

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council enacts Act 21-215, Uniform Interstate Family Support Emergency Act of 2015
- D.C. Council enacts Act 21-217, Interim Eligibility and Minimum Shelter Standards Emergency Amendment Act of 2015
- D.C. Council schedules a public roundtable on the Board of Elections' Preparations for the June 14, 2016, Primary Election
- Office of the State Superintendent of Education schedules public hearings on the Proposed Child Care and Development Fund Block Grant Plan
- Department of Energy and Environment solicits public comments on the District of Columbia Sustainable Energy Utility Benchmarks
- Department of Health announces funding availability for the Fiscal Year 2016 Poison Control and Prevention Services
- Office of the Secretary releases a memorandum on the filing of the Official Signature Form
- D.C. Taxicab Commission proposes regulations that would require installation of safety devices in all taxicabs

DISTRICT OF COLUMBIA REGISTER

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-204

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To amend, on a temporary basis, the Day Care Policy Act of 1979 to establish a pilot, community-based Quality Improvement Network that will allow children and families to benefit from early, continuous, intensive, and comprehensive child development and family-support engagement services, including educational, health, nutritional, behavioral, and family-support services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Early Learning Quality Improvement Network Temporary Amendment Act of 2015”.

Sec. 2. The Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-401 *et seq.*), is amended by adding a new section 15a to read as follows:

“Sec. 15a. Comprehensive child development programs.

“(a) Notwithstanding sections 3 through 11, the Office of the State Superintendent of Education (“OSSE”) shall establish a pilot, community-based Quality Improvement Network (“QIN”) composed of:

“(1) Child development hubs, selected through a competitive process, that will provide quality improvement technical assistance and comprehensive services to licensed child development centers and licensed child development homes selected by OSSE to be partners and that agree to meet federal Early Head Start Program Performance Standards for program participation; and

“(2) Child development centers and child development homes, selected through a competitive process, to provide low-income infants and toddlers high-quality, full-day, full-year comprehensive early learning and development services and continuum of care.

“(b) Child development centers and child development homes within the QIN shall receive technical assistance from child development hubs to achieve the following within 18 months of being selected by OSSE to participate in the QIN:

“(1) Child development centers and child development homes within the QIN shall have adult-to-child ratios and group sizes that meet or exceed federal Early Head Start standards for all children from birth to 3 years of age in child development centers, or as otherwise approved by OSSE.

“(2) Child development centers and child development homes within the QIN shall have a comprehensive curriculum or program that is aligned with federal Head Start

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Program Performance Standards and the District's early learning and development standards for serving infants, toddlers, and their families.

“(3) Staff who have direct supervision of infants and toddlers at child development centers and child development homes within the QIN shall, at a minimum, meet or exceed Early Head Start Standards for staff qualifications or credentials.

“(4) Child development centers and child development homes within the QIN shall partner with child development hubs to develop and implement a quality improvement plan, including aligning program policies and procedures to support on-site coaching, professional development, and teacher planning time.

“(5) Child development centers and child development homes within the QIN shall provide child-, family-, and program-level data to OSSE and the child development hubs as requested.

“(6) Child development centers and child development homes within the QIN shall participate in ongoing, on-site and desktop monitoring activities to ensure compliance with program requirements and Head Start Program Performance Standards required to remain in good standing with OSSE, the child development hubs, and the U.S. Department of Health and Human Services, Office of Head Start, if applicable.

“(7) Child development centers and child development homes within the QIN shall support comprehensive services for children and families by the child development hubs, including implementation of individualized family service plans.

“(8) Child development centers and child development homes within the QIN shall participate in the Child and Adult Care Food Program.

“(9) Child development centers and child development homes within the QIN shall facilitate children's and families' transitions to Pre-K or Head Start programs.

“(c) OSSE shall have authority to set payment rates and to develop policies and procedures for high-quality early learning and development services set under the authority of this section.

“(d) To be eligible for infant and toddler child development services provided by child-care partners in the QIN, a child shall be a resident of the District of Columbia and between birth and 3 years of age; provided, that a child who turns 3 years old during a program year may continue to receive services for the duration of the program year before transitioning into a pre-kindergarten or Head Start preschool program.

“(e) To the extent possible, priority enrollment shall be given to children between birth and 3 years of age whose families are living at or below the federal poverty level, who are homeless or in the foster care system, or who live with a grandparent, godparent, or relative who is receiving a grandparent caregiver subsidy pursuant to Title I of the Grandparent Caregivers Pilot Program Establishment Act of 2005, effective March 8, 2006 (D.C. Law 16-69; D.C. Official Code § 4-251.01 *et seq.*).

“(f) OSSE shall monitor the child development hubs and partner participants in the QIN for adherence to policies and procedures set under the authority of this act.

“(g) OSSE may, in whole or in part, terminate the grant provided to a hub or partner participant at any time if OSSE determines that a hub or partner participant has:

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“(1) Substantially failed to comply with, or meet the objectives and terms of, the grant award; or

“(2) Failed to comply with applicable federal or District laws or regulations.

“(h) OSSE shall continue on-site monitoring for health and safety licensing compliance of child-care partners participating in the QIN; provided, that OSSE may delegate to the child development hubs on-site monitoring of the compliance of participating child development centers and homes with federal Head Start Program Performance Standards; provided, that relevant data collected by child development hubs is regularly reported to OSSE.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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 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.

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-205

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To amend, on a temporary basis, An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Extension of Time to Dispose of the Strand Theater Temporary Amendment Act of 2015".

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-6) to read as follows:

"(d-6) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of the property located at 5131 Nannie Helen Burroughs Avenue, N.E., known as the Strand Theater, for which disposition was approved by the Council pursuant to the Strand Theater Disposition Approval Resolution of 2009, effective October 6, 2009 (Res. 18-0263; 56 DCR 8410), and extended by the Strand Theater Disposition Extension Approval Resolution of 2011, effective September 20, 2011 (Res. 19-246; 58 DCR 8477), is extended to October 6, 2016."

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

ENROLLED ORIGINAL

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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-206

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To establish, on a temporary basis, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Grocery Store Restrictive Covenant Prohibition Temporary Act of 2015”.

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) “Grocery store” means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) “Private agreement” means a mutually agreed upon and entered into exchange of promises.

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Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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)).

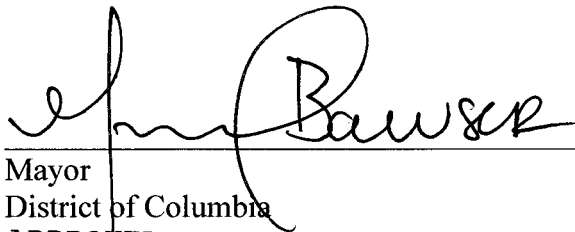
Sec. 4. Effective date.

(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 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To amend, on a temporary basis, An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, to authorize the Fire and Emergency Medical Services Department to contract with third parties to provide supplemental pre-hospital medical care and transportation for Basic Life Support calls for service, to require that third-party contracts preclude the District from liability and contain an indemnification provision, to set forth reporting requirements for third-party contractors, the Fire and Emergency Medical Services Department, and the Office of Unified Communications, and to extend the public duty doctrine to claims against the District for actions of a third-party contractor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Emergency Medical Services Contract Authority Temporary Amendment Act of 2015”.

Sec. 2. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended as follows:

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

(1) Designate the existing text as paragraph (1).

(2) New paragraphs (2) and (3) are added to read as follows:

“(2) Notwithstanding paragraph (1) of this subsection, the Department may contract with third parties to provide supplemental pre-hospital medical care and transportation to persons requiring Basic Life Support.

“(3) A contract entered into pursuant to paragraph (2) of this subsection shall include a provision that precludes the District from liability for any claims arising out of the actions of the third-party contractor and also provides full indemnification to ensure that the District shall not be responsible for any amounts owed to others as a result of the third-party contractor’s action or inaction under the contract.”.

(b) New subsections (d), (e), (f), (g), (h), and (i) are added to read as follows:

“(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of this section shall provide a quarterly report to the Department and to the Council that includes the following information:

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“(1) The number of transports performed;

“(2) The location where the third-party contractor meets each patient and the name and location of the healthcare facility to which the patient is transported;

“(3) The average time between the dispatch of the third-party contractor by the Department and the third-party contractor’s arrival to the patient;

“(4) The average time that the third-party contractor remains out of service while waiting to transfer the care of a patient to a healthcare facility;

“(5) The number of third-party contractor ambulances available on a daily basis for Department use;

“(6) The length of the third-party contractor’s personnel shifts; and

“(7) The number of employees hired by the third-party contractor, including the number of District residents.

“(e) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Department shall submit a report to the Council that includes the following information:

“(1) Activity by the Department to educate the public on the proper use of emergency requests for service;

“(2) The number of employees hired after the contract award and their residency;

“(3) Evaluation of pre-hospital medical care and transportation fees considering the reasonableness of the fees, the public interest, and the persons required to pay the fee;

“(4) The number of ambulances added to the Department’s frontline and reserve fleet after the date of the contract award, including whether added ambulances replace or supplement the current fleet;

“(5) The number of emergency medical services personnel training hours provided; and

“(6) The number of patients who used the Department’s transport services twice or more within the reporting period, including the number of times the patient used transport services during the previous 12 months.

“(f) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Office of Unified Communications shall submit a report to the Council that includes the following information:

“(1) The number of calls dispatched and the average dispatch time; and

“(2) The protocol to reroute non-emergency calls.

“(g) Within one year after the date of a contract award pursuant to subsection (b)(2) of this section, the Department shall submit a report to the Council that evaluates performance under the contract and includes the following information:

“(1) The impact on the Department’s unit availability;

“(2) The impact on the Department’s fleet, including the ability to conduct preventative maintenance and the number of operational and reserve units available;

“(3) The impact on the Department’s training schedule;

“(4) The impact on the Department’s response times and quality of patient care;

ENROLLED ORIGINAL

“(5) An assessment of the number of units, the number of personnel, the amount of training, and associated costs required to provide pre-hospital medical care and transportation without the use of third parties; and

“(6) Recommendations for implementing any additional units, personnel, and training identified in paragraph (5) of this subsection.

“(h) The Council ratifies the interpretation and application of the public duty doctrine by the District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen v. District of Columbia*, No. 10-CV-1425, and extends the public duty doctrine to claims against the District for the actions of contractors and their employees providing services under this section to the same extent as it applies to the District and its employees.

“(i) For the purposes of this section, the term “Basic Life Support” means a level of medical care provided by pre-hospital emergency medical services at the basic emergency response technician level and in accordance with the national scope of practice for a basic level provider.”.

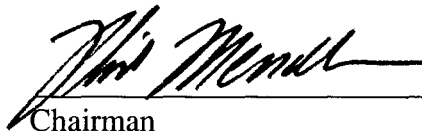
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED

November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-208

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To amend, on a temporary basis, An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify that, for purposes of determining whether the referral of a minor student 14 years of age through 17 years of age to the Court Social Services Division of the Superior Court of the District of Columbia and to the Office of the Attorney General Juvenile Section for the accrual of 15 unexcused absences during School Year 2015-2016 is required, the term unexcused absence may mean an unexcused full school day absence.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Truancy Referral Temporary Amendment Act of 2015”.

Sec. 2. Section 7(c)(1)(B) of 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, effective September 19, 2013 (D.C. Law 20-17; D.C. Official Code § 38-208(c)(1)(B)), is amended by striking the period and inserting the phrase “. For purposes of this subparagraph, for School Year 2015-2016, an educational institution may construe the term unexcused absences to mean unexcused full school day absences.” in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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)).

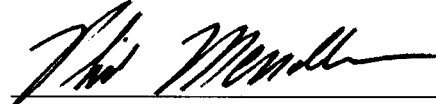
Sec. 4. Effective date.

(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

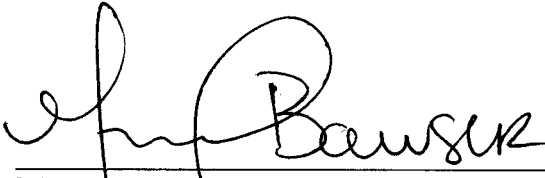
ENROLLED ORIGINAL

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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-209

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To amend, on a temporary basis, An Act To provide for the payment and collection of wages in the District of Columbia to clarify who may bring an action on behalf of an employee and when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, to revise criminal penalties for violations of the act, and to authorize the Mayor to issue rules to implement the provisions of the act; to amend the Minimum Wage Act Revision Act of 1992 to clarify the time period for retention of payroll records, when a general contractor and subcontractor or a general contractor and temporary staffing firm will be jointly and severally liable for violations, and how the Mayor shall make certain information available to employers; and to amend the Wage Theft Prevention Amendment Act of 2014 to repeal a retroactive applicability provision.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015”.

Sec. 2. An Act To provide for the payment and collection of wages in the District of Columbia, approved August 3, 1956 (70 Stat. 976; D.C. Official Code § 32-1301 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 32-1303) is amended as follows:

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

(A) Strike the word “alleged” and insert the word “found” in its place.

(B) Strike the phrase “Act.” and insert the phrase “Act, except as

otherwise provided in a contract between the contractor and subcontractor in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157).” in its place.

(2) Paragraph (6) is amended by striking the phrase “District.” and inserting the phrase “District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157).” in its place.

(b) Section 7(a) (D.C. Official Code § 32-1307(a)) is amended to read as follows:

“(a)(1) Any employer who negligently fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall be fined:

ENROLLED ORIGINAL

“(A) For the first offense, an amount per affected employee of not more than \$2,500;

“(B) For any subsequent offense, an amount per affected employee of not more than \$5,000.

“(2) Any employer who willfully fails to comply with the provisions of this act or the Living Wage Act shall be guilty of a misdemeanor and, upon conviction, shall:

“(A) For the first offense, be fined not more than \$5,000, or imprisoned not more than 30 days, or both; or

“(B) For any subsequent offense, be fined not more than \$10,000, or imprisoned not more than 90 days, or both.

“(3) The fines set forth in paragraphs (1) and (2) of this subsection shall not be limited by 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).”

(c) Section 8(a) (D.C. Official Code § 32-1308(a)) is amended by striking the phrase “, or any entity a member of which is aggrieved by a violation of this act, the Minimum Wage Revision Act, the Sick and Safe Leave Act, or the Living Wage Act”.

(d) A new section 10b is added to read as follows:

“Sec. 10b. Rules.

“The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1068 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act.”

Sec. 3. The Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1001 *et seq.*), is amended as follows:

(a) Section 9(a)(1) (D.C. Official Code § 32-1008(a)(1)) is amended by striking the phrase “3 years or whatever the prevailing federal standard is, whichever is greater” and inserting the phrase “3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater” in its place.

(b) Section 10(c) (D.C. Official Code § 32-1009(c)) is amended to read as follows:

“(c) The Mayor shall make copies or summaries of this act publicly available on the District government’s website or by some other appropriate method within 60 days of the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157). An employer shall not be liable for failure to post notice if the Mayor has failed to provide to the employer the notice required by this section.”

(c) Section 12(d)(1)(C) (D.C. Official Code § 32-1011(d)(1)(C)) is amended by striking the phrase “3 years or whatever the prevailing federal standard is, whichever is greater” and inserting the phrase “3 years or the prevailing federal standard, if identified in regulations issued pursuant to this act, whichever is greater” in its place.

(d) Section 13 (D.C. Official Code § 32-1012) is amended as follows:

(1) Subsection (c) is amended by striking the phrase “act.” and inserting the phrase “act, except as otherwise provided in a contract between the contract and subcontractor in

ENROLLED ORIGINAL

effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157).” in its place.

(2) Subsection (f) is amended by striking the phrase “District.” and inserting the phrase “District, except as otherwise provided in a contract between the temporary staffing firm and the employer in effect on the effective date of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157).” in its place.

Sec. 4. Section 7 of the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157), is repealed.


Sec. 5. 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)).

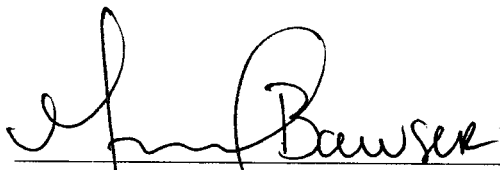
Sec. 6. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by 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.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-210

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To establish, on a temporary basis, a moratorium on the issuance of permits for the construction or operation of automobile paint spray booths in Ward 5; provided, that the moratorium shall not apply to permits for automobile paint spray booths that meet certain conditions.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Ward 5 Paint Spray Booth Conditional Moratorium Temporary Act of 2015".

Sec. 2. Paint spray booth moratorium.

(a) The Mayor shall not issue a permit for the construction or operation of an automobile paint spray booth in Ward 5.

(b) The Mayor shall not issue a renewal permit for the operation of an automobile paint spray booth in Ward 5.

(c) For the purposes of this act, the term "automobile paint spray booth" means a facility related to an auto body paint shop for which the applicant must obtain a minor source air pollutant permit from the District Department of the Environment.

Sec. 3. Applicability.

(a) Section 2 shall not apply to a permit for the construction of or the operation of, or a renewal permit for the operation of, an automobile paint spray booth that contains conditions at least as restrictive as the following:

(1) Automobile coating for motor vehicle and mobile equipment non-assembly line refinishing and recoating, as applied, shall not contain volatile organic compounds in excess of the specified limit for each of the following coating types:

(A) Adhesion promoters: 540 grams per liter (4.5 pounds per gallon);

(B) Automotive pretreatment coating: 660 grams per liter (5.5 pounds per gallon);

(C) Automotive primer: 250 grams per liter (2.1 pounds per gallon);

(D) Clear coating: 250 grams per liter (2.1 pounds per gallon);

(E) Color coating, including metallic/iridescent color coating: 420 grams per liter (3.5 pounds per gallon);

ENROLLED ORIGINAL

- (F) Multicolor coating: 680 grams per liter (5.7 pounds per gallon);
- (G) Other automotive coating type: 250 grams per liter (2.1 pounds per gallon);
- (H) Single-stage coating, including single-stage metallic/iridescent coating: 340 grams per liter (2.8 pounds per gallon);
- (I) Temporary protective coating: 60 grams per liter (0.50 pounds per gallon);
- (J) Truck bed liner coating: 200 grams per liter (1.7 pounds per gallon);
- and
- (K) Underbody coating: 430 grams per liter (3.6 pounds per gallon); and
- (2) Cleaning solvent used shall not exceed a volatile organic compound content of 25 grams per liter (0.21 pounds per gallon) except for:
- (A) Cleaning solvent used as a bug and tar remover; provided, that the volatile organic compound content of the cleaning solvent shall not exceed 350 grams per liter (2.9 pounds per gallon), and usage shall be limited as follows:
- (i) No more than 20 gallons in any consecutive 12-month period for facilities and operations using 400 gallons or more of coating during the 12-month period ending at the end of the previous calendar month;
- (ii) No more than 15 gallons in any consecutive 12-month period for facilities and operations using 150 gallons or more, but less than 400 gallons, of coating during the 12-month period ending at the end of the previous calendar month; or
- (iii) No more than 10 gallons in any consecutive 12-month period for facilities and operations using less than 150 gallons of coating during the 12-month period ending at the end of the previous calendar month.
- (B) Cleaning solvent used to clean plastic parts immediately before coating or for the removal of wax and grease; provided, that:
- (i) Non-aerosol, hand-held spray bottles are used to apply the cleaning solvent;
- (ii) The volatile organic compound content of the cleaning solvent shall not exceed 780 grams per liter (6.51 pounds per gallon); and
- (iii) No more than 20 gallons of the cleaning solvent are used in any consecutive 12-month period in any one business location;
- (C) Aerosol cleaning solvent; provided, that 160 ounces or less are used per day per business location; or
- (D) Cleaning solvent with a volatile organic compound content no greater than 350 grams per liter (2.92 pounds per gallon), used at a volume equal to or less than 2.5% of the preceding calendar year's annual coating usage, up to a maximum of 15 gallons per calendar year.
- (b) The limits in subsection (a)(1) of this section shall represent the weight of volatile organic compound per volume of coating, prepared to the manufacturer's recommended maximum volatile organic compound content, exclusive of water and non-volatile organic compound solvents.

ENROLLED ORIGINAL

(c) The Mayor shall refer to the Ozone Transport Commission's "Model Rule 2009-12-Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations Alternate Technical Revisions" for calculation methodologies and definitions.

Sec. 4. Repealer.

The Ward 5 Paint Spray Booth Moratorium Temporary Act of 2015, effective October 21, 2015 (D.C. Law 21-35; 62 DCR 10903), is repealed.

Sec. 5. Sunset.

This act shall expire upon the promulgation of rules by the Mayor that revise section 718 of Chapter 20 of the District of Columbia Municipal Regulations (20 DCMR § 718).

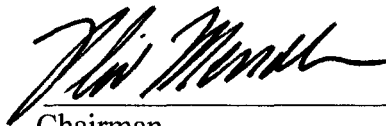
Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 7. 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 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-211

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 23, 2015

To amend, on a temporary basis, section 47-1086 of the District of Columbia Official Code to clarify the exemption from the tenant opportunity to purchase requirements of the property owned by N Street Village, Inc., located at 1301 14th Street, N.W.; and to amend the N Street Village, Inc. Tax and TOPA Exemption Act of 2014 to make a conforming amendment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “N Street Village, Inc. Tax and TOPA Exemption Clarification Temporary Amendment Act of 2015”.

Sec. 2. Section 47-1096 of the District of Columbia Official Code is amended as follows:

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

(1) Subparagraph (A) is amended by adding the word “and” at the end.

(2) Subparagraph (B) is amended by striking the phrase “; and” and inserting a period in its place.

(3) Subparagraph (C) is repealed.

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

“(c) So long as N Street Village, Inc., Lot 93, or any lots created out of Lot 93, Square 242 located at 1301 14th Street, N.W. (“Property”), continues to be used for affordable housing as described in § 47-1005.02(a)(1), for supportive services for tenants of the affordable housing and other people of low income, and for offices and parking on the Property, and is not used for commercial purposes, the conveyance of the Property by a deed to an owner that meets the foregoing requirements shall be exempt from Chapter 34 of Title 42.”.

Sec. 3. Section 3(a) of the N Street Village, Inc. Tax and TOPA Exemption Act of 2014, effective March 11, 2015 (D.C. Law 20-229; 62 DCR 276), is amended by striking the phrase “This act” and inserting the phrase “The amendatory subsections (a) and (b) of section 2(b)” in its place.

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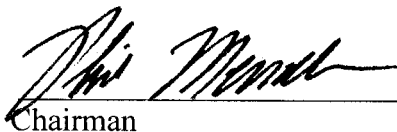
Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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)).

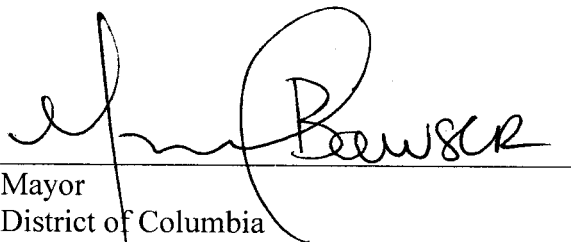
Sec. 5. Effective date.

(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 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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-212

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 24, 2015

To amend, on a temporary basis, the Retail Services Station Act of 1976 to provide that certain prohibitions to discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Gas Station Advisory Board Temporary Amendment Act of 2015".

Sec. 2. Section 5-301(b) of the Retail Services Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01(b)), is amended as follows:

(a) Designate the existing text as paragraph (1).

(b) The newly designated paragraph (1) is amended by striking the phrase "No retail station" and inserting the phrase "Except as provided in paragraph (2) of this subsection, no retail station" in its place.

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

"(2) This subsection shall not apply to any retail service station for which an application was on file with the Zoning Commission between the effective date of the New Columbia Statehood Initiative and Omnibus Boards and Commissions Reform Act of 2014, effective May 2, 2015 (D.C. Law 20-271; 62 DCR 1884), and August 1, 2015."

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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)).

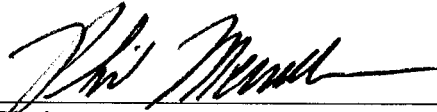
Sec. 4. Effective date.

(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

ENROLLED ORIGINAL

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.



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
November 23, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-213

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 30, 2015

To amend An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes to extend the time in which the Mayor may dispose of certain District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494; and to amend the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009 to make a conforming amendment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Extension of Time to Dispose of Property Located at Sixth and E Streets, S.W., Amendment Act of 2015”.

Sec. 2. Section 1 of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801), is amended by adding a new subsection (d-7) to read as follows:

“(d-7) Notwithstanding subsection (d) of this section, the time period within which the Mayor may dispose of District-owned real property located at the northeast corner of Sixth and E Streets, S.W., known for tax and assessment purposes as Lot 0036 in Square 0494, for the construction of a mixed-use development, which was approved by the Council pursuant to the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), as extended by the Fourth/Sixth and E Streets, S.W., Property Disposition Extension Approval Resolution of 2011, effective July 12, 2011 (Res. 19-170; 58 DCR 6589), is extended to November 3, 2017.”.

Sec. 3. Section 3(a) of the Fourth/Sixth and E Streets, S.W., Property Disposition Approval Resolution of 2009, effective November 3, 2009 (Res. 18-290; 56 DCR 8799), is amended by adding a new paragraph (4) to read as follows:

“(4) The Lessee will comply with the requirements of section 1(a-3) of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801(a-3)).”.

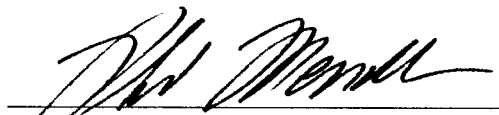
ENROLLED ORIGINAL

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
November 30, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-214

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 30, 2015

To approve, on an emergency basis, the amended proposal for the property designated as Lot 25 in Square 526, which was previously conveyed to Golden Rule Plaza, Inc.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Plaza West Disposition Restatement Emergency Act of 2015”.

Sec. 2. (a) Notwithstanding An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), and subject to the conditions set forth in subsection (c) of this section, the Council approves the amended development proposal (“Amended Proposal”) offered by Golden Rule Plaza, Inc. and its successors or assigns, as approved by the Mayor (“Developer”) for the following property conveyed via special warranty deed to Golden Rule Plaza, Inc. from the District in 2005 pursuant to section 2 of the Approval of the Negotiated Disposition of the “Golden Rule Property” to Golden Rule Plaza, Inc., and Reorganization Plan No. 8 of 1996 for the Business of Public Management Disapproval Resolution of 1996, effective November 7, 1996 (Res. 11-569; 43 DCR 6219): Lot 25 in Square 526, which is bounded by 4th Street, N.W., the Center Leg Freeway, and K Street, N.W., as shown on a plat of subdivision recorded by Golden Rule Plaza, Inc. in the Office of the Surveyor for the District of Columbia in Subdivision Book 208 at Page 168.

(b) The Amended Proposal includes approximately 223 units of affordable housing, with supportive services, outdoor space, parking, and any ancillary uses allowed under applicable law.

(c) The Amended Proposal is subject to the following conditions:

(1) Developer shall construct residential units that shall be affordable for a minimum of 40 years at the following affordability levels:

(A) Approximately 35 units shall be reserved for households earning at or below 30% of Area Median Income;

(B) Approximately 26 units shall be reserved for households earning at or below 40% of Area Median Income;

(C) Approximately 82 units shall be reserved for households earning at or below 50% of Area Median Income; and

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(D) Approximately 80 units shall be reserved for households earning at or below 60% of Area Median Income;

(2) Developer shall enter into an agreement governing its obligations under the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*) (“CBE Act”), including the equity and development participation requirements set forth in section 2349a of the CBE Act (D.C. Official Code § 2-218.49a); and


(3) Developer shall enter into an agreement with the District governing its obligations pursuant to section 4 of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03), and Mayor’s Order 83-265 (November 9, 1983) regarding job creation and employment generated as a result of the Amended Proposal.

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.

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
November 30, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-215

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 30, 2015

To enact, on an emergency basis, the Uniform Interstate Family Support Act, as revised with amendments officially adopted by the National Conference of Commissioners on Uniform State Laws, to implement the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Uniform Interstate Family Support Emergency Act of 2015”.

TITLE 1. GENERAL PROVISIONS.

Sec. 101. Short title.

This act may be cited as the “Uniform Interstate Family Support Emergency Act”.

Sec. 102. Definitions.

In this act:

- (1) “Child” means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual’s parent or who is or is alleged to be the beneficiary of a support order directed to the parent.
- (2) “Child-support order” means a support order for a child, including a child who has attained the age of majority under the law of the issuing state or foreign country.
- (3) “Convention” means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, concluded at The Hague on November 23, 2007.
- (4) “District” means the District of Columbia.
- (5) “Duty of support” means an obligation imposed or imposable by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.
- (6) “Foreign country” means a country, including a political subdivision thereof, other than the United States, that authorizes the issuance of support orders and:
 - (A) Which has been declared under the law of the United States to be a foreign reciprocating country;
 - (B) Which has established a reciprocal arrangement for child support with the District as provided in section 308;

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(C) Which has enacted a law or established procedures for the issuance and enforcement of support orders which are substantially similar to the procedures under this act; or

(D) In which the Convention is in force with respect to the United States.

(7) "Foreign support order" means a support order of a foreign tribunal.

(8) "Foreign tribunal" means a court, administrative agency, or quasi-judicial entity of a foreign country which is authorized to establish, enforce, or modify support orders or to determine parentage of a child. The term includes a competent authority under the Convention.

(9) "Home state" means the state or foreign country in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state or foreign country in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(10) "Income" includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of the District.

(11) "Income-withholding order" means an order or other legal process directed to an obligor's holder, as defined by section 2(11) of the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-201(11)), to withhold support from the income of the obligor.

(12) "Initiating tribunal" means the tribunal of a state or foreign country from which a petition or comparable pleading is forwarded or in which a petition or comparable pleading is filed for forwarding to another state or foreign country.

(13) "Issuing foreign country" means the foreign country in which a tribunal issues a support order or a judgment determining parentage of a child.

(14) "Issuing state" means the state in which a tribunal issues a support order or a judgment determining parentage of a child.

(15) "Issuing tribunal" means the tribunal of a state or foreign country that issues a support order or a judgment determining parentage of a child.

(16) "Law" includes decisional and statutory law and rules and regulations having the force of law.

(17) "Mayor" means the Mayor of the District of Columbia.

(18) "Obligee" means:

(A) An individual to whom a duty of support is or is alleged to be owed or in whose favor a support order or a judgment determining parentage of a child has been issued;

(B) A foreign country, state, or political subdivision of a state to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee in place of child support;

(C) An individual seeking a judgment determining parentage of the individual's child; or

(D) A person that is a creditor in a proceeding under Title 7.

(19) "Obligor" means an individual, or the estate of a decedent that:

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- (A) Owes or is alleged to owe a duty of support;
- (B) Is alleged but has not been adjudicated to be a parent of a child;
- (C) Is liable under a support order; or
- (D) Is a debtor in a proceeding under Title 7.

(20) "Office of the Attorney General" means the Office of the Attorney General for the District of Columbia.

(21) "Outside the District" means a location in another state or a country other than the United States, whether or not the country is a foreign country.

(22) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(23) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(24) "Register" means to file in a tribunal of the District a support order or judgment determining parentage of a child issued in another state or a foreign country.

(25) "Registering tribunal" means a tribunal in which a support order or judgment determining parentage of a child is registered.

(26) "Responding state" means a state in which a petition or comparable pleading for support or to determine parentage of a child is filed or to which a petition or comparable pleading is forwarded for filing from another state or a foreign country.

(27) "Responding tribunal" means the authorized tribunal in a responding state or foreign country.

(28) "Spousal-support order" means a support order for a spouse or former spouse of the obligor.

(29) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession under the jurisdiction of the United States. The term includes an Indian nation or tribe.

(30) "Support enforcement agency" means a public official, governmental entity, or private agency authorized to:

(A) Seek enforcement of support orders or laws relating to the duty of support;

(B) Seek establishment or modification of child support;

(C) Request determination of parentage of a child;

(D) Attempt to locate obligors or their assets; or

(E) Request determination of the controlling child-support order.

(31) "Support order" means a judgment, decree, order, decision, or directive, whether temporary, final, or subject to modification, issued in a state or foreign country for the benefit of a child, a spouse, or a former spouse, which provides for monetary support, health care, arrearages, retroactive support, or reimbursement for financial assistance provided to an individual obligee in place of child support. The term may include related costs and fees, interest, income withholding, automatic adjustment, reasonable attorney's fees, and other relief.

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(32) "Tribunal" means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage of a child.

Sec. 103. Tribunal and support enforcement agency of the District.

(a) The Family Division of the Superior Court of the District of Columbia is the tribunal of the District.

(b) The Office of the Attorney General is the support enforcement agency of the District.

Sec. 104. Remedies cumulative.

(a) Remedies provided by this act are cumulative and do not affect the availability of remedies under other law or the recognition of a foreign support order on the basis of comity.

(b) This act does not:

(1) Provide the exclusive method of establishing or enforcing a support order under the law of the District; or

(2) Grant a tribunal of the District jurisdiction to render judgment or issue an order relating to child custody or visitation in a proceeding under this act.

Sec. 105. Application of act to resident of foreign country and foreign support proceeding.

(a) A tribunal of the District shall apply Titles 1 through 6 and, as applicable, Title 7, to a support proceeding involving:

(1) A foreign support order;

(2) A foreign tribunal; or

(3) An obligee, obligor, or child residing in a foreign country.

(b) A tribunal of the District that is requested to recognize and enforce a support order on the basis of comity may apply the procedural and substantive provisions of Titles 1 through 6.

(c) Title 7 applies only to a support proceeding under the Convention. In such a proceeding, if a provision of Title 7 is inconsistent with Titles 1 through 6, Title 7 controls.

TITLE 2. JURISDICTION.

Sec. 201. Bases for jurisdiction over nonresident.

(a) In a proceeding to establish or enforce a support order or to determine parentage of a child, a tribunal of the District may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if:

(1) The individual is personally served with notice within the District;

(2) The individual submits to the jurisdiction of the District by consent in a record, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;

(3) The individual resided with the child in the District;

(4) The individual resided in the District and provided prenatal expenses or support for the child;

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(5) The child resides in the District as a result of the acts or directives of the individual;

(6) The individual engaged in sexual intercourse in the District and the child may have been conceived by that act of intercourse; or

(7) There is any other basis consistent with the laws of the District and the Constitution of the United States for the exercise of personal jurisdiction.

(b) The bases of personal jurisdiction set forth in subsection (a) of this section or in any other law of the District may not be used to acquire personal jurisdiction for a tribunal of the District to modify a child-support order of another state unless the requirements of section 611 are met, or, in the case of a foreign support order, unless the requirements of section 615 are met.

Sec. 202. Duration of personal jurisdiction.

Personal jurisdiction acquired by a tribunal of the District in a proceeding under this act or other law of the District relating to a support order continues as long as a tribunal of the District has continuing, exclusive jurisdiction to modify its order or continuing jurisdiction to enforce its order as provided by sections 205, 206, and 211.

Sec. 203. Initiating and responding tribunal of state.

Under this act, a tribunal of the District may serve as an initiating tribunal to forward proceedings to a tribunal of another state, and as a responding tribunal for proceedings initiated in another state or a foreign country.

Sec. 204. Simultaneous proceedings.

(a) A tribunal of the District may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a pleading is filed in another state or a foreign country only if:

(1) The petition or comparable pleading in the District is filed before the expiration of the time allowed in the other state or the foreign country for filing a responsive pleading challenging the exercise of jurisdiction by the other state or the foreign country;

(2) The contesting party timely challenges the exercise of jurisdiction in the other state or the foreign country; and

(3) If relevant, the District is the home state of the child.

(b) A tribunal of the District may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state or a foreign country if:

(1) The petition or comparable pleading in the other state or foreign country is filed before the expiration of the time allowed in the District for filing a responsive pleading challenging the exercise of jurisdiction by the District;

(2) The contesting party timely challenges the exercise of jurisdiction in the District; and

(3) If relevant, the other state or foreign country is the home state of the child.

ENROLLED ORIGINAL

Sec. 205. Continuing, exclusive jurisdiction to modify child-support order.

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District has and shall exercise continuing, exclusive jurisdiction to modify its child-support order if the order is the controlling order and:

(1) At the time of the filing of a request for modification the District is the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or

(2) Even if the District is not the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued, the parties consent in a record or in open court that the tribunal of the District may continue to exercise jurisdiction to modify its order.

(b) A tribunal of the District that has issued a child-support order consistent with the law of the District may not exercise continuing, exclusive jurisdiction to modify the order if:

(1) All of the parties who are individuals file consent in a record with the tribunal of the District that a tribunal of another state that has jurisdiction over at least one of the parties who is an individual or that is located in the state of residence of the child may modify the order and assume continuing, exclusive jurisdiction; or

(2) Its order is not the controlling order.

(c) If a tribunal of another state has issued a child-support order pursuant to the Uniform Interstate Family Support Act or a law substantially similar to that Act which modifies a child-support order of a tribunal of the District, a tribunal of the District shall recognize the continuing, exclusive jurisdiction of the tribunal of the other state.

(d) A tribunal of the District that lacks continuing, exclusive jurisdiction to modify a child-support order, may serve as an initiating tribunal to request a tribunal of another state to modify a support order issued in that state.

(e) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

Sec. 206. Continuing jurisdiction to enforce child-support order.

(a) A tribunal of the District that has issued a child-support order consistent with the law of the District may serve as an initiating tribunal to request a tribunal of another state to enforce:

(1) The order if the order is the controlling order and has not been modified by a tribunal of another state that assumed jurisdiction pursuant to the Uniform Interstate Family Support Act; or

(2) A money judgment for arrears of support and interest on the order accrued before a determination that an order of a tribunal of another state is the controlling order.

(b) A tribunal of the District having continuing jurisdiction over a support order may act as a responding tribunal to enforce the order.

Sec. 207. Determination of controlling child-support order.

(a) If a proceeding is brought under this act and only one tribunal has issued a child-support order, the order of that tribunal controls and must be recognized.

ENROLLED ORIGINAL

(b) If a proceeding is brought under this act, and 2 or more child-support orders have been issued by tribunals of the District, of another state, or a foreign country with regard to the same obligor and same child, a tribunal of the District having personal jurisdiction over both the obligor and individual obligee shall apply the following rules and by order shall determine which order controls and must be recognized:

(1) If only one of the tribunals would have continuing, exclusive jurisdiction under this act, the order of that tribunal controls.

(2) If more than one of the tribunals would have continuing, exclusive jurisdiction under this act:

(A) An order issued by a tribunal in the current home state of the child controls; or

(B) If an order has not been issued in the current home state of the child, the order most recently issued controls.

(3) If none of the tribunals would have continuing, exclusive jurisdiction under this act, the tribunal of the District shall issue a child-support order, which controls.

(c) If 2 or more child-support orders have been issued for the same obligor and same child, upon request of a party who is an individual or that is a support enforcement agency, a tribunal of the District having personal jurisdiction over both the obligor and the obligee who is an individual shall determine which order controls under subsection (b) of this section. The request may be filed with a registration for enforcement or registration for modification pursuant to Title 6, or may be filed as a separate proceeding.

(d) A request to determine which is the controlling order must be accompanied by a copy of every child-support order in effect and the applicable record of payments. The requesting party shall give notice of the request to each party whose rights may be affected by the determination.

(e) The tribunal that issued the controlling order under subsection (a), (b), or (c) of this section has continuing jurisdiction to the extent provided in section 205 or 206.

(f) A tribunal of the District that determines by order which is the controlling order under subsection (b)(1) or (2) or (c) of this section, or that issues a new controlling order under subsection (b)(3) of this section, shall state in that order:

(1) The basis upon which the tribunal made its determination;

(2) The amount of prospective support, if any; and

(3) The total amount of consolidated arrears and accrued interest, if any, under all of the orders after all payments made are credited as provided by section 209.

(g) Within 30 days after issuance of an order determining which is the controlling order, the party obtaining the order shall file a certified copy of it in each tribunal that issued or registered an earlier order of child support. A party or support enforcement agency obtaining the order that fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the controlling order.

ENROLLED ORIGINAL

(h) An order that has been determined to be the controlling order, or a judgment for consolidated arrears of support and interest, if any, made pursuant to this section must be recognized in proceedings under this act.

Sec. 208. Child-support orders for 2 or more obligees.

In responding to registrations or petitions for enforcement of 2 or more child-support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state or a foreign country, a tribunal of the District shall enforce those orders in the same manner as if the orders had been issued by a tribunal of the District.

Sec. 209. Credit for payments.

A tribunal of the District shall credit amounts collected for a particular period pursuant to any child-support order against the amounts owed for the same period under any other child-support order for support of the same child issued by a tribunal of the District, another state, or a foreign country.

Sec. 210. Application of act to nonresident subject to personal jurisdiction.

A tribunal of the District exercising personal jurisdiction over a nonresident in a proceeding under this act, under other law of the District relating to a support order, or recognizing a foreign support order, may receive evidence from outside the District pursuant to section 316, communicate with a tribunal outside the District pursuant to section 317, and obtain discovery through a tribunal outside the District pursuant to section 318. In all other respects, Titles 3 through 6 do not apply, and the tribunal shall apply the procedural and substantive law of the District.

Sec. 211. Continuing, exclusive jurisdiction to modify spousal-support order.

(a) A tribunal of the District issuing a spousal-support order consistent with the law of the District has continuing, exclusive jurisdiction to modify the spousal-support order throughout the existence of the support obligation.

(b) A tribunal of the District may not modify a spousal-support order issued by a tribunal of another state or a foreign country having continuing, exclusive jurisdiction over that order under the law of that state or foreign country.

(c) A tribunal of the District that has continuing, exclusive jurisdiction over a spousal-support order, may serve as:

(1) An initiating tribunal to request a tribunal of another state to enforce the spousal-support order issued in the District; or

(2) A responding tribunal to enforce or modify its own spousal-support order.

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TITLE 3. CIVIL PROVISIONS OF GENERAL APPLICATION.

Sec. 301. Proceedings under act.

(a) Except as otherwise provided in this act, this title applies to all proceedings under this act.

(b) An individual petitioner or a support enforcement agency may initiate a proceeding authorized under this act by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state or a foreign country which has or can obtain personal jurisdiction over the respondent.

Sec. 302. Proceeding by minor parent.

A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

Sec. 303. Application of law of the District.

Except as otherwise provided in this act, a responding tribunal of the District, shall:

(1) Apply the procedural and substantive law generally applicable to similar proceedings originating in the District and may exercise all powers and provide all remedies available in those proceedings; and

(2) Determine the duty of support and the amount payable in accordance with the law and support guidelines of the District.

Sec. 304. Duties of initiating tribunal.

(a) Upon the filing of a petition authorized by this act, an initiating tribunal of the District, shall forward the petition and its accompanying documents:

(1) To the responding tribunal or appropriate support enforcement agency in the responding state; or

(2) If the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

(b) If requested by the responding tribunal, a tribunal of the District shall issue a certificate or other document and make findings required by the law of the responding state. If the responding tribunal is in a foreign country, upon request the tribunal of the District shall specify the amount of support sought, convert that amount into the equivalent amount in the foreign currency under the applicable official or market exchange rate as publicly reported, and provide any other documents necessary to satisfy the requirements of the responding foreign tribunal.

Sec. 305. Duties and powers of responding tribunal.

(a) When a responding tribunal of the District receives a petition or comparable pleading from an initiating tribunal or directly pursuant to section 301(b), it shall cause the petition or pleading to be filed and notify the petitioner where and when it was filed.

ENROLLED ORIGINAL

(b) A responding tribunal of the District, to the extent not prohibited by other law, may do one or more of the following:

- (1) Establish or enforce a support order, modify a child-support order, determine the controlling child-support order, or determine parentage of a child;
- (2) Order an obligor to comply with a support order, specifying the amount and the manner of compliance;
- (3) Order income withholding;
- (4) Determine the amount of any arrearages, and specify a method of payment;
- (5) Enforce orders by civil or criminal contempt, or both;
- (6) Set aside property for satisfaction of the support order;
- (7) Place liens and order execution on the obligor's property;
- (8) Order an obligor to keep the tribunal informed of the obligor's current residential address, electronic-mail address, telephone number, employer, address of employment, and telephone number at the place of employment;
- (9) Issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;
- (10) Order the obligor to seek appropriate employment by specified methods;
- (11) Award reasonable attorney's fees and other fees and costs; and
- (12) Grant any other available remedy.

(c) A responding tribunal of the District shall include in a support order issued under this act, or in the documents accompanying the order, the calculations on which the support order is based.

(d) A responding tribunal of the District may not condition the payment of a support order issued under this act upon compliance by a party with provisions for visitation.

(e) If a responding tribunal of the District issues an order under this act, the tribunal shall send a copy of the order to the petitioner and the respondent and to the initiating tribunal, if any.

(f) If requested to enforce a support order, arrears, or judgment or modify a support order stated in a foreign currency, a responding tribunal of the District shall convert the amount stated in the foreign currency to the equivalent amount in dollars under the applicable official or market exchange rate as publicly reported.

Sec. 306. Inappropriate tribunal.

If a petition or comparable pleading is received by an inappropriate tribunal of the District, the tribunal shall forward the pleading and accompanying documents to an appropriate tribunal of the District or of another state and notify the petitioner where and when the pleading was sent.

Sec. 307. Duties of support enforcement agency.

(a) In a proceeding under this act a support enforcement agency of the District, upon request:

- (1) Shall provide services to a petitioner residing in a state;

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(2) Shall provide services to a petitioner requesting services through a central authority of a foreign country as described in section 102(6)(A) or (D); and

(3) May provide services to a petitioner who is an individual not residing in a state.

(b) A support enforcement agency of the District that is providing services to the petitioner shall:

(1) Take all steps necessary to enable an appropriate tribunal of the District, another state, or a foreign country to obtain jurisdiction over the respondent;

(2) Request an appropriate tribunal to set a date, time, and place for a hearing;

(3) Make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of notice in a record from an initiating, responding, or registering tribunal, send a copy of the notice to the petitioner;

(5) Within 2 days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of communication in a record from the respondent or the respondent's attorney, send a copy of the communication to the petitioner; and

(6) Notify the petitioner if jurisdiction over the respondent cannot be obtained.

(c) A support enforcement agency of the District that requests registration of a child-support order in the District for enforcement or for modification shall make reasonable efforts:

(1) To ensure that the order to be registered is the controlling order; or

(2) If 2 or more child-support orders exist and the identity of the controlling order has not been determined, to ensure that a request for such a determination is made in a tribunal having jurisdiction to do so.

(d) A support enforcement agency of the District that requests registration and enforcement of a support order, arrears, or judgment stated in a foreign currency shall convert the amounts stated in the foreign currency into the equivalent amounts in dollars under the applicable official or market exchange rate as publicly reported.

(e) A support enforcement agency of the District shall issue or request a tribunal of the District to issue a child-support order and an income-withholding order that redirect payment of current support, arrears, and interest if requested to do so by a support enforcement agency of another state pursuant to section 319.

(f) This act does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Sec. 308. Duty of Office of the Attorney General.

The Office of the Attorney General may determine that a foreign country has established a reciprocal arrangement for child support with the District and take appropriate action for notification of the determination.

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Sec. 309. Private counsel.

An individual may employ private counsel to represent the individual in proceedings authorized by this act.

Sec. 310. Duties of Office of the Attorney General as state information agency.

(a) The Office of the Attorney General is the state information agency under this act.

(b) The state information agency shall:

(1) Compile and maintain a current list, including addresses, of the tribunals in the District which have jurisdiction under this act and any support enforcement agencies in the District and transmit a copy to the state information agency of every other state;

(2) Maintain a register of names and addresses of tribunals and support enforcement agencies received from other states;

(3) Forward to the appropriate tribunal in the District all documents concerning a proceeding under this act received from another state or a foreign country; and

(4) Obtain information concerning the location of the obligor and the obligor's property within the District not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Sec. 311. Pleadings and accompanying documents.

(a) In a proceeding under this act, a petitioner seeking to establish a support order, to determine parentage of a child, or to register and modify a support order of a tribunal of another state or a foreign country must file a petition. Unless otherwise ordered under section 312, the petition or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee or the parent and alleged parent, and the name, sex, residential address, social security number, and date of birth of each child for whose benefit support is sought or whose parentage is to be determined. Unless filed at the time of registration, the petition must be accompanied by a copy of any support order known to have been issued by another tribunal. The petition may include any other information that may assist in locating or identifying the respondent.

(b) The petition must specify the relief sought. The petition and accompanying documents must conform substantially with the requirements imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Sec. 312. Nondisclosure of information in exceptional circumstances.

If a party alleges in an affidavit or a pleading under oath that the health, safety, or liberty of a party or child would be jeopardized by disclosure of specific identifying information, that information must be sealed and may not be disclosed to the other party or the public. After a hearing in which a tribunal takes into consideration the health, safety, or liberty of the party or

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child, the tribunal may order disclosure of information that the tribunal determines to be in the interest of justice.

Sec. 313. Costs and fees.

(a) The petitioner may not be required to pay a filing fee or other costs.

(b) If an obligee prevails, a responding tribunal of the District may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or responding state or foreign country, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs, and expenses.

(c) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding under Title 6, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change.

Sec. 314. Limited immunity of petitioner.

(a) Participation by a petitioner in a proceeding under this act before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

(b) A petitioner is not amenable to service of civil process while physically present in the District to participate in a proceeding under this act.

(c) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under this act committed by a party while physically present in the District to participate in the proceeding.

Sec. 315. Nonparentage as defense.

A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this act.

Sec. 316. Special rules of evidence and procedure.

(a) The physical presence of a nonresident party who is an individual in a tribunal of the District is not required for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage of a child.

(b) An affidavit, a document substantially complying with federally mandated forms, or a document incorporated by reference in any of them, which would not be excluded under the hearsay rule if given in person, is admissible in evidence if given under penalty of perjury by a party or witness residing outside the District.

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(c) A copy of the record of child-support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(d) Copies of bills for testing for parentage of a child, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least 10 days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(e) Documentary evidence transmitted from outside the District to a tribunal of the District by telephone, telecopier, or other electronic means that do not provide an original record may not be excluded from evidence on an objection based on the means of transmission.

(f) In a proceeding under this act, a tribunal of the District shall permit a party or witness residing outside the District to be deposed or to testify under penalty of perjury by telephone, audiovisual means, or other electronic means at a designated tribunal or other location. A tribunal of the District shall cooperate with other tribunals in designating an appropriate location for the deposition or testimony.

(g) If a party called to testify at a civil hearing refuses to answer on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

(h) A privilege against disclosure of communications between spouses does not apply in a proceeding under this act.

(i) The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this act.

(j) A voluntary acknowledgment of paternity, certified as a true copy, is admissible to establish parentage of the child.

Sec. 317. Communications between tribunals.

A tribunal of the District may communicate with a tribunal outside the District in a record or by telephone, electronic mail, or other means, to obtain information concerning the laws, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding. A tribunal of the District may furnish similar information by similar means to a tribunal outside the District.

Sec. 318. Assistance with discovery.

A tribunal of the District may:

- (1) Request a tribunal outside the District to assist in obtaining discovery; and
- (2) Upon request, compel a person over which it has jurisdiction to respond to a discovery order issued by a tribunal outside the District.

Sec. 319. Receipt and disbursement of payments.

(a) A support enforcement agency or tribunal of the District shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal

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shall furnish to a requesting party or tribunal of another state or a foreign country a certified statement by the custodian of the record of the amounts and dates of all payments received.

(b) If neither the obligor, nor the obligee who is an individual, nor the child resides in the District, upon request from the support enforcement agency of the District or another state, the support enforcement agency of the District or a tribunal of the District shall:

(1) Direct that the support payment be made to the support enforcement agency in the state in which the obligee is receiving services; and

(2) Issue and send to the obligor's employer a conforming income-withholding order or an administrative notice of change of payee, reflecting the redirected payments.

(c) The support enforcement agency of the District receiving redirected payments from another state pursuant to a law similar to subsection (b) of this section shall furnish to a requesting party or tribunal of the other state a certified statement by the custodian of the record of the amount and dates of all payments received.

TITLE 4. ESTABLISHMENT OF SUPPORT ORDER OR DETERMINATION OF PARENTAGE.

Sec. 401. Establishment of support order.

(a) If a support order entitled to recognition under this act has not been issued, a responding tribunal of the District with personal jurisdiction over the parties may issue a support order if:

(1) The individual seeking the order resides outside the District; or

(2) The support enforcement agency seeking the order is located outside the

District.

(b) The tribunal may issue a temporary child-support order if the tribunal determines that such an order is appropriate and the individual ordered to pay is:

(1) A presumed father of the child;

(2) Petitioning to have his paternity adjudicated;

(3) Identified as the father of the child through genetic testing;

(4) An alleged father who has declined to submit to genetic testing;

(5) Shown by clear and convincing evidence to be the father of the child;

(6) An acknowledged father as provided by D.C. Official Code §§ 16-909.01 to

16-909.05;

(7) The mother of the child; or

(8) An individual who has been ordered to pay child support in a previous

proceeding and the order has not been reversed or vacated.

(c) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to section 305.

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Sec. 402. Proceeding to determine parentage.

A tribunal of the District authorized to determine parentage of a child may serve as a responding tribunal in a proceeding to determine parentage of a child brought under this act or a law or procedure substantially similar to this act.

TITLE 5. ENFORCEMENT OF SUPPORT ORDER WITHOUT REGISTRATION.

Sec. 501. Employer's receipt of income-withholding order of another state.

An income-withholding order issued in another state may be sent by or on behalf of the obligee, or by the support enforcement agency, to the person defined as the obligor's employer under the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-201 *et seq.*) without first filing a petition or comparable pleading or registering the order with a tribunal of the District.

Sec. 502. Employer's compliance with income-withholding order of another state.

(a) Upon receipt of an income-withholding order, the obligor's employer shall immediately provide a copy of the order to the obligor.

(b) The employer shall treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of the District.

(c) Except as otherwise provided in subsection (d) of this section and section 503, the employer shall withhold and distribute the funds as directed in the withholding order by complying with terms of the order which specify:

(1) The duration and amount of periodic payments of current child support, stated as a sum certain;

(2) The person designated to receive payments and the address to which the payments are to be forwarded;

(3) Medical support, whether in the form of periodic cash payment, stated as a sum certain, or ordering the obligor to provide health insurance coverage for the child under a policy available through the obligor's employment;

(4) The amount of periodic payments of fees and costs for a support enforcement agency, the issuing tribunal, and the obligee's attorney, stated as sums certain; and

(5) The amount of periodic payments of arrearages and interest on arrearages, stated as sums certain.

(d) An employer shall comply with the law of the state of the obligor's principal place of employment for withholding from income with respect to:

(1) The employer's fee for processing an income-withholding order;

(2) The maximum amount permitted to be withheld from the obligor's income;

and

(3) The times within which the employer must implement the withholding order and forward the child-support payment.

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Sec. 503. Employer's compliance with 2 or more income-withholding orders.

If an obligor's employer receives 2 or more income-withholding orders with respect to the earnings of the same obligor, the employer satisfies the terms of the orders if the employer complies with the law of the state of the obligor's principal place of employment to establish the priorities for withholding and allocating income withheld for 2 or more child-support obligees.

Sec. 504. Immunity from civil liability.

An employer that complies with an income-withholding order issued in another state in accordance with this title is not subject to civil liability to an individual or agency with regard to the employer's withholding of child support from the obligor's income.

Sec. 505. Penalties for noncompliance.

An employer that willfully fails to comply with an income-withholding order issued in another state and received for enforcement is subject to the same penalties that may be imposed for noncompliance with an order issued by a tribunal of the District.

Sec. 506. Contest by obligor.

(a) An obligor may contest the validity or enforcement of an income-withholding order issued in another state and received directly by an employer in the District by registering the order in a tribunal of the District and filing a contest to that order as provided in Title 6, or otherwise contesting the order in the same manner as if the order had been issued by a tribunal of the District.

(b) The obligor shall give notice of the contest to:

- (1) A support enforcement agency providing services to the obligee;
- (2) Each employer that has directly received an income-withholding order relating to the obligor; and
- (3) The person designated to receive payments in the income-withholding order or, if no person is designated, to the obligee.

Sec. 507. Administrative enforcement of orders.

(a) A party or support enforcement agency seeking to enforce a support order or an income-withholding order, or both, issued in another state or a foreign support order may send the documents required for registering the order to a support enforcement agency of the District.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of the District to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this act.

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TITLE 6. REGISTRATION, ENFORCEMENT, AND MODIFICATION
OF SUPPORT ORDER.

SUBTITLE A. REGISTRATION FOR ENFORCEMENT OF SUPPORT ORDER.

Sec. 601. Registration of order for enforcement.

A support order or income-withholding order issued in another state or a foreign support order may be registered in the District for enforcement.

Sec. 602. Procedure to register order for enforcement.

(a) Except as otherwise provided in section 706, a support order or income-withholding order of another state or a foreign support order may be registered in the District by sending the following records to the Superior Court of the District of Columbia:

- (1) A letter of transmittal to the tribunal requesting registration and enforcement;
- (2) Two copies, including one certified copy, of the order to be registered, including any modification of the order;
- (3) A sworn statement by the person requesting registration or a certified statement by the custodian of the records showing the amount of any arrearage;
- (4) The name of the obligor and, if known:
 - (A) The obligor's address and social security number;
 - (B) The name and address of the obligor's employer and any other source of income of the obligor; and
 - (C) A description and the location of property of the obligor in the District not exempt from execution; and

(5) Except as otherwise provided in section 312, the name and address of the obligee and, if applicable, the person to whom support payments are to be remitted.

(b) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as an order of a tribunal of another state or a foreign support order, together with one copy of the documents and information, regardless of their form.

(c) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of the District may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

(d) If two or more orders are in effect, the person requesting registration shall:

- (1) Furnish to the tribunal a copy of every support order asserted to be in effect in addition to the documents specified in this section;
- (2) Specify the order alleged to be the controlling order, if any; and
- (3) Specify the amount of consolidated arrears, if any.

(e) A request for a determination of which is the controlling order may be filed separately or with a request for registration and enforcement or for registration and modification. The person requesting registration shall give notice of the request to each party whose rights may be affected by the determination.

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Sec. 603. Effect of registration for enforcement.

(a) A support order or income-withholding order issued in another state or a foreign support order is registered when the order is filed in the registering tribunal of the District.

(b) A registered support order issued in another state or a foreign country is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of the District.

(c) Except as otherwise provided in this act, a tribunal of the District shall recognize and enforce, but may not modify, a registered support order if the issuing tribunal had jurisdiction.

Sec. 604. Choice of law.

(a) Except as otherwise provided in subsection (d) of this section, the law of the issuing state or foreign country governs:

(1) The nature, extent, amount, and duration of current payments under a registered support order;

(2) The computation and payment of arrearages and accrual of interest on the arrearages under the support order; and

(3) The existence and satisfaction of other obligations under the support order.

(b) In a proceeding for arrears under a registered support order, the statute of limitation of the District, or of the issuing state or foreign country, whichever is longer, applies.

(c) A responding tribunal of the District shall apply the procedures and remedies of the District to enforce current support and collect arrears and interest due on a support order of another state or a foreign country registered in the District.

(d) After a tribunal of the District or another state determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal of the District shall prospectively apply the law of the state or foreign country issuing the controlling order, including its law on interest on arrears, on current and future support, and on consolidated arrears.

SUBTITLE B. CONTEST OF VALIDITY OR ENFORCEMENT.

Sec. 605. Notice of registration of order.

(a) When a support order or income-withholding order issued in another state or a foreign support order is registered, the registering tribunal of the District shall notify the nonregistering party. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(b) A notice must inform the nonregistering party:

(1) That a registered support order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of the District;

(2) That a hearing to contest the validity or enforcement of the registered order must be requested within 20 days after notice unless the registered order is under section 707;

(3) That failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages; and

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(4) Of the amount of any alleged arrearages.

(c) If the registering party asserts that 2 or more orders are in effect, a notice must also:

(1) Identify the 2 or more orders and the order alleged by the registering party to be the controlling order and the consolidated arrearages, if any;

(2) Notify the nonregistering party of the right to a determination of which is the controlling order;

(3) State that the procedures provided in subsection (b) of this section apply to the determination of which is the controlling order; and

(4) State that failure to contest the validity or enforcement of the order alleged to be the controlling order in a timely manner may result in confirmation that the order is the controlling order.

(d) Upon registration of an income-withholding order for enforcement, the support enforcement agency or the registering tribunal shall notify the obligor's employer pursuant to the D.C. Child Support Enforcement Amendment Act of 1985, effective February 24, 1987 (D.C. Law 6-166; D.C. Official Code § 46-201 *et seq.*).

Sec. 606. Procedure to contest validity or enforcement of registered support order.

(a) A nonregistering party seeking to contest the validity or enforcement of a registered support order in the District shall request a hearing within the time required by section 605. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 607.

(b) If the nonregistering party fails to contest the validity or enforcement of the registered support order in a timely manner, the order is confirmed by operation of law.

(c) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered support order, the registering tribunal shall schedule the matter for hearing and give notice to the parties of the date, time, and place of the hearing.

Sec. 607. Contest of registration or enforcement.

(a) A party contesting the validity or enforcement of a registered support order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) The issuing tribunal lacked personal jurisdiction over the contesting party;

(2) The order was obtained by fraud;

(3) The order has been vacated, suspended, or modified by a later order;

(4) The issuing tribunal has stayed the order pending appeal;

(5) There is a defense under the law of the District to the remedy sought;

(6) Full or partial payment has been made;

(7) The statute of limitation under section 604 precludes enforcement of some or all of the alleged arrearages; or

(8) The alleged controlling order is not the controlling order.

(b) If a party presents evidence establishing a full or partial defense under subsection (a) of this section, a tribunal may stay enforcement of a registered support order, continue the

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proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered support order may be enforced by all remedies available under the law of the District.

(c) If the contesting party does not establish a defense under subsection (a) of this section to the validity or enforcement of a registered support order, the registering tribunal shall issue an order confirming the order.

Sec. 608. Confirmed order.

Confirmation of a registered support order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

SUBTITLE C. REGISTRATION AND MODIFICATION OF CHILD-SUPPORT ORDER OF ANOTHER STATE.

Sec. 609. Procedure to register child-support order of another state for modification.

A party or support enforcement agency seeking to modify, or to modify and enforce, a child-support order issued in another state shall register that order in the District in the same manner provided in sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Sec. 610. Effect of registration for modification.

A tribunal of the District may enforce a child-support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of the District, but the registered support order may be modified only if the requirements of section 611 or 613 have been met.

Sec. 611. Modification of child-support order of another state.

(a) If section 613 does not apply, upon petition a tribunal of the District may modify a child-support order issued in another state which is registered in the District if, after notice and hearing, the tribunal finds that:

(1) The following requirements are met:

(A) Neither the child, nor the obligee who is an individual, nor the obligor resides in the issuing state;

(B) A petitioner who is a nonresident of the District seeks modification;
and

(C) The respondent is subject to the personal jurisdiction of the tribunal of the District; or

(2) The District is the residence of the child, or a party who is an individual is subject to the personal jurisdiction of the tribunal of the District, and all of the parties who are individuals have filed consents in a record in the issuing tribunal for a tribunal of the District to modify the support order and assume continuing, exclusive jurisdiction.

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(b) Modification of a registered child-support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of the District and the order may be enforced and satisfied in the same manner.

(c) A tribunal of the District may not modify any aspect of a child-support order that may not be modified under the law of the issuing state, including the duration of the obligation of support. If 2 or more tribunals have issued child-support orders for the same obligor and same child, the order that controls and must be so recognized under section 207 establishes the aspects of the support order which are nonmodifiable.

(d) In a proceeding to modify a child-support order, the law of the state that is determined to have issued the initial controlling order governs the duration of the obligation of support. The obligor's fulfillment of the duty of support established by that order precludes imposition of a further obligation of support by a tribunal of the District.

(e) On the issuance of an order by a tribunal of the District modifying a child-support order issued in another state, the tribunal of the District becomes the tribunal having continuing, exclusive jurisdiction.

(f) Notwithstanding subsections (a) through (e) of this section and section 201(b), a tribunal of the District retains jurisdiction to modify an order issued by a tribunal of the District if:

- (1) One party resides in another state; and
- (2) The other party resides outside the United States.

Sec. 612. Recognition of order modified in another state.

If a child-support order issued by a tribunal of the District is modified by a tribunal of another state which assumed jurisdiction pursuant to the Uniform Interstate Family Support Act, a tribunal of the District:

- (1) May enforce its order that was modified only as to arrears and interest accruing before the modification;
- (2) May provide appropriate relief for violations of its order which occurred before the effective date of the modification; and
- (3) Shall recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

Sec. 613. Jurisdiction to modify child-support order of another state when individual parties reside in the District.

(a) If all of the parties who are individuals reside in the District and the child does not reside in the issuing state, a tribunal of the District has jurisdiction to enforce and to modify the issuing state's child-support order in a proceeding to register that order.

(b) A tribunal of the District exercising jurisdiction under this section shall apply the provisions of Titles 1 and 2, this title, and the procedural and substantive law of the District to the proceeding for enforcement or modification. Titles 3, 4, 5, 7, and 8 do not apply.

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Sec. 614. Notice to issuing tribunal of modification.

Within 30 days after issuance of a modified child-support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal that had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows the earlier order has been registered. A party who obtains the order and fails to file a certified copy is subject to appropriate sanctions by a tribunal in which the issue of failure to file arises. The failure to file does not affect the validity or enforceability of the modified order of the new tribunal having continuing, exclusive jurisdiction.

SUBTITLE D. REGISTRATION AND MODIFICATION OF FOREIGN CHILD-SUPPORT ORDER.

Sec. 615. Jurisdiction to modify child-support order of foreign country.

(a) Except as otherwise provided in section 711, if a foreign country lacks or refuses to exercise jurisdiction to modify its child-support order pursuant to its laws, a tribunal of the District may assume jurisdiction to modify the child-support order and bind all individuals subject to the personal jurisdiction of the tribunal whether the consent to modification of a child-support order otherwise required of the individual pursuant to section 611 has been given or whether the individual seeking modification is a resident of the District or of the foreign country.

(b) An order issued by a tribunal of the District modifying a foreign child-support order pursuant to this section is the controlling order.

Sec. 616. Procedure to register child-support order of foreign country for modification.

A party or support enforcement agency seeking to modify, or to modify and enforce, a foreign child-support order not under the Convention may register that order in the District under sections 601 through 608 if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or at another time. The petition must specify the grounds for modification.

TITLE 7. SUPPORT PROCEEDING UNDER CONVENTION.

Sec. 701. Definitions.

In this title:

(1) "Application" means a request under the Convention by an obligee or obligor, or on behalf of a child, made through a central authority for assistance from another central authority.

(2) "Central authority" means the entity designated by the United States or a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(3) "Convention support order" means a support order of a tribunal of a foreign country described in section 102(6)(D).

(4) "Direct request" means a petition filed by an individual in a tribunal of the District in a proceeding involving an obligee, obligor, or child residing outside the United States.

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(5) "Foreign central authority" means the entity designated by a foreign country described in section 102(6)(D) to perform the functions specified in the Convention.

(6) "Foreign support agreement":

(A) Means an agreement for support in a record that:

(i) Is enforceable as a support order in the country of origin;

(ii) Has been:

(I) Formally drawn up or registered as an authentic instrument by a foreign tribunal; or

(II) Authenticated by, or concluded, registered, or filed with a foreign tribunal; and

(iii) May be reviewed and modified by a foreign tribunal; and

(B) Includes a maintenance arrangement or authentic instrument under the Convention.

(7) "United States central authority" means the Secretary of the United States Department of Health and Human Services.

Sec. 702. Applicability.

This title applies only to a support proceeding under the Convention. In such a proceeding, if a provision of this title is inconsistent with Titles 1 through 6, this title controls.

Sec. 703. Relationship of Office of the Attorney General to United States central authority.

The Office of the Attorney General is recognized as the agency designated by the United States central authority to perform specific functions under the Convention.

Sec. 704. Initiation by Office of the Attorney General of support proceeding under Convention.

(a) In a support proceeding under this title, the Office of the Attorney General shall:

(1) Transmit and receive applications; and

(2) Initiate or facilitate the institution of a proceeding regarding an application in a tribunal of the District.

(b) The following support proceedings are available to an obligee under the Convention:

(1) Recognition or recognition and enforcement of a foreign support order;

(2) Enforcement of a support order issued or recognized in the District;

(3) Establishment of a support order if there is no existing order, including, if necessary, determination of parentage of a child;

(4) Establishment of a support order if recognition of a foreign support order is refused under section 708(b)(2), (4), or (9);

(5) Modification of a support order of a tribunal of the District; and

(6) Modification of a support order of a tribunal of another state or a foreign country.

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(c) The following support proceedings are available under the Convention to an obligor against which there is an existing support order:

- (1) Recognition of an order suspending or limiting enforcement of an existing support order of a tribunal of the District;
- (2) Modification of a support order of a tribunal of the District; and
- (3) Modification of a support order of a tribunal of another state or a foreign country.

(d) A tribunal of the District may not require security, bond, or deposit, however described, to guarantee the payment of costs and expenses in proceedings under the Convention.

Sec. 705. Direct request.

(a) A petitioner may file a direct request seeking establishment or modification of a support order or determination of parentage of a child. In the proceeding, the law of the District applies.

(b) A petitioner may file a direct request seeking recognition and enforcement of a support order or support agreement. In the proceeding, sections 706 through 713 apply.

(c) In a direct request for recognition and enforcement of a Convention support order or foreign support agreement:

- (1) A security, bond, or deposit is not required to guarantee the payment of costs and expenses; and
- (2) An obligee or obligor that in the issuing country has benefited from free legal assistance is entitled to benefit, at least to the same extent, from any free legal assistance provided for by the law of the District under the same circumstances.

(d) A petitioner filing a direct request is not entitled to assistance from the Office of the Attorney General.

(e) This title does not prevent the application of laws of the District that provide simplified, more expeditious rules regarding a direct request for recognition and enforcement of a foreign support order or foreign support agreement.

Sec. 706. Registration of Convention support order.

(a) Except as otherwise provided in this title, a party who is an individual or a support enforcement agency seeking recognition of a Convention support order shall register the order in the District as provided in Title 6.

(b) Notwithstanding sections 311 and 602(a), a request for registration of a Convention support order must be accompanied by:

- (1) A complete text of the support order or an abstract or extract of the support order drawn up by the issuing foreign tribunal, which may be in the form recommended by the Hague Conference on Private International Law;
- (2) A record stating that the support order is enforceable in the issuing country;
- (3) If the respondent did not appear and was not represented in the proceedings in the issuing country, a record attesting, as appropriate, either that the respondent had proper notice of the proceedings and an opportunity to be heard or that the respondent had proper notice

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of the support order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal;

(4) A record showing the amount of arrears, if any, and the date the amount was calculated;

(5) A record showing a requirement for automatic adjustment of the amount of support, if any, and the information necessary to make the appropriate calculations; and

(6) If necessary, a record showing the extent to which the applicant received free legal assistance in the issuing country.

(c) A request for registration of a Convention support order may seek recognition and partial enforcement of the order.

(d) A tribunal of the District may vacate the registration of a Convention support order without the filing of a contest under section 707 only if, acting on its own motion, the tribunal finds that recognition and enforcement of the order would be manifestly incompatible with public policy.

(e) The tribunal shall promptly notify the parties of the registration or the order vacating the registration of a Convention support order.

Sec. 707. Contest of registered convention support order.

(a) Except as otherwise provided in this title, sections 605 through 608 apply to a contest of a registered Convention support order.

(b) A party contesting a registered Convention support order shall file a contest not later than 30 days after notice of the registration, but if the contesting party does not reside in the United States, the contest must be filed not later than 60 days after notice of the registration.

(c) If the nonregistering party fails to contest the registered Convention support order by the time specified in subsection (b) of this section, the order is enforceable.

(d) A contest of a registered Convention support order may be based only on grounds set forth in section 708. The contesting party bears the burden of proof.

(e) In a contest of a registered Convention support order, a tribunal of the District:

(1) Is bound by the findings of fact on which the foreign tribunal based its jurisdiction; and

(2) May not review the merits of the order.

(f) A tribunal of the District deciding a contest of a registered Convention support order shall promptly notify the parties of its decision.

(g) A challenge or appeal, if any, does not stay the enforcement of a Convention support order unless there are exceptional circumstances.

Sec. 708. Recognition and enforcement of registered convention support order.

(a) Except as otherwise provided in subsection (b) of this section, a tribunal of the District shall recognize and enforce a registered Convention support order.

(b) The following grounds are the only grounds on which a tribunal of the District may refuse recognition and enforcement of a registered Convention support order:

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(1) Recognition and enforcement of the order is manifestly incompatible with public policy, including the failure of the issuing tribunal to observe minimum standards of due process, which include notice and an opportunity to be heard;

(2) The issuing tribunal lacked personal jurisdiction consistent with section 201;

(3) The order is not enforceable in the issuing country;

(4) The order was obtained by fraud in connection with a matter of procedure;

(5) A record transmitted in accordance with section 706 lacks authenticity or integrity;

(6) A proceeding between the same parties and having the same purpose is pending before a tribunal of the District and that proceeding was the first to be filed;

(7) The order is incompatible with a more recent support order involving the same parties and having the same purpose if the more recent support order is entitled to recognition and enforcement under this act in the District;

(8) Payment, to the extent alleged arrears have been paid in whole or in part;

(9) In a case in which the respondent neither appeared nor was represented in the proceeding in the issuing foreign country:

(A) If the law of that country provides for prior notice of proceedings, the respondent did not have proper notice of the proceedings and an opportunity to be heard; or

(B) If the law of that country does not provide for prior notice of the proceedings, the respondent did not have proper notice of the order and an opportunity to be heard in a challenge or appeal on fact or law before a tribunal; or

(10) The order was made in violation of section 711.

(c) If a tribunal of the District does not recognize a Convention support order under subsection (b)(2), (4), or (9) of this section:

(1) The tribunal may not dismiss the proceeding without allowing a reasonable time for a party to request the establishment of a new Convention support order; and

(2) The Office of the Attorney General shall take all appropriate measures to request a child-support order for the obligee if the application for recognition and enforcement was received under section 704.

Sec. 709. Partial enforcement.

If a tribunal of the District does not recognize and enforce a Convention support order in its entirety, it shall enforce any severable part of the order. An application or direct request may seek recognition and partial enforcement of a Convention support order.

Sec. 710. Foreign support agreement.

(a) Except as otherwise provided in subsections (c) and (d) of this section, a tribunal of the District shall recognize and enforce a foreign support agreement registered in the District.

(b) An application or direct request for recognition and enforcement of a foreign support agreement must be accompanied by:

(1) A complete text of the foreign support agreement; and

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(2) A record stating that the foreign support agreement is enforceable as an order of support in the issuing country.

(c) A tribunal of the District may vacate the registration of a foreign support agreement only if, acting on its own motion, the tribunal finds that recognition and enforcement would be manifestly incompatible with public policy.

(d) In a contest of a foreign support agreement, a tribunal of the District may refuse recognition and enforcement of the agreement if it finds:

(1) Recognition and enforcement of the agreement is manifestly incompatible with public policy;

(2) The agreement was obtained by fraud or falsification;

(3) The agreement is incompatible with a support order involving the same parties and having the same purpose in the District, another state, or a foreign country if the support order is entitled to recognition and enforcement under this act in the District; or

(4) The record submitted under subsection (b) of this section lacks authenticity or integrity.

(e) A proceeding for recognition and enforcement of a foreign support agreement must be suspended during the pendency of a challenge to or appeal of the agreement before a tribunal of another state or a foreign country.

Sec. 711. Modification of convention child-support order.

(a) A tribunal of the District may not modify a Convention child-support order if the obligee remains a resident of the foreign country where the support order was issued unless:

(1) The obligee submits to the jurisdiction of a tribunal of the District, either expressly or by defending on the merits of the case without objecting to the jurisdiction at the first available opportunity; or

(2) The foreign tribunal lacks or refuses to exercise jurisdiction to modify its support order or issue a new support order.

(b) If a tribunal of the District does not modify a Convention child-support order because the order is not recognized in the District, section 708(c) applies.

Sec. 712. Personal information; limit on use.

Personal information gathered or transmitted under this title may be used only for the purposes for which it was gathered or transmitted.

Sec. 713. Record in original language; English translation.

A record filed with a tribunal of the District under this title must be in the original language and, if not in English, must be accompanied by an English translation.

TITLE 8. INTERSTATE RENDITION

Sec. 801. Grounds for rendition.

(a) For purposes of this title, "governor" includes an individual performing the functions of governor or the executive authority of a state covered by this act.

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(b) The Mayor may:

(1) Demand that the governor of another state surrender an individual found in the other state who is charged criminally in the District with having failed to provide for the support of an obligee; or

(2) On the demand of the governor of another state, surrender an individual found in the District who is charged criminally in the other state with having failed to provide for the support of an obligee.

(c) A provision for extradition of individuals not inconsistent with this act applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Sec. 802. Conditions of rendition.

(a) Before making a demand that the governor of another state surrender an individual charged criminally in the District with having failed to provide for the support of an obligee, the Mayor may require a prosecutor of the District to demonstrate that at least 60 days previously the obligee had initiated proceedings for support pursuant to this act or that the proceeding would be of no avail.

(b) If, under this act or a law substantially similar to this act, the governor of another state makes a demand that the Mayor surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the Mayor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the Mayor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(c) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the Mayor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

TITLE 9. MISCELLANEOUS PROVISIONS

Sec. 901. Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 902. Repealer.

The Uniform Interstate Family Support Act of 1995, effective February 9, 1996 (D.C. Law 11-81; D.C. Official Code § 46-301.01 *et seq.*), is repealed.

Sec. 903. Transitional provision.

This act applies to proceedings begun on or after the effective date of this act to establish a support order or determine parentage of a child or to register, recognize, enforce, or modify a prior support order, determination, or agreement, whenever issued or entered.


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Sec. 904. Fiscal impact statement.

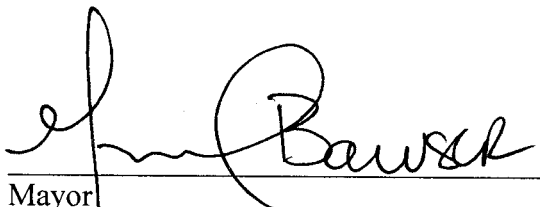
The Council adopts the fiscal impact statement in the committee report for the Uniform Interstate Family Support Act of 2015, passed on 1st reading on November 3, 2015 (Engrossed version of Bill 21-245), as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 905. 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
November 30, 2015

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-216

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 30, 2015

To order, on an emergency basis, the closing of portions of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W., in Square 3128 in Ward 5.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of Franklin Street, N.W., Evarts Street, N.W., and Douglas Street, N.W. in Square 3128, S.O. 13-09432, Emergency Act of 2015".

Sec. 2. Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closings and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*), the Council of the District of Columbia finds that public streets in Square 3128, as shown by the hatch-marks on the Surveyor's plat in S.O. 13-09432, are unnecessary for street purposes and orders them closed with title to the land to vest as shown on the Surveyor's plat.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Office of the Surveyor and the Office of the Recorder of Deeds.

Sec. 4. Fiscal impact statement.

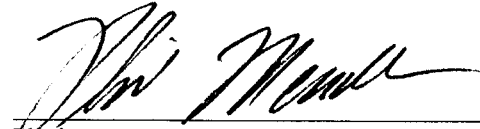
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

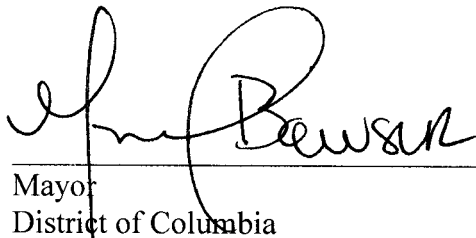
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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
November 30, 2015

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AN ACT

D.C. ACT 21-217

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOVEMBER 30, 2015

To amend, on an emergency basis, the Homeless Services Reform Act of 2005 to authorize the Mayor to place a family that does not have a safe-housing alternative in a temporary interim eligibility placement pending a determination of eligibility for shelter and an assessment of the supportive services necessary to assist the family in obtaining sustainable permanent housing, to authorize the Mayor to provide shelter to a family in a private room meeting certain minimum standards and constructed for the purpose of closing the District of Columbia General Family Shelter, to add an expedited appeals process for a family that is denied eligibility for shelter following an interim eligibility placement, and to provide that a family may continue in an interim eligibility placement pending the outcome of an appeal of a denial of eligibility for shelter.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Interim Eligibility and Minimum Shelter Standards Emergency Amendment Act of 2015”.

Sec. 2. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 4-751.01) is amended as follows:

(1) A new paragraph (11A) is added to read as follows:

“(11A) “DC General Family Shelter replacement unit” means a private room that includes space to store and refrigerate food and is constructed by or at the request of the District for the purpose of sheltering a homeless family.”.

(2) Paragraph (25A) is redesignated as paragraph (25B).

(3) A new paragraph (25A) is added to read as follows:

“(25A) “Interim eligibility placement” means a short-term shelter placement for a family, for the purpose of conducting an in-depth assessment to facilitate an eligibility determination for shelter and appropriate supportive services pursuant to section 8(a).”.

(4) Paragraph (28A) is amended to read as follows:

“(28A) “Private room” means a part or division of a building that has:

“(A) Four non-portable walls that meet the ceiling and floor at the edges so as to be continuous and uninterrupted; provided, that the room may contain a window if the window comes with an opaque covering, such as blinds or shades;

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“(B) A door that locks from both the inside and outside as its main point of access;

“(C) Sufficient insulation from sound so that family members sheltered in the room may have a conversation at a normal volume and not be heard from the exterior;

“(D) Lighting within the room that the occupants can turn on or off as desired; and

“(E) Access to on-site bathroom facilities, including a toilet, sink, and shower.”.

(b) Section 7(d) (D.C. Official Code § 4-753.01(d)) is amended to read as follows:

“(d)(1) Except as provided in paragraph (2) of this subsection, when the Mayor places a family in shelter pursuant to this act, the shelter shall be one or more apartment-style units, or one or more DC General Family Shelter replacement units.

“(2) If an apartment-style unit or a DC General Family Shelter replacement unit is not available when the Mayor places a family in shelter pursuant to this act, the Mayor may place that family in one or more private rooms that are not apartment-style units or DC General Family Shelter replacement units.

“(3) Buildings composed of DC General Family Shelter replacement units shall include, at minimum:

“(A) A private bathroom, including a toilet, sink, and bathtub or shower, in at least 10% of the DC General Family Shelter replacement units;

“(B) For every 5 DC General Family Shelter replacement units, one private, lockable bathroom that includes a toilet, sink, and bathtub and shall be accessible to all residents; and

“(C) At least 2 multi-fixture bathrooms per floor that shall include multiple toilets, sinks, and showers.

“(4) The Mayor shall maintain within the District’s shelter inventory a minimum of 121 apartment-style units.

“(5) Once constructed, the Mayor shall maintain within the District’s shelter inventory a minimum of 280 DC General Family Shelter replacement units.”.

(c) Section 8 (D.C. Official Code § 4-753.02) is amended by adding a new subsection (c-1) to read as follows:

“(c-1)(1) If eligibility for a family seeking shelter cannot be determined pursuant to subsection (a) of this section on the business day on which the family applies for shelter, the Mayor may place the family in an interim eligibility placement for a period not to exceed 3 days.

“(2) The Mayor may extend an interim eligibility placement no more than 3 times; provided, that an interim eligibility placement shall not exceed a period of 12 days, except as otherwise provided in paragraph (6) of this subsection and section 9(a)(20).

“(3) The Mayor shall issue an eligibility determination pursuant to subsection (a) of this section to a family placed in an interim eligibility placement within 12 days of the start of the interim eligibility placement.

“(4) If the Mayor does not issue an eligibility determination within 12 days of the start of an interim eligibility placement, the interim eligibility placement shall conclude and the family shall be considered eligible for shelter.

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“(5) If the Mayor determines that a family in an interim eligibility placement is eligible for shelter, the Mayor shall place that family in shelter, subject to the requirements of section 7(d).

“(6) If the Mayor determines that a family in an interim eligibility placement is ineligible for shelter pursuant to subsection (a) of this section, or if the District identifies safe housing to which the family has access, the interim eligibility placement shall conclude on the date indicated in the written notice issued pursuant to section 19(b-1) or (c), unless the family has filed a timely fair hearing request pursuant to section 26.

“(7) The Mayor may consider a family that was placed in an interim eligibility placement, but was determined to be ineligible for shelter because the family has access to other safe housing, for the same housing and case management services offered by the Department to family shelter residents.

“(8) If the Mayor determines that a family placed in an interim eligibility placement is ineligible for shelter because the family has access to safe housing, and the family subsequently loses access to that safe housing within 14 days of the Mayor’s determination, the Mayor shall place the family in shelter if the Mayor determines that:

“(A) The family is participating in prevention and diversion services; and

“(B) The family has no access to other safe housing that complies with paragraph (9) of this subsection.

“(9) For the purposes of this subsection, safe housing, in addition to meeting the definition of “safe housing” set forth in section 2(32A), shall satisfy the following criteria:

“(A) The family shall be expected to have access to the safe housing for at least 14 days; and

“(B) To the best of the provider’s knowledge, the family’s presence in the safe housing shall not imminently jeopardize the tenancy of any household already occupying the safe housing.

“(10) Other than during a hypothermia alert, no provision under this subsection shall be construed to require the Mayor to provide shelter to a family if there is no existing capacity in the shelter system or if the Department has exhausted its appropriation for family shelter services.”

(d) Section 9 (D.C. Official Code § 4-754.11) is amended as follows:

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

(A) Paragraph (18) is amended by striking the phrase “suspension or termination; and” and inserting the phrase “suspension or termination;” in its place.

(B) Paragraph (19)(F) is amended by striking the phrase “expression.” and inserting the phrase “expression; and” in its place.

(C) A new paragraph (20) is added to read as follows:

“(20) Continuation of a family’s interim eligibility placement, pending the outcome of a fair hearing requested pursuant to section 26, if the family requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, following receipt of written notice provided pursuant to section 19(b-1) of a denial of an application for shelter following an interim eligibility placement.”

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(2) Subsection (b)(1) is amended by striking the phrase “pursuant to section 7(d)(2)” and inserting the phrase “pursuant to section 7(d)” in its place.

(e) Section 19 (D.C. Official Code § 4-754.33) is amended as follows:

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

“(b-1) All providers shall give to any client in an interim eligibility placement prompt oral and written notice that the Mayor has denied eligibility for shelter placement and that the interim eligibility placement will end 48 hours or at the close of the next business day, whichever occurs later, following the client’s receipt of the written notice.”.

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

“(d-1) Any written notice issued pursuant to subsection (b-1) of this section must be served upon the client and shall include:

“(1) A clear statement of the denial;

“(2) A clear and detailed statement of the factual basis for the denial, including the date or dates on which the basis or bases for the denial occurred;

“(3) A reference to the statute, regulation, policy, or Program Rule pursuant to which the denial is being implemented;

“(4) A clear and complete statement of the client’s right to appeal the denial through fair hearing proceedings pursuant to section 26 and administrative review proceedings pursuant to section 27, including the appropriate deadlines for instituting the appeal; and

“(5) A statement of the client’s right, if any, to continuation of an interim eligibility placement pending the outcome of any appeal, pursuant to section 9(20).”.

(f) Section 26 (D.C. Official Code § 4-754.41) is amended as follows:

(1) Subsection (b)(2) is amended as follows:

(A) Subparagraph (C) is amended by striking the word “or”.

(B) A new subparagraph (E) is added to read as follows:

“(E) Deny eligibility for shelter following an interim eligibility placement; or”.

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

“(d-1) In accordance with section 9(20), any client in an interim eligibility placement who requests a fair hearing within 48 hours or before the close of the next business day, whichever occurs later, of receipt of written notice of a denial of eligibility for shelter placement shall continue in that interim eligibility placement pending a final decision from the fair hearing proceedings.”.

(3) Subsection (f) is amended as follows:

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

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

(i) Subparagraph (B) is amended by striking the word “and” at the end.

(ii) Subparagraph (C) is amended to read as follows:

“(C) Except as provided in subparagraph (D) of this paragraph, the Administrative Law Judge shall issue a final decision within 15 days following the completion of the hearing; and”.

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(iii) A new subparagraph (D) is added to read as follows:

“(D) The Administrative Law Judge shall issue a final decision in a review requested pursuant to subsection (b)(2)(E) of this section within 96 hours, not including weekends or holidays, following the completion of the hearing; and”.

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

“(4) For a fair hearing requested from the Office of Administrative Hearings pursuant to subsection (b)(2)(E) of this section, the following additional requirements shall apply:

“(A) The fair hearing shall be held no later than 4 business days after the Office of Administrative Hearings receives an administrative review decision issued pursuant to section 27; and

“(B) If a party fails to appear, the Administrative Law Judge designated to conduct the hearing may enter a default decision in favor of the party present; provided, that the default decision may be set aside only for good cause shown, and upon equitable terms and conditions.”.

(g) Section 27 (D.C. Official Code § 4-754.42) is amended as follows:

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

“(b-1) An administrative review of a denial of application for shelter following an interim eligibility placement, conducted pursuant to subsection (a) of this section, shall be completed and a decision rendered no later than 4 business days following receipt of the administrative review request, except upon a showing of good cause as to why such deadline cannot be met. If good cause is shown, a decision shall be rendered as soon as possible thereafter. If an extension of time for review is required for good cause, written notice of the extension shall be provided to the client or client representative prior to the commencement of the extension.”.

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

“(c-1) The administrative review of a denial of an application for shelter following an interim eligibility placement conducted in accordance with subsection (b-1) shall not be waived; provided, that the Office of Administrative Hearings may grant a fair hearing prior to the completion of the administrative review, on proper notice to all parties, to decide if a notice required by section 19, other than a notice of an emergency action, has not been given or is invalid on its face.”.

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

“(e) Each administrative review decision shall be in writing and shall contain a detailed statement of the basis for the decision. It shall include a comprehensive evaluation of the issues and clearly delineate the legal basis, if the decision upholds denial of shelter placement.”.

(h) A new section 31b is added to read as follows:

“Sec. 31b. Interim eligibility reporting requirement.

“The Department, no later than February 1 of each year, shall provide a report to the Council of the District of Columbia and the Interagency Council on Homelessness that shall include the following information:

“(1) Number of families placed in an interim eligibility placement;

“(2) Average length of stay in an interim eligibility placement;

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- “(3) Number of eligibility denials during and subsequent to an interim eligibility placement;
- “(4) Number of appeals of eligibility determinations during and subsequent to an interim eligibility placement;
- “(5) Number of interim eligibility appeals resolved via administrative review;
- “(6) Average time for issuance of decision for review of interim eligibility appeal via administrative review;
- “(7) Number of interim eligibility appeals brought to the Office of Administrative Hearings;
- “(8) Average time for issuance of decision for review of interim eligibility appeal via the Office of Administrative Hearings;
- “(9) Final placement outcome for each family placed into an interim eligibility placement.”.

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.

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

November 30, 2015

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.

COUNCIL OF THE DISTRICT OF COLUMBIA**PROPOSED LEGISLATION****BILLS**

- | | |
|---------|---|
| B21-496 | Encouraging Foster Children to have Connections with Siblings
Amendment Act of 2015

Intro. 11-20-15 by Chairman Mendelson at the request of the Mayor and
Retained by the Council with comments from the Committee on Health and
Human Services |
| <hr/> | |
| B21-502 | Employees' Compensation Fund Clarification Act of 2015

Intro. 11-25-15 by Chairman Mendelson at the request of the Mayor and
referred to the Committee on Business, Consumer, and Regulatory Affairs |
| <hr/> | |
| B21-506 | Establishment of the Community Health Emergency Link Paramedicine
Pilot Program Act of 2015

Intro. 12-1-15 by Councilmember McDuffie and referred to the Committee on
Judiciary |
-

- B21-507 Criminal Code Reform Commission Amendment Act of 2015
Intro. 12-1-15 by Councilmember McDuffie and Chairman Mendelson and referred to the Committee on Judiciary
-
- B21-508 School Attendance Clarification Amendment Act of 2015
Intro. 12-1-15 by Councilmember Grosso and Chairman Mendelson and referred sequentially to the Committee on Education and Committee of the Whole
-
- B21-509 Citizens Fair Election Program Amendment Act of 2015
Intro. 12-1-15 by Councilmembers Grosso, Nadeau, Cheh, Allen, Silverman, and Chairman Mendelson and referred to the Committee on Judiciary
-
- B21-510 Inmate Segregation Reduction Act of 2015
Intro. 12-1-15 by Councilmember Cheh and referred to the Committee on Judiciary
-
- B21-511 Clean Elections Amendment Act of 2015
Intro. 12-1-15 by Councilmembers Silverman, Nadeau, Allen, and Cheh and referred to the Committee on Judiciary
-
- B21-512 Hours and Scheduling Stability Act of 2015
Intro. 12-1-15 by Councilmembers Orange, Nadeau, Cheh, and Silverman and referred to the Committee on Business, Consumer, and Regulatory Affairs
-
- B21-513 District of Columbia Statehood Advocacy Act of 2015
Intro. 12-1-15 by Councilmember Orange and referred to the Committee of the Whole
-
- B21-514 Made in DC Program Establishment Act of 2015
Intro. 12-1-15 by Councilmembers Allen, Orange, and Chairman Mendelson and referred to the Committee on Business, Consumer, and Regulatory Affairs
-

B21-515 District of Columbia Public Assistance Amendment Act of 2015
Intro. 12-1-15 by Councilmembers Nadeau, Todd, Bonds, Silverman, May, and Orange and referred to the Committee on Health and Human Services

PROPOSED RESOLUTIONS

PR21-435 District of Columbia Board of Elections Stephen I. Danzansky
Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary

PR21-436 District of Columbia Board of Ethics and Government Accountability
Carol Schwartz Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary

PR21-437 District of Columbia Housing Authority Board of Commissioners Nakeisha
Neal Jones Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Community Development

PR21-438 Police Complaints Board Jamira Burley Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Judiciary

PR21-439 Food Policy Director Laine Cidlowski Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

PR21-440 Food Policy Council Spike Mendelsohn Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment

- PR21-441 Food Policy Council Claire Benjamin Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment
-
- PR21-442 Food Policy Council Jeremiah Lowery Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment
-
- PR21-443 Food Policy Council Jonas Singer Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Transportation and the Environment
-
- PR21-444 Commission on African-American Affairs Leon T. Andrews, Jr. Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Community Development
-
- PR21-445 Commission on African-American Affairs Vivian L. Derryck Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Community Development
-
- PR21-446 Commission on African-American Affairs Endrea L. Frazier Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Community Development
-
- PR21-447 Commission on African-American Affairs David N. Street Confirmation Resolution of 2015
Intro. 11-23-15 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Housing and Community Development
-

PR21-448 Testing for Synthetic Cannabinoid Surveillance Regulation Approval
Resolution of 2015

Intro. 11-24-15 by Chairman Mendelson at the request of the Mayor and
referred to the Committee on Health and Human Services with comments from
the Committee on Judiciary

**Council of the District of Columbia
COMMITTEE ON THE JUDICIARY
NOTICE OF PUBLIC ROUNDTABLE
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

**COUNCILMEMBER KENYAN R. MCDUFFIE, CHAIRPERSON
COMMITTEE ON THE JUDICIARY**

ANNOUNCES A PUBLIC ROUNDTABLE ON

**THE BOARD OF ELECTIONS' PREPARATIONS FOR THE
JUNE 14, 2016, PRIMARY ELECTION,**

**PR21-0415, THE "DISTRICT OF COLUMBIA BOARD OF ELECTIONS DIONNA
MARIA LEWIS CONFIRMATION RESOLUTION OF 2015",**

AND

**PR21-0416, THE "DISTRICT OF COLUMBIA BOARD OF ELECTIONS ANDREW T.
'CHIP' RICHARDSON, III, CONFIRMATION RESOLUTION OF 2015"**

**Wednesday, December 16, 2015, 2:00 PM
Room 120, John A. Wilson Building
1350 Pennsylvania Ave., N.W.
Washington, D.C. 20004**

On December 16, 2015, Councilmember Kenyan R. McDuffie, Chairperson of the Committee on the Judiciary, will convene a public roundtable on the Board of Elections' preparations for the June 14, 2016, Primary Election; Proposed Resolution 21-0415, the "District of Columbia Board of Elections Dionna Maria Lewis Confirmation Resolution of 2015"; and Proposed Resolution 21-0416, the "District of Columbia Board of Elections Andrew T. 'Chip' Richardson, III, Confirmation Resolution of 2015". The roundtable will be held in Room 120 of the John A. Wilson Building, 1350 Pennsylvania Ave, N.W., at 2:00 p.m.

This Committee will review the Board's staffing, polling place worker training, technology improvements, facilities preparation, public outreach efforts, voter database management, and budgeting. The Committee will also consider the nominations of Dionna Maria Lewis and Andrew T. "Chip" Richardson, III, to the Board.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the roundtable should contact Kate Mitchell, Committee Director, at (202) 727-8275, or via e-mail at kmitchell@dccouncil.us, and provide their name, telephone number, organizational

affiliation, and title (if any) **by close of business, December 14, 2015**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should bring **fifteen copies** of their written testimony and, if possible, also submit a copy of their testimony electronically to kmitchell@dccouncil.us.

For witnesses who are unable to testify at the roundtable, written statements will be made part of the official record. Copies of written statements should be submitted either to the Committee or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. The record will close at the end of the business day on December 22, 2015.

COUNCIL OF THE DISTRICT OF COLUMBIA
CONSIDERATION OF TEMPORARY LEGISLATION

B21-495, Encouraging Foster Children to have Connections with Siblings Temporary Act of 2015, **B21-501**, Employees' Compensation Fund Clarification Temporary Act of 2015, **B21-504**, Parkside Parcel E and J mixed-Income Apartments Tax Abatement Temporary Amendment Act of 2015, **B21-517**, Classroom Animal for Educational Purposes Temporary Act of 2015, **B21-519**, Business Improvement Districts Charter Renewal Temporary Amendment Act of 2015, and **B21-521**, District of Columbia Lots 36, 41, and 802 in Square 3942 and Parcels 01430107 and 01430110 Eminent Domain Authorization Temporary Authorization Act of 2015 were adopted on first reading on December 3, 2015. These temporary measures were considered in accordance with Council Rule 413. A final reading on these measures will occur on January 5, 2016.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

**Posting Date: December 4, 2015
**Petition Date: January 19, 2016
**Hearing Date: February 1, 2016
**Protest Hearing: March 30, 2016

License No.: ABRA-100804
Licensee: 1547 7th Ventures, LLC
Trade Name: Ambar
License Class: Retailer’s Class “C” Restaurant
Address: 1547-1549 7th Street, N.W.
Contact: Andrew Kline: 202-686-7600

WARD 6

ANC 6E

SMD 6E02

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 hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, 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 **1:30PM on **March 30, 2016.

NATURE OF OPERATION

New Restaurant serving Balkan food. Total Occupancy Load is 250. Sidewalk Café with 34 seats.

HOURS OF OPERATON FOR PREMISES AND SIDEWALK CAFE

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES AND SIDEWALK CAFE

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

**Posting Date: October 30, 2015
**Petition Date: December 14, 2015
**Hearing Date: December 28, 2015
**Protest Hearing: February 24, 2016

License No.: ABRA-100804
Licensee: 1547 7th Ventures, LLC
Trade Name: Ambar
License Class: Retailer’s Class “C” Restaurant
Address: 1547-1549 7th Street, N.W.
Contact: Andrew Kline: 202-686-7600

WARD 6 ANC 6E SMD 6E02

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 hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, 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 **4:30PM on **February 24, 2016.

NATURE OF OPERATION

New Restaurant serving Balkan food. Total Occupancy Load is 250. Sidewalk Café with 34 seats.

HOURS OF OPERATON FOR PREMISES AND SIDEWALK CAFE

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

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES AND SIDEWALK CAFE

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

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: December 4, 2015
Petition Date: January 19, 2016
Hearing Date: February 1, 2016
Protest Hearing: March 30, 2016
License No.: ABRA-100276

Licensee: Bolder LLC
Trade Name: Bolder Beer Garden
License Class: Retailer's Class "C" Tavern
Address: 1240 Mt. Olivet Road, N.E.
Contact: C. Webb: 202-277-7461

WARD 5

ANC 5C

SMD 5C04

Notice is hereby given that this applicant has applied for a new 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 hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, 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 on March 30, 2016 at 4:30 pm.

NATURE OF OPERATION

New Beer Garden with a Total Occupancy Load of 99 to include up to 20 patrons inside premises and up to 79 on the Summer Garden. Entertainment Endorsement.

HOURS OF OPERATON FOR PREMISES

Sunday 10am-2am, Monday-Thursday 11am-1am, Friday 11am-3am, Saturday 10am-3am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES

Sunday 10am-1:45am, Monday through Thursday 11am-1am, Friday 11am 2:45am, Saturday 10am-2:45am

HOURS OF OPERATION FOR SUMMER GARDEN

Sunday 10am-10pm, Monday through Thursday 11am-10pm, Friday 11am-11:30pm, Saturday 10am-11:30pm

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMMPTION OF ALCOHOL FOR SUMMER GARDEN

Sunday 10am-9:45pm, Monday through Thursday 11am-10pm, Friday 11am-11:30pm, Saturday 10am-11:30pm

HOURS OF LIVE ENTERTAINMENT

Sunday through Thursday 6pm-10pm, Friday and Saturday 6pm-11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Posting Date: November 13, 2015
Petition Date: December 28, 2015
Hearing Date: January 11, 2016

License No.: ABRA-093308
Licensee: Ultimo, LLC
Trade Name: Divino Grill
License Class: Retailer’s Class “C” Restaurant
Address: 1633 17th Street, N.W.
Contact: Felix Nelson Ayala: (202) 232-0437

WARD 2 ANC 2B SMD 2B04

Notice is hereby given that this licensee has applied for a Substantial Change to its 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.

NATURE OF SUBSTANTIAL CHANGE

Applicant is seeking to request an Entertainment Endorsement. Entertainment to include a live drag show with DJ.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES

Sunday through Thursday 11:30 am - 11 pm, Friday & Saturday 11:30 am – 2 am

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR SIDEWALK CAFE

Sunday through Thursday 11:30 am - 11 pm, Friday & Saturday 11:30 am – 12 am

PROPOSED HOURS OF LIVE ENTERTAINMENT

Sunday and Wednesday 9:00 pm - 11 pm, Friday & Saturday 9:00 pm – 2 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: December 4, 2015
Petition Date: January 19, 2016
Hearing Date: February 1, 2016

License No.: ABRA-060822
Licensee: Yi Kheng Ung Liquors, LLC
Trade Name: Roses Queen Liquors
License Class: Retailer's Class "A" Liquor Store
Address: 830 Bladensburg Road, N.E.
Contact: Yi Kheng Ung: 202-399-7778

WARD 5

ANC 5D

SMD 5D06

Notice is hereby given that this applicant has applied for a Substantial Change to its 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. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Requesting a Change of Hours for operation and alcoholic beverage sales.

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday-Closed, Monday through Saturday 9:00am to 10:00pm

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES

Sunday 9:00am to 10pm, Monday through Saturday 7:00am to 12:00am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Posting Date: November 27, 2015
Petition Date: January 11, 2016
Hearing Date: January 25, 2016

License No.: ABRA-097355
Licensee: Steak Ice 1310 H, LLC
Trade Name: Sally’s Middle Name
License Class: Retailer’s Class “D” Restaurant
Address: 1320 H Street, N.E.
Contact: Andrew Kline: (202) 686-7600

WARD 6

ANC 6A

SMD 6A06

Notice is hereby given that this licensee has applied for Substantial Changes to its 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 1:30pm, 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.

****NATURE OF SUBSTANTIAL CHANGE**

Applicant has requested an expansion to the existing premises, to include an additional 60 seats on the 2nd floor. Applicant has requested a Summer Garden with 22 seats. Applicant has requested a Class Change from a “D” Restaurant to “C” Restaurant.

CURRENT HOURS OF OPERATION

Sunday through Thursday 7 am - 2 am, Friday & Saturday 7 am – 3 am

CURRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION ON PREMISE

Sunday through Thursday 8 am - 2 am, Friday & Saturday 8 am – 3 am

****PROPOSED HOURS OF OPERATION FOR SUMMER GARDEN**

Sunday through Thursday 7 am - 2 am, Friday & Saturday 7 am – 3 am

****PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR SUMMER GARDEN**

Sunday through Thursday 8 am - 2 am, Friday & Saturday 8 am – 3 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: December 4, 2015
Petition Date: January 19, 2016
Hearing Date: February 1, 2016
Protest Hearing: March 30, 2016

License No.: ABRA-100766
Licensee: Rosato, LLC
Trade Name: Sospeso
License Class: Retailer's Class "C" Tavern
Address: 1344 H Street, N.E.
Contact: M. Rosato: 240-893-4001

WARD 6 ANC 6A SMD 6A06

Notice is hereby given that this applicant has applied for a new 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 hearing date at 10:00 am, 2000 14th 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 for March 30, 2016 at 4:30 pm.

NATURE OF OPERATION

Retailer's Class "C" Tavern, full service restaurant offering Mediterranean dishes and a wine-centric beverage list. Open morning through night offering coffee and light food in the daytime and full dinner in the evening. Total Occupancy Load of 149, seating inside for 91, and Summer Garden with seating for 20.

HOURS OF OPERATION

Sunday through Thursday 7am-3am, Friday & Saturday 7am-4am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

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

HOURS OF OPERATION FOR SUMMER GARDEN

Sunday through Thursday 7am-11pm, Friday & Saturday 7am-11:59pm

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR SUMMER GARDEN

Sunday through Thursday 8am-11pm, Friday & Saturday 8am-11:59pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****CORRECTION**

Posting Date: October 16, 2015
Petition Date: November 30, 2015
Hearing Date: December 14, 2015
Protest Hearing Date: February 10, 2016

License No.: ABRA-100595
Licensee: Coffee House Holdings, Inc.
Trade Name: Starbucks Coffee #7877
License Class: Retailer’s Class “D” Restaurant
Address: 1801 Columbia Road, N.W.
Contact: Stephen O’Brien: (202) 625-7700

WARD 1 ANC 1C SMD 1C04

Notice is hereby given that this applicant has applied for a new 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 hearing date at 10:00 am, 2000 14th 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 for February 10, 2016 at 4:30 pm.

NATURE OF OPERATION

A restaurant serving savory small plates and desserts meant for sharing, in addition to its coffee and breakfast offerings served all day, and offering wine & beer selections to its guest in a relaxing and comfortable environment. Total number of seats: 31. Total Occupancy Load: 48. Total number of **Summer Garden seats: 16.

HOURS OF OPERATION FOR THE PREMISES AND **SUMMER GARDEN

Sunday through Saturday 5am – 11pm

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR THE PREMISES AND **SUMMER GARDEN

Saturday & Sunday 12pm- 11pm, Monday through Friday 2pm – 11pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: December 4, 2015
Petition Date: January 19, 2016
Hearing Date: February 1, 2016
Protest Hearing: March 30, 2016

License No.: ABRA-100275
Licensee: System D, LLC
Trade Name: The Wydown Coffee Bar
License Class: Retailer's Class "C" Restaurant
Address: 1924 14th Street, N.W.
Contact: Chad McCracken: 202-550-0717

WARD 2

ANC 2B

SMD 2B09

Notice is hereby given that this applicant has applied for a new 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 hearing date at 10:00 am, 2000 14th Street, N.W., 400 South, 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 on March 23, 2016 at 1:30 pm.

NATURE OF OPERATION

New restaurant /specialty coffee bar with drip coffee, tea, espresso, fresh juices and house-made baked goods. Also selling coffee equipment. Total Occupancy Load of 35. Sidewalk Café with seating for 4 and standing room for 8.

HOURS OF OPERATON FOR PREMISES AND SIDEWALK CAFÉ

Sunday 7am-11pm, Monday through Wednesday 6am-11pm, Thursday and Friday 6am-12am, Saturday 7am-12am

HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION FOR PREMISES AND SIDEWALK CAFÉ

Sunday through Wednesday 9am-11pm, Thursday through Saturday 9am-12am

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**NOTICE OF PUBLIC HEARINGS**

The Office of the State Superintendent of Education (OSSE) announces that the Division of Early Learning will conduct five public hearings for comment on the proposed Child Care and Development Fund (CCDF) Block Grant Plan for the period of October 1, 2016 through September 30, 2018. The CCDF Block Grant is a major source of funding to help parents pay for child care. It is the primary source of funding for quality initiatives in early care and education. Beginning December 11, 2015, copies of the draft CCDF Plan will be made available at 810 First Street, NE and on the OSSE website at: www.osse.dc.gov. The public hearings for comment will take place as indicated below:

Monday, January 11, 2016

5:00 p.m. - 7:00 p.m.

National Children's Center
3400 Martin Luther King Jr. Ave. SE[Register for this hearing](#)**Tuesday, January 12, 2016**

5:00 p.m. - 7:00 p.m.

Petworth Neighborhood Library
4200 Kansas Ave. NW[Register for this hearing](#)**Thursday, January 14, 2016**

5:00 p.m. - 7:00 p.m.

Southwest Library
900 Wesley Place SW[Register for this hearing](#)**Friday, January 15, 2016**

1:00 p.m. - 3:00 p.m.

Office of the State Superintendent of Education
810 First St. NE (Third Floor Grand Hall)[Register for this hearing](#)**Tuesday, January 19, 2016**

4:30 p.m. - 6:30 p.m.

Educare DC
640 Anacostia Ave. NE[Register for this hearing](#)

Family members, service providers, advocates, program administrators, government workers, community groups, residents and other interested parties are encouraged to attend and give testimony at the public hearings. *If you would like to attend, please use the registration links under each public hearing date to register. If you would like to testify, please indicate during registration that you would like to testify during the hearing you plan to attend.* Registered persons will be scheduled for a 3-minute period to testify first. Persons not registered to testify will be allowed to testify as time permits. Persons who testify are encouraged to bring a copy of the written testimony for the record.

Amharic, Chinese, French, Spanish, Vietnamese, Korean and Sign Language interpreters will be available if the services are requested by **December 18, 2015**, to ensure availability. Requests for interpretation can be made using the registration links above.

Written comments on the draft CCDF Plan may be submitted at the hearing or throughout the comment period. All written comments must be received by **4:00 p.m. on Monday, January 18, 2016**. To submit a written comment outside of the public hearing, please visit www.osse.dc.gov click on the “Programs” tab, then click on “Early Learning” to find the Child Development Fund Plan starting December 11, 2015 or email Carolyn J. Terry-Taylor, Policy and Program Officer at carolynj.taylor@dc.gov.

If you have additional questions, please contact:
Carolyn J. Terry-Taylor
Policy and Program Officer
Division of Early Learning
DC Office of the State Superintendent of Education
carolynj.taylor@dc.gov

Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NO. 15-19
PAGE 2

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

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 Commission, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning's website at: <http://dcoz.dc.gov/services/app.shtm>.** This form may also be obtained from the Office of Zoning at the address stated below.

If an affected Advisory Neighborhood Commission (ANC), pursuant to 11 DCMR 3012.5, intends to participate at the hearing, the ANC shall also submit the information cited in § 3012.5 (a) through (i). The written report of the ANC shall be filed no later than seven (7) days before the date of the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |

Z.C. PUBLIC HEARING NOTICE
Z.C. CASE NO. 15-19
PAGE 3

4. Individuals 3 minutes each

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FINAL RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in Sections 3(b)(11) and (15) of the State Education Office Establishment Act of 2000 (Act), as amended, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2602(b)(11) and (15) (2012 Repl. & 2015 Supp.)); and Section 102(c) of the Focused Student Achievement Act of 2013, effective February 22, 2014, (D.C. Law 20-84; D.C. Official Code §§ 38-2610(a) (2015 Supp.)), hereby gives notice of the adoption of amendments to Chapter 23 (State-wide Assessments) of Title 5 (Education), Subtitle A (Office of the State Superintendent of Education), of the District of Columbia Municipal Regulations (DCMR).

The Office of the State Superintendent of Education (OSSE), pursuant to D.C. Official Code § 38-2610(a) (2015 Supp.) is responsible for “developing and administering all student tests and evaluations as 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 [ESEA] of 1965, approved January 8, 2002 (115 Stat. 1444; 20 U.S.C. § 6311).”

The purpose of this rulemaking is to ensure alignment of the regulations governing administration of the District’s State-wide assessments with the administration of the next generation assessments, such as the Partnership for Assessment of Readiness for College and Careers (PARCC) Assessment for English language arts/literacy and math, D.C.’s next generation science standards assessment in 5th grade science, 8th grade science, and high school biology, and the National Center and State Collaborative (NCSC) Assessment in math and English language arts as the alternate assessment for students with significant cognitive disabilities.

This notice therefore amends (1) Subsection 2300.3 of Section 2300 of Title 5-A DCMR, to amend when the state-wide assessment program shall be administered in high school; and (2) Section 2301 of Title 5-A DCMR, to strike the requirement that all students enrolled in grade ten (10) shall participate in the state-wide assessment program, and insert that a high school student shall participate in the state-wide assessment program as appropriate to the student’s curricula and course progression or as determined by OSSE.

This notice has been circulated throughout the District for a thirty (30) day period since its publication in the *D.C. Register* as a proposed rule on August 21, 2015 at 62 DCR 11573, including an opportunity to submit written comments. No written comments were received, no legal challenges were entered, no changes have been requested, and none have been made from the proposed rules published on August 21, 2015, as set forth below.

The rule was adopted as final on October 14, 2015 and will become effective upon publication in the *D.C. Register*.

Chapter 23, STATE-WIDE ACADEMIC ASSESSMENTS, of Title 5-A DCMR, OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, is amended as follows:

Subsection 2300.3 of Section 2300, ADMINISTRATION OF STATE-WIDE ACADEMIC ASSESSMENTS, is amended as follows:

2300 ADMINISTRATION OF STATE-WIDE ACADEMIC ASSESSMENTS

...

2300.3 The state-wide assessment program shall be administered each school year in conformance with guidelines established by the State Superintendent to include, at a minimum, the testing and reporting of results for all students enrolled in the District of Columbia Public Schools system and public charter schools who participated in the state-wide assessment program that year.

Section 2301, PARTICIPATION IN STATE-WIDE ACADEMIC ASSESSMENTS, is amended to read as follows:

2301 PARTICIPATION IN STATE-WIDE ACADEMIC ASSESSMENTS

2301.1 All students enrolled in grades three (3) through eight (8) shall participate in the state-wide mathematics and English language arts assessments.

2301.2 All students enrolled in grades five (5) and eight (8) shall participate in the state-wide science assessment.

2301.3 All students enrolled in grades nine (9) through twelve (12) shall participate in the state-wide mathematics assessment and English language arts assessment at least once in high school, as appropriate to the student’s curricula and course progression or as determined by OSSE.

2301.4 All students enrolled in grades nine (9) through twelve (12) shall participate in the state-wide science assessment. Students shall take the assessment at least once in high school, as appropriate to their curricula and course progression or as determined by OSSE.

2301.5 The State Superintendent shall issue guidance annually to prescribe how students enrolled in grades nine (9) through twelve (12) are selected to participate in the state-wide assessments under this chapter.

2301.6 All District of Columbia students enrolled in nonpublic schools and receiving educational services funded by the District of Columbia shall participate in the annual academic assessments administered by the District of Columbia in conformance with this chapter. Wards of the District of Columbia receiving educational services funded by the District of Columbia, living outside the

District of Columbia and attending a public school in another jurisdiction shall be exempt from participating in the District of Columbia's statewide academic assessment, provided they participate in the statewide system of assessment in the jurisdiction in which they are enrolled.

2301.7 The State Superintendent shall issue guidance to prescribe how students with disabilities and English language learners are to be assessed under this chapter, including the use of appropriate testing accommodations.

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 (2014 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 amendments to Section 1918, entitled “Art Therapies,” to be renamed “Creative Arts Therapies,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Register (DCMR).

These final rules establish standards governing reimbursement of creative arts therapies 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 (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS), for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990 (October 3, 2014)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

Creative arts therapies are designed to provide therapeutic supports to help a person with a disability express and understand emotions through artistic expression and the creative process. The goal of creative arts therapies is to assess and treat a variety of mental health problems including anxiety, depression and substance abuse disorders. The most recent Notice of Final Rulemaking for 29 DCMR § 1918 (Art Therapies) was published in the *D.C. Register* on December 13, 2013, at 60 DCR 016830. These rules amend the previously published final rules by: (1) adding a group 1:4 rate; (2) requiring that the plan for Creative Arts Therapies contain measurable, functional outcomes, based upon what is important to and for the person; (3) changing the name to Creative Arts Therapies; (4) changing the requirements for progress notes; (5) changing the requirements for quarterly reports; (6) changing the requirements for periodic examinations; (7) describing the role of the therapist as a member of the person’s support team; (8) increasing rates; and (9) clarifying that this service cannot be concurrently billed with day or vocational services.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on October 2, 2015, at 62 DCR 013070. The emergency and proposed rulemaking was adopted on September 14, 2015, became effective when CMS approved the ID/DD Waiver amendment on September 24, 2015, and remains in effect until January 12, 2016, or the publication of these

final rules in the *D.C. Register*, whichever occurs first. No comments were received and no substantive changes were made to the emergency and proposed rulemaking. The Director of DHCF adopted these rules as final on November 24, 2015, and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 1918, ART THERAPIES, is amended to read as follows:

1918 CREATIVE ARTS THERAPIES

- 1918.1 The purpose of this section is to establish standards governing Medicaid eligibility for Creative Arts Therapies 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 these services.
- 1918.2 Creative Arts Therapies services utilize art, dance, drama, and music therapy to provide therapeutic supports to help a person with disabilities express and understand emotions through artistic expression and the creative process. Creative Arts Therapies shall be based upon what is important to and for the person as reflected in his or her Person-Centered Thinking tools and the goals in his or her Individual Support Plan (ISP).
- 1918.3 Creative Arts Therapies services are available both as a one-to-one service for a person, and in small-group settings, not to exceed 1:4.
- 1918.4 To be eligible for reimbursement, the services shall be:
- (a) Ordered by a physician or a practitioner listed in Subsection 1918.7;
 - (b) Reasonable and necessary for the treatment of social and emotional difficulties related to a number of mental health issues including disability, illness, trauma, loss, and physical and cognitive problems; and
 - (c) Recommended by a person's support team, and included in the person's Individual Support Plan (ISP) and Plan of Care.
- 1918.5 The types of services eligible for reimbursement shall be:
- (a) Art therapy;
 - (b) Dance therapy;
 - (c) Drama therapy; and

- (d) Music therapy.

1918.6 Each person providing Creative Arts Therapies services shall:

- (a) Conduct an assessment within the first two (2) hours of delivering the service;
- (b) Develop and implement an individualized art, dance, drama, or music plan for the person that is in keeping with their choices, goals and prioritized needs that includes the following:
 - (1) Treatment strategies including direct therapy, caregiver training, monitoring requirements and instructions, and anticipated outcomes; and
 - (2) Identification of specific anticipated and measurable, functional outcomes, based upon what is important to and for the person as reflected in his or her Person-Centered Thinking tools and the goals in his or her ISP.
- (c) Deliver the completed plan to the person, family, guardian or other caregiver, and the Department on Disability Services (DDS) Service Coordinator prior to the Support Team meeting;
- (d) Participate in the ISP and Support Team meetings, when invited by the person, to provide consultative services and recommendations specific to the expert content with the focus on how the person is doing in achieving the functional goals that are important to him or her;
- (e) Provide necessary information to the individual, family, guardian or caregivers, and/or team, to assist in planning and implementing the approved ISP and Plan of Care;
- (f) Record progress notes on each visit.
- (g) Submit quarterly reports in accordance with the requirements in Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR;
- (h) Conduct periodic examinations and modify treatments for the person receiving services as necessary; and
- (i) Meet all of the requirements in Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 DCMR.

- 1918.7 Services shall be provided by a certified practitioner in an independent practice or a practitioner employed by a Waiver provider.
- 1918.8 Creative Arts Therapies services shall be delivered by the following practitioners:
- (a) Art therapists certified to practice art therapy by the American Art Therapy Association, Inc. and/or credentialing of the Art Therapy Credentialing Board;
 - (b) Dance therapists authorized to practice dance therapy pursuant to Chapter 71 (Dance Therapy) of Title 17 DCMR (Business, Occupations, and Professionals);
 - (c) Drama therapists certified by the National Association for Drama Therapy; and
 - (d) Music therapists certified by the Certification Board for Music Therapists, which is managed by the American Music Therapy Association.
- 1918.9 Each Waiver provider or certified practitioner in an independent practice shall meet the requirements as set forth in Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 DCMR.
- 1918.10 Creative Arts Therapies practitioners, without regard to their employer of record, shall be selected by the person or his/her authorized representative and shall be answerable to the person receiving services.
- 1918.11 Any Waiver provider substituting practitioners 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 continuation of services.
- 1918.12 Services shall 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 and develop a Creative Arts Therapies treatment plan with training goals and techniques that will assist the caregivers, within the first two (2) hours of service delivery;
 - (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 not conflict with the service limitations described under Subsection 1918.15.
- 1918.13 Each certified practitioner or Waiver provider shall maintain records required under Section 1908 (Reporting Requirements) and Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR.
- 1918.14 Each certified independent practitioner or Waiver provider shall comply with Section 1911 (Individual Rights) under Chapter 19 of Title 29 DCMR.
- 1918.15 Any combination of Creative Arts Therapies services shall be limited to a maximum of two thousand two hundred and fifty dollars (\$2,250.00) per person, per calendar year, and delivered in accordance with the person's ISP and Plan of Care.
- 1918.16 The reimbursement rate for Creative Arts Therapies services shall be:
 - (a) Twenty-four dollars and ninety-nine cents (\$24.99) per person for a total of no more than ninety-nine dollars and ninety-six cents (\$99.96) per forty-five (45) minutes for art, dance, drama or music therapy in a group not to exceed four (4); and
 - (b) Seventy-five dollars (\$75) per forty-five (45) minutes for art, dance, drama or music therapy as an individual service.
- 1918.17 The billable unit of service for Creative Arts Therapies services shall be fifteen (15) minutes. 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. Creative Arts Therapies may be billed on the same day, but cannot be billed concurrently with day vocational services, including but not limited to Day Habilitation and Employment Readiness services.

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 (2014 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 amendments to Section 1922, entitled “Employment Readiness Services,” of Chapter 19 (Home and Community-Based Services 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 employment readiness 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 (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicaid and Medicare Services (CMS), for a five-year period beginning November 20, 2012. The corresponding amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; 61 DCR 9990 (October 3, 2014)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015

The most recent Notice of Final Rulemaking for 29 DCMR § 1920 (Employment Readiness Services) was published in the *D.C. Register* on March 14, 2014, at 61 DCR 002112. These rules amend the previously published final rules by: (1) clarifying words and/or phrases to reflect more person-centered language and simplify interpretation of the rule; (2) adding a requirement for an annual Positive Personal Profile and Job Search and Community Participation Plan, with the initial documents due within thirty (30) days of services; (3) adding self-determination, self-advocacy, money management and budgeting, and development and maintenance of relationships to the list of social and soft skills training examples; (4) requiring that employment readiness services include employment exploration and/or preparation for those skills needed to be successful as integrated members of the community; (5) eliminating the ability for a person to volunteer for his or her provider, or any other business affiliated with the provider as part of employment readiness services; (6) requiring the development, with the person, of an individualized daily schedule of activities that reflects the persons interests and goals; (7) modifying the requirements for the individualized service delivery plan; (8) requiring that quarterly reporting includes a description of the person’s employment exploration and/or preparation of skills developed in the community; (9) clarifying that employment readiness may only be provided in a facility if that setting includes opportunities for community engagement, integration and inclusion; (10) removing the requirement that the person submits documentation

to the provider demonstrating that employment readiness services are not available through the Rehabilitation Act; (11) modifying rates to reflect increased costs to provide services; (12) barring the payment of stipends to attendees of Employment Readiness services by the provider; and (13) barring the Employment Readiness provider from concurrently being the person's employer and provider of Employment Readiness services.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on October 2, 2015, at 62 DCR 013076. The emergency and proposed rulemaking was adopted on September 14, 2015, became effective when CMS approved the ID/DD Waiver amendment on September 24, 2015, and remains in effect until January 12, 2016, or the publication of these final rules in the *D.C. Register*, whichever occurs first. No comments were received and no substantive changes were made to the emergency and proposed rulemaking. The Director of DHCF adopted these rules as final on November 24, 2015, and they shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 1922, EMPLOYMENT READINESS SERVICES, is deleted in its entirety and amended to read as follows:

1922 EMPLOYMENT READINESS SERVICES

- 1922.1 This section establishes standards governing Medicaid eligibility for employment readiness services for persons enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver) and establishes conditions of participation for providers of employment readiness services.
- 1922.2 Employment readiness services occur over a defined period of time with specific outcomes to be achieved, and provide learning and work experiences, including volunteer work, where a person enrolled in the Waiver can develop general, non-job-task-specific strengths and new employment related skills that contribute to employability in paid employment in an integrated community setting. A person receiving employment readiness services may pursue employment opportunities at any time to enter the general work force.
- 1922.3 To be eligible for Medicaid reimbursable employment readiness services, the services shall be identified in the ISP, Plan of Care, and Summary of Supports for each person enrolled in Waiver, and each person shall:
- (a) Demonstrate a need for employment readiness services; and
 - (b) Have employment related goals included in the ISP.

- 1922.4 To be eligible for Medicaid reimbursement, employment readiness services shall support a person on his/her pathway to competitive, integrated employment and shall consist of the following:
- (a) Providing opportunities for persons enrolled in the Waiver to develop general, non-job, task-specific strengths and skills that contribute to employability and are consistent with the person's goals;
 - (b) Assessment activities that occur annually or more frequently based upon the needs of the person, which require, at a minimum, a Positive Personal Profile and Job Search and Community Participation Plan, and may also include a customized employment assessment, and/or conducting a person-centered vocational and situational assessment and employment readiness assessments provided at community businesses and other community settings;
 - (c) Social and soft skills training, including, but not limited to, the following:
 - (1) Following and interpreting instructions;
 - (2) Interpersonal skills, including building and maintaining relationships;
 - (3) Communication skills for communicating with supervisors, co-workers, and customers;
 - (4) Travel skills;
 - (5) Respecting the rights of others and understanding personal rights and responsibilities;
 - (6) Decision-making skills and strategies;
 - (7) Support for self-determination and self-advocacy; and
 - (8) Budgeting and money management;
 - (d) Developing work skills which shall include, at a minimum, teaching the person the following:
 - (1) Appropriate workplace attire, attitude, and conduct;
 - (2) Work ethics;
 - (3) Attendance and punctuality;

- (4) Task completion;
- (5) Job safety;
- (6) Attending to personal needs, such as personal hygiene or medication management; and
- (7) Interviewing skills;
- (e) Coordinating transportation to community activities utilizing the Medicaid Non-Emergency Transportation Broker;
- (f) Employment exploration and/ or employment preparation in the community; and
- (g) Coordinating community-based, integrated, volunteer experiences as set forth in § 1922.5.

1922.5 Volunteer experiences shall be time limited and must allow the person to develop experience and build skills to further the person's employment goal, as identified in his or her ISP. A person enrolled in the Waiver may volunteer at a not-for-profit organization or an approved government agency, but may not volunteer for the provider agency or another business affiliated with the provider; if volunteering occurs at a for-profit business and the provider shall meet any requirements released by the U.S. Department of Labor. The guidance for those requirements can be found at:
<http://www.dol.gov/whd/regs/compliance/whdfs71.pdf>.

1922.6 To be eligible for Medicaid reimbursement, a Positive Personal Profile and Job Search and Community Participation Plan shall be developed within thirty (30) days of the date when the person began receiving services. An additional vocational assessment, completed by a qualified professional, shall be conducted within the first ninety (90) days of participation, and shall include an assessment of the following:

- (a) Employment-related goals based on a person's strengths, interests, and areas for improvement;
- (b) Available natural or community supports;
- (c) Personal concerns and preferences, based upon what is important to and for the person;
- (d) Work and career interests based on exploration and/or discovery; and

- (e) Accommodations and supports, including an assessment of assistive technology, which may be required once the person is employed.

1922.7 To be eligible for Medicaid reimbursement, a Positive Personal Profile, Job Search and Community Participation Plan, and additional vocational assessment shall be conducted at least annually by the provider to evaluate each person enrolled in the Waiver's acquisition of employment-related skills based on the person's career preferences and goals as specified in their ISP and Plan of Care.

1922.8 Each provider of Medicaid reimbursable employment readiness services shall develop an individualized service delivery plan described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR reflecting the person enrolled in the Waiver's interests, career preferences, choices, goals and prioritized needs. The plan shall:

- (a) Define the specific outcomes to be achieved over a specified period of time;
- (b) Describe the activities in the plan that are developed with the person and support the person on his or her pathway to competitive, integrated employment;
- (c) Describe how the plan shall support a person in the development of employment related skills, including social skills such as interviewing skills, professionalism, building and maintaining relationships, self-determination and self-advocacy, and attending to the person's needs; and
- (d) Describe community-based employment preparation experiences that are related to the person's employment goals.

1922.9 Each provider of Medicaid reimbursable employment readiness services shall submit reports to Department on Disability Services (DDS) service coordinator on a quarterly basis, consistent with the record maintenance requirements described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR. These reports shall also include the following information:

- (a) Volunteer activities provided;
- (b) Employment exploration and/or preparation in the community; and
- (b) Other employment readiness service activities provided.

1922.10 Each provider of Medicaid reimbursable employment readiness services shall develop, with the person, an individualized schedule of daily activities based upon the person's goals and activities as identified in his or her ISP, and consistent with what is in his or her Person-Centered Thinking and Discovery tools, of

meaningful adult activities that support the person on his or her pathway to integrated, competitive employment.

- 1922.11 Each provider of Medicaid reimbursable employment readiness services shall maintain the following documents for monitoring and review, in addition to the record maintenance requirements described under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR:
- (a) A copy of the Positive Personal Profile, Job Search and Community Participation Plan, and additional comprehensive vocational assessment; and
 - (b) A written daily schedule identifying the utilization of employment readiness services.
- 1922.12 To receive Medicaid reimbursement, employment readiness services shall be provided in the community or in a facility-based setting that provides opportunities for community engagement, inclusion and integration.
- 1922.13 To receive Medicaid reimbursement, each provider of employment readiness services shall be a Home and Community-Based Services (HCBS) Provider agency and shall meet the following requirements:
- (a) Comply with the requirements described under Section 1904 (Provider Qualifications) and Section 1905 (Provider Enrollment Process) of Chapter 19 of Title 29 DCMR;
 - (b) Demonstrate, through experience or academic attainment of the executive staff, the ability and qualification to provide employment readiness services for persons with intellectual and developmental disabilities with varying habilitation needs; and
 - (c) Have at least one staff member with a bachelor's degree in vocational rehabilitation or a similar discipline, and one (1) year of combined supervisory and "job coaching" experience or experience providing employment services to person with disabilities.
- 1922.14 Each provider of Medicaid reimbursable employment readiness services shall comply with the requirements under Section 1938 (Home and Community-Based Settings Requirements) of Chapter 19 of Title 29 DCMR.
- 1922.15 When employment readiness services are provided in a facility, each facility shall comply with all applicable federal, District, or state and local laws and regulations in order to receive Medicaid reimbursement.

- 1922.16 All payment for employment related training services shall be in accordance with the United States Fair Labor Standards Act of 1985.
- 1922.17 The employment readiness Medicaid reimbursement rate shall include coverage for any personal care services provided by an employment readiness services provider.
- 1922.18 To be eligible for Medicaid reimbursement, each Direct Support Professional shall meet the following requirements:
- (a) Comply with Section 1906 (Requirements for Direct Support Professionals) of Chapter 19 of Title 29 DCMR; and
 - (b) Have at least one (1) year of experience working with people with intellectual and developmental disabilities, or one year of comparable experience.
- 1922.19 Services shall be authorized for Medicaid reimbursement if:
- (a) DDS provided a written service authorization before the commencement of services;
 - (b) The provider develops a Positive Personal Profile and Job Search and Community Participation Plan, conducts an additional initial vocational assessment and then an annual Positive Personal Profile and Job Search and Community Participation Plan and additional vocational assessment thereafter; and develops an employment readiness plan with training goals and techniques that will assist the person to achieve employment readiness goals and outcomes based upon the person's interests and preferences. The initial Positive Personal Profile and Job Search and Community Participation Plan shall be completed within the first thirty (30) days of service delivery and the additional vocational assessment shall be completed within the first ninety (90) days of service delivery;
 - (c) The service name and provider delivering services are identified in the ISP and Plan of Care;
 - (d) The ISP, Plan of Care, and Summary of Supports and Services documents the amount and frequency of services to be received; and
 - (e) Services shall not conflict with the service limitations described under § 1922.20 (Service Limitations).
- 1922.20 In order to receive Medicaid reimbursement, services shall only be furnished to a person enrolled in the Waiver for up to eight (8) hours per day, not to exceed forty (40) hours per week.

- 1922.21 Medicaid reimbursable employment readiness services shall not be provided, or billed for, during the same hours and on the same day as the following services:
- (a) Day Habilitation;
 - (b) Supported Employment;
 - (c) In-Home Supports;
 - (d) Companion;
 - (e) Personal Care Services; and
 - (f) Individualized Day Supports.
- 1922.22 Employment readiness providers may not pay a stipend to a person for attendance or participation in activities at the employment readiness program.
- 1922.23 An employment readiness provider may not concurrently employ a person and be his or her provider of Medicaid employment readiness services.
- 1922.24 Employment readiness services are not available to people who are eligible to participate in programs funded under Section 110 of the Rehabilitation Act of 1973, enacted September 26, 1973, as amended (Pub. L. 93-112; 29 U.S.C. §§ 720 *et seq.*), or Section 602 (16) and (17) of the Individuals with Disabilities Education Act, enacted April 13, 1970, as amended (Pub. L. 91-230; 20 U.S.C. §§ 1400 *et seq.*)
- 1922.25 Medicaid reimbursable employment readiness services shall be provided for a maximum of eight (8) hours a day, and shall not include time spent in transportation to and from the program.
- 1922.26 The billable unit of service for Medicaid reimbursable employment readiness services shall be fifteen (15) minutes. The reimbursement rate for employment readiness services shall be eighteen dollars and seventy-two cents (\$18.72) per hour or four dollars and sixty-eight cents (\$4.68) per billable unit. A provider shall provide at least eight (8) minutes of service in a span of fifteen (15) continuous minutes in order to be able to bill a unit of service.

Section 1999, DEFINITIONS, is amended by adding the following:

Non-job, task-specific skills – General skills designed to support employment goals, such as resume writing, interviewing skills, and the ability to communicate effectively.

Stipend – Nominal fee paid to a person for attendance and/ or participation in activities designed to achieve his or her employment goal, as identified in the person’s ISP.

Travel Skills Training – Training the waiver participant to use public transportation to travel safely to their job or training work site.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF PROPOSED RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c)(2), (3), (5), (7), (12), (15), and (19), 14, and 20 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c)(2) (3), (5), (7), (12), (15), and (19), 50-313, and 50-319 (2012 Repl. & 2015 Supp.)), and D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2012 Repl. & 2014 Supp.), hereby gives notice of its intent to adopt amendments to Chapter 10 (Public Vehicles for Hire) and Chapter 99 (Definitions) of Title 31 (Taxicabs and Public Vehicles for hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed rules would delete the regulations in Chapter 10 which authorize the issuance of DCTC transferable taxicab vehicle licenses. These licenses function similarly to medallions, allowing licensees to perpetually maintain vehicle licenses from the Commission, without regard to active participation in the industry, current District licensing policy, or current industry best practices. A related definition in Chapter 99 would be deleted.

Directions for submitting comments may be found at the end of this notice. The Commission also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice of proposed rulemaking in the *D.C. Register*.

Chapter 10, PUBLIC VEHICLES FOR HIRE, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:

Section 1010, ISSUANCE OF DCTC VEHICLE LICENSES, is amended to read as follows:

- 1010.1 Nothing in this chapter shall be construed as creating a right of action against the District of Columbia based on the loss or diminution in value of, or in the loss of transferability of, any legal right or property interest which was due, in whole or in part, to action or inaction by any person in violation of the provisions of this title or other applicable law, including any person not subject to the jurisdiction of the District or the Office.
- 1010.2 Nothing in this chapter shall be construed to alter the legal rights or obligations of any person under any provision of the D.C. Municipal Regulations other than the rules and regulations of the Commission in this title.
- 1010.3 Each owner of a public vehicle-for-hire prior to operating in the District shall obtain a DCTC vehicle license from the Office, except as provided in § 1010.4.
- 1010.4 A DCTC vehicle license is not required for the following vehicles:

- (a) Sightseeing vehicles owned by a school, school board, or similar body;
- (b) Sightseeing vehicles transporting passengers to the District from a point outside the District, if the total operation of the vehicle does not exceed fifteen (15) days during any license year (April 1st through March 31st); and
- (c) Sightseeing vehicle registered elsewhere than in the District which does not operate for more than fifteen (15) days during any license year (April 1st through March 31st).

- 1010.5 The owner of the vehicle (“applicant”) shall file an application for a license with the Office, which shall determine whether or not the vehicle shall be registered in the District, as required by all applicable provisions of this title, DMV regulations and other applicable laws. The Office’s determination shall be noted on the application.
- 1010.6 If the Office determines that a vehicle need not be registered in the District, the applicant shall meet the requirements of § 1010.13.
- 1010.7 Each applicant shall submit the application to the Office of the Chief Financial Officer (“OCFO”) for a determination of applicable taxes. OCFO shall note compliance with any applicable tax requirements upon the application.
- 1010.8 Each applicant whose vehicle is registered in the District shall present evidence that the vehicle has been inspected by DMV and is in compliance with all other provisions of this title relating to vehicle safety and passenger comfort.
- 1010.9 Each applicant shall present evidence satisfactory to the Office that the vehicle is insured under the provisions of Chapter 9. The Office shall act as agent for the purpose of enforcing insurance regulations and shall maintain records necessary to perform that function.
- 1010.10 Each application shall be made on a form provided by the Office, and shall state the owner’s full name, place of residence and business addresses, and any other information and documentation required by the Office.
- 1010.11 DMV, acting as agent for the Office, shall inspect taxicabs to ensure compliance with the equipment requirements of the Commission’s regulations, including authorized vehicle type, paint color(s), trade name, insignias, rate and passenger rights signs, meter seals, dome lights, upholstery condition, sanitation, and other provisions of this title.
- 1010.12 The Office shall determine from its own records whether a taxicab owner is in compliance with the color and insignia requirements with respect to company, association, or independent taxicab status.

- 1010.13 The Office, upon receipt of an application for a public vehicle-for-hire and evidence satisfactory to the Office that all requirements of this title have been met, and upon receipt of the proper fee, shall issue the appropriate vehicle license to the owner.
- 1010.14 The Office shall collect the prescribed fees for each DCTC vehicle license sought by the applicant.
- 1010.15 Each vehicle license shall be in form prescribed by the Office and shall contain any information which the Office deems appropriate.
- 1010.16 The Office shall record and maintain records of assignments made by licensees to whom licenses have been issued under this chapter. Each assignment shall be made in the form prescribed by the Office.

Chapter 99, DEFINITIONS, is amended as follows:

Section 9901, DEFINITIONS, is amended by deleting the following definition:

“DCTC transferable taxicab vehicle license” - A DCTC taxicab vehicle license which may be transferred from its owner to any person by any lawful means, without reapplication, and which provides its owner with a corresponding privilege to apply to DMV for registration and tags, as stated in § 1010 and subject to all DMV rules and regulations and other applicable laws. A DCTC transferable taxicab vehicle license shall not guarantee its holder's privilege to be issued DMV vehicle registration or tags where the issuance of registration or tags would be inconsistent with DMV rules or regulations or other applicable laws.

Copies of this proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting the Secretary to the Commission, District of Columbia Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, D.C. 20020. All persons wishing to file comments on the proposed rulemaking action should submit written comments via email to dctc@dc.gov or by mail to the DC Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, DC 20020, Attn: Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA**NOTICE OF PROPOSED RULEMAKING****Z.C. Case No. 15-17****(Text Amendment — 11 DCMR)****Child Development Homes**

The Zoning Commission for the District of Columbia, pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01 (2012 Repl.)), hereby gives notice of its intent to amend §§ 199, 202, 203, 502, 601, 702, 722, 742.2, 752.2, 761.4, and 3014.1 of the Zoning Regulations (Title 11 DCMR) of the District of Columbia Municipal Regulations (DCMR), to establish and regulate a new use to be known as an “Expanded Child Development Home.” The use would be permitted as a home occupation in Residence Districts, an accessory use in Special Purpose Districts, a matter-of-right use in Mixed-Use (Commercial Residential) Districts, and as an accessory building in Commercial Districts. Child Development Homes would no longer be permitted as accessory uses in Residence Districts but only as home occupations. Other changes to the regulation of Child Development Homes are proposed, as well as an amendment that would count basement space towards floor area limitations for home occupations.

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The following amendment to the Zoning Regulations is proposed:

Title 11 DCMR, ZONING, is amended as follows:

Chapter 1, THE ZONING REGULATIONS, § 199, DEFINITIONS, § 199.1, is amended as follows:

By inserting the following new definition in alphabetical order:

Extended child development home – a dwelling unit used in part for the licensed care, education, or training for more than six (6) individuals, up to a maximum of twelve (12) individuals fifteen (15) years of age or less including all individuals age four (4) and younger who reside in the dwelling unit, provided that no more than six (6) of the individuals may be under two (2) years of age. Those individuals receiving care, education, or training who are not related by blood, marriage, or adoption to the caregiver shall be present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as a child care center, day-care center, pre-school, nursery school, before-and-after school programs, and similar programs and facilities.

By amending the definition of “Caregiver” to add a reference to an “extended child development home,” so that the definition reads as follows:

Caregiver – an individual who is responsible for the supervision and administration of a child development home, extended child development home, or child/elderly development center.

By amending the definition of “child development home” to insert the phrase “including all individuals age four (4) and younger who reside in the dwelling unit,” so that the definition reads as follows:

Child development home – a dwelling unit used in part for the licensed care, education, or training of no more than six (6) individuals fifteen (15) years of age or less including all individuals age four (4) and younger who reside in the dwelling unit. Those individuals receiving care, education, or training who are not related by blood, marriage, or adoption to the caregiver shall be present for less than twenty-four (24) hours per day. This definition encompasses facilities generally known as a child care center, day-care center, pre-school, nursery school, before-and-after school programs, and similar programs and facilities.

Chapter 2, R-1 RESIDENCE DISTRICT USE REGULATIONS, is amended as follows:

Section 202, ACCESSORY USES (R-1), is amended as follows:

By repealing § 202.4¹.

By amending § 202.5 to add new paragraphs (a) through (e)² so that the subsection will read as follows:

202.5 The elderly day care home shall be permitted as an accessory use in an R-1 District incidental to the uses permitted in this chapter provided:

- (a) The dwelling unit in which the use is located shall be the principal residence of the caregiver;
- (b) There is used no more than one (1) sign or display, which shall not exceed one hundred forty-four square inches (144 sq. in.) in area;

¹ Subsection 202.4 presently permits a child development home as a matter-of-right accessory use. Under these amendments, the use will be permitted only as a home occupation, which requires a permit.

² Subsection 202.5 presently requires elderly care homes to meet the requirements stated in §§ 202.4(a) through (e). Since those paragraphs are proposed to be repealed, it is necessary to add their content to § 202.5.

- (c) No stock in trade is kept nor any commodity sold upon the premises;
- (d) No person is employed other than a member of the caregiver's immediate family residing on the premises; and
- (e) No mechanical equipment is used except such as is permissible for purely domestic or household purposes.

Section 203, HOME OCCUPATION (R-1), is amended as follows:

Subsection 203.4(b) is amended to include the floor area of a basement within the calculation of its floor area limitation and to add a cross-reference to §§ 203.7(e)(2), (f), and (l). Paragraphs (d), (l), and (m) of the subsection are amended to reference child development homes and/or expanded child development homes. The amended subsection shall read as follows:

203.4 A practitioner of a home occupation, and any owner of a dwelling unit in which a home occupation is practiced, shall comply with the requirements of §§ 203.5 and 203.6, and with the following conditions and requirements:

- (a) A home occupation shall be clearly secondary to the use of a dwelling unit for residential purposes;
- (b) Except as provided in §§ 203.7(e)(2), (f), and (l) and § 203.8(d), no more than the larger of two hundred fifty square feet (250 sq. ft.) or twenty-five percent (25%) of the floor area of the dwelling, including basement but excluding any accessory structure, shall be utilized in the home occupation;
- (d) Except as provided in §§ 203.7(a) and (e)(1), no more than one (1) person who is not a resident of the dwelling unit shall be engaged or employed in the home occupation;
- (e) The dwelling unit owner and the practitioner shall maintain the residential character and appearance of the dwelling unit and lot;
- (f) No interior structural alteration shall be permitted if it would make it difficult to return the premises to use that is exclusively residential;
- (g) Neither the practitioner nor any other person shall conduct or allow any operations outside a structure, nor maintain or allow any storage or other unsightly condition outside a structure;
- (h) Neither the practitioner nor any other person shall use any equipment or process that creates visual or audible electrical interference in television or

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radio receivers outside the subject home, or that causes fluctuations in line voltage outside the subject home;

- (i) The use shall produce no noxious odors, vibrations, glare, or fumes that are detectable to normal sensory perception outside the subject home;
- (j) The use shall not produce a level of noise that exceeds the level normally associated with the category of dwelling or the immediate neighborhood;
- (k) No more than two (2) vehicles may be used in the practice of the home occupation;
- (l) Except for child development homes and expanded child development homes, vehicular trips to the premises by visitors, customers, and delivery persons shall not exceed eight (8) trips daily on a regular and continuing basis;
- (m) Except for expanded child development homes, the practitioner shall have no more than eight (8) clients or customers on the premises in any one (1) hour period; and
- (n) If more than one (1) home occupation is practiced in a dwelling unit, the cumulative impact of all such home occupations, considered as a whole, shall not exceed any of the standards set forth in paragraphs (a) through (m) of this subsection.

Subsection 203.7 is amended to add child development homes and expanded child development homes to the list of allowed home occupations so that the entire subsection reads as follows:

203.7 The following uses shall be allowed as home occupations; provided, that the conditions specified in §§ 203.4 through 203.6 are met at the time of the establishment of the home occupation, and maintained on a continuing basis. The uses listed under this subsection shall include similar uses in each category:

- (a) Child development home provided no more than two (2) persons who are not a resident of the dwelling unit shall be engaged or employed in the child development home;
- (b) Computer programming;
- (c) Cosmetologist, hair stylist, or barber;
- (d) Dressmaking, sewing, and tailoring;

- (e) Expanded child development home for between seven (7) and nine (9) individuals fifteen (15) years of age or less; provided:
 - (1) No more than three (3) persons who are not a resident of the dwelling unit shall be engaged or employed;
 - (2) A minimum of thirty five square feet (35 sq. ft.) of floor area per individual is provided including basement but excluding any accessory structure shall be utilized for the expanded child development home; and
 - (2) No more than three hundred and twenty square feet (320 sq. ft.) of the floor area of the dwelling including basement but excluding any accessory structure shall be utilized for the expanded child development home;
- (f) Expanded child development home for ten (10) to twelve (12) individuals fifteen (15) years of age less may be permitted as a special exception by the Board of Zoning Adjustment under § 3104 and subject to the provisions of § 203.10; provided a minimum of thirty five square feet (35 sq. ft.) of floor area per individual is provided including basement but excluding any accessory structure;
- (g) Home crafts, such as model-making, rug weaving, and lapidary work;
- (h) Home office of a businessperson, sales person, or manufacturer's representative; provided, that the dwelling is not used as a gathering point for workers who are on the way to another work site;
- (i) Home office of a physician or dentist; provided, that the physician or dentist may not also establish an accessory use pursuant to § 202;
- (j) Home office of a scientist, clergyman, inventor, academician, licensed health care professional other than one provided for in paragraph (k) of this subsection, or other professional person;
- (k) Mail order business;
- (l) Painting, sculpturing, writing, composing, photography, or other fine arts occupations practiced by an individual in a home studio; provided, that no more than sixty percent (60%) of the floor area of the dwelling unit may be devoted to the studio;
- (m) Telephone answering service and sales by telephone;

- (n) Tutoring of not more than five (5) students at any one time; and
- (o) Typing or word processing service.

Subsection 203.10 is amended by adding the phrase “Except as provided in § 203.7(e)(1),” to the beginning of paragraph (c), so that the entire subsection reads as follows:

203.10 A home occupation that is not permitted or prohibited in this section may be permitted as a special exception by the Board of Zoning Adjustment under § 3104; provided:

- (a) The proposed use and related conditions shall be consistent with the purposes set forth in § 203.1 and shall generally comply with the requirements of §§ 203.4 through 203.8, subject to specific findings and conditions of the Board in each case;
- (b) An applicant for a home occupation that is permitted by §§ 203.6 through 203.8 may request the Board to modify no more than two (2) of the conditions enumerated in §§ 203.4 through 203.8; provided that the general purposes and intent of this section are complied with;
- (c) Except as provided in § 203.7(e)(1), in no case shall more than two (2) persons who are not residents of the subject home be permitted as employees of the home occupation, and those persons shall not be co-practitioners of the profession;
- (d) Any request to modify more than two (2) of the requirements found in §§ 203.4 through 203.8 shall be deemed a request for a variance. However, a person with a demonstrated physical handicap may be permitted special consideration by the Board, and a request for more than two (2) modifications of the Home Occupation requirements shall be considered in this instance as a special exception governed by this subsection; and
- (e) In considering any request for approval under this subsection, the Board may impose conditions relating to operating conditions of the home occupation, parking, screening, or other requirements as it deems necessary to protect adjacent and nearby properties consistent with the general purpose and intent of this section.

Chapter 5, SPECIAL PURPOSE DISTRICTS is amended as follows:

Section 502, ACCESSORY USES (SP), § 502.6, is amended by inserting the phrase “or an expanded child development home” so that the subsection reads as follows:

502.6 A child development home or an expanded child development home shall be permitted as an accessory use in an SP District incidental to the uses permitted in this chapter; provided:

- (a) The dwelling unit in which the use is located shall be the principal residence of the caregiver; and
- (b) The use otherwise shall meet the definition of a home occupation.

Chapter 6, MIXED USE (COMMERCIAL RESIDENTIAL) DISTRICTS is amended as follows:

Section 601, MATTER OF RIGHT USES (CR), § 601.5, is amended by twice inserting the phrase “or an expanded child development home” so that the subsection reads as follows:

601.5 A child development home or an expanded child development home shall be permitted as a matter of right as an accessory use in a CR District; provided, the dwelling unit in which the child development home or an expanded child development home is located is the principal residence of the caregiver and the use shall otherwise meet the definition of a home occupation.

Chapter 7, COMMERCIAL DISTRICTS is amended as follows:

Section 702, ACCESSORY USES AND BUILDINGS (C-1), § 702.2, is amended by inserting the phrase “or an expanded child development home” so that the subsection reads as follows:

702.2 A child development home or an expanded child development home shall be permitted in a C-1 District as an accessory building and use incidental to the uses permitted in §§ 701 through 711; provided:

- (a) The dwelling unit in which the use is located shall be the principal residence of the caregiver; and
- (b) The use otherwise shall meet the definition of a home occupation

Section 722, ACCESSORY USES AND BUILDINGS (C-2), § 722.2, is amended by inserting the phrase “or an expanded child development home” so that the subsection reads as follows:

722.2 A child development home or an expanded child development home shall be permitted in a C-2 District as an accessory building and use incidental to the uses permitted §§ 721, 722, and 726 through 734; provided:

- (a) The dwelling unit in which the use is located shall be the principal residence of the caregiver; and
- (b) The use otherwise shall meet the definition of a home occupation

Section 742, ACCESSORY USES AND BUILDINGS (C-3), § 742.2, is amended by inserting the phrase “or an expanded child development home” so that the subsection reads as follows:

742.2 A child development home or an expanded child development home shall be permitted in a C-3 District as an accessory building and use incidental to the uses permitted in §§ 741 through 744; provided:

- (a) The dwelling unit in which the use is located shall be the principal residence of the caregiver; and
- (b) The use otherwise shall meet the definition of a home occupation

Section 752, ACCESSORY USES AND BUILDINGS (C-4), § 752.2, is amended by inserting the phrase “or an expanded child development home” so that the subsection reads as follows:

752.2 A child development home or an expanded child development home shall be permitted in a C-4 District as an accessory building and use incidental to the uses permitted in §§ 751 through 754; provided:

- (a) The dwelling unit in which the use is located shall be the principal residence of the caregiver; and
- (b) The use otherwise shall meet the definition of a home occupation.

Section 761, C-5 (PAD) DISTRICT USES, § 761.4, is amended by inserting the phrase “or an expanded child development home” so that the subsection reads as follows:

761.4 A child development home or an expanded child development home shall be permitted in the C-5 (PAD) District as an accessory use incidental to the uses permitted in this section; provided:

Chapter 31, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE is amended as follows:

Section 3104, SPECIAL EXCEPTIONS, is amended by inserting alphabetically the following new special exceptions into the chart appended to § 3104.1:

TYPE OF SPECIAL EXCEPTION	ZONE DISTRICT	SECTIONS IN WHICH THE CONDITIONS ARE SPECIFIED
Expanded child development home for ten (10) to twelve (12) individuals fifteen (15) years of age or less.	Any R District	§ 203.7(f).

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001, or electronic submissions may be submitted in PDF format to zcsubmissions@dc.gov. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

DISTRICT OF COLUMBIA TAXICAB COMMISSION

NOTICE OF EMERGENCY RULEMAKING

The District of Columbia Taxicab Commission (“Commission”), pursuant to the authority set forth in Sections 8(c) (3), (4), (5), and (19), and 14 of the District of Columbia Taxicab Commission Establishment Act of 1985 (“Establishment Act”), effective March 25, 1986 (D.C. Law 6-97; D.C. Official Code §§ 50-307(c) (3), (4), (5), and (19), and 50-313, (2012 Repl. & 2015 Supp.)), hereby gives notice of the adoption, on an emergency basis, of amendments to Chapter 5 (Taxicab Companies, Associations and Fleets) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

The emergency rules are necessary because there is an immediate need to preserve and promote the safety and welfare of District residents. Immediate implementation of the rulemaking will protect taxicab passengers and drivers throughout the District by amending the Chapter 5 to require taxicab companies and associations to promptly install safety devices in all taxicabs.

This emergency rulemaking was adopted by the Commission on October 14, 2015 and took effect immediately. The Commission, through separate notice, also adopted proposed rulemaking on August 12, 2015, published in the *D.C. Register* on September 11, 2015 at 62 DCR 012443, incorporating the requirements of this emergency rulemaking. This emergency rulemaking shall remain in effect for one hundred and twenty (120) days after the date of adoption (expiring February 11, 2016), unless earlier superseded by an amendment or repeal by the Commission, or the publication of final rulemaking, whichever occurs first.

Chapter 5, TAXICAB COMPANIES, ASSOCIATIONS AND FLEETS, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended to read as follows:

A new Section 510 is added to read as follows:

510 TAXICAB COMPANIES AND ASSOCIATIONS – OPERATING REQUIREMENTS

A new Subsection 510.5 is added to read as follows:

510.5 Each taxicab company and association shall provide one or more safety devices for all its owned and associated vehicles which conforms to the equipment standards of § 603.8(n)(3), as specified in an administrative issuance, including a device which also provides for driver’s safety.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Director of the Department of Health Care Finance, 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 (2014 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, on an emergency basis of an amendment to Section 5213 of Chapter 52 (Medicaid Reimbursement for Mental Health Rehabilitative Services) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this amendment is to establish reimbursement rates and codes for two new MHRS services recently authorized through a Medicaid State Plan Amendment (SPA). They are Trauma-Focused Cognitive Behavioral Therapy (TF-CBT) and Child-Parent Psychotherapy – Family Violence (CPP-FV). TF-CBT is designed primarily to help young children ages four to eighteen (4-18) who have suffered traumatic life events; CPP-FV is a relationship-based treatment designed for children ages zero to six (0-6) who have suffered trauma and as a result have difficulty regulating their behaviors and emotions.

Additionally, a new program to train family members as peers to assist other families who have children with serious mental disorders has been developed. This assistance is a type of Community Support and the new code and rate reflect that particular service. The new rate has been added to reflect the new Certified Peer Specialist – Family Service. Department of Behavioral Health (DBH) has a Certified Peer Program for peers who are often critical to the engagement and success of people, including families with children, who have mental illness or serious emotional disorders.

Issuance of these rules, on an emergency basis, is necessary to ensure the continued provision of these critical mental health services to very young District residents with mental illness who are in need of services to develop in a healthy manner inside the family unit. Further, these services will support family members in need of assistance from other experienced family peers who are able to fully assist their children. These services were not fully reimbursable prior to the SPA. Providers need to be appropriately reimbursed in order to serve those very young children who need these critical services to overcome trauma in their lives and achieve recovery. Thus, emergency action is necessary for the immediate preservation of the health, welfare, and safety of children, youth, and their families in need of mental health services.

This emergency and proposed rulemaking was adopted on November 25, 2015, and became effective on that date. These rules shall remain in effect for one hundred and twenty (120) days, expiring March 24, 2016, unless superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*. The Director also gives notice of intent to take final rulemaking action to adopt the proposed rules in not less than thirty (30) days after the date of publication of this notice in the *D.C. Register*.

Chapter 52, MEDICAID REIMBURSEMENT FOR MENTAL HEALTH REHABILITATIVE SERVICES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 5213, REIMBURSEMENT, is amended to read as follows:

5213 REIMBURSEMENT

5213.1 Medicaid reimbursement for Mental Health Rehabilitative Services (MHRS) provided to consumers other than consumers who are deaf or hearing-impaired shall be determined as follows:

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
Diagnostic/ Assessment	T1023HE	An assessment, at least 3 hours in duration	\$256.02
	H0002	An assessment, 40 – 50 minutes in duration to determine eligibility for admission to a mental health treatment program	\$85.34
Medication Training & Support	H0034	15 minutes	\$44.65 – Individual
	H0034HQ	15 minutes	\$13.52 – Group
Counseling	H0004	15 minutes	\$26.42 – Individual
	H0004HQ	15 minutes	\$8.00 – Group
	H0004HR	15 minutes	\$26.42 – Family with Consumer On-Site
	H0004HS	15 minutes	\$26.42 – Family without Consumer On- Site

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
	H0004HETN	15 minutes	\$27.45 – Individual Off-Site
Community Support	H0036	15 minutes	\$21.97 – Individual
	H0036HQ	15 minutes	\$6.65 – Group
	H0036UK	15 minutes	\$21.97 – Collateral
	H0036AM	15 minutes	\$21.97 – Physician Team Member
	H0038	15 minutes	\$21.97 – Self-Help Peer Support
	H0038HQ	15 minutes	\$6.65 –Self-Help Peer Support Group
	H0038HS	15 minutes	\$21.97 – Family/Couple Peer Support without Consumer
	H0038HQHS	15 minutes	\$6.65 – Family/Couple Peer Support Group Without Consumer
	H0036HR	15 minutes	\$21.97 – Family with Consumer
	H0036HS	15 minutes	\$21.97 – Family without
	H0036U1	15 minutes	

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
			Consumer
			\$21.97– Community Residence Facility
	H2023	15 minutes	\$18.61– Supported Employment (Therapeutic)
Crisis/ Emergency	H2011	15 minutes	\$36.93
Day Services	H0025	One day, at least 3 hours in duration	\$123.05
Intensive Day Treatment	H2012	One day, at least 5 hours in duration	\$164.61
Community- Based Intervention (Level I – Multi-Systemic Therapy)	H2033	15 minutes	\$57.42
Community- Based Intervention (Level II and Level III)	H2022	15 minutes	\$35.74
Community- Based Intervention (Level IV – Functional Family Therapy)	H2033HU	15 minutes	\$57.42

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
Assertive Community Treatment	H0039	15 minutes	\$38.04 – Individual
	H0039HQ	15 minutes	\$11.51 – Group
Trauma Focused Cognitive Behavioral Therapy	H004ST	15 minutes	\$35.74
Child-Parent Psychotherapy for Family Violence	H004HT	15 minutes	\$35.74

5213.2 Medicaid reimbursement for MHRS provided to consumers who are deaf or hearing-impaired shall be determined as follows:

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
Diagnostic/ Assessment	T1023HEHK	An assessment, at least 3 hours in duration	\$345.63
	H0002HK	An assessment, 40 – 50 minutes in duration to determine eligibility for admission to a mental health treatment program	\$115.21
Medication Training & Support	H0034HK	15 minutes	\$60.28 – Individual
	H0034HQHK	15 minutes	\$18.25 – Group
Counseling	H0004HK	15 minutes	\$35.67 –

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
			Individual
	H0004HQHK	15 minutes	\$10.80 – Group
	H0004HRHK	15 minutes	\$35.67 – Family with Consumer On-Site
	H0004HSHK	15 minutes	\$35.67 – Family without Consumer On-Site
Community Support	H0036HK	15 minutes	\$29.66 – Individual
	H0036HQHK	15 minutes	\$8.98 – Group
	H0036UKHK	15 minutes	\$29.66 – Collateral
	H0036AMHK	15 minutes	\$29.66 – Physician Team Member
	H0038HK	15 minutes	\$29.66 – Self-Help Peer Support
	H0038HQHK	15 minutes	\$8.98 –Self-Help Peer Support Group
	H0038HSHK	15 minutes	\$29.66 – Family/Couple Peer Support without Consumer
	H0036HRHK	15 minutes	\$8.98 – Family/Couple Peer Support Group Without Consumer
	H0036HSHK	15 minutes	
	H0036U1HK	15 minutes	

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
			\$29.66 – Family with Consumer
			\$29.66 – Family without Consumer
			\$29.66– Community Residence Facility
	H2023HK	15 minutes	\$25.12 Supported Employment (Therapeutic)
Crisis/ Emergency	H2011HK	15 minutes	\$49.85
Day Services	H0025HK	One day, at least 3 hours in duration	\$166.12
Intensive Day Treatment	H2012HK	One day, at least 5 hours in duration	\$222.22
Community- Based Intervention (Level I – Multi-Systemic Therapy)	H2033HK	15 minutes	\$77.52
Community- Based Intervention (Level II and Level III)	H2022HK	15 minutes	\$48.25
Community- Based Intervention	H2033HUHK	15 minutes	\$77.52

SERVICE	CODE	BILLABLE UNIT OF SERVICE	RATE
(Level IV – Functional Family Therapy)			
Assertive Community Treatment	H0039HK	15 minutes	\$51.35 – Individual
	H0039HQHK	15 minutes	\$15.54 – Group
Trauma Focused Cognitive Behavioral Therapy	H004STHK	15 minutes	\$48.25
Child-Parent Psychotherapy for Family Violence	H004HTHK	15 minutes	\$48.25

5213.3 DBH shall be responsible for payment of the District's share or the local match for all MHRS in accordance with the terms and conditions set forth in the Memorandum of Understanding between Department of Health Care Finance (DHCF) and Department of Behavioral Health (DBH). DHCF shall claim the federal share of financial participation for all MHRS services.

5213.4 Providers shall not bill the client or any member of the client's family for MHRS services. DBH shall bill all known third-party payors prior to billing the Medicaid Program.

5213.5 Medicaid reimbursement for MHRS is not available for:

- (a) Room and board costs;
- (b) Inpatient services (including hospital, nursing facility services, intermediate care facility for persons with mental retardation services, and Institutions for Mental Diseases services);
- (c) Transportation services;

- (d) Vocational services;
- (e) School and educational services;
- (f) Services rendered by parents or other family members;
- (g) Socialization services;
- (h) Screening and prevention services (other than those provided under Early and Periodic, Screening Diagnostic Treatment requirements);
- (i) Services which are not medically necessary, or included in an approved Individualized Recovery Plan for adults or an Individualized Plan of Care for children and youth;
- (j) Services which are not provided and documented in accordance with DBH-established MHRS service-specific standards; and
- (k) Services furnished to a person other than the Medicaid client when those services are not directed exclusively to the well-being and benefit of the Medicaid client.

Comments on this proposed rulemaking shall be submitted in writing to Claudia Schlossberg, Senior Deputy/Medicaid Director, Department of Health Care Finance, 441 4th Street, N.W., 9th Floor South, Washington, D.C. 20001, via email to DHCFPubliccomments@dc.gov, online at www.dcregs.dc.gov, or by telephone to (202) 442-8742, within thirty (30) days after the date of publication of this notice in the *D.C. Register*. Additional copies of this proposed rule may be obtained from the above address.

DEPARTMENT OF HEALTH**NOTICE OF SECOND EMERGENCY AND PROPOSED RULEMAKING**

The Director of the Department of Health (“DOH”), pursuant to the authority set forth in Section 5(a) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983 (“Act”), effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-504(a) (2014 Supp.)), and in accordance with Mayor's Order 98-137, dated August 20, 1998, hereby gives notice of the adoption, on an emergency basis, of an amendment that adds a new Section 2039 to Chapter 20 (Hospitals) of Title 22 (Health), Subtitle B (Public Health and Medicine), of the District of Columbia Municipal Regulations (“DCMR”).

The emergency rulemaking (1) requires hospitals to collect urine samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid; (2) recommends that hospitals collect blood samples from patients who present and have symptoms consistent with having taken a synthetic cannabinoid; (3) requires that the urine and blood samples be stored in accordance with protocols provided by the Department of Health; and, (4) requires that the hospitals turn over the urine and blood samples for testing by the Office of the Chief Medical Examiner.

This emergency rulemaking action is necessary for the Department to continue tracking the upward spike in the use of the illegal synthetic cannabinoid products commonly known as K-2, Spice, ScoobySnax, Bizarro, Synthetic Marijuana, and other names, which are readily available in District stores and on the District’s streets. K-2 is a mixture of herbs, spices or shredded plant material that is typically sprayed with a synthetic compound chemically similar to tetrahydrocannabinol, the psychoactive ingredient in marijuana, but with the potential for a much more powerful and unpredictable effect. The Partnership for Drug-Free Kids lists the effects of using K-2 as increased agitation, pale skin, seizures, vomiting, profuse sweating, uncontrolled/spastic body movements, elevated blood pressure, heart rate and palpitations. The National Institute on Drug Abuse reports that Spice abusers who have been taken to Poison Control Centers report symptoms that include rapid heart rate, vomiting, agitation, confusion, and hallucinations. Spice can also raise blood pressure and cause reduced blood supply to the heart (myocardial ischemia), and in a few cases it has been associated with heart attacks.

Regular users of synthetic cannabinoids may experience withdrawal and addiction symptoms and often graduate to other, more powerful substances, such as MDMA (3, 4-methylenedioxy-methamphetamine), popularly known as Ecstasy or, more recently, as Molly, with potentially deadly consequences. Multiple incidents linked to use of a synthetic cannabinoids have been reported the District. The District needs determine the level of synthetic marijuana use in the District and how to best educate the community of the inherent dangers of synthetic marijuana and implement appropriate measures to treat those who have become habitual users. Enactment of these regulations will immediately allow the Department to better determine the level of use of synthetic marijuana in the District and to determine the locations where use is especially prevalent, in order to better protect the health, welfare and safety of residents of and visitors to the District.

DOH intends for the testing of the urine samples and the blood samples to be conducted by the Office of the Chief Medical Examiner (“OCME”) or its contractor. Because this is only a surveillance program, DOH does not want to receive any individually identifying information. For this reason, it is intended that the OCME will, upon receipt of the samples from the hospitals, assign a unique identifier to each sample to remove individually identifying information from test results that are shared with DOH. Therefore, under this surveillance program, DOH will not have access to any individually identifying information for the tested samples and will only receive de-identified information, which DOH will use solely for surveillance purposes.

This emergency rulemaking action is necessary as the final rulemaking must be approved by the Council and submission to the Council has been delayed while the District’s costs associated the testing were being determined. The ability to continue to gather synthetic cannabinoid surveillance data is necessary to protect the health and safety of residents and visitors.

This rulemaking is identical to the Notice of Emergency and Proposed Rulemaking published in the *D.C. Register* on August 7, 2015 at 62 DCR 10747 with one exception: The proposed rulemaking now contains an expiration date of March 31, 2016 as shown in Subsection 2039.11. No comments were received after the Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on August 7, 2015.

This emergency rulemaking was adopted on October 14, 2015 and became effective on that date. The emergency rulemaking will remain in effect for up to one hundred twenty (120) days after the date of adoption, expiring on February 11, 2016, or upon earlier amendment or repeal by the Director or publication of a final rulemaking in the *D.C. Register*, whichever occurs first.

The Director also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than thirty (30) days after the publication of this notice in the *D.C. Register* and after approval by the Council of the District of Columbia, as specified in Section 5(j) of the Act (D.C. Official Code § 44-504(j)).

Chapter 20, HOSPITALS, of Title 22-B DCMR, PUBLIC HEALTH AND MEDICINE, is amended by adding the following new Section 2039 as follows:

2039 TESTING FOR SYNTHETIC CANNABINOID SURVEILLANCE

2039.1 When a patient presents to a hospital with a reported or witnessed use of a synthetic cannabinoid and with signs and symptoms of overdose for which the treating clinician would otherwise order a standard urine drug screen, the hospital shall require the treating clinician to order a urine sample to be taken from the patient at or near the time of arrival at the emergency room.

2039.2 When a patient presents to a hospital with a reported or witnessed use of a synthetic cannabinoid and with signs and symptoms of overdose for which the treating clinician would otherwise order a standard urine drug screen, the hospital may require the treating clinician to order a blood sample taken from the patient at or near the time of arrival at the emergency room.

- 2039.3 The hospital shall label each urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2 with the following patient identifying information:
- (a) Name;
 - (b) Date of birth;
 - (c) Observed race and gender;
 - (d) Hospital name or hospital number; and
 - (e) Medical record number.
- 2039.4 The hospital shall complete a Public Health Sample Submission Form created by the Office of the Chief Medical Officer for each urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2.
- 2039.5 The hospital shall keep the Public Health Sample Submission Form with the urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2.
- 2039.6 The hospital shall store each urine sample or blood sample arising from Subsection 2039.1 or 2039.2 according to protocols provided to the hospitals by the Department.
- 2039.7 The hospital shall be make each urine sample or blood sample collected pursuant to Subsection 2039.1 or 2039.2 available for pickup by an employee or authorized agent of the District who presents proper credentials or authorization from an appropriate District of Columbia official.
- 2039.8 The hospital providing the patient's urine sample or blood sample arising from Subsection 2039.1 or 2039.2 shall have no responsibility for testing the sample or for advising the patient of the results of the test of the sample that was provided to the District.
- 2039.9 The hospital providing the patient's urine sample or blood sample may request from the District the test results for a patient treated by the hospital.
- 2039.10 Nothing in this rule restrict the ability of the hospital to conduct other testing on the patient.
- 2039.11 These rules will expire on March 31, 2016.

Copies of the proposed rulemaking can be obtained at www.dcregs.dc.gov or by contacting Phillip Husband, General Counsel of the District of Columbia Department of Health, 899 North

Capitol Street, NE, 5th Floor, Washington, D.C. 20002. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to Angli.Black@dc.gov or by mail to the District of Columbia Department of Health, Attn: Phillip Husband, General Counsel, no later than thirty (30) days after the publication of this notice in the *D.C Register*.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2015-248
November 20, 2015

SUBJECT: Appointment – Interim Administrator, Office of Justice Grants
Administration


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) (2014 Repl.), it is hereby **ORDERED** that:

1. **CORTNEY FISHER** is appointed Interim Administrator, Office of Justice Grants Administration and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2015-024, dated January 8, 2015.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to October 9, 2015.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM


Mayor's Order 2015-249
November 20, 2015

SUBJECT: Appointment – Interim Chief Technology Officer, Office of the Chief Technology Officer

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) (2014 Repl.), and it is hereby **ORDERED** that:

1. **DAVID BISHOP** is appointed Interim Chief Technology Officer, Office of the Chief Technology Officer, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2015-082, dated March 9, 2015.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to October 9, 2015.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA**ADMINISTRATIVE ISSUANCE SYSTEM**

Mayor's Memorandum 2015-002
November 30, 2015

TO: All Agency Heads and Department Directors

ORIGINATOR: Office of the Secretary of the District of Columbia

SUBJECT: Filing of Official Signature Form

The Office of Notary Commissions and Authentications (ONCA), of the Office of the Secretary of the District of Columbia, is responsible for (1) authenticating the signatures and seals of District Notaries, and (2) authenticating the signatures of District of Columbia government officials, and (3) commissioning persons to become notaries public, in and for the District of Columbia.¹

This Memorandum discusses the responsibility, purpose and procedures for authenticating documents signed by District of Columbia government officials. It is important to be aware of the potential for fraudulent documentation. This Memorandum shall serve as a guide for Departments and Agencies of the District of Columbia government in authenticating documents.

RESPONSIBILITY:

It is the responsibility of ONCA to authenticate various documents presented by the public with the Official Seal of the District of Columbia.² ONCA reviews the documents and will not authenticate them unless they are in the proper form. ONCA does not notarize the contents of documents presented by Heads of Departments and Agencies. For each of these documents, the Director's signature on the document is certified and authenticated with the Official Seal of the District of Columbia.

¹ See An Act To establish a code of law for the District of Columbia, §§ 558 and 563, approved March 3, 1901 (31 Stat. 1279; D.C. Official Code §§ 1-1201 and 1-1205 (2012 Repl.)); Mayor's Order 97-177 §§ 3(k), 3(e), and 13, dated October 9, 1997; and 17 DCMR §§ 2407 and 2408 (authority of the Mayor to commission notaries public, certify to the signatures and seals of notaries; for the Secretary to issue commissions of notaries public and certify to their seals and signatures, and authenticate official records; and for the Secretary to issue certifications of the signatures of D.C. government officials).

² See An Act To relieve the Commissioners of the District of Columbia of certain ministerial duties, approved February 11, 1932 (47 Stat. 48; D.C. Official Code § 1-301.23 (2012 Repl.)); An Act To authorize the Commissioners of the District of Columbia to appoint notaries public, § 4, approved December 16, 1944 (58 Stat. 811; D.C. Official Code § 1-1216 (2012 Repl.)); Mayor's Order 97-177 §§ 3(c), 3(e), and 13, dated October 9, 1997 (authority of the Secretary to execute agreements and affix the seal on behalf of the Mayor; for the Secretary to sign certificates issued by the Mayor; for the Secretary to have custody of the Official Seal of the District of Columbia, authenticate official records, and delegate such functions to subordinate offices).

PURPOSE:

The documents referred to in this Memorandum are documents issued by the District of Columbia government, such as birth and death certificates, police clearances, copies of Articles of Incorporation, licenses, public school diplomas, etc. Although these documents are valid when issued by the Departments of the District government, further authentication with the Official Seal of the District of Columbia may be necessary when documents are being filed in other jurisdictions or are for use in other countries. Authentication with the Official Seal of the District of Columbia is a process required before the document can be filed and accepted by other states, courts, the United States Department of State, embassies and foreign countries.³ The majority of documents being authenticated are for use in foreign countries. Only a few Departments will actually issue documents which will need further authentication by ONCA. Signature forms are being required from all Departments, so that we will be prepared to authenticate any document issued by the District government.

PROCEDURE:

A Document issued by a District government Agency must be in the proper format before the document can be authenticated with the Official Seal of the District of Columbia. Agencies are required to use standard forms. The standard forms are available in ONCA.

The following procedures are designed to assist District government Agencies and Departments with preparation of the documents to be authenticated with the Official Seal of the District of Columbia.

SIGNATURE OF DEPARTMENT/AGENCY DIRECTOR:

Documents issued by any section, bureau and/or division of a Department must be certified further by the Director of the Department, or by the Director's designee, who will sign the documents in the Director's absence.

There are documents that do not require the signature of the Director of the Department or Agency. The signature of the official issuing the documents is sufficient. These documents include:

- (1) Birth and Death Certificates-issued by the Registrar of Vital Records; and
- (2) Police Clearances-issued by the Chief of Identification and Records Division, of the Metropolitan Police Department.

³ See Revised States of the Dist. of Columbia, § 2, approved June 11, 1878 (20 Stat. 102; D.C. Official Code §1-102 (2014 Repl.); An Act To relieve the Commissioners of the District of Columbia of certain ministerial duties, approved February 11, 1932 (47 Stat. 48; 1-301.23 (2014 Repl.)) (authority for the District to contract/be contracted with as a body corporate for municipal purposes; for the authority of the Secretary to execute agreements and affix the seal on behalf of the Mayor).

ORIGINAL HANDWRITTEN SIGNATURE REQUIRED:

Any document being authenticated with the Official Seal of the District of Columbia must have an original handwritten signature. Photocopied signatures, or stamped signatures with initials by staff are not acceptable. Only documents with original handwritten signatures can be authenticated. Failure to present a document with an original handwritten signature will result in having the individual revisit the Director of the Department for an original handwritten signature.

SIGNATURE FORM MUST BE IN OFFICIAL FILE:

ONCA shall only authenticate the signatures for which official Signature Forms have been filed. A comparison of the signature on file must be made with the signature on the documents presented for authentication. The authentication certification issued by ONCA certifies that the signature is authentic.

The signature of both the Director and the designee(s) authorized by the Director or head of the Agency must be on file with ONCA. *See Exhibit A* for example of the Signature Form.

CHANGES IN PERSONNEL:

ONCA must be notified, and new signature forms must be filed, as personnel changes occur. Failure to timely notify ONCA of these changes prolongs the process for authenticating District of Columbia documents. The time period for filing new Signature Forms is five days from knowledge of the personnel change.

DEPARTMENTAL SEAL:

If a departmental seal is also used, an impression of the seal must be affixed to the official signature form filed in ONCA. Please indicate the authority for use of the departmental seal.

When departmental seals are also used, such seals must be properly placed as described on the ONCA Signature Form.

The seal must be properly embossed, so that it can be read.

FORMAT OF CERTIFICATION SIGNED BY DIRECTORS:

For Departments that do not already have proper forms (such as birth and death certificates, police clearances, etc.) the following format is recommended:

A separate statement on official letterhead should (1) certify to the validity of the document or (2) certify that the document attached is an authentic document that was issued by an official of the Department and signed by the Director of the Agency.

AUTHENTICATION CERTIFICATE ISSUED BY ONCA:

The authentication certification issued by ONCA is a separate numbered certificate which is attached to the document. Once a document has been authenticated additional papers cannot be added or removed. There are two types of certifications, depending on the purpose for which the document is to be used. The types of certification are (1) foreign and (2) domestic.

FEES FOR AUTHENTICATING CERTIFICATES:

Fees are charged by ONCA for the authentication of a document which bears the Official Seal of the District of Columbia. The charge for the domestic certification is \$15.00. The charge for the foreign certification is \$15.00.⁴

FILING OFFICIAL FORMS:

ONCA requires that one official signature and seal form be completed and filed for each official authorized to sign documents.

If there is a departmental seal, such seal must be affixed to the forms where applicable.

RESCISSION:

This Memorandum rescinds Mayor's Memorandum 92-4, dated February 27, 1992, and any other Mayor's Memorandum or Mayor's Order to the extent of any inconsistency therein.

DESIGNATION OF CONTACT PERSON:

It is recommended that each Department/Agency head designate an individual to serve as the contact person. The contact person may be contacted by ONCA when necessary.

The official signature forms are available for processing at ONCA, located at 441 4th Street, NW, Suite 810 South, Washington, DC 20001.

You should direct all inquiries to: Ms. Judi Gold, Director Office of Notary Commissions and Authentications. Ms. Gold may be contacted at 202-727-3117, judi.gold@dc.gov. The completed official signature forms must filed with ONCA, on or before December 31, 2015.

⁴ See 17 DCMR §§ 2407 and 2408 (authority of the Secretary to issue certifications of the signatures of District government officials).

EXHIBIT A



**OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
OFFICE OF NOTARY COMMISSIONS AND AUTHENTICATIONS**

441 4th Street, NW, Suite 810 South
Washington, DC 20001
202 727-3117 -o
202 727-8457 -f
notary@dc.gov

**DEPARTMENT AND AGENCY
OFFICIAL SIGNATURE FORM**

PLEASE TYPE ALL APPLICABLE FIELDS

OFFICIAL SIGNATURE OF PERSON AUTHORIZED TO SIGN

TYPED NAME OF AUTHORIZED PERSON TO SIGN

TITLE OF PERSON AUTHORIZED TO SIGN

DEPARTMENT/AGENCY

DIVISION/UNIT/SECTION

AGENCY ADDRESS

NUMBER STREET QUADRANT CITY, STATE ZIP CODE

TELEPHONE NUMBER

DATE SIGNED

APPROVED BY: SIGNATURE (IF NOT DEPARTMENT HEAD)

TYPED NAME

IF APPLICABLE, PLEASE PLACE IMPRESSION OF DEPARTMENTAL SEAL BELOW THIS LINE. PLEASE MAKE A CLEAR IMPRESSION

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, DECEMBER 9, 2015
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members:

Nick Alberti, Mike Silverstein, Ruthanne Miller, James Short

Protest Hearing (Status) 9:30 AM
Case # 15-PRO-00101; Omar, LLC, t/a Castello Restaurant and Lounge, 931
Hamilton Street NW, License #100259, Retailer CT, ANC 4D
Application for a New License

Protest Hearing (Status) 9:30 AM
Case # 15-PRO-00102; Green Island Heaven and Hell, Inc., t/a Green Island
Café/Heaven, 2327 18th Street NW, License #74503, Retailer CT, ANC 1C
Substantial Change (Summer Garden with seating for 40)

Protest Hearing (Status) 9:30 AM
Case # 15-PRO-00103; Silkari East, Inc., t/a Kouzina Authentic Greek
Restaurant, 3234 Prospect Street NW, License #99818, Retailer CR, ANC 2E
Application for a New License

Show Cause Hearing (Status) 9:30 AM
Case # 15-CMP-00592; Black Whiskey, LLC, t/a Black Whiskey, 1410 14th
Street NW, License #91434, Retailer CT, ANC 2F
No ABC Manager on Duty

Show Cause Hearing (Status) 9:30 AM
Case # 15-CMP-00557, Minnesota Store, LLC, t/a Minnesota Store, 3728
Minnesota Ave NE, License #95245, Retailer B, ANC 7F
Failed to Post In a Conspicuous Place the Name of the Licensee

Show Cause Hearing (Status) 9:30 AM
Case # 15-CMP-00584; Minnesota Store, LLC, t/a Minnesota Store, 3728
Minnesota Ave NE, License #95245, Retailer B, ANC 7F
Sold Go-Cups, No ABC Manager on Duty

Board's Calendar
December 9, 2015

Show Cause Hearing (Status) 9:30 AM

Case # 15-CMP-00287; Restaurant Associates of New York, LLC, t/a Restaurant Associates, 1818 H Street NW, License #81024, Retailer CR ANC 2A

No ABC Manager on Duty, Failed to Post Pregnancy Sign

Show Cause Hearing (Status) 9:30 AM

Case # 15-AUD-00087; Solloso, Inc., t/a El Rincon, 1826 Columbia Road NW License #60003, Retailer CR, ANC 1C

Failed to Maintain Books and Records

Show Cause Hearing (Status) 9:30 AM

Case # 15-251-00155 and # 15-251-00155(b), RCX, LLC, t/a Stadium, 2127 Queens Chapel Road NE, License #94244, Retailer CN, ANC 5C

Interfered with an Investigation, Failed to Preserve a Crime Scene, Failed to Follow Security Plan

Show Cause Hearing (Status) 9:30 AM

Case # 15-CC-00027; Los Cuates Restaurant, Inc., t/a Los Cuates Restaurant 1564 Wisconsin Ave NW, License #79261, Retailer CR, ANC 2E

Sale to Minor Violation, No ABC Manager on Duty (four counts)

Show Cause Hearing* 11:00 AM

Case # 15-CMP-00160; Barcelona 14th Street, LLC, t/a Barcelona Wine Bar 1622 14th Street NW, License #89785, Retailer CR, ANC 2F

Substantial Change in Operation (Change of Hours of Operation of your Summer Garden)

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

December 9, 2015

Protest Hearing* 1:30 PM

Case # 15-PRO-00023; Naomi's Ladder, LLC, t/a Touche, 1123 H Street NE License #96779, Retailer CT, ANC 6A

Application to Renew the License

This hearing has been continued to February 17, 2016 at 4:30 am.

Summary Suspension Hearing (Status)* 1:30 PM

Case # 15-251-00160; Lemma Holdings, LLC, t/a Bliss, 2122 24th Street NE License #95711, Retailer CT, ANC 5C

Follow-up To Summary Suspension Hearing on October 7, 2015

Board's Calendar
December 9, 2015

Fact Finding Hearing*

2:00 PM

Case # 15-CMP-00135, # 15-CMP-00493 and # 15-CMP-00666; Yama Jewayni, LLC, t/a Rosebar, 1215 Connecticut Ave NW, License #77883
Retailer CT, ANC 2B

Substantial Change without Boards Approval (three counts)

Protest Hearing*

3:00 PM

Case # 15-PRO-00098; Naylor Stables, LLC, t/a To Be Determined, 1322 9th Street NW, License #100016, Retailer CT, ANC 2F

Application for a New License

Protest Hearing*

3:00 PM

Case # 15-PRO-00100; Millie's Spring Valley, LLC, t/a Millie's, 4866 Massachusetts Ave NW, License #100214, Retailer CR, ANC 3D

Application for a New License

This Hearing has been continued to January 13, 2016 at 4:30 pm

***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
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

THURSDAY, DECEMBER 10, 2015
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson

Members:

Nick Alberti, Mike Silverstein, Ruthanne Miller, James Short

Fact Finding Hearing* **10:00 AM**
Eagle N Exile, LLC, t/a DC Eagle; 3701 Benning Road NE, License #93984
Retailer CT, ANC 7F
Request to Extend Temporary License

Fact Finding Hearing* **10:30 AM**
Lin's Enterprises, LLC, t/a Columbia Wine & Liquors; 1151 Bladensburg Road
NE, License #60113, Retailer A, ANC 5D
Status of License in Safekeeping

Fact Finding Hearing* **11:00 AM**
Jain Liquors, Inc., t/a La Salle Liquors; To be Determined, License #60726
Retailer A
Request to Extend Safekeeping

Fact Finding Hearing* **11:30 AM**
Case # 15-251-00154; Kabin Group, LLC, t/a Kabin, 1337 Connecticut Ave
NW, License #91276, Retailer CT, ANC 2B
Assault Inside of the Establishment

BOARD RECESS AT 12:00 PM

Protest Hearing* **1:30 PM**
Case # 15-PRO-00099; Dos Ventures, LLC, t/a Saint Yves, 1220 Connecticut
Ave NW, License #99876, Retailer CT, ANC 2B
Application for a New License

***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
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, DECEMBER 9, 2015
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On December 9, 2015 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#15-CMP-00715 El Nuevo Migueleno, 1721 COLUMBIA RD NW Retailer C Restaurant, License#:ABRA-075403

2. Case#15-CMP-00735 La Cabana Restaurant, 3614 14TH ST NW Retailer C Restaurant, License#: ABRA-074849

3. Case #15-CMP-00799 Midtown, 1219 CONNECTICUT AVE NW Retailer C Nightclub, License#: ABRA-072087

4. Case#15-CMP-00697 Capitale, 1301 K ST NW Retailer C Nightclub, License#: ABRA-072225

5. Case#15-AUD-00098 Aroma Indian Restaurant, 1919 I ST NW Retailer C Restaurant, License#: ABRA-001847

6. Case#15-CMP-00730 Chat's Liquors, 503 8TH ST SE Retailer A Retail - Liquor Store, License#: ABRA-000200

7. Case#15-CMP-00731 Cava Restaurant, 527 - 529 8TH ST SE Retailer C Tavern, License#: ABRA-081014

8. Case#15-CMP-00696 The Star and The Shamrock, 1341 H ST NE Retailer C Tavern,
License#: ABRA-081804

9. Case#15-CMP-00630 WA-ZO-BIA, 618 T ST NW Retailer C Restaurant, License#: ABRA-
079306

10. Case#15-CMP-00668 Vita Restaurant and Lounge/Penthouse Nine, 1318 9TH ST NW
Retailer C Tavern, License#:ABRA-086037

11. Case#15-CMP-00779 B Cafe et Brookland Cafe, 3740 12th ST NE Caterer Caterer ,
License#: ABRA-086793

12. Case#15-CMP-00665 Absolute Noodle, 772 5TH ST NW Retailer C Restaurant, License#:
ABRA-090241

13. Case#15-CC-00123 Mimosa Restaurant, 1915 18TH ST NW Retailer C Restaurant,
License#: ABRA-096758

14. Case#15-CMP-00800 Parlay, 1827 M ST NW Retailer C Tavern, License#: ABRA-097074

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF MEETING
LICENSING AGENDA

WEDNESDAY, DECEMBER 9, 2015 AT 1:00 PM
2000 14th STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Class Change from Retailer B to Retailer A. This license is currently in Safekeeping status. ANC 4C. SMD 4C08. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Davis Market*, 3819 Georgia Avenue NW, Retailer B, License No. 060094.
-

2. Review Application for Manager's License. *Quentin D. Smothers*-ABRA 101146.
-

***In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act, 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.**

BRIDGES PUBLIC CHARTER SCHOOL**NOTICE OF INTENT TO ENTER INTO SOLE SOURCE CONTRACT**

Pursuant to the School Reform Act, D.C. 38-1802 (SRA) and the D.C. Public Charter Schools procurement policy, Bridges Public Charter School hereby submits this notice of intent to enter into a sole source contract with **Colliers International** for the **sublease of Bridges Public Charter School at 1246 Taylor Street NW, Washington DC 20001**. Colliers International will provide full brokerage services to sublease the space. The decision to sole source is due to the fact that this location must be sublet immediately in order to facilitate the financing of the school's new location. After an unsuccessful attempt to sublet this location on their own, it is in the school's best interest to immediately list this property through a brokerage service. The cost of the contract will be 4-6% of the gross rent depending upon whether the tenant is represented by another agent.

CHILD AND FAMILY SERVICES AGENCY**MAYOR'S ADVISORY COMMITTEE ON CHILD ABUSE AND NEGLECT (MACCAN)****Tuesday – December 1, 2015****10:30 a.m. – 12:00 p.m.****Child and Family Services Agency
200 I Street SE, Conference Room 1001-A
Washington, DC 20003****Agenda**

1. Call to Order
2. Ascertainment of Quorum
3. Acknowledgement of Adoption of the Minutes of the October 27, 2015, meeting
4. Report by the Chair and Co-Chair of MACCAN
 - a. Updates
 - b. 2016 Meeting Calendar
 - c. 2016 goals—the following 3 goals will be considered:
 - Child sexual abuse
 - Corporal Punishment (A look at the effects of physical punishment on children & why it should be reconsidered)
 - Supporting Young Parents
5. Opportunity for Public Comment
6. Adjournment
7. Next Meeting January 26, 2016, 10:00-12:00 pm @ CFSA

If any questions/comments, please contact Roni Seabrook at (202) 724-7076 or roni.seabrook@dc.gov.

CHILD AND FAMILY SERVICES AGENCY**MAYOR'S ADVISORY COMMITTEE ON CHILD ABUSE AND NEGLECT****2016 Monthly Meeting Schedule**

This notice outlines the schedule of the regular meetings of the Board of Commissioners of the Mayor's Advisory Committee on Child Abuse and Neglect (MACCAN). The meetings are held in open session and the public is invited to attend. The meetings are held at The District of Columbia Child and Family Services Agency (CFSA), 200 I Street SE, Washington, DC, 20003. For further information, please contact CFSA at 202-724-7100.

DATE	TIME	ROOM NUMBER
Tuesday, January 26, 2016	10:00 AM	Room 1001-A
Tuesday, March 29, 2016	10:00 AM	Room 1001-A
Tuesday, June 7, 2016	10:00 AM	Room 2203-A
Tuesday, July 26, 2016	10:00 AM	Room 1001-A
Tuesday, September 27, 2016	10:00 AM	Room 1001-A
Tuesday, December 6, 2016	10:00 AM	Room 1001-A

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**DC Board of Accountancy
1100 4th Street SW, Room E300
Washington, DC 20024**

MEETING AGENDA

**December 4, 2015
9:00 AM**

1. Call to Order – 9:00 a.m.
2. Members Present
3. Staff Present
4. Comments from the Public
5. Review of Correspondence
6. Draft Minutes, October 2, 2015
7. Executive Session (Closed to the Public)
8. Old Business
9. New Business
10. Adjourn
11. Next Scheduled Board Meeting – January 8, 2016 at 9:00 a.m.

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING ADMINISTRATION**

NOTICE OF PUBLIC MEETING

**District of Columbia Board of Architecture and Interior Design
1100 4th Street, S.W., Room 300B
Washington, D.C. 20024**

**AGENDA
December 11, 2015**

1. Call to Order - 9:30 a.m.
2. Attendance (Start of Public Session)
3. Comments from the Public
4. Motion - Executive Session (Closed to the Public)
 - a. Complaints
 - b. Revision – Proposed Legislation
 - c. Review – Applications for Licensure
 - d. Legal Counsel Report
5. Minutes - Draft, October 30, 2015
6. Vote – Review of Applications
7. Vote - Review of Complaints/Legal Matters
8. Review and Vote – Revision to Proposed Legislation
9. Review of Interior Design Continuing Education Provider Submissions
10. Old Business
11. New Business
12. Calendar – 2016
13. Review of Correspondence
14. Adjourn

Next Scheduled Regular Meeting, January 22, 2016
1100 4th Street, SW, Room 300B, Washington, DC 20024

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**Board of Engineers
1100 4th Street SW, Room E300
Washington, DC 20024**

AGENDA

**December 17, 2015
9:00 A.M.**

- 1) Meeting Call to Order
- 2) Attendance
- 3) Comments from the Public
- 4) Minutes: Review
- 5) Old Business
- 6) New Business
 - Discussion/Development of Newsletter
 - 2016 Travel
- 7) Pursuant to § 2-575(4) (a), (9) and (13) the Board will enter executive session.
- 8) Action on applications discussed in executive session
- 9) Adjournment

Next Scheduled Meeting – *January 28, 2016*
Location: 1100 4th Street SW, Conference Room E300

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**Board of Funeral Directors
1100 4th Street SW, Room E300
Washington, DC 20024**

MEETING AGENDA

**December 3, 2015
1:00 PM.**

1. Call to Order – 1:00 p.m.
2. Members Present
3. Staff Present
4. Comments from the Public
5. Review of Correspondence
6. Draft Minutes, November 12, 2015
7. Executive Session (Closed to the Public)
8. Old Business
9. New Business
10. Adjourn
11. Next Scheduled Board Meeting – January 7, 2016 at 1:00 p.m.

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**D.C. BOXING AND WRESTLING COMMISSION****1100 4th Street SW-Suite E500****Washington, DC. 20024****DECEMBER 8, 2015****7:00 P.M.**Website: http://www.pearsonvue.com/dc/boxing_wrestling/**AGENDA****CALL TO ORDER & ROLL CALL****COMMENTS FROM THE PUBLIC & GUEST INTRODUCTIONS**

1. Marshall Kauffman-Kings Boxing Promotions Event on **Saturday, November 28, 2015** at the DC Armory.

REVIEW OF MINUTES

- Approval of Minutes

UPCOMING EVENT

1. World Wrestling Entertainment (WWE) Smack Down TV Event on **Tuesday, December 29, 2015** at the Verizon Center.

OLD BUSINESS

1. Weigh-In Procedures
2. 6th Annual Dr. McKnight Preliminary Discussion

NEW BUSINESS

1. Officials Goals for 2016
2. Review & Re-cap/Open Discussion of 2015 Events, Progress and Recommendations
3. Upcoming Amateur Events

ADJORNMENT****MERRY CHRISTMAS****

NEXT REGULAR SCHEDULED MEETING IS JANUARY 12, 2016

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OCCUPATIONAL AND PROFESSIONAL LICENSING DIVISION**

NOTICE OF PUBLIC MEETING

**District of Columbia Real Estate Commission
1100 4th Street, S.W., Room 4302
Washington, D.C. 20024**

**AGENDA
December 8, 2015**

1. Call to Order - 9:30 a.m.
 2. Executive Session (Closed to the Public) – 9:30 am-10:30 am
 - A. Legal Committee Recommendations
 - B. Review – Applications for Licensure
 - C. Legal Counsel Report
 3. Attendance (Start of Public Session) – 10:30 a.m.
 4. Comments from the Public
 5. Minutes - Draft, November 10, 2015
 6. Recommendations
 - A. Review - Applications for Licensure
 - B. Legal Committee Report
 - C. Education Committee Report
 - D. Budget Report
 - E. 2015 Calendar
 - F. Correspondence
 7. Old Business
 8. New Business
 9. Adjourn
- Next Scheduled Regular Meeting, January 12, 2015
1100 4th Street, SW, Room 300B, Washington, DC 20024

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT ON DISABILITY SERVICES

NOTICE OF BI-MONTHLY PUBLIC MEETINGS

D.C. State Rehabilitation Council (SRC) to Hold Bi-Monthly Public Meetings

**Department on Disability Services
Rehabilitation Services Administration
1125 15th Street, NW
Washington, DC 20005**

The D.C. State Rehabilitation Council will hold bi-monthly public meetings regarding the operation of the D.C. State Vocational Rehabilitation Program, as mandated by the Rehabilitation Act of 1973, as amended. The following meetings are to be conducted from 9:30 am to 12:00 noon:

Dates	Location
Thursday, January 14, 2016	1125 15 th Street, NW, Room 1A
Thursday, March 10, 2016	1125 15 th Street, NW, Room 1A
Thursday, May 12, 2016	1125 15 th Street, NW, Room 1A
Thursday, July 14, 2016	250 E Street, SW, Room TBD
Thursday, September 8, 2016	250 E Street, SW, Room TBD
Thursday, November 10, 2016	250 E Street, SW, Room TBD

All meetings are open to the public. Individuals who wish to attend should RSVP at least seven (7) days prior to the meeting by contacting Ms. Cheryl Bolden by calling 202-442-8411 or by email to cheryl.bolden@dc.gov.

If you require reasonable accommodations for attendance, please call 202-442-8411 or email cheryl.bolden@dc.gov at least seven (7) days before the public meeting to ensure appropriate accommodations.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION (OSSE)
WELLNESS AND NUTRITION SERVICES (WNS)

Updated Notice of Funding Availability (NOFA)

DC School Garden Grant (SGG)

Request for Applications (RFA) Release Date: December 4, 2015 (*remains the same*)

NEW Pre-Application Question Period Ends: **January 15, 2016**

NEW Application Submission Deadline: **January 29, 2016**

Background: The Office of the State Superintendent of Education (OSSE), Wellness and Nutrition Services (WNS) is soliciting applications for the DC School Garden Grant. The purpose of this grant is to increase the capacity and scope of DC school gardens as educational resources.

Eligibility: OSSE will accept applications from K-12 DC public schools and public charter schools participating in the HSA. Schools must have completed their 2015-2016 HSA School Health Profile to be eligible. Schools may receive this award up to three times in a five year period. OSSE will accept one application for each school campus, however an organization may submit up to four applications with four different schools. Applying schools must partner with a garden-based organization.

Award Period: The grant period is one year beginning on March 14, 2016 and ending on March 13, 2017.

Available Funding for Award: The total funding available for this award period is \$200,000. Applicants may apply for an award amount of up to \$15,000 to fund new and active school garden/farm to school programs.

The RFA and all supporting documents will be available on December 4, 2015 at <http://grants.osse.dc.gov>. To receive more information or for a copy of this RFA, please contact:

Sam Ullery
School Garden Specialist
Wellness and Nutrition Services Division
DC Office of the State Superintendent of Education
sam.ullery@dc.gov

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF ADVISORY BOARD MEETING SCHEDULE

District of Columbia Sustainable Energy Utility Advisory Board

2016 Meeting Schedule

In accordance with section 204(i) of the Clean and Affordable Energy Act of 2008, D.C. Official Code, §§ 8-1773.01, *et seq.*, § 8-1774.04(i), which requires that all District of Columbia Sustainable Energy Utility Advisory Board (“Board”) meetings be subject to the District’s open meetings law set forth at D.C. Official Code § 1-207.42, the Department of Energy and Environment hereby gives public notice of the Board’s regularly scheduled meetings for Calendar Year 2016. The Board welcomes all persons and entities with energy efficiency and renewable energy expertise to provide information to the Board and attend all meetings.

Meeting Date	Location	Time
Monday, March 14, 2016	DOEE Headquarters 1200 First Street N.E. Room 719 Washington, D.C.	10:00 am – 12:00 pm
Monday, June 13, 2016	DOEE Headquarters 1200 First Street N.E. Room 719 Washington, D.C.	10:00 am – 12:00 pm
Monday, September 19, 2016	DOEE Headquarters 1200 First Street N.E. Room 719 Washington, D.C.	10:00 am – 12:00 pm
Monday, November 21, 2016	DOEE Headquarters 1200 First Street N.E. Room 719 Washington, D.C.	10:00 am – 12:00 pm

Persons wishing to receive subsequent notices or additional information concerning the Board should provide their email addresses to Ms. Lynora M. Hall (lynora.hall2@dc.gov), Energy Administration, Department of Energy and Environment. Information related to the Board may also be obtained from <http://doee.dc.gov/service/sustainable-energy-utility-seu-advisory-board>.

DEPARTMENT OF ENERGY AND ENVIRONMENT**NOTICE OF A PUBLIC MEETING****Proposed Parking Structure at 818 Michigan Avenue NE**

Notice is hereby given that a public meeting will be held on December 17, 2015, at 5:30 p.m. in Room 718 at 1200 First Street, N.E., 5th Floor, in Washington, D.C. The Department of Energy and Environment (DOEE) is reviewing the environmental impact of a 1441-space parking structure proposed for construction at 818 Michigan Avenue NE, Washington DC for use by Children's National Medical Center.

This meeting is being held in response to concerns expressed by members of the public. The purpose of this meeting is to provide concerned parties and members of the public the opportunity to comment on the expected environmental impacts of the proposed development in furtherance of DOEE's review.

We are requesting that those planning to attend the meeting notify Mr. William Bolden at 202-535-2250 or william.bolden@dc.gov by December 16, 2015. Alternatively, please feel free to submit written comments to Mr. Bolden at 1200 First Street N.E., 5th Floor, Washington, DC 20002 by December 17, 2015.

DEPARTMENT OF ENERGY AND ENVIRONMENT**NOTICE OF SOLICITATION OF PUBLIC COMMENTS****District of Columbia Sustainable Energy Utility Benchmarks**

Pursuant to section 205 of the Clean and Affordable Energy Act of 2008, D.C. Official Code, §§ 8-1773.01, *et seq.*, § 8-1774.04(i), the Department is soliciting recommendations from the Board and the Public for performance benchmarks for the DC Sustainable Energy Utility (DCSEU). Comments have been previously solicited at the DCSEU Advisory Board meetings and the Department is providing an additional venue for feedback before preparing the Request for Proposals (RFP) for a contractor to operate the DCSEU. The Department hereby issues an additional request for public feedback on 1) the existing performance benchmarks and 2) recommendations for potential future performance benchmarks for the DCSEU.

In 2015 public meetings on this topic were held on:

- March 2, 2015;
- June 29, 2015; and
- November 24, 2015.

Information related to the DCSEU may also be obtained from: <http://doee.dc.gov/service/dc-sustainable-energy-utility-dcseu>.

Information related to the past performance of the DCSEU may be obtained from: <http://doee.dc.gov/node/27122>.

Persons wishing to provide comments or receive subsequent notices or additional information concerning the DCSEU should provide their email addresses to Ms. Lynora M. Hall (lynora.hall2@dc.gov), Energy Administration, Department of Energy and Environment.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DDOE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue two air quality permits (Nos. 6581-R1 and 6582-R1) to the U.S. Department of the Treasury, Bureau of Engraving and Printing, to operate two (2) existing Section 9 KBA Giori, Super Orlof Intaglio II (SOI), sheet fed, non-heatset, four color, water wipeable intaglio currency presses, identified as Nos. 901 and 902, in the Main Building (C-100) at 14th and C Streets SW, Washington DC. The contact person for the facility is David Kaczka, Environmental Compliance Manager, Office of Environment, Health & Safety at (202) 874-2107. The applicant's mailing address is 14th and C Streets SW, Washington, DC 20228.

Emission Estimates:

It is expected that emissions will not exceed exceed 11.34 tons per year of volatile organic compounds (VOC) from the two presses combined. This is a 12 percent decrease from the previously allowable maximum emissions of 12.88 tons per year of VOC as a result of changes to the cleaning solvent used on the unit as well as the use of automatic plate wash units not previously used on the equipment.

The proposed emission limits are summarized as follows:

- a. Emissions of volatile organic compounds (VOC) from the ink used in the process shall not exceed 0.88 pounds per press hour.
- b. VOC emissions from any cleaning solvents used shall not exceed 0.60 pounds per press hour.
- c. The total annual VOC emitted from the ink and cleaning solvent as a result of operation of the presses shall not exceed 11.34 tons per year (an average of 5.67 tons per press).
- d. 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]
- e. 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 application to operate the presses and the draft permit 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 permits and any request for a public hearing should be addressed to:

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after January 4, 2016 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DISTRICT DEPARTMENT OF THE ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue air quality renewal permit No. 6589-R1 to the U.S. Department of the Treasury, Bureau of Engraving and Printing to operate one Komori sheet fed, non-heatset, offset, lithographic, 5-color printing press on the 3rd floor, B-wing, of the Main Building at 14th and C Streets SW. The contact person for the facility is David Kaczka, Environmental Compliance Manager, at (202) 874-2107.

The permit renewal application and supporting documentation, along with the draft permit 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 public 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, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after January 4, 2016 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue two air quality permits (Nos. 6706-R1 and 6707-R1) to the U.S. Department of the Treasury, Bureau of Engraving and Printing, to operate two (2) existing Section 6 KBA Giori, Super Orlof Intaglio II (SOI), sheet fed, non-heatset, four color, water wipeable intaglio currency presses, identified as Nos. 601 and 602, in the Main Building (C-400) at 14th and C Streets SW, Washington DC. The contact person for the facility is David Kaczka, Environmental Compliance Manager, Office of Environment, Health & Safety at (202) 874-2107. The applicant's mailing address is 14th and C Streets SW, Washington, DC 20228.

Emission Estimates:

It is expected that emissions will not exceed exceed 11.34 tons per year of volatile organic compounds (VOC) from the two presses combined. This is a 12 percent decrease from the previously allowable maximum emissions of 12.88 tons per year of VOC as a result of changes to the cleaning solvent used on the unit as well as the use of automatic plate wash units not previously used on the equipment.

The proposed emission limits are summarized as follows:

- a. Emissions of VOC from the ink used in the process shall not exceed 0.88 pounds per press hour.
- b. VOC emissions from any cleaning solvents used shall not exceed 0.60 pounds per press hour.
- c. The total annual VOC emitted from the ink and cleaning solvent as a result of operation of the presses shall not exceed 11.34 tons per year (an average of 5.67 tons per press).
- d. 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]
- e. 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 applications to operate the presses and the draft permits 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 permits and any request for a public hearing should be addressed to:

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after January 4, 2016 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue two air quality permits (Nos. 6974 & 6975) to the U.S. Department of the Treasury, Bureau of Engraving and Printing, to operate two (2) existing Section 2 KBA Giori, I-10 intaglio, sheet-fed, non-heatset, water wipeable presses, identified as Nos. 201 and 202, at the Bureau of Engraving and Printing, in the Main Building, Basement A Wing at 14th and C Streets SW, Washington DC. The contact person for the facility is David Kaczka, Environmental Compliance Manager, Office of Environment, Health & Safety at (202) 874-2107. The applicant's mailing address is 14th and C Streets SW, Washington, DC 20228.

Emission Estimates:

It is expected that emissions will not exceed exceed 9.5 tons per year of volatile organic compounds (VOC) from the two presses combined. This consists of 4.32 tons per year of VOC from ink usage and 5.17 tons per year of VOC from solvent usage. This permit revision is not changing any requirements related to ink VOC content, so no change in that portion of the emissions is expected. However, due to problems with the previously used cleaning solvent, a higher-VOC cleaning solvent is being proposed for use via this permit revision. There was no previous limit on total VOC emissions from these units, or from solvent usage in particular. However, the emission increase as a result of this pair of permit amendments will be less than the 5.17 tons per year allowable from the solvent usage.

The proposed emission limits are summarized as follows:

- a. Emissions of volatile organic compounds (VOC) from the ink used in the process shall not exceed 0.56 pounds per press hour.
- b. VOC emissions from any cleaning solvents used shall not exceed 0.68 pounds per press hour.
- c. The total annual VOC emitted from the ink and cleaning solvent as a result of operation of the presses shall not exceed 9.5 tons per year (an average of 4.75 tons per press).
- d. 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]
- e. 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 applications to operate the presses and the draft permits 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 permits and any request for a public hearing should be addressed to:

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after January 4, 2016 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF ENERGY AND ENVIRONMENT**PUBLIC NOTICE**

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue two air quality permits (Nos. 6976 & 6977) to the U.S. Department of the Treasury, Bureau of Engraving and Printing, to operate two (2) existing Section 10 KBA Giori, I-10 intaglio, sheet-fed, non-heatset, water wipeable presses, identified as Nos. 110 and 210, at the Bureau of Engraving and Printing, in the Main Building, Basement C Wing at 14th and C Streets SW, Washington DC. The contact person for the facility is David Kaczka, Environmental Compliance Manager, Office of Environment, Health & Safety at (202) 874-2107. The applicant's mailing address is 14th and C Streets SW, Washington, DC 20228.

Emission Estimates:

It is expected that emissions will not exceed exceed 9.5 tons per year of volatile organic compounds (VOC) from the two presses combined. This consists of 4.32 tons per year of VOC from ink usage and 5.17 tons per year of VOC from solvent usage. This permit revision is not changing any requirements related to ink VOC content, so no change in that portion of the emissions is expected. However, due to problems with the previously used cleaning solvent, a higher-VOC cleaning solvent is being proposed for use via this permit revision. There was no previous limit on total VOC emissions from these units, or from solvent usage in particular. However, the emission increase as a result of this pair of permit amendments will be less than the 5.17 tons per year allowable from the solvent usage.

The proposed emission limits are summarized as follows:

- a. Emissions of volatile organic compounds (VOC) from the ink used in the process shall not exceed 0.56 pounds per press hour.
- b. VOC emissions from any cleaning solvents used shall not exceed 0.68 pounds per press hour.
- c. The total annual VOC emitted from the ink and cleaning solvent as a result of operation of the presses shall not exceed 9.5 tons per year (an average of 4.75 tons per press).
- d. 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]
- e. 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 applications to operate the presses and the draft permits 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 permits and any request for a public hearing should be addressed to:

Stephen S. Ours, P.E.
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No written comments or hearing requests postmarked after January 4, 2016 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

FRIENDSHIP PUBLIC CHARTER SCHOOL**NOTICE OF REQUEST FOR PROPOSAL****Executive Search Firm**

Friendship Public Charter School is looking for an Executive Search Firm to Select a Senior Academic Administrator. Request for Proposal can be found on FPCS website at <http://www.friendshipschools.org/procurement>. Proposals are due no later than 4:00 P.M., EST, December 18th, 2015. No proposal will be accepted after the deadline. Questions can be addressed to: ProcurementInquiry@friendshipschools.org.

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 held at 1225 I Street, NW, 4th Floor, Washington, DC 20005 on **Wednesday, December 9, 2015 at 5:30 pm**. The call in number is 1-877-668-4493, Access code 733 351 801.

The Executive Board meeting is open to the public.

If you have any questions, please contact Debra Curtis at (202) 741-0899.

**DISTRICT OF COLUMBIA DEPARTMENT OF HEALTH
COMMUNITY HEALTH ADMINISTRATION**

**NOTICE OF FUNDING AVAILABILITY
Request for Applications RFA# CHA_PCP121115**

FY 2016 Poison Control and Prevention Services

The Government of the District of Columbia, Department of Health (DOH) Community Health Administration (CHA) is soliciting applications from qualified applicants to provide poison control and prevention services targeting residents of the District of Columbia.

In FY 2016, approximately \$ 350,000 has been made available from locally appropriated funds to implement a program to provide poison control services. The following entities are eligible to apply for the grant funds under this RFA: Not-for-profit, 501 (c) (3) status community-based organizations with a track record of providing services to the general public on poison control and prevention services and experience in planning and implementing evidence-based educational and training programs among targeted populations.

The release date for RFA # CHA_PCP121115 will be Friday, December 11, 2015. The District of Columbia, Department of Health (DOH) Community Health Administration (CHA) will have the complete RFA available on the DC Grants Clearinghouse website at <http://opgs.dc.gov/page/opgs-district-grants-clearinghouse> on Friday, December 11, 2015. The RFA will also be made available at the Community Health Administration, 899 North Capitol Street NE, 3rd floor.

The Request for Application **RFA# CHA_PCP121115 submission deadline is Monday, January 11, 2016** by 4:00 p.m. to the District of Columbia, Department of Health, Community Health Administration at 899 North Capitol Street, NE, 3rd Floor.

Applicants are encouraged to e-mail their questions to sherry.billings@dc.gov prior to a Pre-Application Conference Call **scheduled for Friday, December 18, 2015 from 2:00 p.m. to 3:30 p.m. at the following number 1/866/876-8620, participant code 9862284#.**

For any questions regarding the RFA, please contact Jason Brown, Bureau Chief, Cancer and Chronic Disease Bureau at (202) 442-9414.

DEPARTMENT OF HEALTH
STATE HEALTH PLANNING AND DEVELOPMENT AGENCY

NOTICE OF PUBLIC HEARING

Pursuant to 22 DCMR B § 4302.1 the District of Columbia State Health Planning and Development Agency ("SHPDA") will hold a public hearing on the following certificate of need application:

Proposal by MedStar Health, Inc. for the Construction of a New Surgical Pavilion at
MedStar Georgetown University Hospital - Certificate of Need Registration No. 15-2-6

The hearing will be held on Friday, December 18, 2015, beginning at 10:00 a.m., at 899 North Capitol Street, N.E., 4th Floor, Room 407, Washington, D.C. 20002.

Testimony from affected persons will be received at the hearing. Comments may be submitted in writing before the hearing, or they may be presented at the hearing orally or in writing. Written statements may also be submitted to the SHPDA, 899 North Capitol Street, N.E., Second Floor, Washington, D.C. 20002, until 4:45 p.m. on Wednesday, December 30, 2015 before the record closes. The referenced application is available at the SHPDA for review.

Persons who wish to testify should contact the SHPDA on (202) 442-5875 before 4:45 p.m., by Thursday, December 17, 2015. Each member of the public who wishes to testify will be allowed a maximum of five (5) minutes.

**DISTRICT OF COLUMBIA
HISTORIC PRESERVATION REVIEW BOARD**

NOTICE OF HISTORIC LANDMARK AND HISTORIC DISTRICT DESIGNATIONS

The D.C. Historic Preservation Review Board hereby provides public notice of its decision to designate the following property as a historic landmark in the D.C. Inventory of Historic Sites. The property is now subject to the D.C. Historic Landmark and Historic District Protection Act of 1978.

Designation Case No. 15-10: St. James Mutual Homes

201-217 P Street, 1410-1414 3rd Street, 200 through 220 O Street (even numbers), 215 through 220 O Street (odd numbers), and 1411-1415 James Creek Parkway SW
Square 547, Lot 23
Designated October 22, 2015

Designation Case No. 15-19: The Lexington Apartments

1114 F Street NE
Square 983, Lot 855
Designated November 19, 2015

Designation Case No. 15-20: Lunch Room and Oyster Shucking Shed

1100 Maine Avenue SE
Square 473, Part of Lot 846
Designated November 19, 2015

Designation Case No. 15-26: Kalorama Park (amendment of period of significance and additional documentation)

1875 Columbia Road NW
Square 2550, Lot 818
Designated November 19, 2015

Listing in the D.C. Inventory of Historic Sites provides recognition of properties significant to the historic and aesthetic heritage of the nation's capital city, fosters civic pride in the accomplishments of the past, and assists in preserving important cultural assets for the education, pleasure and welfare of the people of the District of Columbia.

**DISTRICT OF COLUMBIA COMMISSION ON
JUDICIAL DISABILITIES AND TENURE**

**Judicial Tenure Commission Begins Reviews Of
Judges John A. Terry, Robert S. Tignor, Geoffrey Alprin,
Nan R. Shuker, and Richard Levie**

This is to notify members of the bar and the general public that the Commission is reviewing the qualifications of **Judge John A. Terry** of the District of Columbia Court of Appeals, and reviewing the qualifications of **Judges Robert S. Tignor, Geoffrey Alprin, Nan R. Shuker, and Richard Levie** of the Superior Court of the District of Columbia who have requested recommendations for reappointment as Senior Judges.

The District of Columbia Retired Judge Service Act P.L. 98-598, 98 Stat. 3142, as amended by the District of Columbia Judicial Efficiency and Improvement Act, P.L. 99-573, 100 Stat. 3233, §13(1) provides in part as follows:

"...A retired judge willing to perform judicial duties may request a recommendation as a senior judge from the Commission. Such judge shall submit to the Commission such information as the Commission considers necessary to a recommendation under this subsection.

(2) The Commission shall submit a written report of its recommendations and findings to the appropriate chief judge of the judge requesting appointment within 180 days of the date of the request for recommendation. The Commission, under such criteria as it considers appropriate, shall make a favorable or unfavorable recommendation to the appropriate chief judge regarding an appointment as senior judge. The recommendation of the Commission shall be final.

(3) The appropriate chief judge shall notify the Commission and the judge requesting appointment of such chief judge's decision regarding appointment within 30 days after receipt of the Commission's recommendation and findings. The decision of such chief judge regarding such appointment shall be final."

The Commission hereby requests members of the bar, litigants, former jurors, interested organizations, and members of the public to submit any information bearing on the qualifications of Judges Terry, Tignor, Alprin, Shuker, and Levie which it is believed will aid the Commission. The cooperation of the community at an early stage will greatly aid the Commission in fulfilling its responsibilities. The identity of any person submitting materials will be kept confidential unless expressly authorized by the person submitting the information.

All communications should be mailed, faxed, or e-mailed by **January 12, 2016**, and addressed to:

District of Columbia Commission on Judicial Disabilities and Tenure
Building A, Room 246
515 Fifth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 727-1363
FAX: (202) 727-9718
E-Mail: dc.cjdt@dc.gov

The members of the Commission are:

Hon. Gladys Kessler, Chairperson
Jeannine C. Sanford, Esq., Vice Chairperson
Michael K. Fauntroy, Ph.D.
Hon. Joan L. Goldfrank
William P. Lightfoot, Esq.
David P. Milzman, M.D.
Anthony T. Pierce, Esq.

BY: /s/ Gladys Kessler
Chairperson

KIPP DC PUBLIC CHARTER SCHOOLS**NOTICE OF INTENT TO ENTER SOLE SOURCE CONTRACTS****Curriculum**

KIPP DC intends to enter into sole source contracts with Heinemann for Fountas & Pinnell Leveled Literacy Intervention curriculum. The decision to sole source is due to the fact that Heinemann is the exclusive provider of this curriculum upon which the instructional model is built. The cost of the contracts will be approximately \$50,000.

**Government of the District of Columbia
Public Employee Relations Board**

Metropolitan District 1199DC,)
National Union of Hospital and)
Healthcare Employees, AFSCME,)
AFL-CIO, Chapter 3758)
))
Petitioner)
))
v.)
))
District of Columbia Department)
of Behavioral Health)
))
Agency)

PERB Case No. 15-AC-02

Opinion No. 1545

DECISION AND ORDER

On May 22, 2015, Metropolitan District 1199DC, National Union of Hospital and Healthcare Employees, AFSCME, AFL-CIO, Chapter 3758 (“Petitioner”), filed a Petition to Amend Certification (Petition to Amend) in accordance with Section 516 of the Rules of the Public Employee Relations Board (PERB). The Petition referred to the unit certified under PERB Certification No. 75 as

All clinical psychology interns and residents who are being paid by the District of Columbia Commission on Mental Health Services, excluding management officials, supervisors, confidential employees, employees engaged in personnel work in other than a purely clerical capacity and employees engaged in personnel work in other than a purely clerical capacity and employees engaged in the administering of the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, as amended, D.C. Law 2-137.

Board Rule 516.1 provides:

An exclusive representative shall file a petition with the Board to amend its certification whenever there is a change in the identity of the exclusive representative that does not raise a question concerning representation (e.g., whether the employees have designated a particular organization as their bargaining agent).

Decision and Order
PERB Case 15-AC-02
Page 2

In support of the Petition, Petitioner stated:

1. On or about July 23, 2014, Metropolitan District 1199DC, National Union of Hospital and Healthcare Employees, AFSCME, AFL-CIO, formerly American Federation of State, County and Municipal Employees, District of Columbia Council 20, AFL-CIO (“Union”), Petitioner’s parent organization, amended its bylaws so that its former Locals were converted to Chapters. The change in name reflects a change in the internal organization of the Union.
2. Pursuant to Certification No. 75, Chapter 3758, formerly American Federation of State, County and Municipal Employees, District of Columbia Council 20, AFL-CIO represents the bargaining unit described above.
3. The change in identity does not raise a question concerning representation.

In accordance with Board Rule 516.2, the Agency responded and expressed no objection to the proposed amendment and requested that the Department of Behavioral Health be identified as the former Department of Mental Health.

In view of the fact that the provisions of Board Rule 516 have been met and no objection has been filed by the parties in interest, we grant the Petition to Amend the Certification as requested.

ORDER

IT IS HEREBY ORDERED THAT:

1. Certification No. 75, PERB Case No. 92-R-08, is amended to change the certification to reflect that the name of the Petitioner is now “Metropolitan District 1199DC, National Union of Hospital and Healthcare Employees, AFSCME, AFL-CIO, Chapter 3758.”
2. Certification No. 75 is amended to change the certification to reflect that the name of the Agency is now “District of Columbia Department of Behavioral Health.”
3. Certification 75 remains in effect, certifying Metropolitan District 1199DC, National Union of Hospital and Healthcare Employees, AFSCME, AFL-CIO, Chapter 3758 as the exclusive representative for the bargaining unit at the District of Columbia Board of Mental Health described in PERB Case No. 92-R-08.

Unit Description:

All clinical psychology interns and residents who are being paid by the District of Columbia Department of Behavioral Health (formerly Commission on Mental Health Services), excluding management officials, supervisors, confidential employees, employees engaged in personnel work

Decision and Order
PERB Case 15-AC-02
Page 3

in other than a purely clerical capacity and¹ employees engaged in the administering of the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, as amended, D.C. Law 2-139².

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By unanimous vote of Board Chairperson Charles Murphy, and Members Keith Washington, Yvonne Dixon, and Ann Hoffman.

Date: September 22, 2015

Washington, D.C.

¹ The following language has been omitted from the original Certification No. 75, "...employees engaged in personnel work in other than a purely clerical capacity and..." It appears to be a typographical error as duplicative of the immediately preceding language. This amendment is made only to the extent that the language herein described is in error.

² The original certification refers to D.C. Law 2-137. This was a typographical error and has been corrected in this amendment.

DISTRICT OF COLUMBIA RETIREMENT BOARD**NOTICE OF PUBLIC INTEREST****CERTIFICATION OF WINNER OF THE ELECTION TO SERVE AS
THE RETIRED FIREFIGHTER MEMBER OF THE BOARD**

The District of Columbia Retirement Board (the “Board”) is required to conduct elections for its retired member representatives to the Board. *See* D.C. Official Code § 1-711(b)(2) (2001). In accordance with the Board’s Rules for the Election of Members to the Board (“Election Rules”), the Board, through the American Arbitration Association (“AAA”), conducted an election for the representative of the retired District of Columbia firefighters.

The ballots were counted on Wednesday, November 18, 2015, at 900 7th Street, N.W., 2nd Floor, Washington, D.C., in the presence of Board representatives, and under the supervision of AAA.

AAA submitted the Certification of Results to the Board on November 19, 2015. Pursuant to section 408.1 of the Election Rules, the Board hereby certifies the results of the elections and declares the winner to be Thomas Tippet, a retired District of Columbia firefighter.

Pursuant to section 408.4 of the Election Rules, any eligible candidate for this election may petition the Board in writing for a recount of votes within seven (7) calendar days of the date of publication of the certification of the winner. The petition must be filed at the Board’s executive office located at 900 7th Street, N.W., 2nd Floor, Washington, D.C. 20001. In the absence of a request for a recount, the election results will become final and cannot be appealed thirty (30) days after this publication of the Board’s certification.

The Election Rules and the Certification of Results can be accessed on the Board’s website:

<http://www.dcrb.dc.gov>

Please address any questions regarding this notice to:

Eric O. Stanchfield, Executive Director
D.C. Retirement Board
900 7th Street, N.W., 2nd Floor
Washington, D.C. 20001

D.C. SENTENCING AND CRIMINAL CODE REVISION COMMISSION**MEETING UPDATE**

The D.C. Sentencing and Criminal Code Revision Commission meeting scheduled for December 15, 2015 is cancelled. Inquiries concerning the meeting may be addressed to Mia Hebb, Staff Assistant, at (202) 727-8822 or Mia.Hebb@dc.gov.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DC TAXICAB COMMISSION**

NOTICE OF GENERAL COMMISSION MEETING

The District of Columbia Taxicab Commission will hold its regularly scheduled General Commission Meeting on Wednesday, December 9, 2015 at 10:00 am. The meeting will be held at our new office location: 2235 Shannon Place, SE, Washington, DC 20020, inside the Hearing Room, Suite 2032. Visitors to the building must show identification and pass through the metal detector. Allow ample time to find street parking or to use the pay-to-park lot adjacent to the building.

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.

Members of the public are invited to participate in the Public Comment Period. You may present a statement to the Commission on any issue of concern; the Commission generally does not answer questions. Statements are limited to five (5) minutes for registered speakers. Time and agenda permitting, nonregistered speakers may be allowed 2 minutes to address the Commission. To register, please call 202-645-6002 no later than 3:30 p.m. on December 8, 2015. Registered speakers will be called first, in the order of registration. **Registered speakers must provide ten (10) printed copies of their typewritten statements to the Secretary to the Commission no later than the time they are called to the podium.**

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
NOTICES OF REQUEST FOR PROPOSALS

Two (2) Notices of RFP for IT (E-rate Category 1 & E-rate Category 2)

NOTICE OF RFP 1 OF 2

INTERNET ACCESS AND/OR TELECOMMUNICATIONS (E-rate Category 1)

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks vendor(s) to provide Internet access and/or telecommunications intended to qualify (in part) for E-rate Category 1 discounts.

The **full RFP** is available on the **Employment Opportunities** page under the About tab of www.thurgoodmarshallacademy.org.

Contact: For further information regarding the RFP contact:
thurgoodmarshall@erateassist.com.

Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at www.thurgoodmarshallacademy.org.

Deadline & Submission: Submit bids responsive to the full RFP via **email to** thurgoodmarshall@erateassist.com no later than:
January 4, 2016 at 8 am (Washington, DC, time).

NOTICE OF RFP 2 OF 2

INTERNAL CONNECTIONS EQUIPMENT (E-rate Category 2)

Thurgood Marshall Academy—a nonprofit, college-preparatory, public charter high school—seeks vendor(s) to provide internal connections hardware and/or software intended to qualify for E-rate Category 2 discounts.

The **full RFP** is available on the **Employment Opportunities** page under the About tab of www.thurgoodmarshallacademy.org.

Contact: For further information regarding the RFP contact:
thurgoodmarshall@erateassist.com.

Further information about Thurgood Marshall Academy—including our nondiscrimination policy—may be found at www.thurgoodmarshallacademy.org.

Deadline & Submission: Submit bids responsive to the full RFP via **email to** thurgoodmarshall@erateassist.com no later than:
January 4, 2016 at 8 am (Washington, DC, time).

**UNIVERSITY OF THE DISTRICT OF COLUMBIA
REGULAR MEETING OF THE BOARD OF TRUSTEES**

NOTICE OF PUBLIC MEETING

The regular meeting of the Board of Trustees of the University of the District of Columbia will be held on Tuesday, December 8, 2015 at 5:00 p.m. 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.

For additional information, please contact: Beverly Franklin, Executive Secretary at (202) 274-6258 or bfranklin@udc.edu.

Planned Agenda

- I.** Call to Order and Roll Call
- II.** Approval of the Minutes – July 14, 2015
- III.** Action Items
 - a. Resolution: Notice of Final Rulemaking, Amendments to Chapter 2, Updating Executive Appointments
 - b. Resolution: Compliance with Section 702 of the Veterans Access, Choice and Accountability Act of 2014
 - c. Resolution: Approval of Proposed Contract Change Order Nos. 11-12 for Construction of Student Center
 - d. Resolution: Appointment of Troy A. LeMaile-Stovall as Executive Vice President at the University of the District of Columbia
 - e. Resolution: UDC School of Engineering and Applied Sciences Tenure Approval for Professor Susan Haghani
 - f. Resolution: Institutional Aid Support for the UDC David A. Clarke School of Law
 - g. Resolution: Notice of Proposed Rulemaking, Fee Reform and Increase in Mandatory and Special Fees Effective AY 2016-2017
 - h. Resolution: Notice of Final Rulemaking, Amendment to Chapter 1, Minimum Number of Regular Meetings
- IV.** Report of the Chair – Dr. Crider
- V.** Report of the President – Mr. Mason
- VI.** Committee Reports
 - a. Executive – Dr. Crider
 - b. Committee of the Whole – Dr. Crider

- c. Academic and Student Affairs – Mr. Wyner
 - i. Alumni Task Force – Mr. Shelton
 - ii. Communications Task Force – Mr. Wilhite
 - d. Audit, Budget and Finance – Mr. Felton
 - e. Community College – Dr. Tardd
 - f. Operations –
- VII.** Unfinished Business
- VIII.** New Business
- IX.** Closing Remarks

Adjournment

Expected Meeting Closure

In accordance with Section 2-575 (b) (10) of the D. C. Code, 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.

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, December 17, 2015 at 9:30 a.m. The meeting will be held in the Board Room (4th 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.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

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| 1. Call to Order | Committee Chairperson |
| 2. AWTP Status Updates
1. BPAWTP Performance | Assistant General Manager,
Plant Operations |
| 3. Status Updates | Chief Engineer |
| 4. Project Status Updates | Director, Engineering &
Technical Services |
| 5. Action Items
- Joint Use
- Non-Joint Use | Chief Engineer |
| 6. Emerging Items/Other Business | |
| 7. Executive Session | |
| 8. Adjournment | Committee Chairperson |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**BOARD OF DIRECTORS****NOTICE OF PUBLIC MEETING****Finance and Budget Committee**

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Finance and Budget Committee will be holding a meeting on Friday, December 18, 2015 at 11:00 a.m. The meeting will be held in the Board Room (4th 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.

For additional information please contact: Linda R. Manley, Board Secretary at (202) 787-2332 or لمانley@dcwater.com.

DRAFT AGENDA

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|----|--------------------------------------|------------------------------|
| 1. | Call to Order | Chairman |
| 2. | November 2015 Financial Report | Director of Finance & Budget |
| 3. | Agenda for January Committee Meeting | Chairman |
| 4. | Adjournment | Chairman |

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

Retail Water and Sewer Rates Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) Retail Water and Sewer Rates Committee will be holding a meeting on Friday, December 18, 2015 at 9:30 a.m. The meeting will be held in the Board Room (4th 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.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or lmanley@dcwater.com.

DRAFT AGENDA

- | | | |
|----|---------------------|-------------------------|
| 1. | Call to Order | Committee Chairman |
| 2. | Monthly Updates | Chief Financial Officer |
| 3. | Committee Work plan | Chief Financial Officer |
| 4. | Other Business | Chief Financial Officer |
| 5. | Adjournment | Chief Financial Officer |

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, December 17, 2015 at 11:00 a.m. The meeting will be held in the Board Room (4th 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.

For additional information, please contact Linda R. Manley, Board Secretary at (202) 787-2332 or linda.manley@dewater.com.

DRAFT AGENDA

- | | |
|--|--|
| 1. Call to Order | Committee Chairperson |
| 2. Water Quality Monitoring | Assistant General Manager, Consumer Ser. |
| 3. Action Items | Assistant General Manager, Consumer Ser. |
| 4. Emerging Issues/Other Business | Assistant General Manager, Consumer Ser |
| 5. Executive Session | |
| 6. Adjournment | Committee Chairperson |

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19055 of Valor Minnesota, LLC, as amended,¹ pursuant to 11 DCMR §§ 3103.2 and 3104.1, for variances from the minimum lot area requirements under § 401, the lot occupancy requirements under § 403, the rear yard requirements under § 404, and the side yard setback requirements under § 405, and a special exception from the minimum lot dimension requirements under § 2604.3, to construct 30 one-family attached and semi-detached dwellings in the R-2 District at premises 4409 Minnesota Avenue N.E. (Square 5097, Lot 846).

HEARING DATES: July 28, September 29, October 20, and November 17, 2015²
DECISION DATE: November 17, 2015

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 5.)

The Board of Zoning Adjustment (“Board”) provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission (“ANC”) 7D, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 7D, which is automatically a party to this application.

At July 28, 2015 public hearing, ANC 7D Commissioner Dorothy Douglas testified in opposition to the application, but no written report from the ANC was filed at that time. The Board continued the hearing and requested that the Applicant work with the ANC and neighbors of the project to address their concerns. In advance of the continued public hearing on November 17, 2015, the Applicant’s supplemental submission included an ANC 7D report indicating that at a regularly scheduled, duly noticed public meeting on November 10, 2015, with a quorum of Commissioners present, the ANC voted 3-0-1 to recommend approval of the application. (Exhibit 43.) Commissioner Douglas also testified in support and submitted a letter during the hearing on November 17, 2015. (Exhibit 46.)

¹ In its revised plans under Exhibit 39A, the Applicant reduced the number of proposed dwellings from 31 to 30. The caption has been revised accordingly.

² The continued hearing was postponed from September 29, 2015 and October 20, 2015, at the Applicant’s request. (Exhibits 37 and 40.)

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The Office of Planning ("OP") submitted a timely report on July 21, 2015, recommending approval of the variance for rear yard, but indicating that it is unable to support the other areas of relief requested. (Exhibit 28.) In its supplemental report dated September 15, 2015, OP analyzed additional information provided by the Applicant, but maintained its original recommendation. (Exhibit 36.) In a final report dated November 10, 2015, OP recommended approval of the application, based on the Applicant's revised plans and supplemental filings. (Exhibit 41).

The District Department of Transportation ("DDOT") submitted a timely report on July 21, 2015 indicating that it had no objection to the Applicant's requests for variance and special exception relief. (Exhibit 29.)

At the public hearing on July 28, 2015, several residents testified in opposition, raising questions and concerns about the design process and failure to engage with the neighborhood. Four letters in support were filed to the record under Exhibit 31.

Variance Relief

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case, pursuant to § 3103.2, for variances from the minimum lot area requirements under § 401, the lot occupancy requirements under § 403, the rear yard requirements under § 404, and the side yard setback requirements under § 405. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR §§ 401, 403, 404, and 405, the Applicant has met the burden of proving under § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception from the minimum lot dimension requirements under § 2604.3. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports filed in this case, the Board concludes that the Applicant has met the burden of

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proof, pursuant to 11 DCMR §§ 3104.1 and 2604.3, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 39A.**

VOTE: **3-0-2** (Marnique Y. Heath, Frederick L. Hill, and Michael G. Turnbull to APPROVE; Jeffrey L. Hinkle not participating or voting, and one Board seat vacant.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: November 23, 2015

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE

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BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 08-33D
Z.C. Case No. 08-33D
Conference Center Associates I, LLC
(Time Extension – Consolidated Planned Unit Development)
November 9, 2015

Pursuant to notice, a public meeting of the Zoning Commission for the District of Columbia (“Commission”) was held on November 9, 2015. At that meeting, the Commission approved the request of Conference Center Associates I, LLC (“Applicant”) for a time extension in which to file a building permit application for the consolidated planned unit development (“PUD”), approved by Z.C. Order Nos. 08-33, 08-33A, 08-33B, and 08-33C, until July 31, 2016. The property (Parcel 121/31) that is the subject of this application is located at the intersection of Irving Street, N.E. and Michigan Avenue, N.E. (“Property”). The time extension requests were made pursuant to Chapters 1 and 24 of the District of Columbia Zoning Regulations.

FINDINGS OF FACT

BACKGROUND INFORMATION

1. Z.C. Case No. 08-33 included both a consolidated PUD approval and a first-stage PUD approval. The consolidated PUD project approved in Z.C. Order No. 08-33, which became final and effective on December 25, 2009, authorized the construction of a hotel, conference center, restaurant, parking structure, and retail space on the eastern half of the Property. The 314-room hotel (which includes a restaurant) and conference center has frontage along Michigan Avenue, N.E. and Irving Street, N.E. and a four-story above-grade structure along Michigan Avenue that will include retail uses at grade and in a basement level and 400 parking spaces. A 200-space surface parking lot on the northern portion of the Property was also approved in the consolidated PUD application. Z.C. Order No. 08-33 also authorized the rezoning of the Property from unzoned (designated as GOV) to the C-3-A Zone District.
2. The first-stage PUD approval included two nine-story buildings with a measured building height of 94.5 feet (as measured from the curb at Irving Street) that will be no taller than 90 feet as measured from the finished grade at the building. The two buildings will be dedicated to either additional hotel and/or residential units and may include more space for conference center uses. A below-grade parking structure including 295 parking spaces is also included in the first-stage PUD approval. The first-stage PUD approval is effective until December 25, 2014.
3. On December 21, 2011, the Applicant filed an application requesting that the Commission grant a two-year time extension in which the Applicant was required to file a building permit application for the consolidated PUD and Zoning Map amendment application. Pursuant to Z.C. Order No. 08-33A, the Commission determined that the Applicant had met the relevant requirements of § 2408.8 of the Zoning Regulations and extended the time period in which the Applicant was required to file a building permit application for the consolidated PUD until December 25, 2013.

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4. In the December 21, 2011 time extension application, the Applicant also requested approval to extend the period of the first-stage PUD approval. Pursuant to Condition No. 20 of Z.C. Order No. 08-33, the first-stage PUD approval is effective until December 25, 2014. The Applicant requested that the first-stage PUD approval be extended until December 25, 2016. In Z.C. Order No. 08-33A, the Commission denied the two-year time extension request for the first-stage PUD application approved in Z.C. Order No. 08-33. However, the Commission's denial was "without prejudice to the Applicant filing a renewed request once the issue becomes ripe."
5. On December 23, 2013, the Applicant filed a second time extension application which sought an additional two years, until December 25, 2015, in which time it would be required to file a building permit application to construct the approved Consolidated PUD project. The Applicant also requested a one-year time extension of the approval of the first-stage PUD approval, so that the first-stage PUD approval would be extended until December 25, 2015. Pursuant to Z.C. Order No. 08-33B, the Commission determined that the Applicant had met the relevant requirements of § 2408.10 of the Zoning Regulations and extended the time period in which the Applicant was required to file a building permit application for the consolidated PUD and the first-stage PUD approval until December 25, 2015 by which time second-stage application for the remaining portions of the portions of the PUD must be filed.
6. On June 29, 2015, the Applicant filed an application for a minor modification of the approved consolidated PUD plans (Z.C. Case No. 08-33C). At the Commission's July 24, 2015 public meeting, the Commission removed the minor modification request from its consent calendar, and instead set it down for a public hearing. The Commission held a public hearing on the modification application on September 24, 2015, and took proposed action in support of the application at the conclusion of the public hearing. The Commission took final action to approve Z.C. Case No. 08-33C on November 9, 2015. A Commission order granting the modification will also appear in the *D.C. Register*.
7. The Applicant filed the present time extension request concurrently with the request for minor modification of the approved consolidated PUD plans (Z.C. Case No. 08-33C). The Applicant requested that it be allowed until July 31, 2016 to file a building permit application to construct the consolidated PUD project that includes the modifications approved in Z.C. Case No. 08-33C. (Exhibit ["Ex."]1.)
8. The Applicant noted that it had diligently moved forward with the final design and engineering studies necessary to prepare the plans for a building permit application submission. It was through that process that the Applicant determined that it was necessary to seek approval for the modifications proposed in Z.C. Case No. 08-33C. Upon approval of those modifications, the Applicant will move forward with the preparation of the building permit application materials for the Consolidated PUD. The Applicant noted that extending the deadline to file a building permit application for the

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modified consolidated PUD will provide the Applicant's design team an adequate amount of time to incorporate the approved modifications into the final building permit application plans. (Ex. 1)

9. In its July 17, 2015 report to the Commission, the Office of Planning ("OP") recommended approval of the PUD time extension request. OP concluded that the Applicant satisfied the relevant standards of §§ 2408.10 and 2408.11. (Ex. 5.)
10. Advisory Neighborhood Commission ("ANC") 5A submitted a letter, dated June 25, 2015, in support of the proposed time extension request. The ANC letter noted that at a regularly scheduled and properly noticed public meeting on June 24, 2015, with a quorum present, ANC 5A unanimously approved (6-0) a motion to support this application. (Ex. 4.)

CONCLUSIONS OF LAW

The Commission may extend the time period of an approved PUD provided the requirements of 11 DCMR §§ 2408.10 and 2408.11 are satisfied. Subsection 2408.10(a) requires that the applicant serve the extension request on all parties and that all parties are allowed 30 days to respond. The only party in Z.C. Case Nos. 08-33 and 08-33A was ANC 5C. Due to the redistricting of the ANCs in accordance with the results of the 2010 Census, the Property is now located in ANC 5A. ANC 5A was properly served with this time extension request and ANC 5A submitted a letter evidencing its support for this application.

Subsection 2408.10(b) requires that the Commission find that there is no substantial change in any of the material facts upon which the Commission based its original approval of the PUD that would undermine the Commission's justification for approving the original PUD. Based on the information provided by the Applicant and OP, the Commission concludes that extending the time period of approval for the consolidated PUD is appropriate, as there are no substantial changes in the material facts that the Commission relied on in approving the original consolidated PUD application.

Subsection 2408.10(c) requires that the applicant demonstrate with substantial evidence that there is a good cause for the proposed extension, as provided in § 2408.11. Pursuant to § 2408.11, an extension of validity of a PUD may be granted if the applicant has demonstrated with substantial evidence one or more of the following criteria:

- (a) An inability to obtain sufficient project financing for the PUD, following an applicant's diligent good faith efforts to obtain such financing because of changes in economic and market conditions beyond the applicant's reasonable control;

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- (b) An inability to secure all required governmental agency approvals for a PUD by the expiration date of the PUD order because of delays in the governmental agency approval process that are beyond the applicant's reasonable control; or
- (c) The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control that renders the applicant unable to comply with the time limits of the PUD order.

The Commission finds that there is good cause shown to extend the period of time in which the Applicant is required to file a building permit application for the hotel and conference center project approved in the consolidated PUD application. The Commission granted final approval to the modifications of the consolidated PUD application on November 9, 2015 (Z.C. Case No. 08-33C). Therefore, the Commission is requiring the Applicant to work expeditiously to prepare the building permit plans, which incorporate the recently approved modifications, so that they can be filed with the Department of Consumer and Regulatory Affairs by July 31, 2016. For these reasons, the Commission finds that the Applicant has satisfied the requirements of 11 DCMR§ 2408.11(a) regarding the consolidated PUD application.

The Commission is required under § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d)) to give "great weight" to the issues and concerns raised in the written report of the affected ANC. As noted above, ANC 5A was properly served with this time extension request and supported the time extension request.

The Commission is required under § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990 (DC Law 8-163, D.C. Official Code § 6-623.04), to give great weight to OP recommendations. OP recommended approval of the time extension request and the Commission concurs in its recommendation.

DECISION

In consideration of the above Findings of Fact and Conclusions of Law contained in this Order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of a time extension of the consolidated PUD application approved in Z.C. Order Nos. 08-33, 08-33A, 08-33B, and 08-33C. The consolidated PUD approved by the Commission shall be valid until July 31, 2016, within which time the Applicant will be required to file a building permit application to construct the approved consolidated PUD, and construction of the consolidated PUD must start no later than July 31, 2017.

On November 9, 2015, upon motion by Commissioner Miller, as seconded by Commissioner Turnbull, the Zoning Commission **ADOPTED** this Order at its public meeting by a vote of **5-0-0** (Anthony J. Hood, Marcie I. Cohen, Robert E. Miller, Peter G. May, and Michael G. Turnbull to adopt).

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In accordance with the provisions of 11 DCMR 3028.8, this Order shall become final and effective upon publication in the *D.C. Register* on December 4, 2015.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 11-03E
(Wharf District Master Developer, LLC –
Second-Stage PUD @ Square 473, Lot 884)
November 24, 2015**

THIS CASE IS OF INTEREST TO ANC 6D

On November 20, 2015, the Office of Zoning received an application from Wharf District Master Developer, LLC (the “Applicant”) for approval of a second-stage planned unit development (“PUD”) for the above-referenced property.

The property that is the subject of this application consists of Lot 884 in Square 473 in southwest Washington, D.C. (Ward 6), on property along the Washington Channel at Maine Avenue, S.W. The property is zoned, for the purposes of this project, W1 through a previously-approved PUD-related map amendment.

The Applicant proposes to construct a recreational pier, known as the 7th Street Recreational Pier. In addition to the pier, the project includes a large shade structure, small retail/service kiosks, floating wetlands within the Washington Channel, and associated floating docks.

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.

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