer	Ramsey, Deloris	MSS-12	0		84,704.92	19,482.13	08/12/13	Continuing	
Administrative Officer	Journiette, Nadine	MSS-12	0	341	75,356.19	17,331.92	01/28/13	Continuing	
Administrative Assistant	Williams, April L.	CS-07	07	303	47,205.00	10,857.15	05/17/04	Continuing	
Clerical Assistant		CS-05	06	303	37,353.00	8,591.19	01/08/18	Continuing	*Vacant as of 11/07/16 Position Number 00010999 Term Position Filled as of 01/22/18

*The Position (00010999) is vacant due to the employee Resignation, effective 11/07/16 and was filled as a Clerical Assistant, CS-301-05 Term Position on January 22, 2018.

FY 18 Question #2 Response (Cont'd)

List by Program and Activity of Positions by Title, Employee Name, Grade & Step, Series, Salary, Fringe Benefits, EOD, and Whether Position is Vacant or Frozen

II. Oversight Support Program

	Office of General Counsel Activity								
Title	Employee	Grade	Step	Series	Salary	Fringe Benefits	EOD	Status Continuing/ Term/ Temporary/ Contract/ Vacant/ Frozen	Recruitment Activity
Supv. General Counsel	SanFord, William O.	LX-1		905	131,537.02	30,253.51	10/02/10	Continuing	
Attorney Advisor	Franklin, Austin	LS-13		905	94,915.00	27,984.29	05/27/03	*Vacant Position Filled on 01/08/18 Position Number 00024372	Position Reclassification
Attorney Advisor	Muhammad, Leonard	LS-12	3	905	90,458.00	20,805.34	01/31/11	Continuing	
Hearing Examiner	Peete, Kalvaneeta	CS-11	3	905	64,160.00	14,756.80	01/14/13	Continuing	
Attorney Advisor	Vacant	LS-12		905	79,810.00	20,544.26		Vacant as of 01/08/18	Position referred to DCHR for Publication of Vacancy Announcement
Investigator	Zeraat, Payam	CS-09	3	1810	53,217.00	12,239.91	01/28/13	Continuing	
Hearing Examiner	Fennell, Shaunda	CS-11	1	905	58,679.00	13,496.17	09/06/16	Continuing	

**The Position (0024372) was vacant due to the employee Retirement, effective 12/31/16, reclassified as LS-13 Attorney Advisor position and filled on January 8, 2018.

	Reports Analysis and Audit Division Activity								
Auditor Manager	Coleman, Renee	MSS-14		511	119,589.82	27,505.66	07/12/04	Continuing	
Supervisory Auditor	Jackson, Erick	MSS-13		511	104,423.00	24,017.29	09/13/04	Continuing*	The position was vacant due to employee Resignation, effective 04/21/2017; reclassified as Supervisory Auditor, MSS-13, and filled on 01/08/18.
Auditor	Banaro, Beruk	CS-09	01	511	48,693.00	11,199.39	12/28/15/	Continuing	
Auditor		CS-	01	511	70,345.00	16,249.69	12/10/17	Vacant as of	Position Vacant

		12						12/11/17	due To Promotion; reclassified as CS-12 and forwarded to DCHR Publication of Vacancy Announcement on 12/29/17
Auditor	Afoke, Olamide	CS-11	01	511	58,679.00	13,496.17	02/10/14	Continuing	
Auditor	Wales, Mark	CS-12	03	511	74,711.00	17,183.53	05/06/13	Continuing	
Auditor	Dufe, Eddie	CS-12	03	511	74,711.00	17,183.53	05/06/13	Continuing	
Auditor	Oliver Jr., Michael D.	CS-12	03	511	74,711.00	17,183.53	06/23/08	Continuing	
Auditor	Steele, Michele	CS-11	03	511	60,506.00	13,916.38	05/06/13	Continuing	
Auditor	Vacant	CS-11	01	511	56,852.00	13,132.81		Vacant	Vacant Position as of Termination 11/07/17; Vacancy Announcement Published on 01/05/18
Auditor	Vacant	CS-11	1	511	48,693.00	11,199.99	12/28/15	Vacant as of 08/11/17	Pending *** Re-classification as CS-09 to CS-11, Auditor
Auditor	Vacant	CS-09	1	511	48,693.00	11,199.39	01/08/16	Continuing	Resignation Effective 12/26/17; Will be forwarded to DCHR for Vacancy Announcement
Auditor	Coaxum, Jerome	CS	02	511	48,693.00	11,199.39	09/07/16	Continuing	

**The Position Description has been forwarded to DCHR for reclassification as CS-11, Auditor and recruitment.

Public Information and Records Management Division Activity									
Public Affairs Manager	Williams III, Sidney Wesley	MS-13		1035	99,658.18	22,921.38	05/12/08	Continuing	
Public Affairs Specialist	Lake, Sonya L.	CS-11	7	1035	67,814.00	15,597.22	01/18/09	Continuing	
Clerical Assistant	Scales, Billy L.	CS-7	10	301	51,276.00	11,793.48	06/30/97	Continuing	
Legal Instruments Examiner	McQueen, Laura	CS-6	8	950	43,857.00	10,087.11	01/12/04	Continuing	
Information Technology	Dua, Nimmi	CS-11	06	2210	65,987.00	15,177.01	08/31/98	Continuing	

*The Vacant Position Clerical Assistant (0010999), CS-05/02 occurred as the result of the Former Employee Resignation, effective 11/07/2016; and was filled on 01/22/18 as an Term Position.

**The Hearing Examiner (0024372), MSS-14 Position, was vacant as of 12/31/16 due to the Retirement of the former employee. This position was reclassified and filled as of 01/08/18 as an Attorney Advisor, LS-905-13.

Office of Campaign Finance (CJ0)

Posn Stat	Title	Fund Code	Hire Date	Vac Stat	Grade	Step	Salary	Fringe @23.0%	Total S&F	Index	PCA
A	Administrative Support Assista	0100	5/17/2004	F	7	7	\$ 47,205.00	\$ 10,857.15	\$ 58,062.15	1010L	10100
A	CLERICAL ASSISTANT	0100		V	5	0	\$ 31,823.00	\$ 7,319.29	\$ 39,142.29	1010L	10100
A	Administrative Officer	0100	1/28/2013	F	12	0	\$ 75,356.19	\$ 17,331.92	\$ 92,688.11	1010L	10100
A	Training Officer	0100	8/12/2013	F	12	0	\$ 84,704.92	\$ 19,482.13	\$ 104,187.05	1015L	10150
A	IT Specialist	0100	8/31/1998	F	11	6	\$ 65,987.00	\$ 15,177.01	\$ 81,164.01	1040L	10400
A	DIR CAMPAIGN FINANCE	0100	8/2/2011	F	17	0	\$ 172,870.27	\$ 39,760.16	\$ 212,630.43	1090L	10900
A	Supervisory Public Affairs Spe	0100	4/8/1990	F	13	0	\$ 99,658.18	\$ 22,921.38	\$ 122,579.56	2010L	20100
A	CLERICAL ASST	0100	4/8/1996	F	7	10	\$ 51,276.00	\$ 11,793.48	\$ 63,069.48	2010L	20100
A	Public Affairs Specialist	0100	3/29/1984	F	11	7	\$ 67,814.00	\$ 15,597.22	\$ 83,411.22	2010L	20100
A	LEGAL INSTRUMENTS EXAMINER	0100	1/12/2004	F	6	8	\$ 43,857.00	\$ 10,087.11	\$ 53,944.11	2010L	20100
A	Auditor	0100	12/28/2015	F	9	2	\$ 48,693.00	\$ 11,199.39	\$ 59,892.39	2020L	20200
A	AUDITOR	0100	2/8/2016	F	9	2	\$ 48,693.00	\$ 11,199.39	\$ 59,892.39	2020L	20200
A	Auditor Manager	0100	4/23/1992	F	14	0	\$ 119,589.82	\$ 27,505.66	\$ 147,095.48	2020L	20200
A	AUDITOR	0100	2/10/2014	F	11	2	\$ 58,679.00	\$ 13,496.17	\$ 72,175.17	2020L	20200
A	Auditor	0100	5/20/2013	F	11	3	\$ 60,506.00	\$ 13,916.38	\$ 74,422.38	2020L	20200
A	Auditor	0100	7/15/2013	F	11	5	\$ 64,160.00	\$ 14,756.80	\$ 78,916.80	2020L	20200
A	Auditor	0100	9/7/2016	F	9	2	\$ 48,693.00	\$ 11,199.39	\$ 59,892.39	2020L	20200
A	Supervisory Auditor	0100		V	13	0	\$ 103,992.00	\$ 23,918.16	\$ 127,910.16	2020L	20200
A	Auditor	0100	6/23/2008	F	12	3	\$ 74,711.00	\$ 17,183.53	\$ 91,894.53	2020L	20200
A	AUDITOR	0100	2/24/2014	F	13	10	\$ 104,423.00	\$ 24,017.29	\$ 128,440.29	2020L	20200
A	Auditor	0100	5/6/2013	F	12	3	\$ 74,711.00	\$ 17,183.53	\$ 91,894.53	2020L	20200
A	Auditor	0100	5/6/2013	F	12	3	\$ 74,711.00	\$ 17,183.53	\$ 91,894.53	2020L	20200
A	Auditor	0100		V	9	0	\$ 47,185.00	\$ 10,852.55	\$ 58,037.55	2020L	20200
A	Supv General Counsel	0100	12/9/1985	F	1	0	\$ 131,537.02	\$ 30,253.51	\$ 161,790.53	2030L	20300
A	Attorney Advisor	0100		V	13	0	\$ 94,915.00	\$ 21,830.45	\$ 116,745.45	2030L	20300
A	Hearing Examiner	0100	1/14/2013	F	11	5	\$ 64,160.00	\$ 14,756.80	\$ 78,916.80	2030L	20300
A	Investigator	0100	1/28/2013	F	9	5	\$ 53,217.00	\$ 12,239.91	\$ 65,456.91	2030L	20300
A	Attorney Advisor	0100	1/31/2011	F	12	5	\$ 90,458.00	\$ 20,805.34	\$ 111,263.34	2030L	20300
A	Attorney Advisor	0100	5/20/2013	F	12	5	\$ 90,458.00	\$ 20,805.34	\$ 111,263.34	2030L	20300
A	Hearing Examiner	0100	9/6/2016	F	11	2	\$ 58,679.00	\$ 13,496.17	\$ 72,175.17	2030L	20300

Office of Campaign Finance (CJ0)

<i>Intra District FY 2017 Transferred From Office of Campaign Finance (CJ0)</i>			
Amount	From	To	Description
\$ 9,165.64	CJ0	KT0	Fleet Services
\$ 15,544.29	CJ0	TO0	Services Server/Data Base
\$ 15,000.00	CJ0	BE0	HR Services

<i>Intra District FY 2018 Transferred From Office of Campaign Finance (CJ0)</i>			
Amount	From	To	Description
\$ -	CJ0	KT0	Fleet Services
\$ 15,000.00	CJ0	BE0	HR Services
\$ 2,261.16	CJ0	TO0	Microsoft 365

OCF RESPONSE TO QUESTION #6 AND #9 Office of Campaign Finance (CJO)

<i>MOU FY 2017 Transferred From Office of Campaign Finance (CJO)</i>				
<i>Amount</i>	<i>From</i>	<i>To</i>	<i>Description</i>	<i>Date</i>
\$ 9,165.64	CJO	KTO	Fleet Services	30-Sep
\$ 15,544.29	CJO	TOO	Services Server/Data Base	16-Dec
\$ 15,000.00	CJO	BE0	HR Services	17-Nov

<i>MOU FY 2018 Transferred From Office of Campaign Finance (CJO)</i>				
<i>Amount</i>	<i>From</i>	<i>To</i>	<i>Description</i>	<i>Date</i>
\$ 16,272.64	CJO	KTO	Fleet Services	30-Sep-17
\$ 15,000.00	CJO	BE0	HR Services	16-Nov-17
\$ 2,261.16	CJO	TOO	Microsoft 365	29-Nov-17
\$ 17,253.00	CJO	TOO	Services Server/Data Base	30-Sep-17

OCF RESPONSE TO QUESTION #8 (GENERAL QUESTIONS)
FY 17 & 18 Purchase Card Transactions

FY 17 P-CARD TRANSACTIONS

Vendor	Amount	General Purpose	Date	P-Card User
Cogel	\$445.00	Membership Renewal	02/08/2017	April Williams
Miller's Copying	\$200.00	Copying Services	02/13/2017	April Williams
Miller's Copying	\$500.00	Copying Services	02/16/2017	April Williams
Whitaker Brothers	\$805.00	Time Stamp Clock	04/10/2017	April Williams
Haines	\$415.50	Business Directory	05/04/2017	April Williams
Metropolitan Office Products	\$1252.02	Supplies	07/05/2017	April Williams
DC BAR	\$198.00	DC Bar Courses	08/22/2017	April Williams
DC BAR	\$99.00	DC Bar Courses	08/29/2017	April Williams
DC BAR	\$99.00	DC Bar Courses	08/29/2017	April Williams
DC BAR	109.00	DC Bar Courses	08/29/2017	April Williams
Metropolitan Office Products	\$1,589.97	Supplies	08/30/2017	April Williams
DC BAR	\$99.00	DC Bar Courses	09/06/2017	April Williams
District Legal Services	\$310.00	Process Server Services	09/13/2017	April Williams
USPS	\$23.75	Certified Mail	09/15/2017	April Williams
North Capitol Inc.	\$328.00	Moving Services	09/19/2017	April Williams

FY 18 P-CARD TRANSACTIONS

Vendor	Amount	General Purpose	Date	P-Card User
District Legal Services	\$65.00	Process Server Services	10/16/2017	April Williams
Metropolitan Office Products	\$621.90	Supplies	11/07/2017	April Williams
District Legal Services	\$190.00	Process Server Services	12/19/2017	April Williams
District Legal Services	\$150.00	Process Server Services	12/19/2017	April Williams

OCF RESPONSE TO QUESTION #13 (GENERAL QUESTIONS)

FY 2017 Reprogramming

Date	From	Amount	TO	Amount	DESCRIPTION
Jan 25,17	0111	24,000.00	0410	30,000.00	To cover the cost of E-Filing
	0147	6,000.00			To cover the cost of E-Filing
April 27,17	0111	24,000.00		30,000.00	E-Filing Enhancement
	0147	6,000.00			
Total		60,000.00		60,000.00	

FY 2018 NO Reprogramming

OCF RESPONSE TO QUESTION #15 (General Questions) FY 17 AND FY 18

FY 17 and FY 18 Contracts Listed by Vendor Name, Nature of Procurement, Dollar Amount, Budget Amount, Actually Spent, Term of Procurement, Competitively bid or not, Fund Sources and Contract Monitor

FY 18 Contracts Listed by Vendor Name, Nature of Procurement, Dollar Amount, Budget Amount, Actually Spent, Term of Procurement, Competitively bid or not, Fund Sources and Contract Monitor

FY 17

Vendor Name	Nature of Contract/End product/Services	Dollar Amount	Budgeted Amount	Actually Spent	Term of Contract	Comp Bid/ Yes/ No	Fund Source	Contract Monitor
MVS PO533797	Copier Maintenance for FY17	\$7,043.76	\$7,043.76	\$7,043.76	10/2016-09/2017	Yes	0410	Sidney Wesley Williams
DataNet System Corp. PO558887	OCF eFiling System Tech Support, Maintenance, and Enhancements (Octoberr 1, 2016 to September, 29, 2017	\$53,772.96	\$53,772.96	\$53,772.96	10/2016-09/2017	Yes	0410	Sidney Wesley Williams
DataNet System Corp PO562725	OCF- E-Filing System Flagged Contributions Module Enhancements	\$29,043.26	\$29,043.26	\$29,043.26	10/12016-09/30/2017	Yes	0410	Sidney Wesley Williams

FY 18

Vendor Name	Nature of Contract/End product/Services	Dollar Amount	Budgeted Amount	Actually Spent	Term of Contract	Comp Bid/ Yes/ No	Fund Source	Contract Monitor
MVS PO533797	Copier Maintenance for FY17	\$7,395.84	\$7,395.84	\$7,395.84	10/2016-09/2017	Yes	0410	Sidney Wesley Williams
DataNet System Corp. PO575944	OCF Website and E-Filing System Maintenance FY17	\$55,476.00	\$55,476.00	\$55,476.00	10/2016-09/2017	Yes	0410	Sidney Wesley Williams

Office of Campaign Finance FY2017

Agency Office of Campaign Finance

Agency Acronym OCF

Agency Code CJO

To edit agency and POC information press your agency name (underlined and in blue above).

Agency Performance Cecily (OCF) Collier-Montgomery; Nadine (OCF)
POCs JourniletteAgency Budget Cecily (OCF) Collier-Montgomery; Nadine (OCF)
POCs Journilette

Fiscal Year 2017

When you believe you are finished with this phase of your Performance Plan, press edit in the upper right, check this box, and then press save.

2017 Strategic Objectives

FY17 Objectives

Objective Number	Strategic Objective
1	Provide fair, effective, and timely enforcement programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act.
2	Provide high quality educational outreach services (entrance conferences, training seminars, publications, and online tutorials) to increase full disclosure and voluntary compliance with the Campaign Finance Act.
3	Provide fair, effective, and efficient audit programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act.
4	Provide a high quality web-internet based public disclosure system to receive the online submission of financial reports, and to ensure the availability of campaign finance data and information in a manner that is easy to navigate, search, sort, and retrieve at the OCF Website.
5	Create and maintain a highly efficient, transparent and responsive District government. **

Add Strategic Objective

2017 Key Performance Indicators

Measure	New Measure/ Benchmark Year	Frequency of Reporting	Add Data Fields (if applicable)	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Quarter 1	FY 2017 Quarter 2	FY 2017 Quarter 3	FY 2017 Quarter 4	FY 2017 Actual	Was 2017 KPI Met?	Are Explanations of Barriers to Meeting KPIs Complete
1 - Provide fair, effective, and timely enforcement programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (3 Measures)																
Percent of informal hearings conducted and closed before the next filing deadline.		Quarterly		100%	100%	100%	100%	100%	100%	100%	100%	900%	100%	140.7%	Met	
Percent of Interpretative Opinions issued within thirty (30) days.		Quarterly		Not available	100%	100%	Not available	100%	100%	100%	No applicable incidents	No applicable incidents	100%	100%	Met	
Percent of expedited advice for time-sensitive election related matters issued within fifteen (15) days of request.		Quarterly		Not available	100%	Not available	100%	100%	100%	100%	100%	No applicable incidents	100%	100%	Met	
2 - Provide high quality educational outreach services (entrance conferences, training seminars, publications, and online tutorials) to increase full disclosure and voluntary compliance with the Campaign Finance Act. (1 Measure)																
Total number of mandatory training conferences conducted.	✓	Quarterly		Not available	50	Not available	12	34	1	1	4	7	17	29	Met	
3 - Provide fair, effective, and efficient audit programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (2 Measures)																
Percent of financial reports reviewed, evaluated, and analyzed before the next filing deadline.		Quarterly		100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	Met	
Percent of periodic random audits conducted within sixty (60) days of initiation.		Quarterly		100%	100%	100%	100%	93.8%	100%	100%	100%	100%	100%	100%	Met	
4 - Provide a high quality web-internet based public disclosure system to receive the online submission of financial reports, and to ensure the availability of campaign finance data and information in a manner that is easy to navigate, search, sort, and retrieve at the OCF Website. (1 Measure)																

Total number of financial reports filed electronically.	Quarterly	638	638	638	147	610	246	246	530	67	121	964	Met
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5 - Create and maintain a highly efficient, transparent and responsive District government.** (1 Measure)

Percent of investigative matters closed within ninety (90) days of opening	Quarterly	100%	100%	100%	Not available	0%	100%	No applicable incidents	No applicable incidents	100%	Needs Data Update	Needs Update	
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We've revisited a project to standardize District wide measures for the Objective "Create and maintain a highly efficient, transparent and responsive District government." New measures will be tracked in FY18 and FY19 and published starting in the FY19 Performance Plan.

2017 Operations

Operations Header	Operations Title	Operations Description	Type of Operations	# of Measures	# of Strategic Initiatives
1 - Provide fair, effective, and timely enforcement programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (1 Activity)					
OFFICE OF THE GENERAL COUNSEL	Enforcement Program	The Office of the General Counsel provides legal advice and enforcement through the conduct of investigations and informal hearings, and the recommendation of decisions on charges of violations of the Campaign Finance Act; the issuance of interpretative opinions and expedited legal advice; the drafting of regulations and the review of OCF Forms for changes; the conduct of training seminars to promote voluntary compliance; and the coordination of site visits to the election precincts and early vote centers operated by the Board of Elections, and to campaign offices.	Daily Service	3	2
TOT				3	2
2 - Provide high quality educational outreach services (entrance conferences, training seminars, publications, and online tutorials) to increase full disclosure and voluntary compliance with the Campaign Finance Act. (1 Activity)					
TRAINING AND DEVELOPMENT	Educational Outreach Services	The OCF Educational Outreach Program assists with the coordination of the mandatory training conferences for new registrants, the onsite training seminars, the development of online brochures, interactive tutorials, and online tutorials, and the employee training program. The OCF Training Program also manages and utilizes the OCF Facebook Page as a training tool to disseminate information to the public. The Training Program distributes and evaluates surveys to training participants to assess the content and performance of the trainer.	Daily Service	1	2
TOT				1	2
3 - Provide fair, effective, and efficient audit programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (1 Activity)					
REPORT ANALYSIS & AUDIT DIV.	Audit Programs	The Reports Analysis and Audit Division conducts audit analysis and reviews of all financial reports and statements received in the Agency; issues requests for additional information to filers where deficiencies are noted during the desk review process; conducts full field audits of the campaign operations of newly elected public officials, investigative audits of financial operations based on the receipt of complaints or based upon desk reviews; conducts periodic random audits of the reports filed by the constituent service programs, committees active during an election cycle, and continuing committees; and recommends the issuance of final audit reports based on the findings of full field and random periodic audits. Participates in site visits to election precincts, early voting centers, and to the offices of principal campaign committees.	Daily Service	2	2
TOT				2	2
4 - Provide a high quality web-internet based public disclosure system to receive the online submission of financial reports, and to ensure the availability of campaign finance data and information in a manner that is easy to navigate, search, sort, and retrieve at the OCF Website. (1 Activity)					
PUBLIC INFO. & RECORD MANAGEMENT	Public Information collection and dissemination online and onsite	The Public Information and Records Management Division publishes campaign finance data and information online at the OCF Website, and makes information available in the OCF Offices; compiles listings and reports of contribution and expenditure information published at the website and in the Biennial Report; manages the electronic filing and data entry of financial reports; oversees the registration of new candidates and committees, and coordinates the mandatory training of the new registrants; oversees the OCF e-mail subscription service; makes all public reports and statements available for the public within 48 hours of receipt; and conducts the Filer Pre-Notification and Failure to File Programs.	Daily Service	2	2
TOT				2	2
TOT				8	8

2017 Workload Measures

All Workload Measures must be linked to a specific Operation. If Workload Measures are already in the system but not yet linked, email the Office of Performance Management with a spreadsheet that identifies to which Operation each Workload Measure belongs.

Workload Measures - Operations	Measure	New Measure/Benchmark Year	Add Historical and Target Data (FY17)	Numerator Title	Units	Frequency of Reporting	FY 2014	FY 2015	FY 2016 Actual	FY 2017 Quarter 1	FY 2017 Quarter 2	FY 2017 Quarter 3	FY 2017 Quarter 4	FY 2017
1 - Enforcement Program (3 Measures)														
	Total number of investigations completed within 90 days	✓		# of investigations initiated	# of investigations completed within 90 days	Quarterly	Not available	Not available	New Measure	0	0	2	0	2
	Total number of informal hearings conducted	✓		# of referrals for initiation of the informal hearing process	# of actual hearings required	Quarterly	Not available	Not available	New Measure	27	20	27	9	83
	Total number of Interpretative Opinions and Expedited Advice issued	✓		# of requests for Interpretative Opinions and Expedited Advice received	# of Opinions and Advice issued	Quarterly	Not available	Not available	New Measure	7	0	0	5	12
1 - Educational Outreach Services (1 Measure)														

Total number of mandatory training conferences conducted.		# of new candidates and committee treasurers registered with the Agency	# of actual mandatory conferences conducted	Quarterly	Not available	Not available	34	1	4	7	17	29
3 - Audit Programs (2 Measures)												
Total number of financial reports reviewed, evaluated, and analyzed for the reporting period	✓	# of financial reports reviewed, evaluated, and analyzed for the reporting period	# of financial reports filed for the reporting period	Quarterly	Not available	Not available	New Measure	317	453	151	171	1092
Total number of periodic random and full field audits completed by the Audit Division	✓	# of random periodic and full field audits completed by the Audit Division	Total number of random periodic and full field audits initiated by the Audit Division.	Quarterly	Not available	Not available	New Measure	4	5	2	6	17
4 - Public Information collection and dissemination online and onsite (2 Measures)												
Total number of financial reports filed electronically.		# of financial reports submitted online	# of actual financial reports submitted online	Quarterly	Not available	Not available		610	246	530	67	121 964
Total number of financial reports filed		# of financial reports filed	# of actual financial reports submitted	Quarterly	Not available	Not available		610	246	532	67	121 966

- 2017 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update	# of Initiative Updates	Needs Initiative Update Notification
OFFICE OF THE GENERAL COUNSEL (2 Strategic Initiatives)					
Site Visits to Early Voting Centers and Election Precincts	The Office of the General Counsel will organize the conduct of site visits to the Early Voting Centers and to at least ten (10) of the Election Precincts operated by the Board of Elections in each of the eight (8) Wards during the November 8, 2016 General Election, to observe campaign activity. The OCF staff will provide counsel where necessary concerning the application of the campaign finance laws.	11-30-2016		1	
Creation of Expedited Advice Database	The Office of the General Counsel will create a database of advice issued concerning time-sensitive election related matters, numbered in chronological order and sorted by topic, for public search at the OCF Web Site. Because of time constraints, the requests for expedited advice are addressed within fifteen (15) days of receipt and are distinguished from requests for interpretative opinions. The creation of the database will provide an additional resource for the public relative to the application of the campaign finance laws, and a reference point for OCF to ensure the consistency of advice.	05-31-2017		1	
TOT				2	
PUBLIC INFO. & RECORD MANAGEMENT (2 Strategic Initiatives)					
Dissemination of Biennial Report	The Office of Campaign Finance will produce and disseminate in an electronic format on January 31, 2017, the OCF Biennial Report of Contributions and Expenditures to the Mayor and the Council of the District of Columbia, and to the public. The report will describe the receipts and expenditures of candidates for elective office, with the exception of ANC candidates, for the prior two year period, in dollar amount and percentage terms, by donor categories and the size of the donation, and expenditure type. Graphs will be used to present the percentage terms. The receipts and expenditures of the political committees, political action committees, and independent expenditure committees will also be summarized.	02-28-2017		1	
Evaluation of Online Survey	The Office of Campaign Finance will evaluate the results of the online survey employed during FY 2016 to evaluate the effectiveness of the OCF Web Site to deliver relevant information and services following the redesign and modernization of the Web Site and E-Filing System in FY 2015 to improve data access, system performance, and the navigation scheme. The OCF will consider and implement the recommendations, if any, of the Survey, where feasible.	09-30-2017		1	
TOT				2	
REPORT ANALYSIS & AUDIT DIV. (2 Strategic Initiatives)					
Conduct Periodic Random Audits	During FY 2017, the Office of Campaign Finance will conduct periodic random audits of the activity reports of the Constituent Service and Statehood Fund Programs following the close of the October 1st and April 1st Filing Deadlines, and of the continuing committees following the January 31st and July 31st Filing Deadlines.	09-30-2017		1	
Full Field Audit of Campaign Operations	The Office of Campaign Finance will select for full field audit the campaign operations of the principal campaign committees of candidates newly elected to Office following the certification of the results of the November 8, 2016 General Election by the Board of Elections. The conduct of an audit will require the reporting entity to submit all banking records and statements, invoices, loan documents, and receipts maintained in support of the transactions reported during the coverage period. This will allow the Audit Division to verify report entries against the supporting documentation and ensure the accuracy of the financial transactions.	09-30-2017		1	
TOT				2	
TRAINING AND DEVELOPMENT (2 Strategic Initiatives)					
Increase Educational Outreach to ANC Candidates	During the 2016 Election Cycle, the Office of Campaign Finance will increase its outreach services and activities at the DCF Website, Facebook Page, and Twitter Account, and through the issuance of reminder letters of the impending report date, and onsite training seminars, to focus on the reporting requirements of Advisory Neighborhood Commission Candidates, specifically the use of disclaimers on campaign literature, and the requirement to electronically file the Summary Financial Statement Form within sixty (60) days following the certification of the November 2016 General Election Results by the Board of Elections. This will increase the compliance rate of the candidates with the reporting requirements of the Campaign Finance Act.	03-31-2017		1	
Mandatory and Continuing Educational Programs	During FY 2017, the OCF will continue to schedule and conduct Mandatory Training for each candidate for public office and the treasurer of each committee within fifteen (15) calendar days of their registration with the Agency. The Agency will conduct onsite monthly training sessions, commencing January 2017 for the public, continuing committees, and for the Constituent Service and Statehood Fund Programs. The OCF will circulate surveys at the end of each training session to the participants to evaluate if the presentation achieved targeted satisfaction, and make changes, where necessary.	09-30-2017		1	
TOT				2	
TDT				8	

2017 Initiative Updates

Initiative Updates	Strategic Initiative- Operation Link - Strategic Initiative Title	Initiative Status Update	% Complete to date	Confidence in completion by end of fiscal year (9/30)?	Status of Impact	Explanation of Impact	Supporting Data	FY2017 Quarters
Conduct Periodic Random Audits (1 Initiative Update)								
Conduct Periodic Random Audits		During FY17, the Agency issued fourteen (14) Periodic Audit Reports of candidates active in the 2016 and 2018 Election Cycles, Political Action Committees, and the Constituent Service Programs. The Audit Branch conducted 1092 Desk Reviews of the financial reports filed with the Agency; issued 142 Requests for Additional Information and received 92 responses, remainder due in FY18; and recommended 17 Committees for Termination upon the approval of their Final Accounts.	Complete		Demonstrable	The conduct of audits requires reporting entities to submit all banking records and statements, invoices, and receipts maintained in support of the financial transactions stated on the Reports filed with the Agency. The audits enable the OCF to verify report entries against the supporting documentation, which ensures that the public record provides a full and accurate portrayal of the financial operations of the campaigns and committees, and the Constituent Service Programs.		FY17Q4
Creation of Expedited Advice Database (1 Initiative Update)								
Creation of Expedited Advice Database		The Office of the General Counsel has completed the compilation of the expedited advice issued by the Agency on time sensitive election related matters, numbered in chronological order and sorted by topic for publication at the OCF Web Site. The Expedited Advice Database was introduced at the OCF Web Site on December 21, 2017.	Complete		Demonstrable	The creation of the database will provide an additional resource for the public relative to the application of the campaign finance laws, and a reference point for the DCF to ensure the consistency of advice.		FY17Q4
Dissemination of Biennial Report (1 Initiative Update)								
Dissemination of Biennial Report		On January 31, 2017, the DCF issued the 2017 Biennial Report of Contributions and Expenditures to the Mayor and the Council. The data from the financial transactions reported was summarized for the period from January 2015 through December 2016. For the first time, the Biennial Report presented a listing and chart depicting the Top Three Committees by Contributions Received, for each committee type.	Complete		Demonstrable	The Biennial Report summarizes for disclosure the financial transactions of candidates and committees for a two year period, further increasing the transparency of campaign operations for view in one report.		FY17Q4
Evaluation of Online Survey (1 Initiative Update)								
Evaluation of Online Survey		The DCF online survey was open from August 2016 to January 2017 for users of the Web Site to participate in the survey via a popup window. A total of 26 users responded. The Website Usability Survey Report was submitted to the DCF on January 13, 2017, and the results evaluated and recommendations for enhancements were forwarded to the DCF on September 26, 2017. The recommendations are under consideration by OCF Management.	Complete		Demonstrable	The review of the recommendations for the enhancement of the DCF Web Site and E-Filing and Disclosure System will aid the Office of Campaign Finance in its ongoing effort to ensure the disclosure, transparency, and easy access by the public of the financial reports received by the Agency.		FY17Q4
Full Field Audit of Campaign Operations (1 Initiative Update)								
Full Field Audit of Campaign Operations		During FY17, the Agency issued two (2) Audits of the Principal Campaign Committees of Public Officials newly elected during the 2016 Election Cycle. The full field audit was conducted of the entire operations of each Committee from its organization to the request for termination. The DCF examined all documentation underlying each transaction reported on the financial reports of each Committee to verify the accuracy of the report entries.	Complete		Demonstrable	The conduct of the full field audits enabled the verification of the financial transactions reported on the Reports of Receipts and Expenditures filed with the Agency against the documentation maintained by the Committees in support of the entries. The audit process provided the opportunity for the amendment of reports where omissions or errors were identified. As a consequence, the audits ensured that the public record provided a full and accurate portrayal of the financial operations of campaigns.		FY17Q4
Increase Educational Outreach to ANC Candidates (1 Initiative Update)								
Increase Educational Outreach to ANC Candidates		During FY17, the ANC candidates in all eight (8) Wards were invited to attend training on October 6, 13, and 20th, 2016 to specifically address their reporting requirements. A total of 93 candidates participated in the OCF onsite training, and/or the online training module offered from October 2016 to January 2017. The OCF Facebook Page, Website, Twitter Account, and the December 2, 2016 Reminder Letters were also used to disseminate information to the candidates. 425 of the 450 required filers (94%) submitted the Statement to the DCF.	Complete		Demonstrable	The increased efforts of the Agency to inform and educate the ANC candidate of the reporting requirements of the ANC candidacy under the Campaign Finance Laws contributed to the 94% compliance rate for this filer group.		FY17Q4
Mandatory and Continuing Educational Programs (1 Initiative Update)								

Mandatory and Continuing Educational Programs	During FY17, the DCF achieved a 100% compliance rate with the mandate for new candidates and the treasurer of each newly organized committee and Constituent Service Program to attend training on their responsibilities and duties under the Campaign Finance Laws. Each of the twenty-nine (29) new candidates and treasurers who registered during FY17 attended the training and swore or affirmed to follow the Campaign Finance Laws. Held 38 onsite training seminars and mandatory training conferences.	Complete	Demonstrable	The 100% compliance rate assured the residents of the District of Columbia that the filing community participated in training to address their obligations and duties under the Campaign Finance Laws, and made a commitment to comply with those laws. The 100% compliance rate promotes voluntary compliance as demonstrated by the reduction in enforcement actions, and the near 100% compliance with the mandate to e-file financial reports.	FY17Q4
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Site Visits to Early Voting Centers and Election Precincts (1 Initiative Update)

Site Visits to Early Voting Centers and Election Precincts	Site visits were organized to the Early Voting Centers and to 85 of the Election Precincts operated by the Board of Elections during the November 8, 2016 General Election. 10 or more Precincts were inspected within each Ward. Staff provided counsel where necessary, and found very few infractions. Electioneering markers were accurately measured and placed at the 50 foot boundary from the Precinct entrance; electioneering activity was conducted within the appropriate boundaries; and most campaign signs observed displayed the proper disclaimers.	Complete	Demonstrable	The conduct of the site visits afforded the Agency the opportunity to be present in the community and available to the public to respond to questions, and to assist the public in understanding their obligations under the Campaign Finance Act. Where infractions were observed, the Agency was immediately available to require the correction of same.	FY17Q4
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Agency Accomplishment

Add Add Accomplishment

Accomplishments

What is the accomplishment that your agency wants to highlight?	How did this accomplishment impact residents of DC?	How did this accomplishment impact your agency?
Achieved 99.7% compliance with the legislative mandate to file all financial reports online at the DCF Web Site, and 100% compliance with the mandate for all newly registered candidates and treasurers to attend training on their responsibilities under the Campaign Finance Act.	Achieving the 100% compliance rate in the Mandatory Training Program assured the residents of DC that the filing community participated in training which focused on their reporting requirements under the Campaign Finance Laws, and committed to comply with the laws. The submission of financial reports online provides real time access to the financial transactions reported by candidates and committees.	Achieving the 100% compliance rate with the training mandate promotes voluntary compliance with the Campaign Finance Laws as demonstrated through the near 100% compliance rate achieved with the electronic filing program, and the overall 95% compliance rate achieved for the filing of financial reports by all registrants under the Campaign Finance Act.
Expanded the DCF Educational Program to introduce the Webinar as a live web based training tool to address the reporting requirements of the Campaign Finance Laws.	The Webinar provides a further opportunity for the public and the filing community to become familiar with and understand the laws of the District of Columbia which govern campaign operations in order to increase voluntary compliance with the reporting requirements, the contribution limitations, and the prohibitions of the laws. The Webinar offers live interaction through which the public is invited to ask questions.	The Agency continues to explore the use of its Web Site to attract the broadest audience for public education, and will utilize the Webinar to invite recently registered candidates and treasurers to participate and further reinforce their reporting obligations under the Campaign Finance Laws.
Produced and disseminated the DCF 2017 Biennial Report of Contributions and Expenditures on January 31, 2017 for the period from January 2015 through December 2016 to the Mayor and the Council of the District of Columbia, and to the public, at the DCF Web Site and the D.C. Public Library.	The Report provides the public with a summary of the receipts and expenditures of candidates for elective office, with the exception of ANC candidates, and the various committees registered with the Agency, for the prior two year period in dollar amount and percentage terms, by donor categories and the size of the donation, and expenditure type.	The production of the Biennial Report furthers the responsibility of the Agency to ensure the disclosure and transparency of the financial transactions reported by candidates and committees in their Reports of Receipts and Expenditures filed with the OCF.

2017 Special Mayoral Plans

Strategic Initiative Header Strategic Initiative Title Special Mayoral Plan Mayoral Plan Domain Mayoral Plan Goal Mayoral Plan Action

No links to special mayoral plans found

Administrative Information

FY Performance Plan Office of Campaign Finance FY2017 Record ID# 337

Performance Plan ID 211

Created on Dec. 15, 2015 at 4:14 PM (EST). Last updated by Collier-Montgomery, Cecily (DCF) on July 27, 2016 2:08 PM at 2:08 PM (EDT). Owned by Fowler-Finn, MeghanMarie (OSSE).

Office of Campaign Finance FY2018

Agency Office of Campaign Finance

Agency Acronym OCF

Agency Code CJO

To edit agency and POC information press your agency name (underlined and in blue above).

Agency Performance POCs Cecily (OCF) Collier-Montgomery; Nadine (OCF) Journiette

Agency Budget POCs Cecily (OCF) Collier-Montgomery; Nadine (OCF) Journiette

Fiscal Year 2018

When you believe you are finished with this phase of your Performance Plan, press edit in the upper right, check this box, and then press save.

2018 Objectives

Strategic Objectives

Objective Number	Strategic Objective	# of Measures	# of Operations
1	Provide fair, effective, and timely enforcement programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act.	3	1
2	Provide high quality educational outreach services (entrance conferences, training seminars, publications, and online tutorials) to increase full disclosure and voluntary compliance with the Campaign Finance Act.	1	1
3	Provide fair, effective, and efficient audit programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act.	2	1
4	Provide a high quality web-internet based public disclosure system to receive the online submission of financial reports, and to ensure the availability of campaign finance data and information in a manner that is easy to navigate, search, sort, and retrieve at the OCF Website.	1	1
5	Create and maintain a highly efficient, transparent and responsive District government.**	10	0
TOT		17	4

Add Strategic Objective

2018 Key Performance Indicators

Key Performance Indicators

Measure	New Measure/ Benchmark Year	Directionality	FY 2014 Actual	FY 2015 Target	FY 2015 Actual	FY 2016 Target	FY 2016 Actual	FY 2017 Target	FY 2017 Actual	FY 2018 Target	FY 2018 Quarter 1
1 - Provide fair, effective, and timely enforcement programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (3 Measures)											
Percent of informal hearings conducted and closed before the next filing deadline		Up is Better	100%	100%	100%	100%	100%	100%	140.7%	100%	Needs Data Update
Percent of Interpretative Opinions issued within thirty (30) days		Up is Better	Not available	100%	100%	Not available	100%	100%	66.7%	100%	Needs Data Update
Percent of expedited advice for time-sensitive election related matters issued within fifteen (15) days of request		Up is Better	Not available	100%	Not available	100%	100%	100%	92.9%	100%	Needs Data Update
2 - Provide high quality educational outreach services (entrance conferences, training seminars, publications, and online tutorials) to increase full disclosure and voluntary compliance with the Campaign Finance Act. (1 Measure)											
Percent of new candidates and treasurers who receive mandatory training		Up is Better	Not available	100%	Not available	100%	100%	Not Available	29%	100%	Needs Data Update
3 - Provide fair, effective, and efficient audit programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (2 Measures)											
Percent of financial reports reviewed, evaluated, and analyzed before the next filing deadline		Up is Better	100%	100%	100%	100%	100%	100%	100%	100%	Needs Data Update
Percent of periodic random audits conducted within sixty (60) days of initiation		Up is Better	100%	100%	100%	100%	93.8%	100%	100%	100%	Needs Data Update
4 - Provide a high quality web-internet based public disclosure system to receive the online submission of financial reports, and to ensure the availability of campaign finance data and information in a manner that is easy to navigate, search, sort, and retrieve at the OCF Website. (1 Measure)											
Percent of financial reports filed electronically		Up is Better	100%	100%	100%	100%	100%	100%	964%	100%	Needs Data Update
5 - Create and maintain a highly efficient, transparent and responsive District government.** (1 Measure)											
Percent of investigative matters closed within ninety (90) days of opening		Up is Better	100%	100%	100%	Not available	0%	100%	Waiting on Data	100%	Needs Data Update

We've revisited a project to standardize District wide measures for the Objective "Create and maintain a highly efficient, transparent and responsive District government." New measures will be tracked in FY18 and FY19 and published starting in the FY19 Performance Plan.

2018 Operations

Operations	Operations Header	Operations Title	Operations Description	Type of Operations	# of Measures	# of Strategic Initiatives
1 - Provide fair, effective, and timely enforcement programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (1 Activity)						
OFFICE OF THE GENERAL COUNSEL	Enforcement Program	The Office of the General Counsel provides legal advice and enforcement through the conduct of investigations and informal hearings, and the recommendation of decisions on charges of violations of the Campaign Finance Act; the issuance of Interpretative opinions and expedited legal advice; the drafting of regulations and the review of OCF Forms for changes; the conduct of training seminars to promote voluntary compliance; and the coordination of site visits to the election precincts and early vote centers operated by the Board of Elections, and to campaign offices.	Daily Service	3	3	
TOT					3	3
2 - Provide high quality educational outreach services (entrance conferences, training seminars, publications, and online tutorials) to increase full disclosure and voluntary compliance with the Campaign Finance Act. (1 Activity)						
TRAINING AND DEVELOPMENT	Educational Outreach Services	The OCF Educational Outreach Program assists with the coordination of the mandatory training conferences for new registrants, the onsite training seminars, the development of online brochures, interactive tutorials, and online tutorials, and the employee training program. The OCF Training Program also manages and utilizes the OCF Facebook Page as a training tool to disseminate information to the public. The Training Program distributes and evaluates surveys to training participants to assess the content and performance of the trainer.	Daily Service	1	2	
TOT					1	2
3 - Provide fair, effective, and efficient audit programs and activities to increase and support the full, accurate, and complete disclosure of documents and actions relevant to the Campaign Finance Act. (1 Activity)						
REPORT ANALYSIS & AUDIT DIV.	Audit Programs	The Reports Analysis and Audit Division conducts audit analysis and reviews of all financial reports and statements received in the Agency; issues requests for additional information to filers where deficiencies are noted during the desk review process; conducts full field audits of the campaign operations of newly elected public officials, investigative audits of financial operations based on the receipt of complaints or based upon desk reviews; conducts periodic random audits of the reports filed by the constituent service programs, committees active during an election cycle, and continuing committees; and recommends the issuance of final audit reports based on the findings of full field and random periodic audits. Participates in site visits to election precincts, early voting centers, and to the offices of principal campaign committees.	Daily Service	2	1	
TOT					2	1
4 - Provide a high quality web-internet based public disclosure system to receive the online submission of financial reports, and to ensure the availability of campaign finance data and information in a manner that is easy to navigate, search, sort, and retrieve at the OCF Website. (1 Activity)						
PUBLIC INFO. & RECORD MANAGEMENT	Public Information collection and dissemination online and onsite	The Public Information and Records Management Division publishes campaign finance data and information online at the OCF Website, and makes information available in the OCF Offices; compiles listings and reports of contribution and expenditure information published at the website and in the Biennial Report; manages the electronic filing and data entry of financial reports; oversees the registration of new candidates and committees, and coordinates the mandatory training of the new registrants; oversees the OCF e-mail subscription service; makes all public reports and statements available for the public within 48 hours of receipt; and conducts the Filer Pre-Notification and Failure to File Programs.	Daily Service	2	1	
TOT					2	1
TOT					8	7

- 2018 Workload Measures

Workload Measures - Operations	Measure	New Measure/ Benchmark Year	Numerator Title	Units	FY 2014	FY 2015	FY 2016	FY 2017 Actual	FY 2018 Quarter 1
1 - Enforcement Program (3 Measures)									
	Total number of informal hearings conducted		# of referrals for initiation of the informal hearing process	# of actual hearings required			47	83	Needs Data Update
	Total number of investigations completed within 90 days		# of investigations initiated	# of investigations completed within 90 days			Not Available	Waiting on Data	Needs Data Update
	Total number of Interpretative Opinions and Expedited Advice issued		# of requests for Interpretative Opinions and Expedited Advice received	# of Opinions and Advice issued			19	12	Needs Data Update
2 - Educational Outreach Services (1 Measure)									
	Total number of mandatory training conferences conducted.		# of new candidates and committee treasurers registered with the Agency	# of actual mandatory conferences conducted			34	29	Needs Data Update
3 - Audit Programs (2 Measures)									
	Total number of financial reports reviewed, evaluated, and analyzed for the reporting period		# of financial reports reviewed, evaluated, and analyzed for the reporting period	# of financial reports filed for the reporting period			727	1092	Needs Data Update

Total number of periodic random and full field audits completed by the Audit Division	# of random periodic and full field audits completed by the Audit Division	Total number of random periodic and full field audits initiated by the Audit Division.	24	17	Needs Data Update
4 - Public Information collection and dissemination online and onsite (2 Measures)					
Total number of financial reports filed electronically.	# of financial reports submitted online	# of actual financial reports submitted online	610	964	Needs Data Update
Total number of financial reports filed	# of financial reports filed	# of actual financial reports submitted	610	966	Needs Data Update

- 2018 Initiatives

Strategic Initiatives	Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date	Add Initiative Update	# of Initiative Updates	Needs Initiative Update Notification
Audit Programs (1 Strategic Initiative)						
Desk Reviews and Audits of Financial Reports		During FY 18, the Office of Campaign Finance will conduct at least four (4) periodic random audits of the financial reports of the principal campaign committees of candidates active during the 2018 Election Cycle following the December 10th, March 10th, and the August 10th Filing Deadlines. At the close of each statutory filing deadline, the OCF will review the financial reports of candidates, political committees, political action committees, independent expenditure committees, and the Constituent Services and Statehood Fund Programs, for compliance with the reporting requirements; randomly audit the activity reports of the Constituent Service Programs and Statehood Fund Programs at the close of the October 1st and the April 1st Filing Deadlines; randomly audit the financial reports of the continuing committees at the close of the January 31st and the July 31st Filing Deadlines; and refer violations of the Campaign Finance Act to the General Counsel for enforcement.	09-30-2018	Add Initiative Update	0	Needs Update
TOT						0
Educational Outreach Services (1 Strategic Initiative)						
Mandatory and Continuing Educational Programs		During FY 18, the Office of Campaign Finance will continue to schedule and conduct Mandatory Training for each candidate for public office and the treasurer of each committee within fifteen (15) days of their registration with the Agency. The Agency will conduct bi-weekly onsite training sessions, commencing January 2018 for the public, continuing committees, and the Constituent Service and Statehood Fund Programs, as well as for the candidates and committees active during the 2018 Election Cycle. The Agency will also conduct Webinars monthly at the OCF Website on the reporting requirements of the Campaign Finance laws. The OCF will circulate surveys at the end of each training session to the participants to evaluate if the presentation achieved targeted satisfaction, and make changes, where necessary.	09-30-2018	Add Initiative Update	0	Needs Update
TOT						0
Enforcement Program (3 Strategic Initiatives)						
Site Visits to Early Voting Centers and Election Precincts		The Office of the General Counsel will organize the conduct of site visits to the Early Voting Centers and to at least ten (10) of the Election Precincts operated by the Board of Elections in each of the eight (8) Wards during the 2018 Primary Election for local elective offices in the District of Columbia, to observe campaign activity. The OCF staff will provide counsel where necessary, concerning the application of the campaign finance laws.	09-30-2018	Add Initiative Update	0	Needs Update
Listing of Complaints and Final Decisions by Topic		The Office of the General Counsel will research and determine the topic of each of the "Complaints and Final Decisions" listed at the Enforcement Link at the OCF Website to enable the revision of the Link to provide for a public search feature by topic.	05-31-2018	Add Initiative Update	0	Needs Update
Review of OCF Regulations and Forms		The Office of the General Counsel will conduct a comprehensive review of the OCF Regulations, Forms, and Brochures, and where necessary, propose revisions consistent with the most recent amendments to the Campaign Finance Laws and changes in the operating procedures of the Agency.	09-30-2018	Add Initiative Update	0	Needs Update
TOT						0
Public Information collection and dissemination online and onsite (1 Strategic Initiative)						
Community Outreach		The Office of Campaign Finance will establish a Community Outreach Program through which information on the Campaign Finance Laws and the responsibilities of the Office of Campaign Finance may be disseminated at events in the community. The Agency will coordinate with the Board of Elections to work with Civic Associations and the Office of the Advisory Neighborhood Commissions to identify events where the DCF may provide information to the public. In addition, the Office of Campaign Finance will reach out to the business community to provide training sessions on the reporting requirements of the "Business Contributor".	09-30-2018	Add Initiative Update	0	Needs Update
TOT						0
TOT						0

- Administrative Information



**OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS
WASHINGTON, D.C. 20009**

January 31, 2017

The Honorable Charles Allen
Member of the Council of the District of Columbia from Ward 6
The John A. Wilson Building
1350 Pennsylvania Avenue, N.W., Suite 110
Washington, D.C. 20004

Dear Councilmember Allen:

This is to forward the January 31, 2017 Biennial Report of the Office of Campaign Finance, for your consideration and review. The Biennial Report covers the period from January 2015 through December 2016. The Biennial Report is provided to you in an electronic format, and by email transmission. The Biennial Report will be made available in an electronic format for public review in the Washingtoniana Division of the District of Columbia Public Library and in the Office of Campaign Finance, and through internet access at the OCF Web Site, www.ocf.dc.gov. The Washingtoniana Division is located in the Martin Luther King, Jr. Memorial Library.

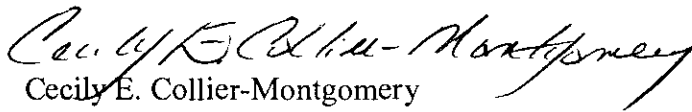
As you are aware, D.C. Official Code, § 1-1163.04 (7) (2001 Edition, as amended), requires the Director of the Office of Campaign Finance to present to the Mayor, the Council, and the general public, commencing January 31, 2001, and every two years thereafter, a biennial report, summarizing, for the prior two year period, the receipts and expenditures of candidates for public office (except candidates for Advisory Neighborhood Commission Member), and of political committees, including principal campaign, exploratory, inaugural, transition, and legal defense committees; political action committees; and independent expenditures.

New to the 2017 Biennial Report, is the listing and chart depicting the "Top Three Committees by Contributions Received" during the past two year period by office type under Part I, Candidates and Principal Campaign Committees. The "Top Three Committees by Contributions Received" is also presented in Part II, Political Action Committees, Part III, Independent Expenditures, Part IV, Inaugural Committees, and Part V, Exploratory Committees.

The January 31, 2017 Biennial Report depicts in dollar amount and percentage terms contributions by the size of the donation and donor type, and expenditures by various categories. Graphs are used to present the percentage terms. Since the submission of the first Biennial Report on January 31, 2001, the Office of Campaign Finance has developed Summary Reports at the OCF Web Site, www.ocf.dc.gov, of the Reports of Receipts and Expenditures filed by candidates and committees, at the close of each statutory deadline. The Summary Reports detail the dollar amount and percentages associated with the receipts by donor type and size, and the expenditures by various categories, for the reporting period. The Summary Reports covering the period from January 2015 through December 2016 provided the foundation for the cumulative 2017 Biennial Report.

Should you have any questions or concerns, I may be reached on (202) 671-0550.

Sincerely,


Cecily E. Collier-Montgomery
Director

Enclosure

Research Memorandum

To: Director
CC: General Counsel
From: Austin Franklin
Date: 3/8//2017
Re: Identifying Excessive Contributions

What Methods are used by CT, WA, NY, VA, MD, DE and the FEC to spot Excessive Contributions contained within a report of Receipts & Expenditures

ANSWER:

FEC

I spoke with Natalia from the FEC's Reports Analysis division at (202) 694-1163. She stated that the FEC has their own proprietary software that reviews the reports of Receipts and Expenditures. The software is called dataservices. They have fine-tuned the dataservices software to err on the side of including more potential instances of excessive contributions than less. The software was modified to look at several fields such as address, name of employer, last name etc.

I also spoke with the head of the FEC's IT department, Mr. Ryan Lanz. He stated that the dataservices software was developed by SAP software solutions. He says dataservices was not originally developed for reviewing campaign finance reports but was created to handle large swaths of information. He stated that his agency reworked the systems algorithms to weigh certain factors when analyzing each field. This system is setup to flag certain contributions as being excessive if several factors are met.

New York City

I spoke with Ms. Hanna at the New York City Campaign Finance Board. Her number is (202) 409-1800. The agency created their own software called C-Smart which all of their reports must go through. They then have a team of auditors review each report manually to see if there are any duplicate entries or actual excessive contributions. The software system C-Smart is very sensitive, therefore a manual review by the staff is necessary to ensure that all of the contributions that C-Smart identified as being excessive are in fact excessive.

*New York Campaign Finance Laws prohibits corporations and LLC's from making contributions.

Delaware

I spoke with Mr. Bo McDowell at the Office of the State Election Commissioner. His number is (302)739- 4277. Mr. McDowell explained that his agency is comprised of a staff of 2 people; therefore it is impossible for his agency to review every R&E report. His agency collects each R&E report and makes them available to the public via the agency's website. Various media outlets in Delaware print out the submitted reports and look for various data including excessive contributions. Further, Mr. McDowell stated that opponents carefully look at each other's reports for campaign finance violations and report them to his agency. Mr. McDowell also explained that his agency has a custom built online system that alerts committees in real-time if they are inputting an excessive contribution. The agency's online system was built by PCC Technologies. In Delaware the burden of finding excessive contributions falls solely on the campaign committee and not the agency.

Washington

I spoke with Chip from the Public Disclosure Commission at (360) 753-1111. Chip explained that the State of Washington created a proprietary software system called *Online Reporting of Campaign Activity* (ORCA). It appears that the State of Washington places the burden of finding excessive contributions on the committees. The software immediately notifies the committee in real-time if it detects an excessive contribution. It is also worth noting that he believes there is no way for his agency or their ORCA software to determine if a corporation or LLC share the same officers. He believes that this is left to an honor system for the committees to follow.

Virginia

I spoke with Mr. Brooks Braun at the Virginia Department of Elections at (804) 864-8901. Mr. Braun stated that the Commonwealth of Virginia does not have campaign contribution limits and therefore would not have any information regarding excessive contributions.

Connecticut

I spoke with Ms. Shannon Case at the Connecticut State Elections Enforcement Commission at (860) 256-2975. Ms. Case says her agency serves as a repository for R&E reports and that they do not have sufficient staff to review every filing. However, they have created their own software that allows the agency to review reports for various campaign finance violations which includes instances of excessive contributions. She further explained that the agency does not conduct desk reviews during the election but conducts a one-time post-election audit on all statewide races and fifty percent of all local elections. Her agency relies primarily on complaints filed by opponents and the media. She characterized her office as being a "complaint-driven" agency. Furthermore, the agency notifies various media outlets each time a committee files a report of receipts and expenditures. This notification is sent by way of an email notification.

March 8, 2017

Maryland

Has yet to respond.

Research Memorandum

To: Director
CC: General Counsel
From: Austin Franklin
Date: 3/29//2017
Re: B22-0192 – Fair Elections Act of 2017

Eligibility for certification to receive Public funds under the Fair Elections Program:

During Qualifying period, candidate must file statement of intent to seek certification as a participating candidate. Candidate must meet requirements set out in section 7 of Act. Candidate and Treasurer must file an affidavit within qualifying period declaring that the candidate has complied with and will continue to comply with the contribution limits of the public financing program. Candidate must also agree to comply with the debate requirements set forth in section 11 of the Act. Candidate must further agree to run only as a participating candidate for all elections for the office that the candidate is seeking during the election cycle. The candidate must either be qualified or will take steps to qualify for the ballot.

A candidate shall not be eligible to receive any payment from the Elections fund after the primary election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate is otherwise qualified to be on the ballot.

Section 7. Fair Elections Program qualifying requirements

- Mayoral candidates must receive at least 1,000 individual small-dollar contributions that total \$40,000.
- Attorney General & Council Chairman must receive at least 500 individual small-dollar contributions that total \$20,000.
- At-Large Council seat must receive at least 300 individual small-dollar contributions that total \$12,000.
- Ward Council seat and at-large State Board of Education seat must receive 100 individual small-dollar contributions that total \$2,000.
- Ward State Board of Education seat must receive at least 50 individual small-dollar contributions that total \$1,000.

Small-dollar contribution limits:

- \$200 for Mayor;
- \$150 for Council Chairman and AG;
- \$100 for at-large councilmember;
- \$50 for Ward Councilmember and at-large State Board of Education;
- \$20 for Ward State Board of Education member

Each small-dollar contribution shall be acknowledged by a physical or digital receipt to the contributor which contains the following:

1. The contributor's signature;
2. printed name;
3. home address;
4. phone number;
5. occupation (if any);
6. name of candidate on whose behalf contribution is made;
7. A declaration that the contribution is from contributor's own funds and made without coercion;
8. Contributor declares that they have not received anything in return for the contribution;
9. Contributor declares that they are a resident of D.C.

Small-dollar contributions can be made by check, credit card, cash, or electronic payment.

*A contribution lacking any of the above information will not qualify as a small-dollar contribution.

No later than 5 days after a candidate files their affidavit declaring that they are in compliance with the requirements of the Fair Elections Program, OCF shall determine whether the candidate met the requirements and notify candidate of their status.

If OCF certifies a candidate as a participating candidate with respect to the first election of the election cycle, OCF will deem to have certified the candidate as a participating candidate to all subsequent elections of the election cycle.

OCF may revoke certification if candidate subsequently fails to qualify to appear on a ballot (excluding a primary race) or fails to comply with the requirements of public financing or terminates their campaign.

If certification is revoked the candidate shall repay to the Elections Fund an amount equal to the value of benefits received under this act with respect to the election cycle involved plus interest (a rate to be determined by OCF).

Base Amounts are as follows:

\$160,000 for Mayor;
\$40,000 for Council Chairman;
\$40,000 for councilmember;
\$40,000 for AG;
\$10,000 for State Board of Election

* If running an uncontested race, you do not get a base amount payment. You will only receive matching funds. However, you will receive a base payment if race becomes contested. Qualifying candidate shall be issued the base amount no later than 4 days after being certified as a participating candidate.

Matching payments for qualified small-dollar contributions:

Qualified small dollar contributions received through the final day of the qualifying period shall be matched at 200% of the amount of the qualified small-dollar contributions. Once a candidate gets on the ballot, all previous small-dollar contributions will be matched by an additional 300%. Contributions received after the final day of the qualifying period will be matched at 500%.

The maximum amount participating candidates may receive under the Fair Elections Program shall be as follows:

- The maximum a Mayoral candidate can receive through the Fair elections Program is \$6 multiplied by the number of registered D.C. voters during the most recent general election.
- The maximum for the Council Chairman and Attorney General is \$1.25 multiplied by the number of registered voters during the most recent general election.
- The maximum for at-large council members is \$0.75 multiplied by the number of registered voters during the most recent general election.
- The maximum for Ward councilmember and at-large state board of education member is \$0.50 multiplied by the number of registered voters during the most recent general election.
- The maximum for Ward state board of education is \$0.20 multiplied by the number of registered voters during the most recent general election.

Payments must be paid no later than 4 business days after the receipt of a report or as soon as practicable. (Candidates will be required to file reports of small-dollar contributions with OCF). OCF shall schedule 3 payment dates within 30-day period immediately preceding a covered election.

A written explanation will be provided by OCF if a payment is denied. An opportunity for review and reconsideration within 5 business days of the denial will be afforded the candidate.

Section 10. Limitations on fundraising, contributions, expenditures and use of public funds

A participating candidate shall not accept, solicit or direct contributions in connection with any election other than qualified small-dollar contributions and contributions from political committees that only accept contributions from individuals that do not exceed \$250 per individual, per calendar year not exceeding \$1,500 per committee; base amount allocations under section 4 of the Act and matching payments under section 5 of the Act and contributions from individuals.

Participating candidates shall make no expenditures from any amounts other than qualified small-dollar contributions: contributions from a committee, or segregated account of a committee, that only accepts contributions from individuals that do not exceed \$250 per individual per calendar year; with base amount allocations under section 4 of the Act and matching payments under section 5 of the Act and from personal funds of any immediate family member of the candidate (other than funds received through qualified small-dollar contributions).

Contributions from individuals include Labor and membership organizations whose members are limited to individual dues whose amount and frequency are predetermined by the organization and the payment of which is a condition of membership in the organization.

A candidate that has accepted contributions that are not qualified small-dollar contributions prior to filing a statement of intent is not in violation of the act if the contributions are returned to the contributor or submitted to OCF for deposit into the Elections Fund, or spent according to the Act.

If a candidate has made expenditures prior to filing the statement of intent, that would be prohibited under the act the candidate shall not be in violation of that subsection if the aggregate amount of prohibited expenditures does not exceed 20% of the base amount the candidate would be eligible to receive.

Unexpended contributions received by the candidate or an authorized committee of the candidate with respect to a previous election may be retained, but only if the candidate places the funds in escrow and refrains from raising additional funds or spending funds from that account during the election cycle in which the candidate is a participating candidate.

Candidates cannot use the base amount allocation or matching payments for the following:

To pay for;

- legal defense
- campaign law enforcement proceedings
- candidate's personal support
- compensation to the candidate or a member of the candidate's family
- Clothing and other items related to personal appearance
- Contributions or loans to the campaign committee of another candidate or to a party committee or other political committee.

Debate requirement:

Participating candidates must participate in one public debate with other participating candidates and non-participating candidates from the same party seeking the same nomination before the primary election so long as the election is contested.

Participating candidates must participate in two debates before the general election with other participating candidates and non-participating candidates.

Remitting unspent funds after election:

No later than 30 days after the last election in an election cycle for which a participating candidate qualifies to be on the ballot, the participating candidate shall remit to OCF for deposit in the Elections Fund, an amount equal to the lesser of the following:

- The amount of money in the participating candidate's campaign account or;
- the sum of the base amount allocations received by the participating candidate and the matching payments received by the candidate.

The candidate may withhold an amount to pay any unpaid expenditure. The candidate must submit documentation of the outstanding expenditure to OCF.

The Board of Elections will manage the Elections Fund that will be created in 2017.

OCF will submit an estimate to BOE on the amount of public funds that will be necessary to provide candidates with sufficient financing for elections, along with a reserve for contingencies.

Other sources of funding for the Elections Fund will be:

- Fines levied by OCF against candidates for violation of election laws;
- Voluntary donations made directly to the Election Fund;
- Any interest generated by the Fund; and
- Any other sources of revenue determined as necessary by the Council.

If participating candidate accepts a contribution or makes an expenditure prohibited under the act, OCF shall assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. The civil penalty will be deposited into the Elections Fund.

OCF shall review and evaluate the Fair Elections Program and its effect on campaigns in the District and shall submit a report to the Mayor and Council 2 months from the date of implementation of the act.

Within 3 months of submitting its report to the Mayor, OCF shall adjust:

- the number and dollar amount of qualifying small-dollar contributions a candidate must receive in order to qualify as a participating candidate;
- the base amount participating candidates are eligible to receive; and
- the maximum amount of matching payments a candidate may receive

*OCF must also determine the interest rate at which a candidate must pay back public funds if the candidate's certification is revoked.

Analysis & Questions

In 2005, the city of Portland, Oregon, implemented a public financing program which ran for 5 years. Portland's public financing legislation included a provision that after 5 years of running the public financing program, voters would be allowed to vote on terminating or keeping the program. The public financing program ran from 2005 to 2010. The residents of Portland voted to terminate the program, citing that the program did not yield the desired result of increasing the diversity of the voting population. Perhaps this legislation should include a voter-approved ballot initiative that would give voters an opportunity to vote on whether they would want to continue supporting a public financing system.

Moreover, the implementation of public financing may lead to an increase in Independent Expenditure committees who will use their unlimited spending power to get their message out if they find that candidates benefiting from the Fair Elections program are gaining a larger voice.

The legislation defines the Qualifying period as the period beginning on the day after the most recent general election for the covered office that a candidate is seeking and ending upon certification by the Board of Elections of the primary ballot for partisan elections and the general election ballot for all others. This would mean that OCF will be receiving "statements of intent to seek certification" along with "affidavits of compliance" year round.

The Elections Fund is managed by BOE. However, OCF is granted the authority to disburse payments to qualifying candidates. How will this work?

Which political committees only accept contributions from individuals that do not exceed \$250 per individual, per calendar year not exceeding \$1,500 per committee? How will participating candidates know?

Will there be a new and separate filing schedule for candidates participating in the Fair Elections program?

Will a new report for receipts and expenditures need to be created for those candidates participating in the Fair Elections program?

Research Memorandum

To: Director
CC: General Counsel
From: Austin Franklin
Date: 5/4/2017 UPDATE
Re: Campaign Finance Agencies that perform Full Audits or Desk Reviews

On May 3, 2017, I spoke with Ms. Ebony Parran from the *Maryland State Board of Elections*. She stated that all committees submit their financial reports electronically and that her agency has software that scans each report for irregularities. Maryland's software produces what is called a "deficiency report", which highlights all of the problems found within a report. The staff then prepares a letter containing the findings of the deficiency report and mails it to the committee. Ms. Parran stated that all of their audits must be completed within one year. She further stated that her agency does not request copies of receipts or contracts unless an investigation has been initiated.

On May 3, 2017, I spoke with Teresa from the *Virginia Department of Elections*. Teresa stated that her agency does not perform audits but relies primarily on their software to find any irregularities.

On May 3, 2017, I spoke with Robin from *Delaware's Office of the State Election Commissioner*. Robin stated that the agency does not perform Audits and has not done so in over 12 years.

May 4, 2017

On May 4, 2017, I spoke with the Head of the Audit division of the New York City Campaign Finance Board. She stated that her office relies on their electronic filing system to identify any irregularities. However, the staff will conduct an examination of all expenditures from candidates who have received public funding.

On May 4, 2017, I spoke with Shannon Keif. Ms. Keif stated that her office only performs audits after a General Election of the General Assembly. Her office randomly selects 50% of the House and 50% of the Senate to be audited. Their audits require that the committees submit full documentation that supports the committee's expenditures.

Research Memorandum

To: Director
CC: General Counsel
From: Austin Franklin
Date: 5/30//2017
Re: Clean Elections Amendment Act of 2017 B22-0032

Clean Elections Amendment Act of 2017 B22-0032

This legislation was introduced by Councilmembers Allen, Cheh, Grosso, Nadeau and Silverman on January 10, 2017. The proposed legislation seeks to lay out a clearly defined classification of an independent expenditure. The proposed legislation would be an amendment to the Comprehensive Ethics Reform Amendment Act of 2011. Specifically, the Amendment would treat any expenditure that is made by a person controlled by or that is coordinated with a candidate or political committee as a contribution to that candidate or political committee.

Chapter 11 § 1–1161.01 10A of the DC Official Code that governs Government Ethics and Accountability currently reads as follows:

"Control" or "controlling interest" means the practical ability to direct or cause to be directed the financial management policies of an entity. An ownership interest of 51% shall constitute a rebuttable presumption of control.

The Amendment would change the language to read as follows: *"Contral" or "controlling interest" means the practical ability to direct or cause to be directed the financial management policies, fundraising activities, or expenditures of an entity or acting in a manner that creates the appearance thereof. An ownership interest of 51% shall constitute a rebuttable presumption of control.*

The Amendment would also amend Chapter 11 § 1-1161.01 33A. The section currently reads as follows: *"Material involvement" means, with respect to a contribution or expenditure, any communication to or from a candidate or public official, political committee affiliated with a candidate or public official, or any agent of a candidate or public official or political committee affiliated with a candidate or public official, related to the contribution or expenditure. Material involvement includes devising or helping to devise the strategy, content, means of dissemination, or timing of the expenditure, or making any express or implied solicitation of the expenditure.*

The amended section would read as follows: *"Material involvement" means, with respect to a contribution or expenditure, any communication to or from a candidate or public official, political committee affiliated with a candidate or public official, or any agent of a candidate or public official or political committee affiliated with a candidate or public official, related to the contribution or expenditure. Material involvement includes devising or helping to devise the strategy, content, means of dissemination, or timing of the expenditure or contribution, or making any express or implied solicitation of the expenditure or contribution.*

May 30, 2017

The Amendment would further change D.C. Official Code § 1-1163.13(a)(2) which currently reads as follows:

Every independent expenditure committee shall further certify, in each report filed with the Director of Campaign Finance, that it has made no contributions or transfer of funds to any public official or candidate, any political committee, or any political action committee.

The amended section would read as follows:

Every independent expenditure committee shall further certify, in each report filed with the Director of Campaign Finance, that it is not controlled by, has not coordinated with, and has made no contributions or transfer of funds to any public official or candidate, any political committee, or any political action committee.

Finally, the Amendment would add a new subsection that would read as follows:

It shall be unlawful for any person other than an individual to make any contribution to a political committee or constituent-service program.

Research Memorandum

To: Director

CC: General Counsel

From: Austin Franklin

Date: 5/30//2017

Re: Campaign Finance Transparency and Accountability Amendment Act of 2017 (B22-0008)

Campaign Finance Transparency and Accountability Amendment Act of 2017

This legislation was introduced by Attorney General Karl Racine on January 5, 2017.

The legislation seeks to require that:

1. PACS direct their contributions through regulated accounts that are designated for that purpose only;
2. Make it clear that expenditures coordinated with a candidate or campaign is considered contributions to that candidate or campaign;
3. Require PACS and Independent expenditure committees to certify that the donations they have received have not been coordinated with any candidate or campaign;
4. Enhance disclosure of independent expenditures;
5. Prohibit candidates, public officials, and their affiliated political committees from soliciting donations to any independent expenditure committee or political action committee;
6. Close the loophole allowing unlimited contributions to a PAC in a year when the committee is not supporting candidates;
7. Disqualify individuals and corporations from large contracts or other significant business with the District if they have recently contributed to certain covered recipients;
8. Regulate Hatch Act employee designations by requiring them to be for a principal campaign or exploratory committee, requiring employees to use either annual or unpaid leave, requiring designated employees to disclose their designation to BEGA and requiring BEGA to post designated-employee information on its website
9. Require members of boards and commissions to obtain ethics training from BEGA at the beginning of their service.

Make it clear that expenditures coordinated with a candidate or campaign is considered contributions to that candidate or campaign

The legislation provides a more precise definition of what constitutes coordination. The legislation defines coordination as to take an action, including making an expenditure at the request, suggestion, or direction of a covered campaign; or in cooperation, consultation, or concert with, or with other material involvement of, a covered campaign.

There is a rebuttable presumption that an expenditure by a person is coordinated with a covered campaign if:

- The expenditure is based on information that the covered campaign provided to the person about the covered campaign's needs or plans, including information about campaign messaging or planned expenditures;
- The person making the expenditures retains the services of a person who provides the covered campaign with professional services related to campaign or fundraising strategy;
- or the person making the expenditure is a committee that was established, run, or staffed in a leadership role by an individual who previously worked in a senior position or advisory capacity on the candidate's or public official's staff within the current campaign, who is an immediate family member of the candidate or the public official, or who has been a candidate within the prior two elections.

Require PACS and Independent expenditure committees to certify that the donations they have received have not been coordinated with any candidate or campaign

Every political action committee and every independent expenditure committee shall certify, in each report filed with the Director of Campaign Finance, that to the best of its knowledge, after due diligence, the expenditures it has made have not been controlled by or coordinated with any covered campaign; and to the best of its knowledge, after due diligence, none of the contributions or donations it has received were solicited by any covered campaign.

A business contributor to a political committee, political action committee, or independent expenditure committee shall provide the committee with the identities of the contributor's affiliated entities that have also contributed to the committee and comply with all requests from the Office of Campaign Finance to provide material information about its individual owners, the identity of affiliated entities, the individual owners of affiliated entities, the contributions or expenditures made by such entities, and any other information that the Office of Campaign Finance reasonably requests in order to enforce this section.

Independent expenditure disclosures by individuals.

Any individual who makes one or more independent expenditures in an aggregate amount of \$50 or more within a calendar year shall file reports with the Director of Campaign Finance that include the individual's name and address; the amount and object of the expenditures; the names of any candidates, initiatives, referenda, or recalls in support of or opposition to which the expenditures are directed and a certification that the independent expenditures were not coordinated with any covered campaign.

Independent expenditure disclosures by covered organizations.

A covered organization that makes one or more independent expenditures in an aggregate amount of \$500 or more shall file reports with the Director of Campaign Finance that includes, the organization's name and principal place of business; the amount and object of the expenditures; the name of any candidate, initiative, referendum, or recall in support of which or opposition to which the expenditures are directed. A certification that, to the best of the organization's knowledge after due diligence, none of the donations that organization has received were solicited by any covered campaign and the name and principal place of business of any affiliated entity.

If the covered organization makes independent expenditures solely from a segregated bank account, and if funds donated to the organization are not allocated to that account unless the donor requests in writing that they be allocated to the account, each of the organization's reports to the Office of Campaign Finance shall include; The name and address of each person whose total donations to the account during the period covered by the report exceeded \$200 and the date and amount of each donation by that person to the account during the period covered by the report.

If the covered organization makes independent expenditures from sources other than a segregated bank account, each of the organization's reports to the Office of Campaign Finance shall include the name and address of each person whose total donations to the organization during the period covered by the report exceeded \$200 and the date and amount of each donation by that person to the organization during the period covered by the report. Any required disclosures shall not include information about a donor's donation if that donor prohibited, in writing the use of his or her payment to support or oppose any candidate, initiative, referendum, or recall and the

covered organization agreed to follow the prohibition and deposited the donation in an account which is segregated from any account used to make independent expenditures.

PACS direct their contributions through regulated accounts that are designated for that purpose only

A political action committee may not make contributions to a public official, a candidate, a political party, or a political committee unless and until it establishes a contribution account for the purposes of financing any contributions the political action committee will make to any public official, candidate, political party, political committee, or political action committee.

Within ten days of establishing the contribution account, a political action committee must notify the Board that it has established a contribution account. A political action committee that establishes a contribution account must ensure that the contribution account remains segregated from any accounts of the political action committee that are used to make independent expenditures, ensure that no donation or contribution to the political action committee is placed in the contribution account unless the contributor or donor has specifically designated the donation for that purpose, ensure that contributions are made only from the contribution account, inform prospective contributors and donors to the political action committee that a contribution or donation to the political action committee will not be placed in the Contribution account unless the contributor or donor specifically designates the contribution or donation for that purpose and ensure that the contribution account pays a proportional share of the political action committee's administrative expenses.

If a political action committee has established a contribution account, it must, in any reports it files, identify any receipts that have been allocated to that contribution account. A contribution to

a political action committee shall not be considered a contribution for the purposes of the limitations specified in this section if that contribution is not designated for the political action committee's contribution account. A covered campaign shall not solicit a contribution or donation to any covered organization, independent expenditure committee or any political action committee.

A person solicits a contribution or donation to an independent expenditure committee or political action committee if that person asks, requests, or recommends, explicitly or implicitly, that the other person make a contribution or donation to that independent expenditure committee or political action committee. This includes any oral or written communication that, construed as reasonably understood in the context in which it is made, contains a clear message asking, requesting or recommending that another person make such a contribution or donation.

Disqualify individuals and corporations from large contracts or other significant business with the District if they have recently contributed to certain covered recipients

List of Covered Recipients:

- Any elected District official who is or could be involved in influencing or approving the award of a tax abatement, a contract valued at \$100,000 or more, or an agreement for the acquisition, sale, or lease of any land or building;
- Any candidate for elective District office who is or could be involved in influencing or approving the award of a tax abatement, a contract valued at \$100,000 or more, or an agreement for the acquisition, sale, or lease of any land or building;
- Any political committee affiliated with a District candidate or official;
- Any constituent-service program or fund, or substantially similar entity, controlled, operated, or managed by any elected District official who is or could be involved in influencing the award of a contract or grant or any person under supervision, direction, or control of an elected District official who is or could be involved in influencing the award of a contract or grant.
- Any entity or organization which a candidate or public official, or a member of his or her immediate family controls, which deals with approving the award of tax abatement, a contract valued at \$100,000 or more, or an agreement for the acquisition, sale, or lease of any land or building or in which a candidate or public official has an ownership interest of 10 percent or more.

Engage in business dealings with the District

Engaging in business dealings with the District means to receive a grant from the District that is valued at \$100,000 or more; or receive a tax abatement from the District that is valued at \$100,000 or more; or enter into an agreement with the District for the acquisition, sale, or lease of any land or building or enter into a contract with the District valued at \$100,000 or more.

A person that makes a contribution or solicitation for contribution to a covered recipient, shall, for two years, be ineligible to engage in business dealings with the District. The two year ineligibility shall begin on the date that the contribution or solicitation for contribution was made.

Neither the District or any contracting authority of the District shall do any of the following with a person that is ineligible to engage in business dealings with the District: provide the person a grant valued at \$100,000 or more; provide the person a tax abatement that is valued at \$100,000 or more; enter into an agreement with the person for the acquisition, purchase, or sale of land or enter into a contract valued at \$100,000 or more with the person.

Before a person may engage in business dealings with the District, the person shall provide the District with a sworn statement, under penalty of perjury, that to the best of the person's knowledge, after due diligence, the person is in compliance with this title and therefore is eligible to engage in business dealings with the District.

Prohibition on Government Employee Engagement in Political Activity

While on annual or unpaid leave an employee may only perform certain functions for a principal campaign committee or an exploratory committee. Any designated employee shall report that designation to the Board on a paper or electronic form that the Board designates. The form for each designated employee shall identify only the employee's name, the identity of the designor, and the identity of the principal campaign committee or exploratory committee for which the employee is soliciting, accepting, or receiving contributions.

The Board shall, on its website, identify each designated employee, and for each designated employee shall identify the employee's designor as well as the principal campaign committee or exploratory committee for which the employee is soliciting, accepting, or receiving contributions.

Require members of boards and commissions to obtain ethics training from BEGA at the beginning of their service

No later than 90 days after commencement of service, each member of a board or commission shall certify that he or she has undergone ethics training developed by the Board of Ethics and Government Accountability.

Analysis

This legislation aims to solve three (3) major campaign finance issues that plague the majority of jurisdictions. First, the legislation is attempting to solve the problem of what is referred to as "*dark money*". Dark money is money that is typically exempt from disclosure requirements. Dark money contributions make it impossible to know whether contributors are attempting to curry favor by making large donations to both dark money groups like independent expenditure committees and candidate-specific groups. Requiring PAC's to create a separate account for contributions will help increase transparency regarding the source of funds that a PAC receives.

Secondly, this legislation attempts to resolve the issue of defining what truly constitutes coordination between a candidate and a PAC or independent expenditure committee. In particular, the legislation is attempting to prohibit problematic behavior such as former advisors of a candidate managing a candidate-specific outside committee; or use of common consultants, treasures and vendors. The act also seeks to prohibit candidates from collaborating with PAC's and Independent expenditure committees on the candidate's messaging.

Thirdly, the Act is seeking to prohibit individuals and corporations from doing business with the District if they have made certain political contributions. This part of the proposed legislation is similar to legislation proposed by Councilmembers Gray and White in their Comprehensive Campaign Finance Reform Amendment Act of 2017 (B22-0051). The provisions barring individuals and corporations from doing business with the District if they have made political contributions are constitutionally permissible.

Research Memorandum

To: Director

CC: General Counsel

From: Austin Franklin

Date: 5/30/2017

Re: Comprehensive Campaign Finance Reform Amendment Act of 2017 (B22-0051)

Comprehensive Campaign Finance Reform Amendment Act of 2017 (B22-0051)

This legislation was introduced by Councilmembers Gray and White on January 10, 2017.

Prohibited Recipient

The legislation provides that neither the District of Columbia or any of its purchasing agents or agencies or those of its independent authorities shall enter into an agreement or otherwise contract to procure goods, services or equipment from or to sell property to any covered contractor if the contractor seeks or holds contracts or grants with the District with a cumulative value of \$250,000 or more and the covered contractor or a related party has solicited or made any contribution or expenditure to a prohibited recipient between the following dates.

- If the covered contractor's bids or proposals were unsuccessful, it will begin on the date the covered contractor knows that a solicitation (decision) will be issued and termination of negotiations or notification by the District that the covered contractor's bids or proposals were unsuccessful.

- If the covered contractor received a contract or grant, then it will begin between the date on which the contractor knows that a solicitation (decision) will be issued, and one year after final payment is made on the contract or grant.

Covered Contractor

No covered contractor who seeks or holds a grant or contract to procure goods services or equipment from or to sell property to the District of Columbia with a cumulative value of \$250,000 or more shall solicit or make any contribution or expenditure to a prohibited recipient between the following dates:

- If the covered contractor's bids or proposals are unsuccessful, the date on which the contractor knows that a solicitation (decision) will be issued, and the date on which negotiations are terminated or the covered contractor is notified by the District that the covered contractor's bids or proposals were unsuccessful.
- If the covered contractor received the contracts or grants, the prohibition begins on the date that the contractor knows that a solicitation will be issued, and one year after final payment is made on the contracts or grants.

If the cumulative value of the contracts or grants sought or held by a covered contractor reaches or exceeds \$250,000 but subsequently falls below \$250,000, the restrictions in this section shall cease to apply, provided that a covered contractor may not make political contributions to a prohibited recipient until one year after the date on which the aggregate value of the contractor's contract or grants fall below \$250,000.

Sworn Written Statement

Prior to awarding any contract to procure goods or services with the District of Columbia, or seeking a grant with the District of Columbia, the District of Columbia or any of its purchasing agents or agencies or those of its independent authorities shall receive a sworn statement from the covered contractor made under penalty of perjury that to the best of the covered contractor's knowledge after due diligence, the covered contractor, any related parties, any immediate family members of the covered contractor, and any immediate family members of the officers or directors of the covered contractor are in compliance with the Act.

The covered contractor shall also assume a continuing duty to report any violations of the Act that may occur during the negotiation for a contract or agreement and throughout the time period in which the prohibitions apply.

Penalty for violating the Act

Violation of this act shall be subject to a fine of up to 3 times the amount of the unlawful contribution or expenditure, and such violation shall be considered a breach of the terms of the contract or grant. The District may disqualify the contractor from receiving contracts or grants for a period of 4 years from the date of the violation of this Act.

If a covered contractor, a related party, or family member of a covered contractor or of an officer or director of a covered contractor unknowingly solicited or made campaign contributions or expenditures in violation of the Act, the covered contractor may cure the violation if, within 30 days after such violation, the covered contractor seeks and receives full reimbursement of the unlawful contribution or expenditure from the prohibited recipient or recipients.

If the recipients are unable or unwilling to reimburse the full amount of the unlawful contribution or expenditure because it would cause an unreasonable financial hardship, the contractor will be considered in violation of the Act, but the effort to seek a cure may be considered in the determination of penalties.

If the prohibited recipient in violation of this act is a political committee affiliated with a candidate or public official, or an entity or organization controlled by a candidate or public official, the name of the candidate or public official shall be prominently displayed on the web page of the Office of Campaign Finance.

Additional provisions of the Act

Any advertisement supporting or opposing a candidate, initiative, referendum, or recall that is disseminated to the public by a political committee, a political action committee, or any other person must disclose, in the advertisement, the identity of the advertisement's sponsor.

No person shall receive or make any contribution in the form of cash or a money order in an amount of \$25 or more.

Analysis

52 U.S.C. §30119(a)(1) makes it illegal for any person:

"Who enters into any contract with the United States...directly or indirectly to make any contribution...to any political party, committee, or candidate for public office or to any person for any political purpose." The U.S. Court of Appeals for the District of Columbia Circuit unanimously upheld this ban on political contributions by federal contractors in *Wagner v. Federal Election Commission* which was decided on July 7, 2015.

The case was brought by three individuals who wanted to make contributions to federal candidates in 2012 but could not because of the federal contribution ban. At issue before the court was the constitutionality of the ban on individuals making contributions to federal candidates and political parties. Citing dozens of instances of corruption in federal and state government, the court concluded that the government has a compelling interest in regulating political contributions by federal contractors.

Chief Judge, Merrick Garland wrote, *"Seventy-five years ago, Congress barred individuals and firms from making federal campaign contributions while they negotiate or perform federal contracts. The plaintiffs, who are individual government contractors, contend that this statute violates their First Amendment and equal protection rights. Because the concerns that spurred the original bar remain as important today as when the statute was enacted, and because the statute is closely drawn to avoid unnecessary abridgment of associational freedoms, we reject the plaintiff's challenge."*

May 30, 2017

Councilmembers Gray and White's Comprehensive Campaign Finance Reform Amendment Act of 2017 (B22-0051) appears to be constitutional. The proposed legislation only bans contractors that are involved in contracts worth \$250,000 or more from making political contributions. In contrast, 52 U.S.C. § 30119(a)(1) bans all federal contractors from making political contributions irrespective of the value of the contract.

Research Memorandum

To: Director
CC: General Counsel
From: Austin Franklin
Date: 5/30/2017
Re: Campaign Finance Act of 2017 B22-0107

Campaign Finance Act of 2017 (B22-0107)

This legislation was introduced by Councilmembers Allen, Bonds and Grosso on February 7, 2017. The proposed legislation would require principal campaign committees to retire all debts within 6 months after an election. The proposed legislation also proposes that committees and candidates obtain consent before using an individual's likeness in campaign literature, advertisements, websites or social media.

Analysis

This legislation will probably be viewed as an attempt to prevent what happened in the Brandon Todd matter. Allen was quoted in a recent article explaining that he has proposed legislation that would require principal campaign committees to retire all debts within 6 months after an election. General Counsel has concerns regarding this legislation. In particular, principal campaign committees cannot close their principal campaign committees until all debts have been paid or forgiven. It may be difficult for candidates to have all debts paid or forgiven within 6 months after an election.

May 30, 2017

On May 1, 2017 The Washington Post published an Article titled "*Secret audit left D.C. voters 'in the dark.' Now it stirs talk of election reform.*" In the article, Councilmember Charles Allen was quoted as saying that he would ask his colleagues to consider banning a candidate from running for office if he or she has not closed a previous campaign account. Allen was further quoted stating that "if colleagues won't go along with banning new campaigns, the public should at least be entitled to more information about the audit process."

Obtaining consent before use of an individual's likeness

This legislation will probably be viewed as a response to the campaign of D.C. State Board of Education member Ashley Carter. Carter incorporated unauthorized photos of herself interacting with schoolchildren into her campaign materials and social media accounts. Complaints were filed against Ms. Carter but currently there are no laws that prohibit this conduct.

Research Memorandum

To: Director
CC: General Counsel
From: Austin Franklin
Date: 6/26/17
Re: Responses from New York City Campaign Finance Board

On June 26, 2017, I spoke with Ms. Sauda Chapman, Director of Auditing and Accounting at The New York City Campaign Finance Board.

Her Phone Number is (212) 409-1818.

I obtained the following information.

- Currently, New York has 219 candidates out of 260 that opted into the public financing program.
- The New York City Campaign Finance Board currently has 26 Auditors.
- The New York City Campaign Finance Board audits all candidates including those opting out of the public financing program. Auditing all 260 candidates isn't that difficult because during the first 3 years of the election cycle, candidates only have disclosure filings every 6 months.
- An audit is comprised of a review of the campaign's reporting along with the submitted bank records to see if any of the contributions are invalid. If there are invalid contributions, the office will send the candidate a letter listing all of the invalid contributions and instances of excessive contributions. The candidate is given a specified amount of time to respond to the audit letter.
- The New York City Campaign Finance Board is heavily involved in ensuring that candidates meet the debate requirement. They have a section within the agency that is in charge of overseeing that candidates meet the debate requirement.
- Pre-certification bank statements are filed with each report to ensure that the candidates have not received any invalid or excessive contributions.
- The office only conducts site visits on election years.

OCF RESPONSE TO QUESTION #27 FY17 and FY18

- 27. Please separately list each employee whose salary was \$100,000 or more in FY17 and FY18, to date. Provide the name, position number, position title, program number, activity number, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.**

FY 17

Employee Name	Position Number	Title	Program Number	Activity Number	Salary	Fringe Benefits	Overtime/ Bonus
Cecily E. Collier-Montgomery	00020745	DIRECTOR			\$ 167,835.20	\$80,690.00	N/A
Williams Sanford	00016330	General Counsel			\$ 122,931.80	\$59,101.00	N/A
Jean Diggs	00024372	Hearing Examiner			\$ 121,743.60	\$58,530.60	N/A
Renee Rollins	00021921	Audit Manager			\$ 116,106.60	\$55,820.50	N/A
Erick Jackson	00077038	Auditor			\$104,423.00	\$48,742.80	N/A

FY 18

Employee Name	Position Number	Title	Program Number	Activity Number	Salary	Fringe Benefits	Overtime/ Bonus
Cecily E. Collier-Montgomery	00020745	DIRECTOR			\$ 172,870.27	\$39,527.29	N/A
Williams Sanford	00016330	General Counsel			\$ 131,537.02	\$30,121.97	N/A
Renee Rollins	00021921	Audit Manager			\$119,589.82	\$27,386.06	N/A
Erick Jackson	00077038	Auditor			\$ 114,865.30	\$26,304.15	N/A
Austin Franklin	00077036	Attorney Advisor			\$101,241.00	\$23,184.18	N/A