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**Testimony of the  
D.C. Open Government Coalition**

by

Fritz Mulhauser  
Co-Chair, Coalition Legal Committee

before the  
District of Columbia Council  
Committee on the Judiciary and Public Safety

Roundtable on

PR23-0247 - District of Columbia Board of Ethics and Government Accountability  
Melissa Tucker Confirmation Resolution of 2019

May 6, 2019

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Thank you for the opportunity to testify for the D.C. Open Government Coalition in support of the confirmation of Melissa Tucker as a member of the Board of Ethics and Government Accountability (BEGA).

The Open Government Coalition is a citizens' group established in 2009 to enhance public access to government information and ensure the transparency of government operations of the District of Columbia. Transparency promotes civic engagement and is critical to responsive and accountable government. We strive to improve the processes by which the public gains access to government records (including data) and proceedings, and to educate the public and government officials about the principles and benefits of open government in a democratic society.

It is a special pleasure to support Ms. Tucker as she fills the new requirement, added last fall, that BEGA must have at least one member with "particular experience in open government and transparency." *D.C. Code* § 1-1162.03(g)(2).

This experience is now essential as BEGA begins this year a new role in relation to the Office of Open Government. BEGA previously only appointed the director and the office was otherwise independent. But also last fall, the Council placed the office under the board and allowed office opinions to be appealed to the board. This will bring a new level of detailed responsibility. The board is now the steward of the public interest in open government as the office does its work of training boards and commissions and investigating complaints under the Open Meetings Act, and other duties as well (including advisory opinions on complaints) under the Freedom of Information Act (FOIA).

The Coalition supports Ms. Tucker's nomination enthusiastically. She is a seasoned attorney with just the kinds of specific experience essential to the board's new open government tasks, and in addition has experience with government ethics.

Ms. Tucker has experience with issues in assuring public access to records in both executive and legislative branches of government. For six years as assistant city solicitor in Providence, Rhode Island, she was the chief public records officer. And for more than three years in the D.C. Mayor's Office of Legal Counsel she adjudicated hundreds of appeals of D.C. agency FOIA decisions. That position gave her an unparalleled view of both public and government perspectives. The Coalition has heard from citizens who appealed decisions during those years and were generally well-satisfied with the fair treatment their concerns received in the appeal process.

Ms. Tucker will bring experience also in government ethics, as she worked in that area in her positions in Providence and the D.C. Council.

We recommend Ms. Tucker's confirmation without hesitation and look forward to working with her and her BEGA colleagues to strengthen every aspect of open government policy and practice in D.C. government in coming years.