



**BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY  
GOVERNMENT OF THE DISTRICT OF COLUMBIA**



June 8, 2023

**VIA ELECTRONIC MAIL**

Ms. [REDACTED]

[xxxxxxx@earthlink.net](mailto:xxxxxxx@earthlink.net)

**RE: #OOG-2023-0004-M Resolution of Complaint**

Dear Ms. [REDACTED]:

This correspondence regards the complaint you submitted to the Board of Ethics and Government Accountability, Office of Open Government (“OOG”) on June 8, 2023. Your complaint appears to allege that an Advisory Neighborhood Commission (“ANC”) violated the Open Meetings Act (“OMA”) (D.C. Official Code § 2-571 *et seq.*). If so, the Director of Open Government has no statutory authority to resolve these allegations because ANCs are excluded from the OMA. Therefore, your complaint is dismissed for the reasons stated below.

OOG’s legal staff reviewed your complaint, assigned file number OOG-2023-0004-M, pursuant to 3 DCMR § 10400 *et seq.*, and recommended dismissal due to the threshold question of whether the Director of Open Government has jurisdiction over the public body referenced in the complaint. I do not have authority over ANC meetings because D.C. Official Code § 2-574(3)(F) excludes ANCs from the definition of public bodies. I only have statutory jurisdiction over a public body’s meetings when that entity is subject to the OMA. 3 DCMR § 10403.1(a) provides that I may dismiss a complaint that “does not raise issues within the Director’s authority under the Open Meetings Act.” I must dismiss this OMA complaint because it does not raise issues under my authority. I did not consider the merits of your complaint because the threshold question of jurisdiction was not met.

The Advisory Neighborhood Councils Act of 1975, effective October 10, 1975 (D.C. Law 1-21; D.C. Official Code § 1-309.01 *et seq.*), governs ANC meetings. Thus, the appropriate entity to consider the merits of the complaint and to resolve the matter is the Office of Inspector General (“OIG”). I referred your complaint via email to the OIG. You may submit a complaint to the OIG at the following website address: <https://oig.hhs.gov/fraud/report-fraud>.

If you have any questions or concerns about this dismissal, please contact me at [niquelle.allen@dc.gov](mailto:niquelle.allen@dc.gov).

Sincerely,

/s/

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Niquelle M. Allen, Esq.  
Director of Open Government  
Board of Ethics and Government Accountability

Enclosure: Copy of Complaint #OOG-2023-0004-M

cc: Daniel W. Lucas, Inspector General for the District of Columbia