

November 2, 2011

OFFICE OF THE DIRECTOR

Presented Testimony on Proposed Ethics Legislation on October 26, 2011 before the Committee on Government Operations, Council of the District of Columbia.

Notice of Proposed Rulemaking published at OCF Website October 28, 2011.

OFFICE OF THE GENERAL COUNSEL (See Attachments)

PUBLIC INFORMATION AND RECORDS MANAGEMENT DIVISION

The following is an accounting of PIRMs production stats:
October 2011

CITIZEN SERVICE PROGRAMS

October 1, 2011 Report of Receipts & Expenditures

- 14 Total number of required filers
- 14 Total number of timely filers
- 0 Total number of late filers
- 0 Total number of extensions requested
- 0 Total number of failures to file
- 0 Total number of OGC referrals
- 14 Total number of Electronic Filings
- 13 Total number of Certified Filings

SENATOR/REPRESENTATIVE STATEHOOD FUNDS

October 1, 2011 Report of Receipts & Expenditures

- 3 Total number of required filers
- 3 Total number of timely filers
- 0 Total number of extensions requested
- 0 Total number of late filers
- 0 Total number of failures to file
- 0 Total number of OGC referrals
- 3 Total number of Electronic Filings
- 2 Total number of Certified Filings

PRINCIPAL CAMPAIGN COMMITTEES & POLITICAL ACTION COMMITTEES

October 10th R&E Reports

- 84 Total number of required filers (27PCCs – 57PACs)
- 72 Total number of timely filers (22PCCs – 50PACs)
- 0 Total number of extensions requested (0PCCs - 0PACs)
- 12 Total number of failures to file (5PCCs - 7PACs)
- 5 Total number of OGC referrals (5PCCs - ~~TBD~~PACs)
- 51 Total number of Electronic Filings (20PCCs - 31PACs)
- 43 Total number of Certified Filings (20PCCs – 23PACs)

LOBBYIST REGISTRATION FEES (as of 10/31/11)

- 264 Total number of New Lobbyists Registered for 2011
- 264 Registration Fees collected in the amount of \$51,810 from New Lobbyists for 2011

New Candidates and Committees registered for 2012 Elections

October 2011

- Darrell Gaston/Gaston 2012 (City Council, Ward-8).....10/11/2011
- Sandra Seegars/Cmte. TO Elect SS for Ward 8 Council (City Council, Ward-8)...10/24/2011
- Nathan Fleming/Fleming 2012 (U.S. Shadow Representative).....10/24/2011
- Fiona Greig/Cmte. To Elect Fiona Greig (City Council, Ward-2).....10/27/2011

REPORTS ANALYSIS AND AUDIT DIVISION

The following is an accounting of RAAD's production stats:

October 2011

1,170 Reviews Completed

- 0 Lobbyists
- 40 PAC
- 14 CSF
- 3 US S/R
- 28 PCC (Includes Amended Filings)
- 1 Exploratory Committee
- 180,1 FDS
- 0 Initiative/Referendum
- 22 Audit Letters (RFAI) Sent
- 1 Follow-up letters sent
- 11 Cases Resolved
- 0 Cases Referred to the Office of General Counsel
- 0 Cases Terminated
- 0 Hearings Attended
- 0 Outreach Education Seminars Attended
- 0 Outside Seminars Attended

Periodic Random Audits – Lobbyist Activity Reports – July 10, 2011 Filings)

1. Bruce C. Bereano (Lobbyist)/Safeway, Inc. (Compensating Registrant) – The Audit fieldwork is complete.
2. Bruce C. Bereano (Lobbyist)/Collective Mgmt. Assoc. (Compensating Registrant) – The fieldwork is complete.
3. Bruce C. Bereano (Lobbyist)/EnerNoc, Inc. (Compensating Registrant) – The Audit staff has requested and is waiting for additional information. The request was issued on October 4, 2011. A second request was issued on October 31, 2011.
4. Bruce C. Bereano (Lobbyist)/DC Cmte. To Protect & Preserve Independ. Gasoline and Auto Repair (Compensating Registrant) – The Audit fieldwork is complete.

Full Field Audit – Investigative Audit

1. **Gray For Mayor** – The audit fieldwork is complete. The Supervisor Auditor is in the process of writing the Preliminary Audit Report (PAR).

2011 MONTHLY IN-TAKE/OUTPUT REPORT

OFFICE OF GENERAL COUNSEL

	July	August	September	October	November	December	
Opinion Request Received				1			
Opinion Request Completed				0			
Complaints Received				0			
Internal Queries				1			
Preliminary Investigations				0			

Initiated							
Preliminary Investigations Orders Issued				1			
Full Investigations Initiated				0			
Full Investigations Orders Issued				0			
Informal Hearings Referred				4			
Informal Hearings Completed				7*			
Informal Hearings Orders Issued				52**			
Petitions for Enforcement Referrals to BOEE				0			

*This figure represents 2 Failure to Timely File Hearings and 5 FDS Hearings. ** This figure represents 4 Orders issued in failure to Timely File hearing in which no fines were imposed and 2 Orders issued in Failure to Timely File Hearings in which fines of \$1,000.00 were imposed. Additionally, 36 FDS Orders in which no fines were imposed and 10 FDS Orders in which \$20,000.00 in fines were imposed .

Board Statistics

Board Statistics for October, 2011

Board Meeting November 2, 2011

1. Actual Matters referred	
PCC	5
PAC's	0
Lobbyist	0
Constituent Services	0
FDS	0
Statehood Fund	0
2. Notices of Hearings	26
First Notices	24
Second Notices	2
3. Notices and Orders Vacated	40
4. Hearings Conducted	7
5. Orders which imposed fines	12
6. Fines imposed	\$21,000.00
7. Fines collected	0
8. Investigations completed Orders issued	0
9. Petitions for Enforcement	0

LIST OF OPEN OCF INVESTIGATIONS

November 2, 2011

- OCF FI 2011-105(a) & (b) Complainant: Bob Kabel initiated March 22, 2011
Respondents: Harry Thomas, Jr. and Victoria Leonard- Chambers
Councilmember for Ward 5
Infraction: Conflict of Interest
Status: Final disposition delayed due to the
unavailability of witnesses who are
cooperating with another investigative agency.
- OCF FI 2011-103 Complainant: Internally Generated March 15, 2011
Respondent: Sulaimon Brown for Mayor
Principal Campaign Committee
Infraction: Reporting Violations
Status: This matter was referred to the Audit
Division for a Full Field Audit;
upon completion and issuance of the Final Audit Report,
OCF will determine whether an investigation is
warranted.
- OCF FI 2011-104 Complainant: Internally Generated March 15, 2011
Respondent: Gray for Mayor
Principal Campaign Committee
Infraction: Reporting Violations
Status: This matter was referred to the Audit
Division for a Full Field Audit;
upon completion and issuance of the Final

Audit Report, OCF will determine whether an investigation is warranted.

OCF PI 2011-101

Complainant: Michael Sindram initiated September 6, 2011

Respondent: ANC 4A Commissioner Dwayne Toliver

Infraction: Conflict of Interest

Status: Pending

OCF PI 2011-102

Complainant: Bob Kabel initiated September 6, 2011

Respondents: Constituent Services Funds for 10 Councilmembers

Infraction: Misuse of CSP funds

Status: Pending

OCF PI 2011-103

Complainant: ANC 5B04 Commissioner Vaughn Bennett

Initiated September 6, 2011

Respondent: ANC 5B Chairperson Regina James

Infraction: Use of government resources for personal
and campaign purposes

Status: Pending

SHOW CAUSE PROCEEDINGS

February 2, 2011

OCF 11C-006

Complainant: Internally Generated

Respondent: Friends of Calvin Gurley

Infraction: Failure to comply with disclosure and
reporting requirements

Originated: September 30, 2011

Status: Hearing scheduled for November 7, 2011

INTERPRETATIVE OPINIONS

November 2, 2011

#11-04 Requestor: Councilmember Phil Mendelson

Submitted: October 21, 2011

Issue: Reimbursement from Constituent Services Fund

Status: Pending

(All Interpretative Opinions are on-line.)