

February 19, 2016

The Honorable Kenyan McDuffie
Councilmember, Ward 5
Chairperson, Committee on The Judiciary
The John A. Wilson Building
1350 Pennsylvania Avenue, NW, Suite 506
Washington, D.C. 20004

Dear Chairperson McDuffie:

This is to submit on behalf of the District of Columbia Office of Campaign Finance (OCF), the enclosed Government Managers Accountability Act of 1995: Fiscal Year 2015 Performance Report. I have also enclosed the Responses of the Agency to the Performance Oversight Pre-Hearing Questions. If you require additional information, please let me know.

Respectfully,

Cecily E. Collier-Montgomery
Director

Enclosures

cc: Kate Mitchell
Committee Director

FEBRUARY 19, 2016

***GOVERNMENT MANAGERS
ACCOUNTABILITY ACT OF 1995:***

***FISCAL YEAR 2015
PERFORMANCE REPORT
FOR THE
OFFICE OF CAMPAIGN FINANCE***

THE OFFICE OF CAMPAIGN FINANCE

The Office of Campaign Finance (the “OCF”) is established within the District of Columbia Board of Elections (the “Board”). The Office is responsible for the administrative operations of the Board pertaining to the Campaign Finance Laws of the District of Columbia. The Agency performs a vital role in ensuring the integrity of the electoral process and government service by regulating the financial operations of candidates, political committees, political action committees, independent expenditure committees, and the Constituent Service and Statehood Fund Programs of those government officials who are elected to public office.

The mission of the Office is to enhance the confidence of the residents of the District of Columbia in the integrity of the election process and government service, by monitoring, aiding through education, and enforcing compliance with the District’s Campaign Finance Laws.

By virtue of the enactment of D.C. Law 19-0124, the “Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Act of 2011” (the “Ethics Reform Amendment Act of 2011” or the “Ethics Act”), effective April 27, 2012, the local campaign finance laws are now found in Title III, “Campaign Finance”, titled the “Campaign Finance Act of 2011” (the “Campaign Finance Act” or the “Act”), of the Ethics Act, and codified in D.C. Official Code §§ 1-1163.01 et seq. (2001 Edition, as amended).

As a whole, the “Ethics Reform Amendment Act of 2011” permanently changed the landscape of the Office of Campaign Finance. The Office of Campaign Finance was formerly responsible for the enforcement of the financial disclosure, conflicts of interest, and lobbying laws of the District of Columbia. Effective October 2, 2012, the Board of Ethics and Government Accountability (the “Board of Ethics”) administers the public disclosure, conflict of interest and lobbying laws.

The Campaign Finance Act of 2011 established the new inaugural, transition, and legal defense committees, and requires these committees, as well as exploratory committees, to register and file financial reports with the Office of Campaign Finance.

CURRENT CHANGES IN THE CAMPAIGN FINANCE LAWS

The provisions of D.C. Law 20-79, the “Campaign Finance Reform and Transparency Amendment Act of 2013” (the “Campaign Finance Reform Act of 2013”), effective February 22, 2014, and made applicable January 31, 2015, establish more robust record keeping, reporting, and disclosure requirements, and enforcement practices. Specifically, the legislation prescribes strong regulation of contributions by related business entities, and the bundling of contributions; mandates the electronic filing of financial reports to ensure real time disclosure; mandates training for new candidates and committee treasurers; and increases civil penalties with application to individuals. The legislation places all committees associated with a candidate, including the principal campaign, exploratory, inaugural, transition, and legal defense committees, within the definition of a “political committee”, and clearly defines and distinguishes political action committees and independent expenditure committees. The increased disclosure requirements make campaign operations more transparent and accountable, and create a better informed electorate of the sources of the flow of money in the election process.

ORGANIZATION AND FUNCTIONS

The Office of Campaign Finance is organized into three major divisions which operate under the direction of the Office of the Director: the Public Information and Records Management Division (PIRM), the Reports Analysis and Audit Division (RAAD), and the Office of the General Counsel (OGC). The primary outputs of the Office of Campaign Finance include the processing of documents required by law to be filed with the Agency; the conduct of desk and field audits; the development of statistical reports and summaries compiled from the financial reports of the various filing entities; the dissemination of reports and summaries to the public; the conduct of investigations and hearings on alleged violations of the Campaign Finance Act; the drafting of proposed legislation and regulations; and the rendering of interpretative opinions regarding the application of the Act.

OFFICE OF THE DIRECTOR

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 arising from alleged violations of the Campaign Finance Act, issues final decisions, and where appropriate, imposes fines; 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 computer systems administration and data support in maintaining the OCF Web Site and the Electronic Filing and Disclosure System.

OFFICE OF THE GENERAL COUNSEL

The Office of the General Counsel (OGC) is responsible for providing 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 Office of the General Counsel prepares draft regulations, recommends legislative changes, coordinates site visits to precincts, early voting centers, and campaign offices; 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 voluntary compliance through educational outreach (entrance conferences, training seminars, and educational conferences) for all filings, registrations, and activity requirements mandated by the Act.

REPORTS ANALYSIS AND AUDIT DIVISION

The Reports Analysis and Audit Division (RAAD) is responsible for performing audit analysis and reviews 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 Desk Audit reviews. The Division conducts periodic field audits, and compiles statistical reports and summaries on 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 activities and financial operations of the Constituent Service and Statehood Fund Programs, candidates, political committees, political action committees, independent expenditure committees, and all others required to file with the Agency.

PUBLIC INFORMATION AND RECORDS MANAGEMENT DIVISION

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 and data entry of documents for the public record; 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.

DIVISION INTERRELATIONSHIPS

There is no pre-eminent program in the Office of Campaign Finance, because each program relates to the other in executing the mission of the Agency. Reports and Statements are received and processed by the Public Information and Records Management Division (PIRM) and prepared for public view. The PIRM generates and forwards Filer Reports from the submissions to the Reports Analysis and Audit Division (RAAD) for the analysis of financial and other reported information. The PIRM and RAAD Divisions generate reports to review the information entered, and to list filers who have not filed. This procedure initiates the enforcement process.

The PIRM and RAAD Divisions issue Non-Compliance Failure to File (FTF) and Audit Finding letters, respectively, to filers who have failed to file reports or statements, or have filed incomplete information. If compliance is not achieved within a specified timeframe, a referral is made to the Office of the General Counsel (OGC) for legal action. The OGC reviews each case and initiates the informal hearing process, which requires the Director's signature and approval.

FISCAL YEAR 2015 ACTIVITY

OVERVIEW

During Fiscal Year 2015 (FY15), the expenditures for the Office of Campaign Finance were associated with core mission and support functions directly related to monitoring, reviewing, and enforcement responsibilities for the candidates and political committees who participated in the November 4, 2014 General Election for the Offices of the Mayor, the Chairman, At-Large (2) and Ward (1,3,5,and 6) Members of the Council of the District of Columbia, the Attorney General, the U.S. Senator (Shadow) and Representative (Shadow), Ward (1,3,5, and 6) Member of the State Board of Education, and Members of the Advisory Neighborhood Commissions, and to consider Initiative No. 71, the Legalization of Marijuana; and the April 29, 2015 Special Election for the Offices of Member of the Council from Wards 4 and 8. There were a minimum of fourteen (14) filing deadlines associated with these Elections, and the ongoing statutory deadlines for the filing of financial reports quarterly by the Constituent Service and Statehood Fund Programs. In fulfilling its responsibilities, the Office of Campaign Finance maintained the full range of mandatory operations in the areas of public information services, legal counsel and adjudication, auditing, and Agency administration.

Of significance during Fiscal Year 2015, the Office of Campaign Finance launched the new OCF Web Site on April 15, 2015, which converted the site to a new easier web platform, updated the content, improved navigation, and provided a more citizen centric layout of information with a contemporary look and feel; produced and disseminated the OCF 2015 Contribution and Expenditure Biennial Report on February 2, 2015 to the Mayor and the Council of the District of Columbia, and to the public at the OCF Web Site and the D.C. Public Library; drafted comprehensive regulations to fully implement the “Campaign Finance Reform and Transparency Amendment Act of 2013”, and to amend Chapters 30 – 41, of Title 3, “Elections and Ethics”, of the District of Columbia Municipal Regulations; and introduced the Mandatory Training and E-Filing Requirements in all OCF Programs.

Enforcement Program

The Office of Campaign Finance, through its Office of the General Counsel (OGC), continued to pursue the enforcement of reporting deficiencies, stemming from filing

deadlines commencing with the October 1, 2014 deadline (Reports of Receipts and Expenditures due from the Constituent Service and Statehood Fund Programs), through the informal hearing process. Enforcement actions serve as a deterrent to would be violators, and promote compliance by demonstrating to the regulated community that violations can result in the imposition of civil penalties.

The Agency issued 316 Notices of Hearings (includes 207 initial and 109 second hearing notices), many with a proviso to the affected non-filer to comply with the reporting requirement by a time certain, or to submit a notarized affidavit in support of the alleged inaction. For the most part, the Notices of Hearing resulted in the submission of the requisite reports, or affidavits in explanation of the failure to timely file. The Office of the General Counsel actually conducted 103 informal hearings; issued 211 Orders of the Director; and completed four (4) investigations on Show Cause Proceedings initiated as the result of complaints received by members of the public emanating from the 2014 Election Cycle. The Office of Campaign Finance also received and immediately addressed twelve (12) requests for advice concerning election related issues associated with both the 2014 and 2015 Election Cycles.

On the statutory deadlines during FY15, the Public Information and Records Management Division (the “PIRM”) referred two hundred and seventeen (217) (108 PCCs, 66 PACs, and 43 ANC candidates) candidates and committees for the failure to file or timely file the Report of Receipts and Expenditures, due either October 10th, the 8 Day Pre-General November 4, 2014 Report, December 10th, January 31st, February 3, March 10th, the 8 Day Pre-Special April 28, 2015 Election Report, June 10th, July 31st, or August 10th.

In addition, the Reports Analysis and Audit Division (the “RAAD”) referred forty-six (46) reporting entities to the Office of the General Counsel for failure to comply with Requests for Additional Information issued by the Audit Division. The RAAD withdrew five (5) referrals upon compliance with the Audit Request, and the OGC scheduled the remaining matters for informal hearings.

Following the informal hearing process, two hundred and eleven (211) Orders were issued in cases to address the failure to timely file financial reports (163) and to respond to audit requests for information (26); to reconsider fines imposed (seven (7)); to vacate prior orders where fines were paid (fourteen (14)), and to dismiss a complaint (one (1)). Fines were imposed in the total amount of \$111,800.00 in seventy-one (71)

of these cases, and the remaining one hundred and forty (140) cases were either dismissed, withdrawn, or the imposition of a fine suspended based upon the record before the Hearing Officer.

The fines were paid in (\$3,075.00) in five (5) cases, and vacated or reduced (\$13,675.00) in nine (9) matters upon motions for reconsideration. Where fines were not paid within the period provided by the Order of the Director, the Office of Campaign Finance initiated enforcement proceedings before the Board of Elections to pursue the collection of outstanding fines. The Office of Campaign Finance filed a total of thirty-eight (38) Petitions for Enforcement before the Board on October 30, 2014, November 24, 2014, June 2, 2015, and August 19, 2015 for the payment of outstanding fines in the total sum of \$59,200.00. These cases were scheduled for Pre-Hearing Conferences on December 18, 2014, January 21, 2015, April 21, 2015, and May 6, 2015. The August 19, 2015 referrals were scheduled for Pre-Hearing Conferences on October 5, 2015. Of the 38 cases referred, two (2) cases were withdrawn, eight (8) cases were settled for reduced fines, ten cases are scheduled for hearing before the Board during FY 2016, and twenty-eight (28) matters were certified by the Board for the initiation of enforcement actions in the Superior Court. Fines in the total sum of \$35,850.00 imposed in an additional nineteen (19) cases were not ripe for transmission to the Board for enforcement during FY 2015. These cases were filed before the Board on November 9, 2015, and are pending further Board proceedings.

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 2015, a 100 % filing rate was achieved in the Constituent Service and Statehood Fund Programs; a 94% 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 92% filing rate was achieved by candidates for the Office of Advisory Neighborhood Commission Member based on the actual filings of these candidates.

More specifically, 56 of the 56 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; 890 of the required 946 principal campaign committees and political action committees filed the Report of Receipts and Expenditures (OCF Form 16); and 355 of the required 384 ANC candidates filed the Summary Financial

Statement for ANC Candidates (OCF Form 18).

Overall, there were 1386 required filers in all of the Campaign Finance Programs: 1168 timely filers; 133 late filers; and approximately 85 filers who remain delinquent. The total number of actual filers represents 94% (95% in FY14) of the total required filers who complied with the reporting requirements during Fiscal Year 2015.

The Audit Program

The Office of Campaign Finance conducted 1103 (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 of the Reports of Receipts and Expenditures ensured that the public record provided 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 332 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. 193 reporting entities complied with the request of the Audit Division, and submitted the necessary information. The responses for 93 RFAIs were due in FY 2016, and the information has been received. As stated previously, the Audit Division referred forty-six (46) cases to the Office of the General Counsel for enforcement where there was a failure to respond to the Request for Additional Information. The RAAD assisted in the termination of twenty-three (23) committees, following the review and approval of their Final Report of Receipts and Expenditures.

The Audit Branch initiated a total of twenty-nine (29) periodic random audits, and recommended the issuance of twenty-seven (27) Audit Reports of candidates and principal campaign committees active in the 2014 Election Cycle (twelve (12)); candidates and principal campaign committees active in the 2015 Election Cycle (one (1)); political action committees (four (4)); continuing committees (six (6)); and the Constituent Services Program (four (4)). The OCF initiated four (4) full field audits of the campaign operations of candidates newly elected to public office following the certification by the Board of Elections of the results of the November 4, 2014 General Election and the April 28, 2015 Special Election, and of one (1) Inaugural Committee.

Three of the full field audits are ongoing. The two (2) periodic random audits which remained open at the close of the Fiscal Year were referred to the Office of the General Counsel due to noncompliance issues.

The selection of a financial report for periodic audit requires the affected reporting entity 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. The conduct of random periodic audits ensures that reporting entities understand the reporting requirements of the Campaign Finance Act, and promotes future compliance. Moreover, the field audit of principal campaign committees active during an election cycle permits the Office of Campaign Finance to timely track and verify reported campaign activity; to identify apparent violations or to question transactions; and to require the committee to respond to audit findings and correct the public record. The public interest is better served by ensuring that the financial report represents an accurate and complete portrayal of campaign operations upon which it can rely to make educated, informed decisions in the election process.

Agency Special Projects, Outreach and Public Disclosure

The Office of Campaign Finance initiated and completed several projects during FY 2015 which were designed to increase the public's understanding of, and compliance with the Campaign Finance Act of 2011, as amended; improve the overall operations of the Agency; and afford greater access to campaign finance data.

First, as you know, funds provided in the FY 2013 Budget for the Agency supported the increase of the OCF FTEs, from 16 to 31 Full Time Equivalents (FTEs). The fifteen (15) new continuing full time positions (5 Legal and 10 Audit positions) were allocated to the Audit and Legal Divisions. Formerly, the Audit Division was assigned four (4) Continuing FTEs, and the Legal Division was assigned three (3) Continuing FTEs. The FY 2016 Approved Budget reduced the OCF staffing levels from 31 to 30 Full Time Equivalents. The DS – 9 Paralegal Specialist Position in the Office of the General Counsel was eliminated.

Without question, the increased staffing levels have enabled the Office of Campaign Finance to keep pace with a growing workload generated by the dramatic increase in the number of election complaints received by the Office, the complexity of the

funding mechanisms used to support campaigns, and the increase in candidates and committees participating in the election process, and in reported receipts and expenditures. During FY 2015, the increased staffing levels once again strengthened the ability of the Agency to be proactive in the administration and enforcement of the Campaign Finance Act. The Office of Campaign Finance conducted periodic random audits of the principal campaign committees of candidates for public office active during the 2014 and 2015 Election Cycles, initiated the full field audit of an inaugural committee and the principal campaign committees of newly elected public officials, and organized the conduct of site visits to the Early Voting Centers and Election Precincts operated by the Board of Elections, and to the campaign offices of candidates. 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 be engaged in activity which may run afoul of the Campaign Finance Laws; and to initiate enforcement actions where there is noncompliance.

The Office of Campaign Finance dispatched staff to visit eighty-one (81) Election Precincts located throughout the 8 Wards during the November 4, 2014 General Election, and to four (4) Early Voting Centers prior to the General Election on October 27, 2014 and October 28, 2014. During the April 28, 2015 Special Election, the OCF staff conducted site visits at thirty (30) Election Precincts located in Wards 4 and 8, and to two (2) Early Voting Centers prior to the Special Election on April 23, 2015. The OCF staff visited the campaign offices of four (4) candidates who participated in the November 2014 General Election during October 2014.

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. During the campaign office site visits, staff inquired about the mechanics of the campaign operations, and how the campaigns handled contributions and expenditures. The OCF staff was available to answer questions, and cautioned candidates concerning the proper disclaimer language for campaign literature.

Second, the Director is authorized to require the electronic filing of campaign finance reports. See D.C. Official Code Section 1-1163-03 (a) (1) (2001 Edition, as amended). As a consequence, the Office of Campaign Finance was granted funding in its Fiscal

Year 2001 Budget and subsequent Budgets for the development, maintenance, and upgrades of a comprehensive electronic filing and disclosure system, with the ability to receive, store, and provide the public with disclosure data, and for the redesign of the OCF Website to accommodate online filing.

The OCF Electronic Filing and Disclosure System (EFS) allows reporting entities to navigate the OCF Website and file reports online in a secure password protected environment. The EFS supports the online updating of the database automatically from reports collected electronically, and extends the interface and capability for OCF staff to enter data from filers who submit paper based filings, thus providing a single user interface updating a single database. More importantly, the EFS provides for the disclosure of information for query on the World Wide Web and for agency audit. All reporting entities (except Advisory Neighborhood Commission (ANC) Candidates), were able to electronically file their respective financial forms at the Website commencing in FY03. ANC candidates were able to electronically file, for the first time, the ANC Summary Financial Report in January 2011.

On January 31, 2015, the provisions of the “Campaign Finance Reform Act of 2013” became applicable which mandate the online submission of financial reports except where hardship is demonstrated in meeting this requirement. Overall in FY 2015, 1141 of 1301 (88%) reporting entities electronically filed their financial reports. Paper reports were submitted by 160 reporting entities. Specifically, 56 of the 56 timely filings (100%) (100% in FY15) in the Constituent Service and the Statehood Fund Programs were electronically filed; 843 of the 946 filings (89%) (87% in FY14) by principal campaign committees/political committees/political action committees/independent expenditure committees were electronically filed; and 242 of the 340 timely filings (71%) by ANC candidates were electronically filed.

The number of paper submissions significantly decreased after January 31, 2015, the date upon which electronic filing became mandatory. The first filing deadline affected by this legislative mandate was the March 10, 2015 filing deadline. Thereafter, on each of the approximately seven (7) statutory filing deadlines which occurred, 100 % of the timely filers on each date electronically filed their financial report.

To fully implement the mandatory online filing provisions of the “Campaign Finance Reform Act of 2013”, the OCF drafted and proposed regulations for adoption by the Board of Elections. The Notice of Final Rulemaking was published in the D.C.

Register on March 13, 2015 (62 DCR 3025). To notify all reporting entities of the mandatory e-filing requirement, the OCF published on November 17, 2014 at the OCF Web Site and Face Book Page, the “Notice of Significant Amendments to the Campaign Finance Act of 2011”; conducted onsite training sessions from December 4, 2014 through January 31, 2015 solely dedicated to instruction on the new law; advised all newly registered candidates and committee representatives during entrance conferences conducted in December 2014 and January 2015 of the e-filing requirement; and included notice through the reminder letters issued under the Filer Pre-Notification Program.

To further facilitate transparency, as well as to provide for the most recent changes in the Campaign Finance laws, the Office of Campaign Finance introduced new upgrades and enhancements to the E-Filing and Disclosure System. The upgrades to support the technical requirements of the “Campaign Finance Reform Act of 2013” were introduced at the OCF Web Site on February 2, 2015, to coincide with the application of its provisions on January 31, 2015, and include the following:

- (1) The availability of the Database via bulk download from the portal web site for all new filer types in the data download (the political committee, the political action committee, and the independent expenditure committee);
- (2) The upgrade of the biennial report module to report the contribution and expenditure information of candidates for the Office of Attorney General, political action and independent expenditure committees, and political committees, to include the inaugural, transition, exploratory, legal defense, and ballot measure committees;
- (3) The upgrade of the registration modules to accept the administrative registration and online filing of the reports of the newly established independent expenditure committees, and the increased disclosures in the statement of organization by political committees and political action committees;
- (4) The upgrade of the e-filing modules for the Report of Receipts and Expenditures (R & E Report) to list the names of the affiliated entities of

business contributors that have also contributed to the filer; the name of any person or measure to which an expenditure is directed by a political action committee or an independent expenditure committee; the modification of the oaths or affirmations of the Report to include new certifications; and the development of the new Schedule A-7 to report bundled contributions in excess of \$10,000, and to identify the individual who collected the contributions; and

- (5) The development of an e-filing application to report independent expenditures exceeding \$50 made by any person (other than a committee) to other than a committee or candidate .

To better regulate the contributions of business contributors, the OCF has implemented a public search module based on the listing of affiliated entities. When a filer reports a contribution by a business entity, the filer is required to list all of the affiliated entities of the business contributor that have also contributed to the filer. Pursuant to the Campaign Finance Reform Act of 2013, the business contributor and all of its affiliated entities share the contribution limits imposed by the Campaign Finance Act. The E-Filing System tracks the contributions by the affiliated entities to make sure that the total contributions by an organization and its affiliated entities remain within the regulated contribution limit. In the event of an excessive contribution, a warning is displayed to the filer during the e-filing process. The OCF uses this feature internally to produce lists following each filing deadline to monitor the contributions of business entities. The public search module was moved to production on September 2, 2015.

In addition, the OCF E- Filing and Disclosure System was enhanced to capture and offer “Quick Stats”, the “Active Committees List”, the Active Candidates List”, and the “Registrant Disclosure Search”. These new public search modules were developed in FY 2015, and moved to production at the Website on October 26, 2015, to offer access to financial data in more user friendly formats. The “Quick Stats” option 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 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. Graphs are used to depict the percentage terms of the various statistics.

The “Active Committees List” and the “Active Candidates List” provide the public with active lists based on the election year selected of Candidates with Committees and without Committees, and Committees by Filer Type (including 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 selected the totals reported for contributions, expenditures, and loans. The Active Candidates List displays for the Election Year selected the candidate name, committee name, election year, party, and office.

The “Registrant Disclosure Search” offers a complete disclosure of the registration of a candidate/committee, the history of their filings in the Agency, and information related to enforcement actions, complaints or audit reports involving the registrant. To reach a greater audience, the OCF posted a link to the Quick Stats, the Active Lists of Candidates and Committees, and Registrant Disclosure Search at the Agency Face Book Page.

Third, the Office of Campaign Finance conducted a comprehensive review and overhaul of the OCF Regulations and Forms, and proposed amendments to conform with the changes required by the “Campaign Finance Reform and Transparency Amendment Act of 2013”. The Notice of Emergency and Proposed Rulemaking was adopted by the Board of Elections on January 7, 2015, and published in the D.C. Register on January 16, 2015 (Vol. 62, No. 3). The Notice of Final Rulemaking was published on March 13, 2015 in the D.C. Register (62 DCR 3025). The new amendments fully implement the provisions of the Act which require mandatory training for new candidates and the treasurers of committees, the mandatory online submission of financial reports, shared contribution limits between a business contributor and all of that entity’s affiliated entities, increased disclosures and certification statements, and increased civil penalties which may be imposed against a candidate or other person charged with the responsibility to file reports who fails, neglects, or omits to do so.

Fourth, as this Committee has been previously advised, the Office of Campaign Finance conducted an online web site survey during FY 2013 to aid in the assessment of the OCF E-Filing System and Web Site. The April 11, 2013 Survey Analysis Report found that most users were satisfied with the site information and services, while some users experienced difficulty navigating the site, locating services, and with browser

compatibility. Commencing in June 2013, the OCF worked 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. During FY 2014, the Agency enlisted the services of a vendor to assist with the update of the content, and the redesign, rebuild, and integration of the EFS applications to the new DC.Gov Drupal platform. On April 15, 2015, the new OCF Web Site launched. The conversion of the Web Site 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 original OCF Web Site and E-Filing System were designed in FY 2002.

Fifth, in furtherance of our objective to promote voluntary compliance with the Campaign Finance Laws through educational outreach, and to promote public disclosure, the Office of Campaign Finance utilizes its Web Site to reach the broadest audience. The OCF Web Site is the main portal for information dissemination and serves as the main interface for the filer and the public with the Electronic Filing and Reporting System. To ensure its effectiveness, the Office of Campaign Finance constantly monitors the Web Site to review the currency of the published information, and explores new and expanded ways of communicating with the public at the site.

On February 3, 2015, the OCF revised and published at the Web Site, the OCF Educational Brochures, the 2015 Campaign Finance Guide, and the website content to conform to the most recent amendments to the Campaign Finance Act of 2011, which became applicable January 31, 2015. The online training tutorials for the e-filing of the OCF Financial Reports were also revised and will be published at the OCF Web Site during FY16.

The 2015 Campaign Finance 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 utilize the OCF Face Book Page to further extend public outreach. The Page is used as an educational tool to provide the community with daily brief postings of pertinent information including upcoming filing and training dates, the release of orders, audits, and regulations, the availability of financial reports and

summary contribution and expenditure data, and job opportunities at the OCF. 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.

The OCF Web Site offers visitors a variety of instantly accessible resources, including the contribution and expenditure search feature where data received by OCF may be retrieved after the latest reporting period; the data base download; the Educational Brochures; the OCF Regulations and Interpretative Opinions; the Orders of the Director issued in informal hearings and investigations alleging violations of the Campaign Finance Act; Audit Analysis; downloadable Forms; and the email subscription service.

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; filing deadlines; and OCF news. As of September 30, 2015, 323 new members of the public elected to use the service during FY 2015 (1099 total subscribers). The Office of the General Counsel continues to maintain the email address, www.ocf.gc@dc.gov, to respond to inquiries concerning pending enforcement matters.

Following the close of each statutory filing deadline, the OCF published Financial Reports at the Web Site summarizing the contribution and expenditure information from the Reports of Receipts and Expenditures filed by candidates and political committees. The Financial Reports sort contributions by donor type and donation size, and expenditures by purpose. Graphs were posted to illustrate the percentages of contributions received by contributor type and amount, and expenditures by transaction type. The Office of Campaign Finance made public disclosure at the Web Site of the 1301 financial reports and statements filed with the Agency, whether electronically or by paper based filings, for each reporting period. The Web Site was also regularly updated with public service notices and news releases.

Sixth, the Office of Campaign Finance continued to place a strong organizational focus on achieving voluntary compliance through educational outreach. The OCF scheduled and conducted bi-weekly training sessions, commencing December 11, 2014, through January 31, 2015, on the new amendments to the Campaign Finance Act which became applicable January 31, 2015. The Agency conducted Entrance Conferences for newly

registered candidates and political committees. The Entrance Conference was designed to foster compliance with the Campaign Finance laws. The conferences were coordinated by the Public Information Division, and supported by staff from the Audit Division and the Office of the General Counsel. The conferences were held on November 20, 2014 (one (1) participant), January 14, 2015 (fifteen (15) participants), January 16, 2015 (eighteen (18) participants), January 22, 2015 (three (3) participants), and January 29, 2015 (six (6) participants). The names of the 43 participants were posted at the OCF Web Site and included in the monthly statistics of the Agency presented to the Board.

In February 2015, the OCF introduced the Mandatory Training Program 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 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 OCF conducted 12 mandatory entrance conferences and issued 16 Certifications. The names of the participants were posted at the OCF Web Site and included in the monthly statistics presented to the Board of Elections.

The on-site informal educational seminars were scheduled during FY15 for candidates, political committees, and any other interested parties who participated in the 2014 and the 2015 Election Cycles, or registered to participate in the FY 2016 Election Cycle. Training was also made available 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 on February 12, 2015 and continued through December 10, 2015.

The Notices of the Training on the Significant Amendments to the Campaign Finance Act of 2011 and the 2015 Schedule of Training Seminars were published at the OCF Web Site and Face Book Page on November 17, 2014, and on February 3, 2015; distributed through the mailing of reminder letters to reporting entities; and posted in

the Public Information Division of the Agency. To evaluate the effectiveness of the educational seminars, the OCF circulates surveys at the conclusion of each session to determine whether the presentations achieved acceptable satisfaction ratings. Of forty-seven (47) completed user surveys, the participants overwhelmingly responded favorably to the Public Training Sessions. A total of forty-seven (47) respondents rated the seminars as informative with relative topics; forty-six (46) respondents rated the facilitators as “Excellent” in the area Knowledge of Information and a Clear Presentation; forty-one (41) respondents rated as “Excellent” the training material, and the facilitator in providing useful examples; and thirty-four (34) respondents rated the duration of the training as “Excellent”. Overall, the Office of Campaign Finance conducted nineteen (19) Training Seminars with a total of 81 participants.

The Office of Campaign Finance also made itself available for outside training to various public organizations on the reporting requirements of the Campaign Finance Act of 2011, as amended, and the overall changes in the campaign finance laws.

In FY 2015, the Agency received two (2) requests for Interpretative Opinions, and, as stated previously, twelve (12) requests for expedited advice pertaining to the 2014 and 2015 Election Cycles. Because of time constraints, the requests for expedited advice were not treated as requests for interpretative opinions, although advice was sought concerning the application of the campaign finance laws.

Under the Pre-Notification and Failure to File Programs, the Agency issued 1385 pre-notification letters to the filing community concerning the upcoming reporting deadlines, and 222 delinquency letters to reporting entities who failed to timely file, or to file their financial reports.

As the result of these endeavors to better inform the public of their responsibilities under the Campaign Finance Act, the Office of Campaign Finance continues to experience a clear increase in the regularity and overall quality of the Financial Reports filed with the Agency.

Lastly, the Director of Campaign Finance is required by the Campaign Finance Act to produce a biennial report of contributor and expenditure information, and to make the financial reports filed with the Office of Campaign Finance available for public inspection. On February 2, 2015, the Office of Campaign Finance issued and presented in an electronic format the 2015 Biennial Report of Contributions and Expenditures to

the Mayor and the Council of the District of Columbia for the period from January 2013 through December 2014. 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, 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 committees, political action committees, and independent expenditures must also be summarized. The Report was presented in an electronic and print 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.

The Agency continues to make full public disclosure of Campaign Finance data to both the regulated community and the general public by providing public access to financial reports within its statutorily mandated timeframe of 48 hours of receipt. This is accomplished through the real time disclosure of reports when electronically filed at the OCF Website. The online submission of the report generates the image of the report at the website. In the event of a paper submission, the report is data entered and its image is produced at the website. Final orders issued in investigative matters, interpretative opinions, and notices of proposed rulemaking are also routinely made available to the public.

