

***District of Columbia***

**REGISTER**

**HIGHLIGHTS**

- DC Council passes Act 20-248, Distillery Pub Licensure Act of 2013
- DC Council passes Act 20-251, Manufacturers' Sunday Sale Act of 2013
- DC Council schedules a public hearing on the Child Development Home License Regulation Amendment Act of 2013
- DC Council schedules a public oversight hearing on “The Metropolitan Police Department: Standards, Training, Investigation, and Intervention Related to Police Officer Conduct”
- Office of the State Superintendent of Education updates attendance rules for the DC public schools

# DISTRICT OF COLUMBIA REGISTER

## Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances (ODAI) publishes the *District of Columbia Register* (ISSN 0419-439X) (*D.C. Register*) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979 (25 DCR 6960). The policies which govern the publication of the *D.C. Register* are set forth in Title 1 of the District of Columbia Municipal Regulations, Chapter 3 (Rules of the Office of Documents and Administrative Issuances.) Copies of the Rules may be obtained from the Office of Documents and Administrative Issuances. Rulemaking documents are also subject to the requirements of the *District of Columbia Administrative Procedure Act*, District of Columbia Official Code, §§2-501 *et seq.*, as amended.

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The deadline for receiving documents from the District of Columbia Agencies, Boards, Commissions, and Public Charter schools is TUESDAY, NOON of the week of publication. The deadline for receiving documents from the District of Columbia Council is WEDNESDAY, NOON of the week of publication. If an official District government holiday falls on Monday or Friday, the deadline for receiving documents remains the same as outlined above. If an official District government holiday falls on Tuesday, Wednesday or Thursday, the deadline for receiving documents is one day earlier from the deadlines outlined above.

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## DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-245

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend, on an emergency basis, due to Congressional review, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to allow the Director of Government Ethics to issue advisory opinions upon his or her own initiative, clarify how advisory opinions may be appealed, and expand the range of penalties that may be imposed for a low-level violation of the District of Columbia's Code of Conduct.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Board of Ethics and Government Accountability Congressional Review Emergency Amendment Act of 2013".

Sec. 2. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 219 (D.C. Official Code § 1-1162.19) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "the Ethics Board or" after the comma.

(2) A new subsection (a-1) is added to read as follows:

"(a-1)(1) The Director of Government Ethics may issue, on his or her own initiative, an advisory opinion on any general question of law he or she considers of sufficient public importance concerning a provision of the Code of Conduct over which the Ethics Board has primary jurisdiction.

"(2) Before an advisory opinion is issued under this subsection, the Director of Government Ethics shall publish a notice of the proposed advisory opinion in the District of Columbia Register and provide a public-comment period of at least 30 days, during which a person may submit information or comment on the proposed advisory opinion. An advisory opinion that does not meet the procedural requirements of this paragraph shall be void ab initio."

(3) Subsection (c) is amended to read as follows:

"(c)(1) If an advisory opinion is issued by the Director of Government Ethics in response to a request for an advisory opinion, the requesting employee or public official may appeal the opinion for consideration by the Ethics Board.

## ENROLLED ORIGINAL

“(2) If the Director of Government Ethics issues an advisory opinion on his or her own initiative, an employee or public official aggrieved by the opinion may appeal the opinion for consideration by the Ethics Board.”.

(b) Section 221(a)(4) (D.C. Official Code § 1-1162.21(a)(4)) is amended to read as follows:

“(4)(A) In addition to any civil penalty imposed under this title, a violation of the Code of Conduct may result in the following:

“(i) Remedial action in accordance with the Merit Personnel Act;

“(ii) A public censure imposed by the Ethics Board;

“(iii) A non-public, informal admonition imposed by the Director of Government Ethics for low-level violations of the Code of Conduct such as:

“(I) A one-time, minor misuse of government property;

“(II) A non-habitual time and leave issue that does not have a specific harmful impact;

“(III) A non-uniform application of a regulation or policy by a supervisor, where it is not a regular occurrence and was not for an unlawful purpose;

“(IV) A relatively minor action based, at least in part, on advice or guidance sought in good faith from another, such as a supervisor, and given in good faith, though erroneous; or

“(V) A minor, incidental ethics violation for which the person made amends and rectified the situation;

“(iv) A finding of a violation and a period of probation after which a respondent may seek expungement of the violation upon successful completion of any probationary terms imposed by the Director of Government Ethics or the Ethics Board; or

“(v) Any negotiated disposition of a matter offered by the Director of Government Ethics, and accepted by the respondent, subject to approval by the Ethics Board.

“(B) A non-public, informal admonition imposed under subparagraph (A)(iii) of this paragraph may be appealed to the Ethics Board.”.

### Sec. 3. Fiscal impact statement.

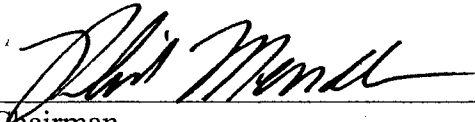
The Council adopts the fiscal impact statement in the committee report for the Board of Ethics and Government Accountability Amendment Act of 2013, passed on 2<sup>nd</sup> reading on December 3, 2013 (Enrolled version of Bill 20-116), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

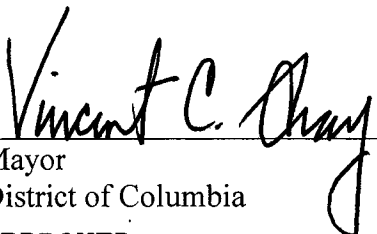
### Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
December 27, 2013



## ENROLLED ORIGINAL

## AN ACT

D.C. ACT 20-246

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend, on an emergency basis, Chapter 18 of Title 47 of the District of Columbia Official Code to define a teaching award as an award given to public school teachers in recognition of their service to their school or community and to exclude from District gross income the value of a teaching award.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tax Exemption for Teacher Awards Emergency Act of 2013".

Sec. 2. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1801.04 is amended by adding a new paragraph (52A) to read as follows:  
“(52A) “Teaching award” means a benefit with pecuniary value given to a teacher who is the primary teacher in a classroom for a majority of the school days of the academic year in a District public or public charter school, from a person other than the teacher’s current employer, for the teacher’s service to the school and, for example, in recognition of the teacher’s:

“(1) Exemplary teaching;

“(2) Overall student achievement in the teacher’s primary classroom; or

“(3) Community engagement in the District, including exceptional leadership of student organizations and engaging students’ parents.”.

(b) Section 47-1803.02(a)(2) is amended by adding a new subparagraph (CC) to read as follows:

“(CC) Beginning January 1, 2013, a teaching award, as defined in § 47-1801.04(52A), above \$1,000 but not more than \$40,000.”.

Sec. 3. Applicability.

(a) The Chief Financial Officer shall recognize \$14,577 from the fiscal year 2014 local funds operating margin to fund the cost of this legislation in fiscal year 2014.

(b) After October 1, 2014, this act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register.

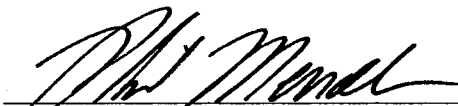
ENROLLED ORIGINAL

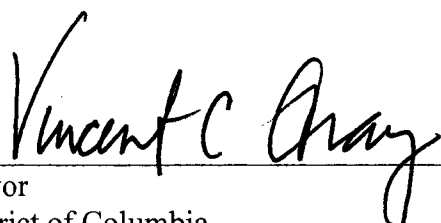
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor, (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia

APPROVED  
December 27, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-247

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend, on a temporary basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish a mandatory controlled substance and alcohol testing and criminal background check and background investigation program for applicants, appointees, employees, volunteers, and contractual workers who have a duty station at the Consolidated Forensic Sciences Laboratory.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Controlled Substance, Alcohol Testing, Criminal Background Check and Background Investigation Temporary Amendment Act of 2013”.

Sec. 2. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) A new Title XX-E is added to read as follows:

“TITLE XX-E. MANDATORY CONTROLLED SUBSTANCE AND ALCOHOL TESTING FOR PROTECTION-SENSITIVE POSITIONS.

“Sec. 2051. Definitions.

“For the purposes of this title, the term:

“(1) “Applicant” means a person who has filed a written or electronic employment application or résumé, or a person seeking a volunteer appointment, with the District government for a position covered by the provisions of this title.

“(2) “Appointee” means a person who has been made a contingent job offer to a position subject to the provisions of this title.

“(3) “Covered employee” means a District government employee occupying a protection-sensitive position.

“(4) “Drug” means a substance which may have medicinal, intoxicating, performance enhancing or other effects when taken or put into a human body and is not considered a food or exclusively a food.

“(5) “Personnel authority” means an individual or entity authorized by section 406 to implement personnel rules and regulations for employees of an agency or group of agencies of the District government or persons delegated this authority by such an individual or entity.

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“(6) “Post-accident employee” means an employee of the District government, who, while on-duty, is involved in a vehicular or other type of accident resulting in personal injury or property damage, or both, in which the cause of the accident could reasonably be believed to have been the result, in whole or in part, of the use of drugs or alcohol on the part of the employee.

“(7) “Protection-sensitive position” means a District government employee, volunteer, or contractual worker in a position having a duty station at the Consolidated Forensic Sciences Laboratory.

“(8) “Reasonable suspicion” means a reasonable belief by a supervisor that an employee in a protection-sensitive position is under the influence of an illegal drug or alcohol to the extent that the employee’s ability to perform the employee’s job may be impaired.

“(9) “Reasonable suspicion referral” means referral of an employee in a protection-sensitive position for testing by the District government for drug or alcohol use.

“(10) “Volunteer” means an individual who works without monetary or other financial compensation.

“(11) “Vulnerable adult” means an individual 18 years of age or older who has a physical or mental condition which impairs the individual’s ability to provide for the individual’s own care or protection.

“Sec. 2052. Drug and alcohol testing for protection-sensitive positions.

“The following individuals shall be tested by the District government for drug and alcohol use:

“(1) Employees in protection-sensitive positions, on a random basis;

“(2) Appointees to protection-sensitive positions;

“(3) Volunteers serving in protection-sensitive positions;

“(4) Applicants under consideration for voluntary service in protection-sensitive positions;

“(5) District employees and volunteers in protection-sensitive positions who have had a reasonable suspicion referral; and

“(6) Post-accident District employees and volunteers in protection-sensitive positions.

“Sec. 2053. Notification of employees.

“(a) All District government employees in protection-sensitive positions shall be given a minimum of 30 days written notice before the implementation of the drug and alcohol testing program set forth by this title. Upon receipt of a written notice of the program, each employee shall be given one opportunity to seek treatment, if the employee has a drug or alcohol problem.

“(b) Upon expiration of the notice period, any confirmed positive drug or alcohol test result, refusal to submit to a drug or alcohol test, or failure to sign the required documents or otherwise cooperate with any part of the drug testing requirements shall result in termination of the employee’s employment in accordance with this title.

“Sec. 2054. Notice to appointees and volunteers.

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“(a) Each vacancy announcement for a protection-sensitive position shall include a statement that applicants shall be tested for drug use upon initial appointment and shall be subject to periodic drug and alcohol testing while occupying a protection-sensitive position.

“(b) When a non-competitive recruitment procedure is involved, the Mayor or the personnel authority shall inform the appointee, at the time the contingent job offer is made, that the appointee shall be tested for drugs upon initial appointment, and that the appointee shall be subject to periodic drug and alcohol testing while occupying a protection-sensitive position.

“(c) Before an individual signs a volunteer agreement to perform protection-sensitive functions, the Mayor or the personnel authority shall notify the individual that the individual shall be tested for drug use upon initial appointment, and that the volunteer shall be subject to periodic drug and alcohol testing while performing these functions.

“(d) Upon selection, appointees shall receive written notification prior to testing for drug and alcohol use.

“Sec. 2055. Testing methodology.

“(a) Drug and alcohol analysis shall be performed by an outside contractor at a laboratory certified by the United States Department of Health and Human Services (“HHS”) to perform job-related drug and alcohol forensic testing.

“(b) The drug and alcohol testing sample shall be collected at a location designated by the District government.

“(c) The collector shall split each sample and secure it for transport to the laboratory.

“(d) The laboratory shall perform the confirmation testing on one sample, and store the split of that sample.

“(e) An individual found to have a confirmed positive urinalysis shall be notified of the result. The individual may then authorize that the stored sample be sent to another HHS-certified laboratory of the individual's choice, at the individual's expense, for confirmation testing.

“(f) Reasonable suspicion and post-accident employee or volunteer testing shall follow the same procedures set forth in subsections (a), (b), (c), and (d) of this section. In these cases, the employee or volunteer shall be escorted by a supervisor to the contractor's test site for specimen collection or a breathalyzer.

“(g) A blood, breath, or urine test conducted pursuant to this section shall be deemed confirmed positive if the test yields a result that the employee's or volunteer's alcohol content was either .04 grams or more per 210 liters of breath, .04 grams or more per 100 milliliters of blood, or .05 grams or more per 100 milliliters of urine.

“Sec. 2056. Positive test results.

“(a) An individual found to have a positive drug or alcohol test shall be notified in writing of the result. The individual may then authorize that the stored sample be sent to another HHS-certified laboratory of the individual's choice, at the individual's expense, for confirmation testing.

“(b) A positive drug or alcohol test, a refusal to submit to a drug or alcohol test, tampering with a drug or alcohol test, or failure to sign required documents or otherwise cooperate with any part of the drug testing requirements shall result in termination of

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employment, withdrawal of a contingent job offer, termination of a volunteer agreement, or withdrawal of a contingent volunteer service agreement.

“(c) The results of a drug or alcohol test conducted pursuant to this title shall not be turned over to a law enforcement agency without the written consent of the employee, appointee, volunteer or a subpoena or court order.

“Sec. 2057. Coverage of private contractual providers.

“Private entities that contract with the District government to provide contract employees to work in protection-sensitive positions shall establish mandatory drug and alcohol testing policies and procedures that are consistent with the requirements of this subchapter.

“Sec. 2058. Submission of positions subject to mandatory drug and alcohol testing.

“(a) Within 60 days after the effective date of this title, personnel authorities shall submit to the Mayor a list of the positions it has designated as subject to the drug and alcohol testing requirements of this title.

“(b) Within 60 days after the effective date of this title, the Chief Procurement Officer shall submit to the Mayor a list of positions in private entities that contract with the District government and are subject to drug and alcohol testing pursuant to this title.

“(c) Personnel authorities shall submit an updated list of the positions subject to the mandatory drug and alcohol testing of this title no later than December 1 of each year.

“(d) The Chief Procurement Officer shall submit to the Mayor each quarter an updated list of the positions in private entities that contract with the District government that are subject to the drug and alcohol testing of this title.

“Sec. 2059. Applicability.

“(a) If, as of the effective date of this act, a District government agency has its own statutory or regulatory drug and alcohol testing policies and procedures and those policies or procedures are stricter than the provisions of this title, this title shall supplement and not replace the agency’s policies and procedures.

“(b) The provisions of this title shall be in addition to, and shall not repeal, the provisions of section 2051 of the Omnibus Personnel Reform Amendment Act of 1998, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-620.11), sections 2021, 2022, 2023, 2024, and 2025 of the Department of Human Services and Commission on Mental Health Services Mandatory Employee Drug and Alcohol Testing and Department of Corrections Conforming Amendment Act of 1999, effective April 13, 1999 (D.C. Law 12-227; D.C. Official Code §§ 1-620.21 through 1-620.25), sections 2031, 2032, 2033, 2034, 2035, 2036, and 2037 of the Child and Youth, Safety and Health Omnibus Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code §§ 1-620.31 through 1-620.37), section 18 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-217), sections 2, 3, 4, and 5 of the Department of Corrections Employee Mandatory Drug and Alcohol Testing of 1996, effective September 20, 1996 (D.C. Law 11-158; D.C. Official Code §§ 24-211.21 through 24-211.24), and Chapter 39 of Title 6B of the District of Columbia Municipal Regulations (6B DMCR § 3900 *et seq.*), entitled "Testing for the Presence of Controlled Substances and Alcohol."

“Sec. 2060. Rules.

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"Within 120 days of the effective date of this title, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this title."

(b) A new Title XX-F is added to read as follows:

"TITLE XX-F.

"CRIMINAL BACKGROUND CHECKS AND BACKGROUND INVESTIGATIONS  
FOR PROTECTION-SENSITIVE POSITIONS OF 2012.

"Sec. 2061. Definitions.

"For the purposes of this title, the term:

"(1) "Applicant" means a person who has filed a written or electronic employment application, or résumé, or a person seeking a volunteer appointment, with the District government for a position covered by the provisions of this title.

"(2) "Appointee" means a person who has been made a contingent job offer to a position covered by the provisions of this title.

"(3) "Background investigation" means a thorough inquiry into the past and present conduct and behavior of an applicant, appointee, employee, or volunteer to determine his or her suitability for employment.

"(4) "Covered employee" means a District government employee occupying a protection-sensitive position.

"(5) "Criminal background check" means the investigation of an individual's criminal history through the record systems of the Federal Bureau of Investigation, the Metropolitan Police Department, or other law enforcement agencies.

"(6) "Employee" means an individual who is employed on a full-time, part-time, or temporary basis by the District government.

"(7) "FBI" means the Federal Bureau of Investigation.

"(8) "MPD" means the Metropolitan Police Department.

"(9) "Personnel authority" means an individual or entity authorized by section 406 to implement personnel rules and regulations for employees of an agency or group of agencies of the District government or persons delegated such authority by such an individual or entity.

"(10) "Protection-sensitive position" means any District government employee, volunteer, or contractual worker in a position having a duty station at the Consolidated Forensic Sciences Laboratory.

"(11) "Suitability" means the quality or state of being acceptable for District government employment with respect to the character, reputation, qualification, and fitness of the person under consideration.

"(12) "Supervised" means under the direction of an individual who has received a current, satisfactory background clearance.

"(13) "Volunteer" means an individual who performs a protection-sensitive function without monetary or other financial compensation.

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“(14) “Vulnerable adult” means an individual 18 years of age or older who has a physical or mental condition which impairs the individual’s ability from providing for the individual’s own care or protection.

“Sec. 2062. Criminal background checks required for certain individuals.

“(a) Except as set forth in subsection (b) of this section, the following individuals shall be subject to criminal background checks:

“(1) An appointee to, or an applicant for, a protection-sensitive position;

“(2) A volunteer who performs a protection-sensitive function; and

“(3) A District government employee occupying a protection-sensitive position.

“(b) An individual with proof of an active federal security clearance may be subject to a criminal background check under subsection (a) of this section.

“Sec. 2063. Authorization to obtain records and notification requirements.

“(a) For competitive recruitments, each vacancy announcement for a position subject to a criminal background check under this title shall include a statement that applicants shall be subject to a criminal background check and a background investigation upon initial appointment to the position and shall be subject to ongoing criminal background checks while employed in the position.

“(b) When a non-competitive recruitment procedure is involved, the Mayor or the personnel authority shall inform the appointee at the time the contingent job offer is made that the appointee shall be subject to a criminal background check before to employment in the covered position and shall be subject to ongoing criminal background checks while employed in the position.

“(c) Before a volunteer signs a volunteer agreement to perform protection-sensitive functions, the Mayor or the personnel authority shall notify the volunteer that a criminal background check shall be conducted before the volunteer begins his or her volunteer activities and shall be subject to ongoing criminal background checks while performing these functions.

“Sec. 2064. Procedures for criminal background checks.

“(a) In order to conduct a criminal background check on an applicant, appointee, volunteer, or covered employee, the Mayor or the personnel authority shall obtain criminal background records maintained by the FBI, MPD, and any jurisdiction in which the applicant, appointee, volunteer, or covered employee has resided or been employed or may otherwise have a criminal history.

“(b) An applicant, appointee, volunteer, or covered employee subject to a criminal background check shall allow himself or herself to be fingerprinted and shall submit any information necessary or useful to conduct the criminal background check as requested by the Mayor or the personnel authority. The fingerprints shall be available for use by the Mayor or the personnel authority to conduct a criminal background check.

“(c) The Mayor or the personnel authority shall conduct criminal background checks, including the fingerprinting of applicants, appointees, volunteers, and covered employees, in accordance with FBI policies and procedures and in an FBI-approved environment.

“(d) The Mayor or the personnel authority shall conduct a criminal background check once the applicant, appointee, covered employee, or volunteer has provided:



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“(1) A complete set of qualified, legible fingerprints, in a form approved by the FBI;

“(2) Written confirmation that the applicant, appointee, covered employee, or volunteer has been informed by the Mayor or the personnel authority that they are authorized to conduct a criminal background check on the applicant, appointee, covered employee, or volunteer;

“(3) Written authorization for the Mayor or the personnel authority to conduct a criminal background check;

“(4) Any additional identification that is required, including the name, social security number, birth date, and gender of the applicant, appointee, covered employee or volunteer;

“(5) A signed affirmation stating whether or not the applicant, appointee, covered employee, or volunteer has been convicted of, entered a guilty plea, including a plea of *nolo contendere* to, or has been found not guilty by reason of insanity of any crime in the District of Columbia or in any other state or territory;

“(6) Written acknowledgment that the Mayor or the personnel authority has notified the applicant, appointee, covered employee, or volunteer of his or her right to obtain a copy of the criminal background check report and to challenge the accuracy and completeness of the report; and

“(7) Written acknowledgment that the Mayor or the personnel authority may choose to deny the applicant or appointee employment or a volunteer position, or terminate a covered employee or volunteer, based on the outcome of the criminal background check.

“(e) Fingerprinting for the purposes of this section may be conducted by any person authorized to do so by the Mayor or the FBI.

“Sec. 2065. Background investigations.

“(a) In addition to criminal background checks, the individuals listed in section 2062 may be subject to background investigations.

“(b) A background investigation pursuant to this title shall consist of:

“(1) A credit check of the applicant, appointee, covered employee, or volunteer that adheres to the notification and consent requirements of the Fair Credit Reporting Act, approved October 26, 1970 (Pub. L. 91-508; 15 USC § 1681), and any other applicable law or regulation, as appropriate;

“(2) A traffic record check, as appropriate; and

“(3) The acquisition and consideration of any other information allowed by law that assists in establishing the suitability for employment of an applicant, appointee, covered employee, or volunteer, including employment history checks and reference checks.

“(c) Any other information allowable by law that shall assist in establishing the suitability of an applicant, appointee, volunteer, or covered employee for employment or volunteer work with the District government.

“Sec. 2066. Assessment of information obtained from criminal background checks and background investigations.

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“(a) The information obtained from a criminal background check or background investigation shall not create an automatic presumption against employment of an applicant, appointee, covered employee, or volunteer. The Mayor or the personnel authority shall determine whether the applicant, appointee, covered employee, or volunteer is unsuitable for employment because of his or her criminal history and background. In making this determination, the Mayor or the personnel authority shall consider the following factors:

“(1) The specific duties and responsibilities of the covered position;

“(2) The bearing, if any, the criminal offense or background information will have on the fitness or ability of the applicant, appointee, covered employee, or volunteer to perform one or more of such duties or responsibilities;

“(3) The time which has elapsed since the occurrence of the criminal offense or negative background information;

“(4) The age of the applicant, appointee, covered employee, or volunteer at the time of the occurrence of the criminal offense or negative background information;

“(5) The frequency and seriousness of the criminal offense or negative background information;

“(6) Any information provided on behalf of the applicant, appointee, covered employee, or volunteer or provided regarding his or her rehabilitation and good conduct since the occurrence of the criminal offense or negative background information; and

“(7) The public policy that it is beneficial generally for ex-offenders to obtain employment.

“(b) If the Mayor or the personnel authority determines that an applicant, appointee, volunteer, or covered employee shall not remain in his or her position because he or she has been determined unsuitable for employment because of the individual’s criminal history and background, the Mayor or the personnel authority shall inform the applicant, appointee, volunteer, or covered employee in writing.

“Sec. 2067. Appeals.

“(a) A covered employee who the Mayor or the personnel authority has determined shall not remain in his or her position because of being determined unsuitable for employment due to the covered employee’s criminal history or background investigation shall have the following appeal rights:

“(1) A covered employee in a position under the Career Service (non-probationary status), Excepted, Executive, Legal, Management Supervisory Service, or in a non-excluded Educational Service position who is not on probationary status may appeal the decision; or

“(2) A covered employee on probationary status or a volunteer may not appeal the decision.

“(b) The Mayor or the personnel authority shall issue rules setting forth the appeal process for an applicant, appointee, or covered employee who is determined unsuitable for employment because of his or her criminal history and background.

“Sec. 2068. Submission of positions subject to criminal background checks.

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“(a) Within 60 days after the effective date of this subchapter, each personnel authority shall submit to the Mayor a list of the positions it has designated as subject to the criminal background check requirements of this subchapter.

“(b) Within 60 days after the effective date of this title, the Chief Procurement Officer shall submit to the Mayor a list of the positions in private entities that contract with the District government that shall be subject to criminal background checks pursuant to this title.

“(c) Personnel authorities shall submit to the Mayor an updated list of the positions subject to the background investigation requirements of this title no later than December 1 of each year.

“(d) The Chief Procurement Officer shall submit to the Mayor quarterly reports listing the positions in private entities that contract with the District government that are subject to the requirements of this title.

“Sec. 2069. Confidentiality of criminal history and background investigation information.

“All criminal history and background information records received by the Mayor or the personnel authority shall be confidential and are for the exclusive purpose of making employment-related determinations under this title. The criminal history and background information records shall not be released or otherwise disclosed to any person except when:

“(1) Required as a component of an application for employment for a position under this title;

“(2) Requested by the Mayor, or his or her designee, during an official inspection or investigation;

“(3) Ordered by a court of competent jurisdiction;

“(4) Authorized by the written consent of the person being investigated; or

“(5) Utilized for a corrective, adverse, or other administrative action in a personnel proceeding related to the position for which the investigation was conducted or any position to which the employee advanced from that position in the District government.

“Sec. 2070. Penalty for providing false information regarding criminal history or background investigations.

“(a) An applicant or appointee under this title who knowingly or through gross negligence provides false information that is material to the conduct of a criminal history check or background investigation shall be denied employment.

“(b) An employee under this title who knowingly or through gross negligence provides false information that is material to the conduct of a criminal history check or background investigation shall be terminated from employment.

“(c) A volunteer under this title who knowingly or through gross negligence provides false information that is material to the conduct of a criminal history check or background investigation shall be prohibited from performing volunteer services for the District government.

“Sec. 2071. Penalties for disclosing confidential criminal history or background investigation information.

“(a) An individual who knowingly discloses criminal history or background investigation information in violation of section 2069 is guilty of a criminal offense and, upon

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conviction, shall be fined no more than \$1,000 or imprisoned for not more than 180 days, or both.

“(b) Prosecutions for violations of this title shall be brought in the Superior Court of the District of Columbia by the Office of the Attorney General for the District of Columbia.

“Sec. 2072. Coverage of private contractual entities.

“Private entities that contract with the District government to provide employees to work in protection-sensitive positions shall establish criminal history check and background investigation policies and procedures that are consistent with the requirements of this title.

“Sec. 2073. Applicability.

“(a) If, as of the effective date of this title, a District government agency has its own criminal history check or background investigation policies and procedures, and those existing policies or procedures are stricter than the provisions of this title, this title shall supplement and shall not replace the agency’s policies and procedures.

“(b) The provisions of this title shall be in addition to, and shall not repeal, the provisions of section 522 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1985 (D.C. Law 6-99; D.C. Official Code § 3-1205.22), the Criminal Background Checks for the Protection of Children Act of 2004, effective April 13, 2005 (D.C. Law 15-353; D.C. Official Code § 4-1501.01 *et seq.*), the Health-Care Facility Unlicensed Personnel Criminal Background Check Act of 1998, effective April 20, 1999 (D.C. Law 12-238; D.C. Official Code § 44-551 *et seq.*), section 2 of the Department of Corrections Criminal Background Investigation Authorization Act of 1998, effective June 19, 1998 (D.C. Law 12-126; D.C. Official Code § 24-211.41), and Chapter 4 of Title 6B of the District of Columbia Municipal Regulations (6B DCMR § 4), entitled "Organization for Personnel Management.”.

“Sec. 2074. Rules.

“Within 120 days of the effective date of this title, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this title.”.

### Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

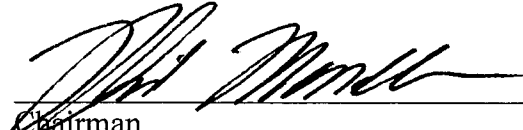
### Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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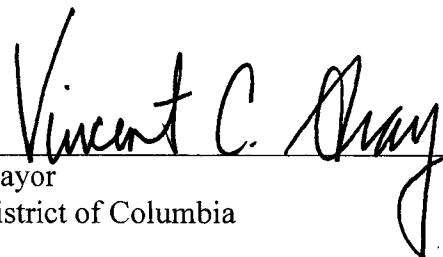
24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

(b) This act shall expire after 225 days of its having taken effect.



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Chairman  
Council of the District of Columbia



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Mayor  
District of Columbia

APPROVED  
December 27, 2013

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-248

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend Chapter 1 of Title 25 of the District of Columbia Official Code to allow for a distillery pub permit for the on-site production of distilled spirits for consumption on-premises, to authorize the sale of distilled spirits in sealed bottles or other closed containers for off-premises consumption, and to provide that the sale of distilled spirits for off-premises consumption is limited to the hours between 7:00 a.m. and midnight, 7 days a week.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Distillery Pub Licensure Act of 2013".

Sec. 2. Chapter 1 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) Section 25-101 is amended by adding a new paragraph (19A) to read as follows:

"(19A) "Distillery pub" means a craft distillery establishment for the manufacture, blending, and rectification of spirits to be sold for on-premises consumption only at the place of manufacture or to licensed wholesalers for the purpose of resale to other licensees, or patrons for off-premises consumption."

(b) A new section 25-125 is added to read as follows:

"§ 25-125. Distillery pub permit requirements and qualifications.

"(a) A distillery pub permit shall authorize the licensee to manufacture, blend, rectify, and store distilled spirits at one location from fruits, grains, neutral grain spirits, or distilled spirits transported from an area that produces distilled spirits to the licensed restaurant, tavern, multipurpose facility, hotel, or nightclub for on-premises consumption, and for sale to licensed wholesalers for the purpose of resale to other licensees.

"(b) A distillery pub permit shall be issued only to the licensee under an on-premises restaurant, tavern, multipurpose facility, hotel, or nightclub license, class C, in conjunction with the issuance of an on-premises restaurant, tavern, multipurpose facility, hotel, or nightclub license, class C.

"(c) The location used to manufacture or age distilled spirits shall be on or immediately adjacent to the restaurant, tavern, multipurpose facility, hotel, or nightclub licensed to the distillery pub owner in accordance with subsection (b) of this section.

"(d) The holder of a distillery pub permit may also sell distilled spirits to patrons in sealed bottles or other closed containers for off-premises consumption; provided, that such sales

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shall be limited to the hours between 7:00 a.m. and midnight, 7 days a week.

"(e) The minimum annual fee of the distillery pub permit shall be \$7,500.

"(f) A distillery pub permit shall be cancelled or revoked if:

"(1) The restaurant, tavern, multipurpose facility, hotel, or nightclub ceases to be operated as a restaurant, tavern, multipurpose facility, hotel, or nightclub; or

"(2) The licensee's on-premises retailer's license, class C, is revoked or cancelled.

"(g) A distillery pub permit shall be automatically suspended whenever and for the same period that the licensee's on-premises retailer's license, class C, is suspended."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman  
Council of the District of Columbia

Mayor  
District of Columbia

APPROVED  
December 27, 2013

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AN ACT

D.C. ACT 20-249

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to add and amend definitions, to require registrants to report bundled contributions, to amend the powers and the duties of the Director of Campaign Finance to require all reports filed with the Election Board be filed online, to include political action committees and independent expenditure committees in the list of entities required to file reports, to amend the reporting requirements, to require candidate and treasurer training on campaign finance laws and regulations, to prohibit contributions in excess of \$100 in the form of a money order or cash, to amend the disclosure requirements for those who make independent expenditures, to clarify that any entity may be treated as an affiliated entity for purposes of this act, and to amend the penalty provisions to increase civil penalties, provide concurrent prosecution authority for misdemeanor violations for the United States Attorney for the District of Columbia and the Attorney General for the District of Columbia, and provide for felony prosecution of all violations committed knowingly.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Campaign Finance Reform and Transparency Amendment Act of 2013".

Sec. 2. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 1-1161.01) is amended as follows:

(1) A new paragraph (2A) is added to read as follows:

"(2A) "Affiliated entity" means each business entity that is related to an entity by virtue of one of the following relationships:

"(A) One of the entities controls the other; or

"(B) The entities share a controller, whether that controller is another entity or an individual."

(2) A new paragraph (3A) is added to read as follows:

"(3A) "Bundled" or "bundling" means to forward or arrange to forward two or more contributions from one or more persons by a person who is not acting with actual authority



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as an agent or principal of a committee. Hosting a fundraiser, by itself, shall not constitute bundling.”.

(3) Paragraph (4) is amended by striking the word ““Business”” and inserting the phrase ““Business or business entity”” in its place.

(4) A new paragraph (4A) is added to read as follows:

“(4A) “Business contributor” means a business entity making a contribution and all of that entity’s affiliated entities.”.

(5) Paragraph (6) is amended as follows:

(A) The lead-in text is amended by inserting the sentence “An individual deemed to be a candidate for the purposes of this act shall not be deemed, solely by reason of that status, to be a candidate for the purposes of any other law.” after the first sentence of the paragraph.

(B) Subparagraph (A) is amended by striking the phrase “himself or herself” and inserting the phrase “the individual” in its place.

(C) Subparagraph (B) is amended by striking the phrase “his or her” and inserting the phrase “the individual’s” in its place.

(D) Subparagraph (C) is amended by striking the sentence “An individual deemed to be a candidate for the purposes of this act shall not be deemed, solely by reason of that status, to be a candidate for the purposes of any other law.”.

(6) Paragraph (10) is amended to read as follows:

“(10)(A) “Contribution” means:

“(i) A gift, subscription (including any assessment, fee, or membership dues), loan (except a loan made in the regular course of business by a business engaged in the business of making loans), advance, or deposit of money or anything of value (including contributions in cash or in kind), made for the purpose of financing, directly or indirectly:

“(I) The nomination or election of a candidate;

“(II) Any operations of a political committee or political action committee; or

“(III) The campaign to obtain signatures on any initiative, referendum, or recall measure, or to bring about the ratification or defeat of any initiative, referendum, or recall measure;

“(ii) A transfer of funds between:

“(I) Political committees;

“(II) Political action committees;

“(III) A political committee and a political action committee; or

“(IV) Candidates.

“(iii) The payment, by any person other than a candidate, a political committee, political action committee, or independent expenditure committee of compensation for the personal services of another person that are rendered to such candidate or committee without charge or for less than reasonable value, or the furnishing of goods,

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advertising, or services to a candidate's campaign without charge or at a rate which is less than the rate normally charged for such services.

“(B) Notwithstanding subparagraph (A) of this paragraph, the term “contribution” does not include:

“(i) Personal or other services provided without compensation by a person (including an accountant or an attorney) volunteering a portion or all of the person's time to or on behalf of a candidate, political committee, political action committee, or independent expenditure committee;

“(ii) Communications by an organization other than a political party solely to its members and their families on any subject;

“(iii) Communications (including advertisements) to any person on any subject by any organization that is organized solely as an issue-oriented organization, which communications neither endorse nor oppose any candidate for office;

“(iv) Normal billing credit for a period not exceeding 30 days;

“(v) Services of an informational or polling nature, designed to seek the opinion of voters concerning the possible candidacy of a qualified elector for public office, before such qualified elector becomes a candidate;

“(vi) The use of real or personal property, and the costs of invitations, food, and beverages voluntarily provided by a person to a candidate in rendering voluntary personal services on the person's residential premises for related activities; provided, that expenses do not exceed \$500 with respect to the candidate's election; and

“(vii) The sale of any food or beverage by a vendor for use in a candidate's campaign at a charge less than the normal comparable charge, if the charge for use in a candidate's campaign is at least equal to the cost of such food or beverage to the vendor; provided, that expenses do not exceed \$500 with respect to the candidate's election.”.

(7) New paragraphs (10A) and (10B) are added to read as follows:

“(10A) “Control” or “controlling interest” means the practical ability to direct or cause to be directed the financial management policies of an entity. An ownership interest of 51% shall constitute a rebuttable presumption of control.

“(10B) “Coordinate” or “coordination” means to take an action, including making an expenditure:

“(A) At the request or suggestion of a candidate or public official, a political committee affiliated with a candidate or public official, or an agent of a candidate or public official or of a political committee affiliated with the candidate or public official; or

“(B) With the material involvement of a candidate or public official, a political committee affiliated with a candidate or public official, or an agent of a candidate or public official or of a political committee affiliated with a candidate or public official.”.

(8) A new paragraph (18A) is added to read as follows:

“(18A) “Entity” shall have the same meaning as provided in § 29-101.02.”.

(9) Paragraph (21) is amended to read as follows:

“(21)(A) “Expenditure” means:

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“(i) A purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value made for the purpose of financing, directly or indirectly:

“(I) The nomination or election of a candidate;

“(II) Any operations of a political committee, political action committee, or independent expenditure committee; or

“(III) The campaign to obtain signatures on any initiative, referendum, or recall petition, or to bring about the ratification or defeat of any initiative, referendum, or recall measure;

“(ii) A transfer of funds between:

“(I) Political committees;

“(II) Political action committees;

“(III) A political committee and a political action committee; or

“(IV) Candidates.

“(B) Notwithstanding subparagraph (A) of this paragraph, the term “expenditure” does not include incidental expenses (as defined by the Elections Board or Ethics Board) made by or on behalf of a person in the course of volunteering that person's time on behalf of a candidate, political committee, or political action committee or the use of real or personal property and the cost of invitations, food, or beverages voluntarily provided by a person to a candidate in rendering voluntary personal services on the person's residential premises for candidate-related activity; provided, that the aggregate value of such activities by such person on behalf of any candidate does not exceed \$500 with respect to any election.”.

(10) Paragraph (22) is amended by striking the phrase “of becoming” and inserting the phrase “of an individual's becoming” in its place.

(11) Paragraph (23)(A) is amended by striking the phrase “A political contribution” and inserting the phrase “A contribution” in its place.

(12) New paragraphs (28A) and (28B) are added to read as follows:

“(28A) “Independent expenditure” means an expenditure that is:

“(A) Made for the principal purpose of promoting or opposing:

“(i) The nomination or election of a candidate;

“(ii) A political party; or

“(iii) Any initiative, referendum, or recall; and

“(B) Not controlled by or coordinated with:

“(i) Any public official or candidate; or

“(ii) Any person acting on behalf of a public official or candidate;

“(28B) “Independent expenditure committee” means any committee, club, association, organization, or other group of individuals that:

“(A) Is organized for the principal purpose of making independent expenditures;

“(B) Is not controlled by or coordinated with:

“(i) Any public official or candidate; or

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and, “(ii) Any person acting on behalf of a public official or candidate;

“(C) Makes no transfer or contributions of funds to:

“(i) Political committees;

“(ii) Political action committees; or

“(iii) Candidates.

(13) Paragraph (30) is amended as follows:

(A) Strike the comma following the word “persons”.

(B) Strike the word “expending” and insert the word “spending” in its place.

(14) A new paragraph (33A) is added to read as follows:

“(33A) “Material involvement” means, with respect to a contribution or expenditure, any communication to or from a candidate or public official, political committee affiliated with a candidate or public official, or any agent of a candidate or public official or political committee affiliated with a candidate or public official, related to the contribution or expenditure. Material involvement includes devising or helping to devise the strategy, content, means of dissemination, or timing of the expenditure, or making any express or implied solicitation of the expenditure.”.

(15) A new paragraph (43A) is added to read as follows:

“(43A) “Political action committee” means any committee, club, association, organization, or other group of individuals that is:

“(A) Organized for the principal purpose of promoting or opposing:

“(i) The nomination or election of a person to public office;

“(ii) A political party; or

“(iii) Any initiative, referendum, or recall; and

“(B) Not controlled by or coordinated with:

“(i) Any public official or candidate; or

“(ii) Any person acting on behalf of a public official or candidate.”.

(16) Paragraph (44) is amended to read as follows:

“(44) “Political committee” means any committee (including any principal campaign, inaugural, exploratory, transition, or legal defense committee), club, association, organization, or other group of individuals that is:

“(A) Organized for the principal purpose of promoting or opposing:

“(i) The nomination or election of a person to public office;

“(ii) A political party;

“(iii) Any initiative, referendum, or recall; or

“(B) An inaugural, transition, or legal defense committee; and

“(C) Controlled by or coordinated with any candidate or public official, or controlled by or coordinated with anyone acting on behalf of a candidate or public official.”.

(b) Section 230(a) (D.C. Official Code § 1-1162.30(a)) is amended as follows:

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(1) Paragraph (3) is amended by striking the phrase “campaign or testimonial committee” and inserting the phrase “political committee or political action committee” in its place.

(2) Paragraph (5) is amended by striking the phrase “and”.

(3) Paragraph (6) is amended by striking the phrase “shall also be listed in the report.” and inserting the phrase “; and” in its place.

(4) A new paragraph (7) is added to read as follows:

“(7) All bundled contributions in accordance with rules promulgated by the Ethics Board”.

(c) Section 231(g)(2) (D.C. Official Code § 1-1162.31(g)(2)) is amended by striking the phrase “, and the representation and services are not provided by a lobbyist or registrant”.

(d) Section 302(c) (D.C. Official Code § 1-1163.02(c)) is amended by striking the phrase “to the United States Attorney for the District of Columbia for prosecution” and inserting the phrase “for prosecution as provided for in section 335” in its place.

(e) Section 303 (D.C. Official Code § 1-1163.03) is amended as follows:

(1) Subsection (a)(1) is amended as follows:

(A) Subparagraph (B) is amended to read as follows:

“(B) To require any person to submit through an electronic format or medium the reports required in this title;”.

(B) Subparagraph (H) is amended by striking the phrase “to the United States Attorney for the District of Columbia” and inserting the phrase “for prosecution” in its place.

(2) Subsection (c) is amended as follows:

(A) Strike the phrase “to the United States Attorney for the District of Columbia” wherever it appears and insert the phrase “for prosecution” in its place.

(B) Strike the sentence “The provisions of this subsection shall in no manner limit the authority of the United States Attorney for the District of Columbia.”.

(f) Section 304 (D.C. Official Code § 1-1163.04) is amended as follows:

(1) New paragraphs (1A) and (1B) are added to read as follows:

“(1A) Require that all reports filed with the Elections Board pursuant to this title be submitted online, provided that reasonable accommodations shall be made where an actual hardship in complying with this paragraph is demonstrated to the Elections Board. The Elections Board shall issue regulations governing the online submission of reports, pursuant to this paragraph;

“(1B) Publish all information submitted by recipients and agencies pursuant to sections of this title online in a publicly accessible, widely accepted, nonproprietary, searchable, platform-independent, sortable, computer-readable format within 24 hours of filing. The database of electronic filings and other data within the portal shall be available via bulk download from the portal website;”.

(2) Paragraph (7) is amended to read as follows:

“(7) Ensure dissemination of statistics, summaries, and reports prepared under this title, including a biennial report summarizing the receipts and expenditures of candidates in

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the prior 2-year period and the receipts and expenditures of political committees, political action committees, and independent expenditures during the prior 2-year period. The Director of Campaign Finance shall make available to the Mayor, Council, and general public the first biennial report by January 31, 2013, and shall present the summary report on the same date every 2 years thereafter. The report shall describe the receipts and expenditures of candidates for Mayor, Attorney General, Chairman and members of the Council, President and members of the State Board of Education, shadow Senator, and shadow Representative, but shall exclude candidates for Advisory Neighborhood Commissioner. The report shall provide, at a minimum, the following information, as well as other information that the Director of Campaign Finance considers appropriate:

“(A) A summary of each candidate’s receipts, in dollar amount and percentage terms, by donor categories that the Director of Campaign Finance considers appropriate, such as the candidate himself or herself, individuals, political party committees, other political committees and political action committees, corporations, partnerships, and labor organizations;

“(B) A summary of each candidate’s receipts, in dollar amount and percentage terms, by the size of the donation, including donations of \$500 or more; donations of \$250 or more but less than \$500; donations of \$100 or more but less than \$250; and donations of less than \$100;

“(C) The total amount of a candidate’s receipts and expenditures for primary and general elections, respectively, when applicable;

“(D) A summary of each candidate’s expenditures, in dollar amount and percentage terms, by operating expenditures, transfers to other authorized committees, loan repayments, and refunds of contributions; and

“(E) A summary of the receipts and expenditures of political committees and political action committees using categories considered appropriate by the Director of Campaign Finance;”.

(3) A new paragraph (7A) is added to read as follows:

“(7A) Require a candidate for public office and the treasurer of any political committee, political action committee, or independent expenditure committee to attend a training program conducted by the Director of Campaign Finance concerning compliance with this title. Such training shall:

“(A) Be conducted in person, although online materials may be used to supplement the training;

“(B) Be completed in accordance with a schedule to be published by the Director of Campaign Finance, or by individual request as the Director of Campaign Finance deems appropriate; and

“(C) Upon completion, result in the completion of an oath or affirmation to follow the District’s campaign finance laws, to be developed by the Director of Campaign Finance. The names of the participants shall be posted on the website of the Office of Campaign Finance;”.

(g) Section 306 (D.C. Official Code § 1-1163.06) is amended as follows:

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(1) The first sentence of subsection (a) is amended to read as follows:

“Upon application made by any individual holding public office, any candidate, any person required to submit filings to the Elections Board under this title, any person who reasonably anticipates being required to submit filings to the Elections Board under this title in connection with a pending election or any subsequent election, or any political committee, political action committee, or other person under the jurisdiction of the Elections Board, the Elections Board shall provide within a reasonable period of time an advisory opinion, with respect to any specific transaction or activity inquired of, as to whether such transaction or activity would constitute a violation of any provision of this title or of any provision of Title I of the Election Code over which the Elections Board has primary jurisdiction.”

(2) A new subsection (c) is added to read as follows:

“(c) There shall be a rebuttable presumption that a transaction or activity undertaken by a person in reliance on an advisory opinion from the Elections Board is lawful if:

“(1) The person requested the advisory opinion;

“(2) The facts on which the opinion is based are full and accurate, to the best knowledge of the person; and

“(3) The person, in good faith, substantially complies with any recommendations in the opinion.”

(h) Section 307 (D.C. Official Code § 1-1163.07) is amended as follows:

(1) The lead-in text is amended by striking the phrase “Political, exploratory, transition, and inaugural committees, which are established pursuant to this subtitle,” and inserting the phrase “Political committees, political action committees, and independent expenditure committees” in its place.

(2) Paragraph (1) is amended by adding a new subparagraph (C-i) to read as follows:

“(C-i) The name, address, and position of all directors and officers;”

(3) Paragraph (4) is amended as follows:

(A) Strike the phrase “No contribution and no expenditure shall” and insert the phrase “No contribution or expenditure may” in its place.

(B) Strike the phrase “No expenditure shall” and insert the phrase “No expenditure may” in its place.

(4) Paragraph (5)(A) is amended as follows:

(A) Strike the phrase “contribution and expenditure” and insert the phrase “contribution or expenditure” in its place.

(B) Strike the phrase “for or” and insert the phrase “accepted or made” in its place.

(i) Section 309 (D.C. Official Code § 1-1163.09) is amended as follows:

(1) Subsections (a) and (b) are amended to read as follows:

“(a) The following individuals shall file with the Director of Campaign Finance, and with the principal campaign committee, if applicable, reports of receipts and expenditures on forms to be prescribed or approved by the Director of Campaign Finance:

“(1) The treasurer of each political committee;

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“(2) The treasurer of each political action committee; and

“(3) The treasurer of each independent expenditure committee.

“(b)(1) The reports required by subsection (a) of this section shall be filed on the 10th day of March, June, August, October, and December in the 7 months preceding the date on which, and in each year during which, an election is held for the office sought, and 8 days before an election, and also by the 31st day of January of each year. In addition, the reports shall be filed on the 31st day of July of each year in which there is no election. The reports shall be complete as of the date prescribed by the Director of Campaign Finance, which shall not be more than 5 days before the date of filing, except that any contribution of \$200 or more received after the closing date prescribed by the Director of Campaign Finance for the last report required to be filed before the election shall be reported within 24 hours after its receipt.”.

(2) Subsection (c) is amended as follows:

(A) A new paragraph (2A) is added to read as follows:

“(2A) For each contribution by a business contributor, any information provided by that business contributor in accordance with section 313(b);”.

(B) Paragraph (4) is amended by striking the final word “and”.

(C) Paragraph (8) is amended by striking the semicolon and inserting the phrase “, and for each expenditure made by a political action committee or independent expenditure committee, the name of any candidate, initiative, referendum, or recall in support of or opposition to which the expenditure is directed;” in its place.

(3) Subsection (e) is amended to read as follows:

“(e)(1) A report or statement required by this subtitle shall be verified by the oath or affirmation of the person filing the report or statement.

“(2) The oath or affirmation required under this subsection shall be given under penalty of perjury and shall state that the filer has used all reasonable diligence in the preparation of the report or statement and the report or statement is true and complete to the best of the filer’s knowledge.

“(3) An oath or affirmation by a candidate shall also state that the candidate has used all reasonable diligence to ensure that:

“(A) The candidate and the candidate’s political committees are in compliance with this subtitle; and

“(B) The candidate’s political committees have advised their contributors of the obligations imposed on those contributors by this title.

“(4) The Elections Board shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. The regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in the regulations shall not be considered until actual payment is made.”.

(4) A new subsection (f) is added to read as follows:



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“(f) Each political committee (including principal campaign, inaugural, transition, and exploratory committees) shall, in a separate schedule of its report to be filed under subsection (a) of this section, disclose the:

“(1) Name, address, and employer of each person reasonably known by the committee to have bundled in excess of \$10,000 during the reporting period; and

“(2) For each person, the total of the bundling.”

(j) Section 311 (D.C. Official Code § 1-1163.11) is amended as follows:

(1) The lead-in text is amended by striking the phrase “political committee” and inserting the phrase “political committee, political action committee, and independent expenditure committee” in its place.

(2) Paragraph (2) is amended by striking the word “political”.

(3) Paragraph (4) is amended by striking the word “political”.

(k) Section 313 (D.C. Official Code § 1-1163.13) is amended to read as follows:

“Sec. 313. Additional identifications and certifications.

“(a)(1) Every political action committee and every independent expenditure committee shall certify, in each report filed with the Director of Campaign Finance, that the contributions it has received and the expenditures it has made have not been controlled or directed by any public official or candidate, by any political committee, or by any political party.

“(2) Every independent expenditure committee shall further certify, in each report filed with the Director of Campaign Finance, that it has made no contributions or transfer of funds to any public official or candidate, any political committee, or any political action committee.

“(b)(1) A business contributor to a political committee, political action committee, or independent expenditure committee shall provide the committee with the identities of the contributor’s affiliated entities that have also contributed to the committee.

“(2) A business contributor shall comply with all requests from the Office of Campaign Finance to provide information about its individual owners, the identity of affiliated entities, the individual owners of affiliated entities, the contributions or expenditures made by such entities, and any other information the deemed relevant to enforcing the provisions of this act.

“(3) Any person other than a political committee, political action committee, or independent expenditure committee that makes one or more independent expenditures in an aggregate amount of \$50 or more within a calendar year, other than by contribution to a committee or candidate, shall, in a report filed with the Director of Campaign Finance, identify the name and address of the person, identify the person’s affiliated entities that have also made an independent expenditure, the amount and object of the expenditures, and the names of any candidates, initiatives, referenda, or recalls in support of or opposition to which the expenditures are directed. The report shall be filed on the dates which reports by committees are filed, unless the value of the independent expenditure totals \$1000 or more in a 2-week period, in which case the report shall be filed within 14 days of the independent expenditure.

“(c) Statements required by this section shall be filed on the dates on which reports by committees are filed, but the content of the filings need not be cumulative.

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“(d) Every person who files statements with the Director of Campaign Finance has a continuing obligation to provide the Director with correct and up-to-date information.”.

(l) Section 315 (D.C. Official Code § 1-1163.15) is amended by adding a new subsection (c) to read as follows:

“(c) Any advertisement supporting or opposing a candidate, initiative, referendum, or recall that is disseminated to the public by a political committee, political action committee, or independent expenditure committee or any other person shall disclose, in the advertisement, the identity of the advertisement’s sponsor.”.

(m) Section 319(b) (D.C. Official Code § 1-1163.19(b)) is amended by striking the phrase “Exploratory committees shall not receive individual contributions” and inserting the phrase “No person, including a business contributor, may make contributions” in its place.

(n) Section 322 (D.C. Official Code § 1-1163.22) is amended to read as follows:  
“Sec. 322. Contributions to inaugural committees.

“No person, including a business contributor, may make any contribution to or for an inaugural committee, and the Mayor or Mayor-elect shall not receive any contribution to or for an inaugural committee from any person, that when aggregated with all other contributions to or for the inaugural committee received from such person, exceeds \$10,000 in an aggregate amount; provided, that the \$10,000 limitation shall not apply to contributions made by the Mayor or Mayor-elect for the purpose of funding his or her own inaugural committee within the District.”.

(o) Section 325 (D.C. Official Code § 1-1163.25) is amended by striking the phrase “of Columbia”.

(p) Section 326 (D.C. Official Code § 1-1163.26) is amended to read as follows:  
“Sec. 326. Contributions to transition committees.

“(a) No person, including a business contributor, may make any contribution to or for a transition committee, and the Mayor or Mayor-elect may not receive any contribution to or for a transition committee from any person, that when aggregated with all other contributions to or for the transition committee received from the person, exceed \$2,000 in an aggregate amount; provided, that the \$2,000 limitation shall not apply to contributions made by the Mayor or Mayor-elect for the purpose of funding his or her own transition committee within the District.

“(b) No person, including a business contributor, may make any contribution to a transition committee, and the Chairman of the Council or Chairman-elect may not receive any contribution to a transition committee from any person, that when aggregated with all other contributions to the transition committee received from the person, exceeds \$1,000 in an aggregate amount; provided, that the \$1,000 limitation shall not apply to contributions made by the Chairman of the Council or Chairman-elect for the purpose of funding his or her own transition committee within the District.”.

(q) Section 333 (D.C. Official Code § 1-1163.33) is amended to read as follows:  
“Sec. 333. Contribution limitations.

“(a) No person, including a business contributor, may make any contribution, and no person may receive any contribution from any contributor, that when aggregated with all other contributions received from that contributor relating to a campaign for nomination as a candidate

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or election to public office, including both the primary and general election or special elections, exceeds:

“(1) In the case of a contribution in support of a candidate for Mayor or for the recall of the Mayor, \$2,000;

“(2) In the case of a contribution in support of a candidate for Attorney General or for the recall of the Attorney General, \$1,500;

“(3) In the case of a contribution in support of a candidate for Chairman of the Council or for the recall of the Chairman of the Council, \$1,500;

“(4) In the case of a contribution in support of a candidate for member of the Council elected at-large or for the recall of a member of the Council elected at-large, \$1,000;

“(5) In the case of a contribution in support of a candidate for member of the State Board of Education elected at-large or for member of the Council elected from a ward or for the recall of a member of the State Board of Education elected at-large or for the recall of a member of the Council elected from a ward, \$500;

“(6) In the case of a contribution in support of a candidate for member of the State Board of Education elected from an election ward or for the recall of a member of the State Board of Education elected from an election ward or for an official of a political party, \$200; and

“(7) In the case of a contribution in support of a candidate for a member of an Advisory Neighborhood Commission, \$25.

“(b) A business contributor shall certify for each contribution that it makes that no affiliated entities have contributed an amount that when aggregated with the business contributor’s contribution would exceed the limits imposed by this act.

“(c)(1) No person, including a business contributor, may make any contribution in any one election for Mayor, Attorney General, Chairman of the Council, each member of the Council, and each member of the State Board of Education (including primary and general elections, but excluding special elections), that when combined with all other contributions made by that contributor in that election to candidates and political committees exceeds \$8,500.

“(2) All contributions to a candidate’s principal political committee shall be treated as contributions to the candidate and shall be subject to the contribution limitations contained in this section.

“(d) Any entity, whether or not considered distinct under Title 29 of the District of Columbia Official Code, may be an affiliated entity for purposes of this act.

“(e)(1) No political committee or political action committee may receive in any one election, including primary and general elections, any contribution in the form of cash or money order from any one person that in the aggregate exceeds \$100.

“(2) No person may make any contribution in the form of cash or money order which in the aggregate exceeds \$100 in any one election to any one political committee or political action committee, including primary and general elections.

“(f) No person may make contributions to any one political committee or political action committee in any one election, including primary and general elections, but excluding special elections, that in the aggregate exceed \$5,000.

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“(g) No contributor may make a contribution or cause a contribution to be made in the name of another person, and no person may knowingly accept a contribution made by one person in the name of another person.

“(h) An independent expenditure is not considered a contribution to or an expenditure by or on behalf of the candidate for the purposes of the limitations specified in this section.

“(i) All contributions made by a person directly or indirectly to or for the benefit of a particular candidate or that candidate’s political committee that are in any way earmarked, encumbered, or otherwise directed through an intermediary or conduit to that candidate or political committee shall be treated as contributions from that person to that candidate or political committee and shall be subject to the limitations established by this act.

“(j)(1) No candidate or member of the immediate family of a candidate may make a loan or advance from his or her personal funds for use in connection with a campaign of that candidate for nomination for election, or for election, to a public office unless a written instrument fully discloses the terms, conditions, and parts to the loan or advance. The amount of any loan or advance shall be included in computing and applying the limitations contained in this section only to the extent of the balance of the loan or advance that is unpaid at the time of determination.

“(2) For the purposes of this subsection, the term “immediate family” means the candidate’s spouse, domestic partner, parent, brother, sister, or child, and the spouse or domestic partner of a candidate’s parent, brother, sister, or child.

“(k) No contributions made to support or oppose initiative or referendum measures shall be affected by the provisions of this section.”

(r) Section 334(a)(1) (D.C. Official Code § 1-1163.34(a)(1)) is amended to read as follows:

“(1) In direct proportion to his or her share of the partnership profits, according to instructions that shall be provided by the partnership to the political committee, political action committee, or candidate; or”.

(s) Section 335 (D.C. Official Code § 1-1163.35) is amended to read as follows:

“Sec. 335. Penalties.

“(a)(1) Except for violations subject to civil penalties identified under paragraph (2) of this subsection, any person who violates any provision of subtitles A through E of this title or of Title I of the Election Code may be assessed a civil penalty for each violation of not more than \$2,000, or 3 times the amount of an unlawful contribution, expenditure, gift, honorarium, or receipt of outside income, whichever is greater, by the Elections Board pursuant to paragraph (3) of this subsection. For the purposes of this section, each occurrence of a violation of subtitles A through E of this title, and each day of noncompliance with a disclosure requirement of subtitles A through E of this title or an order of the Elections Board, shall constitute a separate offense.

“(2)(A) A candidate or other person charged with the responsibility under this Title for the filing of any reports or other documents required to be filed pursuant to this title who fails, neglects, or omits to file any such report or document at the time and in the manner prescribed by law, or who omits or incorrectly states any of the information required by law to be included in such report or document, in addition to any other penalty provided by law, may be

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assessed a civil penalty of not more than \$4,000 for the first offense and not more than \$10,000 for the second and each subsequent offense.

“(B) A political committee, political action committee, or independent expenditure committee that violates subtitle B of this title shall be subject to a civil penalty not to exceed \$4,000 for the first offense, and not more than \$10,000 for the second and each subsequent offense.

“(C) A person who makes a contribution, gift, or expenditure in violation of subtitles A through E of this title may be assessed a civil penalty by the Elections Board not to exceed \$4,000, or 3 times the amount of the unlawful contribution, gift, or expenditure, whichever amount is greater.

“(D) A person who aids, abets, or participates in the violation of any provision of subtitles A through E of this title or of Title I of the Election Code shall be subject to a civil penalty not to exceed \$1,000.

“(3) A civil penalty shall be assessed by the Elections Board by order. An order assessing a civil penalty may be issued only after the person charged with a violation has been given an opportunity for a hearing and the Elections Board has determined, by a decision incorporating its findings of facts, that a violation did occur, and the amount of the penalty. Any hearing under this section shall be on the record and shall be held in accordance with the Administrative Procedure Act.

“(4) Notwithstanding the provisions of paragraph (3) of this subsection, the Elections Board may issue a schedule of fines that may be imposed administratively by the Director of Campaign Finance for violations of subtitles A through E of this title. A civil penalty imposed under the authority of this paragraph may be reviewed by the Elections Board in accordance with the provisions of paragraph (3) of this subsection. The aggregate amount of penalties imposed under the authority of this paragraph may not exceed \$4,000.

“(5) If a person against whom a civil penalty is assessed fails to pay the penalty, the Elections Board shall file a petition for enforcement of its order assessing the penalty in the Superior Court of the District of Columbia. The petition shall designate the person against whom the order is sought to be enforced as the respondent. A copy of the petition shall be sent by registered or certified mail to the respondent and the respondent's attorney of record, and if the respondent is a political committee, political action committee, or independent expenditure committee, to the chairperson of the committee, and the Elections Board shall certify and file in court the record upon which the order sought to be enforced was issued. The court shall have jurisdiction to enter a judgment enforcing, modifying and enforcing as so modified, or setting aside, in whole or in part, the order and the decision of the Elections Board or it may remand the proceedings to the Elections Board for further action as it may direct. The court may determine de novo all issues of law, but the Election Board's findings of fact, if supported by substantial evidence, shall be conclusive.

“(b) Except as provided in subsection (c) of this section, any person who violates any of the provisions of subtitles A through E of this title shall be subject to criminal prosecution and, upon conviction, shall be fined not more than the amount set forth in section 101 of the Criminal

## ENROLLED ORIGINAL

Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for not longer than 6 months, but not both.

“(c) Any person who knowingly violates any of the provisions of subtitles A through E of this title shall be subject to criminal prosecution and, upon conviction, shall be fined not more than the amount set forth in section 101 of the Criminal Fine Proportionality Amendment Act of 2012, effective June 11, 2013 (D.C. Law 19-317; D.C. Official Code § 22-3571.01), or imprisoned for not longer than 5 years, or both.

“(d) Prosecutions pursuant to subsection (b) may be brought by the United States Attorney for the District of Columbia, in the name of the United States, or by the Attorney General for the District of Columbia, in the name of the District of Columbia. If the Attorney General for the District of Columbia initiates an investigation for the purpose of prosecution pursuant to subsection (b) of this section, he shall promptly notify the United States Attorney for the District of Columbia. Prosecutions pursuant to subsection (c) of this section shall be brought by the United States Attorney for the District of Columbia in the name of the United States.

“(e) All actions of the Elections Board, the United States Attorney for the District of Columbia, or the Attorney General for the District of Columbia to enforce the provisions of subtitles A, B, D, and E of this title shall be initiated within 6 years of the actual occurrence of the alleged violation.”.

### Sec. 3. Applicability.

This act shall apply upon the latest of:

- (1) The inclusion of the fiscal effect of this act in an approved budget and financial plan, as certified by the Chief Financial Officer to the Budget Director of the Council in a certification published by the Council in the District of Columbia Register; or
- (2) January 31, 2015.

### Sec. 4. Fiscal impact statement.

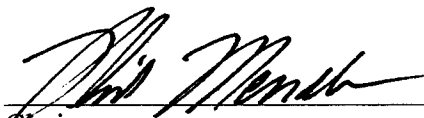
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

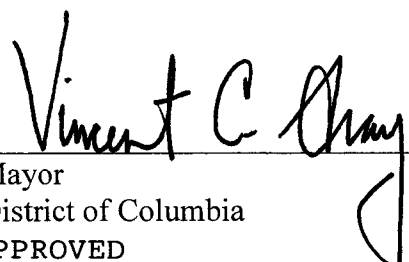
### Sec. 5. Effective date.

All provisions of this act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule

ENROLLED ORIGINAL

Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
\_\_\_\_\_  
Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
December 27, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-250

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend the Prohibition on Government Employee Engagement in Political Activity Act of 2010 to add definitions, clarify that the District of Columbia Board of Ethics and Government Accountability shall enforce its provisions, address non-District elections, and provide enforcement of the act through the Code of Conduct.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Prohibition on Government Employee Engagement in Political Activity Amendment Act of 2013".

Sec. 2. The Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code § 1-1171.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-1171.01) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

"(1) "Board" means the District of Columbia Board of Ethics and Government Accountability established by section 202 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.02)."

(2) Paragraphs (2), (3), (4), and (5) are redesignated as paragraphs (3), (7), (8), and (9), respectively.

(3) A new paragraph (2) is added to read as follows:

"(2) "Candidate" means an individual who seeks nomination or election to any elective office in the District whether or not the person is elected. An individual is deemed to be a candidate if the individual has received political contributions or made expenditures or has consented to another person receiving contributions or making expenditures with a view to bringing about the individual's nomination or election."

(4) The newly redesignated paragraph (3)(A) is amended as follows:

(A) The lead-in text is amended by striking the phrase "other than the following" and inserting the phrase "other than the following (if not otherwise employed by the District)" in its place.

(B) Subparagraph (iii) is amended to read as follows:

"(iii) The Attorney General, after January 1, 2018;".



## ENROLLED ORIGINAL

(C) Sub-subparagraph (vi) is amended by striking the phrase "Education;" and inserting the phrase "Education; or" in its place.

(D) A new sub-subparagraph (vii) is added to read as follows:

"(vii) Members of the District of Columbia Statehood Delegation;"

(5) New paragraphs (4), (5), and (6) are added to read as follows:

"(4) "On duty" means the time period when an employee is:

"(A) In a pay status other than paid leave, compensatory time off, credit hours, time off as an incentive award, or excused or authorized absence (including leave without pay); or

"(B) Representing any agency or instrumentality of the District government in an official capacity.

"(5) "Partisan" when used as an adjective means related to a political party.

"(6) "Partisan political group" means any committee, club, or other organization that is regulated by the District and that is affiliated with a political party or candidate for public office in a partisan election, or organized for a partisan purpose, or which engages in partisan political activity."

(6) The newly redesignated paragraph (7) is amended by striking the phrase "means any office" and inserting the phrase "means any office in the District government" in its place.

(7) The newly redesignated paragraph (8) is amended as follows:

(A) Subparagraph (A) is amended as follows:

(i) Strike the phrase "any activity" and insert the phrase "any activity that is regulated by the District" in its place.

(ii) Strike the phrase "referendum" and insert the phrase "referendum. For the purposes of section 4, political activity is not limited to activities regulated by the District" in its place.

(B) Subparagraph (B) is amended as follows:

(i) Sub-subparagraph (i) is amended by striking the phrase "Board of Elections and Ethics" and inserting the word "Board" in its place.

(ii) Sub-subparagraph (ii)(II) is amended by striking the word "questioners" and inserting the word "questionnaires" in its place.

(8) New paragraphs (10) and (11) are added to read as follows:

"(10) "Political party" means a national political party, a State political party, or an affiliated organization that is regulated by the District.

"(11) "Political purpose" means an objective of promoting or opposing a political party, candidate for partisan political office, or partisan political group that is regulated by the District."

(b) Section 3 (D.C. Official Code § 1-1171.02) is amended as follows:

(1) Subsection (b)(3) is amended by striking the phrase "section 602 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August

## ENROLLED ORIGINAL

14, 1974 (88 Stat. 467; D.C. Official Code § 1-1106.02)" and inserting the phrase "section 224 of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.24)" in its place.

(2) Subsection (c) is repealed.

(c) Section 4 (D.C. Official Code § 1-1171.03) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) New subsections (b) and (c) are added to read as follows

"(b) An employee may not coerce, explicitly or implicitly, any subordinate employee to engage in political activity.

"(c) For the purposes of this section, the term "political activity" is not limited to activities regulated by the District and includes soliciting, accepting, receiving, or making political contributions or other political activities."

(d) Section 5 (D.C. Official Code § 1-1171.04) is amended to read as follows:

"Sec 5. Enforcement.

"A violation of this act shall constitute a violation of the Code of Conduct as defined in section 101(7) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(7)), and shall be enforceable by the Board in accordance with that act."

(e) Section 6 (D.C. Official Code § 1-1171.05) is repealed.

(f) Section 7 (D.C. Official Code § 1-1171.06) is amended by striking the phrase "Board of Elections and Ethics" and inserting the word "Board" in its place.

(g) A new section 7a is added to read as follows:

"Sec. 7a. Conforming amendment.

"Section 101(7) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1161.01(7)), is amended by adding a new subparagraph (E-i) to read as follows:

"(E-i) The Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; 58 DCR 599);".

(h) Section 8 (D.C. Official Code § 1-1171.07) is amended to read as follows.

"Sec. 8. Applicability.

"(a) This act shall apply as of January 29, 2013.

"(b) For an offense committed between January 29, 2013, and the effective date of the Prohibition on Government Employee Engagement in Political Activity Emergency Amendment of 2013, effective March 7, 2013 (D.C. Act 20-25; 60 DCR 3986)("Emergency Act"), this act shall not be construed to prohibit any conduct that was proscribed under the federal Hatch Act, 5 U.S.C. § 7321 *et seq.*, or this act, or authorize any penalties that were not available before the effective date of the Emergency Act."

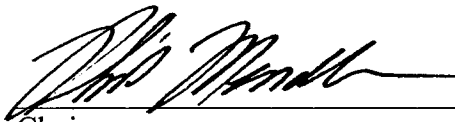
ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

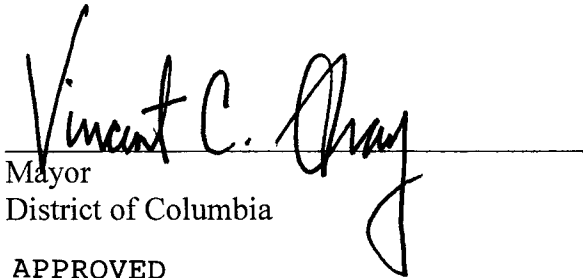
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
December 27, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-251

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend section 25-721 of the District of Columbia Official Code to allow a licensee under a manufacturer's license, class A or B, to sell and deliver alcoholic beverages between the hours of 7:00 a.m. and midnight, Monday through Sunday.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Manufacturers' Sunday Sale Act of 2013".

Sec. 2. Section 25-721 of the District of Columbia Official Code is amended as follows:

(a) Subsection (a) is amended by striking the phrase "a manufacturer's license or".

(b) Subsection (b) is amended by striking the phrase "a manufacturer's license, Class A or B, or".

(c) A new subsection (c) is added to read as follows:

"(c) A manufacturer's license, class A or B, may sell and deliver alcoholic beverages between the hours of 7:00 a.m. and midnight, Monday through Sunday."

Sec. 3. Fiscal impact statement.

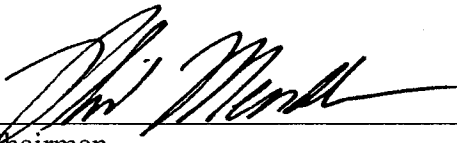
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

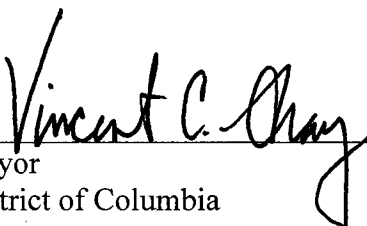
Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
December 27, 2013

ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-252IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
DECEMBER 27, 2013

To amend section 25-118 of the District of Columbia Official Code to allow the holder of a manufacturer's license to conduct product tastings 7 days a week.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Manufacturer Tasting Permit Act of 2013".


Sec. 2. Section 25-118(e) is amended by striking the phrase "Thursday through Saturday" and inserting the phrase "7 days a week" in its place.

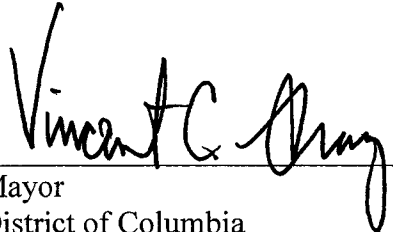
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

  
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Chairman  
Council of the District of Columbia

  
\_\_\_\_\_  
Mayor  
District of Columbia

APPROVED  
December 27, 2013

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ENROLLED ORIGINAL

AN ACT  
D.C. ACT 20-253

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
DECEMBER 27, 2013

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and Chapter 12 of Title 6-B of the District of Columbia Municipal Regulations to permit government employees to take 3 days of leave without loss of pay to make arrangements for or attend the funeral or memorial service of an immediate relative.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Funeral and Memorial Service Leave Amendment Act of 2013".

Sec. 2, The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 1203(n) (D.C. Official Code § 1-612.03(n)) is amended by striking the phrase "who died as a result of wound, disease or injury incurred while serving as a member of the armed forces in a combat zone".

(b) Section 1231(6) (D.C. Official Code §1-612.31(6)) is amended to read as follows:

"(6) "Immediate relative" means:

"(A) An individual who is related to the recipient employee by blood, marriage, adoption, or domestic partnership as father, mother, child, husband, wife, sister, brother, aunt, uncle, grandparent, grandchild, or similar familial relationship;

"(B) An individual for whom the recipient employee is the legal guardian;

or

"(C) A fiancé, fiancée, or domestic partner."

Sec. 3. Chapter 12 of Title 6-B of the District of Columbia Municipal Regulations (6-B DCMR § 1201 *et seq.*) is amended as follows:

(a) Section 1261 is amended as follows:

(1) Subsection 1261.1 is amended by striking the phrase "one (1) day" and inserting the phrase "three (3) days" in its place.

(2) Subsection 1261.3 is repealed.

(b) Section 1299.1 is amended as follows:

(1) The definition for "Combat zone" is repealed.

ENROLLED ORIGINAL

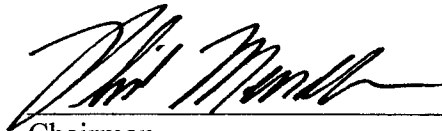
(2) The definition for "Immediate relative" is amended to read as follows:  
"Immediate relative- an individual who is related to an employee covered by this chapter by blood, marriage, adoption, or domestic partnership as father, mother, child, husband, wife, sister, brother, aunt, uncle, grandparent, grandchild, or similar familial relationship; an individual for whom an employee covered by this chapter is the legal guardian; or fiancé, fiancée, or domestic partner of an employee covered by this chapter."

Sec. 4. Fiscal impact statement.

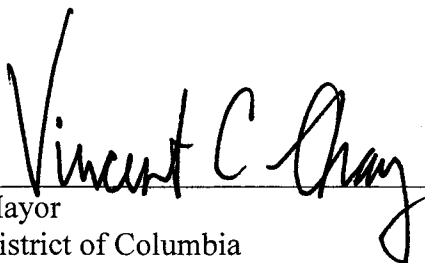
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
December 27, 2013



## ENROLLED ORIGINAL

AN ACT

D.C. ACT 20-254

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 2013

To amend the State Education Office Establishment Act of 2000 to authorize the Office of the State Superintendent of Education to develop and administer student assessments, to require the office to develop guidelines to govern the administration of practice and field tests, and to provide that a local education agency may develop and administer other assessments; to establish student promotion criteria, notice requirements, and remedial education requirements for District of Columbia Public Schools; and to amend the District of Columbia Municipal Regulations to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Focused Student Achievement Amendment Act of 2013".

## TITLE I. STUDENT ASSESSMENT

Sec. 101. Short title.

This title may be cited as the "Student Assessment Amendment Act of 2013".

Sec. 102. The State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 38-2601) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "(OSSE)".

(2) Subsection (b) is amended by striking the phrase "(State Superintendent)".

(b) A new section 2b is added to read as follows:

"Sec. 2b. Definitions.

"For the purposes of this act, the term:

"(1) "Districtwide assessments" has the same meaning as provided in section 2002(13) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.02(13)).

"(2) "Field test" means a test used during the test-development process to assess the quality and appropriateness of test items, administration procedures, scoring, and reporting.

"(3) "Local education agency" or "LEA" means an educational institution at the local level that exists primarily to operate a publicly funded school or schools in the District of Columbia, including the District of Columbia Public Schools and a District of Columbia public charter school.

"(4) "OSSE" means the Office of the State Superintendent of Education established by section 2.

## ENROLLED ORIGINAL

“(5) “Practice test” means any test or other evaluation that has as its primary purpose the simulation of a Districtwide assessment or other test or evaluation as administered by an LEA rather than for assessing student proficiency levels or informing instruction and remediation needs.

“(6) “State Superintendent” means the head of OSSE appointed by the Mayor pursuant to section 2.”.

(c) A new section 7d is added to read as follows:

“Sec. 7d. Student assessments.

“(a)(1) OSSE shall develop and administer all student tests and evaluations required by federal law or as a condition of a federal grant including the yearly student academic assessments that are required for the purposes of determining adequate yearly progress under Title I, Part A, section 1111 of the Elementary and Secondary Education Act of 1965, approved January 8, 2002 (115 Stat. 1444; 20 U.S.C. § 6311).

“(2) OSSE may develop and administer:

“(A) Districtwide assessments; and

“(B) Tests and evaluations for purposes of allowing comparisons with international, national, or state indicators of student achievement; provided, that the test or evaluation be conducted with the smallest sample of students necessary to ensure valid comparisons.

“(3) OSSE shall develop guidelines for the administration of practice and field tests, which shall include recommendations on the:

“(A) Maximum amount of instructional time per year a school should devote to the administration of practice tests;

“(B) Appropriate timing for the administration of field tests; and

“(C) Maximum number of field tests in which a school should participate.

“(b)(1) An LEA may develop and administer developmentally appropriate tests and evaluations for purposes of assessing student proficiency levels or informing instruction and remediation needs and may establish a policy allowing the tests and evaluations to constitute a portion of a student’s final grade; provided, that the test or other evaluation primarily tests content for the course for which the assessment, test, or evaluation is administered and that the policy is provided to its students and parents and made publicly available at the start of the school year.

“(2) Each LEA shall limit administration of practice and field tests based upon:

“(A) The guidelines as developed by OSSE pursuant to subsection (a)(3) of this section; or

“(B) A policy developed by the LEA; provided, that if the LEA develops its own policy, it shall provide the policy to its students and the students’ parents and make the policy publicly available before the administration of any practice or field test.”.

## TITLE II. STUDENT PROMOTION

Sec. 201. Short title.

This title may be cited as the “Student Promotion Act of 2013”.

## ENROLLED ORIGINAL

## Sec. 202. Definitions.

For the purposes of this title, the term:

- (1) "Chancellor" means the chief executive officer of DCPS, as established by section 105 of the District of Columbia Public Schools Agency Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174).
- (2) "DCMR" means the District of Columbia Municipal Regulations.
- (3) "DCPS" means the District of Columbia Public Schools agency established by section 102 of the District of Columbia Public Schools Agency Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-171).
- (4) "Parent" means a natural parent, adoptive parent, step-parent, or any person who has legal custody of a student by court order.
- (5) "Passing grade" means:
  - (A) For pre-kindergarten through 5<sup>th</sup> grade, achieving proficient or advanced grades in a subject or content area; and
  - (B) For 6<sup>th</sup> through 12<sup>th</sup> grade, receiving credit for a course.
- (6) "Principal" means a principal at a DCPS school.
- (7) "Promoted" describes students in pre-kindergarten through 11<sup>th</sup> grade who are advanced to the next grade level.
- (8) "Promotion" means advancement to the next grade level for students in pre-kindergarten through grade 11.
- (9) "Retained" describes students who are required to repeat their current grade level due to their failure to meet promotion criteria.
- (10) "Retention" means repetition of a student's current school grade level due to the student's failure to meet promotion criteria.
- (11) "School year" means the school term beginning in August of one year and ending in the following year. The term "school year" does not include summer school.
- (12) "Subject" and "content area" mean a particular course of study, such as mathematics, English language arts, writing, or literature.

## Sec. 203. Student retention and promotion.

- (a) In accordance with the requirements of this act or as set forth in the DCMR, a DCPS student can be retained at any grade level.
- (b)(1) Decisions regarding the promotion and retention of a DCPS student enrolled in pre-kindergarten through 8<sup>th</sup> grade shall be made by the student's principal based upon the recommendation of the student's teacher and in consideration of the promotion requirements set forth in the DCMR.
  - (2) A DCPS student enrolled in 9<sup>th</sup> grade through 11<sup>th</sup> grade shall be promoted if the student meets the promotion requirements as set forth in the DCMR.
- (c) Notwithstanding subsection (b) of this section:
  - (1) A principal may:
    - (A) Retain any student who does not meet the promotion requirements set forth in the DCMR; and

## ENROLLED ORIGINAL

(B) Promote a student who has failed to meet the promotion requirements set forth in the DCMR; provided, that the principal submits a written explanation justifying the decision to the Chancellor before the promotion is made; and

(2) No student with more than 30 unexcused absences in a school year shall be promoted unless the principal submits a written explanation justifying the decision to the Chancellor before the promotion is made.

(d) The Chancellor may develop separate promotion criteria for students who are enrolled in an English language learner program or receive special education services.

Sec. 204. Reporting requirements.

Within 30 calendar days after the end of the school year, the Chancellor shall submit to the Office of the State Superintendent of Education the name of each:

(1) Student who was identified as at risk of retention pursuant to 5-E DCMR § 2200.9 and a description of intervention services provided to the student; and

(2) Retained student, the underlying reason for the retention decision, and whether the student was identified as at risk of retention pursuant to the requirements of 5-E DCMR § 2200.9.

Sec. 205. Review; appeals.

(a) The Chancellor shall establish procedures to review retention decisions made pursuant to this act or as set forth in the DCMR and may review all retention decisions made pursuant to the procedures.

(b) The Chancellor shall establish a process, including deadlines, to allow the parent of a student to be retained for failure to meet the promotion criteria specified in the DCMR to appeal the retention decision on the grounds that the student has met the promotion criteria.

Sec. 206. Summer school.

(a)(1) Each student retained for the failure to meet the promotion criteria specified in the DCMR shall attend the summer school session immediately following the school year in which the student was retained, unless specifically excused by the principal or the Chancellor.

(2) A student who attends summer school pursuant to this section shall be reevaluated for promotion if the student:

(A) Does not have more than 3 unexcused absences from summer school;  
and

(B) Receives a passing grade in the subject or content area for which the student did not achieve a passing grade during the school year.

(3) A student who meets the promotion criteria set forth in the DCMR after the completion of summer school shall be promoted.

(b) In addition to those students identified to attend summer school pursuant to subsection (a) of this section, each principal shall provide to the Chancellor before the summer school registration deadline a list of the names of all students who the principal believes could benefit from summer school.

## ENROLLED ORIGINAL

## Sec. 207. Rules.

The Chancellor, pursuant to section 105(c)(5) of the District of Columbia Public Schools Agency Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code 38-174(c)(5)), shall issue rules to implement the provisions of this title.

## TITLE III. CONFORMING AMENDMENTS

Sec. 301. Chapter 22 of Subtitle E of Title 5 of the District of Columbia Municipal Regulations (5-E DCMR § 2200 *et seq.*) is amended as follows:

(a) Section 2200.9 is amended by adding a new paragraph (b-1) to read as follows:

“(b-1) At least 90 calendar days before to the end of the school year, provide parents of students at risk for retention with:

“(A) Notice of the student’s status, which shall include a statement of the student’s academic deficiencies and the possible consequences if the student does not meet the applicable promotion criteria; and

“(B) Information to assist the parents in helping their child meet the promotion criteria.”.

(b) Section 2201 is amended as follows:

(1) The lead-in language for subsection 2201.4 is amended to read as follows: “A student may be retained in any grade, with the following requirements:”.

(2) Subsection 2201.5 is repealed.

(3) Subsection 2201.6 is amended by striking the phrase “pre-kindergarten through fifth (5th) grade” and inserting the phrase “pre-kindergarten through eighth (8th) grade” in its place.

(4) Subsection 2201.7 is repealed.

## TITLE IV. GENERAL PROVISIONS

## Sec. 401. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

## Sec. 402. Effective date.

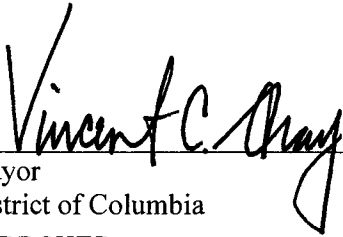
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as

ENROLLED ORIGINAL

provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
December 27, 2013

ENROLLED ORIGINAL

AN ACT  
D.C. ACT 20-255IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
DECEMBER 27, 2013

To amend Chapter 43 of Title 47 of the District of Columbia Official Code to provide that a taxpayer whose taxable income for taxable years beginning after December 31, 1997, and ending before January 1, 2001, was changed or corrected by the Commissioner of Internal Revenue and who meets the requirements of this act shall be allowed a tax credit equal to the decrease in the District tax for the applicable years equally divided over a 4-year period beginning in tax year January 1, 2018.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Tax Clarity Equity Act of 2013".

Sec. 2. Chapter 43 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-4304.01. Defined tax credit related to IRS income adjustments."

(b) A new section 47-4304.01 is added to read as follows:

"§ 47-4304.01. Defined tax credit related to IRS income adjustments.

"A taxpayer whose taxable income was changed or corrected by the Commissioner of Internal Revenue for taxable years beginning after December 31, 1997, and ending before January 1, 2001, shall be allowed a tax credit equal to the decrease in the District tax for the applicable years; provided, that:

"(1) The changed or corrected taxable income was based on a federal income tax provision to which District tax law conforms;

"(2) The District has not previously adjusted the taxpayer's return to encompass the change or correction;

"(3) The tax credit shall be applied over a 4-year period in equal amounts in tax years beginning on or after January 1, 2018;

"(4) The credit shall be without overpayment interest; and

"(5) In each year in which the credit is taken on a return, the taxpayer shall notify the Office of Tax and Revenue by designating on that return the tax type or types to which the credit shall apply for that year."

ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

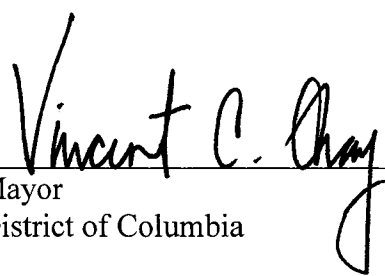
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02 (c)(1)), and publication in the District of Columbia Register.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
December 27, 2013



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**NOTICE OF INTENT TO ACT ON NEW LEGISLATION**

The Council of the District of Columbia hereby gives notice of its intention to consider the following legislative matters for final Council action in not less than **15 days**. Referrals of legislation to various committees of the Council are listed below and are subject to change at the legislative meeting immediately following or coinciding with the date of introduction. It is also noted that legislation may be co-sponsored by other Councilmembers after its introduction.

Interested persons wishing to comment may do so in writing addressed to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, NW, Room 5, Washington, D.C. 20004. Copies of bills and proposed resolutions are available in the Legislative Services Division, 1350 Pennsylvania Avenue, NW, Room 10, Washington, D.C. 20004 Telephone: 724-8050 or online at [www.dccouncil.us](http://www.dccouncil.us).

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<b>COUNCIL OF THE DISTRICT OF COLUMBIA</b>	<b>PROPOSED LEGISLATION</b>
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**BILLS**

B20-634      District of Columbia Air Pollution Control Amendment Act of 2014

Intro. 01-06-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

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B20-638      Solid Waste Facility Permit Amendment Act of 2014

Intro. 01-07-14 by Councilmembers McDuffie, Cheh, Bonds and Chairman Mendelson referred to the Committee on Transportation and the Environment

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B20-640      District of Columbia Science, Technology, Engineering, and Math Fund Establishment Act of 2014

Intro. 01-07-14 by Councilmember Bowser and referred to the Committee on Economic Development with comments from the Committee on Education and the Committee of the Whole

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B20-641      Waste Management Modernization Amendment Act of 2014

Intro. 01-07-14 by Councilmembers Cheh and McDuffie and referred to the Committee on Transportation and the Environment

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**BILLS CON'T**

B20-642 Fair Criminal Record Screening Act of 2014

Intro. 01-07-14 by Councilmembers Wells, McDuffie, Graham, Bonds, Barry, Bowser, Orange, and Chairman Mendelson and referred to the Committee on Judiciary and Public Safety with comments from the Committee on Business, Consumer, and Regulatory Affairs

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B20-643 Rat Prevention Control Act of 2014

Intro. 01-07-14 by Councilmember Graham and referred to the Committee on Business, Consumer and Regulatory Affairs with comments from the Committee on Health

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B20-644 Living Wage Amendment Act of 2014

Intro. 01-07-14 by Councilmember Orange and referred to the Committee on Business, Consumer, and Regulatory Affairs

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**PROPOSED RESOLUTIONS**

PR20-615 Board of Massage Therapy Danielle M. Weatherford Confirmation Resolution of 2014

Intro. 01-02-14 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Health

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PR20-619 Sense of the Council on the Need for the Washington Metropolitan Area Transit Authority to Establish a Returning Citizens Policy Resolution of 2014

Intro. 01-07-14 by Councilmember Bowser and referred to the Committee on Economic Development

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Council of the District of Columbia  
Committee on Human Services  
**NOTICE OF PUBLIC HEARING**  
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

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**THE COMMITTEE ON HUMAN SERVICES  
JIM GRAHAM, CHAIRPERSON**

**ANNOUNCES A PUBLIC HEARING ON**

**BILL 20-0607, THE “CHILD DEVELOPMENT HOME LICENSE REGULATION  
AMENDMENT ACT OF 2013”**

**TUESDAY, JANUARY 28, 2014 AT 11:00 A.M.**

**ROOM 500  
THE JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004**

Councilmember Jim Graham, Chairperson of the Committee on Human Services, announces a Public Hearing on Bill 20-0607, the “Child Development Home License Regulation Amendment Act of 2013.” The hearing will be held on Tuesday, January 28, 2014 at 11:00 a.m. in Room 500 of the John A. Wilson Building.

Bill 20-607 would change the existing limit which prohibits “child development homes” from serving more than two (2) children younger than two (2) years of age. The legislation would allow a “child development home” to be licensed to serve up to six (6) children with a ratio of one (1) adult to two (2) children if there are two (2) or more children younger than two (2) years of age in the group.

Those who wish to testify should contact Mr. Malcolm Cameron of the Committee on Human Services by e-mail at [mcameron@dccouncil.us](mailto:mcameron@dccouncil.us) or by telephone at (202) 724-8191 by January 27, 2014. E-mail contacts to Mr. Cameron should include the residential ward, full name, title, and affiliation -- if applicable -- of the person(s) testifying. Witnesses should bring 15 copies of their written testimony to the hearing. Witnesses representing an organization should limit their testimony to five minutes; individual witnesses will have three minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee on Human Services, 1350 Pennsylvania Avenue, N.W., Room 116, Washington, D.C. 20004, no later than 5:30 p.m., February 11, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**CHAIRMAN PHIL MENDELSON  
COMMITTEE OF THE WHOLE  
ANNOUNCES A PUBLIC HEARING**

on

**Bill 20-627, Post-Employment Benefits Trust Fund Jurisdiction Amendment Act of 2013**

on

**Tuesday, January 28, 2014  
1:30 p.m., Hearing Room 412, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on Bill 20-627, the “Post-Employment Benefits Trust Fund Jurisdiction Amendment Act of 2013.” The public hearing will be held Tuesday, January 28, 2014, at 1:30 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of Bill 20-627 is to amend the law to entrust the District of Columbia Retirement Board with responsibility for managing the assets of the Annuitants’ Health and Life Insurance Employer Contribution Trust Fund, and to require that the same fiduciary obligations and assumptions for other pension funds managed by the Retirement Board be made applicable to the Trust Fund. The monies in the Trust Fund are held for the purpose of providing post-retirement benefits (health insurance) for retirees of the District government.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Jessica Jacobs, Legislative Counsel, at [jjacobs@dccouncil.us](mailto:jjacobs@dccouncil.us) and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Friday, January 24, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on January 24, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of Bill 20-627 can be obtained through the Legislative Services Division of the Secretary of the Council’s office or at <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, February 3, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY  
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, D.C. 20004

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**COUNCILMEMBER TOMMY WELLS, CHAIRPERSON  
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY**

**ANNOUNCES A PUBLIC HEARING ON**

**PR 20-567, THE “OFFICE OF HUMAN RIGHTS MÓNICA PALACIO  
CONFIRMATION RESOLUTION OF 2013”**

**Monday, February 3, 2014  
1:30 p.m.**

**Room 412  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004**

Councilmember Tommy Wells, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public hearing on Monday, February 3, 2014, beginning at 1:30 p.m. in Room 412 of the John A. Wilson Building.

The purpose of this hearing is to receive public comment on the Mayor’s nomination of Mónica Palacio to serve as the Director of the Office on Human Rights of the District of Columbia.

The Committee invites the public to testify. Those who wish to testify should contact Tawanna Shuford at 724-7808 or [tshuford@dccouncil.us](mailto:tshuford@dccouncil.us), and furnish their name, address, telephone number, and organizational affiliation, if any, by 5 p.m. on Thursday, January 30, 2014. Testimony may be limited to 3 minutes for individuals and 5 minutes for those representing organizations or groups. Witnesses should bring 15 copies of their testimony. Those unable to testify at the public hearing are encouraged to submit written statements for the official record. Written statements should be submitted by 5 p.m. on Thursday, February 13, 2014 to Ms. Shuford, Committee on the Judiciary and Public Safety, Room 109, 1350 Pennsylvania Ave., NW, Washington, D.C., 20004, or via email at [tshuford@dccouncil.us](mailto:tshuford@dccouncil.us).

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**CHAIRMAN PHIL MENDELSON  
COMMITTEE OF THE WHOLE  
ANNOUNCES A PUBLIC HEARING**

on

**PR 20-575, Abandonment of the Highway Plan for a Portion of 28<sup>th</sup> and Austin Streets,  
S.E., S.O. 13-11875 Resolution of 2013**

on

**Wednesday, January 29, 2014  
11:30 a.m., Hearing Room 120, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on PR 20-575, the “Abandonment of the Highway Plan for a Portion of 28<sup>th</sup> and Austin Streets, S.E., S.O. 13-11875 Resolution of 2013.” The public hearing will be held Wednesday, January 29, 2014, at 11:30 a.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of PR 20-575 is to approve the removal of a portion of 28<sup>th</sup> and Austin Streets, S.E., (abutting Parcel 213/52 in Square 5632) from the Plan of Permanent System of Highways of the District of Columbia. Approval of Bill PR-20-575 is related to the development of Skyland Town Center.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Crispus Gordon III, Legislative Assistant, at [cgordon@dccouncil.us](mailto:cgordon@dccouncil.us) and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Monday, January 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on January 27, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of PR 20-575 can be obtained through the Legislative Services Division of the Secretary of the Council’s office or at <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, February 3, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
NOTICE OF PUBLIC HEARING**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**CHAIRMAN PHIL MENDELSON  
COMMITTEE OF THE WHOLE  
ANNOUNCES A PUBLIC HEARING**

on

**PR 20-597, Zoning Commission of the District of Columbia Anthony J. Hood Confirmation  
Resolution of 2013**

on

**Wednesday, January 29, 2014  
11:00 a.m., Hearing Room 120, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public hearing of the Committee of the Whole on PR 20-597, the “Zoning Commission of the District of Columbia Anthony J. Hood Confirmation Resolution of 2013.” The public hearing will be held Wednesday, January 29, 2014, at 11:00 a.m. in Hearing Room 120 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The stated purpose of PR 20-597 is to confirm the reappointment of Anthony J. Hood as a member of the Zoning Commission of the District of Columbia. The purpose of this hearing is to receive testimony from government and public witnesses as to the fitness of this nominee for the Zoning Commission.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Jessica Jacobs, Legislative Counsel, at [jjacobs@dccouncil.us](mailto:jjacobs@dccouncil.us) and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Monday, January 27, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on January 27, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses. A copy of PR 20-597 can be obtained through the Legislative Services Division of the Secretary of the Council’s office or at <http://dcclims1.dccouncil.us/lims>.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Monday, February 3, 2014.

**Council of the District of Columbia  
Committee on the Judiciary and Public Safety  
Notice of Public Oversight Hearing  
1350 Pennsylvania Avenue, NW, Washington, D.C. 20004**

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ABBREVIATED

**COUNCILMEMBER TOMMY WELLS, CHAIRPERSON  
COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY**

**ANNOUNCES A PUBLIC OVERSIGHT HEARING**

**on**

**“The Metropolitan Police Department:  
Standards, Training, Investigation, and Intervention Related to Police Officer Conduct”**

**Friday, January 24, 2014  
2 p.m.  
Room 500, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, D.C. 20004**

Tommy Wells, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public oversight hearing to review policies and procedures related to the Metropolitan Police Department (MPD) standards, training, internal investigations and interventions regarding police officer conduct. This notice is abbreviated pursuant to Council Rule 421(c)(3).

The oversight hearing will be held on Friday, January 24, 2014, beginning at 2 p.m. in Room 500 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004.

The purpose of this oversight hearing is to review and discuss how the MPD handles reports of possible criminal conduct by police officers; the policies and procedures for internal investigations; what standards are in place for the hiring, supervision, and continued training of officers; and what type of interventions the MPD employs to identify potential issues with officer integrity and ethics.

The Committee invites the public to testify. Individuals and representatives of organizations who wish to testify should contact Tawanna Shuford at 724-7808 or [tshuford@dccouncil.us](mailto:tshuford@dccouncil.us), and furnish their name, address, telephone number, and organizational affiliation, if any, by 5 p.m. on Wednesday, January 22, 2014. Witnesses should bring 15 copies of their testimony. Testimony may be limited to 3 minutes for individuals and 5 minutes for those representing organizations or groups.

If you are unable to testify at the public hearing, written statements are encouraged and will be made part of the official record. Written statements should be submitted by 5 p.m. on Monday, February 3, 2014 to Ms. Shuford, Committee on the Judiciary and Public Safety, Room 109, 1350 Pennsylvania Ave., NW, Washington, D.C., 20004, or via email at [tshuford@dccouncil.us](mailto:tshuford@dccouncil.us).



**COUNCIL OF THE DISTRICT OF COLUMBIA  
COMMITTEE OF THE WHOLE  
NOTICE OF PUBLIC OVERSIGHT ROUNDTABLE**  
1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**CHAIRMAN PHIL MENDELSON  
COMMITTEE OF THE WHOLE  
ANNOUNCES A PUBLIC OVERSIGHT ROUNDTABLE**

on

**Office of Contracting and Procurement Reform Initiative and Personnel**

on

**Wednesday, January 22, 2014  
2:30 p.m., Hearing Room 412, John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004**

Council Chairman Phil Mendelson announces a public oversight hearing of the Committee of the Whole on the Office of Contracting and Procurement Reform Initiative and Personnel. The public oversight hearing will be held Wednesday, January 22, 2014, at 2:30 p.m. in Hearing Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW.

The purpose of this oversight hearing is to receive testimony from the Office of Contracting and Procurement (OCP) on its continued implementation the contracting reform initiative aimed at improving the procurement process. The Committee will also receive an update on the Office's efforts to fill its 18 additional positions which were funded in the fiscal year 2014 budget and other issues related to procurement.

Those who wish to testify are asked to telephone the Committee of the Whole, at (202) 724-8196, or e-mail Evan Cash, Committee Director, at [ecash@dccouncil.us](mailto:ecash@dccouncil.us) and provide their name, address, telephone number, and organizational affiliation, if any, by the close of business Friday, January 17, 2014. Persons wishing to testify are encouraged, but not required, to submit 15 copies of written testimony. If submitted by the close of business on January 17, 2014, the testimony will be distributed to Councilmembers before the hearing. Witnesses should limit their testimony to five minutes; less time will be allowed if there are a large number of witnesses.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Copies of written statements should be submitted to the Committee of the Whole, Council of the District of Columbia, Suite 410 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday, February 5, 2014.

**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**Notice of Reprogramming Requests**

Pursuant to DC Official Code Sec 47-361 et seq. of the Reprogramming Policy Act of 1990, the Council of the District of Columbia gives notice that the Mayor has transmitted the following reprogramming request(s).

A reprogramming will become effective on the 15th day after official receipt unless a Member of the Council files a notice of disapproval of the request which extends the Council's review period to 30 days. If such notice is given, a reprogramming will become effective on the 31st day after its official receipt unless a resolution of approval or disapproval is adopted by the Council prior to that time.

Comments should be addressed to the Secretary to the Council, John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., Room 5 Washington, D.C. 20004. Copies of reprogramming requests are available in Legislative Services, Room 10.  
Telephone: 724-8050

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**Reprog. 20-144:** Request to reprogram \$500,000 of Fiscal Year 2014 Local funds budget authority within the Office of the State Superintendent of Education (OSSE) was filed in the Office of the Secretary on January 2, 2014. This reprogramming ensures that OSSE will be able to pay for a comprehensive professional development system for early intervention services as well as other early intervention contracts that are not direct services.

RECEIVED: 14 day review begins January 3, 2014

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS  
CALENDAR

WEDNESDAY, JANUARY 15, 2014  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S,  
WASHINGTON, D.C. 20009

Ruthanne Miller, Chairperson  
Members:

Nick Alberti, Donald Brooks, Herman Jones, Mike Silverstein

- Protest Hearing (Status)** **9:30 AM**  
**Case # 13-PRO-00146;** Ghana Café, LLC, t/a Ghana Café, 1336 14th Street  
NW, License #82751, Retailer CR, ANC 2F  
**Substantial Change (Entertainment Endorsement)**
- Show Cause Hearing (Status)** **9:30 AM**  
**Case # 13-CMP-00299;** Terasol Gallery & Café, t/a Terasol, 5010 Connecticut  
Ave NW, License #85467, Retailer CR, ANC 3F  
**No ABC Manager on Duty, Failed to Make Settlement Agreement**  
**Accessible, Failed to Post Pregnancy Sign, Failed to Post Legal Drinking**  
**Age Sign**
- Show Cause Hearing (Status)** **9:30 AM**  
**Case # 12-AUD-00033(a),** Queen of Sheba, Inc., t/a Queen of Sheba, 1503 9th  
Street NW, License #73644, Retailer CR, ANC 6E  
**Failed to Comply with Board Order No. 2013-350**
- Show Cause Hearing (Status)** **9:30 AM**  
**Case # 13-CMP-00319;** Sami Restaurant, LLC, t/a Bistro 18, 2420 18th Street  
NW, License #86876, Retailer CR, ANC 1C  
**Violation of Settlement Agreement**
- Show Cause Hearing (Status)** **9:30 AM**  
**Case # 13-CMP-00339;** Clover Logan Circle, LLC, t/a Tortilla Coast, 1454 P  
Street NW, License #86859, Retailer CR, ANC 2F  
**Failed to Post Pregnancy Sign, Failed to Post Legal Drinking Age Sign**

Board's Calendar

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**Show Cause Hearing (Status) 9:30 AM**

**Case # 13-CMP-00286;** GBP, LLC, t/a Tackle Box, 3245 M Street NW

License #84952, Retailer CR, ANC 2E

**Failed to Post ABC Licenses, Substantial Change without Board Approval  
(Expansion of Operation), Substantial Change without Board Approval  
(Increase in Occupancy)**

**Show Cause Hearing (Status) 9:30 AM**

**Case # 13-CC-00067;** Hwan P. Eun, t/a West End Market, 2424 Pennsylvania  
Ave NW, License #74663, Retailer A, ANC 2A

**Interfered with an ABRA Investigation**

**Show Cause Hearing (Status) 9:30 AM**

**Case # 13-CMP-00459;** Habtmical Letckidan, t/a Rafael Grocery Deli, 233

Florida Ave NW, License #60359, Retailer B, ANC 5E

**Sold Go-Cups**

**Show Cause Hearing (Status) 9:30 AM**

**Case # 13-CMP-00145,** TBM Holdings, LLC, t/a TruOrleans, 400 H Street NE

License #86210, Retailer CR, ANC 6C

**Noise Violation**

**Show Cause Hearing\* 10:00 AM**

**Case # 13-AUD-00046;** Juniper Group, LLC, t/a The Blaguard, 2003 18th  
Street NW, License #86012, Retailer CR, ANC 1C

**Failed to Meet Food Sales Requirements, Failed to Maintain Books and  
Records**

**Show Cause Hearing\* 10:00 AM**

**Case # 12-CMP-00537;** AVC Solutions Corp, t/a Baja Fresh, 1333 New  
Hampshire Ave NW, License #83801, Retailer D, ANC 2B

**Failed to File Quarterly Statements (2nd Quarter 2012), No ABC Manager  
on Duty**

**Show Cause Hearing\* 11:00 AM**

**Case # 12-CMP-00431;** Beg Investments, LLC, t/a Twelve Restaurant &  
Lounge, 1123 H Street NE, License #76366, Retailer CT, ANC 6A

**Violation of Settlement Agreement, Failed to Comply with Board Order  
No. 2011-289**

Board's Calendar  
Page -3- January 9, 2014

**BOARD RECESS AT 12:00 PM**  
**ADMINISTRATIVE AGENDA**  
**1:00 PM**

**Show Cause Hearing\*** **1:30 PM**  
**Case # 13-CMP-00741;** Sushi Para Company, t/a Sushi Sai, 4221 Connecticut Ave NW, License #88557, Retailer CR, ANC 3F  
**Failed to File Quarterly Statements (3rd Quarter 2012)**

**Show Cause Hearing\*** **2:30 PM**  
**Case # 13-AUD-00027;** S & W D.C., LLC, t/a Smith & Wollensky, 1112 19th Street NW, License #60001, Retailer CR, ANC 2B  
**Failed to Filed Quarterly Statements (4th Quarter 2012)**

**Show Cause Hearing\*** **3:30 PM**  
**Case # 12-CMP-00449;** Shamiana, LLC, t/a Heritage India/Asia, 2400 Wisconsin Ave NW, License #20640, Retailer CR, ANC 3B  
**Failed to File Quarterly Statements (2nd Quarter 2012)**

**Show Cause Hearing\*** **4:30 PM**  
**Case # 13-AUD-00030;** The Cheesecake Factory Restaurants, Inc., t/a The Cheesecake Factory, 5345 Wisconsin Ave NW, License #14760, Retailer CR ANC 3E,  
**Failed to File Quarterly Statements (4th Quarter 2012)**

**\*The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014
Petition Date: February 24, 2014
Hearing Date: March 10, 2014
Protest Date: April 30, 2014

License No.: ABRA-093538
Licensee: Events Concept, LLC
Trade Name: Admiral of the Bay
License Class: Retailer's Class "C" Tavern
Address: 444 North Capitol Street, NE
Contact: Linda Schnabl 202-258-3168

WARD 6 ANC 6C SMD 6C02

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30 pm on April 30, 2014.

NATURE OF OPERATION

Private space contracted for events with seating for 209 and occupancy load of 409. Food will be catered. Request a summer garden with 200 seats and entertainment endorsement with live music and DJ. No nude performances.

HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION OF ALCOHOLIC

Sunday through Thursday 8 am - 2 am and Friday & Saturday 8 am - 3 am

HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGE ON SUMMER GARDENS

Sunday through Thursday 8 am - 2 am and Friday & Saturday 8 am - 3 am

HOURS OF ENTERTAINMENT

Sunday through Thursday 8 am - 2 am and Friday & Saturday 8 am - 3 am

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-060477  
Licensee: ZZW, Inc.  
Trade Name: Aqua Restaurant  
License Class: Retailer's Class "C" Tavern  
Address: 1818 New York Avenue NE

WARD 5

ANC 5C

SMD 5C04

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Aqua Restaurant and Lounge and Z Z W, Inc. and Gateway Community Association & South Central Community Association.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**ON**

**1/10/2014**

Notice is hereby given that:

License Number: ABRA-014759

License Class/Type: C Tavern

Applicant: 2718 Corporation

Trade Name: Chuck & Bill Bison Lounge

ANC: 1B09

Has applied for the renewal of an alcoholic beverages license at the premises:

**2718 GEORGIA AVE NW, Washington, DC 20001**

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

**02/24/2014**

HEARING WILL BE HELD ON

**03/10/2014**

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Cover Charge, Dancing, Entertainment

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	12 pm - 2 am	12 pm -2 am	8 pm - 2 am
Monday:	12 pm - 2 am	12 pm - 2 am	8 pm - 2 am
Tuesday:	12 pm - 2 am	12 pm - 2 am	8 pm - 2 am
Wednesday:	12 pm - 2 am	12 pm - 2 am	8 pm - 2 am
Thursday:	12 pm - 2 am	12 pm - 2 am	8 pm - 2 am
Friday:	12 pm - 3 am	12 pm - 3 am	8 pm - 3 am
Saturday:	12 pm - 3 am	12 pm - 3 am	8 pm - 3 am



ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014
Petition Date: February 24, 2014
Roll Call Hearing Date: March 10, 2014

License No.: ABRA-093984
Licensee: Eagle N Exile
Trade Name: DC Eagle
License Class: Retailer's Class "C" Tavern
Address: 3701 Benning Road NE
Contact: Paul Pascal, Esq. 202-544-2200

WARD 7 ANC 7F SMD 7F01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Roll Call Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

NATURE OF OPERATION

Transfer to new location tavern, restaurant and dance bar with continental restaurant fare. Types of entertainment include four piece bands, dancing, open microphone nights, contests, charitable fundraisers.. Summer Garden with 100 seats and Sidewalk Café with 36 seats. Total occupancy load is 800.

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE AND CONSUMPTION

Saturday and Sunday 24 hours, Monday through Thursday 7am -2am, Friday 7am – Midnight

HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES SERVICE AND CONSUMPTION FOR SIDEWALK CAFÉ AND SUMMER GARDEN

Sunday through Thursday 11am-2am, Friday and Saturday 11am-3am

HOURS OF ENTERTAINMENT

Sunday through Thursday 6pm-2am, Friday and Saturday 6pm-3am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014
Petition Date: February 24, 2014
Hearing Date: March 10, 2014
Protest Date: April 30, 2014

License No.: ABRA-093867
Licensee: Brothers 2gether, LLC
Trade Name: DC Harvest
License Class: Retailer's Class "C" Restaurant
Address: 517 H St. NE
Contact: Arthur Ringel 301-318-9025

WARD 6

ANC 6C

SMD 6C05

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30 pm on April 30, 2014.

NATURE OF OPERATION

Modern American restaurant and bar serving locally sourced food based on a seasonal menu with 60 seats and occupancy load of 65.

HOURS OF OPERATION

Sunday through Tuesday 9 am - 12 am, Wednesday & Thursday 9 am - 1 am and Friday & Saturday 9 am - 2 am

HOURS OF SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGE

Sunday through Tuesday 9 am - 11 pm, Wednesday & Thursday 9 am - 12 am and Friday & Saturday 9 am - 1 am

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-090250  
Licensee: Ekho Events, Inc.  
Trade Name: Echostage  
License Class: Retailer's Class "C" Nightclub  
Address: 2135 Queens Chapel Road NE

WARD 5

ANC 5C

SMD 5C02

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Echostage and Antonis Karagonius and South Central Community Association & Martha Pappano.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-076649  
Licensee: Par Bar, LLC  
Trade Name: H Street Country Club  
License Class: Retailer's Class "C" Tavern  
Address: 1335 H Street NE

WARD 6

ANC 6A

SMD 6A06

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** H Street Country Club and Joe Englert and ANC 6B & Linden Court Association.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**ON**

**1/10/2014**

Notice is hereby given that:

License Number: ABRA-091915

License Class/Type: C Tavern

Applicant: Jackpot, LLC

Trade Name: Jackpot

ANC: 2C01

Has applied for the renewal of an alcoholic beverages license at the premises:

**726 7TH ST NW, WASHINGTON, DC 20001**

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

**2/24/2014**

HEARING WILL BE HELD ON

**3/10/2014**

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

**ENDORSEMENTS: Cover Charge, Entertainment**

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	6 am - 2 am	8 am - 2 am	6 pm - 2 am
Monday:	6 am - 2 am	8 am - 2 am	6 pm - 2 am
Tuesday:	6 am - 2 am	8 am - 2 am	6 pm - 2 am
Wednesday:	6 am - 2 am	8 am - 2 am	6 pm - 2 am
Thursday:	6 am - 2 am	8 am - 2 am	6 pm - 2 am
Friday:	6 am - 3 am	8 am - 3 am	6 pm - 3 am
Saturday:	6 am - 3 am	8 am - 3 am	6 pm - 3 am

FOR FURTHER INFORMATION CALL (202) 442-4423

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014
Petition Date: February 24, 2014
Hearing Date: March 10, 2014

License No.: ABRA-076330
Licensee: JVLHC, LLC
Trade Name: Jimmy Valentine's Lonely Hearts Club
License Class: Retailer's Class "C" Tavern
Address: 1103 Bladensburg Road NE

WARD 5 ANC 5D SMD 5D03

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

The current parties to the agreement(s) are: Jimmy Valentine's Lonely Hearts Club and JVLHC, LLC and ANC5B.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14th Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-079090  
Licensee: LMW, LLC  
Trade Name: Little Miss Whiskey's Golden Dollar  
License Class: Retailer's Class "C" Tavern  
Address: 1104 H Street NE

WARD 6

ANC 6A

SMD 6A01

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Little Miss Whiskey's Golden Dollar and LMW, LLC and ANC 6A.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.





## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-076039  
Licensee: Top Shelf, LLC  
Trade Name: Penn Quarter Sports Tavern  
License Class: Retailer's Class "C" Tavern  
Address: 639 Indiana Avenue NW

WARD 2

ANC 2C

SMD 2C03

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Penn Quarter Sports Tavern and Joseph Brand and ANC 6C & Dominic Cardella (Adjacent Neighbor).

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-005864  
Licensee: Murray C. Warren, Inc.  
Trade Name: Raven Grill  
License Class: Retailer's Class "C" Tavern  
Address: 3125 Mount Pleasant Street NW

WARD 1

ANC 1D

SMD 1D04

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Raven Grill and Merid Admassu and Mount Pleasant Neighborhood Alliance and Murray C. Warren, Inc.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-72777  
Licensee: R N R, LLC  
Trade Name: Rock N Roll Hotel  
License Class: Retailer's Class "C" Tavern  
Address: 1353 H Street NE

WARD 6

ANC 6A

SMD 6A06

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Rock N Roll Hotel and Joe Englert and ANC 6B & Linden Court Association.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-085617  
Licensee: AED, LLC  
Trade Name: Rustik Tavern  
License Class: Retailer's Class "C" Tavern  
Address: 84 T Street NW

WARD 5

ANC 5E

SMD 5E07

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Rustik Tavern and Ejonta Pashaj and Bloomingdale Civic Association & Robert Brannum.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

Correction

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

ON

12/20/2013

Notice is hereby given that:

License Number: ABRA-092423

License Class/Type: C Tavern

Applicant: Simple Bar and Grill, LLC

Trade Name: Simple Bar and Grill

ANC: 4C01

Has applied for the renewal of an alcoholic beverages license at the premises:

**5828 GEORGIA AVE NW, WASHINGTON, DC 20011**

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:

2/3/2014

HEARING WILL BE HELD ON

2/18/2014

AT 10:00 AM, 2000 14th Street, NW, 4th Floor, Washington, DC 20009

ENDORSEMENTS: Cover Charge, Dancing, Entertainment, Sidewalk Cafe

Days	Hours of Operation	Hours of Sales/Service	Hours of Entertainment
Sunday:	9 am - 12 am	9 am -12 am	9 am - 12 am
Monday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Tuesday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Wednesday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Thursday:	9 am - 2 am	9 am - 2 am	6 pm - 2 am
Friday:	9 am - 3 am	9 am - 3 am	6 pm - 3 am
Saturday:	9 am - 3 am	9 am - 3 am	6 pm - 3 am

Days	Hours of Sidewalk Cafe Operation	Hours of Sales Sidewalk Cafe
Sunday:	9 am - 11 pm	9 am - 11 pm
Monday:	9 am - 11 pm	9 am - 11 pm
Tuesday:	9 am - 11 pm	9 am - 11 pm
Wednesday:	9 am - 11 pm	9 am - 11 pm
Thursday:	9 am - 11 pm	9 am - 11 pm
Friday:	9 am - 11 pm	9 am - 11 pm
Saturday:	9 am - 11 pm	9 am - 11 pm

FOR FURTHER INFORMATION CALL (202) 442-4423

**000214**

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-075548  
Licensee: Park Place, Inc.  
Trade Name: The Park Place at 14<sup>th</sup>  
License Class: Retailer's Class "C" Nightclub  
Address: 920 14<sup>th</sup> Street NW

WARD 2

ANC 2F

SMD 2F05

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** The Park Place at 14<sup>th</sup> and Park Place, Inc. and ANC 2F & 1400 K Co, LLC.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**NOTICE OF PUBLIC HEARING**

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014  
Protest Date: April 30, 2014

License No.: ABRA-094018  
Licensee: Carlson Restaurant Group, LLC  
Trade Name: The Royal  
License Class: Retailer’s Class “C” Tavern  
Address: 501 Florida Avenue, NW  
Contact: Paul Carlson 202-322-9463

WARD 1                      ANC 1B                      SMD 1B01

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the petition date. The Protest Hearing Date is scheduled for 1:30 pm on April 30, 2014.

**NATURE OF OPERATION**

Small Neighborhood Tavern targeting area residents within walking distance. Provide a beverage program of craft cocktails and beers as well as a wine program. Food menu will consist of simple/comfort food with good everyday meal options. In the future, we will also open during the day to provide the neighborhood with a lunch food menu and coffee program.

**HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGE**

Sunday through Thursday 7 am – 2 am and Friday & Saturday 7 am – 3 am

**HOURS OF OPERATION AND SALES/SERVICE/CONSUMPTION OF ALCOHOLIC BEVERAGE ON SIDEWALK CAFE**

Operation: Sunday through Thursday 7 am – 11 pm and Friday & Saturday 7 am – 12 am  
Sales/ Service: Sunday through Thursday 11 am – 11 pm and Friday & Saturday 11 am – 11 pm

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**NOTICE OF PUBLIC HEARING**

Posting Date: January 10, 2014  
 Petition Date: February 24, 2014  
 Roll Call Hearing Date: March 10, 2014  
 Protest Hearing Date: April 20, 2014

License No.: ABRA-93610  
 Licensee: Good Essen-U Street, LLC  
 Trade Name: Tico  
 License Class: Retailer’s Class “C” Restaurant  
 Address: 1926 14<sup>th</sup> Street, NW  
 Contact: Andrew Kline: 202-686-7600

WARD 2                      ANC 2B                      SMD 2B09

Notice is hereby given that this applicant has applied for a license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such license on the Roll Call Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on April 20, 2014 at 1:30 pm.

NATURE OF OPERATION

Restaurant serving Mexican food. No Nude performances. No Dancing.  
 No Entertainment. Occupancy Load 250. Seating 150.

HOURS OF OPERATION

Sunday through Thursday: 7am- 2am, Friday and Saturday: 7am-3am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Thursday: 8am-2am, Friday and Saturday: 8am-3am



## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Posting Date: January 10, 2014  
Petition Date: February 24, 2014  
Hearing Date: March 10, 2014

License No.: ABRA-072734  
Licensee: Red & Black, LLC  
Trade Name: Vendetta  
License Class: Retailer's Class "C" Tavern  
Address: 1210 H Street NE

WARD 6

ANC 6A

SMD 6A01

The Alcoholic Beverage Regulation Administration (ABRA) provides notice that the licensee has filed a petition to amend or terminate the settlement agreement or settlement agreements attached to its license.

**The current parties to the agreement(s) are:** Vendetta and Joe Englert and ANC 6B and Linden Court Association.

The petition may be obtained by contacting ABRA's Public Information Office at 202-442-4423.

Any objectors are entitled to be heard before the granting of such a request on the Hearing Date at 10:00 am, 2000 14<sup>th</sup> Street, N.W., 400 South, Washington, D.C., 2000. Petitions or requests to appear before the Board must be filed on or before the Petition Date.

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
TUESDAY, MARCH 11, 2014  
441 4<sup>TH</sup> STREET, N.W.  
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH  
WASHINGTON, D.C. 20001**

**TO CONSIDER THE FOLLOWING:** The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**9:30 A.M. MORNING HEARING SESSION**

**A.M.**

**WARD TWO**

18722            **Application of Andrew Keegan Theatre Company**, pursuant to 11  
ANC-2B        DCMR § 3103.2, for a variance from the use provisions to allow a theatre  
                 performance space under subsections 350.3 and 350.4, in the R-5-B  
                 District at premises 1742 Church Street, N.W. (Square 156, Lot 847).

**WARD ONE**

18723            **Application of 2101 Morning Bright LLC**, pursuant to 11 DCMR §  
ANC-1B        3103.2, for variances from the lot occupancy (section 772) and rear yard  
                 (section 774) requirements to allow the construction of a mixed-use  
                 residential building with ground floor retail in the Arts/C-2-B District at  
                 2105 10<sup>th</sup> Street, N.W. (Square 358, Lots 5,6 and 802).

**WARD SIX**

18724            **Application of 819 D LLC**, pursuant to 11 DCMR § 3103.2, for variances  
ANC-6A        from the minimum lot area requirements under subsections 401.1 and  
                 401.3, and a variance from the court requirements under section 406 to  
                 allow the renovation and conversion of a vacant church and two adjacent  
                 townhouses into 30 residential units in the R-4 District at premises 819 D  
                 Street, N.E. (Square 916, Lots 74, 811 and 818).

**WARD TWO**

18725            **Application of Rafael Romeu**, pursuant to 11 DCMR § 3103.2, for a  
ANC-2B        variance from the lot occupancy requirements under section 403, a  
                 variance from the rear yard requirements under section 404, and a variance  
                 from the nonconforming structure requirements under subsection 2001.3,  
                 to allow the construction of a rear deck in the DC/R-4 District at premises  
                 1536 T Street, N.W. (Square 191, Lot 98).

## BZA PUBLIC HEARING NOTICE

MARCH 11, 2014

PAGE NO. 2

WARD FIVE

18727            **Application of 2951 Mills Avenue Inc.**, pursuant to 11 DCMR § 3103.2,  
ANC-5C           for a variance from the lot area requirements under subsection 401.3, to  
allow the construction of a new one-family detached dwelling in the R-1-  
B District at premises 2840 Belair Place, N.E. (Square 4251, Lot 15).

WARD SEVEN

18728            **Application of Church of Jesus Christ**, pursuant to 11 DCMR § 3104.1,  
ANC-7B           for a special exception to permit a child development center (120 children  
and 27 staff) under section 205, in the R-1-B District at premises 3456  
Pennsylvania Avenue, S.E. (Square 5528, Lot 30).

**PLEASE NOTE:**

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Chapter 31 of the District of Columbia Municipal Regulations, Title 11, and Zoning. Pursuant to Subsection 3117.4, of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application Form.** This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at: [www.dcoz.dc.gov](http://www.dcoz.dc.gov). All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4<sup>th</sup> Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

**LLOYD J. JORDAN, CHAIRMAN, S. KATHRYN ALLEN, VICE  
CHAIRPERSON, JEFFREY L. HINKLE AND A MEMBER OF THE ZONING**

BZA PUBLIC HEARING NOTICE

MARCH 11, 2014

PAGE NO. 3

**COMMISSION ----- BOARD OF ZONING ADJUSTMENT, CLIFFORD W. MOY, SECRETARY TO THE BZA, SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING.**

## OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FINAL RULEMAKING

The Acting State Superintendent of Education, pursuant to the authority set forth in Article II of An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, as amended, effective February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201 *et seq.* (2012 Repl.)); as amended by Section 302 of the South Capitol Street Memorial Amendment Act of 2012, effective June 7, 2012 (D.C. Law 19-141, 59 DCR 3083 (April 20, 2012); D.C. Official Code § 38-201 *et seq.* (2012 Repl.)); Mayor's Order No. 2012-116, dated July 26, 2012; Sections 3(b)(11), 3(b)(15) and 7c of the State Education Office Establishment Act of 2000, as amended, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2602(b)(11), 2602(b)(15) and 2609(c)(2) (2012 Repl.)); Section 403 of the State Board of Education Establishment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2652(a)(14) (2012 Repl.)), and the Attendance Accountability Amendment Act of 2013, effective September 19, 2013 (D.C. Law 20-17, 60 DCR 9839 (July 5, 2013); to be codified at D.C. Official Code §§ 38-201 *et seq.* and § 38-2602(b)(19)) ("Attendance Act"), hereby gives notice of the adoption of a final rule amending Chapter 21 (Compulsory Education and School Attendance at Public Educational Institutions) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the District of Columbia Municipal Regulations (DCMR).

The Proposed Rulemaking was published in the *D.C. Register* on November 15, 2013, at 60 DCR 15861, notifying the public that the sole purpose of the proposed revisions was to conform Chapter 21 to the Attendance Act, which became effective after the attendance rules were finalized on June 28, 2013 (60 DCR 9725): (1) changing "school days" to "business days" for reporting purposes; (2) mandating a referral of students who are fourteen (14) through to seventeen (17) years of age after the accrual of fifteen (15) unexcused absences rather than the twenty-five (25) unexcused absences previously mandated by the South Capitol Street Memorial Amendment Act of 2012; (3) amending the definition for the term "Educational institution", and (4) amending the definition for the term "Parent". Additionally, Subsection 2101.10 was revised solely to correct a reference in Subsection 2101.8 to refer instead to Subsection 2101.9. In all other respects, this final rulemaking makes no other substantive changes to the final rule.

No comments were received addressing the changes aligning the attendance rules to the Attendance Act amendments. One comment was timely received regarding a change of the definition of the word "present", seeking to reduce the time frame to be counted for attendance purposes from 80% of the school to 60% of the school day. Three comments were received after the comment period, asking the State Board of Education and OSSE to lower the threshold for time a student must attend a school day to be counted as present suggesting revisions to the definitions of "presence", "absence", and "excused/unexcused absences". These comments have been taken under advisement for further consideration.

The State Board of Education reviewed the Proposed Rulemaking at two public meetings and work sessions in November and December and approved the final rules on December 18, 2013.

The rules are effective on a permanent basis on the date of publication of this notice in the *D.C. Register*.

**Proposed Amendment: Delete the present language of Subsection 2100.1 of Chapter 21 (Compulsory Education and School Attendance at Public Educational Institutions) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the DCMR and substitute the following amended language:**

2100.1 The legal authority for this chapter is based upon Article II of “An Act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes”, as amended, effective February 4, 1925 (43 Stat. 806; D.C. Official Code § 38-201 *et seq.* (2012 Repl. & 2013 Supp.)); as amended by Section 302 of the “South Capitol Street Memorial Amendment Act of 2012”, effective June 7, 2012 (D.C. Law 19-141, 59 DCR 3083, (April 20, 2012); D.C. Official Code §§ 38-201 *et seq.* (2012 Repl. & 2013 Supp.)); Mayor’s Order No. 2012-116, dated July 26, 2012; Sections 3(b)(11), 3(b)(15) and 7c of the “State Education Office Establishment Act of 2000”, as amended, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2602(b)(11), 2602(b)(15) and 2609(c)(2) (2012 Repl. & 2013 Supp.)); Section 403 of the “State Board of Education Establishment Act of 2007”, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code §38-2652(a)(14) (2012 Repl.)), and the “Attendance Accountability Amendment Act of 2013”, effective September 19, 2013 (D.C. Law 20-17; 60 DCR 14501 (Oct. 11, 2013)) to be codified at D.C. Official Code §§ 38-201 *et seq.* and §38-2602(b)(19).

**Proposed Amendment: Delete the phrase “§ 2101.8” from Subsection 2101.10 of Chapter 21 (Compulsory Education and School Attendance at Public Educational Institutions) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the DCMR, and substitute the phrase “§ 2101.9”.**

**Proposed Amendment: Delete the present language of Subsection 2103.5 of Chapter 21 (Compulsory Education and School Attendance at Public Educational Institutions) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the DCMR and substitute the following amended language:**

2103.5 Each educational institution shall develop a process to refer students to District of Columbia entities under the following circumstances:

- (a) Students ages five (5) through thirteen (13) shall be referred by the educational institution to the Child and Family Services Agency not later than two (2) business days after the accrual of ten (10) unexcused absences within a school year; and
- (b) Beginning in the 2013-14 school year, students ages fourteen (14) through seventeen (17) shall be referred by the educational institution to the Court Social Services Division of the Superior Court of the District of Columbia

and to the Office of Attorney General Juvenile Section no later than two (2) business days after the accrual of fifteen (15) unexcused absences within a school year.

**Proposed Amendment: Delete the present definition for the term “Educational institution” from Subsection 2199 of Chapter 21 (Compulsory Education and School Attendance at Public Educational Institutions) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the DCMR and substitute the following definition for that term:**

**“Educational institution”** --a school in the District of Columbia Public Schools system, or a public charter school.

**Proposed Amendment: Delete the present definition for the term “Parent” from Subsection 2199 of Chapter 21 (Compulsory Education and School Attendance at Public Educational Institutions) of Subtitle A (Office of the State Superintendent of Education) of Title 5 (Education) of the DCMR and substitute the following definition for that term:**

**“Parent”** --A parent, guardian, or other person who resides in the District and who has custody or control of a minor five (5) years of age or older.

## DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes approved December 27, 1967 (81 Stat.774; D.C. Official Code §1-307.02 (2012 Repl. & 2013 Supp.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code§ 7-771.05(6) (2013 Repl.)), hereby gives notice of the adoption of a new Section 938 (Increased Reimbursement for Eligible Primary Care Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

This rule authorizes increased Medicaid reimbursement rates for specific primary care services, such as evaluation and management (E&M) services and the administration of immunizations by Medicaid providers enrolled in the fee-for-service (FFS) program. These rules also establish the reimbursement rates, the types of providers and services that are eligible for the increased reimbursement, and the application process for the FFS program. The Health Care and Education Reconciliation Act of 2010, approved January 5, 2010 (Pub.L. 111-152; 124 Stat. 1029)(codified as amended in scattered sections of 42 U.S.C.), requires the Medicaid program to increase Medicaid payments for specific primary care services furnished by certain physicians in calendar years 2013 and 2014. E&M services and immunization administration services are considered to be a core part of a state's Medicaid benefit package. These services consist of visits and consultations furnished by physicians and other qualified non-physician providers. E&M services play an important role in the coordination of care of patients with chronic disease by establishing a regular source of care or "medical home." Immunization administration services include the administration of vaccines and toxoids. The administration of vaccines and toxoids serves to reduce and eliminate the incidence of vaccine-preventable diseases affecting District residents. Pursuant to the Fiscal Impact Statement, approved by the Office of the Chief Financial Officer on February 22, 2013, the total computed cost of increased reimbursement for specific primary care services is estimated at \$27,667,118 for calendar years 2013 and 2014.

The corresponding State Plan Amendment (SPA) to the District of Columbia State Plan for Medical Assistance was approved by the Council of the District of Columbia (See PR 20-122). On June 4, 2013, the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services approved the corresponding SPA with an effective date of January 1, 2013.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on April 19, 2013 (60 DCR 005874). No comments were received and no substantive changes have been made. The Director adopted these rules as final on December 23, 2013 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

**A new Section 938 of Chapter 9 of Title 29 DCMR is added to read as follows:**



**938 INCREASED REIMBURSEMENT FOR ELIGIBLE PRIMARY CARE SERVICES**

- 938.1 Except as provided in Subsection 938.2, primary care services eligible for increased reimbursement under the Healthcare Common Procedure Coding System (HCPCS) shall include evaluation and management (E&M) services billed under codes 99201 through 99499; and Current Procedural Terminology (CPT) vaccine administration codes 90460, 90461, 90471, 90472, 90473, and 90474, or their successor codes. DHCF shall publish a list of all eligible codes on its provider website at [www.dc-medicaid.com](http://www.dc-medicaid.com).
- 938.2 Services billed under codes that were not reimbursable under the DHCF fee schedule as of January 1, 2013 shall be ineligible for reimbursement. DHCF shall publish a list of ineligible codes on its provider website at [www.dc-medicaid.com](http://www.dc-medicaid.com).
- 938.3 An eligible primary care physician shall receive increased reimbursement for eligible primary care services, provided the following requirements are met:
- (a) A physician provides a written self-attestation that the physician has a specialty designation of family medicine, general internal medicine, or pediatric medicine; and
  - (b) A primary care physician provides a written self-attestation of the following:
    - (1) That he or she has Board-certification in family medicine, general internal medicine, pediatric medicine, or in a subspecialty of family medicine; general internal medicine or pediatric medicine as designated by the American Board of Medical Specialties (ABMS); the American Board of Physician Specialties (ABPS); or the American Osteopathic Association (AOA); or
    - (2) He or she has provided E&M and vaccine administration services under the codes described in Subsection 938.1 that equal at least sixty percent (60%) of all the Medicaid services that the physician bills during either of the following:
      - (i) The most recently completed calendar year; or
      - (ii) The month prior to the month that DHCF receives the self-attestation form referenced in Subsections 938.4 through 938.9, for a physician enrolled in Medicaid for less than a full calendar year.
- 938.4 An Advanced Practice Registered Nurse (APRN) shall receive increased reimbursement for eligible primary care services billed pursuant to the FPS fee

schedule, provided the APRN provides eligible primary care services under the direct supervision of a physician who:

- (a) Meets the eligibility requirements of Subsection 938.3;
- (b) Assumes professional responsibility for the services provided by the APRN; and
- (c) Has submitted a self-attestation form, as described in Subsections 938.3 through 938.9, which identifies the APRN as a practitioner under the physician's direct supervision.

938.5 To receive reimbursement under this rule for calendar year (CY) 2013 and CY 2014, an eligible physician shall provide the DHCF with a self-attestation that the physician meets the requirements of Subsection 938.3 using a form prescribed by DHCF.

938.6 Except as provided in Subsection 938.7, reimbursement under this rule shall commence from the date that DHCF receives the self-attestation form from an eligible provider, as described in Subsections 938.3 through 938.9.

938.7 Reimbursement shall be made in accordance with the corresponding State Plan Amendment as approved by the Centers for Medicare and Medicaid Services (CMS), provided an eligible physician who is participating in Medicaid on the effective date of these rules shall submit the self-attestation form, as described by Subsections 938.3 through 938.6, to DHCF no later than July 1, 2013.

938.8 An eligible physician, who has submitted a self-attestation form as required by Subsection 938.3, is obligated to inform DHCF in writing of any changes that alter the physician's eligibility for reimbursement under this rule.

938.9 An APRN who provides eligible primary care services under the direct supervision of an eligible physician shall be exempt from the self-attestation form requirement.

938.10 For eligible primary care services rendered by an eligible physician, FPS Medicaid reimbursement shall be made at the lower of the physician's billed charges or the applicable reimbursement rate, as defined in Subsection 938.13.

938.11 For eligible primary care services rendered by an APRN, FFS Medicaid reimbursement shall be made in accordance with the approved State Plan using the applicable rate, as defined in Subsection 938.13.

938.12 Reimbursement rates established pursuant to this section apply to eligible primary care services billed as fee-for-service that are furnished on and after the effective date of the corresponding State Plan Amendment as approved by CMS and ending on December 31, 2014.

- 938.13 The applicable rates for eligible primary care services shall be as follows:
- (a) For eligible E&M services:
    - (1) The applicable rate for services furnished for the period beginning with the effective date of the corresponding State Plan Amendment as approved by the Centers for Medicare and Medicaid Services (CMS) through December 31, 2013 shall be the higher of the Medicare Part B fee schedule rate that is applicable to the non-- facility site of service in effect on January 1, 2013 or the rate that would be derived using the CY 2009 conversion factor and the CY 2013 Medicare relative value units (RVUs); and
    - (2) The applicable rate for services furnished for the period beginning January 1, 2014 through December 31, 2014 shall be the higher of the Medicare Part B fee schedule rate that is applicable to the Medicare Part B fee schedule rate that is applicable to the non-facility site of service in effect on January 1, 2014 or the rate that would be derived using the CY 2009 conversion factor and the CY 2014 Medicare relative value units (RVUs).
  - (b) For eligible vaccine administration services:
    - (1) The applicable rate for services furnished for the period beginning with the effective date of the corresponding State Plan Amendment as approved by the Centers for Medicare and Medicaid Services (CMS) through December 31, 2013 shall be the Regional Maximum Administration Fee in effect in CY 2013; and
    - (2) The applicable rate for services furnished for the period beginning January 1, 2014 through December 31, 2014 shall be the Regional Maximum Administration Fee in effect in CY 2014.
  - (c) DHCF shall publish the applicable rates for eligible primary care services each calendar year on its provider website at [www.dc-medicaid.com/](http://www.dc-medicaid.com/).
- 938.14 The eligibility of each physician or APRN shall be subject to verification that the physician or APRN has complied with the requirements set forth in this rule.
- 938.15 Any administrative action with respect to an eligible physician or APRN found in violation of the rule, shall comply with the requirements set forth in Chapter 13 of Title 29 DCMR.

938.99        **DEFINITIONS**

For the purposes of this section, the following terms shall have the meanings ascribed:

**Advanced Practice Registered Nurse (APRN):** A licensed registered nurse with advanced education, knowledge, skills, and scope of practice who has been certified to perform advanced- level nursing actions by a national certifying body acceptable to the Board of Nursing; and pursuant to District of Columbia Health Occupations Revisions Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2011 Supp.)). Advanced practice registered nursing shall include the categories of nurse midwife and nurse- practitioner. (D.C. Official Code§ 3-1202.04 (2007 Repl. & 2011 Supp.)).

## DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2012 Repl.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption of a new Section 1932, entitled “Speech, Hearing, and Language Services”, of Chapter 19 (Home and Community-Based Waiver for Individuals with Intellectual and Developmental Disabilities), Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These final rules establish standards governing reimbursement of speech, hearing, and language services provided to participants in the Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver) and conditions of participation for providers.

The ID/DD Waiver was approved by the Council of the District of Columbia and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services for a five-year period beginning November 20, 2012. Speech, hearing, and language services are aimed at helping persons with intellectual and developmental disabilities enhance their communication and hearing skills. These rules amend the previously published rules by: (1) deleting Section 932 and re-codifying the rules in Section 1932; (2) establishing service authorization requirements for Medicaid reimbursement of speech, hearing, and language services; (3) specifying documents that the provider should maintain for monitoring and audit reviews; and (4) establishing requirements to request additional hours for services beyond the limitations.

A Notice of Emergency and Proposed rulemaking was published in the *D.C. Register* on October 18, 2013 (60 DCR 014851). One comment was received and considered. No substantive changes have been made. The Director adopted these rules as final on December 23, 2013 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

**Section 932 (Speech, Hearing, and Language Services) of Chapter 9 (Medicaid Program) of Title 29 (Public Welfare) of the DCMR is repealed.**

**A new Section 1932 (Speech, Hearing, and Language Services) is added to Chapter 19 (Home and Community-Based Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the DCMR to read as follows:**

**1932                    SPEECH, HEARING, AND LANGUAGE SERVICES**

- 1932.1 The purpose of this section is to establish standards governing Medicaid eligibility for speech, hearing, and language services for persons enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver) and to establish conditions of participation for providers of speech, hearing, and language services.
- 1932.2 Speech, hearing, and language services are therapeutic interventions to address communicative and speech disorders to maximize a person's expressive and receptive communication skills.
- 1932.3 To qualify for Medicaid reimbursement, speech, hearing, and language services shall be:
- (a) Ordered by a physician, if the person has a medically-related condition such as a history of aspiration, swallowing problems, tube feeding, or a tracheotomy;
  - (b) Recommended by the Support Team, if the person has a non-medical condition such as a receptive or expressive speech delay or disorder;
  - (c) Delivered to person that is over the age of twenty-one (21);
  - (d) Reasonable and necessary to treat the person's medical or non-medical communicative disorder; and
  - (e) Included in the person's Individual Support Plan (ISP) and Plan of Care.
- 1932.4 In order to be eligible for Medicaid reimbursement, speech, hearing and language services shall be used to address the following conditions:
- (a) Swallowing and feeding disorders;
  - (b) Receptive and expressive communication disorders;
  - (c) Voice impairments; and
  - (d) Articulatory and motor speech disorders.
- 1932.5 In order to be eligible for Medicaid reimbursement, each individual providing speech, hearing and language services shall comply with the following service delivery requirements:
- (a) Conduct a comprehensive assessment, which shall include the following:
    - (1) A background review and current functional review of communication capabilities in different environments;

- (2) An environmental review of communication in places of employment, residence, and other sites as necessary;
  - (3) The potential for use of augmentative and alternative speech devices, methods, or strategies;
  - (4) The potential for sign language or other expressive communication methods; and
  - (5) A needs assessment for the use of adaptive eating equipment.
- (b) Develop and implement the speech, hearing, and language treatment plan that describes treatment strategies, including direct therapy, training of caregivers, monitoring requirements and instructions, and anticipated outcomes;
  - (c) Assist persons with voice disorders to develop proper control of vocal and respiratory systems for correct voice production, if applicable;
  - (d) Conduct aural rehabilitation by teaching sign language and lip reading to people who have hearing loss, if applicable;
  - (e) Participate in ISP and Support Team meetings to provide consultative services and recommendations specific to the expert content;
  - (f) Record progress notes on each visit and submit quarterly reports;
  - (g) Verify that the speech, hearing, and language assessment and treatment plan, and daily notes and quarterly reports, are delivered to the person, family or other caregiver, physician, and the Department on Disability Services (DDS) Service Coordinator prior to the person's Support Team meeting;
  - (h) Assess the need for the use of adaptive equipment;
  - (i) Routinely assess (at least annually and more frequently as needed) the appropriateness and quality of adaptive equipment to ensure it addresses the person's needs;
  - (j) Conduct periodic examinations to modify treatments, as appropriate, for the person receiving services and ensure that the speech pathologist's or audiologist's recommendations are incorporated into the ISP; when necessary; and

- (k) Complete documentation required to obtain or repair adaptive equipment in accordance with insurance requirements and Medicare and Medicaid guidelines.

1932.6 In order to be eligible for Medicaid reimbursement, each individual providing speech, hearing, and language services shall:

- (a) Be employed by a home health agency or a Waiver provider;
- (b) Be a speech pathologist or audiologist in a private practice; or
- (c) Be an assistant working under the direct supervision of a licensed speech pathologist or audiologist.

1932.7 In order to be eligible for Medicaid reimbursement, each individual providing speech, hearing, and language services shall also comply with the following requirements:

- (a) Be a speech-language pathologist or audiologist licensed pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201 *et seq.*) and implementing rules;
- (b) Have a minimum of two (2) years of experience as a licensed speech-language pathologist or audiologist;
- (c) Have a Certificate of Clinical Competence in the area of Audiology or Speech Pathology granted by the American Speech-Language-Hearing Association; and
- (d) Comply with Section 1904 (Provider Qualifications) and 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 DCMR.

1932.8 In order to be eligible for Medicaid reimbursement, a speech pathologist assistant or audiologist assistant shall meet the following requirements:

- (a) Be personally supervised by the speech pathologist or audiologist. Personal supervision requires the speech pathologist or audiologist to be in the room during the performance of the service; and
- (b) Be employed by the speech pathologist or audiologist or by the speech pathologist or audiologist's employer; and
- (c) Comply with Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 DCMR.



- 1932.9 Speech, hearing and language service providers, without regard to their employer of record, shall be selected by the person receiving services, their guardian, or legal representative and shall be answerable to the person receiving services.
- 1932.10 Any provider substituting professionals for more than a two (2) week period or four (4) visits due to emergency or availability events shall request a case conference with the DDS Service Coordinator to evaluate the continuation of services.
- 1932.11 In order to be eligible for Medicaid reimbursement, the speech pathologist or audiologist in a private practice shall meet all of the following conditions:
- (a) Maintain a private office, even if services are always furnished in the person's home;
  - (b) Meet all state and local licensure laws and rules;
  - (c) Maintain a minimum of one (1) million dollars in liability insurance;
  - (d) Ensure that speech, hearing, and language services are provided consistent with the person's ISP and Plan of Care; and
  - (e) Maintain a space that is owned, leased or rented by the private practice and is used exclusively for the purpose of operating the private practice.
- 1932.12 In order to be eligible for Medicaid reimbursement, services shall only be authorized for reimbursement in accordance with the following provider requirements:
- (a) DDS shall provide a written service authorization before the commencement of services;
  - (b) The provider shall conduct an assessment within the first four (4) hours of service delivery and develop a speech, hearing, and language treatment plan with training goals and techniques that will assist the caregivers;
  - (c) The service name and provider delivering services shall be identified in the ISP and Plan of Care;
  - (d) The ISP, Plan of Care, and Summary of Supports and Services shall document the amount and frequency of services to be received; and
  - (e) Services shall be provided consistent with the service limitations described under Section 1932.16.
- 1932.13 In order to be eligible for Medicaid reimbursement, each home health agency, Waiver provider, or licensed speech pathologist or audiologist shall maintain the following documents for monitoring and audit reviews:

- (a) A copy of the speech, hearing, and language assessment and treatment plan;
- (b) A copy of the physician's orders and other pertinent documentation of the person's progress;
- (c) A copy of the daily progress notes, containing the following information:
  - (1) Progress in meeting each goal in the ISP;
  - (2) Any unusual health or behavioral events or change in status;
  - (3) The start and end time of any services received by the person; and
  - (4) Any matter requiring follow-up on the part of the service provider or DDS.
- (d) A copy of the quarterly reports used to verify the functioning of the person's adaptive equipment; and
- (e) Any other documents required to be maintained under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR.

1932.14 In order to be eligible for Medicaid reimbursement, each provider shall comply with Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 of the DCMR.

1932.15 If the person enrolled in the Waiver is between the ages of eighteen (18) and twenty-one (21) years old, the DDS Service Coordinator shall ensure that Early Periodic Screening and Diagnostic Treatment (EPSDT) services under the District of Columbia State Plan for Medical Assistance are fully utilized before accessing speech, hearing and language services under the Waiver.

1932.16 Speech, hearing, and language services shall be limited to four (4) hours per day and one hundred (100) hours per year. Requests for additional hours may be approved when accompanied by a physician's order documenting the need for additional speech, hearing, and language services or if approved by a designated staff member at DDA.

1932.17 The reimbursement rate for a speech, hearing and language assessment shall be sixty-five dollars (\$65.00) an hour. The billable unit of service shall be fifteen (15) minutes and the reimbursement rate for each billable unit shall be \$16.25. A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to bill a unit of service.

1932.18 The reimbursement rate for speech, hearing and language services shall be sixty-five dollars (\$65.00) per hour. The billable unit of service for speech, hearing and language therapy services shall be fifteen (15) minutes and the reimbursement rate for each billable unit shall be \$16.25. A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes to bill a unit of service.

**Section 1999 (DEFINITIONS) is amended by adding the following:**

**Audiologist** - A person who meets the education and experience requirements for a Certificate of Clinical Competence in the area of audiology granted by the American Speech and Hearing Association (ASHA) or is licensed or certified as an audiologist in the state where the services are provided.

**Audiologist Assistant** - Support personnel who, following academic or on-the-job training, perform tasks prescribed, directed, and supervised by ASHA-certified audiologists.

**EPSDT** - Early and Periodic Screening, Diagnostic, and Treatment Services are designed for Medicaid-eligible children under the age of twenty-one (21) that include periodic screenings to identify physical and mental conditions, vision, hearing, and dental, as well as diagnostic and treatment services to correct conditions identified during screenings.

**Private Practice** - An individual whose practice is an unincorporated solo practice or unincorporated partnership. Private practice also includes an individual who is practicing therapy as an employee of an unincorporated practice, a professional corporation, or other incorporated therapy practice. Private practice does not include individuals when they are working as employees of a hospital, nursing facility, clinic, home health agency, rehabilitation facility or any other entity that has a Medicaid provider agreement which includes physical therapy in the provider's reimbursement rate.

**Speech Pathologist** - A person who meets the education and experience requirements for a Certificate of Clinical Competence in the areas of speech pathology granted by the American Speech and Hearing Association (ASHA) or is licensed or certified as a speech pathologist in the state where the services are provided.

**Speech Pathologist Assistant**- Support personnel who, following academic or on-the-job training, perform tasks prescribed, directed, and supervised by ASHA-certified speech language pathologists.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive Federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat.744; D.C. Official Code § 1-307.02 (2013 Supp.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption of a new Chapter 89, of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR), entitled “Medicaid Electronic Health Record Incentive Payment Program.”

This rule sets forth the conditions of provider participation, reimbursement, and administrative appeal procedures for the Medicaid Electronic Health Record Incentive Payment Program (MEIP). MEIP is established pursuant to the Health Information Technology and Clinical Health Act (HITECH) of 2009, enacted under Title XIII of Division A and Title IV of Division B of the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub.L. 111–5) (codified as amended in Title 42 of the Code of Federal Regulations, Part 495) and the corresponding State Medicaid Health Information Technology Plan (SMHP) approved by the U.S. Department of Health and Human Services (HHS) on April 23, 2012. MEIP may grant incentive payments to eligible hospitals and eligible professionals, who adopt, implement, upgrade, and demonstrate the meaningful use of certified Electronic Health Records (EHR) technology.

A Notice of Emergency and Proposed Rulemaking was published on August 9, 2013 (60 DCR 011687). No comments were received. No substantive changes have been made. The Director adopted these rules as final on December 20, 2013 and they shall become effective on the date of publication of this notice in the *D.C. Register*.

**Title 29 (Public Welfare) of the DCMR is amended as follows:**

**Add a new Chapter 89, MEDICAID ELECTRONIC HEALTH RECORD INCENTIVE PAYMENT PROGRAM to read as follows:**

**89 MEDICAID ELECTRONIC HEALTH RECORD INCENTIVE PAYMENT PROGRAM (MEIP)**

**8900 Provider Eligibility**

8900.1 The Department of Health Care Finance (DHCF) shall administer the Medicaid Electronic Health Record Incentive Payment Program (MEIP), which provides incentive payments to certain eligible providers participating in the District of Columbia Medicaid program as they adopt, implement, upgrade, or demonstrate meaningful use of certified Electronic Health Record (EHR) technology.

8900.2 The following providers shall be eligible for participation in MEIP:

- (a) Eligible professionals as identified in Subsection 8900.3; and
- (b) Eligible hospitals as identified in Subsection 8900.5.

8900.3 An eligible professional shall be one (1) of the following:

- (a) A physician licensed in accordance with the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.));
- (b) A dentist licensed to engage in the practice of dentistry as defined by § 102(5) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.));
- (c) A certified nurse midwife licensed as an advanced practice registered nurse pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.)), and certified by the American Midwifery Certification Board (AMCB);
- (d) A nurse practitioner licensed as an advanced practice registered nurse pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.)); or
- (e) A physician's assistant, licensed in accordance with the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1201 *et seq.* (2007 Repl. & 2012 Supp.)), who practices in a Federally Qualified Health Center (FQHC).

8900.4 Consistent with the requirements of Subsection 8900.3, an eligible professional shall not be hospital-based, unless the professional's eligibility for incentive payments is based on practice at a FQHC.

8900.5 An eligible hospital shall be one (1) of the following:

- (a) An acute care hospital located in the District of Columbia; or
- (b) A children's hospital located in the District of Columbia.

8900.6 For each year of MEIP participation, an eligible provider shall meet all of the following requirements:

- (a) Have no current or pending sanction identified by the United States Department of Health and Human Services, Office of Inspector General or the District of Columbia list of excluded providers;
- (b) Declare the intent to participate by electronically registering with the CMS using the Medicare and Medicaid electronic health record incentive program registration and attestation website;
- (c) Use the District of Columbia State Level Registry to attest to the provider's qualifications to receive the incentive payment; and submit an electronic copy of a signed attestation form at <http://dc.ara incentive.com>;
- (d) Meet Medicaid patient volume requirements consistent with the requirements of Section 8901, "Methodology for Volume Requirements", and the District of Columbia State Medicaid Health Information Technology Plan (SMHP);
- (e) Submit a Certified Health IT Product List (CHPL) Product Number; and
- (f) Declare, if applicable, the intent to reassign incentive payments to a third party subject to the requirements of 42 C.F.R. § 495.10(f).

8900.7 For the first year of MEIP participation, an eligible provider shall meet the requirements of Subsection 8900.6 and meet one (1) of the following conditions:

- (a) Demonstrate and attest to adopting, implementing or upgrading EHR technology as defined in 42 C.F.R. § 495.302 that has been certified by the Office of the National Coordinator for Health Information Technology; or
- (b) Demonstrate that it is a meaningful EHR user as defined in 42 C.F.R. § 495.4.

8900.8 An eligible provider that demonstrates and attests to adopting, implementing or upgrading EHR technology in accordance with Subsection 8900.7 shall report which certified EHR technology they have adopted, implemented or upgraded to and provide supporting documentation (*e.g.*, purchase receipts or other proof of good faith payment between purchaser and seller, or proof of binding contract) in a manner specified by DHCF.

8900.9 In the second, third, fourth, fifth, and sixth year of MEIP participation, an eligible provider shall satisfy all of the following criteria:

- (a) Meet the requirements of Subsection 8900.6;

- (b) Demonstrate that it is a meaningful EHR user as defined in 42 C.F.R. § 495.4; and
- (c) Use certified EHR technology interoperable with the system designated by the District to report clinical quality measures.

## **8901 Methodology for Volume Requirements**

8901.1 An eligible professional shall establish and demonstrate, based on individual and group practice methodology, compliance with the following volume requirements:

- (a) An eligible professional shall have at least thirty percent (30%) of the professional's patient volume covered by Medicaid, except that:
  - (1) A board-certified pediatrician who does not practice at a FQHC shall have a minimum of twenty percent (20%) of patient encounters; and
  - (2) Any eligible professional predominately practicing at a FQHC shall have at least thirty percent (30%) of patient volume attributable to needy individuals.
- (b) An eligible professional shall calculate individual Medicaid patient volume by dividing the total Medicaid patient encounters (in and out of the District) in any continuous ninety (90) day period in the calendar year (CY) preceding the eligible professional's payment year, or in the twelve (12) months before the eligible professional's attestation; by the total patient encounters in the same ninety (90) day period;
- (c) Subject to 42 C.F.R. § 495.306(h), an eligible professional shall calculate group Medicaid patient volume by dividing the total Medicaid patient encounters (in and out of the District across the entire group or clinic) in any continuous ninety (90) day period in the CY preceding the eligible professional's payment year, or in the twelve (12) months before the eligible professional's attestation; by the total patient encounters (in and out of the District across the entire group or clinic); and
- (d) An eligible professional practicing in a FQHC shall calculate needy individual patient volume by dividing the total needy individual patient encounters in any continuous ninety day period in the CY preceding the eligible professional's attestation; by the total patient encounters in the same ninety (90) day period.

8901.2 An eligible acute care hospital shall have at least ten percent (10%) Medicaid patient volume based on individual methodology as calculated below:

- (a) An eligible hospital shall divide the total Medicaid patient encounters (in and out of the District) in any continuous ninety (90) day period in the preceding fiscal year (FY), or in the twelve (12) months before the eligible hospital's attestation; by
- (b) The total patient encounters in the same ninety (90) day period to calculate individual Medicaid patient volume.

8901.3 An eligible children's hospital shall be exempt from volume requirements of Subsections 8901.1 through 8901.2.

## **8902 Provider Incentive Payments**

8902.1 For all payment years, MEIP incentive payments for each eligible provider shall be subject to all of the following conditions:

- (a) Incentive payments shall be calculated pursuant to 42 C.F.R. § 495.310;
- (b) An eligible provider may receive a MEIP incentive payment so long as the eligible provider meets all MEIP requirements as set forth in this chapter; and
- (c) No eligible provider shall receive an incentive payment after payment year 2021.

8902.2 In the first payment year, to receive an incentive payment, an eligible professional shall meet all eligibility and volume requirements in accordance with Sections 8900, "Provider Eligibility" and 8901, "Methodology for Volume Requirements;" and satisfy one (1) of the following conditions:

- (a) Demonstrate and attest to adopting, implementing or upgrading EHR technology as defined in 42 C.F.R. § 495.302 that has been certified by the Office of the National Coordinator for Health Information Technology; or
- (b) Demonstrate that it is a meaningful EHR user as defined in 42 C.F.R. § 495.4.

8902.3 Incentive payments to an eligible professional in the first payment year shall meet the following requirements:

- (a) An initial incentive payment shall not be dispersed after CY 2016;
- (b) An incentive payment shall not exceed twenty-one thousand two hundred fifty dollars (\$21,250);



- (c) Incentive payments cannot be received from more than one State or Medicaid incentive payment program in a payment year;
- (d) Incentive payments to pediatricians shall be subject to the limitations of 42 C.F.R. § 495.310(a)(4); and
- (e) Incentive payments to professionals that are Medicaid and Medicare eligible shall be subject to the limitations set forth in 42 C.F.R. § 495.10(e).

8902.4 In the second, third, fourth, fifth, and sixth payment year, to receive an incentive payment, an eligible professional shall meet all eligibility requirements in accordance with Sections 8900, “Provider Eligibility” and 8901, “Methodology for Volume Requirements;” and demonstrate that it is a meaningful EHR user as defined in 42 C.F.R. § 495.4.

8902.5 Incentive payments to an eligible professional in subsequent payment years shall meet the following requirements:

- (a) Incentive payments shall be disbursed consistent with the CY on a non-consecutive, annual basis, following verification of eligibility for the payment year;
- (b) A single incentive payment may not exceed eight thousand five hundred dollars (\$8,500);
- (c) An eligible professional shall not participate in MEIP for more than a total of six (6) years. Incentive payments shall not exceed sixty-three thousand seven hundred and fifty dollars (\$63,750) over a six (6) year period;
- (d) Incentive payments to pediatricians shall be subject to the limitations of 42 C.F.R § 495.310(a)(4); and
- (e) Incentive payments to professionals that are Medicaid and Medicare eligible shall be subject to the limitations set forth in 42 C.F.R. § 495.10(e).

8902.6 In the first payment year, to receive an incentive payment, an eligible hospital shall meet all eligibility requirements in accordance with Sections 8900, “Provider Eligibility” and 8901, “Methodology for Volume Requirements;” and satisfy one (1) of the following conditions:

- (a) Demonstrate and attest to adopting, implementing or upgrading EHR technology as defined in 42 C.F.R. § 495.302 that has been certified by the Office of the National Coordinator for Health Information Technology; or
- (b) Demonstrate that it is a meaningful EHR user as defined in 42 C.F.R. § 495.4.

8902.7 Incentive payments to an eligible hospital in the first payment year shall meet the following requirements:

- (a) Incentive payments shall be disbursed consistent with the Federal FY on a rolling basis following verification of eligibility for the payment year;
- (b) An initial incentive payment shall not be dispersed after FY 2016; and
- (c) An eligible hospital shall receive an incentive payment from only one State or Medicaid incentive payment program in a payment year.

8902.8 In the second, third, fourth, fifth, and sixth payment year, to receive an incentive payment, an eligible hospital shall meet all eligibility requirements in accordance with Sections 8900, "Provider Eligibility" and 8901, "Methodology for Volume Requirements;" and demonstrate that it is a meaningful EHR user as defined in 42 C.F.R. § 495.4.

8902.9 Incentive payments to an eligible hospital in subsequent payment years shall meet the following requirements:

- (a) Incentive payments shall be disbursed consistent with the Federal FY on a rolling basis following verification of eligibility for the payment year;
- (b) Prior to FY 2016, incentive payments may be disbursed on a non-consecutive, annual basis for the fiscal year;
- (c) After 2016, incentive payments shall be dispersed only to an eligible hospital that received an incentive payment in the prior FY;
- (d) Incentive payments shall be dispersed over a minimum of a three (3) year period and a maximum of a six (6) year period;
- (e) An eligible hospital shall receive an incentive payment from only one State or Medicaid incentive payment program in a payment year;

- (f) No single incentive payment may exceed fifty percent (50%) of the aggregate EHR incentive amount as calculated under 42 C.F.R. § 495.310(g);
- (g) The total incentive payment received over all payment years of the program shall be no greater than the aggregate EHR incentive amount as calculated under 42 C.F.R. § 495.310(g); and
- (h) No incentive payments over a two (2) year period may exceed ninety percent (90%) of the aggregate EHR hospital incentive amount as calculated in 42 C.F.R. § 495.310(g).

8902.10 Incentive payments, identified in Subsections 8902.1 through 8902.9, may be assigned to a third party employer or to an entity under the following conditions:

- (a) The third party must have a contractual arrangement with the eligible hospital that allows the third party to bill and receive payment for the eligible hospital's covered professional services;
- (b) Assignments in Medicare must be consistent with § 1842(b)(6)(A) of the Social Security Act and 42 C.F.R. §§ 424.70 – 424.90;
- (c) Medicaid eligible providers may also assign their incentive payments to a Taxpayer Identification Number (TIN) for an entity promoting the adoption of EHR technology, consistent with 42 C.F.R. §§ 495.300 – 495.370; and
- (d) Each eligible provider may reassign the entire amount of the incentive payment to only one employer or entity.

8902.11 Incentive payments, identified in Subsections 8902.1 through 8902.9, that are disbursed through Medicaid managed care plans shall not exceed one hundred and five percent (105%) of the capitation rate pursuant to 42 C.F.R. § 438.6(c)(5)(iii).

8902.12 Incentive payments assigned to third party employers and other entities as described in Subsection 8902.10 shall not be implemented until on or after November 1, 2013.

### **8903 Program Integrity**

8903.1 An eligible provider shall retain documentation that verifies its eligibility for MEIP for a minimum of ten (10) years and cooperate with DHCF and any other duly authorized agent of a governmental agency seeking to audit compliance with MEIP requirements.

8903.2 An eligible provider's cooperation shall include, but is not limited to, the following:

- (a) Making available to DHCF, or its designee, upon request, all necessary and complete records and other documentation for audit purposes as specified in the request;
- (b) Permitting DHCF, or its designee, to audit, inspect, examine, excerpt, copy and/or transcribe the records related to this incentive program; and
- (c) Permitting DHCF, or its designee, to access its premises to inspect and monitor its compliance with program requirements.

8903.3 DHCF shall prevent fraud, waste, and abuse by employing the following actions:

- (a) Conduct a full investigation or refer the case to the State Medicaid fraud control unit upon suspicion or detection of fraud or abuse by an eligible provider;
- (b) Refer the case to the appropriate law enforcement agency upon suspicion or detection of fraud by a beneficiary; and
- (c) Comply with all other laws and regulations designed to prevent fraud, waste, and abuse, including, but not limited to applicable provisions of federal criminal law, the False Claims Act (31 U.S.C. § 3729 *et seq.*), the Anti-Kickback Statute (42 U.S.C. § 1320a-7b), § 1128B(b) of the Social Security Act, and 42 C.F.R. § 495.368.

8903.4 DHCF may take the following actions with respect to an eligible provider found deficient or in violation of this rule:

- (a) Suspend an incentive payment until the eligible provider has removed the deficiency to the satisfaction of DHCF;
- (b) Require full repayment of all or a portion of an incentive payment; or
- (c) Terminate the eligible provider's MEIP participation.

8903.5 DHCF shall issue a written notice when any action is taken pursuant to Subsection 8903.3 in accordance with the requirements set forth in Chapter 13 of Title 29 DCMR.

## **8904 Appeals**

8904.1 A provider may appeal any of the following issues:

- (a) Incentive payment amounts;
- (b) Provider eligibility determinations; and
- (c) Demonstration of adopting, implementing, upgrading, and meaningful use of technology.

8904.2 DHCF shall issue a written determination to a provider if it finds the following:

- (a) The initial MEIP amount will not be issued because the calculation is incorrect;
- (b) The initial MEIP amount will not be issued because the provider has an outstanding balance due which was offset against the MEIP payment;
- (c) Failure to meet MEIP eligibility requirements;
- (d) Failure to meet the meaningful use requirements; or
- (e) Failure to provide sufficient documentation to support adopting, implementing, or upgrading a certified electronic health record.

8904.3 The written determination described in Subsection 8904.2 shall include the following:

- (a) A finding as described in Subsection 8904.2 that includes a description of why the criteria were not met;
- (b) The policy, rule, or statute upon which the determination was made; and
- (c) An explanation of the right to request an administrative review as well as the timeframes for a request.

8904.4 Within thirty (30) calendar days of receipt of the written determination set forth in Subsections 8904.2 and 8904.3, a provider that disagrees with the determination shall have the right to request an administrative review with DHCF. The written request for administrative review shall include the reason for the request, the relief requested and documentation in support of the relief requested.

8904.5 DHCF shall issue a formal written determination relative to the administrative review no later than sixty (60) calendar days after receipt of the provider's written request for administrative review.

8904.6 Within thirty (30) calendar days after receipt of DHCF's written response to the administrative review, the provider may appeal the decision by filing a written notice of appeal with the D.C. Office of Administrative Hearings.

8999

**DEFINITIONS**

**Acute care hospital:** A health care facility: (1) where the average length of patient stay is twenty-five (25) days or fewer; and (2) with a Centers for Medicare and Medicaid Services (CMS) certification number (previously known as the Medicare provider number) that has the last four (4) digits in the series 0001–0879 or 1300–1399 pursuant to 42 C.F.R. § 495.302.

**Children’s hospital:** A separately certified children's hospital, either freestanding or hospital-within-hospital that (1) has a CMS certification number (CCN), (previously known as the Medicare provider number), that has the last four (4) digits in the series 3300–3399; or (2) does not have a CCN but has been provided an alternative number by CMS for purposes of enrollment in MEIP as a children's hospital; and; (3) predominantly treats individuals under twenty-one (21) years of age, pursuant to 42 C.F.R. § 495.302.

**Hospital based professional:** As defined in 42 C.F.R. § 495.4, a professional who furnishes ninety (90) percent or more of covered professional services in sites of service identified by the codes used in the Health Insurance Portability and Accountability Act of 1996, enacted August 21, 1996 (Pub.L. 104–191, 110 Stat. 1936) (HIPAA) standard transaction as an inpatient hospital or emergency room setting in the year preceding the payment year, or in the case of a payment adjustment year, in either of the two (2) years before such payment adjustment year.

**Federally Qualified Health Center (FQHC):** An entity that meets the definition set forth in § 1905(l)(2)(B) of the Social Security Act (42 U.S.C. § 1396d(l)(2)(B)).

**Medicaid encounter:** Services rendered in accordance with 42 C.F.R. § 495.306(e).

**Needy individuals:** As defined at 42 C.F.R. § 495.302, individuals who: received medical assistance from Medicaid or the Children's Health Insurance Program (or a Medicaid or CHIP demonstration project approved under § 1115 of the Social Security Act); were furnished uncompensated care by the provider; or were furnished services at either no cost or reduced cost based on a sliding scale determined by the individuals' ability to pay.

**Patient Encounter:** Services rendered to an individual pursuant to 42 C.F.R. § 495.306(e).

**Patient Volume:** The minimum participation threshold pursuant to 42 C.F.R. § 495.304(c)-(e), § 495.306, and the District of Columbia State Medicaid Health Information Technology Plan.

**Payment year:** For an eligible professional, a calendar year (CY) beginning with CY 2011 and for an eligible hospital, a federal fiscal year (FFY) beginning with FFY 2011.

**Provider:** For the purposes of this section, the term “provider” shall include both health care professionals and hospitals.

## DEPARTMENT OF HEALTH CARE FINANCE

**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in an Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 774; D.C. Official Code § 1-307.02 (2012 Repl. & 2013 Supp.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of an amendment to Section 1913, entitled “One-Time Transitional Services”, of Chapter 19 (Home and Community-Based Waiver Services for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These emergency and proposed rules establish standards governing reimbursement for one-time transitional services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (ID/DD Waiver) and conditions of participation for providers.

The ID/DD Waiver was approved by the Council of the District of Columbia and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services for a five-year period beginning November 20, 2012. One-time transitional services are one-time, non-recurring start-up expenses for persons in the Waiver who are transitioning from an institution or provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for their own living expenses. These rules amend the previously published rules by: (1) specifying the service authorization requirement for one-time transitional services; and (2) specifying the documents to be maintained for audits and monitoring reviews.

Emergency action is necessary for the immediate preservation of the health, safety and welfare of waiver participants who are in need of one-time transitional services. One-time transitional services are essential to ensuring that persons enrolled in the ID/DD Waiver who transition from institutions or provider-operated living arrangements into the community are supported by the receipt of one-time funds to aid in their transition. Under current reporting and record maintenance requirements, there are insufficient safeguards in place to ascertain that providers are taking the necessary steps to ensure that beneficiaries are receiving appropriate, one-time, non-recurring services from qualified providers to aid in their transition to living independently.

The emergency rulemaking was adopted on December 13, 2013, and became effective on that date. The emergency rules shall remain in effect for one hundred and twenty (120) days or until April 11, 2014, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director of DHCF also gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.



**Section 1913 (One-Time Transitional Services) of Chapter 19 of Title 29, PUBLIC WELFARE of the DCMR is deleted in its entirety and amended to read as follows:**

**1913 ONE-TIME TRANSITIONAL SERVICES**

- 1913.1 This section establishes the conditions of participation for Medicaid providers enumerated in § 1913.6 (“Medicaid Providers”) to provide one-time transitional (OTT) services to persons enrolled in the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities (Waiver).
- 1913.2 OTT services are one-time, non-recurring start-up expenses for persons enrolled in the Waiver who are transitioning from an institution or provider-operated living arrangement to a living arrangement in a private residence where the person is directly responsible for their own living expenses.
- 1913.3 In order to be eligible for reimbursement, each Medicaid provider shall obtain prior authorization from the Department on Disability Services (DDS) prior to providing OTT services. The request for prior authorization shall include a written justification that demonstrates how the services will aid the person in transitioning to their own living arrangements and that the person is unable to pay for the expenses or that the service cannot be obtained from other sources.
- 1913.4 In order to be eligible for Medicaid reimbursement, each Medicaid provider shall document the following in the person’s Individual Support Plan (ISP) and Plan of Care:
- (a) The date when OTT funds were provided; and
  - (b) A description and amount of each expense as described in § 1913.5.
- 1913.5 Medicaid reimbursable OTT services may include the following:
- (a) Security deposits that are required to obtain a lease for an apartment or home;
  - (b) Essential household furnishings and expenses required to occupy or maintain an apartment or home;
  - (c) Start-up fees or deposits for utility or service access, including telephone, gas, electricity, and water;
  - (d) Services necessary for the person's health, safety and wellbeing, such as pest eradication and one-time cleaning prior to occupancy;
  - (e) Home accessibility adaptations including carpeting, one-time general home repair, including roof repair, painting and fence repair; and

- (f) Moving expenses related to transporting personal belongings.
- 1913.6 Medicaid reimbursable OTT services shall be provided by the following types of providers who possess a human care agreement with DDS:
- (a) A provider of supported living services as described under Section 1934 of Chapter 19 of Title 29 of the DCMR; and
- (b) A provider of residential habilitation services as described under Section 1929 of Chapter 19 of Title 29 of the DMCR.
- 1913.7 Each provider of Medicaid reimbursable OTT services shall comply with Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 of the DCMR.
- 1913.8 Each provider of Medicaid reimbursable OTT services shall maintain the following documents for monitoring and audit reviews:
- (a) Copy of receipts documenting the date, item, amount expended, and any related warranty; and
- (b) Any documents required to be maintained under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 of the DCMR.
- 1913.8 Each provider of Medicaid reimbursable OTT services shall comply with the requirements described under Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 DCMR.
- 1913.9 Medicaid reimbursement for OTT services shall not be available for:
- (a) Monthly rental or mortgage expenses;
- (b) Food;
- (c) Regular utility charges;
- (d) Household appliances or items that are intended for purely recreational purposes (*e.g.*, television, cable or satellite installation for television programming, stereo or other audio equipment, or computerized gaming equipment);
- (e) Environmental accessibility adaptation services that are of direct medical or remedial benefit to the person including specialized electric and plumbing systems necessary to accommodate medical equipment and supplies; and

(f) Any durable medical equipment.

1913.10 Medicaid reimbursement for OTT services shall be limited to a maximum of five thousand dollars (\$5,000) per person for the duration of the waiver period as a one-time, non-recurring expense.

Comments on the emergency and proposed rule shall be submitted, in writing, to Linda Elam, Ph.D., MPH, Senior Deputy Director/State Medicaid Director, Department of Health Care Finance, 441 4<sup>th</sup> street, NW, Suite 900, Washington, D.C. 20001, via telephone on (202) 442-9115, via email at [DHCFpubliccomments@dc.gov](mailto:DHCFpubliccomments@dc.gov), or online at [www.dcregs.dc.gov](http://www.dcregs.dc.gov), within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Copies of the emergency and proposed rule may be obtained from the above address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

## ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-248  
December 31, 2013


**SUBJECT:** Appointment – Chairperson, Board of Dentistry

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 405 of the District of Columbia Health Occupations Revision Act of 1985, approved March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1204.05 (2012 Repl.), it is hereby **ORDERED** that:

1. **DR. RENEE McCOY-COLLINS** is designated as Chairperson of the Board of Dentistry, replacing Dr. Daniel Howard, Jr., and shall serve in that capacity at the pleasure of the Mayor.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
VINCENT C. GRAY  
MAYOR

ATTEST:   
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

## ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-249  
December 31, 2013


**SUBJECT:** Reappointment – Commission on African Affairs

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 5 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006, D.C. Law 16-111, D.C. Official Code § 2-1394 (2012 Repl.), it is hereby **ORDERED** that:

1. **IFY A. NWABUKWU**, who was nominated by the Mayor on September 18, 2013, and whose nomination was deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0453 on November 16, 2013, is reappointed as a public voting member of the Commission on African Affairs, for a term to end October 27, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
\_\_\_\_\_  
VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2013-250  
December 31, 2013


**SUBJECT:** Appointment – Chief Financial Officer of the District of Columbia

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(2) and 424(b) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code §§ 1-204.22(2) and 1-204.24b (2012 Repl.), and pursuant to the Chief Financial Officer of the District of Columbia Jeffrey S. DeWitt Confirmation Resolution of 2013, effective November 5, 2013, Resolution 20-324, it is hereby **ORDERED** that:

1. **JEFFREY S. DEWITT** is appointed Chief Financial Officer of the District of Columbia, replacing Dr. Natwar M. Gandhi, to complete the remainder of an unexpired term to end June 30, 2017.
2. This Order supersedes Mayor's Order 2012-138, dated August 31, 2012.
3. **EFFECTIVE DATE:** This Order shall be effective January 2, 2014.

  
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 VINCENT C. GRAY  
 MAYOR

ATTEST:   
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 CYNTHIA BROCK-SMITH  
 SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA****ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-001  
January 2, 2014


**SUBJECT:** Appointment – Commission on African Affairs

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and pursuant to section 5 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006, D.C. Law 16-111, D.C. Official Code § 2-1394 (2012 Repl.), it is hereby **ORDERED** that:

1. **MAMADOU SAMBA**, who was nominated by the Mayor on October 29, 2013, and whose nomination was deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0530 on December 21, 2013, is appointed to the Commission on African Affairs as a public voting member, for a term to end October 27, 2016.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
\_\_\_\_\_  
VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA****ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-002  
January 2, 2014


**SUBJECT:** Reappointment – Developmental Disabilities State Planning Council

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with Mayor's Order 2009-165, dated September 25, 2009, it is hereby **ORDERED** that:

1. **TINA M. CAMPANELLA** is reappointed to the Developmental Disabilities State Planning Council ("State Planning Council") as a general member, and a local and non-governmental agency or private non-profit group representative, for a term to end March 18, 2016.
2. **TINA M. CAMPANELLA** is reappointed as Chairperson of the State Planning Council and shall serve in that capacity at the pleasure of the Mayor.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
VINCENT C. GRAY  
MAYOR

ATTEST:   
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA



**GOVERNMENT OF THE DISTRICT OF COLUMBIA****ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-003  
January 3, 2014


**SUBJECT:** Appointment – Developmental Disabilities State Planning Council

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with Mayor's Order 2009-165, dated September 25, 2009, it is hereby **ORDERED** that:

1. **GABRIEL P. SAVAGE** is appointed to the Developmental Disabilities State Planning Council as a consumer member, replacing Susan K. Maclean, for the remainder of an unexpired term to end March 18, 2014, and for a term to begin March 19, 2014, and to end March 18, 2017.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
VINCENT C. GRAY  
MAYOR

ATTEST:   
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

## ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-004  
January 3, 2014


**SUBJECT:** Appointment – Commission on African-American Affairs

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with the Commission on African-American Affairs Establishment Act of 2012, effective March 14, 2012, D.C. Law 19-106, D.C. Official Code § 3-1441 *et seq.* (2012 Repl.), which established the Commission on African-American Affairs (“Commission”), it is hereby **ORDERED** that:

1. **DR. JANETTE HARRIS**, who was nominated by the Mayor on October 28, 2013, and whose nomination was deemed approved by the Council on December 21, 2013, pursuant to Proposed Resolution 20-0527 is appointed as a public voting member of the Commission, for a term to end July 8, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
\_\_\_\_\_  
VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-005  
January 3, 2014

**SUBJECT:** Reappointments – District of Columbia Board of Medicine


**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 203 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1202.03 (2012 Repl.), it is hereby **ORDERED** that:

1. **DR. LISA K. FITZPATRICK**, who was nominated by the Mayor on October 18, 2013 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved on December 21, 2013 pursuant to Proposed Resolution 20-513, is reappointed as a licensed physician member of the District of Columbia Board of Medicine (“Board”), for a term to end August 5, 2016.
2. **DR. MARC E. RANKIN**, who was nominated by the Mayor on October 18, 2013 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved on December 21, 2013 pursuant to Proposed Resolution 20-512, is reappointed as a licensed physician member of the Board, for a term to end August 5, 2016.
3. **MR. THOMAS J. DAWSON III**, who was nominated by the Mayor on October 18, 2013 and, following a forty-five day period of review by the Council of the District of Columbia, whose nomination was deemed approved on December 21, 2013 pursuant to Proposed Resolution 20-514, is reappointed as a consumer member of the Board, for a term to end August 5, 2016.

4. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
\_\_\_\_\_  
VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

## ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2014-006  
January 3, 2014


**SUBJECT:** Appointment – Board of Nursing Home Administration

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 205 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code § 3-1202.05 (2012 Repl.), which established the Board of Nursing Home Administration (“Board”), it is hereby **ORDERED** that:

1. **KEYSHA K. DALE**, who was nominated by the Mayor on October 17, 2013, and was deemed approved by the Council pursuant to Proposed Resolution 20-509 on December 21, 2013, is appointed to the Board, as a licensed nursing home administrator in the District of Columbia, replacing Robert Sloan, to complete the remainder of an unexpired three year term to end July 21, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
\_\_\_\_\_  
VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-007  
January 3, 2014

**SUBJECT:** Appointments and Amendment – District of Columbia Commission on the Martin Luther King, Jr. Holiday


**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11) (2012 Repl.), and in accordance with Mayor's Order 2013-243, dated December 23, 2013, it is hereby **ORDERED** that:

1. **LIONELL THOMAS** is appointed as an *ex officio* voting member of the District of Columbia Commission on the Martin Luther King, Jr. Holiday (hereinafter referred to as "Commission"), representing the Commission on the Arts and Humanities, and shall serve in that capacity at the pleasure of the Mayor.
2. **BURNELL HOLLAND** is appointed as an *ex officio* voting member of the Commission, representing District of Columbia Public Schools, and shall serve in that capacity at the pleasure of the Mayor.
3. **MÓNICA PALACIO** is appointed as an *ex officio* voting member of the Commission, representing the Office of Human Rights, and shall serve in that capacity at the pleasure of the Mayor.
4. **CLARENCE FLUKER** is appointed as an *ex officio* voting member of the Commission, representing the Commission on National and Community Service (Serve DC), and shall serve in that capacity at the pleasure of the Mayor.
5. **CEDRIC JENNINGS** is appointed as an *ex officio* voting member of the Commission, representing the District of Columbia Youth Advisory Council, and shall serve in that capacity at the pleasure of the Mayor.
6. **JAMILA FELTON** is appointed as an *ex officio* voting member of the Commission, representing the District of Columbia Public Library, and shall serve in that capacity at the pleasure of the Mayor.

7. **CRISPUS GORDON** was designated as the representative of the Chairman of the Council of the District of Columbia and shall serve as an *ex officio* voting member of the Commission at the pleasure of the Chairman of the Council.
8. Section IV(A) and the introductory sentence of Section IV(B) of Mayor's Order 2013-243, dated December 23, 2013, are amended, respectively, to read as follows:
  - A. The Commission shall have a maximum of twenty-five (25) voting members.
  - B. The Commission may include ten (10) *ex officio* members from the following offices or agencies:
9. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
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VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA****ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-008  
January 7, 2014


**SUBJECT:** Appointment – D.C. Children and Youth Investment Trust Corporation  
Board of Directors

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), pursuant to section 2404(2) of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999, D.C. Law 13-38, 46 DCR 6373, and in accordance with sections 4.03 and 4.04 of Article IV of the By-Laws of the D.C. Children and Youth Investment Trust Corporation, it is hereby **ORDERED** that:

1. **MARIE JOHNS** is appointed as a voting member to the D.C. Children and Youth Investment Trust Corporation Board of Directors, replacing Robert Bobb, for a term to end October 1, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
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VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA



**GOVERNMENT OF THE DISTRICT OF COLUMBIA****ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-009  
January 7, 2014

**SUBJECT:** Appointment – Board of Dentistry


**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with sections 201 and 403 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986, D.C. Law 6-99, D.C. Official Code §§ 3-1202.01 and 3-1204.03 (2012 Repl.), which established the Board of Dentistry, it is hereby **ORDERED** that:

1. **DR. WESLEY D. THOMAS**, who was nominated by the Mayor on September 16, 2013, and whose nomination was deemed approved by the Council of the District of Columbia pursuant to Proposed Resolution 20-0425, on November 16, 2013, is appointed as a licensed dentist member of the Board of Dentistry, replacing Dr. Daniel Howard, Jr., to complete an unexpired term to end November 30, 2015.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
\_\_\_\_\_  
VINCENT C. GRAY  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA****ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-010  
January 8, 2014


**SUBJECT:** Appointments – Advisory Committee to the Office of Gay, Lesbian,  
Bisexual and Transgender Affairs

**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and pursuant to section 3(b) of the Office of Gay, Lesbian, Bisexual and Transgender Affairs Act of 2005, effective April 4, 2006, D.C. Law 16-89, D.C. Official Code § 2-1382(b) (2012 Repl.), and in accordance with Mayor's Order 2006-52, dated May 3, 2006, it is hereby **ORDERED** that:

1. **RONALD D. FLOWERS** is appointed as member of the Advisory Committee to the Office of Gay, Lesbian, Bisexual and Transgender Affairs for a term to end June 30, 2015.
2. **BRYAN C. NORRINGTON** is appointed as member of the Advisory Committee to the Office of Gay, Lesbian, Bisexual and Transgender Affairs for a term to end June 30, 2015.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.

  
VINCENT C. GRAY  
MAYOR

ATTEST:   
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

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**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Order 2014-011  
January 9, 2014

**SUBJECT:** Reappointment and Appointments – National Capital Planning  
Commission


**ORIGINATING AGENCY:** Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2012 Repl.), and in accordance with section 1 of An Act Providing for a comprehensive development of the park and playground system of the National Capital, approved June 6, 1924, as amended, 43 Stat. 463, ch. 270, D.C. Official Code § 2-1002 (2012 Repl.), it is hereby **ORDERED** that:

1. **ARRINGTON DIXON** is reappointed as a citizen member of the National Capital Planning Commission (“Commission”) for a term to end January 2, 2015.
2. **ROBERT MILLER** is appointed as a citizen member of the Commission for a term to end January 2, 2015, replacing George Tyrone Simpson.
3. **HARRIET TREGONING** is appointed as an *ex officio* member of the Commission representing the District of Columbia as the Director of the Office of Planning.
4. Mayor's Order 2011-23, dated January 6, 2011, is hereby rescinded in its entirety.

5. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to January 2, 2011.

  
\_\_\_\_\_  
VINCENT C. GRAY  
MAYOR

ATTEST:   
\_\_\_\_\_  
CYNTHIA BROCK-SMITH  
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING  
AGENDA

WEDNESDAY, JANUARY 15, 2014 AT 1:00 PM  
2000 14<sup>th</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review of Application for New License. ANC 7F. SMD 7F01. *Terminal Alley*, 3701 Benning Road NE, Retailer CT, Lic#: 93983.

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2. Review of Application for Substantial Change to increase seating capacity. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 1A. SMD 1A07. *Maple*, 33418 11<sup>th</sup> Street NW, Retailer CT, Lic#: 82211.

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3. Review of Request for Change of Hours to include Sunday Operations. *Approved Hours of Operation and Sales*: Monday-Saturday 10 am to 10pm. *Proposed Hours of Operation and Sales*: Sunday-Saturday 7am to 12am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. Settlement Agreement. ANC 5D. SMD 5D01. *Peacock Liquors*, 1625 New York Avenue NE, Retailer A, Lic#: 78305.

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4. Review of Application for Entertainment Endorsement. *Approved Hours Operations, Sales, and Consumption*: Sunday-Thursday 11am to 2am. Friday and Saturday 11am to 3am. *Proposed Hours of Entertainment*: Sunday-Thursday 6pm to 2am. Friday and Saturday 6pm to 3am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 2B. SMD 2B01. *City Tap House*, 901 9<sup>th</sup> Street NW, Retailer CR, Lic#: 93546.

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5. Review of Application for Entertainment Endorsement. *Approved Hours of Operation*: Sunday-Thursday 10am to 12am. Friday and Saturday 10am to 2am. *Approved Hours of Sales and Consumption*: Sunday-Thursday 11am to 12am. Friday and Saturday 11am to 2am. *Proposed Hours of Entertainment*: Sunday-Thursday 6pm to 12am. Friday and Saturday 6pm to 2am. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. Settlement Agreement. ANC 4C. SMD 4C08. *Sweet Mango Cafe*, 3701 New Hampshire Avenue NW, Retailer CR, Lic#: 72512.

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Board's Agenda – January 15, 2014 - Page 2

6. Review of Request for License Class Change from CR to CT in Georgetown Moratorium Zone. ANC 2E. SMD 2E05. No pending citation. No investigative matters. Settlement Agreement. *Gypsy Sally*, 3401 K Street NW, Retailer CR, Lic#: 090582. (Referred to Licensing December 4, 2013.)

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7. Review of Request for New Retailer Grocery B License. No pending investigative matters. No pending enforcement matters. No outstanding fines/citations. No Settlement Agreement. ANC 4C. SMD 4C07. *Safeway*, 3830 Georgia Avenue NW, Retailer B, Lic#: 93822. (Referred to Licensing December 11, 2013.)

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8. Review of Application for Manager's License for *Jae Ho Shin*, ABRA-093918.\*

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9. Review of Application for Manager's License for *Joseph Gartrell*, ABRA-093683.\*

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10. Review of Application for Manager's License for *Elguja Kharabadze*, ABRA-093838.\*

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11. Review of Application for Manager's License for *Haseebullah Frahmand*, ABRA-093649.\*

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12. Review of Application for Manager's License for *Rachael R. Marshman*, ABRA-094016.\*

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13. Review of Settlement Agreement dated January 6, 2014 between Dupont Circle Citizens Association and The Fab Lounge. *The Fab Lounge*, 1805 Connecticut Avenue NW, Retailer CT, Lic#: 070719.\*

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14. Review of Settlement Agreement dated December 19, 2013 between ANC 2E, Citizens of Georgetown, and William Moroney and Gypsy Sally's Acoustic Tavern. *Gypsy Sally's*, 3401 K Street NW, Retailer CR, Lic#: 090582.\*

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**\* In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING  
INVESTIGATIVE AGENDA**

**WEDNESDAY, JANUARY 15, 2014  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On January 15 2014 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”**

1. Case#13-CMP-00569 Tattoo, 1413 K ST NW Retailer C Nightclub, License#: ABRA-075156

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2. Case#13-251-00158 Town, 2009 8TH ST NW Retailer C Nightclub, License#: ABRA-076801

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3. Case#13-AUD-00077 Habana Village, 1834 COLUMBIA RD NW Retailer C Restaurant,  
License#: ABRA-024197

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4. Case#13-AUD-00076 Little Fountain Cafe/Angles, 2339 18TH ST NW Retailer C Restaurant,  
License#: ABRA-020251

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5. Case#13-AUD-00087 Justin's Cafe, 1025 1ST ST SE Retailer C Restaurant, License#: ABRA-083690

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6. Case#13-AUD-00086 Bossa Brazilian Bistro, 2463 18TH ST NW Retailer C Restaurant,  
License#: ABRA-084505

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7. Case#13-AUD-00084 Public Tenley, 4611 41ST ST NW Retailer C Restaurant, License#: ABRA-085626

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8. Case#13-AUD-00081 Bobby's Burger Palace, 2121 K ST NW Retailer C Restaurant,  
License#: ABRA-087084

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**CAPITAL CITY PUBLIC CHARTER SCHOOL**

**REQUEST FOR PROPOSALS**

**Furniture**

Capital City Public Charter School invites all interested and qualified vendors to submit proposals for Furniture. Proposals are due no later than 5 P.M. January 17, 2014. The RFP with bidding requirements and supporting documentation can be obtained by contacting Elle Carne at 202-808-9800 or emailing [ecarne@ccpcs.org](mailto:ecarne@ccpcs.org).



**CENTER CITY PUBLIC CHARTER SCHOOLS, INC.****REQUEST FOR PROPOSAL**

Center City Public Charter Schools, Inc. is soliciting proposals from qualified vendors for the following:

Center City PCS would like to engage one service provider to perform an annual 401(k) audit for approximately 205 eligible participants. The goal is to verify that the plan is operating in compliance with Department of Labor (DOL) and IRS regulations and determine the accuracy of the Form 5500 and financial statements.

To obtain copies of full RFP's, please visit our website: [www.centercitypcs.org](http://www.centercitypcs.org). The full RFP's contain guidelines for submission, applicable qualifications and deadlines.

Contact person:

Cristine Doran  
cdoran@centercitypcs.org

**DC BILINGUAL PUBLIC CHARTER SCHOOL  
REQUESTS FOR PROPOSALS**

**Groceries and Paper Products for Food and Nutrition Services**

DCBPCS is accepting proposals for a bid to Provide Groceries and Paper product items to support Food & Nutrition Services during school year 2013-2014. Bidders are invited to submit proposals based on the specifications outlined in the RFP found at <http://www.dcbilingual.org/current-openings>.

The deadline for application submission is January 17, 2014 at 2:00pm

**DISTRICT OF COLUMBIA HOUSING FINANCE AGENCY**

**Board of Directors  
Annual Meeting  
January 14, 2014  
815 Florida Avenue, NW  
Washington, DC 20001**

**5:30 pm**

**AGENDA**

- I. Call to order and verification of quorum.**
- II. Elections for Board of Directors Officers.**
- III. Vote to close meeting to discuss Agency performance evaluations.**

**Pursuant to the District of Columbia Administrative Procedure Act, the Chairperson of the Board of Directors will call a vote to close the meeting in order to discuss the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials. An open meeting would adversely affect the performance evaluation considerations related to the Agency. (D.C. Code §2-405(b)(10)).**

- IV. Interim Executive Director's Report.**
- V. Other Business.**
- VI. Adjournment.**

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**

**NOTICE OF PUBLIC MEETING**

**Healthy Youth and Schools Commission Meeting Agenda**

**January 15, 2014, 4:00-6:00 pm**

**810 1<sup>st</sup> Street, NE, Washington, DC 20002, Room 4002**

- |           |  |
|-----------|--|
| 4:00-4:05 | Welcome  |
| 4:05-4:10 | Update on Healthy Youth and Schools Commission Report  |
| 4:10-5:45 | Sub-Committees share work completed in 2013and identify plans for 2014 <ul style="list-style-type: none"><li>• Physical Activity/Health Requirements</li><li>• Evaluation</li><li>• Communications and Promotion</li></ul> |
| 5:45-6:00 | Announcements  |

**DISTRICT DEPARTMENT OF THE ENVIRONMENT**

FISCAL YEAR 2014

**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, and D.C. Official Code §2-505, the Air Quality Division (AQD) of the District Department of the Environment (DDOE), located at 1200 First Street NE, 5<sup>th</sup> Floor, Washington, DC, intends to issue Permit #6823 to Potomac Electric Power Company (Pepco) to construct and operate one Kohler emergency diesel generator, located in Washington, DC. The contact person for the facility is Shirley Harmon, Manager, Environmental Compliance & Performance Assessment, at (202) 331-6640.

Emergency Generator to be Permitted

<b>Equipment Location</b>	<b>Address</b>	<b>Generator (Engine) Size</b>	<b>Model Number</b>	<b>Permit No.</b>
Bldg. 54 - Benning Road Service Center	3400 Benning Road NE Washington, DC 20019	27 kW (49 hp)	20REOZJF	6823

The proposed emission limits are as follows:

- a. Emissions shall not exceed those found in the following table, as measured according to the procedures set forth in 40 CFR 89, Subpart E. [40 CFR 60.4205(b), 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]

<b>Emission Standards</b>	
<b>Pollutant</b>	<b>g/kW-hr</b>
NMHC+NO <sub>x</sub>	7.5
CO	5.5
PM	0.60

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated maximum emissions from the emergency generator are as follows:

Pollutant	Emission Rate (lb/hr)	Maximum Annual Emissions (tons/yr)
Carbon Monoxide (CO)	0.21	0.05
Oxides of Nitrogen (NO <sub>x</sub> )	0.48	0.12
Total Particulate Matter , PM (Total)	0.02	0.006
Volatile Organic Compounds (VOCs)	0.05	0.01
Sulfur Dioxide (SO <sub>x</sub> )	0.10	0.03

The application to construct and operate the emergency generator and the draft permit and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
 Chief, Permitting Branch  
 Air Quality Division  
 District Department of the Environment  
 1200 First Street NE, 5<sup>th</sup> Floor  
 Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after February 10, 2014 will be accepted.**

For more information, please contact Stephen S. Ours at (202) 535-1747.

**HEALTH BENEFIT EXCHANGE AUTHORITY****NOTICE OF PUBLIC MEETING****Executive Board of the Health Benefit Exchange Authority**

The Executive Board of the Health Benefit Exchange Authority, pursuant to the requirements of Section 6 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-0094), hereby announces a public meeting of the Executive Board. The meeting will be at 441 4<sup>th</sup> Street NW, Suite 820 N on Wednesday, January 8, 2014, at 5:30 pm. The call in number is 1-877-668-4493; access code: 731 553 865.

The Executive Board meeting is open to the public.

If you have any questions, please contact Debra Curtis at (202) 741-0899.

## DEPARTMENT OF HEALTH CARE FINANCE

## NOTICE OF PUBLIC MEETING

**District of Columbia Health Information Exchange Policy Board**

The District of Columbia Health Information Exchange Policy Board, pursuant to the requirements of Mayor's Order 2012-24, dated February 15, 2012, hereby announces a public meeting of the Board. The meeting will be held **Wednesday, January 15, 2014** at 2:00 pm in the **11<sup>th</sup> Floor Conference Room 1117** at 441 Fourth Street, NW, Washington, DC 20001.

The District of Columbia Health Information Exchange Policy Board meeting is open to the public. The topics to be discussed on the agenda include a Welcome and Introduction, Approval of the Minutes from the November 20, 2013 Meeting, Hospital HIE Connection Program, Public Health Upgrade, Project Update: Evaluation Plan, New Business, and Subcommittee Reports.

If you have any questions, please contact Cleveland Woodson at (202) 724-7342.



## DISTRICT OF COLUMBIA OFFICE OF HUMAN RIGHTS

## NOTICE OF PUBLIC MEETING

**Mayor Vincent C. Gray's Youth Bullying Prevention Task Force: January Meeting**

January 21, 2014

3:30 – 5:00 pm

OSSE - 810 1st Street NE, 3rd Floor Grand Hall B

The January meeting of the OHR-led Bullying Prevention Task Force -- comprised of DC government agencies, nonprofit organizations, community partners, and educators -- is going to discuss ways to further enhance the implementation of bullying prevention policies.

If you are a member of the public and would like to attend the event, please email Suzanne Greenfield at [suzanne.greenfield@dc.gov](mailto:suzanne.greenfield@dc.gov) with your name, organizational affiliation (if any) and phone number, or call (202) 727-0455. If you would like to make a comment during the Task Force meeting, please include that in the email. All members of the public wishing to make a comment during the meeting must inform us by January 14, 2013 at 5pm ET. Members of the public who have requested time will be provided two minutes.

**KIPP DC PUBLIC CHARTER SCHOOL**

**REQUEST FOR PROPOSAL**

**RFP for Borrower's Counsel /  
Transactional Real Estate Legal Services**

KIPP DC invites all interested and qualified parties to submit proposals to provide Borrower's Counsel / Transactional Real Estate Legal Services to support its new high school project. Proposals are due no later than 5:00 pm on Friday, January 24, 2014. The RFP can be obtained by contacting via email:

Alex Shawe, General Counsel & Director of Real Estate  
KIPP DC  
1003 K Street NW, Suite 700  
Washington, DC 20001  
alex.shawe@kipfdc.org  
(202) 223-4505

**PAUL PUBLIC CHARTER SCHOOL  
REQUEST FOR PROPOSALS (RFP)**

Paul Public Charter School seeks bids for:

**General Contracting/ Construction Management Services** related to the renovation of the existing building and new construction of an approximate 26k sf addition. For a copy of the full RFP and associated exhibits interested firms should contact James McDowell at [jmcdowell@paulcharter.org](mailto:jmcdowell@paulcharter.org) or 202-378-2269.

Bids must be received by 5:00 PM, Monday, February 10<sup>th</sup> to the following location:

Paul Public Charter School  
ATTN: James McDowell  
5800 8<sup>th</sup> St NW  
Washington, DC 20011

**OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA**  
**RECOMMEND FOR APPOINTMENTS OF NOTARIES PUBLIC**

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after February 1, 2014.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4<sup>th</sup> Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on January 10, 2014. Additional copies of this list are available at the above address or the website of the Office of the Secretary at [www.os.dc.gov](http://www.os.dc.gov).

D.C. Office of the Secretary  
Recommended for appointment as a DC Notaries PublicEffective: February 1, 2014  
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Abney-Barber	Felicia	Federal Energy Regulatory Commission (FERC) 888 - First Street, NE	20426
Agee	Ann D.	GregoryEdwards, LLC 1120 Connecticut Avenue, NW	20036
Anyim	Valerie	Steptoe & Johnson LLP 1330 Connecticut Avenue, NW	20036
Beynum	Rhashida	Self (Dual) 842 Marjorie Court, SE	20032
Bond	Ruby Christine	Fannie Mae 3900 Wisconsin Avenue, NW	20008
Britton	Susan W.	US Department of Education 550 12th Street, SW	20202
Brooks	Johnience L.	Law Office of Kimberly K. Edley, Esq. 3192 Westover Drive, SE	20020
Brower, Jr.	Michael	Wells Fargo Bank 20 M Street, SE	20003
Cade	Johnetta	Self 2333 16th Street, SE, Unit 102	20020
Cain	Brandee	Diversified Reporting Services, Inc. 1101 16th Street, NW	20036
Cleckley	Wanda D.	Union Temple Baptist Church 1225 W Street, SE	20020
Davis	Lou-Anne S.	Office of John E. McCullough, PLLC 1413 K Street, NW, 15th Floor	20005
Dickerson	June F.	Sidley Austin LLP 1501 K Street, NW	20005
Edwards	Janice L. Moore	U.S. Green Building Council 2101 L Street, NW, Suite 500	20037
Emerson	Ashley Lauren	Matchbox Food Group 806 7th Street, NW, Suite 300	20001

D.C. Office of the Secretary  
 Recommended for appointment as a DC Notaries Public

Effective: February 1, 2014

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Fakunle	Grace	Bank-Fund Staff Federal Credit Union 1725 I Street, NW, Suite 150	20006
Finn	Margot H.	DLA Piper 500 8th Street, NW	20004
Fornaci	Philip	Dinolt, Becnel & Wells Investigative Group, LLC 1025 Connecticut Avenue, NW	20036
Foster	Tiara M.	TD Bank 1753 Connecticut Avenue, NW	20009
Frances-Walker	Jewel	Washington Gas Light Company 101 Constitution Avenue, NW	20080
Fripp	SaVern M.	Office of the Chief Medical Examiner 401 E Street, SW, Suite 6081	20024
Fulton	Lauren	Federation for American Immigration Reform 25 Massachusetts Avenue, NW	20001
Gabbard	Paul D.	Citibank 1101 Pennsylvania Avenue, NW, 9th Floor	20004
Gamiz	Janice Mary	Skadden, Arps, Slate, Meagher and Flom, LLP 1440 New York Avenue, NW	20005
Gandhi	Ravinder K.	Interior Federal Credit Union 1849 C Street, NW, B038	20240
Garcia	Cheryl	Stradley Ronon Stevens and Young, LLP 1250 Connecticut Avenue, NW, Suite 500	20036
Garrett	Mykeia A.	U.S. Department of Education 400 Maryland Avenue, SW	20202
Gibson	Tyrone A.	Suntrust Bank, NA 1601 Maryland Avenue, NE	20002
Gutharz	Cori	Share Our Strength 1030 15th Street, NW, Suite 1100 West	20005

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Recommended for appointment as a DC Notaries PublicEffective: February 1, 2014  
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Harrod	LaWanna A.	Kaye Scholer 901 15th Street, NW	20005
Hayliger	Yvonne	PNC Bank 5530 Connecticut Avenue, NW	20015
Haynes	Carla	Community Bridge, Inc. 1 Scott Circle, NW, Suite 820	20036
Hill	Dinesha	District Cab Association (Transco, Inc.) 3399 Benning Road, NE	20019
Johnson	Monique	Washington Gas Light Company 101 Constitution Avenue, NW	20080
Johnson	Shanda L.	KidsPeace National Centers, Inc 422 1st Street, SE, 2nd Floor	20003
Joyner-Hall	Valerie V.	Federal Energy Regulatory Commission (FERC) 888 - First Street, NE	20426
Kabir	Zobeda Y.	Metropolitan Police Department of the DC 300 Indiana Avenue, NW	20001
Kelly	Patrick A.	T. Rowe Price 1000 Connecticut Avenue, NW, Suite A-100	20036
Kelly	Verona	Arnold & Porter LLP 555 Twelfth Street, NW	20004
Key	Kevin	Mindel Management, Inc. 1607 17th Street, NW	20009
Khan	Mehvish	National Fish and Wildlife Foundation 1133 15th Street, NW, Suite 1100	20005
Koines	Kristen E.	Arent Fox LLP 1717 K Street, NW	20036
Kreisher	Tina A.	The Holladay Corporation 3400 Idaho Avenue, NW, Suite 500	20016
Li	Qianyng	Citibank Foggy Bottom Branch 2221 Eye Street, NW, Suite 400	20037

D.C. Office of the Secretary  
 Recommended for appointment as a DC Notaries Public

Effective: February 1, 2014

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Lloyd	Saymendy Edwina	Women's Wing Organization 2500 31st Street, NE, Suite B	20018
Lyles	Ruby Annalise	Law Office of Fredrick J. Brynn, P.C. 922 Pennsylvania Avenue, SE	20003
Martin, II	Michael C.	Mesirow & Stravitz, PLLC 1307 New Hampshire Avenue, NW, Suite 400	20036
Matibag	Ryan	Navy Federal Credit Union 9th & M Street, SE	20374
Meade	Pamela Denise	Echelon Community Services, Inc. 4274 Foote Street, NE, Suite 3	20019
Morejon	Fanny	Organizatoin of American States - OAS 1889 F Street, NW	20006
Newell	Anna Z.	Saul Ewing, LLP 1919 Pennsylvania Avenue, NW	20006
Nguyen	Tony	Kglobal 1919 M Street, NW, Suite 610	20036
Ogbebor	Efosa	Citibank 1717 K Street, NW	20036
O'Hannon	Gail P.	Office of the Attorney General – Child Protection Section 200 I Street, SE	20003
Pinckney	Lawrence	Wells Fargo Bank 1200 First Street, NE	20002
Powell	Warren E.	National Alliance of Postal and Federal Employees 1628 11th Street, NW	20001
Quinsland	Kierstin	Miriam's Kitchen 2401 Virginia Avenue, NW	20037
Quiroz	Roger	Capital One Bank 3519 Connecticut Avenue, NW	20008
Religa	Sara	Planet Depos 1100 Connecticut Avenue, NW	20036



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 Recommended for appointment as a DC Notaries Public

Effective: February 1, 2014

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Sanders	Neatha M.	Carrollsborg Condominium 1250 4th Street, SW	20024
Schmerling	Daniel	Self 1459 Corcoran Street, NW, Apartment B	20009
Seagears	Germaine	Motion Picture Association of America 1600 I Street, NW	20006
Sinclair	Paul	Self (Dual) 1670 Fort Dupont Street, SE	20020
Slater	Patricia A.	United States Court of Federal Claims 717 Madison Place, NW	20439
Thomas	Tracey	US Department of Health & Human Services 200 Independence Avenue, NW	20201
Trimble	Kelly Keenan	Miriam's Kitchen 2401 Virginia Avenue, NW	20037
Ulf	Richard S.	Monument Title, Inc. 5307 42nd Street, NW	20015
Walls	Mary E.	Arnold & Porter LLP 555 Twelfth Street, NW	20004
White	Andre D.	District of Columbia Government Department on Disability Services 1125 15th Street, NW	20005
Wilson	Gwendolyn Janette	Metropolitan Police Department of the DC 2000 14th Street, NW	20009
Wilson	Jonathan T.	Department of Veterans Affairs /VHA 50 Irving Street, NW	20422
Wilson	Victoria L.	M.A.R. Reporting Group, LLC 1629 K Street, NW, Suite 300	20006
Wright	Kemery A.	Self 3822 V Street, SE	20020
Yildirim	Simge	Ernst and Young, LLP 1101 New York Avenue, NW	20005

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DC TAXICAB COMMISSION**

**NOTICE OF SPECIAL COMMISSION MEETING**

The District of Columbia Taxicab Commission will hold a Special Commission Meeting on Thursday, January 16, 2014 at 10:00 am. The meeting will be held in the Old Council Chambers at 441 4th Street, NW, Washington, DC 20001.

The final agenda will be posted no later than seven (7) days before the General Commission Meeting on the DCTC website at [www.dctaxi.dc.gov](http://www.dctaxi.dc.gov).

Members of the public must register to speak. The time limit for registered speakers is five (5) minutes. **A registered speaker must submit ten (10) copies of his or her statement to the Assistant Secretary to the Commission. A registered speaker will not be allowed to speak if the copies are not submitted.** Registration to speak closes at 3:30 pm the day prior to the meeting. Contact the Assistant Secretary to the Commission, Ms. Mixon, on 202-645-6018, selection 4. Registration consists of your name; your phone number or email contact; and your subject matter.

**DRAFT AGENDA**

- I. Call to Order
- II. Commission Communication
- III. Commission Action Items
- IV. Government Communications and Presentations
- V. General Counsel's Report
- VI. Staff Reports
- VII. Public Comment Period
- VIII. Adjournment

**THURGOOD MARSHALL ACADEMY PUBLIC CHARTER HIGH SCHOOL****REQUEST FOR PROPOSALS****Caterer for Annual Gala Fund-Raising Event**

**Thurgood Marshall Academy**—a nonprofit, college-preparatory, public charter high school—seeks a caterer for its Shining Star Gala. This annual event raises funds that support the school’s rigorous curriculum and youth development services, as well as honoring supporters and raising public awareness about the school’s work.

Ideal caterers will be able to provide, but are not limited to, the following services:

- Available on Thursday, May 1, 2014
- Ability to host 300-400 guests for a reception and dinner to be held at the school
- Elegant presentation and high-quality menu options
- Provide alternative menu options for guests with dietary restrictions
- Must provide tables, linens, chairs, utensils, glassware, china, serving/kitchen equipment as appropriate, tables/linens for display and other decorative elements
- Must provide appropriate number of staff to accommodate attendance: servers, cooks/kitchen attendants & bartenders
- Ability to set up four hours prior to event and clean up that evening
- Ability to assist with floral arrangements, lighting, and valet as determined necessary by Thurgood Marshall Academy
- Must hold liquor license and insurance as set by industry standards
- Experience with school fundraising events preferred

Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at [www.thurgoodmarshallacademy.org](http://www.thurgoodmarshallacademy.org).

By submitting a bid, contractors affirm that they (and subcontractors, if any) are not an excluded party by or disbarred from doing business with either the U.S. federal government or the government of the District of Columbia.

Optional (a plus): contractors may submit their registration number as a DC Community Business Enterprise (“CBE”) if registered with the DC Department of Small & Local Business Development.

For further information contact Juliet Kline, 202-563-6862 x105 or [jkline@tmapchs.org](mailto:jkline@tmapchs.org).

Submit proposals—including unsigned contract and website address—no later than **12 pm EST on Monday, January 27, 2014**, via e-mail to [jkline@tmapchs.org](mailto:jkline@tmapchs.org).

**UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
**AUDIT, ADMINISTRATION AND GOVERNANCE COMMITTEE OF THE**  
**BOARD OF TRUSTEES**

**NOTICE OF PUBLIC MEETING**

The Audit, Administration and Governance Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Tuesday, January 14, 2014 at 5:00 p.m. The meeting will be held in the in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. The final agenda will be posted to the University of the District of Columbia's website at [www.udc.edu](http://www.udc.edu).

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or [bfranklin@udc.edu](mailto:bfranklin@udc.edu).

**Planned Agenda**

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. Vice Presidents' Report**
- IV. Internal Auditor Report**
- V. Conflict of Interest Policy**
- VI. Workforce Development Report**
- VII. Human Resources Report**
- VIII. New Business**
- IX. Executive Session**
  - a. Legal Staff Six Month Report**
  - b. Human Resources Staffing Report**

**Adjournment**

*Expected Meeting Closure*

In accordance with Section 405(b) (10) of the Open Meetings Act of 2010, the Board of Trustees hereby gives notice that it may conduct an executive session, for the purpose of discussing the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials.

**UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
**BUDGET AND FINANCE COMMITTEE OF THE BOARD OF TRUSTEES**

**NOTICE OF PUBLIC MEETING**

The Budget and Finance Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Wednesday, January 15, 2014 at 6:00 p.m. The meeting will be held in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at [www.udc.edu](http://www.udc.edu).

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or [bfranklin@udc.edu](mailto:bfranklin@udc.edu).

**Planned Agenda**

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. FY13 Actuals (Unaudited)**
- IV. FY14 Budget vs. Actuals**
- V. FY15 Budget submission**
- VI. Closing Remarks**

**Adjournment**

**UNIVERSITY OF THE DISTRICT OF COLUMBIA**  
**STUDENT AFFAIRS COMMITTEE OF THE BOARD OF TRUSTEES**

**NOTICE OF PUBLIC MEETING**

The Student Affairs Committee of the Board of Trustees of the University of the District of Columbia will be meeting on Thursday, January 16, 2014 at 6:00 p.m. The meeting will be held in the Board Room, Third Floor, Building 39 at the Van Ness Campus, 4200 Connecticut Avenue, N.W., Washington, D.C. 20008. Below is the planned agenda for the meeting. The final agenda will be posted to the University of the District of Columbia's website at [www.udc.edu](http://www.udc.edu).

For additional information, please contact: Beverly Franklin, Executive Secretary, at (202) 274-6258 or [bfranklin@udc.edu](mailto:bfranklin@udc.edu).

**Planned Agenda**

- I. Call to Order and Roll Call**
- II. Approval of Minutes**
- III. Admissions and Enrollment**
- IV. Financial Aid**
- V. Housing**
- VI. Records Management**
- VII. Closing Remarks**

**Adjournment**

## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

## BOARD OF DIRECTORS

## NOTICE OF PUBLIC MEETING

**Environmental Quality and Sewerage Services Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Environmental Quality and Sewerage Services Committee will be holding a meeting on Thursday, January 16, 2014 at 9:30 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water's website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dewater.com](mailto:linda.manley@dewater.com).

**DRAFT AGENDA**

- |  |  |
|--|--|
| <b>1. Call to Order</b>                                  | Committee Chairperson                          |
| <b>2. AWTP Status Updates</b><br>1. BPAWTP Performance   | Assistant General Manager,<br>Plant Operations |
| <b>3. Status Updates</b>                                 | Chief Engineer                                 |
| <b>4. Project Status Updates</b>                         | Director, Engineering &<br>Technical Services  |
| <b>5. Action Items</b><br>- Joint Use<br>- Non-Joint Use | Chief Engineer                                 |
| <b>6. Emerging Items/Other Business</b>                  |  |
| <b>7. Adjournment</b>                                    | Committee Chairperson                          |

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Water Quality and Water Services Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Water Quality and Water Services Committee will be holding a meeting on Thursday, January 16, 2014 at 11:30 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [linda.manley@dewater.com](mailto:linda.manley@dewater.com).

**DRAFT AGENDA**

- |  |  |
|--|--|
| <b>1. Call to Order</b>                  | Committee Chairperson                    |
| <b>2. Water Quality Monitoring</b>       | Assistant General Manager, Consumer Ser. |
| <b>3. Fire Hydrant Upgrade Program</b>   | Assistant General Manager, Consumer Ser. |
| <b>4. Action Items</b>                   | Assistant General Manager, Consumer Ser. |
| <b>5. Emerging Issues/Other Business</b> | Assistant General Manager, Consumer Ser  |
| <b>6. Adjournment</b>                    | Committee Chairperson                    |



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF FILING**

**Z.C. Case No. 13-18**

**(WBJ Wheeler Road, LLC – Consolidated PUD and Related Map Amendment @  
Square 5925, Lots 820 and 821)**

**January 6, 2013**

**THIS CASE IS OF INTEREST TO ANC 8E**

On December 29, 2013, the Office of Zoning received an application from WBJ Wheeler Road, LLC (the “Applicant”) for approval of a consolidated PUD and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Lots 820 and 821 in Square 5925 in Southeast Washington, D.C. (Ward 8), which is located at 4129-4131 Wheeler Road, S.E. The property is currently zoned C-1. The Applicant proposes a PUD-related map amendment to rezone the property, for the purposes of this project, to C-3-A.

The Applicant proposes to demolish the existing structure and construct a building with 85 residential units and 14,738 square feet of ground-floor retail. The residential portion of the project will be 100% affordable.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://.dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

**BOARD OF ELECTIONS****CERTIFICATION OF ANC/SMD VACANCY**

The District of Columbia Board of Elections hereby gives notice that there is a vacancy in one (1) Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

**VACANT: 6D02**

Petition Circulation Period: **Monday, January 13, 2014 thru Monday, February 3, 2014**

Petition Challenge Period: **Thursday, February 6, 2014 thru Wed., February 12, 2014**

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Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections  
441 - 4<sup>th</sup> Street, NW, Room 250N  
Washington, DC 20001**

For more information, the public may call **727-2525**.

**DISTRICT OF COLUMBIA GOVERNMENT  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
HOUSING PRODUCTION TRUST FUND ADVISORY BOARD**

**MEETING NOTICE**

DC Department of Housing and Community Development (DHCD)-Housing Production Trust Fund (HPTF) Advisory Board announces its next Meeting on **Monday, January 13, 2014, at 10:00 A.M.**, at the DHCD, Housing Resource Center, 1800 Martin Luther King Jr., Avenue, SE, Washington, DC 20020. See Draft Agenda below.

For additional information, please contact Oke Anyaegbunam via e-mail at [Oke.Anyaegbunam@dc.gov](mailto:Oke.Anyaegbunam@dc.gov) or by telephone at 202-442-7200.

**DRAFT AGENDA** (as of 12.17.13):

Call to Order, David Bowers, Chair

- 1) Approval of Prior Meeting Summaries
- 2) Presentation/Discussion Item: Options for Leveraging HPTF Dollars for Affordable Housing
- 3) Updates on HPTF Activities
- 4) Old Business:
  - a. Review of HPTF Budgeting Issues
- 5) New Business
  - a. Discussion of Next Meeting Agenda
- 6) Announcements
- 7) Public Comments
- 8) Adjournment

**DISTRICT OF COLUMBIA RETIREMENT BOARD****2014 OPEN PUBLIC MEETING SCHEDULE**

As of December 24, 2013

The District of Columbia Retirement Board (DCRB) holds Open Board of Trustee meetings on the third Thursday of each month at 1:00 p.m., unless specified differently. The meetings will be held at 900 7<sup>th</sup> Street, N.W., Washington, D.C 20001. The meeting place and time are subject to change without prior notice.

*Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled.* For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or [Deborah.Reaves@dc.gov](mailto:Deborah.Reaves@dc.gov).

**DCRB  
2014 Board Meeting Schedule**

MEETING DATE	LOCATION
January 23, 2014	Mezzanine Level
February 20, 2014	Mezzanine Level
March 20, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
April 17, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
May 15, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
June 19, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
July 17, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
August	NO MEETING
September 18, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
October 16, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
November 20, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor
December 18, 2014	DCRB Board Room, 2 <sup>nd</sup> Floor

**WASHINGTON CONVENTION AND SPORTS AUTHORITY  
(T/A EVENTS DC)**

**NOTICE OF PUBLIC MEETINGS**

The Board of Directors of the Washington Convention and Sports Authority (t/a Events DC), in accordance with the District of Columbia Self-Government and Governmental Reorganization Act of 1973, D.C. Official Code §1-207.42 (2006 Repl., 2011 Supp.), and the District of Columbia Administrative Procedure Act of 1968, as amended by the Open Meetings Amendment Act of 2010, D.C. Official Code §2-576(5) (2011 Repl., 2011 Supp.), hereby gives notice that it has scheduled the following meetings for 2014:

January 16  
February 13  
March 13  
April 10  
May 8  
June 12  
July 10  
September 11  
October 9  
November 13  
December 11

Meetings are held in the Dr. Charlene Drew Jarvis Board Room of the Walter E. Washington Convention Center, 801 Mt. Vernon Place, N.W., Washington, D.C. 20001, beginning at 10:00 a.m. The Board's agenda includes reports from its Standing Committees.

For additional information, please contact:

Sean Sands  
Chief of Staff  
Washington Convention and Sports Authority

(202) 249-3012  
sean.sands@eventsdc.com

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Governance Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Governance Committee will be holding a meeting on Wednesday, January 8, 2014 at 9:00 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at [www.dewater.com](http://www.dewater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [لمانley@dewater.com](mailto:لمانley@dewater.com).

**DRAFT AGENDA**

- |  |                                 |
|--|---------------------------------|
| 1. Call to Order                                 | Chairperson                     |
| 2. Government Affairs: Update                    | Government Relations<br>Manager |
| 3. Update on the Compliance Monitoring Program   | TBD                             |
| 4. Provisions to Procurement Manual Enhancements |                                 |
| 5. Emerging Issues                               | Chairperson                     |
| 6. Agenda for Upcoming Committee Meeting (TBD)   | Chairperson                     |
| 7. Adjournment                                   | Chairperson                     |

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**BOARD OF DIRECTORS**

**NOTICE OF PUBLIC MEETING**

**Human Resources and Labor Relations Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Human Resources and Labor Relations Committee will be holding a meeting on Wednesday, January 8, 2014 at 11:00 a.m. The meeting will be held in the Board Room (4<sup>th</sup> floor) at 5000 Overlook Avenue, S.W., Washington, D.C. 20032. Below is the draft agenda for this meeting. A final agenda will be posted to DC Water’s website at [www.dcwater.com](http://www.dcwater.com).

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or [لمانley@dcwater.com](mailto:لمانley@dcwater.com).

**DRAFT AGENDA**

- |    |  |                       |
|----|--|-----------------------|
| 1. | Call to Order  | Committee Chairperson |
| 2. | Union Presidents   |                       |
| 3. | Other Business   |                       |
| 4. | Executive Session – To discuss personnel matters pursuant to D.C. Official Code § 2-575(b)(10) | Committee Chairperson |
| 5. | Adjournment  | Committee Chairperson |

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