

FINANCIAL DISCLOSURE ELECTRONIC FILING STEP-BY-STEP



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Goals of this Course:

Walk through how to use BEGA's financial disclosure electronic filing system

Who files a Public Financial Disclosure Statement?

- Statutory Authority:
 - D.C. Code § 1–1162.24(a)(1) "Public officials, except Advisory Neighborhood Commissioners, members of the Washington Metropolitan Area Transit Board of Directors, and candidates for nomination for election, or election, to public office, who are not otherwise required to file, shall file annually with the Ethics Board a public report..."

Who is a Public Official?

> The Mayor, Chairman, & each Member of the District Council

- The Attorney General
- > A Representative or Senator elected pursuant to § 1-123
- > A Member of the State Board of Education
- > A Member of the Boards & Commissions found in § 1-523.01(e)
- > A subordinate Agency Head in an Executive Service Position
- District of Columbia employees paid, regardless of pay schedule, at a rate equivalent to an Excepted Service employee paid at a rate of Excepted Service 9 or above (which is \$101,296 or above for 2015), who make decisions or participate substantially in areas of contracting, procurement, administration of grants or subsidies, developing policies, land use planning, inspecting, licensing, regulating, or auditing, or act in areas of responsibility that may create a conflict of interest or the appearance of a conflict of interest.

Who is a Public Official?

• REMINDER:

 A person is considered a "public official" only if they held the position that made them a "public official" for <u>more than thirty (30) days</u> within the prior calendar year.

Who files a Confidential Financial Disclosure Statement?

Statutory Authority:

- D.C. Code § 1–1162.25(a) "Any employee, other than a public official, who advises, makes decisions or participates substantially in areas of contracting, procurement, administration of grants or subsidies, developing policies, land use planning, inspecting, licensing, policy-making, regulating, or auditing, or acts in areas of responsibility that may create a conflict of interest or appearance of a conflict of interest, <u>as determined by the appropriate agency head</u>, shall file... with that agency head a report containing a full and complete statement of the information required by § 1–1162.24."
- Agency heads must notify <u>designated employees</u> who are required to file Confidential Financial Disclosure Statements on or before April 15th of every year.
 - ▶ D.C. Code § 1–1162.25(c)

Appeal of Confidential Filer Designation

- Employees can appeal their designation as a Confidential Financial Disclosure Statement filer
- First they must submit a written request to the agency head within five (5) days of the written notification of their designation (DPM § 1810.7(a)).
- The agency head must then make a redetermination, in writing, within five (5) days of receiving the request from the employee. (DPM § 1810.7(b)).
- If the agency head's denies the employee's requested relief (that they should not be designated as a Confidential Filer), that denial is appealable, in writing, within five (5) days of the time the employee receives the notice of denial. The employee can then appeal this decision to the Director of Government Ethics, Darrin P. Sobin. (DPM § 1810.7(c)).
- The decision of the Director of Government Ethics, with respect to the designation, must be issued within five (5) days of his receipt of the appeal, and is final. (DPM § 1810.8).

Who files a Public Financial Disclosure Certification?

Statutory Authority:

D.C. Code § 1–1162.24(3)(A–B) "(A) An Advisory Neighborhood Commissioner who is not otherwise required to file a report...shall file the certification required by paragraph (1)(G) of this subsection for the preceding year. (B) Effective January 1, 2015, <u>a candidate</u> for nomination for election, or election, to public office who is not otherwise required to file a report...shall file the certification required by paragraph (1)(G) of this subsection for the preceding year.

What Must Be Reported

- For both <u>Public</u> and <u>Confidential</u> Financial Disclosure Statements, the following must be disclosed:
 - Any business entity in which the filer, filer's spouse, domestic partner, or dependent children has:
 - A beneficial interest exceeding \$1000 (aggregate) or producing an income of \$200 or more
 - Received honoraria or income in excess of \$200 from an entity that contracts with the District of Columbia
 - Served in a formal capacity (i.e. owner, director, partner, consultant, contractor, etc.)
 - An outstanding individual liability in excess of \$1000
 - Any real property in the District of Columbia- excluding personal residence- valued at \$1000 or more or producing \$200 of income
 - Any professional or occupational licenses issued by the District
 - All gifts received from a "prohibited source" valued at \$100 or more (aggregate)

What Must Be Reported- Cont.

- Each Public or Confidential FDS filer, and each ANC Commissioner, must certify that he/she has:
 - Filed and paid his/her income and property taxes.
 - Diligently safeguarded the assets of the taxpayers and the District.
 - Reported known illegal activity, including attempted bribes, to the appropriate authorities.
 - Not been offered or accepted any bribes.

- Not directly or indirectly received government funds through illegal or improper means.
- Not raised or received funds in violation of federal or District law.
- Not received or been given anything of value based on any understanding that the public official's official actions/judgment/vote would be influenced. (if applicable)
- There is a text box at the end of the certification form for a filer to provide an explanation if necessary.
- Filers can also attach supplemental sheets to their PFDS filing, whether they file electronically or on paper

Where & How to File Publicly

Electronically at <u>www.bega-dc.gov</u>

- Follow the "File a Financial Disclosure Statement" button on the Home Page a page containing PDF copies of ALL FDS forms, and click the "E-file" link to access the FDS e-filing system
- In late April, every Public filer will receive a letter from BEGA. The letter will:
 - o Explain the process for filing
 - Include the necessary log-in information for those who wish to file electronically
 - However, you are still required to file if you are a Public Official even if you do not receive a letter from BEGA.



Where & How to file Confidentially

Download the Confidential Financial Disclosure Statement from:

www.bega-dc.gov/financial-disclosure-forms

- Fill out the form
- Submit the form to the agency head or their designee (as instructed by the agency)

- To access the system:
- 1. Go to **bega**dc.gov.
- 2. Click on "Financial Disclosure Statements"
- Click on the top link titled "Online Filing"



You should have received a letter with your User Name, Password, and PIN in an e-mail or letter from BEGA. If you did not, please email <u>bega-fds@dc.gov</u> to obtain log-in information.



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	* * * BEGA DC	
	Board of Ethics and Government Accountability	
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	Please select the form you would like to file to begin the filing process:	
•	Public Financial Disclosure Statement	
	Each public official subject to section 224(a) of the District of Columbia Board of Ethics and Government Accountability	
	Establishment and Comprehensive Ethics Reform Act of 2011 (D.C. Official Code § 1-1162.24 (2015 Supp.)), is required to complete and submit this Public Financial Disclosure Statement to the Board of Ethics and Government Accountability (BEGA)	
	annually, not later than May 15th of each year for the prior calendar year. A public official must also complete and submit a Public Financial Disclosure Statement within 90 days after the end of their appointment to office, if the filer ceases to serve prior to May 15th of any year.	
	All questions on this form should be answered for the prior calendar year. If the form is submitted as an Amendment,	
	answer only the question to which there is a change in information.	
	User Preferences :	
	View/Modify Login Information	
	Select this link to:	
	1. Change the user ID you received from BEGA to a more user-friendly and memorable name.	
	You are recommended to change your password every 60 days for security purposes.	

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previous year.	the

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- To begin filing click on "File a New Report"
- If you have previously filed an need to amend your filing, click on "File An Amendment"
- To edit your personal information (home address, email address, phone number) click on "View Filer Profile"

Step 1: Select the position for which you are filing

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	* Are you Currently: Date of Appointment or Employment Final Date of Service (# applicable)	 The Attorney General of the Div A Representative or Senator re A Member of the State Board o An Agency Head? A Member of a Board or Comm Code § 1-523.01(e) (see FAcI Phease clock here to see the full definition. An employee of the Distict of C \$10,296 or more, and who mail could create a financial conflict. 	nber of the Council of the District of Columbia? trict of Columbia? presenting the District of Columbia? E ducation? Ission (whether paid or unpaid) listed in D.C. Official or list of these Boards or Commissions)? Isst of Board and Commission Ithat fall under this olumbia, other than an Agency Head, who is paid kes decisions or participates substantially in areas that of interest including, but not limited to, contracting, rants or subsidies, developing policies, land use	
	Position Agency	Attorney Advisor position. Board of Ethics & Government Accountability Agency.	If blank or not correct, please contact BEGA to update the If blank or not correct, please contact BEGA to update the Not The Same As Above)	
	Position Former Agency Name	Final Date in Position		
		Continue		

Step 2: Answer all twelve questions with a "Yes" or "No" answer. To access each question, click on the "Click to provide this information" link below the question.



Step 2: Answer all twelve questions with a "Yes" or "No" answer.



Step 2: Answer all twelve questions with a "Yes" or "No" answer.



If you answer "Yes," the question will expand. All fields designated with an asterisk are mandatory. If you attempt to move forward without filling in the mandatory fields you will receive this message:

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Please answer your Position / Title. Prevent this page from creating additional dialogs.			
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Report	Closes 1. Did you have any outside employment or engage in any outside business during 2015 for which you received income of \$200 or more?	
	Next, Answer "Yes" if you engaged in any occupation, hade, business, profession, or employment during the reporting year in which you were paid \$2000 or more. Do not include your Desiriet employment,	
	🖩 Yes 🔍 No	
	If you answered "fee", please fill all mandatory fields marked with " :	1
	* Postice / Tide	
	*Name of Employer	
	* Description of Work	
1	"Start Date End Date(" applicable)	
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	Clients	
	entral If you assured "yes" because you use e paid by a clerit (as opposed to as employed please identify which, if any, clerit had on tax a contract with the District or into stands to pair a direct framework benefit from regarison that was pending before the Council in 2015.	
	Client Name	
	Income Received from Outside activity or employment:	
	Place a check mark in the box next to the applicable range. Attach a Supplemental Sheet if you have additional entries. Report other entries in the same format.	
	None (cr less than \$1,001)	
	0 \$1,001 - \$15,000 0 \$15,001 - \$30,000	
•	© 550,001 - 5100,000	
	© \$250,001 - \$500,000	
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If you answer "No" to a question, this prompt will pop up:

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Do you want to clear all fields Prevent this page from creating additional dialogs.		
OK Cancel]	

Select "OK." This allows the form to clear the fields you would have filled out if you had answered the guestion in the affirmative.

If you do not select "Yes" or "No" when answering a question, you will see this pop-up:

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Please answer the question. Prevent this page from creating additional dialogs.		
	ОК	

You must answer EVERY question.

If you need to upload additional documents, please click on the link after all 12 questions that says "Click here to add supplemental documents." This will prompt this box to

appear:

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File Upload
*File Description Choose File No file chosen
Click here to add more files
Upload!
Note: Only Pdf files are allowed

Step 3: Read the Certification. If you agree, enter your name and PIN number at the bottom of the page and click "Certify & Submit."

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	View F Review	iler Profile v Questions	CERTIFICATION	
	Report	t Options	I hereby swear (or affirm) that to the best of my knowledge and belief I have:	
			 Not caused title to property to be placed in another person or entity for the purpose of avoiding the disclosure requirements on the preceding form; 	
			 Filed and paid my income and property taxes; Diligently safeguarded the assets of the taxpayers and the District; 	
			 Reported known illegal activity, including attempted bribes, to the appropriate authorities; Not been offered or accepted any bribes; 	
			 Not directly or indirectly received government funds through illegal or improper means; Not raised or received funds in violation of federal or District law; and 	
			 Not received or been given anything of value, including a gift, favor, service, loan gratuity, discount, hospitality, political contribution, or promise of future employment, based on any understanding that my official actions or judgment or 	
			vote would be influenced.	
			Additional Information Please use the box below if you need to include any additional information.	
			YOU MUST SIGN THIS FORM. Read the following carefully before you sign. I understand that the making of a false	
			statement on this form or materials submitted with this form is punishable by criminal penalties pursuant to D.C. Official Code 22-2405 et seq. (2001). I understand that any information I give may be investigated as allowed by law or Mayoral order. I	
			certify that, to the best of my knowledge and belief, all of my statements are true, correct, and complete.	
			Filer Name PIN	
			Verify PIN	
			Please Note:	
8			Submission of this report means you have completed the report (with all applicable schedules), and that the report is ready for	
0			filing with the BEGA. Once a report is submitted, it cannot be edited. All modifications thereafter can only be done by filing an amendment. 	
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	Print out this page for your fut	ure reference.
	Your Confirmation # Date of Filing: BEGA ID: Registrant Name: Address:	0663768532 Friday, April 08, 2016 FDS000163219 CristinaTEST PatzeltTEST Test Washington DC 20001
	Click the Print Reports button	to print out your submission or click the Filer Menu button to begin a new filing cycle.
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	Alternate Email ID:	Email your Filing Confirmation Details

You are DONE! On this page you can:

1. Click on "Print Reports" to generate a PDF copy of your submitted form

 Click "Email your Filing Confirmation Details" to have a confirmation receipt sent to your District or alternate email address

Does a filer have to disclose a specific value in response to Questions 1,2,7, 8 and 10?

- No. The Financial Disclosure forms allow for a filer to check a range when answering these questions, rather than supply a specific value.
- **SAMPLE**:
 - None (or less than \$1,001)
 - \$1,001 \$15,000
 - \$15,001 \$50,000
 - \$50,001 \$100,000
 - \$100,001 \$250,000
 - \$250,001 \$500,000
 - \$500,001 \$1,000,000
 - Over \$1,000,000
 - \$1,000,001 \$5,000,000
 - \$5,000,001 \$25,000,000
 - \$25,000,001 \$50,000,000

- As a Public Official, will my Financial Disclosure Statement be Public?
- Yes. If you are a public official your Financial Disclosure Statement is public. (See, D.C. Official Code § 1– 1162.24(a)).
- If you are an ANC Commissioner or candidate your Financial Disclosure Certification is public. (See D.C. Official Code § 1-1162.24(a)(3)(A-B)
- However, prior no personal contact information is published on our website (i.e. telephone numbers, email addresses, and home addresses). That information is solely used by BEGA to contact you regarding your filing obligations.

- I am a public filer and have a legitimate safety concern about having my financial information available for public review. Is there some type of waiver or exemption available to me?
- Yes. The Ethics Board can, "on a case-by-case basis", exempt a public official from the public filing requirement or from some portion of the requirement "for good cause shown."
 - "Good Cause" is not defined, but would probably include a legitimate safety concern, or a demonstrated history of being a victim of identity theft. Waivers are very rare, and within the absolute discretion of the Ethics Board.
 - If a waiver is granted, the terms would probably still require the public official to file an FDS, but all or part of the statement might be deemed confidential.
 - Waiver requests must be submitted in writing and sufficiently in advance of the May 15th filing deadline, so that a filer can file on time if (a) the waiver request is denied; or (b) if the waiver request is granted but the filer is required to file a confidential Financial Disclosure Statement.

- What is an "Honorarium" or "Gift"?
- "Honorarium" means any fee, per diem, compensation, or any amount paid to any member of any such board, commission, or committee for service as such member. (D.C. Official Code § 1-321.01).
- "Gift" means any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of training, transportation, local travel, lodgings and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. (DPM § 1803.4(a)).

Do I need to disclose a mutual fund account?

- No. You only need to disclose financial accounts that are self-directed (i.e., you choose the individual companies in which the account invests). Remember, the purpose of the disclosure rules is to determine whether you are in a position, through your government work, to confer a benefit on an entity in which you have a private financial interest. If you are not aware of the various companies a mutual fund might own, there would not be that concern.
- Do I need to disclose a personal checking account and/or credit card debt?
- No. You do not need to list any credit card debt since most credit cards are issued by federal or state insured or regulated financial institution. In addition, credit card companies are in the business of providing revolving credit or installment accounts
- Do I need to disclose a retirement account?
- It depends. You may need to disclose the retirement account, depending on the type of account and how it is structured. For instance, just like ownership of stock/shares of a business entity which must be disclosed, if the account is self-directed (i.e., you choose the individual companies in which the account invests) then you must disclose. If, on the other hand, the retirement account funds are invested in mutual funds or similar type programs in which someone else makes investment decisions without any input or direction from you, you would not have to disclose.

Questions about Financial Disclosure?

Contact:

- Jessica Dillion, Administrative Assistant, BEGA
 - (202) 481–3447
 - Jessica.Dillion@dc.gov
- Bega-fds@dc.gov