

BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY
OFFICE OF OPEN GOVERNMENT



October 3, 2017

VIA REGULAR MAIL

Mr. M. Sindram
Avenue,
Washington, DC 20012

RE: #OOG-0010__10.3.17 Resolution of Complaint

Dear Mr. Sindram:

The Office of Open Government (OOG), pursuant to the authority set forth in § 503(a)(4) of the District of Columbia Administrative Procedure Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-593 *et seq.* (2017)), and 3 DCMR § 10400 *et seq.* (2017), has reviewed your complaint, assigned file number OOG_0010_10.3.17, in which you alleged the following: (1) You contacted Evan Cash, with the Council of the District of Columbia Committee of the Whole, to have your name placed on a list to testify at a 10-2-17 roundtable entitled “Department of Consumer and Regulatory Affairs and Inspection and Enforcement of Tenant Housing”; (2) You were denied your Constitutional right to speak at the Council hearing; (3) You “[C]ontinued to request payment for [a] pair of shoes purchased by Mendelson via agent”; and (4) “[S]uch further relief as to {sic} OOG appears just and proper.”

The enforcement authority of the OOG extends only to violations committed by District of Columbia public bodies under the Open Meetings Act (OMA) (D.C. Official Code § 2-571 *et seq.*) Although the Council of the District of Columbia is a public body as defined by the OMA (D.C. Official Code § 2-574(3)), and is subject to its provisions, the OMA does not afford any member of the public the right to address a public body, only to be physically present. The OOG cannot dictate the means by which the Council receives testimony.

As to your claim regarding infringement of your First Amendment right under the Constitution, and a failed payment for a pair of shoes, the OOG does not have standing to enforce. Therefore, your complaint is closed with the issuance of this correspondence.

Sincerely,

TRACI L. HUGHES, ESQ.
Director, Office of Open Government
Board of Ethics and Government Accountability