

***District of Columbia***

**REGISTER**

---

---

**HIGHLIGHTS**

- D.C. Council passes Law 21-83, Body-Worn Camera Program Amendment Act of 2015
- D.C. Council enacts Act 21-335, Child Support Guideline Revision Amendment Act of 2016
- D.C. Council enacts Act 21-341, Higher Education Tax Exemption Act of 2016
- D.C. Commission on the Arts and Humanities solicits nominations for the Mayor's Arts Awards
- Department of Energy and Environment establishes a schedule of civil infractions for violation of the District's prohibition on expanded polystyrene food service products
- Department of Behavioral Health solicits licensure applications for operating mental health community residence facilities
- Office of the State Superintendent of Education announces funding availability for the College, Credential, and Career Ready Summer Initiative
- Department of Housing and Community Development announces funding availability for Affordable Housing Capital Subsidy

# DISTRICT OF COLUMBIA REGISTER

## Publication Authority and Policy

The District of Columbia Office of Documents and Administrative Issuances publishes the *District of Columbia Register* (ISSN 0419-439X) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979, D.C. Official Code § 611 *et seq.* (2012 Repl.). The policies which govern the publication of the *Register* are set forth in the Rules of the Office of Documents and Administrative Issuances (1 DCMR §§300, *et seq.*). The Rules of the Office of Documents and Administrative Issuances are available online at [dcregs.dc.gov](http://dcregs.dc.gov). Rulemaking documents are also subject to the requirements of the *D.C. Administrative Procedure Act*, D.C. Official Code §§2-501 *et seq.* (2012 Repl.).

All documents published in the *District of Columbia Register* (*Register*) must be submitted in accordance with the applicable provisions of the Rules of the Office of Documents and Administrative Issuances. Documents which are published in the *Register* include (1) Acts and resolutions of the Council of the District of Columbia; (2) Notices of proposed Council legislation, Council hearings, and other Council actions; (3) Notices of public hearings; (4) Notices of final, proposed, and emergency rulemaking; (5) Mayor's Orders and information on changes in the structure of the D.C. government (6) Notices, Opinions, and Orders of D.C. Boards, Commissions and Agencies; (7) Documents having general applicability and notices and information of general public interest.

## Deadlines for Submission of Documents for Publication

The Office of Documents and Administrative Issuances accepts electronic documents for publication using a Web-based portal. To submit documents for publication, agency heads, or their representatives, may obtain a username and password by email at [dcdocuments@dc.gov](mailto:dcdocuments@dc.gov). For guidelines on how to format and submit documents for publication, email [dcdocuments@dc.gov](mailto:dcdocuments@dc.gov).

The deadline for filing documents for publication for District of Columbia Agencies, Boards, Commissions, and Public Charter schools is THURSDAY, NOON of the previous week before publication. The deadline for filing documents for publication for the Council of the District of Columbia is WEDNESDAY, NOON of the week of publication. If an official District of Columbia government holiday falls on Thursday, the deadline for filing documents is Wednesday. Email the Office of Documents and Administrative Issuances at [dcdocuments@dc.gov](mailto:dcdocuments@dc.gov) to request the *District of Columbia Register* publication schedule.

## Viewing the DC Register

The Office of Documents and Administrative Issuances publishes the *D.C. Register* ONLINE every Friday at [www.dcregs.dc.gov](http://www.dcregs.dc.gov). The Office of Documents does not offer paid subscriptions to the *D.C. Register*. Copies of the *Register* from April 2003 through July 2010 are also available online in the *D.C. Register* Archive on the website for the Office of the Secretary at [www.os.dc.gov](http://www.os.dc.gov). Hardcopies of the *Register* from 1954 to September 2009 are available at the Martin Luther King, Jr. Memorial Library's Washingtonian Division, 901 G Street, NW, Washington, DC 20001. There are no restrictions on the republication of any portion of the *Register*. News services are encouraged to publish all or part of the *Register*.

## Legal Effect of Publication - Certification

Except in the case of emergency rules, no rule or document of general applicability and legal effect shall become effective until it is published in the *Register*. Publication creates a rebuttable legal presumption that a document has been duly issued, prescribed, adopted, or enacted and that the document complies with the requirements of the *District of Columbia Documents Act* and the *District of Columbia Administrative Procedure Act*. The Administrator of the Office of Documents and Administrative Issuances hereby certifies that this issue of the *Register* contains all documents required to be published under the provisions of the *District of Columbia Documents Act*.

## DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

RM 520 – 441 4<sup>th</sup> ST, ONE JUDICIARY SQ. - WASHINGTON, D.C. 20001 - (202) 727-5090

MURIEL E. BOWSER  
MAYOR

VICTOR L. REID, ESQ.  
ADMINISTRATOR

---

**CONTENTS**

---

**ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA**

**D.C. LAWS**

L21-77 Access to Emergency Epinephrine in Schools  
Amendment Act of 2015 .....004282

L21-78 Nuisance Abatement Notice Amendment  
Act of 2015 .....004283

L21-79 Vending Regulations Amendment Act of 2015.....004284

L21-80 Workforce Job Development Grant-Making  
Reauthorization Amendment Act of 2015 .....004285

L21-81 Film DC Economic Incentive Amendment  
Act of 2015 .....004286

L21-82 Extreme Temperature Safety Amendment  
Act of 2015 .....004287

L21-83 Body-Worn Camera Program Amendment  
Act of 2015 .....004288

L21-84 Omnibus Alcoholic Beverage Regulation  
Amendment Act of 2015 .....004289

L21-85 Encouraging Foster Children to Have Connections  
with Siblings Temporary Amendment Act of 2015.....004290

L21-86 Employees' Compensation Fund Clarification  
Temporary Amendment Act of 2015.....004291

L21-87 Parkside Parcel E and J Mixed-Income Apartments  
Tax Abatement Temporary Amendment Act of 2015 .....004292

L21-88 Classroom Animal for Educational Purposes  
Temporary Amendment Act of 2015.....004293

L21-89 Business Improvement Districts Charter Renewal  
Temporary Amendment Act of 2015.....004294

L21-90 Lots 36, 41, and 802 in Square 3942 and Parcels  
0143/107 and 0143/110 Eminent Domain  
Authorization Temporary Act of 2015 .....004295

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

D.C. ACTS

A21-328 Nuisance Abatement Notice Congressional Review  
Emergency Amendment Act of 2016 [B21-644]..... 004296 - 004297

A21-329 Microstamping Implementation Congressional Review  
Emergency Amendment Act of 2016 [B21-625]..... 004298 - 004299

A21-330 Modifications to Human Care Agreement No.  
DCJZ-2012-H-0020 (CW20561) Approval  
and Payment Authorization Emergency Act  
of 2016 [B21-629] ..... 004300 - 004301

A21-331 Contract No. CW40436 Approval and Payment  
Authorization Emergency Act of 2016 [B21-632] ..... 004302 - 004303

A21-332 Metropolitan Police Department Officer Retention  
and Recruitment Incentives Emergency Amendment  
Act of 2016 [B21-639] ..... 004304 - 004305

A21-333 Supporting Normalcy and Empowering Children  
in Foster Care Emergency Amendment Act of  
2016 [B21-640]..... 004306 - 004308

A21-334 Military Installation Public Charter School  
Amendment Act of 2016 [B21-39]..... 004309 - 004310

A21-335 Child Support Guideline Revision Amendment  
Act of 2016 [B21-71] ..... 004311 - 004314

A21-336 Carcinogenic Flame Retardant Prohibition  
Amendment Act of 2016 [B21-143]..... 004315 - 004318

A21-337 Youth Apprenticeship Advisory Committee  
Amendment Act of 2016 [B21-287]..... 004319 - 004321

A21-338 Health Care Benefits Lien Reduction Act of  
2016 [B21-387]..... 004322 - 004323

A21-339 Workers' Compensation Benefits Lien Reduction  
Amendment Act of 2016 [B21-388]..... 004324 - 004325

A21-340 Marion S. Barry Summer Youth Employment  
Expansion Amendment Act of 2016 [B21-399]..... 004326 - 004327

A21-341 Higher Education Tax Exemption Act of 2016 [B21-488]..... 004328 - 004329

**ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D**

**RESOLUTIONS**

Res 21-253 McMillan Townhomes Parcel, Commercial Parcel, and Multifamily Parcels Disposition Extension Approval Resolution of 2015.....004330

Res 21-385 Citizen Review Panel Emily Smith Goering Appointment Resolution of 2016.....004331

Res 21-386 Citizen Review Panel Michelle A. McLeod Appointment Resolution of 2016.....004332

Res 21-387 Citizen Review Panel Marie Cohen Appointment Resolution of 2016.....004333

Res 21-388 Children and Youth Investment Trust Corporation Board of Directors Fred Taylor Reappointment Resolution of 2016.....004334

Res 21-389 Children and Youth Investment Trust Corporation Board of Directors Jennifer Budoff Reappointment Resolution of 2016.....004335

**BILLS INTRODUCED AND PROPOSED RESOLUTIONS**

**Notice of Intent to Act on New Legislation -**

Proposed Resolutions PR21-598 through PR21-604..... 004336 - 004337

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES**

**PUBLIC HEARINGS**

**Alcoholic Beverage Regulation Administration -**

Class C Club Renewals for March 25, 2016..... 004338 - 004341

Class C Hotel Renewals for March 25, 2016 ..... 004342 - 004351

Class C Multipurpose Facility Renewals for March 25, 2016..... 004352 - 004354

Class C Restaurant Renewals for March 25, 2016 ..... 004355 - 004431

Class D Multipurpose Facility Renewals for March 25, 2016 .....004432

The Line DC - ANC 1C - New .....004433

We Work - ANC 1B - New .....004434

We Work - ANC 2C - New .....004435

Yard & Toast - ANC 6E - New .....004436

**Historic Preservation Review Board - Historic Landmark Designation Hearings -**

15-05 Kelsey Temple Church of God in Christ, 1435 Park Road NW ..... 004437 - 004438

15-13 Palisades Playground and Field House, 5200 Sherier Place NW ..... 004437 - 004438

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

PUBLIC HEARINGS CONT'D

Housing and Community Development, Department of -  
 District of Columbia’s Fiscal Year 2015 Consolidated Annual  
 Performance Evaluation Report (CAPER) - April 5, 2016 ..... 004439 - 004440

Public Charter School Board, DC - Notice of Charter Amendment -  
 Eagle Academy Public Charter School.....004441  
 Elsie Whitlow Stokes Public Charter School .....004442  
 Excel Academy Public Charter School.....004443  
 Latin American Montessori Bilingual Public  
 Charter School .....004444

Zoning Commission - Case -  
 15-19 411 New York Holdings, LLC (Rescheduled) ..... 004445 - 004447

FINAL RULEMAKING

Energy and Environment, Department of - Amend  
 16 DCMR (Consumers, Commercial Practices, and  
 Civil Infractions), Ch. 40 (Department of the  
 Environment (DDOE) Infractions), to add  
 Sec. 4011 (Food Service Ware Infractions), to  
 establish a schedule of civil infractions for violation  
 of the District’s prohibition on expanded polystyrene  
 food service products. ....004448 - 004449

Health Care Finance, Department of - Amend 29 DCMR  
 (Public Welfare), Ch. 42 (Home and Community-Based  
 Services Waiver for Persons who are Elderly and  
 Individuals with Physical Disabilities), Sec. 4216  
 (Specific Provider Requirements: Case Management and  
 Related Waiver Services), to change the title to (Specific  
 Provider Requirements: Case Management) and update  
 guidelines for conflict-free case management services ..... 004450 - 004454

Health Care Finance, Department of - Amend 29 DCMR  
 (Public Welfare), Ch. 50 (Medicaid Reimbursements for  
 Personal Care Aide Services), Sec. 5015 (Reimbursement),  
 to increase reimbursement rates for personal care service  
 providers .....004455 - 004457

PROPOSED RULEMAKING

Housing Authority, DC - Amend 14 DCMR (Housing),  
 Ch. 53 (Recertifications, Housing Quality Standard Inspections,  
 and Family Moves), Sec. 5310 (Changes in Family Share and  
 Housing Assistance Payments) and Sec. 5315 (Changes in Income),  
 to change the requirements for reporting increases in household  
 income between recertifications ..... 004458 - 004460

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**PROPOSED RULEMAKING CONT'D**

Housing Authority, DC - Amend 14 DCMR (Housing),  
Ch. 83 (Rent and Housing Assistance Payments),  
Sec. 8304 (Rent Increases to Owner), to change the  
requirements for approving housing assistance payment  
increases to Owners.....004461 - 004463

Taxicab Commission, DC - Amend 31 DCMR  
(Taxicabs and Public Vehicles for Hire), Ch. 6 (Taxicab  
Parts and Equipment), Sec. 609 (Taxicab Vehicle Retirement)  
and Ch. 99 (Definitions), to establish a single age limit and  
a single mileage limit for all taxicabs.....004464 - 004466

Taxicab Commission, DC - Amend 31 DCMR  
(Taxicabs and Public Vehicles for Hire), Ch. 10 (Public  
Vehicles for Hire), Sec. 1004 (Investigation and Examination  
of Applicants) and Sec. 1010 (Issuance of DCTC Vehicle License),  
to update guidelines for obtaining new DCTC vehicle licenses ..... 004467 - 004468

**EMERGENCY RULEMAKING**

Education, Office of the State Superintendent of -  
Amend 5 DCMR (Education), Subtitle A (Office  
of the State Superintendent of Education), to add  
Ch. 16 (Credentials for Teachers and School Administrators),  
to update the criteria and procedures for issuing credentials for  
teachers and administrators; Also updates Subtitle E (Original Title 5),  
Ch. 16 (License Requirements),to delete Sections 5E-1600 through  
5E-1654, 5E-1664 through 5E-1667, and 5E-1687..... 004469 - 004486

Health, Department of - Amend 22 DCMR (Health),  
Subtitle B (Public Health and Medicine), Ch. 12 (Controlled  
Substances Act Rules), Sec. 1201 (Schedule I Enumerated)  
and Sec. 1204 (Schedule IV Enumerated), to update the list  
of Schedule I and Schedule IV drugs ..... 004487 - 004497

**EMERGENCY AND PROPOSED RULEMAKING**

Housing Authority, DC - Amend 14 DCMR (Housing),  
Ch. 95 (Rent Subsidy Programs: Local Rent Supplement  
Program), Sec. 9505 (Tenant-Based Housing Assistance),  
to apply Local Rent Supplement Program (LRSP) Sponsor-based  
housing assistance eligibility criteria to qualified households ..... 004498 - 004499

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS  
BOARDS, COMMISSIONS, AND AGENCIES

Alcoholic Beverage Regulation Administration -  
 ABC Board's Calendar - March 30, 2016 .....004500 - 004501  
 ABC Board's Investigative Agenda - March 30, 2016.....004502 - 004503

Arts and Humanities, D.C. Commission on the -  
 Call for Nominations - Mayor's Arts Awards..... 004504

Request for Applications - Mayor's Arts Awards  
 Stage Manager ..... 004505

Behavioral Health, Department of -  
 Accepting Applications from Business Entities or  
 Individuals Seeking Licensure for a Mental Health  
 Community Residence Facility..... 004506

Bridges Public Charter School and Briya Public Charter School -  
 Request for Proposals - IT/Security/AV Vendor Services ..... 004507

Carlos Rosario Public Charter School - Request for Quotes -  
 Interpretation/Translation Services..... 004508

Consumer and Regulatory Affairs, Department of -  
 Issuance of a Temporary Exemption (1100 15th Street LLC -  
 MIS Permit No. AH1600466) ..... 004509

D.C. Preparatory Academy Public Charter School -  
 Request for Proposals - Food Service Management Services ..... 004510

DC Scholars Public Charter School - Request for Proposals -  
 Food Service Management Services..... 004511

E.L. Haynes Public Charter School - Request for Proposals -  
 Toast to Transformation - Catering Vendor ..... 004512

Early Childhood Academy Public Charter School -  
 Request for Proposals - Erate Computer Networking  
 Equipment and Maintenance Services..... 004513

Education, Office of the State Superintendent of -  
 Notice of Funding Availability -  
 College, Credential, and Career Ready Summer Initiative .....004514 - 004515  
 Fiscal Year 2016 DC Physical Activity for Youth Grant ..... 004516



**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**NOTICES, OPINIONS, AND ORDERS CONT'D  
BOARDS, COMMISSIONS, AND AGENCIES CONT'D**

Energy and Environment, Department of - Intent to Issue Permits -

6381-R1,	Verizon Washington DC, Inc.,	
6382-R1	3726 Martin Luther King Jr. Ave. SE .....	004517
6383-R1,	Verizon Washington DC, Inc.,	
6384-R1	1039 Lawrence Street NE .....	004518
6385-R1,	Verizon Washington DC, Inc.,	
6386-R1	1045 Wisconsin Avenue NW.....	004519
6387-R1	Verizon Washington DC, Inc.,	
	2815 N Street SE.....	004520
6389-R1	Verizon Washington DC, Inc.,	
	580 23rd Place NE .....	004521
6392-R1	Verizon Washington DC, Inc.,	
	120 7th Street NW.....	004522
6393-R1,	Verizon Washington DC, Inc.,	
6394-R1	1700 14th Street NW.....	004523
6472-C2	DC Water and Sewer Authority (DC Water), Dewatered Sludge Loading Facility, Blue Plains WWTP, 5000 Overlook Ave., SW .....	004524
6499-R1,	Verizon Washington DC, Inc.,	
6500-R1,	1200 H Street NW .....	004525
6501-R1		
6621-R1	Architect of the Capitol, Senate Office Buildings, Daniel Webster Page Dormitory, 300 4th Street NE .....	004526
6644-R1	WUSA-TV, 4100 Wisconsin Avenue NW.....	004527
7018 through 7021	JBG/Federal Center, L.L.C., U.S. Department of Transportation Headquarters, 1200 New Jersey Avenue SE.....	004528 - 004529
7022 through 7025	JBG/Federal Center, L.L.C., U.S. Department of Transportation Headquarters, 1200 New Jersey Avenue SE.....	004530 - 004531

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**NOTICES, OPINIONS, AND ORDERS CONT'D  
BOARDS, COMMISSIONS, AND AGENCIES CONT'D**

Energy and Environment, Department of - Intent to Issue Permits - cont'd  
7060 Sprint United Management Company  
(d/b/a Sprint Corporation),  
1050 Connecticut Avenue NW .....004532 - 004533

Energy and Environment, Department of -  
Filing of an Application to Perform Voluntary Cleanup -  
1300 H Street, NE..... 004534

Filing of a Voluntary Cleanup Action Plan -  
2800 Sherman Avenue, NW ..... 004535

Excel Academy Public Charter School -  
Request for Proposals - Phone Services, Internet  
Services and Internal Connections..... 004536

Friendship Public Charter School -  
Intent to Enter a Sole Source Contract -  
Online Education Program, Relay Graduate School of  
Education, and Uncommon Schools..... 004537

Request for Proposals -  
Student Transportation and Event Support Services ..... 004538

Health, Department of -  
Board of Medicine Meeting - March 30, 2016..... 004539

Health, Department of / CHA - Funding Availability -  
Request for Applications (Amended) - School Based  
Health Centers (RFA# CHA.5SBHC.04.01.16)..... 004540

Housing and Community Development, Department of -  
Funding Availability - Affordable Housing Capital Subsidy.....004541 - 004542

Imagine Hope Community Public Charter School -  
Request for Proposals - Waste Removal, Copier  
Maintenance, Information Technology Services, and  
School-Based Therapy Services..... 004543

Inspired Teaching Public Charter School - Request for Proposals -  
Information Technology Services ..... 004544

KIPP DC Public Charter Schools -  
Intent to Enter Into a Sole Source Contract -  
Dual Enrollment Program ..... 004545

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS, AND ORDERS CONT'D  
BOARDS, COMMISSIONS, AND AGENCIES CONT'D

Maya Angelou Public Charter School -  
 Intent to Enter a Sole Source Contract - Case  
 Management Software Platform and Services..... 004546

Rocketship DC Public Charter School - Request for Proposals -  
 Financial Auditor Services and Classroom  
 Furniture Services ..... 004547

Two Rivers Public Charter School - Request for Proposals -  
 Floor Tile and Carpet Replacement ..... 004548

Food Service Management Services ..... 004549

Washington Convention and Sports Authority (t/a Events DC) -  
 Notice of Grant Award - National Cherry Blossom  
 Festival, Inc. .... 004550

Washington Yu Ying Public Charter School - Invitation for Bid -  
 Food Service Management Services ..... 004551

Zoning Adjustment, Board of - Cases -  
 18772-A MR Gallery Square LLC - ANC 2C - Order ..... 004552 - 004554  
 19167 SK Asset Group, LLC - ANC 6E - Order..... 004555 - 004557  
 19183 Gajinder Singh, et al. - ANC 1A - Order..... 004558 - 004560  
 19210 Atlantic Gardens Redevelopment LP -  
 ANC 8D - Order ..... 004561 - 004563

Zoning Commission - Case -  
 16-05 Fifth and Morse L/Cal, LLC and Sixth and Morse  
 L/Cal, LLC - Notice of Filing ..... 004564

Public Employee Relations Board - Certification -  
 162 PERB Case No. 16-RC-01, Federation  
 of Administrative Law Judges - D.C., and  
 Office of Administrative Hearings..... 004565 - 004566

Public Employee Relations Board - Opinions -  
 1560 PERB Case No. 16-CU-01, Teamsters Locals  
 Union Nos. 639 and 730 a/w International  
 Brotherhood of Teamsters, and Department of  
 General Services..... 004567 - 004572

**ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D**

**NOTICES, OPINIONS, AND ORDERS CONT'D**

**BOARDS, COMMISSIONS, AND AGENCIES CONT'D**

Public Employee Relations Board - Opinions - cont'd

- 1561 PERB Case No. 14-A-09, District of Columbia Metropolitan Police Department, v. Fraternal Order of Police/District of Columbia Metropolitan Police Department Labor Committee, Grievant: Mayra J. Garcia .....004573 - 004584
  
- 1562 PERB Case No. 16-RC-01, Federation of Administrative Law Judges - D.C., and Office of Administrative Hearings .....004585 - 004588
  
- 1563 PERB Case No. 11-U-20, Fraternal Order of Police/Metropolitan Police Department Labor Committee, v. District of Columbia Metropolitan Police Department .....004589 - 004597
  
- 1564 PERB Case No. 16-S-01, Alesia Hamilton, v. American Federation of State, County and Municipal Employees, District Council 20 (Motion for Reconsideration) ..... 004598 - 004602
  
- 1565 PERB Case No. 15-U-03, Michael P. Roney, v. Clifford Lowery, AFGE 1975 President ..... 004603 - 004613

## COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

## D.C. LAW 21-77

**"Access to Emergency Epinephrine in  
Schools Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-5 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-259 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 756). Act 21-259 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-259 is now D.C. Law 21-77, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

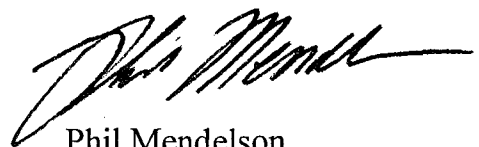
## NOTICE

## D.C. LAW 21-78

**"Nuisance Abatement Notice  
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-70 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-260 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 760). Act 21-260 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-260 is now D.C. Law 21-78, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

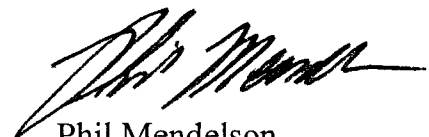
## NOTICE

## D.C. LAW 21-79

**"Vending Regulations Amendment  
Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-113 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-261 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 762). Act 21-261 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-261 is now D.C. Law 21-79, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

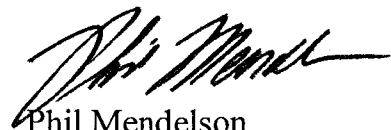
## NOTICE

## D.C. LAW 21-80

**"Workforce Job Development Grant-Making  
Reauthorization Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-137 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-262 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 766). Act 21-262 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-262 is now D.C. Law 21-80, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8



## COUNCIL OF THE DISTRICT OF COLUMBIA

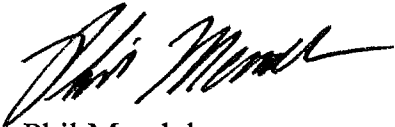
## NOTICE

## D.C. LAW 21-81

**"Film DC Economic Incentive  
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-206 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-263 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 768). Act 21-263 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-263 is now D.C. Law 21-81, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

## D.C. LAW 21-82

**"Extreme Temperature Safety  
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-241 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-264 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 772). Act 21-264 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-264 is now D.C. Law 21-82, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

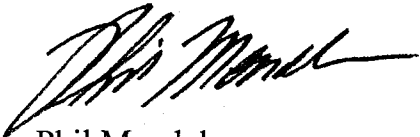
## NOTICE

## D.C. LAW 21-83

**"Body-Worn Camera Program  
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-351 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-265 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 774). Act 21-265 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-265 is now D.C. Law 21-83, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

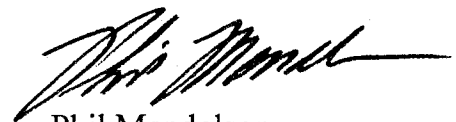
## NOTICE

## D.C. LAW 21-84

**"Omnibus Alcoholic Beverage Regulation  
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-401 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-266 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 781). Act 21-266 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-266 is now D.C. Law 21-84, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

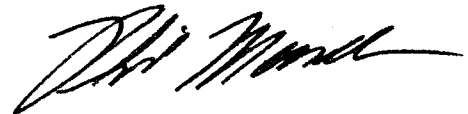
## NOTICE

## D.C. LAW 21-85

**"Encouraging Foster Children to Have  
Connections with Siblings Temporary  
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-495 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-267 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 788). Act 21-267 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-267 is now D.C. Law 21-85, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA


## NOTICE

## D.C. LAW 21-86

**"Employees' Compensation Fund Clarification  
Temporary Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-501 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-268 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 790). Act 21-268 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-268 is now D.C. Law 21-86, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

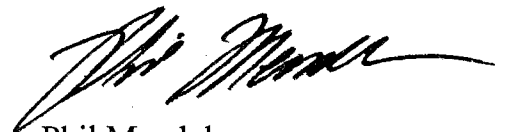
## NOTICE

## D.C. LAW 21-87

**"Parkside Parcel E and J Mixed-Income  
Apartments Tax Abatement Temporary  
Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-504 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-269 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 792). Act 21-269 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-269 is now D.C. Law 21-87, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

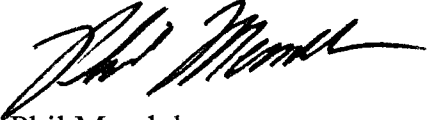
## NOTICE

## D.C. LAW 21-88

**"Classroom Animal for Educational Purposes  
Temporary Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-517 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-270 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 794). Act 21-270 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-270 is now D.C. Law 21-88, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8



## COUNCIL OF THE DISTRICT OF COLUMBIA

## NOTICE

## D.C. LAW 21-89

**"Business Improvement Districts Charter Renewal  
Temporary Amendment Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-519 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-271 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 796). Act 21-271 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-271 is now D.C. Law 21-89, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## COUNCIL OF THE DISTRICT OF COLUMBIA

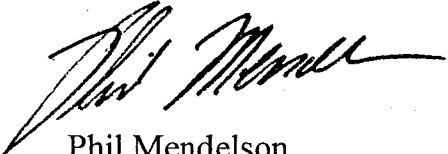
## NOTICE

## D.C. LAW 21-90

**"Lots 36, 41, and 802 in Square 3942 and Parcels  
0143/107 and 0143/110 Eminent Domain  
Authorization Temporary Act of 2015"**

As required by Section 412(a) of the District of Columbia Home Rule Act, P.L. 93-198 (the Charter), the Council of the District of Columbia adopted Bill 21-521 on first and second readings December 1, 2015, and December 15, 2015, respectively. Following the signature of the Mayor on January 12, 2016, as required by Section 404(e) of the Charter, the bill became Act 21-272 and was published in the January 22, 2016 edition of the D.C. Register (Vol. 63, page 798). Act 21-272 was transmitted to Congress on January 20, 2016 for a 30-day review, in accordance with Section 602(c)(1) of the Home Rule Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional review period has ended, and Act 21-272 is now D.C. Law 21-90, effective March 9, 2016.



Phil Mendelson  
Chairman of the Council

Days Counted During the 30-day Congressional Review Period:

January	20, 21, 22, 25, 26, 27, 28, 29
February	1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 26, 29
March	1, 2, 3, 4, 7, 8

## ENROLLED ORIGINAL

## AN ACT

**D.C. ACT 21-328**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend, on an emergency basis, due to congressional review, An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to clarify that the posting requirement in section 5a is satisfied by posting the initial vacant or blight determination.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Nuisance Abatement Notice Congressional Review Emergency Amendment Act of 2016”.

Sec. 2. Section 5a of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, effective August 15, 2008 (D.C. Law 17-216; D.C. Official Code § 42-3131.05a), is amended by striking the phrase “Notice shall also be posted on the vacant building” and inserting the phrase “Notice of the initial vacant or blighted property determination shall also be posted on the vacant building” in its place.

Sec. 3. Applicability.

This act shall apply as of December 11, 2015.

Sec. 4. Fiscal impact statement.

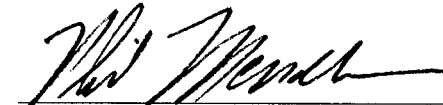
The Council adopts the fiscal impact statement in the committee report for the Nuisance Abatement Notice Amendment Act of 2015, enacted January 12, 2016 (D.C. Act 21-260; 63 DCR 760), as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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. 813; D.C. Official Code §1-204.12(a)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
March 16, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-329**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend, on an emergency basis, due to congressional review, the Firearms Control Regulations Act of 1975 to extend to January 1, 2018 the date for implementation of the microstamping requirement for semiautomatic pistols.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Microstamping Implementation Congressional Review Emergency Amendment Act of 2016”.

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2501.01 *et seq.*), is amended as follows:

(a) Section 408(b) (D.C. Official Code § 7-2504.08(b)) is amended by striking the date “January 1, 2016” wherever it appears and inserting the date “January 1, 2018” in its place.

(b) Section 503 (D.C. Official Code § 7-2505.03), is amended as follows:

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

(A) The lead-in language is amended by striking the date “January 1, 2016” and inserting the date “January 1, 2018” in its place.

(B) Paragraph (2) is amended by striking the date “January 1, 2016” and inserting the date “January 1, 2018” in its place.

(C) Paragraph (3) is amended by striking the date “January 1, 2016” and inserting the date “January 1, 2018” in its place.

(2) Subsection (c)(1) is amended by striking the date “January 1, 2016” and inserting the date “January 1, 2018” in its place.

(3) The lead-in language of subsection (e) is amended by striking the date “January 1, 2016” both times it appears and inserting the date “January 1, 2018” in its place.

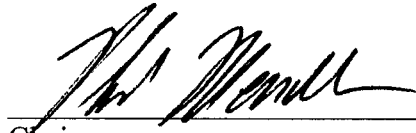
Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

ENROLLED ORIGINAL

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  
March 16, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-330**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To approve, on an emergency basis, Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) with Center City Community Corporation to provide family reunification home services to District youth, and to authorize payment for the services received and to be received under the contract modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Modifications to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification No. 4 and proposed Modification No. 7 to Human Care Agreement No. DCJZ-2012-H-0020 (CW20561) with Center City Community Corporation to provide family reunification home services to District youth, and authorizes payment in the total amount of \$1,923,352 for services received and to be received under the contract modifications for the period from June 1, 2015, through May 31, 2016.

Sec. 3. Fiscal impact statement.

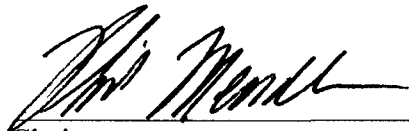
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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


ENROLLED ORIGINAL

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  
March 16, 2016



ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-331**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To approve, on an emergency basis, Contract No. CW40436 with NCS Pearson, Inc., to provide necessary support and systems for the professional licensing operation of the Department of Consumer and Regulatory Affairs and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW40436 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Contract No. CW40436 with NCS Pearson, Inc., to manage and operate functions, including personnel, equipment, and supplies, and perform licensing operations for 18 non-health professional boards for the Department of Consumer and Regulatory Affairs, and authorizes payment in the amount of \$1,950,000 for services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

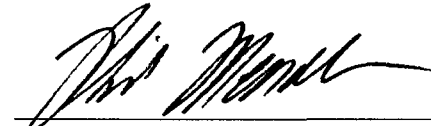
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

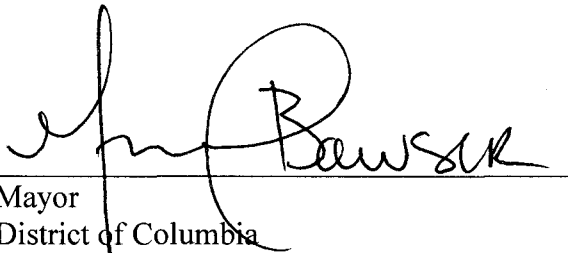
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
March 16, 2016

## ENROLLED ORIGINAL

## AN ACT

**D.C. ACT 21-332**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 17, 2016**

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 and the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000 to create incentives for the retention and recruitment of Metropolitan Police Department officers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Metropolitan Police Department Officer Retention and Recruitment Incentives Emergency Amendment Act of 2016".

Sec. 2. Section 1103 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-611.03), is amended as follows:

(a) Subsection (f)(1) is repealed.

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

"(g)(1) The Chief of Police may grant time off, to be considered FLSA-exempt, to uniformed members of the Metropolitan Police Department at the rank of Inspector and above, and the civilian equivalents, for work performed in excess of an 80-hour biweekly pay period, excluding roll call; provided, that:

"(A) FLSA-exempt time off granted to any individual employee shall not exceed a total of 80 hours in any consecutive 12-month period;

"(B) FLSA-exempt time off shall be forfeited if not used by the end of the leave year following the leave year in which it was earned; and

"(C) FLSA-exempt time off not used at the time of an employee's separation from service shall not be included in any form of leave payment.

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

Sec. 3. Section 202(e) of the Metropolitan Police Department Application, Appointment, and Training Requirements Act of 2000, effective October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.01(e)), is amended as follows:

## ENROLLED ORIGINAL

(a) The lead-in language is amended by striking the phrase “As of the effective date of the Metropolitan Police Department Amendment Act of 2006, passed on 2nd reading on December 5, 2006 (Enrolled version of Bill 16-586), to” and inserting the word “To” in its place.

(b) Paragraph (2) is amended by striking the phrase “3 years” and inserting the phrase “2 years” in its place.


(c) Paragraph (3) is amended by striking the phrase “5 years” and inserting the phrase “3 years” in its place.

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

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



---

Chairman  
Council of the District of Columbia



---

Mayor  
District of Columbia  
APPROVED  
March 17, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-333**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend, on an emergency basis, the Prevention of Child Abuse and Neglect Act of 1977 to include in the definition of case plan an additional requirement for children 14 years of age and older, to define the reasonable and prudent parent standard, to require that foster children receive a credit report on an annual basis beginning at 14 years of age, and to require the use of the reasonable and prudent parent standard by foster parents and group homes; and to amend section 16-2323 of the District of Columbia Official Code to require additional reporting requirements for children who have been placed in another planned permanent living arrangement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Supporting Normalcy and Empowering Children in Foster Care Emergency Amendment Act of 2016”.

Sec. 2. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 4-1301.02) is amended as follows:

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

(A) Subparagraph (B) is amended by adding 3 new sentences to the end to read as follows:

“With respect to a child who has attained 14 years of age, the plan, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency may reject an individual selected by a child to be a member of the case planning team at any time if the agency has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child's case planning team may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.”

(B) Subparagraph (D) is amended by striking the phrase “16 years of age” and inserting the phrase “14 years of age” in its place.

(2) A new paragraph (16A) is added to read as follows:

## ENROLLED ORIGINAL

“(16A) “Reasonable and prudent parent standard” means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that should be used when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities.”.

(b) Section 303(a)(16)(A) (D.C. Official Code § 4-1303.03(a)(16)(A)) is amended as follows:

(1) Sub-subparagraph (ii) is amended by striking the phrase “District of Columbia; or” and inserting the phrase “District of Columbia;” in its place.

(2) Sub-subparagraph (iii) is amended by striking the phrase “terminated.” and inserting the phrase “terminated; or” in its place.

(3) A new sub-subparagraph (iv) is added to read as follows:

“(iv) The ward reaches 14 years of age and on an annual basis thereafter.”.

(c) A new section 303f is added to read as follows

“Sec. 303f. Reasonable and prudent parent standard.

“(a) Foster parents and group homes for children who have been abused or neglected shall use the reasonable and prudent parent standard when determining whether to allow a ward to participate in extracurricular, enrichment, cultural, and social activities.

“(b) The Agency, foster parents, and group homes shall not be held liable for any civil damages resulting from the application or the failure to apply the reasonable and prudent parent standard, except in cases constituting gross negligence.”.

Sec. 3. Section 16-2323(d)(4) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word “and”.

(b) A new subparagraph (D) is added to reads as follows:

“(D) For a child placed in another planned permanent living arrangement, the steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed and that the child has opportunities to engage in age-appropriate or developmentally appropriate activities; and”.

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 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

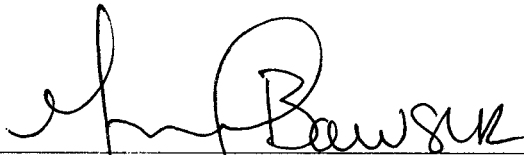
**ENROLLED ORIGINAL**

Sec. 5. Effective date.

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
March 16, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-334**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend the District of Columbia School Reform Act of 1995 to allow the Public Charter School Board to approve a public charter school that gives a preference for admission to children of active duty members of the United States Armed Forces.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Military Installation Public Charter School Amendment Act of 2016".

Sec. 2. Section 2206 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.06), is amended by adding a new subsection (c-2) to read as follows:

*"(c-2) Authorization of a preference for children of active duty members of the United States Armed Forces. —*

"(1) The Public Charter School Board ("PCSB") shall have the authority to approve a petition or application for a public charter school that gives a preference for admission to children of active duty members of the United States Armed Forces; provided, that PCSB may not permit more than one public charter school with such a preference to operate at the same time.

"(2) A public charter school seeking to establish a preference for admission under this subsection shall:

"(A) Request the preference for admission in a petition for approval filed pursuant to section 2201, an application for renewal filed pursuant to section 2212, or in a manner otherwise provided by PCSB; and

"(B) Be located in the same ward as a United States military base.

"(3) In reviewing an application submitted pursuant to paragraph (2) of this subsection, PCSB shall consider whether granting the preference provided under this subsection is consistent with the mission, goals, and instructional methods of the petitioner or applicant and the need for the proposed school in the geographic area of the school site.

"(4) A preference approved under this subsection shall apply to no more than half of the public charter school's seats.

"(5) This subsection shall not limit the ability of a school that establishes a preference for admission under this subsection to participate in a common lottery system



ENROLLED ORIGINAL

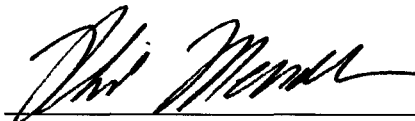
established pursuant to section 205 of the Department of Education Establishment Act of 2007, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-194).”.


Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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

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

  
\_\_\_\_\_  
Mayor  
District of Columbia  
APPROVED  
March 16, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-335**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend section 16-916.01 of the District of Columbia Official Code to revise and update the child support guideline to expand the definition of perquisites or in-kind compensation to include military housing and food allowances, to allow a judicial officer to enter a minimum order when the paying parent is uncooperative or no reliable income information exists, to update the self-support reserve, to increase the presumptive minimum award amount to \$75 per month, to expand the factors a judicial officer may consider to determine whether the presumption of a \$75 minimum order has been rebutted, to establish a procedure for rebutting the presumptive minimum award, to allow the judicial officer to consider the subsistence needs of the parent owed support in applying the presumptive minimum award and the low income adjustment, to establish a modified self-support reserve, and to provide for the starting date for orders and agreements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Child Support Guideline Revision Amendment Act of 2016”.

Sec. 2. Section 16-916.01 of the District of Columbia Official Code is amended as follows:

(a) Subsection (d)(1)(R) is amended by striking the phrase “or reimbursed meals;” and inserting the phrase “, reimbursed meals, or military housing and food allowances, including the Basic Allowance for Housing and the Basic Allowance for Subsistence;” in its place.

(b) Subsection (f)(1)(D) is amended as follows:

(1) Strike the phrase “paragraph (2) of this subsection” and insert the phrase “subparagraph (B) of this paragraph” in its place.

(2) Strike the phrase “paragraph (3) of this subsection” and insert the phrase “subparagraph (C) of this paragraph” in its place.

(3) Strike the phrase “(i) through (1)” and insert the phrase “(i) through (l)” in its place.

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

“(f-1)(1) If the judicial officer does not have sufficient evidence to determine the adjusted gross income of a parent with a legal duty to pay support in accordance with subsection

## ENROLLED ORIGINAL

(e) of this section, the judicial officer may enter a minimum order of \$75 per month; provided, that the parent has:

“(A) Been served with notice of the hearing but has failed to appear; or

“(B) Failed to provide information about his or her gross income.

“(2) If the judicial officer enters an order under this subsection, the judicial officer shall issue written factual findings stating the reasons for entering the order in the amount specified.”.

(d) Subsection (g) is amended as follows:

(1) Paragraph (1) is amended by adding a new subparagraph (D) to read as follows:

“(D) As of April 1, 2015, the self-support reserve shall be \$15,654.”.

(2) Paragraph (2) is amended by striking the phrase “shall order the parent to pay only the amount that the judicial officer determines the parent is able to pay” and inserting the phrase “shall determine the amount that the parent is able to pay” in its place.

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

(A) The existing text is designated as subparagraph (A).

(B) The newly designated subparagraph (A) is amended as follows:

(i) Strike the phrase “\$ 50 per month” wherever it appears and insert the phrase “\$ 75 per month” in its place.

(ii) Strike the phrase “or other appropriate circumstances.” and insert the phrase “housing expenses, provision or receipt of in-kind resources or services, benefits received from means-tested public assistance programs, other public benefits, subsidies, tax credits, or other appropriate circumstances.” in its place.

(iii) Strike the last sentence in the subparagraph.

(C) New subparagraphs (B) and (C) are added to read as follows:

“(B) In any contested matter, the judicial officer shall ask the parent with a legal duty to pay support and the parent to whom support is owed, if present, if either has evidence that would rebut the presumption under subparagraph (A) of this paragraph. If either parent answers in the affirmative, that parent shall have an opportunity to present such evidence before an order is issued.

“(C) The judicial officer shall issue written factual findings stating the reasons for the entry of an order below or above the \$75 per month presumptive amount.”.

(e) New subsections (g-1) and (g-2) are added to read as follows:

“(g-1)(1) Upon request or on the judicial officer’s own motion, the judicial officer shall determine whether the parent to whom support is owed can meet his or her personal subsistence needs, considering the resources and circumstances of that parent, including age, employability, disability, homelessness, incarceration, inpatient substance abuse treatment, other inpatient treatment, housing expenses, provision or receipt of in-kind resources or services, benefits received from means-tested public assistance programs, other public benefits, subsidies, tax credits, or other appropriate circumstances.

## ENROLLED ORIGINAL

“(2) If the judicial officer determines that the parent to whom support is owed can meet his or her subsistence needs, the judicial officer shall order the parent with a legal duty to pay support to pay what he or she would otherwise be required to pay pursuant to this section.

“(3) If the judicial officer determines that the parent to whom support is owed cannot meet his or her subsistence needs and the parent with a legal duty to pay support has an adjusted gross income below the self-support reserve under subsection (g) of this section, the judicial officer shall determine whether, for the support and maintenance of the child, the parent with a legal duty to pay support should pay more than he or she would otherwise be required to pay pursuant to subsection (g)(3) of this section.

“(4) In no case shall the amount ordered pursuant to this section:

“(A) Result in the adjusted gross income of the parent with a legal duty to pay support falling below the modified self-support reserve under subsection (g-2) of this section; or

“(B) Exceed the amount of pass-through funds available to families receiving Temporary Assistance for Needy Families benefits.

“(5) The judicial officer shall issue written factual findings stating the reasons for the entry of an order issued pursuant to paragraph (3) of this subsection.

“(g-2) A modified self-support reserve shall be calculated at 100% of the United States Department of Health and Human Services poverty guideline per year for a single individual to be used to determine support pursuant to subsection (g-1) of this section. The modified self-support reserve shall be updated by the Mayor every 2 years with the updated amount to be published in the District of Columbia Register and made effective as of April 1. As of April 1, 2015, the modified self-support reserve shall be \$11,770.”

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

(1) Strike the phrase “(i) through (1)” wherever it appears and insert the phrase “(i) through (1)” in its place.

(2) Paragraphs (2) and (3) are amended by striking the phrase “\$ 600 per year” and inserting the phrase “\$ 900 per year” in its place.

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

“(4)(A) If under paragraph (3) of this subsection, the parent with a legal duty to pay support would pay less than the child support obligation calculated pursuant to paragraph (1) of this subsection, the judicial officer may consider whether:

“(i) The parent to whom support is owed would be able to meet his or her subsistence needs; and

“(ii) Whether the children would face extreme hardship if this amount were ordered.

“(B) The judicial officer, after considering the factors set forth in subparagraph (A) of this paragraph, may deviate from the amount calculated pursuant to paragraph (3) of this subsection; provided, that any deviation upward shall not exceed the basic child support obligation calculated pursuant to paragraph (1) of this subsection.”

## ENROLLED ORIGINAL

(g) Subsection (q)(1)(F) is amended by striking the phrase “(i) through (1)” and inserting the phrase “(i) through (1)” in its place.

(h) Subsection (r)(6) is amended by striking the phrase “(i) through (1)” and inserting the phrase “(i) through (1)” in its place.

(i) Subsection (u) is amended to read as follows:


“(u) If an order or agreement providing for child support does not set forth a date on which the child support commences, the child support shall be deemed to commence on the first day of the first month following the date the order was entered or the date the agreement was executed, whichever is later in time. If the relevant date falls on the first day of a month, the order shall be deemed to commence on that day.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
March 16, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-336**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 17, 2016**

To amend the Human and Environmental Health Protection Act of 2010 to prohibit the manufacture, sale, and distribution of products containing carcinogenic flame retardants, and to authorize the Mayor to request and obtain a certificate of compliance with the Human and Environmental Health Protection Act of 2010 from manufacturers.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Carcinogenic Flame Retardant Prohibition Amendment Act of 2016”.

Sec. 2. The Human and Environmental Health Protection Act of 2010, effective March 31, 2011 (D.C. Law 18-336; D.C. Official Code § 8-108.01 *et seq.*), is amended as follows:

(a) New sections 3a and 3b are added to read as follows:

“Sec. 3a. Prohibitions on chlorinated flame retardants.

“(a) After January 1, 2018, no person or legal entity shall manufacture, sell, offer for sale, or distribute any children’s product or residential upholstered furniture containing more than 0.1% by mass in any product component of the following:

“(1) Tris(1,3-dichloro-2-propyl) phosphate (chemical abstract service number 13674-87-8) (“TDCPP”); or

“(2) Tris(2-chloroethyl) phosphate (chemical abstract service number 115-1496-8) (“TCEP”).

“(b) After January 1, 2019, no person or legal entity shall manufacture, sell, offer for sale, or distribute any product containing more than 0.1% by mass in any product component of the following:

“(1) TDCPP; or

“(2) TCEP.

“(c) The prohibitions contained in this section shall not apply to the following:

“(1) The sale, offer for sale, or distribution of a product by a retailer who purchased or acquired the product before the effective date of the Carcinogenic Flame Retardant Prohibition Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-143);

“(2) Any activity involving a product that occurs subsequent to the 1st sale at retail;

## ENROLLED ORIGINAL

“(3) Motor vehicles or replacement parts or replacement equipment for motor vehicles;

“(4) Commercial or residential building insulation or wiring that otherwise complies with the Construction Codes Supplement, set forth in Title 12 of the District of Columbia Municipal Regulations;

“(5) Desktop and laptop computers, audio and video equipment, calculators, wireless telephones, game consoles, handheld devices incorporating a screen that are used to access interactive software and their associated peripherals, and cables, adaptors, and other similar connecting devices; or

“(6) Storage media, such as compact discs, for interactive software, such as computer games.

“(d) If a product component of a non-exempt product would be exempt under subsection (c)(5) or (6) of this section, the product shall be prohibited pursuant to subsections (a) and (b) of this section if the product contains more than 0.1% by mass of TDCPP or TCEP in any non-exempt product component.

“(e) For the purposes of this section, the term:

“(1) “Children’s product” means a consumer product:

“(A) Marketed for use by children under 12 years of age; or

“(B) The substantial use of which by a child under 12 years of age is reasonably foreseeable.

“(2) “Residential upholstered furniture” means furniture intended for use in a home or other dwelling that includes cushioning material covered by fabric or similar material.

“Sec. 3b. Replacement of regulated flame retardants.

“A manufacturer shall not replace the penta or octa mixtures of polybrominated diphenyl ethers, the deca mixture of polybrominated diphenyl ethers, Tris(1,3-dichloro-2-propyl) phosphate (chemical abstract service number 13674-87-8), or Tris(2-chloroethyl) phosphate (chemical abstract service number 115-1496-8) in a product prohibited in this act with a chemical that is:

“(1) Classified as “known to be a human carcinogen” or “reasonably anticipated to be a human carcinogen” in the most recent report on carcinogens by the National Toxicology Program in the U.S. Department of Health and Human Services;

“(2) Classified as “carcinogenic to humans” or “likely to be carcinogenic to humans” in the U.S. Environmental Protection Agency’s most recent list of chemicals evaluated for carcinogenic potential; or

“(3) Identified by the U.S. Environmental Protection Agency or the National Institutes of Health as causing birth defects, hormone disruption, neurotoxicity, or harm to reproduction or development.”.

(b) A new section 5a is added to read as follows:

“Sec. 5a. Certificate of compliance.

## ENROLLED ORIGINAL

“(a) The Mayor may request a manufacturer of products subject to this act and sold, offered for sale, or distributed for sale in the District to provide a certificate demonstrating compliance with this act with respect to those products.

“(b) Within 45 days of a request for a certificate of compliance, a manufacturer shall:

“(1) Provide the Mayor with a certificate declaring that its products comply with the requirements of this act; or

“(2) Notify persons or entities located in the District that sell, offer for sale, or distribute a product made by the manufacturer that the product does not comply with this act and that the sale, offer for sale, and distribution of the product is prohibited, and submit to the Mayor a list of the names and addresses of those notified.”

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).


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



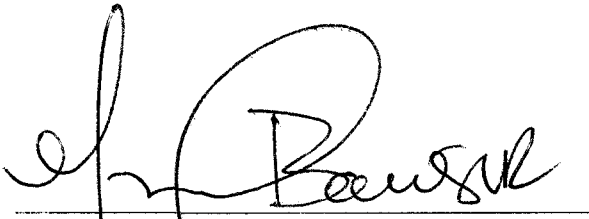
ENROLLED ORIGINAL

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



---

Chairman  
Council of the District of Columbia



---

Mayor  
District of Columbia  
APPROVED  
March 17, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-337**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend An Act To provide for voluntary apprenticeship in the District of Columbia to establish a Youth Apprenticeship Advisory Committee within the Department of Employment Services, to provide for the composition, terms, and duties of the committee, and to require the committee to submit an annual report of its findings and recommendations to the Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Youth Apprenticeship Advisory Committee Amendment Act of 2016”.

Sec. 2. An Act To provide for voluntary apprenticeship in the District of Columbia, approved May 21, 1946 (60 Stat. 204; D.C. Official Code § 32-1401 *et seq.*), is amended by adding a new section 12a to read as follows:

“Sec. 12a. Youth Apprenticeship Advisory Committee.

“(a) There is established within the Department of Employment Services a Youth Apprenticeship Advisory Committee. The members of the Committee shall be appointed by the Mayor in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

“(b) The Committee shall be composed of 11 members, as follows:

“(1) Two representatives from the Apprenticeship Council;

“(2) One employer whose business has an apprenticeship program;

“(3) One representative from the University of the District of Columbia Community College;

“(4) One representative from the Office of the State Superintendent of Education;

“(5) One individual who holds a doctoral degree and specializes in labor economics with expertise in national and international apprenticeship systems;

“(6) One representative of a nonprofit organization who is involved with employee training and workforce development;

“(7) One representative from a local business organization;

“(8) One representative from a local business trade association;

“(9) One representative from a labor organization; and

“(10) One representative from the Workforce Investment Council.

“(c)(1) The Mayor shall designate the chairperson of the Committee.

## ENROLLED ORIGINAL

“(2)(A) Members of the Committee shall be appointed to serve 3-year terms, from the date of appointment.

“(B) A Committee member may be reappointed.

“(C) A person appointed to fill a vacancy occurring before the expiration of a predecessor’s term shall be appointed to serve for the remainder of that term.

“(D) A member may continue to serve after the expiration of the member’s term until a successor is appointed, subject to section 2(c) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(c)).

“(d) The Committee shall:

“(1) Based on a systematic review of relevant data, evaluate the effectiveness of youth apprenticeship programs in:

“(A) The District of Columbia;

“(B) States and municipalities; and

“(C) Other countries;

“(2) Review and identify:

“(A) Ways to implement high school youth apprenticeship programs in the District of Columbia;

“(B) The means through which employers and organizations can obtain grants, tax credits, or other subsidies to support the establishment and operation of high school youth apprenticeship programs; and

“(C) The number of apprenticeship opportunities for youth that the District of Columbia needs to reach over the next 3 years; and

“(3) On or before December 1 of each year, submit a report of its findings and recommendations to the Council of the District of Columbia.

“(e) For the purposes of this section, the term “Committee” means the Youth Apprenticeship Advisory Committee established by this section.”.

Sec. 3. Section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)), is amended as follows:

(a) Paragraph (52) is amended by striking the word “and” at the end.

(b) Paragraph (53) is amended by striking the period at the end and inserting the phrase “; and” in its place.

(c) A new paragraph (54) is added to read as follows:

“(54) Youth Apprenticeship Advisory Committee, established by the Youth Apprenticeship Advisory Committee Amendment Act of 2016, passed on 2nd reading on March 1, 2016 (Enrolled version of Bill 21-287).”.

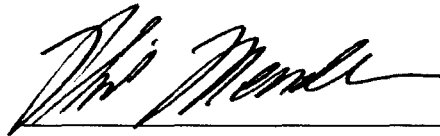
ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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  
March 16, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-338**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To reduce the amount payable in a subrogation claim to a subrogee for health-care benefits or services paid on behalf of an injured person.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Health Care Benefits Lien Reduction Act of 2016".

Sec. 2. Reduction of health care benefits lien.

(a) Except as provided in subsection (d) of this section, this act shall apply to any right of subrogation under a contract or applicable law for payment of health-care benefits or services for an injured person paid or payable by a subrogee or under any system of self-insurance or indemnification for health-care expenses, if the amount of the subrogee's claim as determined under subsection (b) of this section is voluntarily paid by the injured person from the injured person's recovery in a claim for personal injury.

(b)(1) Unless a subrogee files a petition to intervene in the personal injury action and is independently represented by counsel, in a subrogation claim arising out of a claim for personal injury, the amount permitted to be recovered by a subrogee for health-care benefits or services paid or payable on behalf of the injured person, subject to paragraph (2) of this subsection, shall be reduced by dividing the total amount of the costs of litigation and the attorneys' fees incurred by the injured person for services rendered in connection with the injured person's claim for personal injury by the amount of the total recovery in the claim for personal injury and multiplying the result by the amount of the subrogee's subrogation claim.

(2) The result under paragraph (1) of this subsection shall not exceed one-third of an injured person's recovery in a claim for personal injury.

(3) A subrogee has no obligation to advise an injured person or the attorney for the injured person of the injured person's right to a reduction of the subrogation claim.

(c) On written request by a subrogee, an injured person or the attorney for the injured person who demands a reduction of the subrogation claim as described in this act shall provide the subrogee with a certification by the injured person that states the amount of the attorneys' fees and the costs of litigation incurred by the injured person in connection with the injured person's claim.

(d) This act shall not apply to:

ENROLLED ORIGINAL

(1) A voluntary reduction of a subrogation claim by a subrogee that exceeds the reduction of the subrogation claim as described in subsection (b) of this section; or

(2) The District of Columbia Medicaid program.

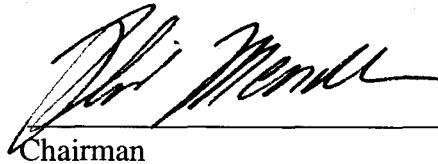
(e) For the purposes of this act, the term "subrogee" means any person or entity that provides accident and sickness benefits or medical, surgical, or hospital benefits, whether on an indemnity or a reimbursement basis or a prepaid basis, including insurance carriers, and employers.

Sec. 3. Fiscal impact statement.

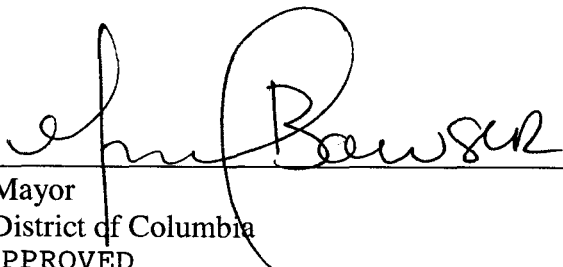
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia  
APPROVED  
March 16, 2016

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-339**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend the District of Columbia Workers' Compensation Act of 1979 to require that court costs and attorneys' fees be proportionally shared between the injured employee, or the employee's eligible survivors or legal representative, and the employer relative to the amount each received in a settlement against a third person.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Workers' Compensation Benefits Lien Reduction Amendment Act of 2016".

Sec. 2. Section 3 of the District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535), is amended as follows:

(a) Subsection (f) is amended by striking the word "ascribed" and inserting the word "described" in its place.

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

"(f-1) If the person entitled to compensation institutes proceedings within the period described in subsection (b) of this section and recovers an amount against a third person, the costs of litigation and attorneys' fees shall be proportionally shared between the person entitled to compensation, or the employee's eligible survivors or legal representative, and the employer relative to the amount each received in the settlement against the third person."

Sec. 3. Fiscal impact statement.

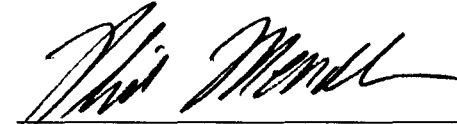
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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

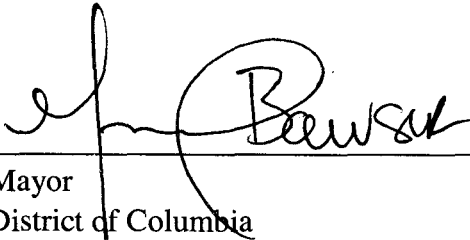
ENROLLED ORIGINAL

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



---

Chairman  
Council of the District of Columbia



---

Mayor  
District of Columbia  
APPROVED  
March 16, 2016



ENROLLED ORIGINAL

AN ACT

**D.C. ACT 21-340**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend the Youth Employment Act of 1979 to authorize the Mayor to provide employment or work-readiness training for participants 14 through 24 years of age.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Marion S. Barry Summer Youth Employment Expansion Amendment Act of 2016”.

Sec. 2. Section 2(a)(1)(A) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)(A)), is amended to read as follows:

“(A)(i) A summer youth jobs program to provide for the employment or training each summer of not fewer than 10,000 or more than 21,000 youth. Youth shall be 14 through 21 years of age on the date of enrollment in the program; provided, that for Fiscal Year 2016 and Fiscal Year 2017, the program may provide for the employment or training each summer of no more than 1,000 youth 22 through 24 years of age on the date of enrollment in the program.

“(ii) Youth 14 or 15 years of age at the date of enrollment shall receive an hourly work readiness training rate of not less than \$5.25.

“(iii) Youth 16 through 21 years of age at the date of enrollment shall be compensated at an hourly rate of \$8.25.

“(iv) Youth 22 through 24 years of age at the date of enrollment shall be compensated at no less than the minimum wage specified in section 4 of the Minimum Wage Act Revision Act of 1992, effective March 25, 1993 (D.C. Law 9-248; D.C. Official Code § 32-1003).”.

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

ENROLLED ORIGINAL

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

Sec. 4. Fiscal impact statement.

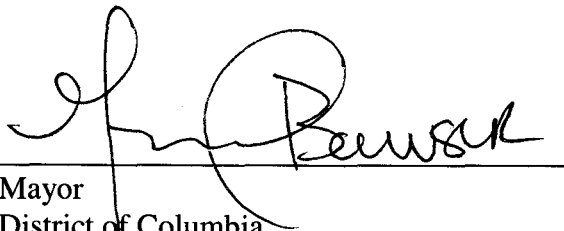
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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  
March 16, 2016

## ENROLLED ORIGINAL

## AN ACT

**D.C. ACT 21-341**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**MARCH 16, 2016**

To amend section 47-1002 of the District of Columbia Official Code to exempt from real property taxation real property leased by certain foundations to colleges and universities that are used by these institutions of higher learning to provide dormitory, classroom, and related facilities for their students.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Higher Education Tax Exemption Act of 2016".

Sec. 2. Section 47-1002 of the District of Columbia Official Code is amended by adding a new paragraph (10A) to read as follows:

"(10A)(A) A building belonging to a foundation that is not organized or operated for private gain and that is organized and operated exclusively for the benefit (within the meaning of sections 170(b)(1)(A)(iv) or 509(a)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (68A Stat. 58 and 83 Stat. 496); 26 U.S.C. §§ 170(b)(1)(a)(iv) and 509(a)(3)) of a college or university as described in paragraph (10) of this section that directly uses the building under a lease with a term of at least one year to provide dormitory, classroom, and related facilities for its students;

"(B) The owner of a building exempted from real property taxation pursuant to subparagraph (A) of this paragraph shall notify the Office of Tax and Revenue within 30 days after the occurrence of any event, including the expiration or cancellation of a lease, that terminates the building's entitlement to the exemption."

Sec. 3. Applicability.

(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

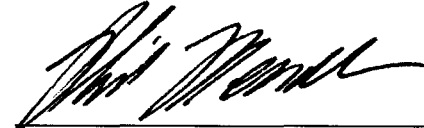
ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.


The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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 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  
March 16, 2016

## ENROLLED ORIGINAL

## A RESOLUTION

21-253

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

November 3, 2015

To approve the extension of the time limit for the disposition of certain District-owned real properties located at 2501 1st Street, N.W., formerly the McMillan Sand Filtration Site.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “McMillan Townhomes Parcel, Commercial Parcel, and Multifamily Parcels Disposition Extension Approval Resolution of 2015”.

Sec. 2. (a) Pursuant to section 1(d) 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(d)), the Mayor transmitted to the Council a request for approval of 5 additional years of time, amounting to 7 years total, for the disposition of certain real property located at 2501 1st Street, N.W., and comprising approximately 1,075,496 square feet of land, designated for taxation and assessment purposes as Lot 0800 in Square 3128 (“McMillan Site”), which the Council approved for disposition pursuant to the McMillan Residential Townhomes Parcel Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-705; 62 DCR 1091), the McMillan Commercial Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-707; 62 DCR 1097), and the McMillan Residential Multifamily Parcels Disposition Approval Resolution of 2014, effective December 2, 2014 (Res. 20-706; 62 DCR 1094). The Mayor also transmitted a status report on efforts made toward disposition of the McMillan Site, including an explanation of the 7-year timeline required for closing.

(b) The Council approves the additional time requested by the Mayor to dispose of the McMillan Site and extends the time period to dispose of the McMillan Site to December 2, 2021.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 5. Effective date.

This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-385

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 2, 2016

To appoint Ms. Emily Smith Goering to the Citizen Review Panel.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Citizen Review Panel Emily Smith Goering Appointment Resolution of 2016”.

Sec. 2. The Council of the District of Columbia appoints:

Ms. Emily Smith Goering  
518 Oklahoma Avenue, N.E.  
Washington, D.C. 20002  
(Ward 7)

as a member and Vice Chairperson of the Citizen Review Panel, established by section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the Chairperson of the Citizen Review Panel, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

A RESOLUTION

21-386

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 2, 2016

To appoint Ms. Michelle A. McLeod to the Citizen Review Panel.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Citizen Review Panel Michelle A. McLeod Appointment Resolution of 2016”.

Sec. 2. The Council of the District of Columbia appoints:

Ms. Michelle A. McLeod  
1101 3<sup>rd</sup> Street, S.W.  
Washington, D.C. 20024  
(Ward 6)

to the Citizen Review Panel, established by section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the Chairperson of the Citizen Review Panel, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A RESOLUTION

21-387

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 2, 2016

To appoint Ms. Marie Cohen to the Citizen Review Panel.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Citizen Review Panel Marie Cohen Appointment Resolution of 2016”.

Sec. 2. The Council of the District of Columbia appoints:

Ms. Marie Cohen  
330 9<sup>th</sup> Street, S.E.  
Washington, D.C. 20003  
(Ward 6)

to the Citizen Review Panel, established by section 351 of the Prevention of Child Abuse and Neglect Act of 1977, effective April 12, 2005 (D.C. Law 15-341; D.C. Official Code § 4-1303.51), for a 3-year term.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the Chairperson of the Citizen Review Panel, and the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.



ENROLLED ORIGINAL

A RESOLUTION

21-388

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 2, 2016

To reappoint Mr. Fred Taylor to the Children and Youth Investment Trust Corporation Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Children and Youth Investment Trust Corporation Board of Directors Fred Taylor Reappointment Resolution of 2016”.

Sec. 2. The Council of the District of Columbia reappoints:

Mr. Fred Taylor  
124 S Street, N.W.  
Washington, D.C. 20001  
(Ward 5)

to the Board of Directors of the Children and Youth Investment Trust Corporation, established pursuant to section 2404 of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; 46 DCR 6408), for a 2-year term to end May 30, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Board of Directors of the Children and Youth Investment Trust Corporation, and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

ENROLLED ORIGINAL

## A RESOLUTION

21-389

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

February 2, 2016

To reappoint Ms. Jennifer Budoff to the Children and Youth Investment Trust Corporation Board of Directors as a non-voting advisor.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Children and Youth Investment Trust Corporation Board of Directors Jennifer Budoff Reappointment Resolution of 2016”.

Sec. 2. The Council of the District of Columbia reappoints:

Ms. Jennifer Budoff  
4410 49<sup>th</sup> Street, N.W.  
Washington, D.C. 20016  
(Ward 3)

as a non-voting advisor to the Board of Directors of the Children and Youth Investment Trust Corporation, established pursuant to section 2404 of the Children and Youth Initiative Establishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; 46 DCR 6408), for a 2-year term to end April 19, 2017.

Sec. 3. The Council of the District of Columbia shall transmit a copy of this resolution, upon its adoption, to the appointee, the chairperson of the Board of Directors of the Children and Youth Investment Trust Corporation, and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately upon the first date of publication in the District of Columbia Register.

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

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

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

---

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

PR21-598 Board of Barber and Cosmetology Ms. Sharon Young Confirmation Resolution of 2016

Intro. 3-18-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

---

PR21-599 Board of Barber and Cosmetology Mr. Mark Wills Confirmation Resolution of 2016

Intro. 3-18-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

---

PR21-600 Board of Barber and Cosmetology Mr. Jared M. Scott Confirmation Resolution of 2016

Intro. 3-18-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

---

PR21-601 Board of Barber and Cosmetology Mr. Anwar Saleem Confirmation Resolution of 2016

Intro. 3-18-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

---

PR21-602 Board of Barber and Cosmetology Mr. Paul Roe Confirmation Resolution of 2016

Intro. 3-18-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

---

PR21-603 Board of Barber and Cosmetology Raymond Kibler Confirmation Resolution of 2016

Intro. 3-18-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

---

PR21-604 Board of Barber and Cosmetology Richard DeCarlo Confirmation Resolution of 2016

Intro. 3-18-16 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Business, Consumer, and Regulatory Affairs

---

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-000086

License Class/Type: C Club

Applicant: The Metropolitan Club of DC

Trade Name: The Metropolitan Club Of The City Of Washington

ANC: 2B06

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

**1700 H ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 5 pm	10 am - 5 pm
Monday:	6:30 am - 9 pm	8 am - 9 pm
Tuesday:	6:30 am - 9 pm	8 am - 9 pm
Wednesday:	6:30 am - 9 pm	8 am - 9 pm
Thursday:	6:30 am - 9 pm	8 am - 9 pm
Friday:	6:30 am - 9 pm	8 am - 9 pm
Saturday:	8 am - 6 pm	8 am - 6 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-000221

License Class/Type: C Club

Applicant: Sulgrave Club Inc.

Trade Name: Sulgrave Club

ANC: 2B07

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

**1801 MASSACHUSETTS AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 Hours -	11 am -12 am
Monday:	24 Hours -	11 am - 2 am
Tuesday:	24 hours -	11 am - 2 am
Wednesday:	24 Hours -	11 am - 2 am
Thursday:	24 Hours -	11 am - 2 am
Friday:	24 Hours -	11 am - 2 am
Saturday:	24 Hours -	11 am - 2 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-000626

License Class/Type: C Club

Applicant: National Republican Club of Capitol Hill Inc.

Trade Name: Capitol Hill Club

ANC: 6B01

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

**300 1ST ST SE**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7 am - 11 pm	11:30 am - 11 pm
Monday:	7 am - 11 pm	11:30 am - 11 pm
Tuesday:	7 am - 11 pm	11:30 am - 11 pm
Wednesday:	7 am - 11 pm	11:30 am - 11 pm
Thursday:	7 am - 11 pm	11:30 am - 11 pm
Friday:	7 am - 11 pm	11:30 am - 11 pm
Saturday:	7 am - 11 pm	11:30 am - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-001324

License Class/Type: C Club

Applicant: The Capitol Yacht Club

Trade Name: Capital Yacht Club

ANC: 6B01

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

**660 Water ST SW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am -2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 2 am	8 am - 2 am
Saturday:	8 am - 2 am	8 am - 2 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-013816

License Class/Type: C Hotel

Applicant: Omni Hotel Management Corp

Trade Name: Shoreham Hotel (The)

ANC: 3C08

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

**2500 CALVERT ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 Hours -	11 am -2 am
Monday:	24 Hours -	11 am - 2 am
Tuesday:	24 Hours -	11 am - 2 am
Wednesday:	24 Hours -	11 am - 2 am
Thursday:	24 Hours -	11 am - 2 am
Friday:	24 Hours -	11 am - 3 am
Saturday:	24 Hours -	11 am - 3 am

**ENDORSEMENTS: Dancing Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060171

License Class/Type: C Hotel

Applicant: CCMH DC, LLC

Trade Name: J.W. Marriott Hotel

ANC: 2C01

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

**1331 PENNSYLVANIA AVE NW A**

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

**5/9/2016**

A HEARING WILL BE HELD ON:

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 Hours - 24 Hours	8am -2 am
Monday:	24 Hours - 24 Hours	8 am - 2 am
Tuesday:	24 Hours - 24 Hours	8 am - 2 am
Wednesday:	24 Hours - 24 Hours	8 am - 2 am
Thursday:	24 Hours - 24 Hours	8 am - 2 am
Friday:	24 Hours - 24 Hours	8 am - 3 am
Saturday:	24 Hours - 24 Hours	8 am - 3 am

**ENDORSEMENTS: Cover Charge Dancing Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-070893

License Class/Type: C Hotel

Applicant: Ccmh Metro Center LLC

Trade Name: The Marriott @Metro Center

ANC: 2C01

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

**775 12TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 Hours -	10 am -1 am
Monday:	24 Hours -	8 am - 1 am
Tuesday:	24 Hours -	8 am - 1 am
Wednesday:	24 Hours -	8 am - 1 am
Thursday:	24 Hours -	8 am - 1 am
Friday:	24 Hours -	8 am - 1 am
Saturday:	24 Hours -	8 am - 1 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-075037

License Class/Type: C Hotel

Applicant: CCHH Host Capitol Hill, LLC

Trade Name: Hyatt Regency Washington

ANC: 6C02

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

**400 NEW JERSEY AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 hours -	8 am - 2 am
Monday:	24 hours -	11 am - 2 am
Tuesday:	24 hours -	11 am - 2 am
Wednesday:	24 hours -	11 am - 2 am
Thursday:	24 hours -	11 am - 2 am
Friday:	24 hours -	11 am - 2 am
Saturday:	24 hours -	11 am - 2 am

**ENDORSEMENTS: Cover Charge Dancing Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-079244

License Class/Type: C Hotel

Applicant: DC Three Lessee, LLC

Trade Name: Hotel Rouge

ANC: 2B05

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

**1315 16TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 Hours -	10 am -2 am
Monday:	24 Hours -	8 am - 2 am
Tuesday:	24 Hours -	8 am - 2 am
Wednesday:	24 Hours -	8 am - 2 am
Thursday:	24 Hours -	8 am - 2 am
Friday:	24 Hours -	8 am - 3 am
Saturday:	24 Hours -	8 am - 3 am

**ENDORSEMENTS: Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-085654

License Class/Type: C Hotel

Applicant: Sunstone K9 Lessee, Inc.

Trade Name: Renaissance Hotel

ANC: 2C01

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

**999 9TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 hr - 24 hr	10 am -2 am
Monday:	24 hr - 24 hr	8 am - 2 am
Tuesday:	24 hr - 24 hr	8 am - 2 am
Wednesday:	24 hr - 24 hr	8 am - 2 am
Thursday:	24 hr - 24 hr	8 am - 2 am
Friday:	24 hr - 24 hr	8 am - 3 am
Saturday:	24 hr - 24 hr	8 am - 3 am

**ENDORSEMENTS: Cover Charge Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-088499

License Class/Type: C Hotel

Applicant: CHH Capital Tenant Corp.

Trade Name: Capital Hilton Hotel (The)

ANC: 2B05

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

**1001 16TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 hrs - 24 hrs	11 am -2 am
Monday:	24 hrs - 24 hrs	11 am - 2 am
Tuesday:	24 hrs - 24 hrs	11 am - 2 am
Wednesday:	24 hrs - 24 hrs	11 am - 2 am
Thursday:	24 hrs - 24 hrs	11 am - 2 am
Friday:	24 hrs - 24 hrs	11 am - 2 am
Saturday:	24 hrs - 24 hrs	11 am - 2 am

**ENDORSEMENTS: Dancing Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-089087

License Class/Type: C Hotel

Applicant: Silver P Lessee, LLC

Trade Name: Hotel Palomar / Urbana Restaurant and Wine Bar

ANC: 2B02

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

**2121 P ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 Hours - 24 Hours	10 am -2 am
Monday:	24 Hours - 24 Hours	8 am - 2 am
Tuesday:	24 Hours - 24 Hours	8 am - 2 am
Wednesday:	24 Hours - 24 Hours	8 am - 2 am
Thursday:	24 Hours - 24 Hours	8 am - 2 am
Friday:	24 Hours - 24 Hours	8 am - 3 am
Saturday:	24 Hours - 24 Hours	8 am - 3 am

**ENDORSEMENTS: Dancing Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-090337

License Class/Type: C Hotel

Applicant: DiamondRock DC M Street Tenant, LLC

Trade Name: The Westin Washington, D.C. City Center

ANC: 2F05

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

**1400 M ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 - hours	12 pm -2 am
Monday:	24 - hours	12 pm - 2 am
Tuesday:	24 - hours	12 pm - 2 am
Wednesday:	24 - hours	12 pm - 2 am
Thursday:	24 - hours	12 pm - 2 am
Friday:	24 - hours	12 pm - 3 am
Saturday:	24 - hours	12 pm - 3 am

**ENDORSEMENTS: Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-098868 License Class/Type: C Hotel

Applicant: HHLP Saint Gregory Lessee, LLC

Trade Name: St Gregory Luxury Hotel & Suites

ANC: 2A06

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

**2033 M ST NW**

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

**5/9/2016**

A HEARING WILL BE HELD ON:

**5/23/2016**

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	6 am - 12 am	10 am -12 am
Monday:	6 am - 12 am	8 am - 12 am
Tuesday:	6 am - 12 am	8 am - 12 am
Wednesday:	6 am - 12 am	8 am - 12 am
Thursday:	6 am - 12 am	8 am - 12 am
Friday:	6 am - 12 am	8 am - 12 am
Saturday:	6 am - 12 am	8 am - 12 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-001729

License Class/Type: C Multipurpose

Applicant: Washington Drama Society, Inc.

Trade Name: Arena Stage

ANC: 6D01

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

**1101 6TH ST SW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10am - 2am	10am -2am
Monday:	8am - 2am	8am - 2am
Tuesday:	8am - 2am	8am - 2am
Wednesday:	8am - 2am	8am - 2am
Thursday:	8am - 2am	8am - 2am
Friday:	8am - 3am	8am - 3am
Saturday:	8am - 3am	8am - 3am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-006447

License Class/Type: C Multipurpose

Applicant: JJB & DHW, Inc.

Trade Name: Best Vending

ANC: 2A01

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

**1776 D ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 2 am	10 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 2 am	8 am - 2 am
Saturday:	10 am - 2 am	10 am - 2 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-015112

License Class/Type: C Multipurpose

Applicant: JJB & DHW, Inc.

Trade Name: Best Vending II

ANC: 2A08

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

**730 21ST ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am -2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-000460

License Class/Type: C Restaurant

Applicant: Ballances Columbia Restaurant Inc.

Trade Name: Millie's And Al's Ballances Columbia Restaurant

ANC: 1C03

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

**2440 18TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12 pm - 2 am	12 pm - 2 am
Monday:	4 pm - 2 am	4 pm - 2 am
Tuesday:	4 pm - 2 am	4 pm - 2 am
Wednesday:	4 pm - 2 am	4 pm - 2 am
Thursday:	4 pm - 2 am	4 pm - 2 am
Friday:	4 pm - 3 am	4 pm - 3 am
Saturday:	12 pm - 3 am	12 pm - 3 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-000604

License Class/Type: C Restaurant

Applicant: 1218 Wisconsin Incorporated

Trade Name: El Centro D. F.

ANC: 2E05

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

**1218 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Cover Charge Dancing Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-001151

License Class/Type: C Restaurant

Applicant: The Washington Palm Inc.

Trade Name: The Washington Palm

ANC: 2B07

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

**1225 19TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	5:30 pm - 12 am	5:30 pm - 12 am
Monday:	11:30 am - 12 am	11:30 am - 12 am
Tuesday:	11:30 am - 12 am	11:30 am - 12 am
Wednesday:	11:30 am - 12 am	11:30 am - 12 am
Thursday:	11:30 am - 12 am	11:30 am - 12 am
Friday:	11:30 am - 12 am	11:30 am - 12 am
Saturday:	5:30 pm - 12 am	5:30 pm - 12 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-001448

License Class/Type: C Restaurant

Applicant: Tamakin Inc.

Trade Name: Yosaku Restaurant

ANC: 3E03

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

**4712 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Monday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Tuesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Wednesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Thursday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Friday:	11:30 am - 11:30 pm	11:30 am - 11:30 pm
Saturday:	11:30 am - 11:30 pm	11:30 am - 11:30 pm

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-001845

License Class/Type: C Restaurant

Applicant: C T Chiang of Washington, Inc.

Trade Name: Chalin's Restaurant

ANC: 2B06

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

**1912 I ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12 pm - 10 pm	12 pm -9:30 pm
Monday:	11:30 am - 10:30 pm	11:30 am - 10 pm
Tuesday:	11:30 am - 10:30 pm	11:30 am - 10 pm
Wednesday:	11:30 am - 10:30 pm	11:30 am - 10 pm
Thursday:	11:30 am - 10:30 pm	11:30 am - 10 pm
Friday:	11:30 am - 10:30 pm	11:30 am - 10 pm
Saturday:	12 pm - 10 pm	12 pm - 9:30 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-009655

License Class/Type: C Restaurant

Applicant: New Japan Inc.

Trade Name: Sushi Taro

ANC: 2B05

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

**1503 17TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	closed -	closed -closed
Monday:	11:30 am - 10 pm	11:30 am - 10 pm
Tuesday:	11:30 am - 10 pm	11:30 am - 10 pm
Wednesday:	11:30 am - 10 pm	11:30 am - 10 pm
Thursday:	11:30 am - 10 pm	11:30 am - 10 pm
Friday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Saturday:	5:30 pm - 10:30 pm	5:30 pm - 10:30 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-011919

License Class/Type: C Restaurant

Applicant: Kramer Books & Afterwords Inc.

Trade Name: Kramerbooks & Afterwords

ANC: 2B03

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

**1517 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	3 am - 1 am	10 am - 1 am
Monday:	7:30 am - 1 am	11 am - 1 am
Tuesday:	7:30 am - 1 am	11 am - 1 am
Wednesday:	7:30 am - 1 am	11 am - 1 am
Thursday:	7:30 am - 1 am	11 am - 1 am
Friday:	7:30 am - 3 am	11 am - 3 am
Saturday:	3 am - 3 am	10 am - 3 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-014130

License Class/Type: C Restaurant

Applicant: Hard Rock Cafe International (STP), Inc.

Trade Name: Hard Rock Cafe

ANC: 2C01

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

**999 E ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 2 am	8 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

**ENDORSEMENTS: Cover Charge Dancing Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-014760

License Class/Type: C Restaurant

Applicant: The Cheesecake Factory RestaurantsInc.

Trade Name: The Cheesecake Factory

ANC: 3E04

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

**5345 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 12 am	11 am -12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 2 am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

**ENDORSEMENTS: Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-020060

License Class/Type: C Restaurant

Applicant: Bertucci's Restaurant Corporation

Trade Name: Bertucci's Brick Oven Pizzeria

ANC: 2A08

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

**2000 PENNSYLVANIA AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 12 am	11 am -12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-020711

License Class/Type: C Restaurant

Applicant: Kabila, Inc.

Trade Name: Thunder Burger & Bar

ANC: 2E05

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

**3056 M ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-021676

License Class/Type: C Restaurant

Applicant: Yanlim Inc.

Trade Name: Spices Restaurant

ANC: 3C04

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

**3333 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-022928

License Class/Type: C Restaurant

Applicant: Thai Chef Inc.

Trade Name: Thai Chef

ANC: 2B01

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

**1712 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12 pm - 10:30 pm	12 pm -10:30 pm
Monday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Tuesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Wednesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Thursday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Friday:	11:30 am - 11 pm	11:30 am - 11 pm
Saturday:	12 pm - 11 pm	12 pm - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-024470

License Class/Type: C Restaurant

Applicant: Magic Meals Inc.

Trade Name: Nooshi

ANC: 2B06

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

**1120 19TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11:30 am - 2am	11:30 am -2am
Monday:	11:30 am - 2am	11:30 am - 2am
Tuesday:	11:30 am - 2am	11:30 am - 2am
Wednesday:	11:30 am - 2am	11:30 am - 2am
Thursday:	11:30 am - 2am	11:30 am - 2am
Friday:	11:30 am - 2am	11:30 am - 2am
Saturday:	11:30 am - 2am	11:30 am - 2am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-025153

License Class/Type: C Restaurant

Applicant: Al-Hamd Incorporated

Trade Name: Aatish On The Hill

ANC: 6B02

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

**609 PENNSYLVANIA AVE SE**

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

**5/9/2016**

A HEARING WILL BE HELD ON:

**5/23/2016**

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 11 pm	11 am - 11 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-025982

License Class/Type: C Restaurant

Applicant: Joyti Foods, Inc.

Trade Name: Jyoti Foods Cuisine

ANC: 1C07

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

**2433 18TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11:30 am - 12 am	11:30 am - 12 am
Monday:	11:30 am - 12 am	11:30 am - 12 am
Tuesday:	11:30 am - 12 am	11:30 am - 12 am
Wednesday:	11:30 am - 12 am	11:30 am - 12 am
Thursday:	11:30 am - 12 am	11:30 am - 12 am
Friday:	11:30 am - 12 am	11:30 am - 12 am
Saturday:	11:30 am - 12 am	11:30 am - 12 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-026206

License Class/Type: C Restaurant

Applicant: Cairo Inc.

Trade Name: Medaterra

ANC: 3C02

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

**2614 CONNECTICUT AVE NW**

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

**5/9/2016**

A HEARING WILL BE HELD ON:

**5/23/2016**

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-026246

License Class/Type: C Restaurant

Applicant: Tono Inc.

Trade Name: Tono-sushi Restaurant

ANC: 3C01

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

**2605 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-026658

License Class/Type: C Restaurant

Applicant: Ark Southwest D.C. Corp

Trade Name: Thunder Grill

ANC: 6C04

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

**50 MASSACHUSETTS AVE NE P**

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

**5/9/2016**

A HEARING WILL BE HELD ON:

**5/23/2016**

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11:30 am - 12 am	11:30 am - 12 am
Monday:	11:30 am - 12 am	11:30 am - 12 am
Tuesday:	11:30 am - 12 am	11:30 am - 12 am
Wednesday:	11:30 am - 12 am	11:30 am - 12 am
Thursday:	11:30 am - 12 am	11:30 am - 12 am
Friday:	11:30 am - 12 am	11:30 am - 12 am
Saturday:	11:30 am - 12 am	11:30 am - 12 am

**ENDORSEMENTS: Dancing Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060003

License Class/Type: C Restaurant

Applicant: Solloso, Inc.

Trade Name: El Rincon

ANC: 1C03

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

**1826 COLUMBIA RD NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	10 am - 2 am	10 am - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

**ENDORSEMENTS: Dancing Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060069

License Class/Type: C Restaurant

Applicant: RJJJ Restaurant, Corporation

Trade Name: Bobby Van's Steakhouse

ANC: 2C01

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

**805 15TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060138

License Class/Type: C Restaurant

Applicant: Cafe Dupont, LLC

Trade Name: Cafe Citron

ANC: 2B07

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

**1343 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	3 pm - 3 am	3 pm - 3 am

**ENDORSEMENTS: Dancing Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060635

License Class/Type: C Restaurant

Applicant: Ella's Wood-fired Pizza, LLC

Trade Name: Ella's Wood-Fired Pizza, LLC

ANC: 2C01

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

**901 F ST NW B**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	10 am - 2 am	10 am - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060730

License Class/Type: C Restaurant

Applicant: Rice Restaurant, LLC

Trade Name: Rice Restaurant & Bar

ANC: 2F01

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

**1608 14TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 1 am	8 am - 1 am
Monday:	8 am - 1 am	8 am - 1 am
Tuesday:	8 am - 1 am	8 am - 1 am
Wednesday:	8 am - 1 am	8 am - 1 am
Thursday:	8 am - 1 am	8 am - 1 am
Friday:	8 am - 2 am	8 am - 2 am
Saturday:	8 am - 2 am	8 am - 2 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060757

License Class/Type: C Restaurant

Applicant: Rosa Mexicano DC LLC

Trade Name: Rosa Mexicano

ANC: 2C01

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

**575 7TH ST NW 1**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 12 am	11 am -12 am
Monday:	11:30 am - 1 am	11:30 am - 1 am
Tuesday:	11:30 am - 1 am	11:30 am - 1 am
Wednesday:	11:30 am - 1 am	11:30 am - 1 am
Thursday:	11:30 am - 1 am	11:30 am - 1 am
Friday:	11:30 am - 2 am	11:30 am - 2 am
Saturday:	11 am - 2 am	11am - 2 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060797

License Class/Type: C Restaurant

Applicant: Lobo's Inc

Trade Name: Don Lobo's Mexican Grill

ANC: 2E06

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

**2811 M ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-060806

License Class/Type: C Restaurant

Applicant: MST Enterprises, Inc.

Trade Name: Churreria Madrid Restaurant

ANC: 1C07

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

**2505 CHAMPLAIN ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -2 am
Monday:	closed - closed	closed - closed
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-070876

License Class/Type: C Restaurant

Applicant: El Amigo, Inc.

Trade Name: El Amigo Restaurant

ANC: 1A01

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

**3612 14TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 1 am	11 am - 1 am
Monday:	8 am - 1 am	11 am - 1 am
Tuesday:	8 am - 1 am	11 am - 1 am
Wednesday:	8 am - 1 am	11 am - 1 am
Thursday:	8 am - 1 am	11 am - 1 am
Friday:	8 am - 1 am	11 am - 1 am
Saturday:	8 am - 1 am	11 am - 1 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-071453

License Class/Type: C Restaurant

Applicant: Ark Potomac Corp

Trade Name: Sequoia Grill

ANC: 2E05

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

**3000 K ST NW 00500**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 2 am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

**ENDORSEMENTS: Dancing Entertainment Sidewalk Cafe Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-072357

License Class/Type: C Restaurant

Applicant: Paolo's GT, LLC

Trade Name: Paolo's

ANC: 2E05

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

**1303 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Monday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Tuesday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Wednesday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Thursday:	11:30 am - 1:30 am	11:30 am - 1:30 am
Friday:	11:30 am - 2:30 am	11:30 am - 2:30 am
Saturday:	11:30 am - 2:30 am	11:30 am - 2:30 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-072593

License Class/Type: C Restaurant

Applicant: Passion Food Four, LLC

Trade Name: Acadiana

ANC: 2C01

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

**901 NEW YORK AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-073165

License Class/Type: C Restaurant

Applicant: Strathroy Park Corp.

Trade Name: Bobby Van's Grill

ANC: 2C01

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

**1201 NEW YORK AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-073188

License Class/Type: C Restaurant

Applicant: Simply Home Cuisine, LLC

Trade Name: D C Noodles

ANC: 2B09

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

**1410 U ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 1 am	11 am -1 am
Monday:	11 am - 1 am	11 am - 1 am
Tuesday:	11 am - 1 am	11 am - 1 am
Wednesday:	11 am - 1 am	11 am - 1 am
Thursday:	11 am - 1 am	11 am - 1 am
Friday:	11 am - 2 am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-073951

License Class/Type: C Restaurant

Applicant: Jun King Provisions, Inc

Trade Name: Full Kee Restaurant

ANC: 2C01

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

**509 H ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 2 am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-074173

License Class/Type: C Restaurant

Applicant: Fogo De Chao Churrascaria (Washington D.C.),LLC

Trade Name: Fogo De Chao Churrascaria

ANC: 2C01

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

**1101 PENNSYLVANIA AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 12 am	11 am -12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-074897

License Class/Type: C Restaurant

Applicant: Big Cheese, LLC

Trade Name: Comet Pizza

ANC: 3F05

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

**5037 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	10 am - 2 am	10 am - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-075875

License Class/Type: C Restaurant

Applicant: Ku-Washington Corporation

Trade Name: Sichuan Pavilion

ANC: 2B06

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

**1814 K ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 11 pm	11 am - 11 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-076435

License Class/Type: C Restaurant

Applicant: Old Glory-DC LLC

Trade Name: Old Glory

ANC: 2E05

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

**3139 M ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -1:30 am
Monday:	11:30 am - 2 am	11:30 am - 1:30 am
Tuesday:	11:30 am - 2 am	11:30 am - 1:30 am
Wednesday:	11:30 am - 2 am	11:30 am - 1:30 am
Thursday:	11:30 am - 2 am	11:30 am - 1:30 am
Friday:	11:30 am - 3 am	11:30 am - 2:30 am
Saturday:	11:30 am - 3 am	11:30 am - 2:30 am

**ENDORSEMENTS: Cover Charge Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-076962

License Class/Type: C Restaurant

Applicant: Momiji Rest. Corp

Trade Name: Momiji

ANC: 2C01

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

**503 H ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 2 am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

**ENDORSEMENTS: Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-076966

License Class/Type: C Restaurant

Applicant: Blues Alley Jazz, LLC

Trade Name: Blues Alley Jazz

ANC: 2E05

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

**1069 RR WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	6 pm - 12 am	6 pm - 12 am
Monday:	6 pm - 12 am	6 pm - 12 am
Tuesday:	6 pm - 12 am	6 pm - 12 am
Wednesday:	6 pm - 12 am	6 pm - 12 am
Thursday:	6 pm - 12 am	6 pm - 12 am
Friday:	6 pm - 2 am	6 pm - 2 am
Saturday:	6 pm - 2 am	6 pm - 2 am

**ENDORSEMENTS: Cover Charge Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-077127

License Class/Type: C Restaurant

Applicant: GBR-DC, LLC

Trade Name: Georgia Brown's

ANC: 2B05

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

**950 15TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-077576

License Class/Type: C Restaurant

Applicant: Vigor Restaurant, LLC

Trade Name: Epicurean and Company

ANC: 2E01

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

**3800 RESERVOIR RD NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	24 HOURS -	11 am -2 am
Monday:	24 HOURS -	11 am - 2 am
Tuesday:	24 HOURS -	11 am - 2 am
Wednesday:	24 HOURS -	11 am - 2 am
Thursday:	24 HOURS -	11 am - 2 am
Friday:	24 HOURS -	11 am - 2 am
Saturday:	24 HOURS -	11 am - 2 am

**ENDORSEMENTS: Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-078301

License Class/Type: C Restaurant

Applicant: Malabata, LLC

Trade Name: Bodega

ANC: 2E05

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

**3116 M ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 1:30 am	10 am - 1:30 am
Monday:	10 am - 1:30 am	10 am - 1:30 am
Tuesday:	10 am - 1:30 am	10 am - 1:30 am
Wednesday:	10 am - 1:30 am	10 am - 1:30 am
Thursday:	10 am - 1:30 am	10 am - 1:30 am
Friday:	10 am - 2:30 am	10 am - 2:30 am
Saturday:	10 am - 2:30 am	10 am - 2:30 am

**ENDORSEMENTS: Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-078332

License Class/Type: C Restaurant

Applicant: A Modo Mio, Inc.

Trade Name: Et Voila

ANC: 3D05

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

**5120 MACARTHUR BLVD NW**

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

**5/9/2016**

A HEARING WILL BE HELD ON:

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 10:30 pm	11 am -10:30 pm
Monday:	11 am - 11 pm	11 am - 11 pm
Tuesday:	11 am - 11 pm	11 am - 11 pm
Wednesday:	11 am - 11 pm	11 am - 11 pm
Thursday:	11 am - 11 pm	11 am - 11 pm
Friday:	11 am - 12 am	11 am - 12 am
Saturday:	11 am - 12 am	11 am - 12 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-078790

License Class/Type: C Restaurant

Applicant: Chen & Zheng Inc.

Trade Name: Satay Club Asian Restaurant

ANC: 3E03

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

**4654 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Monday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Tuesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Wednesday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Thursday:	11:30 am - 10:30 pm	11:30 am - 10:30 pm
Friday:	11:30 am - 11 pm	11:30 am - 11 pm
Saturday:	11:30 am - 11 pm	11:30 am - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-078949

License Class/Type: C Restaurant

Applicant: JBS Inc

Trade Name: Rocklands Barbeque and Grilling Company

ANC: 3B02

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

**2416 - 2418 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 9 pm	10 am -9 pm
Monday:	11 am - 10 pm	11 am - 10 pm
Tuesday:	11 am - 10 pm	11 am - 10 pm
Wednesday:	11 am - 10 pm	11 am - 10 pm
Thursday:	11 am - 10 pm	11 am - 10 pm
Friday:	11 am - 10 pm	11 am - 10 pm
Saturday:	11 am - 10 pm	11 am - 10 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-080056

License Class/Type: C Restaurant

Applicant: Acqua 2 Limited Partnership I

Trade Name: Acqua al 2/Suna/Harold Black Bar

ANC: 6B02

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

**212 7TH ST SE**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	10 am - 2 am	10 am - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-080916

License Class/Type: C Restaurant

Applicant: Acacia Skylan, Inc.

Trade Name: Acacia Wellness Bistro

ANC: 3F01

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

**4340 Connecticut AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 12 am	11 am -12 am
Monday:	6 am - 12 am	11 am - 12 am
Tuesday:	6 am - 12 am	11 am - 12 am
Wednesday:	6 am - 12 am	11 am - 12 am
Thursday:	6 am - 12 am	11 am - 12 am
Friday:	6 am - 12 am	11 am - 12 am
Saturday:	8 am - 12 am	11 am - 12 am

**ENDORSEMENTS: Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-081772

License Class/Type: C Restaurant

Applicant: Siam House DC Inc.

Trade Name: Siam House DC

ANC: 3C05

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

**3520 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12 pm - 10 pm	12 pm - 10 pm
Monday:	11 am - 10 pm	11 am - 10 pm
Tuesday:	11 am - 10 pm	11 am - 10 pm
Wednesday:	11 am - 10 pm	11 am - 10 pm
Thursday:	11 am - 10 pm	11 am - 10 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	12 pm - 11 pm	12 pm - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-082457

License Class/Type: C Restaurant

Applicant: CUBA LIBRE DC LLC

Trade Name: Cuba Libre Restaurant & Rum Bar

ANC: 2C01

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

**801 9TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 3 am	11 am -2 am
Monday:	11 am - 3 am	11 am - 2 am
Tuesday:	11 am - 3 am	11 am - 2 am
Wednesday:	11 am - 3 am	11 am - 2 am
Thursday:	11 am - 3 am	11 am - 2 am
Friday:	11 am - 4 am	11 am - 3 am
Saturday:	11 am - 4 am	11 am - 3 am

**ENDORSEMENTS: Cover Charge Dancing Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-083707

License Class/Type: C Restaurant

Applicant: GF, Inc.

Trade Name: Il Canale

ANC: 2E05

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

**1063 - 1065 31st ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Entertainment Sidewalk Cafe Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-084082

License Class/Type: C Restaurant

Applicant: Khan's BBQ Inc.

Trade Name: Khan's

ANC: 6A02

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

**1125 H ST NE**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7am - 2am	10am -2am
Monday:	7am - 2am	10am - 2am
Tuesday:	7am - 2am	10am - 2am
Wednesday:	7 am - 2am	10 am - 2am
Thursday:	7am - 3:30am	10am - 2am
Friday:	7am - 3:30am	10am - 3am
Saturday:	7am - 3:30am	10am - 3am

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-084505

License Class/Type: C Restaurant

Applicant: Tropicalia Project LLC

Trade Name: Bossa Brazilian Bistro

ANC: 1C07

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

**2463 18TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Cover Charge Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-084925

License Class/Type: C Restaurant

Applicant: Romi-Rome Productions, LLC

Trade Name: Morgan's Seafood Bar & Grill

ANC: 1A09

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

**3200 GEORGIA AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am -2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-085365

License Class/Type: C Restaurant

Applicant: Passion Food Six, LLC

Trade Name: District Commons/Burger Tap & Shake

ANC: 2A07

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

**2200 Pennsylvania AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7 am - 2 am	10 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am
Saturday:	7 am - 3 am	8 am - 3 am

**ENDORSEMENTS: Sidewalk Cafe Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-085618

License Class/Type: C Restaurant

Applicant: Nooshi Capitol Hill, Inc.

Trade Name: Nooshi Capitol Hill

ANC: 6B04

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

**524 8TH ST SE**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 1 am	8 am - 1 am
Monday:	8 am - 1 am	8 am - 1 am
Tuesday:	8 am - 1 am	8 am - 1 am
Wednesday:	8 am - 1 am	8 am - 1 am
Thursday:	8 am - 1 am	8 am - 1 am
Friday:	8 am - 2 am	8 am - 2 am
Saturday:	8 am - 2 am	8 am - 2 am

**ENDORSEMENTS: Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-085977

License Class/Type: C Restaurant

Applicant: Blue 44 LLC

Trade Name: Blue 44

ANC: 3G05

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

**5507 CONNECTICUT AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 12 am	10 am -12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 2 am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-086644

License Class/Type: C Restaurant

Applicant: Das Ethiopian, Inc.

Trade Name: Das Ethiopian Cuisine

ANC: 2E06

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

**1201 28TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am -2 am
Monday:	11 am - 2 am	11 am - 2 am
Tuesday:	11 am - 2 am	11 am - 2 am
Wednesday:	11 am - 2 am	11 am - 2 am
Thursday:	11 am - 2 am	11 am - 2 am
Friday:	11 am - 2am	11 am - 2 am
Saturday:	11 am - 2 am	11 am - 2 am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-088102

License Class/Type: C Restaurant

Applicant: Chicken Tortilla, Inc.

Trade Name: Ocopa

ANC: 6A06

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

**1324 H ST NE**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 2 am	11 am - 1:30 am
Monday:	8 am - 2 am	11 am - 1:30 am
Tuesday:	8 am - 2 am	11 am - 1:30 am
Wednesday:	8 am - 2 am	11 am - 1:30 am
Thursday:	8 am - 2 am	11 am - 1:30 am
Friday:	8 am - 2 am	11 am - 1:30 am
Saturday:	8 am - 2 am	11 am - 1:30 am

**ENDORSEMENTS: Dancing Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-088497

License Class/Type: C Restaurant

Applicant: Hong Fu Corporation

Trade Name: Young Chow Asian Restaurant

ANC: 6B01

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

**312 PENNSYLVANIA AVE SE**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 10:30 pm	11 am -10:30 pm
Monday:	11 am - 10:30 pm	11 am - 10:30 pm
Tuesday:	11 am - 10:30 pm	11 am - 10:30 pm
Wednesday:	11 am - 10:30 pm	11 am - 10:30 pm
Thursday:	11 am - 10:30 pm	11 am - 10:30 pm
Friday:	11 am - 11 pm	11 am - 11 pm
Saturday:	11 am - 11 pm	11 am - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-088512

License Class/Type: C Restaurant

Applicant: LemLem, LLC

Trade Name: Keren Restaurant

ANC: 2B08

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

**1780 FLORIDA AVE NW 00711**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7 am - 2 am	8 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am
Saturday:	7 am - 3 am	8 am - 3 am

**ENDORSEMENTS: Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-089785

License Class/Type: C Restaurant

Applicant: Barcelona 14th Street, LLC

Trade Name: Barcelona Wine Bar

ANC: 2F01

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

**1622 14TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12 pm - 12 am	12 pm - 12 am
Monday:	12 pm - 12 am	12 pm - 12 am
Tuesday:	12 pm - 2 am	12 pm - 2 am
Wednesday:	12 pm - 2 am	12 pm - 2 am
Thursday:	12 pm - 2 am	12 pm - 2 am
Friday:	12 pm - 2 am	12 pm - 2 am
Saturday:	12 pm - 2 am	12 pm - 2 am

**ENDORSEMENTS: Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-090369

License Class/Type: C Restaurant

Applicant: Tacos El Chilango (DC) LLC

Trade Name: Tacos El Chilango

ANC: 1B02

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

**1119 V ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11am - 11pm	11am - 11pm
Monday:	11am - 11pm	11am - 11pm
Tuesday:	11am - 11pm	11am - 11pm
Wednesday:	11am - 11pm	11am - 11pm
Thursday:	11am - 11pm	11am - 11pm
Friday:	11am - 11pm	11am - 11pm
Saturday:	11am - 11pm	11am - 11pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-090832

License Class/Type: C Restaurant

Applicant: SEATON MOTOR COMPANY LLC

Trade Name: RED HEN

ANC: 5E07

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

**1822 1st ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7 am - 2 am	8 am - 2 am
Monday:	7 am - 2 am	8 am - 2 am
Tuesday:	7 am - 2 am	8 am - 2 am
Wednesday:	7 am - 2 am	8 am - 2 am
Thursday:	7 am - 2 am	8 am - 2 am
Friday:	7 am - 3 am	8 am - 3 am
Saturday:	7 am - 3 am	7 am - 3 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-090993

License Class/Type: C Restaurant

Applicant: Cabo Negro, Inc.

Trade Name: Maxime Steak Frites & Bar

ANC: 2E06

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

**2915 M ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 2 am	10 am - 2 am
Monday:	10 am - 2 am	10 am - 2 am
Tuesday:	10 am - 2 am	10 am - 2 am
Wednesday:	10 am - 2 am	10 am - 2 am
Thursday:	10 am - 2 am	10 am - 2 am
Friday:	10 am - 3 am	10 am - 3 am
Saturday:	10 am - 3 am	10 am - 3 am

**ENDORSEMENTS: Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-091704

License Class/Type: C Restaurant

Applicant: Purple Feet, LLC

Trade Name: Flight

ANC: 2C03

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

**777 6TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 2 am	8 am - 2 am
Monday:	8 am - 2 am	8 am - 2 am
Tuesday:	8 am - 2 am	8 am - 2 am
Wednesday:	8 am - 2 am	8 am - 2 am
Thursday:	8 am - 2 am	8 am - 2 am
Friday:	8 am - 3 am	8 am - 3 am
Saturday:	8 am - 3 am	8 am - 3 am

**ENDORSEMENTS: Dancing Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-092541

License Class/Type: C Restaurant

Applicant: BRRCO Massachusetts Ave, LLC

Trade Name: Bolt Burger

ANC: 2C01

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

**1010 Massachusetts AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7am - 12:30am	8am - 12:30am
Monday:	7am - 12:30am	8am - 12:30am
Tuesday:	7am - 12:30am	8am - 12:30am
Wednesday:	7am - 12:30am	8am - 12:30am
Thursday:	7am - 12:30am	8am - 12:30am
Friday:	7am - 1:30am	8am - 1:30am
Saturday:	7am - 1:30am	8am - 1:30am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-092977

License Class/Type: C Restaurant

Applicant: Pho Viet & Grills, LLC

Trade Name: Pho Viet & Grille

ANC: 2E02

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

**1639 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	8 am - 11 pm	10 am - 11 pm
Monday:	8 am - 11 pm	10 am - 11 pm
Tuesday:	8 am - 11 pm	10 am - 11 pm
Wednesday:	8 am - 11 pm	10 am - 11 pm
Thursday:	8 am - 11 pm	10 am - 11 pm
Friday:	8 am - 12 am	10 am - 12 am
Saturday:	8 am - 12 am	10 am - 12 am

**ENDORSEMENTS: Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-092986

License Class/Type: C Restaurant

Applicant: T & K Corp.

Trade Name: Kintaro

ANC: 2E05

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

**1039 33RD ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	12 pm - 9 pm	12 pm -9 pm
Monday:	Closed -	Closed -
Tuesday:	12 pm - 10 pm	12 pm - 10 pm
Wednesday:	12 pm - 10 pm	12 pm - 10 pm
Thursday:	12 pm - 10 pm	12 pm - 10 pm
Friday:	12 pm - 10:30 pm	12 pm - 10:30 pm
Saturday:	11:30 am - 11 pm	11:30 am - 11 pm

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-095147

License Class/Type: C Restaurant

Applicant: Passion Food Nine LLC

Trade Name: Penn Commons

ANC: 2C01

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

**700 6TH ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7am - 2am	8am -2am
Monday:	7am - 2am	8am - 2am
Tuesday:	7am - 2am	8am - 2am
Wednesday:	7am - 2am	8am - 2am
Thursday:	7am - 2am	8am - 2am
Friday:	7am - 3am	8am - 3am
Saturday:	7am - 3am	8am - 3am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-095281

License Class/Type: C Restaurant

Applicant: Del Frisco's of Washington DC LLC

Trade Name: Del Frisco's Double Eagle Steak House

ANC: 2C

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

**950 I ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11am - 1am	11am - 1am
Monday:	11am - 1am	11am - 1am
Tuesday:	11am - 1am	11am - 1am
Wednesday:	11am - 1am	11am - 1am
Thursday:	11am - 1am	11am - 1am
Friday:	11am - 2am	11am - 2am
Saturday:	11am - 2am	11am - 2am

**ENDORSEMENTS: Entertainment Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-096613

License Class/Type: C Restaurant

Applicant: MI CUBA CAFE, INC

Trade Name: MI CUBA CAFE

ANC: 1A05

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

**1424 PARK RD NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	10 am - 12 am	12 pm - 12 am
Monday:	10 am - 12 am	12 pm - 12 am
Tuesday:	10 am - 12 am	12 pm - 12 am
Wednesday:	10 am - 12 am	12 pm - 12 am
Thursday:	10 am - 12 am	12 pm - 12 am
Friday:	10 am - 12 am	12 pm - 12 am
Saturday:	10 am - 12 am	12 pm - 12 am

**ENDORSEMENTS:**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-097478

License Class/Type: C Restaurant

Applicant: BTS Two, LLC

Trade Name: Burger Tap & Shake

ANC: 3E01

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

**4445 WISCONSIN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	7 am - 2am	8 am - 12 am
Monday:	7 am - 2 am	8 am - 12 am
Tuesday:	7 am - 2 am	8 am - 12 am
Wednesday:	7 am - 2 am	8 am - 12 am
Thursday:	7 am - 2 am	8 am - 12 am
Friday:	7 am - 3 am	8 am - 1am
Saturday:	7 am - 3 am	8 am - 1am

**ENDORSEMENTS: Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-097610 License Class/Type: C Restaurant

Applicant: BARCELONA CATHEDRAL LLC

Trade Name: Barcelona

ANC: 3C07

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

**3310 WISCONSIN AVE NW**

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

**5/9/2016**

A HEARING WILL BE HELD ON:

**5/23/2016**

AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11AM - 1AM	11AM - 1AM
Monday:	11AM - 1AM	11AM - 1AM
Tuesday:	11AM - 1AM	1AM - 1AM
Wednesday:	11AM - 1AM	11AM - 1AM
Thursday:	11AM - 1AM	11AM - 1AM
Friday:	11AM - 2AM	11AM - 2AM
Saturday:	11AM - 2AM	11AM - 2AM

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-098603

License Class/Type: C Restaurant

Applicant: Green T. Group II, Inc.

Trade Name: Sala Thai (Minnesota Ave)

ANC: 7F01

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

**4020 Minnesota AVE NE, UNIT# 118**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 12 am	11 am -12 am
Monday:	11 am - 12 am	11 am - 12 am
Tuesday:	11 am - 12 am	11 am - 12 am
Wednesday:	11 am - 12 am	11 am - 12 am
Thursday:	11 am - 12 am	11 am - 12 am
Friday:	11 am - 3 am	11 am - 3 am
Saturday:	11 am - 3 am	11 am - 3 am

**ENDORSEMENTS: Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423



**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-099452

License Class/Type: C Restaurant

Applicant: ACOSTAS GROUP Corporation

Trade Name: DC Grill Express

ANC: 2B08

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

**1917 18th ST NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 10 pm	9 am - 10 pm
Monday:	9 am - 10 pm	9 am - 10 pm
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 11 pm	9 am - 11 pm
Saturday:	9 am - 11 pm	9 am - 11 pm

**ENDORSEMENTS: Entertainment Sidewalk Cafe**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-099954

License Class/Type: C Restaurant

Applicant: Esencias Panamenas LLC

Trade Name: Esencias Panamenas

ANC: 1A03

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

**3322 - 3324 GEORGIA AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	11 am - 2 am	11 am - 1 am
Monday:	11 am - 2 am	11 am - 1 am
Tuesday:	11 am - 2 am	11 am - 1 am
Wednesday:	11 am - 2 am	11 am - 1 am
Thursday:	11 am - 2 am	11 am - 1 am
Friday:	11 am - 2 am	11 am - 1 am
Saturday:	11 am - 2 am	11 am - 1 am

**ENDORSEMENTS: Entertainment**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ON  
3/25/2016**

Notice is hereby given that:

License Number: ABRA-083338

License Class/Type: D Multipurpose

Applicant: Hillwood Estate Museum & Gardens

Trade Name: Hillwood Museum & Gardens Foundation

ANC: 3F07

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

**4155 LINNEAN AVE NW**

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

**5/9/2016**

**A HEARING WILL BE HELD ON:**

**5/23/2016**

**AT 10:00 a.m., 2000 14th STREET, NW, 4th FLOOR, WASHINGTON, DC 20009**

<b>Days</b>	<b>Hours of Operation</b>	<b>Hours of Sales/Service</b>
Sunday:	9 am - 10 pm	12 pm - 10 pm
Monday:	Closed - Closed	Closed - Closed
Tuesday:	9 am - 10 pm	9 am - 10 pm
Wednesday:	9 am - 10 pm	9 am - 10 pm
Thursday:	9 am - 10 pm	9 am - 10 pm
Friday:	9 am - 10 pm	9 am - 10 pm
Saturday:	9 am - 10 pm	9 am - 10 pm

**ENDORSEMENTS: Summer Garden**

FOR FURTHER INFORMATION CALL: (202) 442-4423

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION****NOTICE OF PUBLIC HEARING**

Posting Date: March 25, 2016  
Petition Date: May 9, 2016  
Hearing Date: May 23, 2016  
Protest Hearing: July 20, 2016

License No.: ABRA-102177  
Licensee: Adams Morgan Hotel Operator, LLC  
Trade Name: The Line DC  
License Class: Retail Class "C" Hotel  
Address: 1780 Columbia Road, N.W.  
Contact: Stephen O'Brien 202-625-7700

WARD 1

ANC 1C

SMD 1C07

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 14<sup>th</sup> 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 July 20, 2016 at 1:30 pm.

**NATURE OF OPERATION**

New full service hotel with two restaurant featuring meeting and event spaces, gym spa, and swimming pool. Live entertainment will be offered for booked events (such as wedding receptions) Occupancy load is 220 rooms, two Summer Gardens with 460 seats (Rooftop and ground level). Entertainment with dancing.

**HOURS OF OPERATON**

Sunday through and Saturday 24-Hours

**HOURS OF SALES/SERVICE/CONSUMPTION**

Sunday through Thursday 8:00am –2:00am, Friday and Saturday 8:00am –3:00am

**HOURS OF OPERATION/SALES/SERVICE/CONSUMPTION OF SUMMER GARDENS**

Sunday through Thursday 8:00am –11:00pm, Friday and Saturday 8:00am –12:00am

**HOURS OF OPERATION OF ENTERTAINMENT INDOORS**

Sunday through Thursday 8:00am –2:00am, Friday and Saturday 8:00am –3:00am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 25, 2016
Petition Date: May 9, 2016
Hearing Date: May 23, 2016
Protest Hearing: July 20, 2016

License No.: ABRA-102179
Licensee: WW 1328 Florida Avenue, LLC
Trade Name: We Work
License Class: Retail Class "C" Tavern
Address: 1328 Florida Avenue, N.W.
Contact: Stephen O'Brien 202-625-7700

WARD 1 ANC 1B SMD 1B04

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 July 20, 2016 at 1:30 pm.

NATURE OF OPERATION

New Tavern. It will be a shared professional office space with food, beverages, and wine available for members (tenants) and their guests, Members may stage events for clients and gusts, which may include audio visual components and a DJ entertainment. Occupancy load is 100.

HOURS OF OPERATON/ SALES/SERVICE/CONSUMPTION

Monday through and Saturday 11:00am thru 10:00pm

HOURS OF OPERATION OF ENTERTAINMENT

Monday through and Saturday 11:00am thru 9:00pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 25, 2016
Petition Date: May 9, 2016
Hearing Date: May 23, 2016
Protest Hearing: July 20, 2016

License No.: ABRA-102209
Licensee: 655 15th Street NW Tenant LLC
Trade Name: We Work
License Class: Retail Class "C" Tavern
Address: 655 15th Street, N.W.
Contact: Stephen O'Brien 202 625-7700

WARD 2

ANC 2C

SMD 2C01

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 July 20, 2016 at 1:30 pm.

NATURE OF OPERATION

New Tavern. It will be a shared professional office space with food, beverages, and wine available for members (tenants) and their guests. Members may stage events for clients and gusts, which may include audio visual components and a DJ entertainment. Occupancy load is 100.

HOURS OF OPERATON/ SALES/SERVICE/CONSUMPTION

Monday through and Saturday 11:00am thru 10:00pm

HOURS OF OPERATION OF ENTERTAINMENT

Monday through and Saturday 11:00am thru 9:00pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: March 25, 2016
Petition Date: May 9, 2016
Hearing Date: May 23, 2016
Protest Date: July 20, 2016

License No.: ABRA-101636
Licensee: Moroc & Moroc, LLC
Trade Name: Yard & Toast
License Class: Retailer's Class "C" Restaurant
Address: 1541-1543 7th Street, N.W.
Contact: Rosemarie Salguero: (301) 657-0151

WARD 6

ANC 6E

SMD 6E02

Notice is hereby given that this licensee 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 on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date. The Protest Hearing Date is scheduled on July 20, 2016 at 4:30pm.

NATURE OF OPERATION

New C Restaurant with a Total Occupancy Load of 246 seats. Applicant requests to have an Entertainment Endorsement and a summer garden with seating for 66 patrons.

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

Sunday 7:00 am - 12:00 am, Monday through Thursday 7:00 am - 2:00 am, Friday and Saturday 7:00 am - 3:00 am

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

Sunday 9:00 am - 12:00 am, Monday through Thursday 9:00 am - 2:00 am, Friday and Saturday 9:00 am - 3:00 am

HOURS OF LIVE ENTERTAINMENT FOR PREMISES

Sunday through Thursday 6:00 pm - 12:00 am, Friday and Saturday 6:00 pm - 3:00 am

**HISTORIC PRESERVATION REVIEW BOARD  
NOTICE OF PUBLIC HEARING**

The D.C. Historic Preservation Review Board will hold a public hearing to consider applications to designate the following properties as historic landmarks in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the properties to the National Register of Historic Places:

**Case No. 15-05: Kelsey Temple Church of God in Christ**  
**1435 Park Road NW**  
**Square 2676, Lot 813**  
**Applicant: D.C. Preservation League**  
**Affected Advisory Neighborhood Commission: 1A**

**Case No. 15-13: Palisades Playground and Field House**  
**5200 Sherier Place NW**  
**Square 1415-S, Lot 802**  
**Applicant: Historic Washington Architecture**  
**Affected Advisory Neighborhood Commission: 3D**

The hearing will take place at **9:00 a.m. on Thursday, April 28, 2016**, at 441 Fourth Street, NW (One Judiciary Square), in Room 220 South. It will be conducted in accordance with the Review Board's Rules of Procedure (10C DCMR 2). A copy of the rules can be obtained from the Historic Preservation Office at 1100 4<sup>th</sup> Street SW, Suite E650, Washington, DC 20024, or by phone at (202) 442-8800, and they are included in the preservation regulations which can be found on the Historic Preservation Office website.

The Board's hearing is open to all interested parties or persons. Public and governmental agencies, Advisory Neighborhood Commissions, property owners, and interested organizations or individuals are invited to testify before the Board. Written testimony may also be submitted prior to the hearing. All submissions should be sent to the Historic Preservation Office.

For each property, a copy of the historic landmark application is currently on file and available for inspection as well as posted on the Historic Preservation Office website. A copy of the staff report and recommendation will be available at the office five days prior to the hearing. The office also provides information on the D.C. Inventory of Historic Sites, the National Register of Historic Places, and Federal tax provisions affecting historic property.

If the Historic Preservation Review Board designates the property, it will be included in the D.C. Inventory of Historic Sites, and will be protected by the D.C. Historic Landmark and Historic District Protection Act of 1978. The Review Board will simultaneously consider the nomination of the property to the National Register of Historic Places. The National Register is the Federal government's official list of prehistoric and historic properties worthy of preservation. Listing in the National Register provides recognition and assists in preserving our nation's heritage. Listing provides recognition of the historic importance of properties and assures review of Federal undertakings that might affect the character of such properties. If a property is listed in the Register, certain Federal rehabilitation tax credits for rehabilitation and other provisions may apply.



Public visitation rights are not required of owners. The results of listing in the National Register are as follows:

Consideration in Planning for Federal, Federally Licensed, and Federally Assisted Projects: Section 106 of the National Historic Preservation Act of 1966 requires that Federal agencies allow the Advisory Council on Historic Preservation an opportunity to comment on all projects affecting historic properties listed in the National Register. For further information, please refer to 36 CFR 800.

Eligibility for Federal Tax Provisions: If a property is listed in the National Register, certain Federal tax provisions may apply. The Tax Reform Act of 1986 (which revised the historic preservation tax incentives authorized by Congress in the Tax Reform Act of 1976, the Revenue Act of 1978, the Tax Treatment Extension Act of 1980, the Economic Recovery Tax Act of 1981, and the Tax Reform Act of 1984) provides, as of January 1, 1987, for a 20% investment tax credit with a full adjustment to basis for rehabilitating historic commercial, industrial, and rental residential buildings. The former 15% and 20% Investment Tax Credits (ITCs) for rehabilitation of older commercial buildings are combined into a single 10% ITC for commercial and industrial buildings built before 1936. The Tax Treatment Extension Act of 1980 provides Federal tax deductions for charitable contributions for conservation purposes of partial interests in historically important land areas or structures. Whether these provisions are advantageous to a property owner is dependent upon the particular circumstances of the property and the owner. Because the tax aspects outlined above are complex, individuals should consult legal counsel or the appropriate local Internal Revenue Service office for assistance in determining the tax consequences of the above provisions. For further information on certification requirements, please refer to 36 CFR 67.

Qualification for Federal Grants for Historic Preservation When Funds Are Available: The National Historic Preservation Act of 1966, as amended, authorizes the Secretary of the Interior to grant matching funds to the States (and the District of Columbia) for, among other things, the preservation and protection of properties listed in the National Register.

Owners of private properties nominated to the National Register have an opportunity to concur with or object to listing in accord with the National Historic Preservation Act and 36 CFR 60. Any owner or partial owner of private property who chooses to object to listing must submit to the State Historic Preservation Officer a notarized statement certifying that the party is the sole or partial owner of the private property, and objects to the listing. Each owner or partial owner of private property has one vote regardless of the portion of the property that the party owns. If a majority of private property owners object, a property will not be listed. However, the State Historic Preservation Officer shall submit the nomination to the Keeper of the National Register of Historic Places for a determination of eligibility for listing in the National Register. If the property is then determined eligible for listing, although not formally listed, Federal agencies will be required to allow the Advisory Council on Historic Preservation an opportunity to comment before the agency may fund, license, or assist a project which will affect the property. If an owner chooses to object to the listing of the property, the notarized objection must be submitted to the above address by the date of the Review Board meeting.

For further information, contact Tim Dennee, Landmarks Coordinator, at 202-442-8847.

## DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

## PUBLIC HEARING NOTICE

Tuesday, April 5, 2016

**District of Columbia's Fiscal Year 2015  
Consolidated Annual Performance Evaluation Report (CAPER)**

Polly Donaldson, Director, Washington D.C. Department of Housing and Community Development (DHCD or the Department) will conduct a public hearing on Tuesday, April 5, 2016, to discuss the District's Fiscal Year (FY) 2015 performance in its use of funds received from the U.S. Department of Housing and Urban Development (HUD). DHCD received approximately \$29,876,529 million in annual formulaic grants from HUD in Fiscal Year 2015 through four programs: the Community Development Block Grant (CDBG); the HOME Investment Partnership; the Emergency Solutions Grant (ESG); and Housing Opportunities for Persons with AIDS (HOPWA). DHCD administered the CDBG and HOME funds directly while the Washington D.C. Department of Human Services (DHS) administered the ESG funds through an agreement with the Community Partnership for the Prevention of Homelessness and the D.C. Department of Health (DOH) administered HOPWA funds for the District and portions of Maryland, Virginia, and West Virginia that are part of the Washington D.C. Metropolitan Statistical Area.

In preparation for the submission of the FY 2015 Consolidated Annual Performance and Evaluation Report (CAPER) to HUD, DHCD is soliciting public comment on the District's effectiveness during

FY 2015 at using federal funds to meet the District's housing and community development needs. These comments will form part of DHCD's and the District's evaluation, as required by federal regulations (24 CFR 91.520). This hearing is reserved for a discussion of the DHCD's FY 2015 performance.

The hearing will be held on Tuesday, April 5, 2016, at the DC Department of Housing and Community Development, 1800 Martin Luther King Jr., Avenue, SE, 1<sup>st</sup> floor conference room at 6:30 pm. If you would like to testify, you are encouraged to register in advance either by e-mail at [DHCDEVENTS@dc.gov](mailto:DHCDEVENTS@dc.gov) or by calling (202) 442-7232. Please provide your name, address, telephone number, and organization affiliation, if any.

Telecommunications Device for the Deaf (TDD) relay service will be provided by calling (800) 201-7165. Sign language interpretation and language translation services will be available upon request by calling Ms. Pamela Hillsman, seven days prior to the hearing on (202) 442-7251.

Persons, who require interpretation or language translation, must specify the language of preference (i.e. Spanish, Vietnamese, Chinese-Mandarin/Cantonese, Amharic, or French). Language interpretation service will be provided to pre-registered persons only.

Written statements may be submitted for the record at the hearing, or until close of business, Friday, April 8, 2016. Mail written statements to: Polly Donaldson, Director, DHCD, 1800 Martin Luther King Jr., Avenue, SE, Washington, DC 20020.

Muriel Bowser, Mayor  
Brian Kenner, Deputy Mayor for Planning and Economic Development  
Polly Donaldson, Director, Department of Housing and Community Development  
[www.dhcd.dc.gov](http://www.dhcd.dc.gov)

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTIFICATION OF CHARTER AMENDMENT**

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of Eagle Academy Public Charter School's (Eagle Academy PCS) request to amend its goals and academic achievement expectations. Eagle Academy PCS is requesting that it be given more time to reach the renewal standard. It is asking to revise the charter renewal standard for its charter agreement to state that it will meet a 50% in both SY 2015-2016 and 2016-17. A public hearing regarding this item will be held on April 18, 2016 at 6:30 p.m.; a vote will be held on May 16, 2016 at 6:30 p.m. To submit public comments, you may do so by one of the actions below. All comments must be submitted on or before April 18, 2016 at 4:00pm. For questions, please contact Laterica (Teri) Quinn, Equity and Fidelity Specialist, at 202-328-2660 or [lquinn@dcpsb.org](mailto:lquinn@dcpsb.org).

**Submitting Public Comment:**

1. for a revision to the targets for charter renewal as per the Elect the Performance Management Framework as Goals Policy.
  - (a) E-mail: [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org)
  - (b) Postal mail: Attn: Public Comment, DC Public Charter School Board, 3333 14<sup>th</sup> ST. NW., Suite 210, Washington, DC 20010
  - (c) Hand Delivery/Courier\*: Same as postal address above
  - (d) Phone: 202-328-2660
  
2. Sign up to testify in-person at the public hearing on April 18, 2016, by emailing a request to [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org) by no later than 4 p.m. on Thursday, April 14, 2016.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTIFICATION OF CHARTER AMENDMENT**

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of Elsie Whitlow Stokes Public Charter School's (EW Stokes PCS) request to amend its goals and academic achievement expectations. EW Stokes PCS would like to adopt the Performance Management Framework as its goals and academic achievement expectations. A public hearing regarding this item will be held on April 18, 2016 at 6:30 p.m.; a vote will be held on May 16, 2016 at 6:30 p.m. To submit public comments, you may do so by one of the actions below. All comments must be submitted on or before April 18, 2016 at 4:00pm. For questions, please contact Laterica (Teri) Quinn, Equity and Fidelity Specialist, at 202-328-2660 or [lquinn@dcpsb.org](mailto:lquinn@dcpsb.org).

**Submitting Public Comment:**

1. Submit a comment by one of the following actions:
  - (a) E-mail: [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org)
  - (b) Postal mail: Attn: Public Comment, DC Public Charter School Board, 3333 14<sup>th</sup> ST. NW., Suite 210, Washington, DC 20010
  - (c) Hand Delivery/Courier\*: Same as postal address above
  - (d) Phone: 202-328-2660
  
2. Sign up to testify in-person at the public hearing on April 18, 2016, by emailing a request to [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org) by no later than 4 p.m. on Thursday, April 14, 2016.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTIFICATION OF CHARTER AMENDMENT**

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of Excel Academy Public Charter School's (Excel Academy PCS) request to amend its number of school days. Excel Academy PCS is requesting an amendment of its charter to require 180 days on the school calendar, instead of the 192 days that are currently required per its existing charter agreement. A public hearing regarding this item will be held on April 18, 2016 at 6:30 p.m.; a vote will be held on May 16, 2016 at 6:30 p.m. To submit public comments, you may do so by one of the actions below. All comments must be submitted on or before April 18, 2016 at 4:00pm. For questions, please contact Laterica (Teri) Quinn, Equity and Fidelity Specialist, at 202-328-2660 or [lquinn@dcpsb.org](mailto:lquinn@dcpsb.org).

**Submitting Public Comment:**

1. For a revision to the targets for charter renewal as per the Elect the Performance Management Framework as Goals Policy.
  - (a) E-mail: [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org)
  - (b) Postal mail: Attn: Public Comment, DC Public Charter School Board, 3333 14<sup>th</sup> ST. NW., Suite 210, Washington, DC 20010
  - (c) Hand Delivery/Courier\*: Same as postal address above
  - (d) Phone: 202-328-2660
  
2. Sign up to testify in-person at the public hearing on April 18, 2016, by emailing a request to [public.comment@dcpsb.org](mailto:public.comment@dcpsb.org) by no later than 4 p.m. on Thursday, April 14, 2016.

**DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD****NOTIFICATION OF CHARTER AMENDMENT**

The District of Columbia Public Charter School Board (DC PCSB) hereby gives notice of Latin American Montessori Bilingual Public Charter School's (LAMB PCS) request to amend its enrollment ceiling. LAMB PCS is requesting an increase in its enrollment ceiling from 400 to 650 students over the next ten years. A public hearing regarding this item will be held on April 18, 2016 at 6:30 p.m.; a vote will be held on May 16, 2016 at 6:30 p.m. To submit public comments, you may do so by one of the actions below. All comments must be submitted on or before April 18, 2016 at 4:00pm. For questions, please contact Laterica (Teri) Quinn, Equity and Fidelity Specialist, at 202-328-2660 or [lquinn@dcpcsb.org](mailto:lquinn@dcpcsb.org).

**Submitting Public Comment:**

1. For a revision to the targets for charter renewal as per the Elect the Performance Management Framework as Goals Policy.
  - (a) E-mail: [public.comment@dcpcsb.org](mailto:public.comment@dcpcsb.org)
  - (b) Postal mail: Attn: Public Comment, DC Public Charter School Board, 3333 14<sup>th</sup> ST. NW., Suite 210, Washington, DC 20010
  - (c) Hand Delivery/Courier\*: Same as postal address above
  - (d) Phone: 202-328-2660
  
2. Sign up to testify in-person at the public hearing on April 18, 2016, by emailing a request to [public.comment@dcpcsb.org](mailto:public.comment@dcpcsb.org) by no later than 4 p.m. on Thursday, April 14, 2016.





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](mailto: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](mailto: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 4<sup>th</sup> Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to [zcsubmissions@dc.gov](mailto: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.**

## DEPARTMENT OF THE ENERGY AND ENVIRONMENT

NOTICE OF FINAL RULEMAKING**Food Service Ware Infractions**

The Director of the Department of Energy and Environment (DOEE), in accordance with the authority set forth in the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.04 (2012 Repl.)); the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code §§ 8-151.01 *et seq.* (2013 Repl.)); the Sustainable D.C. Omnibus Amendment Act of 2014, effective December 11, 2014 (D.C. Law 20-385; D.C. Official Code §§ 8-1531 *et seq.* (2015 Supp.)); Mayor's Order 2006-61, Section 29, dated June 14, 2006; and Mayor's Order 2015-069, dated February 4, 2015, hereby gives notice of amendments to Chapter 40 (Department of the Environment (DDOE) Infractions) of Title 16 (Consumers, Commercial Practices, and Civil Infractions) of the District of Columbia Municipal Regulations (DCMR).

The rulemaking establishes a schedule of civil infractions for violation of the District's prohibition on expanded polystyrene food service products.

The Department published a Notice of Proposed Rulemaking on August 28, 2015, at 62 DCR 11937. The Department considered comments received during the comment period but determined that no revisions were necessary. The Department is therefore adopting this rulemaking without changes.

Pursuant to § 104(a)(1) of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.04(a)(1) (2012 Repl.)), this rulemaking was submitted to the Council of the District of Columbia (Council) for a review period of thirty (30) days. The Proposed Resolution of Approval for the Notice of Final Rulemaking (PR21-0536) was introduced in the Council on January 20, 2016, and was deemed passively approved on March 4, 2016. The rules were adopted as final on November 18, 2015, and will become effective upon publication of this notice in the *D.C. Register*.

**Chapter 40, DEPARTMENT OF THE ENVIRONMENT (DDOE) INFRACTIONS, of Title 16 DCMR, CONSUMERS, COMMERCIAL PRACTICES, AND CIVIL INFRACTIONS, is amended as follows:**

**A new Section 4011, FOOD SERVICE WARE INFRACTIONS, is established to read as follows:**

**4011 FOOD SERVICE WARE INFRACTIONS**

4011.1 [RESERVED]

4011.2 [RESERVED]

4011.3 [RESERVED]

4011.4 Violation of the following provision shall be a Class 4 infraction:

- (a) 21 DCMR § 2301.1 (selling or providing food or beverage in expanded polystyrene food service products).

## 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.& 2015 Supp.)), and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption of an amendment to Section 4216 of Chapter 42 (Home and Community-Based Services Waiver for Persons who are Elderly and Individuals with Physical Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The Centers for Medicare and Medicaid Services (CMS) issued regulations governing conflict-free standards for the delivery of case management services and the person-centered service planning process in its Home and Community-Based regulations, at 42 C.F.R. §§ 441.301(c)(1) – (3). These standards became effective on March 17, 2014.

These final rules achieve the following: (1) require the case management service providers to ensure that they have completed self-attestation forms on file no later than July 1, 2016; (2) establish that all case managers shall ensure that all Individual Support Plan (ISPs) shall utilize DHCF's template for person-centered-planning available at the DHCF website detailed within this section, and conform to all the person-centered planning requirements by November 1, 2016; (3) require that transition plans submitted by case management service providers must include sufficient safeguards to protect a beneficiary who may experience gaps in services due to an interruption of case management services; (4) establish that case managers shall complete and submit the beneficiary's ISP to DHCF or its designee for review and approval within ten (10) business days of conducting the beneficiary's assessment; and (5) require case managers to take the required steps detailed within this section to ensure that a beneficiary's care is coordinated.

An initial Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on July 10, 2015 at 62 DCR 009490. Comments were received and taken into account in the publication of a Notice of Second Emergency and Proposed Rulemaking. The Notice of Second Emergency and Proposed Rulemaking was published in the *D.C. Register* on January 22, 2016 at 63 DCR 000937. No comments were received and no changes have been made.

These rules were adopted by the Director on March 16, 2016 and shall become final upon publication of this notice in the *D.C. Register*.

**Chapter 42, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR PERSONS WHO ARE ELDERLY AND INDIVIDUALS WITH PHYSICAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:**

**Section 4216, SPECIFIC PROVIDER REQUIREMENTS: CASE MANAGEMENT AND RELATED WAIVER SERVICES, is amended as follows:**

**4216 SPECIFIC PROVIDER REQUIREMENTS: CASE MANAGEMENT**

4216.1 Each individual providing case management services shall meet the following requirements:

- (a) Be at least eighteen (18) years of age;
- (b) Be a United States citizen or alien who is lawfully authorized to work in the United States;
- (c) Provide proof of the supporting documents for the Immigration and Naturalization Service's Form I-9 requirements;
- (d) Be able to read and write English;
- (e) Be acceptable to the person using the Waiver service;
- (f) Confirm, on an annual basis, that he or she is free of active tuberculosis by undergoing an annual purified protein derivative (PPD) skin test;
- (g) Confirm, on an annual basis, that he or she is free of communicable diseases by undergoing an annual physical examination by a physician, and obtaining written and signed documentation from the examining physician that confirms he or she is free of communicable diseases; and
- (h) Provide to each case management service provider for whom he or she works:
  - (1) Evidence of acceptance or declination of the Hepatitis vaccine; and
  - (2) A completed Department of Health Care Finance Conflict-Free Case Management Self-Attestation Form described under Subsection 4216.2.

4216.2 Except as provided in Subsection 4216.3, on or after the effective date of these rules, an individual providing case management services, who is employed or under contract to a Home and Community-Based Services Waiver for Persons who are Elderly and Individuals with Physical Disabilities (EPD Waiver) case management service provider shall self-attest to meeting the CMS conflict-free standards in accordance with 42 C.F.R § 441.301(c)(1)(vi) using the DHCF Conflict-Free Case Management Self-Attestation Form. Under these standards, individual case managers shall not:

- (a) Be related by blood or marriage to the person receiving services, or to any paid caregiver of the person;
- (b) Be financially responsible for the person, or be empowered to make financial or health decisions on the person's behalf;
- (c) Have a financial relationship, defined under 42 C.F.R § 411.354, with any entity that is paid to provide care for the person; and
- (d) Be employed by any entity that is a provider of a person's personal care aide (PCA) services or any other direct services under the EPD Waiver.

4216.3 An individual providing EPD waiver case management services shall meet the requirements of Subsection 4216.1(h)(ii) no later than July 1, 2016.

4216.4 EPD Waiver case management service providers shall ensure they have a copy of the DHCF Conflict-Free Case Management Self-Attestation Form on file for each case manager prior to submission of any claims for case management services provided by that case manager on or before July 1, 2016. DHCF Conflict-Free Case Management Self-Attestation Forms are subject to inspection and audit and must be produced upon request.

4216.5 Individuals conducting case management services shall meet one of the following educational requirements:

- (a) Have a current appropriate license, have a Master's degree in social work, psychology, counseling, rehabilitation, nursing, gerontology, or sociology, and have at least one (1) year of experience working with the elderly or individuals with physical disabilities;
- (b) Have a current appropriate license, have a Bachelor's degree in social work, psychology, counseling, rehabilitation, nursing, gerontology, or sociology, and have two (2) years of experience working with the elderly or individuals with physical disabilities; or
- (c) Have a current license as a Registered Nurse (RN), have an Associate degree in nursing, and have at least three (3) years of experience working with the elderly and individuals with physical disabilities.

4216.6 Case management service providers shall not provide medical, financial, legal, or other services or advice for which they are not qualified or licensed to provide (except for providing referrals to qualified individuals, agencies, or programs).

- 4216.7 Except as provided in Subsection 4216.8, on or after the effective date of these rules, in accordance with 42 C.F.R. § 441.301(c)(1)(vi), the following providers shall not be eligible to provide case management services:
- (a) An entity that is a Medicaid provider of PCA services or any other direct services under the EPD Waiver; or
  - (b) An entity that has a financial relationship, as defined under 42 C.F.R § 411.354, with a Medicaid provider of PCA services or any other direct services under the EPD Waiver.
- 4216.8 An entity that is enrolled to provide case management services on the effective date of these rules that is also a Medicaid provider of PCA services or any other direct services under the EPD Waiver; or has a financial relationship, as defined under 42 C.F.R § 411.354, with a Medicaid provider of PCA services or any other direct services under the EPD Waiver, shall have until July 1, 2016 to come into compliance with Subsection 4216.7.
- 4216.9 An entity described in Subsection 4216.8 shall notify DHCF of its election to continue or discontinue providing case management services no later than September 1<sup>st</sup>, 2015. An entity that chooses to discontinue case management services shall submit a transition plan to DHCF no later than October 1<sup>st</sup> 2015, and shall cooperate with DHCF to effectuate the orderly and timely transition of its enrollees to other case management providers that meet the conflict-free case management standards. These transition plans shall include sufficient safeguards to protect individuals who may experience gaps in services during transitions, including demonstrating efforts to ensure compliance with any notice or due process rights governed under local and federal law in case of service suspensions, or terminations.
- 4216.10 Each case management service provider shall conduct a comprehensive intake within forty-eight (48) business hours of receiving the waiver referral and prior to the development of the individual service plan (ISP). All initial ISPs and all renewal ISPs shall conform to the person-centered planning requirements under 42 C.F.R §§ 441.301(c)(1) – (3) by November 1, 2016, and case managers shall use DHCF’s person-centered-planning template, available at <http://dhcf.dc.gov/release/person-centered-planning>, to develop each beneficiary’s ISP.
- 4216.11 Each case management service provider shall complete and submit the ISP to DHCF or its designee for review and approval within ten (10) business days of conducting the comprehensive intake.
- 4216.12 Each case management service provider shall include the person whose plan is being developed, other contributors chosen and invited by the person, and representatives of the person’s interdisciplinary team, as possible, in the initial



assessment and in the development and implementation of the ISP. The person or authorized representative shall have access to the ISP and shall be involved in the periodic review of the ISP.

- 4216.13 It is the responsibility of the case management service provider to ensure that all other professional disciplines, as identified for resolution of identified needs, are incorporated into the ISP. Specifically, each case management service provider shall coordinate a beneficiary's care by sharing information with all other health care and service providers identified in the ISP, as applicable, to ensure that the beneficiary's care is organized and to achieve safer and more effective health outcomes.
- 4216.14 Each case management service provider shall maintain, follow, and continually update a training and supervision program to ensure the individual delivering case management services is fully trained and familiar with the waiver policies and procedures, including CMS's conflict-free case management standards as set forth under this section.
- 4216.15 Each provider of case management services shall ensure that individuals providing case management services are appropriately supervised and that the case management service provided is consistent with the person's ISP.

## 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 an amendment to Section 5015 of Chapter 50 (Medicaid Reimbursements for Personal Care Aide Services) of Title 29 (Public Welfare) of the District of Columbia Municipal Register (“DCMR”).

These rules establish standards governing reimbursement of providers of personal care services under the District of Columbia State Plan for Medical Assistance (State Plan) by increasing the rates for services rendered by a personal care aide (“PCA”) to comply with the Living Wage Act of 2006 (“Living Wage Act”), effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code §§ 2-220.01 *et seq.* (2012 Repl.)). Further, they increase the previous living wage rates by eight cents (8¢) per hour, or two cents (2¢) per fifteen (15) minute increment. This adjustment was made to comply with the Department of Employment Services’ recent increases to the living wage rate effective January 1, 2016. Lastly, these rules authorize DHCF to publish a notice in the *D.C. Register* of future changes to the reimbursement rate.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on January 15, 2016 at 63 DCMR 000589. No comments were received and no changes were made to the Emergency and Proposed Rulemaking. The Director of DHCF adopted these rules as final on March 16, 2016, and they shall become effective on the date of publication of this notice in the *D.C. Register*.

**Chapter 50, MEDICAID REIMBURSEMENTS FOR PERSONAL CARE AIDE SERVICES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:**

**Section 5015, REIMBURSEMENT, is amended as follows:**

- 5015.1 For dates of services beginning October 27, 2015 through December 31, 2015, each provider shall be reimbursed five dollars (\$5.00) per unit of service for allowable services as authorized in the approved plan of care, of which no less than three dollars and forty five cents (\$3.45) per fifteen (15) minutes for services rendered by a PCA, shall be paid to the PCA to comply with the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code §§ 2-220.01 *et seq.* (2012 Repl.)).
- 5015.2 For dates of services beginning January 1, 2016, each provider shall be reimbursed five dollars and two cents (\$5.02) per unit of service for allowable services as authorized in the approved plan of care, of which no less than three

dollars and forty-six cents (\$3.46) per fifteen (15) minutes for services rendered by a PCA, shall be paid to the PCA to comply with the Living Wage Act of 2006, effective June 8, 2006 (D.C. Law 16-118; D.C. Official Code §§ 2-220.01 *et seq.* (2012 Repl.)).

- 5015.3 Subsequent changes to the reimbursement rate(s) shall be posted on the Medicaid fee schedule at [www.dc-medicaid.com](http://www.dc-medicaid.com). DHCF shall also publish a notice in the *D.C. Register* which reflects the change in the reimbursement rate(s).
- 5015.4 Each Provider shall maintain adequate documentation substantiating the delivery of allowable services provided in accordance with the PCA service authorization and the beneficiary's plan of care for each unit of service submitted on every claim.
- 5015.5 Reimbursement for PCA services, when provided through the D.C. Medicaid program's State Plan PCA benefit, shall not exceed eight (8) hours per day, seven (7) days a week, and shall be limited to the amount, duration, and scope of services set forth in the PCA Service Authorization and the plan of care, as described in Section 5003.
- 5015.6 Claims for PCA services submitted by a Provider in any period during which the beneficiary is an in-patient at another health care facility including a hospital, nursing home, psychiatric facility or rehabilitation program shall be denied except on the day when a beneficiary is admitted or discharged.
- 5015.7 When a beneficiary is discharged from a health care facility to the beneficiary's home and requires PCA services on the date of discharge, the number of PCA hours on that day shall be authorized in accordance with the beneficiary's discharge plan.
- 5015.8 Claims for PCA service submitted by a Provider for any hour in which the beneficiary was receiving ADHP services under the § 1915(i) State Plan Option, or other similar service in which PCA services are provided concurrently to the beneficiary shall be denied.
- 5015.9 If a beneficiary is also receiving ADHP services on the same day that PCA services are delivered, the combination of both PCA and ADHP services shall not exceed a total of twelve (12) hours per day.
- 5015.10 Each Provider shall agree to accept as payment in full the amount determined by DHCF as Medicaid reimbursement for the authorized services provided to beneficiaries. Providers shall not bill the beneficiary or any member of the beneficiary's family for PCA services.
- 5015.11 Each Provider shall agree to bill any and all known third-party payers prior to billing Medicaid.

- 5015.12 All reimbursable claims for PCA services shall include the NPI numbers for the:
- (a) Provider;
  - (b) Physician or APRN who ordered the PCA services;
  - (c) The staffing agency, if applicable; and
  - (d) PCA who provided the PCA services, regardless of whether the PCA is an employee of the Provider or is from another staffing agency.
- 5015.13 Pursuant to 42 C.F.R. § 424.22(d), the Department shall deny PCA service claims or recoup paid claims when Provider records or other evidence indicate that the primary care physician or APRN ordering a beneficiary's treatment has a direct or indirect financial relationship, compensation, ownership or investment interest as defined in 42 C.F.R. § 411.354 in the Provider billing for the services, unless the financial relationship, compensation, ownership or investment interest meets an exception as defined in 42 C.F.R. § 411.355.
- 5015.14 Claims resulting from marketing by a staffing agency (including face-to-face solicitation at doctors' offices, home visits, requests for beneficiary Medicaid numbers, or otherwise directing beneficiaries to any Medicaid Provider) shall not be reimbursed.

**THE DISTRICT OF COLUMBIA HOUSING AUTHORITY**

**NOTICE OF PROPOSED RULEMAKING**

The Board of Commissioners of the District of Columbia Housing Authority (DCHA), pursuant to the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-203 (2012 Repl.)), hereby gives notice of its intent to adopt the following proposed amendments to Chapter 53 (Recertifications, Housing Quality Standard Inspections, and Family Moves) of Title 14 (Housing) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of the proposed amendments is to change the requirements that households report increases in household income between recertifications.

**Chapter 53, RECERTIFICATIONS, HOUSING QUALITY STANDARD INSPECTIONS, AND FAMILY MOVES, of Title 14 DCMR, HOUSING, is amended as follows:**

**Section 5310, CHANGES IN FAMILY SHARE AND HOUSING ASSISTANCE PAYMENTS, is amended to read as follows:**

**5310 CHANGES IN FAMILY SHARE AND HOUSING ASSISTANCE PAYMENTS**

5310.1 Changes in the Family’s TTP and the HAP payment shall be processed in accordance with the following:

- (a) The Family shall report within thirty (30) days any decreases in household income, any removal of a Family member, or other circumstances that may result in a change in the Family TTP;
- (b) If the Family reported in a timely manner:
  - (1) If the reported change results in an increase of the Family’s share of rent, the effective date of increase shall be the first of the month following a thirty (30) days’ notice of increase to the Family and landlord; or
  - (2) If the reported change results in a decrease of the Family’s share of rent, the effective date of the decrease shall be the first of the month after the change has been reported; or

- (c) If the Family failed to report the change in a timely manner:
- (1) If the change results in an increase of the Family's share of rent, the effective date shall be the first of the month following the change in Family income or composition; or
  - (2) If the change results in a decrease in the Family's share of rent, then DCHA shall not apply the change retroactively and the effective date of the change shall be the first of the month following the Family's report of the change.

5310.2 DCHA shall notify the owner and the Family of any changes in the Family share and HAP by mailing a notice that includes the new amount and effective date of the change in payment.

**Section 5315, CHANGES IN INCOME, is amended to read as follows:**

**5315 CHANGES IN INCOME**

- 5315.1 Families shall not be required to report any increase in household income between scheduled interims or recertification. Any increase in income shall only be included in the determination of annual household income at the next scheduled recertification.
- 5315.2 With the exception of zero-income households, if the Family adds a Family member with a source of income, DCHA shall only include the income, as applicable, in the determination of annual household income at the next scheduled recertification.
- 5315.3 Any decreases in income shall be processed in accordance with § 5310.
- 5315.4 Pursuant to 24 C.F.R. § 5.615, if a Family reports a decrease in income from the loss of welfare benefits due to fraud or noncompliance with a welfare agency requirement to participate in an economic self-sufficiency program, that decrease in income shall not cause a change in the Family's share of the rent.

Interested persons are encouraged to submit comments regarding this Proposed Rulemaking to DCHA's Office of General Counsel. Copies of this Proposed Rulemaking can be obtained at [www.dcregs.gov](http://www.dcregs.gov), or by contacting Chelsea Johnson at the Office of the General Counsel, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599 or via telephone at (202) 535-2835. All communications on this subject matter must refer to the above referenced title and must include the phrase "Comment to Proposed Rulemaking" in the subject line. There are two methods of submitting Public Comments:

1. Submission of comments by mail: Comments may be submitted by mail to the Office of the General Counsel, Attn: Chelsea Johnson, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599.
2. Electronic Submission of comments: Comments may be submitted electronically by submitting comments to Chelsea Johnson at: [PublicationComments@dchousing.org](mailto:PublicationComments@dchousing.org).
3. No facsimile will be accepted.

Comments Due Date: April 25, 2016

## THE DISTRICT OF COLUMBIA HOUSING AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Commissioners of the District of Columbia Housing Authority (DCHA), pursuant to the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-203 (2012 Repl.)), hereby gives notice of its intent to adopt the following proposed amendments to Chapter 83 (Rent and Housing Assistance Payments) of Title 14 (Housing) of the District of Columbia Municipal Regulations (DCMR), in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

The purpose of the proposed amendments is to change the requirements for when DCHA may approve housing assistance payment increases to Owners.

**Chapter 83, RENT AND HOUSING ASSISTANCE PAYMENTS, of Title 14 DCMR, HOUSING, is amended as follows:**

**Section 8304, RENT INCREASES TO OWNER, is amended to read as follows:**

**8304 RENT INCREASES TO OWNER**

8304.1 Written Request Required. Owners may request a rent increase no later than ninety (90) days prior to any Family reexamination month. The request must be in writing.

8304.2 Amount of Rent Adjustment Rent. The amount of the rent adjustment to the Owner may be adjusted either up or down. Subject to compliance with § 8304.1 above, the adjusted rent to an Owner who has submitted a written request shall be the LESSER of:

- (a) The current rent multiplied by the applicable annual adjustment factor published by HUD in effect sixty (60) days before the HAP anniversary date; or
- (b) The reasonable rent as most recently determined (or redetermined) by DCHA; or
- (c) The amount requested by the Owner.

8304.3 Prerequisites to a Rent Increase. The annual lease rent may not be increased unless:

- (a) The Owner has requested a specific increase amount at least ninety (90) days before the Family's reexamination month; and



- (b) The request is made in writing on DCHA provided forms for each unit for which an increase is being requested; and
  - (c) In the preceding year, the Owner has complied with all requirements of the HAP contract, including compliance with the Housing Quality Standards.
- 8304.4 Timing of any Increases to Rent. Housing Assistance Payment increases, if approved by DCHA, shall be effective as of the first day of the first month commencing on or after the Participant’s reexamination month.
- 8304.5 Exception. Notwithstanding § 8304.1 and §§ 8304.3(a) and (b), subject to the availability of funding, at DCHA’s discretion, DCHA may approve rent increases to Owners, to be effective within thirty (30) days of approval, without a prior written request from the Owner when contract rents are lower than the DCHA approved maximum rent in a submarket. However, DCHA shall only approve a rent increase to an Owner, without a prior written request from the Owner within ninety (90) days of the Family’s reexamination month, when:
- (a) The Family has occupied the unit for at least twelve (12) months;
  - (b) The Owner does not have any current landlord-caused HQS inspection violations related to the unit;
  - (c) The Owner did not have any HQS landlord-caused final fails related to the unit in the past twelve (12) months; and
  - (d) The rent increase does not cause the Family to pay more than their current tenant portion of rent.

Interested persons are encouraged to submit comments regarding this Proposed Rulemaking to DCHA’s Office of General Counsel. Copies of this Proposed Rulemaking can be obtained at [www.dcregs.gov](http://www.dcregs.gov), or by contacting Chelsea Johnson at the Office of the General Counsel, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599 or via telephone at (202) 535-2835. All communications on this subject matter must refer to the above referenced title and must include the phrase “Comment to Proposed Rulemaking” in the subject line. There are two methods of submitting Public Comments:

1. Submission of comments by mail: Comments may be submitted by mail to the Office of the General Counsel, Attn: Chelsea Johnson, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599.

2. Electronic Submission of comments: Comments may be submitted electronically by submitting comments to Chelsea Johnson at: [PublicationComments@dchousing.org](mailto:PublicationComments@dchousing.org).
3. No facsimile will be accepted.

Comments Due Date: April 25, 2016

## 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), 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)(2), (3), and (19), and 50-313 (2014 Repl. & 2015 Supp.)), hereby gives notice of its intent to adopt amendments to Chapter 6 (Taxicab Parts and Equipment) and Chapter 99 (Definitions) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

The proposed rulemaking would simplify the taxicab vehicle retirement rules by establishing a single age limit and a single mileage limit for all vehicles operating as taxicabs. This proposed rulemaking would also add new definitions to Chapter 99.

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*. Directions for submitting comments may be found at the end of this notice.

**Chapter 6, TAXICAB PARTS AND EQUIPMENT, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended as follows:**

**Section 609, TAXICAB VEHICLE RETIREMENT, is amended as follows:**

**Subsections 609.3 through 609.6 are amended to read as follows:**

- 609.3 Maximum age: seven (7) model years.
- 609.4 Maximum mileage: three hundred fifteen thousand (315,000) miles.
- 609.5 Pursuant to §§ 609.3 and 609.4, a vehicle shall be retired not later than the earlier of the following:
- (a) December 31<sup>st</sup> of the calendar year in which the vehicle reaches its maximum age, as provided in § 609.3; or
  - (b) When it reaches its maximum mileage, as provided in § 609.4.
- 609.6 No vehicle shall be placed into service if:
- (a) It would have one (1) year or less prior to retirement under § 609.5;
  - (b) It has been driven more than one hundred thousand (100,000) miles, regardless of whether it has previously been used as a public vehicle-for-hire; or
  - (c) It has been salvaged or rebuilt.

**New Subsections 609.10 through 609.11 are added to read as follows:**

- 609.10 Notwithstanding the requirements of §§ 609.1-609.4, no vehicle that is licensed and in active service on the effective date of this rulemaking shall be required to be retired sooner than required by the prior vehicle retirement rules published in the *D.C. Register* on January 2, 2015 at 62 DCR 000119.
- 609.11 If the Office issues an administrative issuance requiring owners to provide the Office with periodic updates about the safety and mechanical condition of an extended vehicle, or its mileage, each owner of an extended vehicle shall comply with such administrative issuance. Notwithstanding any other provision of this title, failure to comply with such administrative issuance may result in the following enforcement actions:
- (a) An immediate suspension of the vehicle extension;
  - (b) A proposed suspension of the vehicle extension;
  - (c) A civil fine of one hundred dollars (\$100);
  - (d) Any civil penalty provided by another provision of this title; or
  - (e) A combination of the penalties in subparagraphs (a)-(d).

**Chapter 99, DEFINITIONS, is amended as follows:****Section 9901, DEFINITIONS, is amended as follows:****Subsection 9900.1 is amended to add the following:**

**“Extended vehicle”** – a vehicle which is the subject of an extension under § 609.7.

**“New vehicle”** – any vehicle owned by its manufacturer, or a dealer holding a valid franchise for the sale of such vehicle, or a bank or a finance company and which has never before been titled or registered in this or any other jurisdiction, except the kind of title issued only to dealers, provided however that:

- (a) A vehicle may also be classified as a “new” vehicle when titled for the first time in the District by any person applying for a certificate of title who produces a manufacturer’s statement of origin or other evidence of ownership in the form required by the laws of the jurisdiction in which the vehicle was purchased, and which vehicle has never before been titled or registered in any jurisdiction, and
- (b) The model year of the vehicle cannot be more than one (1) year earlier than the current calendar year.

Copies of this proposed rulemaking can be obtained at [www.dcregs.dc.gov](http://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 desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to [dctc@dc.gov](mailto:dctc@dc.gov) or by mail to the D.C. 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*.

## 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), (10), (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), (10), (12), (15), and (19), 50-313, and 50-319 (2014 Repl. & 2015 Supp.)), and D.C. Official Code § 47-2829 (b), (d), (e), (e-1), and (i) (2015 Repl.), hereby gives notice of its intent to adopt amendments to Chapter 10 (Public Vehicles for Hire) of Title 31 (Taxicabs and Public Vehicles For Hire) of the District of Columbia Municipal Regulations (DCMR).

This proposed rulemaking would amend the Chapter 10 to: (1) require that applicants for new DCTC operator’s licenses complete disability sensitivity training; and (2) allow the Office of Taxicabs to place certain conditions on owners that receive new DCTC vehicle licenses, at such times when the Office of Taxicabs issues new DCTC vehicle licenses.

The Commission also hereby gives notice of its 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*. Directions for submitting comments may be found at the end of this notice.

**Chapter 10, PUBLIC VEHICLES FOR HIRE, of Title 31 DCMR, TAXICABS AND PUBLIC VEHICLES FOR HIRE, is amended to read as follows:**

**Section 1004, INVESTIGATION AND EXAMINATION OF APPLICANTS, is amended as follows:**

**Subsection 1004.6 is amended to read as follows:**

1004.6 Each applicant for a new DCTC operator’s license shall provide proof of completion of a disability sensitivity training course approved by the Office.

**A new Subsection 1004.7 is added as follows:**

1004.7 Upon successful completion of the operator education course and successful passage of the written examination administered by the Commission, an applicant shall have six (6) months from the date of the notification letter from the Commission (or unless otherwise stated in writing by the Commission), to file an application for licensure.

**Section 1010, ISSUANCE OF DCTC VEHICLE LICENSE, is amended as follows:**

**A new Subsection 1010.24 is added as follows:**

1010.24 At such times when the Office issues new DCTC vehicle licenses, each applicant for a new DCTC vehicle license may be required by the Office to:

- (a) Purchase or lease a vehicle with electric or other efficient means of propulsion;
- (b) Purchase or lease a vehicle that is wheelchair accessible;
- (c) Provide service in underserved areas of the District, as identified by the Office; or
- (d) Meet other requirements to enhance safety and consumer protection, to improve customer service, or to achieve other lawful purposes within the jurisdiction of the Commission, as determined by the Office in an administrative issuance.

Copies of this proposed rulemaking can be obtained at or by contacting Secretary to the Commission, District of Columbia Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, D.C. 20020. All persons desiring to file comments on the proposed rulemaking action should submit written comments via e-mail to [dctc@dc.gov](mailto:dctc@dc.gov) or by mail to the D.C. Taxicab Commission, 2235 Shannon Place, S.E., Suite 3001, Washington, D.C. 20020, Attn: Secretary to the Commission, no later than thirty (30) days after the publication of this notice in the *D.C. Register*.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF EMERGENCY RULEMAKING

The State Superintendent of Education, pursuant to the authority set forth in Sections 2a, 3(b)(11), (12) and (17) of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code §§ 38-2601.01, 38-2602(b)(11), (12), and (17) (2012 Repl. & 2015 Supp.)) and Sections 1002(a)(22) and (36) of the “Non-Health Related Occupations and Professions Licensure Act of 1998” effective April 20, 1999 (D.C. Law 12-261; D.C. Official Code § 47-2853.04(a)(22) and (36) (2015 Repl.)), hereby gives notice of the adoption, on an emergency basis, of the following amendments to create a new Chapter 16 (Credentials for Teachers and School Administrators) in Title 5 (Education), Subtitle A (Office of the State Superintendent of Education), of the District of Columbia Municipal Regulations (DCMR), and delete in their entirety Sections 1600-1654, 1664-1667, and 1687 in Chapter 16 (License Requirements) of Title 5 (Education), Subtitle E (Original Title 5), of the DCMR.

The purpose of the emergency rulemaking is to update the current criteria and procedures under which the Office of the State Superintendent (OSSE) shall issue credentials to teachers and administrators in a manner that aligns with current research and needs; eliminates onerous credentials requirements; and streamlines the process for awarding credentials in the District. This emergency rulemaking is necessitated by the immediate need to ensure that local education agencies that require credentialed teachers for employment have the necessary framework in place before school year 2016-2017.

Additionally, the State Superintendent is issuing a separate Notice of Proposed Rulemaking that mirrors this emergency rulemaking but also includes provisions regarding pathways to obtaining advanced teaching credentials and advanced administrative services credentials. Further, the separate Notice of Proposed Rulemaking includes due process provisions for the advanced credentials.

This emergency rulemaking was adopted on March 1, 2016 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 June 29, 2016, or upon earlier amendment or repeal by the State Superintendent of Education or publication of a final rulemaking in the *D.C. Register*, whichever occurs first.

**A new Chapter 16 is added to Title 5-A DCMR, OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION, as follows:**

**CHAPTER 16 CREDENTIALS FOR TEACHERS AND SCHOOL ADMINISTRATORS**

**1600 PURPOSE & SCOPE**

1600.1 The purpose of this chapter is to specify criteria under which the Office of the State Superintendent (OSSE) shall issue the following:



- (a) Teaching credential; and
- (b) Administrative Services credential.

1600.2 OSSE shall issue a credential to any applicant who meets the criteria in this chapter including the criteria for a specific credential type, the criminal background check requirements described in Section 1606 and the submission of required application fees described in Section 1608.

1600.3 All credentials that are in effect as of the effective date of this rulemaking shall remain in effect until the date of their expiration.

## **1601 TEACHER CREDENTIALS**

1601.1 An individual shall hold a teaching credential to serve as a teacher in the District of Columbia Public Schools for the sub-specializations enumerated in this section.

1601.2 All individuals required to hold a teaching credential to serve as a teacher in a local education agency (LEA) in the District of Columbia must do so in accordance with the sub-specializations enumerated in this chapter.

1601.3 OSSE shall issue an initial and standard teaching credential in accordance with the provisions of this chapter.

1601.4 All teaching credentials shall specify the discipline(s) and/or sub-specialization(s) in which the holder is authorized to teach.

1601.5 All applicants seeking an initial teaching credential in the District of Columbia shall:

- (a) Have earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
- (b) Have successfully passed an examination approved by OSSE and developed to assess general reading, writing, mathematics skills and other general content knowledge as designated by OSSE, with a qualifying score determined by OSSE;
- (c) Have successfully passed a subject matter content exam approved by OSSE, in the discipline(s) and/or sub-specializations(s) of the credential being sought; and
- (d) Meet the requirements of Subsection 1601.6.

- 1601.6 An applicant shall be issued an initial teaching credential by meeting the requirements described in Subsection 1601.5 and submitting the following:
- (a) Documentation satisfactory to OSSE to confirm that the applicant
    - (1) Is admitted into an OSSE-approved teacher preparation program aligned with the content discipline of the credential being sought, or in a teacher preparation program approved by another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter; and
    - (2) Is employed or contracted as a teacher by an LEA operating in the District of Columbia; or
  - (b) Documentation satisfactory to OSSE to confirm that the applicant:
    - (1) Has at least two (2) years of effective full-time teaching experience in another state as measured by a summative evaluation rating or two (2) years of effective or equivalent teaching as measured by the student growth component of an evaluation rating. The experience shall be completed within the previous three (3) years, and the final year shall show a rating of effective or higher; and
    - (2) Has a valid, current teaching credential, in good standing, issued from another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter; or
  - (c) Documentation satisfactory to OSSE to confirm that the applicant:
    - (1) Is employed or contracted as a teacher by an LEA operating in the District of Columbia; and
    - (2) Has a written request for issuance of an initial teaching credential addressed to OSSE from the employing LEA.
- 1601.7 The term of the initial teaching credential shall expire on July 31st of the third (3<sup>rd</sup>) calendar year after issuance.
- 1601.8 The initial teaching credential is not renewable.
- 1601.9 An applicant shall be issued a standard teaching credential by meeting the following requirements and submitting the following:
- (a) Documentation satisfactory to OSSE to confirm that the applicant:

- (1) Completed an educator preparation program approved by OSSE or an approved program in another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter;
  - (2) Successfully passed an examination approved by OSSE, developed to assess general reading, writing, mathematics skills, and other general content knowledge as designated by OSSE;
  - (3) Successfully passed a subject matter content examination approved by OSSE, in the content discipline for which a credential is sought; and
  - (4) Successfully passed a grade-appropriate pedagogy examination approved by OSSE, or performance-based assessment, as designated by OSSE, with a qualifying score determined by OSSE; or
- (b) Documentation satisfactory to OSSE to confirm that the applicant:
- (1) Held an initial teaching credential in the District of Columbia;
  - (2) Completed at least two (2) years of effective or equivalent full-time teaching experience at an LEA in the District of Columbia within the three (3) year period prior to the application, as demonstrated by the applicant's summative evaluation rating from the employing LEA; and
  - (3) Successfully passed a grade-appropriate pedagogy examination approved by OSSE, or performance-based assessment, as designated by OSSE, with a qualifying score determined by OSSE; or
- (c) Documentation satisfactory to OSSE to confirm that the applicant:
- (1) Holds a teaching credential issued by another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter;
  - (2) Successfully passed an examination approved by OSSE and developed to assess basic reading, writing, mathematics skills, and other general content knowledge designated by OSSE;
  - (3) Successfully passed a subject matter content examination approved by OSSE in the content discipline for which a credential is sought;

- (4) Successfully passed a grade-appropriate pedagogy examination or performance-based assessment, as designated by OSSE; and
  - (5) Has at least two (2) years of effective or equivalent full-time teaching experience in another state, as measured by a summative evaluation rating of two (2) years of effective or equivalent teaching based upon the student growth component of an evaluation rating. The experience shall be completed within three (3) years prior to an application for the credential, and the final year shall show a rating of effective or higher; or
- (d) Documentation satisfactory to OSSE to confirm that the applicant:
- (1) Is currently or has been employed as a teacher by an LEA operating in the District of Columbia;
  - (2) Has completed at least two (2) years of effective or equivalent full-time teaching experience at an LEA in the District of Columbia within the three (3) years prior to the application, as demonstrated by the applicant’s summative evaluation rating from the employing LEA;
  - (3) Successfully passed an examination approved by OSSE, developed to assess general reading, writing, mathematics skills and other general content knowledge as designated by OSSE;
  - (4) Successfully passed a subject matter content examination approved by OSSE, in the content discipline for which a credential is sought; and
  - (5) Successfully passed a grade-appropriate pedagogy examination or performance-based assessment, as designated by OSSE, with a qualifying score determined by OSSE.

1601.10 A standard teaching credential shall be valid for a term of four (4) years.

1601.11 A standard teaching credential may be renewed if the requirements for renewal of this credential are met, in accordance with this chapter. A renewal period shall be for a term of four (4) years.

1601.12 [RESERVED]

1601.13 [RESERVED]

1601.14 [RESERVED]

**1602 TEACHER CREDENTIALS: SUB-SPECIALIZATIONS**

1602.1 OSSE shall establish criteria for the preparation of teachers in the following sub-specializations:

- (a) Adult Basic Education (Adult)
- (b) Adult Education (Academic Subjects)
- (c) Art (Pre-kindergarten – Grade 12)
- (d) Bilingual Education (Pre-kindergarten – Grade 12)
- (e) Bilingual Special Education (Pre-kindergarten – Grade 12)
- (f) Biology (Grades 7 – 12)
- (g) Business Education (Grades 7 – 12)
- (h) Chemistry (Grades 7 – 12)
- (i) Computer Education Laboratory Teacher (Pre-kindergarten – Grade 12)
- (j) Computer Science (Grades 7 – 12)
- (k) Early Childhood Education (Pre-kindergarten – Grade 3)
- (l) Early Childhood – Montessori Primary (Pre-kindergarten – Grade 3)
- (m) Early Childhood Special Education (Pre-kindergarten – Grade 3)
- (n) Educational Technology Teacher Trainer (Pre-kindergarten – Grade 12)
- (o) Elementary Education (Grades 1 – 6)
- (p) Elementary Mathematics Resource (Grades 1-6)
- (q) Elementary Science Resource (Grades 1-6)
- (r) Elementary – Montessori Elementary (Grades 1-6)
- (s) English (Grades 7 - 12)
- (t) General Science (Grades 7 - 12)
- (u) Gifted and Talented Education (Pre-kindergarten – Grade 12)

- (v) Home Economics (Grades 7-12)
- (w) Mathematics (Grades 7 - 12)
- (x) Physical Education (Pre-kindergarten – Grade 12)
- (y) Physics (Grades 7 - 12)
- (z) Reading (Pre-kindergarten - Grade 12)
- (aa) Social Studies (Grades 7 - 12)
- (bb) Middle School Education (Grades 4 – 8)
- (cc) Industrial Arts (Grades 7-12)
- (dd) Marketing Education (Grades 7-12)
- (ee) Performing Arts – Visual Arts (Pre-kindergarten – Grade 12)
- (ff) Performing Arts – Music (Pre-kindergarten – Grade 12)
- (gg) Performing Arts – Drama and Theatre (Pre-kindergarten – Grade 12)
- (hh) Performing Arts – Dance (Pre-kindergarten – Grade 12)
- (ii) Foreign Languages (Pre-kindergarten – Grade 12)
- (jj) Health Education (Pre-kindergarten – Grade 12)
- (kk) Instrumental Music (Pre-kindergarten – Grade 12)
- (ll) Vocal Music (Pre-kindergarten – Grade 12)
- (mm) Non-Categorical Special Education (Pre-kindergarten – Grade 12)
- (nn) Categorical Special Education - (Pre-kindergarten – Grade 12)
- (oo) English as a Second Language (Pre-kindergarten – Grade 12)
- (pp) Technical and Industrial Occupations (Grades 7-12)

1602.2 OSSE shall not issue credentials in the following sub-specializations:

- (a) Athletic Trainer;

- (b) Athletic Coach;
- (c) Health Occupation; and
- (d) Military Science and Tactics.

1602.3 Individuals in possession of OSSE-issued credentials enumerated in Subsection 1602.2 that are in effect on the date of this regulation shall remain in effect until the credential's expiration date. After expiration, individuals employed to fulfill these roles shall be subject to the qualifications and conditions established by their employing LEA for these roles.

### **1603 ADMINISTRATIVE SERVICES CREDENTIALS**

1603.1 An individual shall hold an administrative services credential to serve as principal or assistant principal in the District of Columbia Public Schools.

1603.2 All individuals required to hold an administrative services credential to serve as a principal or assistant principal in a local education agency in the District of Columbia must do so in accordance with this section.

1603.3 OSSE shall issue an initial and standard administrative services credential in accordance with the provisions of this section.

1603.4 An applicant shall be issued an initial administrative services credential by meeting the following requirements, as demonstrated by submitting documentation satisfactory to OSSE to confirm that the applicant:

- (a) Has earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
- (b) Earned a graduate degree or higher at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education or successfully completed the requirements of a state approved program approved by OSSE for educational administrators, or holds a valid administrative services credential from another state; and
- (c) Has two (2) years full-time preschool-grade 12 school-based teaching or instructional leadership experience, or full-time preschool- grade 12 school-based experience in guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities; but has not passed the School Leaders Licensure Assessment (SLLA).

- 1603.5 An initial administrative services credential shall be valid for a term of two (2) years.
- 1603.6 An initial administrative services credential is not renewable.
- 1603.7 An applicant shall be issued a standard administrative services credential by meeting the following requirements and submitting the following:
- (a) Documentation satisfactory to OSSE to confirm the applicant:
    - (1) Has earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
    - (2) Earned a graduate degree or higher from an accredited institution of higher education or successfully completed the licensure requirements of a state approved program approved by OSSE for educational administrators, or holds a valid administrative services credential from another state;
    - (3) Successfully completed four years of full-time preschool-grade 12 school-based teaching, instructional leadership experience, guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities; and
    - (4) Successfully completed the SLLA, with a qualifying score determined by OSSE; or
  - (b) Documentation satisfactory to OSSE to confirm the applicant:
    - (1) Has earned a bachelor's degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;
    - (2) Earned a graduate degree or higher from an accredited institution of higher education or successfully completed the licensure requirements of a state approved program approved by OSSE for educational administrators;
    - (3) Successfully completed two years of effective or equivalent, full-time preschool-grade 12 school-based teaching or instructional leadership experience, or two years of effective or equivalent, full-time preschool-grade 12 school-based experience in guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities; as demonstrated by the applicant's summative evaluation rating from his or her LEA; and



(4) Successfully completed the SLLA, with a qualifying score determined by OSSE.

(c) Documentation satisfactory to OSSE to confirm the applicant:

(1) Has earned a bachelor’s degree at a college or university accredited by one of the regional accrediting bodies approved by the U.S. Department of Education;

(2) Holds a valid administrative services credential issued by another state approved by OSSE in accordance with the interstate agreement provisions outlined in this chapter;

(3) Successfully completed two years of effective or equivalent, full-time preschool-grade 12 school-based teaching or instructional leadership experience, in another state, as measured by a summative evaluation rating of two (2) years of effective or equivalent teaching based upon the student growth component of an evaluation rating; or two years of effective or the equivalent, full-time preschool-grade 12 school-based experience in guidance counseling, social work, psychological services, or rehabilitative services for students with disabilities; as demonstrated by the applicant’s summative evaluation rating from his or her LEA; and

(4) Successfully completed the SLLA, with a qualifying score determined by OSSE.

1603.8 A standard administrative services credential shall be valid for a term of four (4) years.

1603.9 A standard administrative services credential may be renewed if the requirements for renewal of this credential are met in accordance with this chapter. A renewal period shall be for a term of four (4) years.

1603.10 [RESERVED]

1603.11 [RESERVED]

1603.12 [RESERVED]

**1604 CREDENTIAL STATUSES AND RENEWAL REQUIREMENTS**

1604.1 The following statuses shall apply to the credentials described in this chapter:

(a) Active;

- (b) Expired;
- (c) Revoked; and
- (d) Suspended

1604.2 Each credential holder shall be responsible for knowing the requirements needed to maintain a valid District of Columbia credential. When a teaching credential is renewed, all sub-specializations for which the credential holder is authorized will be renewed.

1604.3 To renew a standard teaching credential, credential holders shall present:

- (a) Documentation showing that the credential holder has achieved a summative LEA teacher evaluation rating of effective or equivalent for a minimum of three (3) years during the four (4) year term of validity; or
- (b) Evidence showing that the credential holder has engaged in a minimum of 120 hours of professional development activities during the four (4) year term of validity.

1604.4 A standard teaching credential that has expired cannot be renewed but may be reinstated by submitting and meeting the requirements for a new application.

1604.5 [RESERVED]

1604.6 [RESERVED]

1604.7 To renew a standard administrative services credential, credential holders will present:

- (a) Documentation showing that the credential holder has achieved summative LEA administrator evaluation rating of effective or equivalent for a minimum of three (3) years during the four (4) year term of validity; or
- (b) Evidence showing that the credential holder has engaged in a minimum of one hundred twenty (120) hours of professional development activities during the four (4) year term of validity.

1604.8 A standard administrative services credential that has expired cannot be renewed but may be reinstated by submitting and meeting the requirements for a new application.

1604.9 [RESERVED]

1604.10 [RESERVED]

**1605 INTERSTATE AGREEMENT ON QUALIFICATION OF EDUCATIONAL PERSONNEL**

1605.1 OSSE shall conduct periodic reviews to determine whether any state has established teacher preparation standards that are at least comparable or equivalent to teacher preparation standards in the District of Columbia.

1605.2 If OSSE determines that the teacher preparation standards established by any state are at least comparable or equivalent to teacher preparation standards in the District of Columbia, OSSE shall initiate negotiations with that state to provide reciprocity in teacher or administrative services credentialing.

1605.3 OSSE shall award a credential to any applicant who holds or qualifies for an equivalent credential awarded by a state that has established a reciprocity agreement with the District of Columbia.

1605.4 OSSE shall grant an appropriate credential to any applicant from another state that has completed teacher preparation that is at least comparable or equivalent to preparation that meets teacher preparation standards in the District of Columbia, as determined by OSSE, if both of the following circumstances exist:

- (a) A reciprocity agreement with the other state is pending completion, or the other state has declined to enter into a reciprocity agreement with the District of Columbia; and
- (b) The applicant has met the requirements of the District of Columbia for obtaining a credential in accordance with this section.

1605.5 An interstate agreement established pursuant to this section shall not exempt an out-of-state applicant from being required to submit to, and comply with, a background or criminal history record check, in conjunction with obtaining a credential under this chapter.

**1606 REQUIRED CRIMINAL BACKGROUND CHECKS**

1606.1 Each applicant for a credential under this chapter shall be required to undergo a criminal history record check prior to receiving the credential, and shall be required to submit to additional checks for purposes of renewing or continuing to hold the credential.

1606.2 OSSE shall develop policies or directives setting forth the criteria for the review of such records in accordance with applicable law.

1606.3 Criminal convictions, in accordance with Section 1607, and pending criminal charges shall be taken into account by OSSE with regard to criminal background information in determining whether or not an individual is qualified to hold the credential.

1606.4 Holding a credential issued by OSSE shall not exempt an individual from the criminal background check requirements of any employer.

**1607 DENIAL, SUSPENSION OR REVOCATION OF TEACHING AND ADMINISTRATIVE SERVICES CREDENTIALS**

1607.1 An application for a credential shall be denied by OSSE and a credential issued pursuant to this chapter shall be denied for renewal, suspended for a period determined by OSSE, or revoked by OSSE if the applicant or credential holder has:

- (a) Fraudulently or deceptively obtained or attempted to obtain the credential;
- (b) Pled guilty or nolo contendere with respect to, or received probation before judgment with respect to, or been convicted of, one of the following crimes as defined in the District of Columbia Official Code or a comparable crime in another state or federal law:
  - (1) Murder;
  - (2) Child abuse;
  - (3) Rape or sexual abuse;
  - (4) A sexual offense involving a minor or non-consenting adult;
  - (5) Child pornography;
  - (6) Kidnapping or abduction of a child;
  - (7) Illegal possession, use, sale, or distribution of controlled substances;
  - (8) Illegal possession or use of weapons;
  - (9) A felony involving moral turpitude to be defined as one characterized by behavior or acts that gravely violate moral sentiments or accepted moral standards of this community and are of a morally culpable quality; or

(10) A crime of violence as defined in District of Columbia Official Code Section 23-1331(4).

(c) Failed to report suspected child abuse or neglect, as required by District of Columbia Official Code Section 4-1321.02; or

(d) Been denied a credential or had his/her credential denied, suspended, or revoked in another jurisdiction within the previous five (5) years for a cause which would be grounds for denial, suspension, or revocation under this section.

1607.2 The following reporting procedures shall govern this chapter with regard to conduct in this section:

(a) Employees, agents, and contractors of local education agencies in the District of Columbia shall notify OSSE in writing if they become knowledgeable of a person with a current credential issued under this chapter or an applicant for a credential under this chapter who engages in an act listed in Subsection 1607.1.

(b) The written notice shall include the following information:

(1) Name and current or last known address of the person being reported;

(2) Type of credential held or applied for by the person; and

(3) Specific act set forth in Subsection 1607.1 engaged in by the individual at issue.

(c) OSSE shall establish and implement policies and procedures for the review of documents associated with the reporting of actions listed in Subsection 1607.1.

1607.3 OSSE shall send a potential or current credential holder written notification before denying an application for, denying the renewal of, suspending or revoking a credential for reasons set forth in Subsection 1607.1. The written notification shall include the following:

(a) The intent to deny the application or to deny the renewal of, suspend, or revoke the credential, specifying the basis for the intended action;

(b) Notice that a potential or current credential holder has the right to appeal the proposed action at a hearing;

- (c) Notice that, if the potential or current credential holder requests a hearing to appeal the proposed action, the decision to deny, suspend or revoke shall not become final until the conclusion of the hearing.
- (d) Notice that at a hearing the standard of proof shall be a preponderance of the evidence and that the burden of proof shall rest upon:
  - (1) OSSE to sustain a decision to suspend or revoke a credential; and
  - (2) The applicant to reverse a decision to deny a credential.
- (e) Notice that an individual appealing the proposed action shall have the right, at his/her own expense, to be represented by an attorney or other representative at the hearing.
- (f) Notice that a request for a hearing to appeal the proposed action shall be filed within ten (10) business days of the date of the written notification of the intent to deny the application or deny, suspend or revoke the credential as a result of moral character and fitness issues.
- (g) Notice that, absent the timely filing of a request for a hearing, the decision shall become final on the eleventh (11th) business day after written notification of the intent to deny the application or deny the renewal of, suspend or revoke the credential as a result of character and fitness issues.

- 1607.4 If an application for or renewal of a credential is intended for denial by OSSE as a result of the failure to meet the requirements of Subsections 1601.12, 1603.4, 1606.7, or 1606.10 and the applicant requests a hearing under Subsection 1607.3, the LEA(s) that issued the summative evaluation(s) shall cooperate with OSSE in defense of the intended action.
- 1607.5 OSSE shall notify all other states of denial, suspension, and revocation decisions as part of the interstate certification data exchange.
- 1607.6 If the decision of denial, suspension, or revocation is based on Subsection 1607.1 (b), and if the decision subsequently is overturned in an appeal or other post decision proceeding, an applicant may re-apply for a credential, and a credential suspension or revocation shall end on the date a conviction or plea of guilty is overturned.
- 1607.7 A credential which has been suspended under this chapter shall be automatically reinstated at the end of a suspension period; provided that the credential has not expired during the period of suspension.

1607.8 If a credential expired during the period of suspension, a person may reapply and shall be required to meet the credential requirements in effect at the time the application is submitted for a new credential.

**1608 FEES**

1608.1 Each application for a credential submitted to OSSE for processing under this chapter shall be accompanied by a fee established by OSSE.

- (a) OSSE shall determine the amount of revenue that shall be required to administer the teacher and administrator credentialing process, and shall establish an application processing fee in the amount deemed necessary for such purposes;
- (b) As required by Section 3 of the State Education Office Establishment Act of 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602), all revenue collected by OSSE under this subsection for the processing of credentials shall be deposited in the OSSE “Academic Certification and Testing Fund,” which shall be separate from the Local Operating Funds of the District of Columbia. Any unexpended funds in the Academic Certification and Testing Fund at the end of a fiscal year shall revert to the unrestricted fund balance of the General Fund of the District of Columbia pursuant to Section 3(c)(2) of the State Education Office Establishment Act of 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602(c)(2)).
- (c) All revenue collected by OSSE under this subsection for the processing of credentials shall be used for the purposes directly related to credentialing activities, shall include:
  - (1) Travel, including per diems;
  - (2) Educator professional training and development, including food and beverages, pursuant to 5 U.S.C. § 4109;
  - (3) Award programs, including food and beverages pursuant to 5 U.S.C. § 4503;
  - (4) Stipends;
  - (5) Professional organization membership dues;
  - (6) Day-to-day office operational needs related to credentialing activities;

- (7) Salaries of individuals who perform, manage, monitor or oversee credentialing or support the processing and issuing of credentials; and
  - (8) The maintenance of credentialing program systems and records, including the creation and maintenance of any electronic or online system.
- (d) Fees shall be made payable to the D.C. Treasurer as specified by OSSE.
  - (e) OSSE shall establish and publish on its website the application fee for first time applicants and renewals, and for requests for duplicate credentials.

**1699****DEFINITIONS**

## 1699.1

When used in this chapter, the following terms shall have the ascribed meanings:

- (a) **“Credential”** means a document issued under this chapter to a person who has met the eligibility standards and other requirements of this chapter and who is therefore authorized to perform the services permitted by law and regulation to be performed by a person holding such a credential, and to hold himself or herself out as authorized to perform such services.
- (b) **“Local Education Agency” or “LEA”** means an educational institution at the local level that exists primarily to operate a publicly funded school or schools providing elementary or secondary education in the District of Columbia, including the District of Columbia Public Schools (DCPS) and a District of Columbia public charter school.
- (c) **“Office of the State Superintendent of Education” or “OSSE”** means the District of Columbia state education level agency established by Section 2 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2601 (2012 Repl. & 2015 Supp.)).
- (d) **“School Leaders Licensure Assessment”** means the statewide assessment of school administration knowledge and skills that has been adopted by OSSE as a requirement for issuance of the administrative services credential.
- (e) **“Stipends”** means payments issued to a District of Columbia teacher, administrator, or other school-based professional in exchange for performing a service related to credentialing activities under this chapter.



- (f) **“Sub-specialization”** means the designation on a credential issued under this chapter authorizing a person to practice a specialty within a credential category.

**The following sections of Chapter 16, LICENSE REQUIREMENTS, of Title 5-E DCMR, ORIGINAL TITLE 5, are hereby deleted in their entirety:**

**Section 5E-1600 through 5E-1654**

**Section 5E-1664 through 5E-1667**

**Section 5E-1687**

## DEPARTMENT OF HEALTH

**NOTICE OF EMERGENCY RULEMAKING**

The Director of the Department of Health, pursuant to the authority set forth in § 201(a) of the District of Columbia Uniform Controlled Substances Act of 1981, effective August 5, 1981 (D.C. Law 4-29; D.C. Official Code § 48-902.01(a) (2014 Repl. & 2015 Supp.)) and Mayor's Order 98-49, dated April 15, 1998, hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapter 12 (Controlled Substances Act Rules) of Title 22 (Health), Subtitle B (Public Health and Medicine) of the District of Columbia Municipal Regulations (DCMR).

The emergency rules update the list of Schedule I and Schedule IV drugs.

Emergency action is necessary because the updated list includes cannabimimetic drugs that have no legitimate medical use, are readily available, and pose an immediate risk to public health and safety because of their harmful effects when abused. The public health threats from using these drugs include vomiting, anxiety, agitation, irritability, seizures, hallucinations, tachycardia, elevated blood pressure, and loss of consciousness.

These emergency rules were adopted on February 22, 2016, became effective immediately, and shall expire on June 21, 2016, unless superseded by publication of another rulemaking notice in the *D.C. Register*.

**Chapter 12, CONTROLLED SUBSTANCES ACT RULES, of Title 22-B DCMR, PUBLIC HEALTH AND MEDICINE, is amended as follows:**

**Section 1201, SCHEDULE I ENUMERATED, is amended as follows:**

**Subsection 1201.1(c) is amended by striking the word “and” at the end of paragraph (45) and adding 40 new paragraphs to be numbered (47) through (86) as follows:**

- (47) (2C-T) 2-(2,5-dimethoxy-4-(methylthio)phenyl)ethanamine; OR 4-methylthio-2,5-dimethoxyphenethylamine;
- (48) 4- methylthio-2,5-dimethoxyphenethylamine;
- (49) (2C-B-butterFLY) 2-(10-Bromo-2,3,4,7,8,9 hexahydropyrano[2,3-g]chromen-5-yl)ethanamine;
- (50) (2C-B-FLY) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4- yl)ethanamine;
- (51) (2C-B-hemiFLY, 2CB-5- hemiFLY) 2-(7-Bromo-5-methoxy-2,3-dihydro-1-benzofuran-4- yl)ethanamine;
- (52) (2C-B-FLY-NBOMe) N-(2-Methoxybenzyl)-1-(8-bromo-2,3,6,7-tetrahydrobenzo[1,2-b:4,5-b']difuran-4-yl)-2-aminoethane;
- (53) (2C-B-NBOMe, 2,5B-NBOMe) 2-(4-bromo-2,5-

- dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine; or  
2,5-Dimethoxy-4-bromo-N-(2-methoxybenzyl) phenethylamine;
- (54) 2CBCB-NBOMe N-(2-methoxybenzyl)-1-[(7R)-3-bromo-2,5-dimethoxybicyclo[4.2.0]octa-1,3,5-trien-7-yl]methanamine;
- (55) 2C-C-NBOMe, 2,5C-NBOMe 2-(4-chloro-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine; OR 2,5-Dimethoxy-4-chloro-N-(2-methoxybenzyl)phenethylamine;
- (56) 2C-H-NBOMe, 2,5H-NBOMe 2-(2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine;
- (57) 2C-I-NBOH, 2,5I-NBOH N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine;
- (58) 2C-I-NBOMe, 2,5INBOMe, 2,5I-NBOMe, 25I-NBOMe, NBOMe-2C-I, BOM-CI 2- 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine; OR 2,5-Dimethoxy-4-iodo-N-(2-methoxybenzyl)phenethylamine;
- (59) (2CBCB-NBOMe) N-(2-methoxybenzyl)-1-[(7R)-3-bromo-2,5-dimethoxybicyclo[4.2.0]octa-1,3,5-trien-7-yl]methanamine
- (60) (2C-H-NBOMe, 2,5H-NBOMe) 2-(2,5-dimethoxyphenyl)-N-[(2-ethoxyphenyl)methyl]ethanamine
- (61) (2C-I-NBOH, 2,5I-NBOH) N-(2-Hydroxybenzyl)-4-iodo-2,5-dimethoxyphenethylamine;
- (62) 2C-TFM-NBOMe) 2-(4-trifluoromethyl-2,5-dimethoxyphenyl)-N-[(2-ethoxyphenyl)methyl]ethanamine;
- (63) (25I-NBF) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-fluorophenyl)methyl]ethanamine;
- (64) (25I-NBMD, NBMD-2C-I, Cimbi-29) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2,3ethylenedioxyphenyl)methyl]ethanamine;
- (65) (3C-B-FLY) 2-(4-bromo-2,3,6,7-tetrahydrofurobensofuran-8-yl)-1-methyl-ethylamine;
- (66) (4-CAB, AEPCA) 4-Chlorophenylisobutylamine; OR 1-(4-chlorophenyl)butan-2-amine; OR 4-chloro- $\alpha$ -ethylphenethylamine;
- (67) (4-FA, PAL-303, Flux, Flits, R2D2) para-fluoroamphetamine; OR 4-fluoroamphetamine; OR (RS)-1-(4-Fluorophenyl)propan-2-amine;

- (68) (5-APB) 5-(2-Aminopropyl)benzofuran;
- (69) (5-APDB) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran;
- (70) (6-APB; Benzofury) 6-(2-aminopropyl)benzofuran; OR 1-benzofuran-6-ylpropan-2-amine;
- (71) (6-APDB) 6-(2-Aminopropyl)-2,3,-dihydrobenzofuran;
- (72) (APB) ((2-aminopropyl)benzofuran); OR [(2-aminopropyl)benzofuran]; OR (2-aminopropyl)benzofuran;
- (73) (APDB) ((2-aminopropyl)-2,3-dihydrobenzofuran); OR [(2-aminopropyl)-2,3-dihydrobenzofuran]; OR (2-aminopropyl)- 2,3-dihydrobenzofuran;
- (74) (bromo-dragonFLY) 1-(4-Bromofuro[2,3-f][1]benzofuran-8-yl)propan-2-amine; OR bromo-benzodifuranyl-isopropylamine;
- (75) (DOB) 2,5-Dimethoxy-4-bromoamphetamine; OR 1-(4-Bromo-2,5- dimethoxyphenyl)-2-aminopropane;
- (76) (DOC) 2,5-Dimethoxy-4-chloroamphetamine; OR 1-(4-chloro-2,5-dimethoxy-phenyl)propan-2-amine; OR 4-chloro-2,5-dimethoxyamphetamine;
- (77) (DOI) 2,5-dimethoxy-4-iodoamphetamine; OR 1-(2,5-dimethoxy-4-iodophenyl)-propan-2-amine; OR 4-iodo-2,5-dimethoxyamphetamine;
- (78) DOM, STP 4-methyl-2,5-dimethoxy-amphetamine; OR 4-methyl-2,5-dimethoxy-a-methylphenethylamine;
- (79) (Fluoroamphetamine);
- (80) MDA 3,4-methylenedioxy amphetamine;
- (81) MDMA 3,4-methylenedioxymethamphetamine;
- (82) MDE, MDEA 3,4-methylenedioxy-N-ethylamphetamine; OR N-ethylalpha-methyl-3,4(methylenedioxy)phenethylamine;
- (83) Mescaline 3,4,5-trimethoxyphenethylamine;
- (84) (Mescaline-NBOMe) N-(2-Methoxybenzyl)-2-(3,4,5-trimethoxyphenyl)ethanamine; OR 3,4,5-trimethoxy-N-(2-methoxybenzyl)phenethylamine;
- (85) (PMMA, 4-MMA) para-Methoxy-N-methylamphetamine; OR 4-

methoxy-N- methylamphetamine; OR 1-(4-methoxyphenyl)-N-methyl- propan-2-amine; and

- (86) TMA 3,4,5-trimethoxyamphetamine;

**Subsection 1201.1(e) is amended to read as follows:**

- (e) Stimulants: Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation that contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:
- (1) Alpha-ethyltryptamine;
  - (2) Alpha- ethyltryptamine;
  - (3) Aminorex;
  - (4) Cathinone; Any compound (not being bupropion) structurally derived from 2-amino-1-phenyl-1-propanone by modification in any of the following ways:
    - (A) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;
    - (B) By substitution at the 3-position with an alkyl substituent; or
    - (C) By substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure;
  - (5) 2-diphenylmethylpyrrolidine, including 2-Benzylhydrolypyrrolidin, (S)-(-)-2-(diphenylmethyl)pyrrolidine, (S)-2-diphenylmethylpyrrolidine; (2S)-2-Benzylhydrolypyrrolidine; (2S) diphenylmethylpyrrolidine;
  - (6) Fenethylamine;
  - (7) Mephedrone (4-methyl-N-ethylcathinone), BZ-6378, 4-methylephedrone;
  - (8) Methcathinone, including 4-MEC 4-methyl-N-ethylcathinone, 4-methylethcathinone, para-methyl-N-ethylcathinone, para-methylethcathinone, 4-methyl-ethylcathinone;
  - (9) Methylenedioxypropylone (MDPV);

- (10) Methylone;
- (11) N-Benzylpiperazine, (BZP) benzylpiperazine, N-benzylpiperazine;
- (12) N-ethylamphetamine;
- (13) N-Hydroxy-3, 4-methylenedioxyamphetamine;
- (14) N, N-Dimethylamphetamine;
- (15) 4-methyl-N-ethylcathinone (“4-MEC”);
- (16) 4-methyl-alpha-pyrrolidinopropiophenone (“4-MePPP”);
- (17) Alpha-pyrrolidinopentiophenone (“ $\alpha$ -PVP”), (a-PVP, alpha-PVP), a-Pyrrolidinopentiophenone, 1-phenyl-2-(1-pyrrolidinyl)-1-pentanone, alpha-pyrrolidinovalerophenone, a-pyrrolidinovalerophenone;
- (18) 1-(1, 3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (“butylone”);
- (19) 2-(methylamino)-1-phenylpentan-1-one (“pentedrone”);
- (20) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (“pentylone”);
- (21) 4-fluoro-N-methylcathinone (“4-FMC”), including 4-ethylmethcathinone, 4-ethyl-methcathinone, Flephedrone, 4-fluoromethcathinone;
- (22) 3-fluoro-N-methylcathinone (“3-FMC”), 3-fluoromethcathinone;
- (23) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (“naphyrone”);
- (24) Alpha-pyrrolidinobutiophenone (“ $\alpha$ -PBP”) (a-PBP, alpha-PBP) alpha-Pyrrolidinobutiophenone, a-Pyrrolidinobutiophenone, (RS)1-phenyl-2-(1-pyrrolidinyl)-1-pentanone;
- (25) 2-DPMP, including desoxypropadrol, diphenylprolinol, 2-Diphenylmethylpiperidine, 2-benzhydrylpiperidine;
- (26) 2-FMC, 2-fluoromethcathinone;
- (27) 3,4-DMMC, 3,4-dimethylmethcathinone;
- (28) 4-MBC, Bazedrone, ( $\pm$ )-1-(4-methylphenyl)-2-(benzylamino)propan-1-one, 4-methyl-N-benzylcathinone,N-

- benzyl-4-methylcathinone, 1-(4-methylphenyl)-2-benzylaminopropan-1-one;
- (29) 4-MeMABP, 4-methylbuphedrone, (2-Methylamino-1-(4-methylphenyl)butan-1-one), 2-methylamino-1-(4-methylphenyl)butan-1-one;
- (30) a-PPP, alpha-PPP, alpha-pyrrolidinopropiophenone, a-pyrrolidinopropiophenone;
- (31) Buphedrone, a-methylamino-butyrophenone, 2-(methylamino)-1-phenylbutan-1-one, alpha-methylamino-butyrophenone;
- (32) Butylone, bk-MBDB, beta-Keto-N-methylbenzodioxolylpropylamine, beta-Keto-N-methyl-3,4-benzodioxolylbutanamine;
- (33) D2PM, diphenyl-2-pyrrolidinyl-methanol;
- (34) Dimethocaine, (3-diethylamino-2,2-dimethylpropyl)-4-aminobenzoate;
- (35) DMBDB, bk-DMBDB, dibutylone, 1-(Benzo[d][1,3]dioxol-5-yl)-2-(dimethylamino)butan-1-Dibutylone) one;
- (36) DMEC, dimethylethcathinone;
- (37) DMMC, dimethylmethcathinone;
- (38) Ephedrone (sometimes used as another name for methcathinone) 2-(methylamino)-1-phenylpropan-1-one; OR 2-methylamino-1-phenylpropan-1-one;
- (39) Ethcathinone, 2-ethylamino-1-phenyl-propan-1-one;
- (40) Ethylethcathinone;
- (41) Ethylmethcathinone;
- (42) Ethylone 3,4-methylenedioxy-N-ethylcathinone; OR 3,4-methylenedioxyethylcathinone; OR 3,4-methylenedioxyethylcathinone; OR 3,4-methylenedioxyethcathinone;
- (43) Eutylone beta-Keto-Ethylbenzodioxolylbutanamine;
- (44) Fluorococaine;
- (45) Fluoroethcathinone;
- (46) Fluoroisocathinone;
- (47) Fluoromethcathinone;

- (48) HMMC 3-methoxymethcathinone;
- (49) Isopentadrone;
- (50) MaPPP, 4-MePPP, MPPP 4-methyl-alpha-pyrrolidinopropiophenone; OR 4-methyl-alpha-pyrrolidinopropiophenone; OR methylpyrrolidinopropiophenone; OR Methyl-pyrrolidinopropiophenone;
- (51) MBP Methylbuphedrone;
- (52) MBZP 1-methyl-4-benzylpiperazine;
- (53) MDAI methylenedioxy-aminoindane; OR 5,6-methylenedioxy-2-aminoindane;
- (54) MDAT 6,7-methylenedioxy-2-aminotetralin;
- (55) MDDMA Dimethylone;
- (56) MDMC Methylenedioxy-methcathinone;
- (57) MDPBP 3,4-methylenedioxy-alpha-pyrrolidinobutiophenone; OR 3,4-methylenedioxy-alpha-pyrrolidinobutiophenone;
- (58) MDPPP 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone; OR (RS)-1-(3,4-methylenedioxyphenyl)-2-(1-pyrrolidinyl)-1-propanone; OR 3,4-methylenedioxy-alpha-pyrrolidinopropiophenone;
- (59) MDPV, MDPK 3,4-methylenedioxy-pyrovalerone; OR methylenedioxy-pyrovalerone;
- (60) MEC Methylethcathinone;
- (61) Mephedrone, 4-MMC 4-methylmethcathinone; OR 4-methylephedrone; OR (RS)-2-methylamino-1-(4-methylphenyl)propan-1-one;
- (62) Metamfepramone, N,N-DMMC N,N-dimethylcathinone;
- (63) Methedrone, Bk-PMMA, PMMC para-methoxymethcathinone; OR 4-methoxymethcathinone; OR methoxyphedrine; OR (RS)-1-(4-methoxyphenyl)-2-(methylamino)propan-1-one;
- (64) Methylmethcathinone;
- (65) Methylone, bk-MDMA, MDMC 3,4-methylenedioxy-N-methylcathinone; OR 3,4-methylenedioxy-methcathinone; OR 3,4-methylenedioxy-methylcathinone;
- (66) MOMC Methoxymethcathinone;



- (67) MOPPP 4-methoxy-alpha-pyrrolidinopropiophenone; OR 4-methoxy-a-pyrrolidinopropiophenone;
- (68) MPBP 4-methyl-alpha-pyrrolidinobutyrophenone; OR 4-methyl-a-pyrrolidinobutyrophenone; OR 4-methyl-alpha-pyrrolidinobutiophenone; OR 4-methyl-a-pyrrolidinobutiophenone;
- (69) NRG-1, Naphyrone naphthylpyrovalerone;
- (70) NRG-2;
- (71) Pentedrone a-methylamino-Valerophenone; OR 2-(methylamino)-1-phenyl-1-pentanone; OR 2-methylamino-1-phenyl-1-pentanone; and
- (72) Pentylone beta-Keto-N-methylbenzodioxolylpentanamine; OR beta-keto-ethylbenzodioxolylpentanamine;

**Subsection 1201.1(f)(2)(B) is amended to read as follows:**

- (B) AM-356 (methanandamide); (5Z,8Z,11Z,14Z)-N-[(1R)-2-hydroxy-1-methylethyl] icosa-5,8,11,14-tetraenamide; or arachidonyl-1'-hydroxy-2'-propylamide;

**Subsection 1201.1(f)(2) is amended by adding four new paragraphs numbered (JJ) through (MM) as follows:**

- (JJ) THJ-2201 [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl)methanone;
- (KK) (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1H-indazole-3-carboxamide (“AB-CHMINACA”));
- (LL) (N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide) (“AB-PINACA”); and
- (MM) NM-2201, aka CBL-2201 naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate.

**Subsection 1201.1 is amended by adding two new paragraphs (g) and (h) to read as follows:**

- (g) Substituted tryptamines. This includes any compound, unless specifically excepted, specifically named in this schedule, or listed under a different schedule, structurally derived from 2-(1H-indol-3-yl) ethanamine (i.e., tryptamine) by mono- or di-substitution of the amine nitrogen with alkyl or alkenyl groups or by inclusion of the amino nitrogen atom in a cyclic structure whether or not the compound is further substituted at the alpha

position with an alkyl group or whether or not further substituted on the indole ring to any extent with any alkyl, alkoxy, halo, hydroxyl, or acetoxy groups. Examples include the following:

- (1) (4-AcO-DET) 3-(2-Diethylaminoethyl)-1H-indol-4-yl acetate;
- (2) (4-AcO-DMT, OAcetylpsilocin) 4-acetoxy-N,N-dimethyltryptamine;
- (3) (4-AcO-DPT) 4-acetoxy-N,N-dipropyltryptamine;
- (4) (4-HO-DiPT) 4-Hydroxy-di-isopropyl-tryptamine; OR 3-[2-(diisopropylamino)ethyl]-1H-indol-4-ol; OR 4-Hydroxy- N,N-diisopropyltryptamine;
- (5) (4-HO-MET) 4-hydroxy-N-methyl-N-ethyltryptamine;
- (6) (4-HO-MiPT) 3-(2-[Isopropyl(methyl)amino]ethyl)-1H-indol-4-ol;
- (7) (4-HO-MPMI) (R)-3-(N-methylpyrrolidin-2-ylmethyl)-4-hydroxyindole;
- (8) (4-HO-MPT) 3-{2-[methyl(propyl)amino]ethyl}-1H-indol-4-ol; OR 4- hydroxy-N-methyl-N-propyltryptamine;
- (9) (4-MeO-MiPT) 4-methoxy-N-methyl-N-isopropyltryptamine; OR 3-[2 (Isopropylmethylamino)ethyl]-4-methoxyindole;
- (10) 4-methyl-aET 4-Methyl- $\alpha$ -ethyltryptamine; OR 1-ethyl-2-(4-methyl-1H- indol-3-yl)-ethylamine;
- (11) (5-MeO-AMT) 1-(5-methoxy-1H-indol-3-yl)propan-2-amine;
- (12) (5-MeO-DALT) N,N-diallyl-5-methoxytryptamine; OR N-allyl-N-[2-(5- methoxy-1H-indol-3-yl)ethyl]prop-2-en-1-amine;
- (13) (5-MeO-DET) N,N-Dethyl-5-Methoxytryptamine;
- (14) (5-MeO-DPT) N-[2-(5-methoxy-1H-indol-3-yl)ethyl]-N-propylpropan-1- amine;
- (15) (5-MeO-MiPT, Moxie, Moxie) N-[2-(5-methoxy-1H-indol-3-yl)ethyl]-N-methylpropan-2-amine;
- (16) (5-MeO-MPMI) (R)-3-(N-methylpyrrolidin-2-ylmethyl)-5-methoxyindole;
- (17) (DPT) N,N-Dipropyltryptamine; OR Dipropyltryptamine; OR 3-[2-(dipropylamino)ethyl]indole;
- (18) (Methyltryptamine, NMT) N-methyltryptamine; OR 2-(1H-Indol-3-yl)-N-methylethanamine; and

- (19) (MiPT) N-isopropyl-N-methyltryptamine;
- (h) Unclassified novel psychoactive substances:
  - (1) (2-AI, 2-aminoindane) 2,3-dihydro-1H-inden-2-amine;
  - (2) (2-FMA) 2-fluoromethamphetamine; OR (RS)-1-(2-fluorophenyl)-N-methylpropan-2-amine;
  - (3) (2-MeO-ketamine) methoxyketamine;
  - (4) (3-HO-PCE) 3-[1-(ethylamino) cyclohexyl]phenol;
  - (5) (3-HO-PCP) 3-hydroxyphencyclidine (3-MeO-PCE) 3-Methoxyeticyclidine;
  - (6) (3-MeO-PCP) 1-[1-(3-methoxyphenyl)cyclohexyl]-piperidine; OR 3-methoxyphencyclidine;
  - (7) (4-FMA) 4-fluoromethamphetamine; OR (RS)-1-(4-fluorophenyl)-N-methylpropan-2-amine;
  - (8) (4-MeO-PCP, methoxydine) 4-Methoxyphencyclidine; OR 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine;
  - (9) (5-IAI) 5-Iodo-2-aminoindane; OR 5-iodo-2,3-dihydro-1H-inden-2-amine;
  - (10) (5-ME) 5-methyl-ethylone;
  - (11) (BTCPP) Benzothiophenylcyclohexylpiperidine;
  - (12) (DBP, DBZP) 1,4-Dibenzylpiperazine;
  - (13) (Ethyl-ketamine) 2-(2-chlorophenyl)-2-(ethylamino)cyclohexanone;
  - (14) (Fluoromethamphetamine);
  - (15) (Fluorophenylpiperazine; pFPP; 4-FPP; fluoperazine; flipiperazine) Para-fluorophenylpiperazine; OR 1-(4-fluorophenyl)piperazine;
  - (16) (Kratom) 7-hydroxymitragynine;
  - (17) (MCCP) 1-(3-Chlorophenyl)piperazine, OR Chlorophenylpiperazine, OR meta chlorophenylpiperazine; OR 1-(3-chlorophenyl)piperazine; OR 3-chlorophenylpiperazine;
  - (18) (Methiopropamine, MPA) 1-(thiophen-2-yl)-2-

methylaminopropane;

- (19) (Methoxetamine, MXE, 3 MeO-2-Oxo-PCE) (RS)2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone;
- (20) (MPHP) Methyl-alpha-pyrrolidinohexiophenone; OR Methyl-pyrrolidino-hexanophenone;
- (21) (O-desmethyltramadol, O-DT) 3-[2-(1-Amino-1-methylethyl)-1-hydroxycyclohexyl]phenol;
- (22) (Phenazepam) 7-Bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one;
- (23) (pMeOPP, MeOPP) 1-(4-Methoxyphenyl) piperazine;
- (24) (pTFMPP) 1-[4-(trifluoromethylphenyl)] piperazine; and
- (25) (TFMPP) 3-trifluoromethylphenylpiperazine; OR 1-[3-(trifluoromethyl)phenyl]piperazine; OR 1-(3-trifluoromethylphenyl) piperazine; OR 1-(3-trifluoromethylphenyl)piperazine; OR 1-(3-[trifluoromethylphenyl])piperazine.

**Section 1204, SCHEDULE IV ENUMERATED, is amended as follows:**

**Subsection 1204.1(a) is amended by striking the word “and” at the end of paragraph (8), striking the period at the end of paragraph (9) and adding two new paragraphs (10) and (11) to read as follows:**

- (10) Suvorexant; and
- (11) Tramadol.

**THE DISTRICT OF COLUMBIA HOUSING AUTHORITY**

**NOTICE OF EMERGENCY AND PROPOSED RULEMAKING**

The Board of Commissioners of the District of Columbia Housing Authority (DCHA), pursuant to the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-203 (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, of the following amendments to Chapter 95 (Rent Subsidy Programs: Local Rent Supplement Program) of Title 14 (Housing) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments is to apply Local Rent Supplement Program (LRSP) Sponsor-based housing assistance eligibility criteria to households referred by the Department of Human Services (DHS) to DCHA for LRSP Tenant-based housing assistance.

Per D.C. Official Code § 2-505(c) emergency rulemakings are promulgated when the action is necessary for the immediate preservation of the public peace, health, safety, welfare, or morals. There is an urgent need to adopt these emergency regulations to decrease the rate of homelessness in the District of Columbia.

These emergency regulations were adopted by the Board on March 9, 2016 and became effective immediately. They will remain in effect for up to one hundred twenty (120) days from the date of adoption, until July 8, 2016, or upon publication of a Notice of Final Rulemaking in the *D.C. Register*, whichever occurs first. The Board of Commissioners of DCHA also gives notice of intent to take rulemaking action to adopt these proposed regulations as final in not less than thirty (30) days from the date of publication of this notice in the D.C. Register.

**Chapter 95, RENT SUBSIDY PROGRAMS: LOCAL RENT SUPPLEMENT PROGRAM, of Title 14 DCMR, HOUSING, is amended as follows:**

**Section 9505, TENANT-BASED HOUSING ASSISTANCE, is amended to read as follows:**

**9505 TENANT-BASED HOUSING ASSISTANCE**

9505.1 LRSP Tenant-based housing assistance shall be administered in accordance with the DCHA HCVP rules and regulations except as provided in this chapter.

9505.2 When determining eligibility to receive LRSP Tenant-based housing assistance for households referred to DCHA by the Department of Human Services, DCHA shall use the eligibility guidelines set forth in § 9508.

9505.2 3 LRSP Vouchers shall not be eligible for portability as such term is defined and utilized in 24 C.F.R. §§ 982.351 and 982.353, as amended.

9505.3 4 LRSP Tenant-based funds left “unobligated” at the end of each DCHA fiscal year shall be added to the LRSP funding for the next fiscal year. Funds are left

unobligated when there are no Extremely Low Income households who could use LRSP funding.

- 9505.4 5 Dollars allocated to Tenant-based housing assistance shall be based on a sum of the new fiscal year funding plus any “unobligated” carryover funds from the previous fiscal year.

Interested persons are encouraged to submit comments regarding this Proposed Rulemaking to DCHA’s Office of General Counsel. Copies of this Proposed Rulemaking can be obtained at [www.dcregs.gov](http://www.dcregs.gov), or by contacting Chelsea Johnson at the Office of the General Counsel, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599 or via telephone at (202) 535-2835. All communications on this subject matter must refer to the above referenced title and must include the phrase “Comment to Proposed Rulemaking” in the subject line. There are two methods of submitting Public Comments:

1. Submission of comments by mail: Comments may be submitted by mail to the Office of the General Counsel, Attn: Chelsea Johnson, 1133 North Capitol Street, NE, Suite 210, Washington, DC 20002-7599.
2. Electronic Submission of comments: Comments may be submitted electronically by submitting comments to Chelsea Johnson at: [PublicationComments@dchousing.org](mailto:PublicationComments@dchousing.org).
3. No facsimile will be accepted.

Comments Due Date: April 25, 2016

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS  
CALENDAR

WEDNESDAY, MARCH 30, 2016  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S  
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson  
Members: Nick Alberti, Mike Silverstein,  
Ruthanne Miller, James Short

**Show Cause Hearing (Status)** **9:30 AM**  
**Case # 14-CC-00082;** WA-ZO-BIA Entertainment, Inc., t/a WA-ZO-BIA  
618 T Street NW, License #79306, Retailer CR, ANC 6E  
**No ABC Manager on Duty**

**Show Cause Hearing (Status)** **9:30 AM**  
**Case # 15-CMP-00844;** Hewan, Inc., t/a Benning Heights Market, 547 42nd  
Street NE, License #99470, Retailer B, ANC 7D  
**No ABC Manager on Duty**

**Fact Finding Hearing\*** **9:30 AM**  
Pub Crawl;  
Applicant: Michael Bramson and Alex Lopez  
Date of Event: April 23, 2016  
Event: Poject DC Events, LLC (Cupid's Bar Crawl)  
Neighborhood: Multiple Licensed Premises  
Size of Event: 2200-2500  
*The names of the establishments participating in the Pub Crawl are available upon request.*

**Public Hearing\*** **10:00 AM**  
Glover Park Moratorium Rulemaking

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

Board's Calendar

March 30, 2016

**Show Cause Hearing\***

**1:30 PM**

**Case # 15-251-00080;** Green Island Heaven and Hell, Inc., t/a Green Island Café/Heaven & Hell, 2327 18th Street NW, License #74503, Retailer CT ANC 1C

**Violation of Settlement Agreement**

**Show Cause Hearing\***

**2:30 PM**

**Case # 15-251-00081;** Da Luft DC, Inc., t/a Da Luft Restaurant & Lounge 1242 H Street NE, License #87780, Retailer CR, ANC 6A

**Interfered with an Investigation, Failed to Preserve a Crime Scene, Failed to Notify Board of Change in Corporate Structure**

**Show Cause Hearing\***

**3:30 PM**

**Case # 15-CMP-00739;** Chicken Tortilla, Inc., t/a Ocopa, 1324 H Street NE License #88102, Retailer CR, ANC 6A

**Failed to File Quarterly Statements (2nd Quarter 2015)**

**Show Cause Hearing\***

**4:30 PM**

**Case # 15-CMP-00795;** STK, LLC, t/a STK, 1250 Connecticut Ave NW License #92844, Retailer CR, ANC 2B

**No ABC Manager on Duty**

**\*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, MARCH 30, 2016  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

**On March 30, 2016 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#16-251-00032 The Greene Turtle, 601 F ST NW Retailer C Restaurant, License#: ABRA-076676

---

2. Case#16-AUD-00011 Sala Thai, 1301 U ST NW Retailer C Restaurant, License#: ABRA-071866

---

3. Case#16-AUD-00013 Spaghetti Garden Brass Monkey Peyote Roxanne, 2317 - 2319 18th ST NW Retailer C Restaurant, License#: ABRA-010284

---

4. Case#16-AUD-00009 Scion Restaurant, 2100 P ST NW Retailer C Restaurant, License#: ABRA-082174

---

5. Case#16-AUD-00014 Mama Chuy DC, 2620 GEORGIA AVE NW Retailer C Restaurant, License#: ABRA-086892

---

6. Case#16-AUD-00012 Panda Gourmet, 2700 NEW YORK AVE NE Retailer C Restaurant, License#: ABRA-086961

---

7. Case#16-AUD-00016 Watershed, 1225 1st ST NE Retailer C Restaurant, License#: ABRA-089123

---

8. Case#16-AUD-00010 Slate Wine Bar & Bistro, 2404 WISCONSIN AVE NW Retailer C Restaurant, License#: ABRA-089768

---

9. Case#15-CMP-00951 Addis Ethiopian Restaurant, 707 H ST NE Retailer C Restaurant, License#: ABRA-097534

---

10. Case#15-CC-00132 The Huxley, 1730 M ST NW Retailer C Nightclub, License#: ABRA-089394

---

**DC COMMISSION ON THE ARTS AND HUMANITIES****CALL FOR NOMINATIONS****Mayor's Arts Awards**

The DC Commission on the Arts and Humanities (DCCA) is seeking nominations of DC-based artists and nonprofit organizations for the annual Mayor's Arts Awards, to be held on Thursday, September 22, 2016 at the Historic Lincoln Theatre.

**ABOUT:** The Mayor's Arts Awards are the most prestigious honors conferred by the city on individual artists, teachers, nonprofit organizations and patrons of the arts. This year, the DC Commission on the Arts and Humanities will present the 31<sup>st</sup> Annual Mayor's Arts Awards. Artists and Organizations will be recognized in six categories: Excellence in the Arts, Excellence in the Humanities Excellence in Creative Industries, Outstanding Student Award, Excellence in Arts Teaching, and Outstanding New Artist. Special Awards will be given to individuals and organizations, recognizing their outstanding support to DC arts, humanities and Creative Industries.

**GUIDELINES:**

- The awards are limited to individuals who reside and nonprofit organizations that have administrative offices in the District of Columbia.
- Individuals and nonprofit organizations may self-nominate or be nominated for an award.
- Individuals and nonprofit organizations may be nominated in multiple award categories where appropriate.
- Separate applications are required for each nomination.
- All nominations must be submitted in DCCA's Good Done Great (GDG) portal by Friday, May 6, 2016, 11:59PM (EST). (Please see link below.)

**DEADLINE:** Nominations must be submitted in Good Done Great (GDG) by Friday, May 6, 2016, 11:59PM (EST).

**HOW TO APPLY:** Applicants must create an account on GDG to submit an award nomination.

There is no cost for this. To do so, visit

<https://www.gdg.do/prod1/portal/portal.jsp?c=4193775&p=6947885&g=6947905>.

Please be advised that upon visiting the application portal link, you will see "Guide to Grants".

Select "Sign Up Today" and proceed to the Mayor's Arts Award nomination application. Create a log in account and complete the nomination application.

**CONTACT:** For more information, please contact Ebony C. Brown, Special Events Manager at [ebony.brown@dc.gov](mailto:ebony.brown@dc.gov) or JaKenna Martin, Special Events Associate [jakenna.martin@dc.gov](mailto:jakenna.martin@dc.gov) or (202) 724-5613.

**DC COMMISSION ON THE ARTS AND HUMANITIES****REQUEST FOR APPLICATIONS****Mayor's Arts Awards Stage Manager**

The DC Commission on the Arts and Humanities (DCCA) is seeking applications for Stage Management services for the annual Mayor's Arts Awards, to be held on Thursday, September 22, 2016 at the Historic Lincoln Theatre.

The Stage Manager must be experienced in and have previously produced and/or managed events in major production houses such as the John F. Kennedy Center for the Performing Arts, Warner Theatre, National Theater, etc. within at least 10 years.

**GUIDELINES:**

- DCCA will provide visionary direction and programming content.
- DCCA will award Stage Manager a contract fee of \$10,000.

**The full details of the Request for Applications (RFA) will be available electronically beginning Monday, March 28, 2016 on our website at <http://dcarts.dc.gov>.**

**Deadlines for applications is Friday, May 6, 2016.** (Materials must be in the office by the deadline. Postmarks will not be accepted)

For more information, please contact:

Ebony C. Brown,  
Special Events Manager  
(202)724-5613  
[ebony.brown@dc.gov](mailto:ebony.brown@dc.gov)

JaKenna Martin,  
Special Events Associate  
(202)299-5696  
[jakenna.martin@dc.gov](mailto:jakenna.martin@dc.gov)

**DEPARTMENT OF BEHAVIORAL HEALTH****NOTICE**

The Director of the Department of Behavioral Health (DBH), pursuant to the authority set forth in sections 5113, 5115, 5117, 5118 and 5119 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-0061; D.C. Official Code §§ 7-1141.02, 7-1141.04, 7-1141.06, 7-1141.07 and 7-1141.08)(2013 Supp.), hereby gives notice that effective March 25, 2016, DBH will accept applications from business entities or individuals seeking licensure for a mental health community residence facility pursuant to Title 22-B of the D.C. Municipal Regulations, Chapters 31 and 38. The Department is seeking applicants for up to twelve (12) Intensive Residence beds. Applicants shall apply in accordance with Title 22-B, D.C. Municipal Regulation, Chapter 38. Successful applicants must meet all contract requirements as determined by the Department's Office of Contracting and Procurement prior to receiving a Human Care Agreement and per diem payments in accordance with Title 22-A, D.C. Municipal Regulation, Chapter 57. Award of a Human Care Agreement is subject to availability of funds. The Department will accept applications until May 31, 2016.

In evaluating applicants, the Department shall consider the following: (a) the ability of the applicant to meet the requirements of Title 22-B, D.C. Municipal Regulation, Chapter 38; (b) the quality of an applicant's facility; (c) the quality of an applicant's programming; (d) an applicant's record of compliance with Chapter 38 in regards to other licensed facilities; and (e) the facility's proximity to metro transit and community-based activities that are conducive to a healthy and independent lifestyle.

If you have any questions or would like to request an application, you may contact Sheila Kelly, Supervisory Health Systems Specialist, District of Columbia Department of Behavioral Health, 64 New York Ave., NE, 3rd Floor, Washington, D.C. 20002-4347, (202) 673-3516, [Sheila.kelly@dc.gov](mailto:Sheila.kelly@dc.gov).

**BRIDGES PUBLIC CHARTER SCHOOL  
BRIYA PUBLIC CHARTER SCHOOL**

**REQUEST FOR PROPOSALS**

**IT/SECURITY/AV VENDOR SERVICES**

Bridges Public Charter School and Briya Public Charter School, through the Mamie D. Lee, LLC partnership, are seeking competitive proposals for an **IT/Security/AV equipment vendor** to provide services to **furnish and install IT/Security/AV** equipment and infrastructure for a public charter school facility project. For a copy of the RFP, please contact Mr. Brenden Kollar of Brailsford & Dunlavey at [bkollar@programmanagers.com](mailto:bkollar@programmanagers.com). All proposals must be submitted by 8:00 on Monday, April 25, 2016.

**CARLOS ROSARIO PUBLIC CHARTER SCHOOL****REQUEST FOR QUOTES****Interpretation/Translation Services**

Carlos Rosario IPCS is looking to solicit quotes for quality simultaneous interpretation/translation services in the following languages: Amharic, Spanish, French, Mandarin and Arabic. This service is essential for our more than 1500 students with limited English skills to fully comprehend workshops/events.

Prices should be quoted on an hourly fee per language and word count minimum. For additional information please contact Gwen Ellis via email: [gellis@carlosrosario.org](mailto:gellis@carlosrosario.org)

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS**  
**NOTICE OF THE ISSUANCE OF A TEMPORARY EXEMPTION**

---

Pursuant to 20 D.C. Municipal Regulations (DCMR) 2707.6, this constitutes notice that a temporary exemption is issued regarding the following:

- a. The name of the applicant:
  1. 1100 15<sup>th</sup> Street LLC – MIS Permit No. AH1600466;
- b. The noise level to be permitted:
  1. 80 dBA at night;
- c. The period of time during which the exemption shall be in effect:
  1. 45-day night exemption, not including holidays, Sundays, and scheduled interruptions; and
- d. Any other conditions or qualifications necessary for the protection of the public under the standards applicable to the granting of a temporary exemption:
  1. Noise levels should not exceed 80 dBA.
  2. No work on holidays.
  3. No work on Sundays.
  4. This constitutes a temporary exemption from Title 20 Pursuant to 20 DCMR 2707 et seq., in the interest of the public welfare on the basis of reducing the overall duration of pedestrian and vehicular traffic disruption and public exposure to the hazards of building demolition.
- e. The effective time period of exemption is March 25 – May 8, 2016, 7:00PM to 7:00AM.



**D.C. PREPARATORY ACADEMY PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Food Service Management Services**

D.C. PREPARATORY ACADEMY is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2016-2017 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on **March 25, 2016** from **Emily Johannsen, Director of Operations** at [bids@dcprep.org](mailto:bids@dcprep.org):

Proposals will be accepted at D.C. Preparatory Academy, Attn: Director of Operations, 707 Edgewood St. NE, Washington, DC 20017 and must be submitted no later than **12:00 noon on April 26, 2016**.

**All bids not addressing all areas as outlined in the IFB will not be considered.**

**DC SCHOLARS PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Food Service Management Services**

DC Scholars Public Charter School is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2016-2017 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on **March 25, 2016** from **Jenn Barr Weiss at (202) 494-2635 or [Jbarrweiss@scholaracademies.org](mailto:Jbarrweiss@scholaracademies.org)**:

Proposals will be accepted at **5601 E Capitol St. SE, Washington, DC 20019** through **April 29, 2016**, no later than **5:00 PM EST**.

**All bids not addressing all areas as outlined in the IFB will not be considered.**

**E.L. HAYNES PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Toast to Transformation - Catering Vendor**

E.L. Haynes Public Charter School (“ELH”) is seeking proposals for a qualified vendor to provide catering and related services for E.L. Haynes’ annual fundraising event Toast to Transformation. The event will take place on Thursday, May 26, 2016 from 6:00 – 9:00 PM at the Long View Gallery. Applicants must provide all of the tasks included in the scope of work in their response to request for applications.

Proposals are due via email to Kristin Yochum no later than 5:00 PM on Friday, April 1, 2016. We will notify the final vendor of selection the following week. The RFP with bidding requirements can be obtained by contacting:

Kristin Yochum  
E.L. Haynes Public Charter School  
Phone: 202.667-4446 ext 3504  
Email: [kyochum@elhaynes.org](mailto:kyochum@elhaynes.org)

**EARLY CHILDHOOD ACADEMY PUBLIC CHARTER SCHOOL  
REQUEST FOR PROPOSALS**

**Erate Computer Networking Equipment and Maintenance Services**

**EARLY CHILDHOOD ACADEMY PUBLIC CHARTER SCHOOL (ECA)** requests proposals for:

- **Computer Networking Equipment and Maintenance Services** - vendors proficient in providing computer networking services, including but not limited to the installation and maintenance of routers, switches, wireless access points, etc.

ECA will receive bids until 4:00 pm on April 22, 2016, for the period July 2016 – June 2017. Send requests for scope of work to [bids@ecapcs.org](mailto:bids@ecapcs.org).

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION****NOTICE OF FUNDING AVAILABILITY****College, Credential, and Career Ready Summer Initiative****Request for Application Release Date: April 8, 2016****Application Submission Deadline: April 29, 2016 by 4 p.m.**

The Office of the State Superintendent of Education (OSSE) seeks applications for college and career readiness summer programming serving middle school students in grades 6 through 9 during summer 2016. The College, Credential, and Career Ready (C3 Ready) Summer Initiative will target skills and knowledge key for middle and high school students on the path to successful transition to college and careers.

OSSE seeks applications from partnerships of local education agencies (LEAs), qualified community-based-organizations (CBOs), and/or qualified institutions of higher education (IHEs) to provide daytime summer programming for between four and six weeks for at least six hours per day. The total amount available for this opportunity is \$200,000. In order to receive an award, applicants must provide and document a 1:1 funding match from federal, local, or private funds. Up to 50 percent of match funds may be in-kind. OSSE anticipates making awards equaling \$500 per student, for an overall per-student cost of \$1,000 including both OSSE grant and applicant match funds.

Successful applicants will plan to spend at least 85 percent of time focusing on high school transition, and/or college and career exposure, awareness and readiness. Further, successful applicants will plan to spend at least 85 percent of time on interactive student learning opportunities, such as field trips, guest speakers, and project-based learning.

OSSE seeks applications that propose to develop and measure students' progress toward the following C3 Ready Summer Goals: set long- and short-term academic and non-academic goals; effectively manage time and use strategies to organize academic work; understand high school systems and structures, including but not limited to GPA calculation and credit accrual, navigating support structures in the high school building (e.g., using the school counseling office); organization of the high school day (e.g., changing classes); and Washington, DC graduation requirements; understand and evaluate available high schools and college and career preparatory program options in Washington, DC; and understand how middle and high school academic performance connects to high-growth college and career pathways and Priority Career Sectors as identified in the [2012 Career and Technical Education Strategic Plan](#).

OSSE will only accept applications from partnerships of at least one LEA and at least one CBO or IHE. No school or program sites have been pre-identified for this initiative. However, OSSE has identified several priorities for this grant competition:

- 1) OSSE will prioritize applicants enrolling more than 70 percent of available seats with students who qualify for Free and Reduced Price Meals (FARMS), Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP) and/or schools that receive funds under Title I Part A of the Elementary and Secondary Education Act of 1965.
- 2) Enroll more than 25 percent of program with students who have Individualized Education Programs (IEPs). Students must be qualified to receive specialized education services under the Individuals with Disabilities Education Act (IDEA).
- 3) Serve students in selected neighborhoods which are defined by focus [Police Service Areas](#) (PSAs). For summer of 2016, the focus PSAs are 507, 602, 604, 702, and 705/Congress Park.

The request for applications (RFA) for this funding opportunity will be available on April 8, 2016. The RFA will be available on OSSE's website <http://osse.dc.gov> or by contacting the Division of Postsecondary and Career Education. OSSE will be holding two information sessions to answer questions about the RFA and grant competition. Please see the full RFA for a detailed timeline of events.

The C3 Ready Summer Initiative application will open in the Enterprise Grants Management System (EGMS) on April 15, 2016. All applications for funding must be submitted by the lead applicant through EGMS by 4 p.m. on April 29, 2016. Please visit <https://grants.osse.dc.gov> for more information about EGMS and to view the online application after April 15, 2016.

For additional information and to receive the full RFA, please contact:

Chloe Woodward-Magrane  
Manager, Early College & Career Awareness  
Postsecondary and Career Education  
Office of the State Superintendent of Education (OSSE)  
810 First St. NE, Third Floor  
Washington, DC 20002  
(202) 481-3949  
Email: [Chloe.Woodward-Magrane@dc.gov](mailto:Chloe.Woodward-Magrane@dc.gov)

## OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

## NOTICE OF FUNDING AVAILABILITY

## Fiscal Year 2016 DC Physical Activity for Youth Grant

Announcement Date: **March 25, 2016**Request for Application Release Date: **April 8, 2016**Pre-Application Question Period Ends: **May 20, 2016**Application Submission Deadline: **June 3, 2016**

The Office of the State Superintendent of Education (OSSE) is soliciting grant applications for the District of Columbia Physical Activity for Youth (DC PAY) grant. **The purpose of this grant is to increase the capacity of D.C. schools to provide physical activity to all students before, during, or after the school day.**

**Eligibility:** OSSE will accept applications from Washington D.C. public schools and public charter schools participating in the Healthy Schools Act (2010) and community-based organizations applying on behalf of a school. Past award recipients are eligible; however, a school may only receive the DC PAY Grant three times in a five year period. Community-based organizations may apply on behalf of up to four different schools.

**Length of Award:** The grant award period is one year.

**Available Funding for Award:** The total funding available for this award period is \$200,000. Eligible schools and organizations may apply for an award amount up to \$10,000 per school.

**Anticipated Number of Awards:** OSSE has funding available for at least twenty (20) awards.

The RFA and all supporting documents will be available on April 8, 2016 at <https://osse.mtwgms.org/wdcossegmweb/logon.aspx>. For additional information regarding this grant competition, please contact:

Katie Lantuh  
Physical Education & Physical Activity Specialist  
Health & Wellness Division  
Office of the State Superintendent of Education  
202.481.3401  
[kathryn.lantuh@dc.gov](mailto:kathryn.lantuh@dc.gov)

**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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit numbers 6381-R1 and 6382-R1 to Verizon Washington DC, Inc. to operate two (2) existing 225 kWe emergency generator sets, each with an associated 439 hp diesel fired engine at the property located at 3726 Martin Luther King Jr. Avenue SE, Washington DC. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit 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  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit numbers 6383-R1 and 6384-R1 to Verizon Washington DC, Inc. to operate two (2) existing 225 kWe emergency generator sets with associated 439 hp diesel-fired engines at the property located at 1039 Lawrence Street NE, Washington DC. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit 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  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit numbers 6385-R1 and 6386-R1 to Verizon Washington DC, Inc. to operate two (2) existing 225 kWe emergency generator sets with associated 439 hp diesel-fired engines at the property located at 1045 Wisconsin Avenue NW, Washington DC. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit 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  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit No. 6387-R1 to Verizon Washington DC, Inc. to operate one (1) existing 225 kWe emergency generator set (Engine #1) with an associated 439 hp diesel-fired engine at the property located at 2815 N Street SE, Washington DC. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit 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  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit No. 6389-R1 to Verizon Washington DC Inc. to operate one (1) existing 450 kWe emergency generator set with an associated 685 hp diesel-fired engine at the property located at 580 23<sup>rd</sup> Place NE, Washington DC. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit 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  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit No. 6392-R1 to Verizon Washington DC Inc. to operate one (1) existing 600 kWe emergency generator set with an associated 910 hp diesel-fired engine at the property located at 120 7<sup>th</sup> Street NW, Washington DC 20036. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit 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  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit numbers 6393-R1 and 6394-R1 to Verizon Washington DC, Inc. to operate two (2) existing 750 kWe emergency generator sets with associated 1,120 hp diesel-fired engines at the property located at 1700 14<sup>th</sup> Street NW, Washington DC. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit application and supporting documentation, along with 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 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 permits and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, Washington, DC, intends to issue a permit (#6472-C2) to the District of Columbia Water and Sewer Authority (DC Water) to construct and operate the Dewatered Sludge Loading Facility Odor Scrubber listed below. This is a renewal of a previously issued permit. The emission control equipment is located at 5000 Overlook Avenue SW, Washington DC 20032. The contact person for the facility is Meena Gowda, Principal Counsel, at (202) 787-2628.

<b>Equipment Location</b>	<b>Address</b>	<b>Equipment Size</b>	<b>Type</b>
Blue Plains WWTP- Atop Solids Processing Building	5000 Overlook Ave., SW Washington, DC 20032	54,000 cfm	Indusco Packed Bed Tower Scrubber or equivalent

The application to operate the odor scrubber and the draft renewal permit and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[stephen.ours@dc.gov](mailto:stephen.ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 2016 will be accepted.**

**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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit numbers 6499-R1, 6500-R1, and 6501-R1 to Verizon Washington DC Inc. to operate three (3) 1,500 kWe emergency generator sets with associated 2,200 hp diesel-fired engines at the property located at 1200 H Street NW, Washington DC. The contact person for the facility is Randolph S. Moore, at (804) 772-6709.

The permit application and supporting documentation, along with 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 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 permits and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, Washington, DC, intends to issue a permit (#6621-R1) to the Architect of the Capitol to operate one (1) existing 200 kWe emergency generator set with associated 302 hp Doosan natural gas-fired engine. The emergency generator is located at the Senate Office Buildings, Daniel Webster Page Dormitory, 300 4<sup>th</sup> Street NE, Washington, DC. The contact person for the applicant is James Styers, Environmental Coordinator at (202) 226-6636.

The application to operate the emergency generator and the draft permit are available for public inspection at AQD and copies may be made 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 John C. Nwoke at (202) 724-7778.

Interested persons may submit written comments, a written request for a public hearing, or both, on the draft permit action within thirty (30) days of publication of this notice. The written comments or a written request for a public hearing 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 or outcome from a public hearing will be considered in issuing the final permit.

Comments or a request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002

**No written comments postmarked after April 25, 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, Washington, DC, intends to issue a permit (#6644-R1) to WUSA-TV to operate an existing 1,000 kWe Caterpillar emergency generator set with an associated 1,456 hp Cat diesel-fired engine. The unit is located at 4100 Wisconsin Avenue NW, Washington DC 20016. The contact person for the facility is Joel MacDonald, Broadcast Operations Manager, phone number: 202-895-5525.

The application to operate the emergency generator and the draft renewal permit are available for public inspection at AQD and copies may be made 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, a written request for a public hearing, or both, on the draft permit action within thirty (30) days of publication of this notice. The written comments or a written request for a public hearing 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 or outcome from a public hearing will be considered in issuing the final permit. Comments or a request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit numbers 7018 through 7021 to JBG/Federal Center, L.L.C. to operate (3) 1,200 kWe emergency generator sets with associated 1,807 hp diesel-fired engines and one (1) 1,500 kWe emergency generator sets with associated 2,155 hp diesel-fired engine at the United States Department of Transportation (USDOT) Headquarters located at 1200 New Jersey Avenue SE, Washington, DC 20590. The contact person for the facility is John Wilson, JBG Senior Property Manager at (202) 863-4460.

Maximum annual potential emissions from the four units in aggregate are expected to be as follows:

	<b>Maximum Annual Emissions</b>
<b>Pollutant</b>	<b>(tons/yr)</b>
Total Particulate Matter (PM Total)	0.10
Sulfur Oxides (SO <sub>x</sub> )	0.31
Nitrogen Oxides (NO <sub>x</sub> )	12.58
Volatile Organic Compounds (VOC)	0.69
Carbon Monoxide (CO)	1.23

The proposed emission limits are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from these generators, 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].
- b. 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 permit applications and supporting documentation, along with 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 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  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, 5<sup>th</sup> Floor, Washington, DC, intends to issue air quality permit numbers 7022 through 7025 to JBG/Federal Center, L.L.C. to operate four (4) 10.5 MMBtu per hour dual fuel-fired (natural gas and No. 2 fuel oil/diesel fuel) boilers at the United States Department of Transportation (USDOT) Headquarters facility located at 1200 New Jersey Avenue SE, Washington, DC 20590. The contact person for the facility is John Wilson, JBG Senior Property Manager at (202) 863-4460.

Emissions:

Maximum emissions from the four units, operating 17,520 hours per year in aggregate, are expected to be as follows:

	<b>Maximum Annual Emissions</b>
<b>Pollutant</b>	<b>(tons/yr)</b>
Total Particulate Matter (PM Total)	0.67
Sulfur Dioxide (SO <sub>2</sub> )	0.05
Nitrogen Oxides (NO <sub>x</sub> )	8.76
Volatile Organic Compounds (VOC)	0.48
Carbon Monoxide (CO)	7.36

The proposed overall emission limits for each boiler are as follows:

- a. Each of the four (4) identical 10.5 million BTU per hour (MMBTU/hr) AJAX dual fuel-fired boilers shall not emit pollutants in excess of the rates specified in the following table [20 DCMR 201]:

<b>Boiler Emission Limits</b>		
<b>Pollutant</b>	<b>Short-Term Limit (Natural Gas) (lb/hr)</b>	<b>Short-Term Limit (No. 2 Fuel Oil/Diesel) (lb/hr)</b>
Carbon Monoxide (CO)	0.84	0.38
Oxides of Nitrogen (NO <sub>x</sub> )	1.0	1.50
Total Particulate Matter (PM Total)*	0.076	0.25
Sulfur Dioxide (SO <sub>2</sub> )	0.006	0.02

\*PM Total includes both filterable and condensable fractions. *Note that compliance with Conditions III(a)-(c) will be considered compliance with these PM Total standards, unless other credible evidence of a violation is identified.*

- b. Visible emissions shall not be emitted into the outdoor atmosphere from the boilers, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1]
- c. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- d. Total suspended particulate matter (TSP) emissions from each of the boilers shall not exceed 0.10 pound per million BTU. [20 DCMR 600.1]

The permit applications and supporting documentation, along with 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  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[Stephen.Ours@dc.gov](mailto:Stephen.Ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 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, Washington, DC, intends to issue a permit (#7060) to Sprint United Management Company (d/b/a Sprint Corporation) to operate the existing emergency generator set listed below. The emission unit is located at 1050 Connecticut Avenue NW, Washington DC 20036. The contact person for the facility is James Lucci, EHS Territory Manager, at (781) 494-0538.

<b>Emission Unit Name</b>	<b>Engine Serial No.</b>	<b>Generator (Engine) Size</b>	<b>Description</b>
Emergency Generator	33137491	1,250 kWe (1,850 hp)	One 1,850 hp Cummins diesel engine associated with a 1,250 kWe generator.

The proposed emission limits are as follows:

- a. Visible emissions shall not be emitted into the outdoor atmosphere from this 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].
- b. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

The estimated maximum emissions from the emergency generator set are as follows:

<b>Pollutant</b>	<b>Maximum Annual Emissions (tons/yr)</b>
Carbon Monoxide (CO)	1.02
Oxides of Nitrogen (NO <sub>x</sub> )	12.92
Volatile Organic Compounds (VOC)	0.12
Total Particulate Matter (PM Total)	0.061
Oxides of Sulfur (SO <sub>x</sub> )	0.60

The application to operate the emergency generator set and the draft permit and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person's name, telephone number, affiliation, if any, mailing address and a statement outlining the air quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours  
Chief, Permitting Branch  
Air Quality Division  
Department of Energy and Environment  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, DC 20002  
[stephen.ours@dc.gov](mailto:stephen.ours@dc.gov)

**No written comments or hearing requests postmarked after April 25, 2016 will be accepted.**



## DEPARTMENT OF ENERGY AND ENVIRONMENT

**NOTICE OF FILING OF AN APPLICATION  
TO PERFORM VOLUNTARY CLEANUP****1300 H Street, NE**

Pursuant to § 636.01(a) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code §§ 8-631 et seq., as amended April 8, 2011, DC Law 18-369 (herein referred to as the “Act”)), the Voluntary Cleanup Program in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch, is informing the public that it has received an application to participate in the Voluntary Cleanup Program (VCP). The applicant for contiguous properties located at 1300 and 1302 H Street, NE, and 1306 and 813 13<sup>th</sup> Street, NE, Washington, DC 20002, is 1300 H Street NE LLC, c/o Insight Property Group LLC, 4601 N Fairfax Drive, Suite 1150, Arlington, Virginia 22203. The application identifies the presence of chlorinated solvents and petroleum hydrocarbons in soil and groundwater. The site is planned for a four-story, mixed-use building with ground floor retail and approximately 36 residential dwelling units above.

Pursuant to § 636.01(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-6A) for the area in which the property is located. The application is available for public review at the following location:

Voluntary Cleanup Program  
Department of Energy and Environment (DOEE)  
1200 First Street, NE, 5<sup>th</sup> Floor  
Washington, DC 20002

Interested parties may also request a copy of the application and supporting documents by contacting the Voluntary Cleanup Program at the above address or by calling (202) 535-2289. An electronic copy of the application may be viewed at <http://doee.dc.gov/service/vcp-cleanup-sites>.

Written comments on the proposed approval of the application must be received by the VCP program at the address listed above within twenty one (21) days from the date of this publication. DOEE is required to consider all relevant public comments it receives before acting on the application, the cleanup action plan, or a certificate of completion.

Please refer to Case No. VCP2016--041 in any correspondence related to this application.

## DEPARTMENT OF ENERGY AND ENVIRONMENT

**NOTICE OF FILING OF A  
VOLUNTARY CLEANUP ACTION PLAN**

2800 Sherman Avenue, NW

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, effective June 13, 2001 (D.C. Law 13-312; D.C. Official Code §§ 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (Act)), the Voluntary Cleanup Program in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch (LRDB), informs the public that it has received a Voluntary Cleanup Action Plan (VCAP) to perform a remediation action for real property located at 2800 Sherman Avenue, NW. The applicant for the referenced address, Case No. VCP2015-035, is 2800 Sherman LLC, c/o Capital City Real Estate, 1515 14th Street, NW, Suite 201, Washington D.C. 20005. The VCAP identifies the presence of petroleum products and volatile organic compounds (VOCs) in soil and groundwater and proposes a remediation action plan. The applicant intends to re-develop the property for residential use.

Written comments on the proposed Cleanup Action Plan must be received by the VCP program at the address listed below within twenty one (21) days from the date of this publication. DOEE is required to consider all public comments it receives before acting on the application, the Cleanup Action Plan, or a Certificate of Completion for any voluntary cleanup project.

The Cleanup Action Plan and supporting documents are available for public review at the following location:

Voluntary Cleanup Program  
Department of Energy and Environment (DOEE)  
1200 First St., NE, Fifth Floor  
Washington, DC 20002

Interested parties may also request a copy of the Cleanup Action Plan for a small charge to cover the cost of copying by contacting the Voluntary Cleanup Program at the above address or by calling (202) 535-1771.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-1B) for the area in which the property is located.

Please refer to Case No. VCP2015-035 in any correspondence related to this notice.

**EXCEL ACADEMY PUBLIC CHARTER SCHOOL  
REQUEST FOR PROPOSALS**

**Phone Services, Internet Services and Internal Connections**

The Excel Academy Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for vendors to provide:

- Local Telephone & Long Distance Service (Category 1)
- Internet Services (Category 1)
- Internal Connections – Cabling, Firewall Service Components, Racks, Switches, UPS, Battery Backup, WAP, Wireless Controller, Antennas, Connectors and Related Components (Category 2)

Please email proposals to [bids@excelpcs.org](mailto:bids@excelpcs.org) no later than 9:00 A.M., Tuesday, April 5, 2016.

**FRIENDSHIP PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT****Online Education Program**

Friendship PCS intends to enter into a sole source contract with K12 Inc. to provide an online education program for students in grades K-8, the decision to sole source is based on Friendship PCS's PCSB approved charter amendment which authorizes Friendship PCS to continue the Community Academy Public Charter School online program. K12 Inc. will provide this service at a rate of \$8,500 per student plus 75 percent of Title I and special education federal funding for students enrolled in the program. The contract term is 3 years and shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

**Relay Graduate School of Education**

Friendship Public Charter School hereby submits this notice of intent to award a sole source contract to Relay Graduate School of Education based on its role as the exclusive provider of the National Principals Academy training program. Contract amount: \$135,000. The contract term is 3 years and shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

**Uncommon Schools**

Friendship Public Charter School hereby submits this notice of intent to award a sole source contract to Uncommon Schools based on its role as the exclusive provider of Teach Like a Champion train the trainer workshop which is exclusively presented by Uncommon Schools and the materials produced and sold are created exclusively by Uncommon Schools and on the book Teach Like A Champion 2.0. Contract amount: \$60,000. The contract term is 3 years and shall be automatically renewed for the same period unless either party, 60 days before expiration, gives notice to the other of its desire to end the agreement.

**FRIENDSHIP PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Student Transportation and Event Support Services**

Friendship Public Charter School is seeking bids from prospective vendors to provide;

- Student Transportation
- Event Support Services

The competitive 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, April 8<sup>th</sup> 2016. No proposal will be accepted after the deadline. Questions can be addressed to: [ProcurementInquiry@friendshipschools.org](mailto:ProcurementInquiry@friendshipschools.org)

**DEPARTMENT OF HEALTH**  
**HEALTH PROFESSIONAL LICENSING ADMINISTRATION**

**NOTICE OF MEETING**

Board of Medicine  
March 30, 2016

On MARCH 30, 2016 at 8:30 am, the Board of Medicine will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed from 8:30 am until 10:30 am to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting will be open to the public from 10:30 am to 11:30 am to discuss various agenda items and any comments and/or concerns from the public. After which the Board will reconvene in closed session to continue its deliberations until 2:00 pm.

The meeting location is 899 North Capitol Street NE, 2<sup>nd</sup> Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Medicine website [www.doh.dc.gov/bomed](http://www.doh.dc.gov/bomed) and select BoMed Calendars and Agendas to view the agenda and any changes that may have occurred.

Interim Executive Director for the Board – Robin Y. Jenkins

DEPARTMENT OF HEALTH (DOH)  
COMMUNITY HEALTH ADMINISTRATION (CHA)

NOTICE OF FUNDING AVAILABILITY (NOFA)  
AMENDED

Request for Applications # CHA.5SBHC.04.01.16

School Based Health Centers

**This notice supersedes the notice published in DC Register on March 11, 2016 Vol 63/12**

The Government of the District of Columbia Department of Health (DOH) Community Health Administration (CHA) is soliciting applications from qualified applicants to improve access to primary health services for high school students by operating School Based Health Centers (SBHC) in District of Columbia Public Schools (DCPS). SBHCs are located in Anacostia, Ballou, Cardozo, Coolidge, Dunbar, H.D. Woodson and Roosevelt Senior High Schools.

Approximately \$2,275,000.00 in local appropriated funds is available for the FY16 grants. Up to \$325,000 will be made available for each award for up to seven (7) awards. Awards are projected to begin July 1, 2016 and continue through September 30, 2020. There will be four budget periods. The first budget period is prorated to 3 months, ending September 30, 2016. Subsequent budget periods will be for 12 months with the second beginning October 1, 2016. The number of awards, budget periods and award amounts are contingent upon the continued availability of funds and the recipient performance. Initial funding is made available under the District of Columbia Fiscal Year 2016 (FY16) Budget Support Act of 2015.

The following entities are eligible to apply: non-profit, public and private organizations with demonstrated experience providing primary health care services for adolescents in the District of Columbia.

Application Process: The Request for Application RFA# CHA.5SBHC.04.01.16 will be released on Friday, April 1, 2016. The RFA will be posted on the Office of Partnerships and Grant Services website, under the District Grants Clearinghouse <http://opgs.dc.gov/page/opgs-district-grants-clearinghouse>. A limited number of copies of the RFA will be available for pick up at DOH/CHA offices located at 899 North Capitol Street, NE, Third Floor, Washington, DC\*\*.

**The deadline for submission is Monday May 2, 2016 at 4:15 pm.** All applications must be received in the DOH/CHA suite on the third floor by 4:15 pm. **Late submissions and incomplete applications will not be forwarded to the review panel.**

A Pre-Application Conference will be held at the CHA offices located at 899 North Capitol Street, NE, 3<sup>rd</sup> Floor Washington, DC 20002 on **Friday April 8, 2016, from 11:00 am to 12:30 pm.** Please contact Luigi Buitrago at 202-442-9154 or [luigi.buitrago@dc.gov](mailto:luigi.buitrago@dc.gov) for additional information.

\*\*CHA is located in a secured building. Government issued identification must be presented for entrance.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT****NOTICE OF FUNDING AVAILABILITY**

Polly Donaldson, Director, Department of Housing and Community Development (DHCD), announces a Notice of Funding Availability (NOFA) for funding under the Home Investment Partnerships (HOME) program, the Housing Production Trust Fund (HPTF) program, the Community Development Block Grant (CDBG) program, the 9% Low Income Housing Tax Credit (LIHTC) program, the Housing Opportunities for Persons with AIDS (HOPWA) program, the Department of Behavioral Health (DBH) funds administered by DHCD, the District of Columbia Housing Authority's (DCHA) Local Rent Supplement Program (LRSP), Housing Choice Voucher Program (HCVP), the Annual Contributions Contract Program (ACC), and the Department of Human Services (DHS) supportive services funds for Permanent Supportive Housing.

**AFFORDABLE HOUSING CAPITAL SUBSIDY (DHCD and DBH)**

DHCD, on behalf of its partner agencies, will issue a Consolidated Request for Proposals (RFP) and will consider capital subsidy requests for the following project types:

- Funding for new construction or rehabilitation of vacant buildings (creating net new units), ONLY for units at 0-30% of AMI and 31-50% of AMI. Funded units may be within a mixed income or mixed-use building, but DHCD will not fund new units at higher AMIs.
- Preservation of existing affordable housing units for households at all income levels below 80% AMI.
- Acquisition or renovation of vacant buildings creating new units of affordable housing utilizing CDBG funds at all income levels below 80% AMI.

For new construction and vacant rehabilitation projects, DHCD will require at least a 5% set-aside of funded units as Permanent Supportive Housing (PSH). PSH programs must adhere to the Housing First model and all vacancies must be filled through the Coordinated Entry system. PSH projects will be also eligible for funding from the sources listed below.

**OPERATING SUBSIDY (DCHA)**

The District of Columbia Housing Authority's LRSP will provide project-based rental subsidies to units for qualified persons or households.

**SUPPORTIVE SERVICES (DHS)**

The Department of Human Services will provide funding to community based non-profit organizations to deliver intensive supportive services to single adult and family participants (who are chronically homeless, vulnerable, and face significant barriers to achieving self-sufficiency) in permanent supportive housing programs/projects funded through this NOFA.

**The competitive Request for Proposals (RFP) will be released on Thursday, March 31, 2016 and applications will be due on Monday May 31, 2016.**



**Application materials, further instructions, and information about capacity building workshops will be available online at [dhcd.dc.gov](http://dhcd.dc.gov). The entire application and submission process will be online this year, and no hard copy submissions will be required or accepted.**

**Muriel Bowser, Mayor of the District of Columbia  
Brian Kenner, Deputy Mayor for Planning and Economic Development  
Polly Donaldson, Director, Department of Housing and Community Development**

**IMAGINE HOPE COMMUNITY PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Multiple Services**

Imagine Hope Community Charter School is seeking proposals from individuals or companies to provide the following services:

**WASTE REMOVAL** at the Lamond Campus located at: 6200 Kansas Avenue NE, Washington, DC 20011 *and* the Tolson Campus located at: 2917 8th Street, NE, Washington, DC 20017. The deadline for submissions is Wednesday, April 6, 2016 by 12:00 pm. Bids received after this date and time will not be considered.

**COPIER MAINTENANCE** at the Lamond Campus located at: 6200 Kansas Avenue NE, Washington, DC 20011. Deadline for submissions is Wednesday, April 6, 2016 by 12:00 pm. Bids received after this date and time will not be considered.

**INFORMATION TECHNOLOGY SERVICES** at the Lamond Campus located at: 6200 Kansas Avenue NE, Washington, DC 20011 *and* the Tolson Campus located at: 2917 8th Street, NE, Washington, DC 20017. The deadline for submissions is Friday, Wednesday, April 6, 2016 by 12:00 pm. Bids received after this date and time will not be considered.

**SCHOOL-BASED THERAPY SERVICES – APPLIED BEHAVIORAL ANALYSIS (ABA)** at the Lamond Campus located at: 6200 Kansas Avenue NE, Washington, DC 20011 *and* the Tolson Campus located at: 2917 8th Street, NE, Washington, DC 20017. The deadline for submissions is Wednesday, April 6, 2016 by 12:00 pm. Bids received after this date and time will not be considered.

**Imagine Hope PCS reserves the right to cancel this RFP at any time.**

**Please e-mail proposals and supporting documents to:**

**Trina Williams**

**[hope.rfp@imageschools.org](mailto:hope.rfp@imageschools.org)**

**INSPIRED TEACHING PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Information Technology Services**

Inspired Teaching Public Charter School is soliciting proposals for comprehensive managed wired and wireless infrastructure and network services. The RFP may be obtained by contacting Imani Taylor via email at [Imani.Taylor@Inspiredteachingschool.org](mailto:Imani.Taylor@Inspiredteachingschool.org). Proposals should be sent to [Imani.Taylor@Inspiredteachingschool.org](mailto:Imani.Taylor@Inspiredteachingschool.org) no later than 5:00pm on April 8<sup>th</sup>, 2016.

**KIPP DC PUBLIC CHARTER SCHOOLS****NOTICE OF INTENT TO ENTER INTO A SOLE SOURCE CONTRACT****Dual Enrollment Program**

KIPP DC intends to enter into a sole source contract with Trinity Washington University for a Dual Enrollment Program. The decision to sole source is due to the fact that the instructional model is built upon the Trinity program. The cost of the contract will be approximately \$42,000.

**MAYA ANGELOU PUBLIC CHARTER SCHOOL****NOTICE OF INTENT TO ENTER A SOLE SOURCE CONTRACT****Case Management Software Platform and Services**

Maya Angelou Public Charter School intends to enter into a sole source contract with Social Solutions Global for their Efforts to Outcomes software. The case management software is for its two charter school campus and the cost of this contract is \$26,400.

The decision to sole source is due to the fact that this vendor offers a robust outcome and case management system that has been customized to our schools over the last 6 years. These features are highly specific to the model at Maya Angelou and could only be added as customizations to another system at significant expense and staff time.

**ROCKETSHIP DC PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Financial Auditor Services and Classroom Furniture Services**

Rocketship DC Public Charter School seeks qualified Financial Auditor and Classroom Furniture vendors for our public charter school. For deadlines, specifications and other bid requirements pertaining to the RFP email [DCprocurement@rsed.org](mailto:DCprocurement@rsed.org). Deadline for submission is 5PM EST on Wednesday, April 20, 2016.

**TWO RIVERS PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Floor Tile and Carpet Replacement**

Two Rivers PCS invites all interested and qualified general contractors/flooring companies to submit proposals to provide PVC-Free floor tiling and carpet replacement of an existing school building. Proposals are due no later than noon on April 18, 2016. The RFP with bidding requirements can be obtained by contacting Gail Williams via email [procurement@tworiverspcs.org](mailto:procurement@tworiverspcs.org).

**TWO RIVERS PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Food Service Management Services**

Two Rivers Public Charter School is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2016-2017 school year with a possible extension of (4) one-year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack, and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on March 24, 2016 from Tameka Faison at 202.388.1360 or [procurement@tworiverspcs.org](mailto:procurement@tworiverspcs.org). Proposals will be accepted at 1227 4th Street, NE Washington, DC 20002 on April 28, 2016, no later than 2:00 pm. All bids not addressing all areas as outlined in the IFB will not be considered.



**WASHINGTON CONVENTION AND SPORTS AUTHORITY  
(T/A EVENTS DC)**

**NOTICE OF GRANT AWARD**

**National Cherry Blossom Festival, Inc.**

Pursuant to D.C. Law 21-0036, "Fiscal Year 2016 Budget Support Act of 2015," the Washington Convention and Sports Authority t/a Events DC ("Authority") is required to make a matching grant in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00) to a non-profit organization that produces and organizes events for the 2016 National Cherry Blossom Festival and that raises more than \$750,000 in corporate donations for that purpose. National Cherry Blossom Festival, Inc. ("NCBF") is the only non-profit organization that owns the National Cherry Blossom Festival trademark and therefore is the only eligible recipient of the grant. To the extent that NCBF raises more than \$750,000 in corporate donations for the 2016 Festival, the Authority will make a one-time grant to NCBF on a dollar-for-dollar basis, up to \$250,000, for corporate donations above \$750,000. The grant will be made on or before March 31, 2016.

For additional information, please contact:

Jennifer Jenkins  
Government and Industry Relations Manager  
Washington Convention and Sports Authority  
t/a Events DC

(202) 249-3275  
jjenkins@eventsdc.com

**WASHINGTON YU YING PUBLIC CHARTER SCHOOL****INVITATION FOR BID****Food Service Management Services**

Washington Yu Ying PCS is advertising the opportunity to bid on the delivery of breakfast, lunch, snack and/or CACFP supper meals to children enrolled at the school for the 2016-2017 school year with a possible extension of (4) one year renewals. All meals must meet at a minimum, but are not restricted to, the USDA National School Breakfast, Lunch, Afterschool Snack and At Risk Supper meal pattern requirements. Additional specifications outlined in the Invitation for Bid (IFB) such as; student data, days of service, meal quality, etc. may be obtained beginning on March 25, 2016 from Annie Schleicher at 202.635.1950 or [IFB@WashingtonYuYing.org](mailto:IFB@WashingtonYuYing.org).

**Proposals will be accepted at 220 Taylor St NE on or before April 22<sup>nd</sup>, 2016, not later than 2:00 pm.**

**All bids not addressing all areas as outlined in the IFB will not be considered.**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 18772-A of MR Gallery Square LLC**, pursuant to 11 DCMR § 3104.1, for a special exception from the number of roof structure requirements pursuant to § 411.4, to permit a restaurant use in the penthouse of a hotel in the DD/C-3-C District (Housing Priority Area B) at premises 627-631 H Street, N.W. (Square 453, Lot 59).<sup>1</sup>

**HEARING DATE:** March 8, 2016

**DECISION DATE:** March 8, 2016

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 6.)

The Board of Zoning Adjustment ("Board" or "BZA") 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") 2C and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2C, which is automatically a party to this application. The ANC submitted a report, dated February 11, 2016, indicating that at a regularly scheduled, duly noticed meeting on February 8, 2016, at which a quorum was in attendance, the ANC voted 3-0-0 in support of the application. (Exhibit 28.) At the ANC 2C meeting, at the request of the ANC, the Applicant agreed not to increase the dimensions of the window and door on the south façade of the penthouse as shown on Sheet A02 of Exhibit 9C. This commitment is acknowledged in the Applicant's statement in the record (Exhibit 30D) and through the Applicant's testimony at the hearing. (See revised Sheet A02 at Exhibits 30D, p. 2 and 30C, p. 2 – (duplicate).)

The Office of Planning ("OP") submitted a timely report on March 1, 2016, recommending approval of the application (Exhibit 31) and expressed support for the application at the hearing.

---

<sup>1</sup> By way of background, the subject property received prior approval in BZA Order No. 18772, dated July 22, 2014, granting variances pursuant to 11 DCMR § 3103.2 from the court requirements of § 776, the parking requirements of § 2101.1, and the loading requirements of § 2201, and pursuant to 11 DCMR § 3104.1, granting special exceptions from the roof structure requirements of §§ 770.6 and 411, and the rear yard requirements of § 774, to allow the construction of a new 11-story hotel with retail use. (See BZA Order No. 18772 and Applicant's Statement, Exhibit 7, p. 1.) The penthouse regulations which are the subject of this application - §§ 411.4 and 770 - were not in effect at the time of that approval. They were part of Z.C. Case No. 14-13 approved by the Zoning Commission on November 9, 2015. (See Applicant's Statement, Exhibit 7, p. 2.)

The D.C. Department of Transportation (“DDOT”) submitted a report expressing no objection to the application. (Exhibit 32.)

A letter of support was submitted from the owner and contract purchasers of several residential properties in close proximity to the subject site. (Exhibit 27.)

One neighbor who resides adjacent to the property testified at the hearing regarding the application. He noted that the alley is tight, and he raised concerns about the impact of the proposed restaurant use on the area nearby. In response, the Applicant testified that DDOT had conducted an analysis of the project and found no adverse impact on parking in the area, that the customers of the restaurant are likely to be the hotel patrons, and the area is vibrant with many walkers. The Applicant pointed out that no additional parking requirement is triggered by the penthouse proposed.

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 special exception relief under § 411.4. The only parties to the application were the Applicant and the ANC which expressed support for the application. 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 averse to any party.

Based upon the record before the Board and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 411.4, that the requested relief can be granted, 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 the application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 30, Tab C – ARCHITECTURAL DRAWINGS.**

**VOTE: 4-0-1** (Marnique Y. Heath, Jeffrey L. Hinkle, Frederick L. Hill, and Peter G. May to Approve; 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:** March 10, 2016

BZA APPLICATION NO. 18872-A  
PAGE NO. 2

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 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.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 19167 of SK Asset Group, LLC**, as amended,<sup>1</sup> pursuant to 11 DCMR § 3103.2, for variances from the lot occupancy requirements under § 403.2, and the off-street parking requirements under § 2101.1, and pursuant to 11 DCMR 3104.1, for a special exception from the height limitations under § 400.23, to allow the construction of a three-story flat in the R-4 District at premises 445 M Street, N.W. (Square 513, Lot 161).

**HEARING DATES:** February 9, 2016 and March 8, 2016<sup>2</sup>  
**DECISION DATE:** March 8, 2016

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 11 – original, and Exhibit 30 – revised.)

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”) 6E and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6E, which is automatically a party to this application. The ANC did not submit a report or testify at the hearing regarding the application. The Applicant stated that he presented the application to the ANC zoning committee on February 25, 2016, and to the full ANC at a meeting on March 1, 2016 at which a majority of the ANC members voted to support the application, as amended. (Exhibit 32.) The Applicant also testified to this effect at the hearing.

The Office of Planning (“OP”) submitted a timely report dated February 2, 2016 in which it expressed support for the variance relief requested. In the report, OP noted the need for relief from the height limitations, but stated that at the time of OP’s written recommendation, it did not have adequate information from the Applicant to make a recommendation on the height issue. (Exhibit 23.) However, at the public hearing, OP testified that in light of the information recently provided by the Applicant, OP supports the special exception relief under § 400.23 related to height.

---

<sup>1</sup> The Applicant amended the application to request special exception relief under § 400.23 in addition to the variances referenced in the original application. (See Exhibit 30 - revised Self Certification form 135.)

<sup>2</sup> The hearing of the application was postponed from February 9, 2016 to March 8, 2016 at the Applicant’s request. (Exhibit 25.)

The District Department of Transportation filed a report expressing no objection to the application. (Exhibit 24.)

Two support letters were filed in the record from neighbors residing adjacent to the subject property at 443 M Street, N.W. and 447 M Street, N.W. (Exhibits 28 and 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 §§ 403.2 and 2101.1. The only parties to this case were the Applicant and ANC 6B which did not participate in the application. 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 averse to any party.

Based upon the record before the Board and having given great weight to the OP report filed in this case, the Board concludes that in seeking variances from §§ 403.2 and 2101.1, the Applicant has met the burden of proving under 11 DCMR § 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 special exception relief under § 400.23. No parties appeared at the public hearing in opposition to this special exception relief. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board and having given great weight to the OP report filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 400.23, 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. The waiver will not prejudice the rights of any party, and is appropriate in this case. It is therefore **ORDERED THAT THIS APPLICATION IS HEREBY GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 35 - REVISED PLANS.**

**VOTE:**           **4-0-1**           (Marnique Y. Heath, Jeffrey L. Hinkle, Frederick L Hill, and Peter G. May to Approve; 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:** March 10, 2016

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 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.

BZA APPLICATION NO. 19167

PAGE NO. 3



**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 19183 of Gajinder Singh, et al.,**<sup>1</sup> pursuant to 11 DCMR § 3103.2, for two variances to create two lots that do not meet the minimum lot area requirement of § 401.3 or the minimum lot width requirement of § 401.3, to permit the construction of two flats, each on a new non-conforming lot, in the R-4 District at premises 1440 Newton Street, N.W. (Square 2677,<sup>2</sup> Lot 844).

**HEARING DATE:** March 1, 2016  
**DECISION DATE:** March 8, 2016

**SUMMARY ORDER**

**REVIEW BY THE ZONING ADMINISTRATOR**

The application was accompanied by a memorandum from the Zoning Administrator (“ZA”) certifying the required relief. (Exhibit 13.)

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”) 1A and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1A, which is automatically a party to this application. The ANC submitted a report and resolution dated February 26, 2016. The ANC’s report indicated that at a properly noticed public meeting on February 10, 2016, at which a quorum was in attendance, the ANC voted unanimously (12-0-0) in support of the application for variance relief. (Exhibit 35.)

The Office of Planning (“OP”) submitted a timely report dated February 23, 2016, recommending approval of the application for variance relief. (Exhibit 33.) The District Department of Transportation filed a timely report dated February 23, 2016, expressing no

---

<sup>1</sup> The Board heard this case for variance relief on March 1, 2016, but before it deliberated on the case, the Board requested that the Applicant file a revised Application Form 120 to express the relief being requested on the application form correctly for the record. The Applicant submitted a revised application form (Exhibit 36), as requested, correcting the previously submitted application form (Exhibit 1) to reflect that the Applicant was requesting variance relief, not special exception relief, as stated in Exhibit 1. The case had been correctly advertised and posted for variance relief.

<sup>2</sup> The square number referenced in the ZA’s Memorandum and the caption of the public hearing notice - Square 1440 - has been changed herein to reflect the accurate square number for the property as indicated on the application forms. (See Exhibits 13, 20-22 and Exhibits 1 and 36.) The accurate square number is Square 2677.

objection to the application. (Exhibit 34.) Also filed in the record was a petition with 11 signatures in support of the application. (Exhibit 31.)

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 §§ 3103.4 and 401.3. The only parties to this case were the Applicant and the ANC which expressed support for the application. 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 averse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking variances from §§ 3103.4 and 401.3 for lot area and lot width, the Applicant has met the burden of proving under 11 DCMR § 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.

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. The waiver will not prejudice the rights of any party, and is appropriate in this case. It is therefore **ORDERED** that this application is hereby **GRANTED, SUBJECT TO THE APPROVED PLANS AT EXHIBIT 11 - ARCHITECTURAL PLANS AND ELEVATIONS.**

**VOTE: 3-0-2** (Marnique Y. Heath, Frederick L Hill, and Michael G. Turnbull (by absentee ballot) to Approve; Jeffrey L. Hinkle not participating; 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:** March 11, 2016

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.

BZA APPLICATION NO. 19183  
PAGE NO. 2

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 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.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 19210 of Atlantic Gardens Redevelopment LP**, pursuant to 11 DCMR § 3104.1, for a special exception from the child development center requirements pursuant to § 205, to permit an increase in the number of children and staff for an existing child development center from 20 children and four staff to 33 children and nine staff in the R-5-A District at premises 4226-4228 4th Street S.E. (Square 6207, Lot 30).

**HEARING DATE:** March 8, 2016

**DECISION DATE:** March 8, 2016

**SUMMARY ORDER**

**SELF-CERTIFIED**

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 4.)

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") 8D, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 8D, which is automatically a party to this application. ANC 8D filed a report indicating that at a regularly scheduled, duly noticed public meeting on February 25, 2016, with a quorum of Commissioners present, the ANC voted 5-0 to recommend approval. (Exhibit 34.)

The Office of Planning ("OP") submitted a timely report recommending approval of the application with one condition. (Exhibit 32.) OP testified in support at the public hearing and revised its proposed condition based on the Applicant's testimony and information from the Office of the State Superintendent of Education. The Applicant testified that it accepted the proposed conditions, as modified, and the condition was adopted by the Board. The District Department of Transportation ("DDOT") submitted a timely report indicating that it had no objection to the Applicant's request for special exception relief. (Exhibit 33.)

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 child development center requirements pursuant to § 205, to permit an increase in the number of children and staff for an existing child development center from 20 children and four staff to 33 children and nine staff in the R-5-A District. 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 proof, pursuant to 11 DCMR §§ 3104.1 and 205, 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 FOLLOWING CONDITION:**

1. The student enrollment shall not exceed 33, ranging in age from zero to three.

**VOTE: 4-0-1** (Marnique Y. Heath, Frederick L. Hill, Jeffrey L. Hinkle, and Peter G. May to APPROVE; 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:** March 10, 2016

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 SIX MONTHS AFTER IT BECOMES EFFECTIVE UNLESS THE USE APPROVED IN THIS ORDER IS ESTABLISHED WITHIN SUCH SIX-MONTH PERIOD.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THEREOF, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

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

**BZA APPLICATION NO. 19210**

**PAGE NO. 2**

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  
NOTICE OF FILING**

**Z.C. Case No. 16-05**

**(Fifth and Morse L/Cal, LLC and Sixth and Morse L/Cal, LLC – Consolidated PUD  
and Related Map Amendment @ Square 3591, Parcel 129/104, and  
a Portion of Parcel 129/106)**

**March 16, 2016**

**THIS CASE IS OF INTEREST TO ANC 5D**

On March 11, 2016, the Office of Zoning received an application from Fifth and Morse L/Cal, LLC and Sixth and Morse L/Cal, LLC (“Applicant”) for approval of a consolidated planned unit development (“PUD”) and related map amendment for the above-referenced property.

The property that is the subject of this application consists of Lot 2 in Square 3591, Parcel 129/104, and a portion of Parcel 129/106 in northeast Washington, D.C. (Ward 5), on property located at 500 and 530 Morse Street, N.E. The property is currently zoned C-M-1. The Applicant is proposing a PUD-related map amendment to rezone the property, for the purposes of this project, to the C-3-C Zone District.

The Applicant proposes to construct a mixed-use commercial/retail and residential project on the site, which is currently improved with a two-story commercial building and a one-story commercial building, along with a surrounding parking lot. Presently, the Applicant is proposing two options for development: Option 1 (preferred) would consist of 33,565 square feet of land, with 270 residential units, 19,800 square feet of retail space, and 160-245 parking spaces – this option and would require a transfer of land from Gallaudet; and Option 2 would consist of 24,302 square feet of land, with 207 residential units, 14,400 square feet of retail space, and 124-189 parking spaces. The Applicant expects to be able to remove one of the two options prior to the public hearing.

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.

**Government of the District of Columbia  
Public Employee Relations Board**

In the matter of:

_____	)
Federation of Administrative	)
Law Judges – D.C.	)
	)
Petitioner,	)
	)
and	)
	)
Office of	)
Administrative Hearings	)
	)
Respondent.	)
_____	)

PERB Case No. 16-RC-01

Certification No. 162

**CERTIFICATION OF REPRESENTATIVE**

The requirements of voluntary recognition having been confirmed in the above-captioned matter by the District of Columbia Public Employee Relations Board (“Board”), in accordance with the District of Columbia Comprehensive Merit Personnel Act of 1978 (“CMPA”) and the Board’s Rules, and it appearing that an exclusive representative has been properly recognized,

Pursuant to the authority invested in the Board by D.C. Official Code §§ 1-605.02(1) and (2) and 1-617.10(b)(1)1-618.10(a), and in accordance with Board Rule 502.12;

IT IS HEREBY CERTIFIED THAT:

The Federation of Administrative Law Judges – D.C. has been designated by a majority of the employees in the unit described below, as their exclusive representative for the purposes of collective bargaining over terms and conditions of employment, including compensation, with the Office of Administrative Hearings.

UNIT DESCRIPTION:

All Attorney-Advisors in the District of Columbia Office of Administrative Hearings appointed pursuant to D.C. Code § 2-1831.12, excluding all management officials, supervisors, confidential employees, employees engaged in personnel work other than in a purely clerical capacity, and employees engaged in



Certification of Representative

PERB Case No. 6-RC-01

Page 2 of 2

administering the provisions of Title XVII of the District of Columbia  
Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD  
Washington, D.C.

January 21, 2016



---

Clarene Phyllis Martin  
Executive Director

Government of the District of Columbia  
Public Employee Relations Board

_____	)	
In the Matter of:	)	
	)	
Teamsters Locals Union Nos. 639 and 730	)	
a/w International Brotherhood of Teamsters,	)	
	)	
Petitioners,	)	PERB Case No. 16-CU-01
	)	
and	)	Opinion No. 1560
	)	
Department of General Services	)	
	)	
Respondent.	)	
_____	)	

**DECISION AND ORDER ON COMPENSATION UNIT DETERMINATION**

**I. Statement of the Case**

On November 6, 2015, Teamsters Local Union Nos. 639 and 730 (jointly “Teamsters”) filed a Petition for Compensation Unit Determination (“Petition”) with the Board, pursuant to Board Rule 503. The Teamsters are seeking a determination from the Board that all trade and craft labor employees that the Teamsters represent at the Department of General Services (“DGS”) be placed in Compensation Unit 2, and any professional, technical, or clerical employees that the Teamsters represent at DGS be placed in Compensation Unit 1.<sup>1</sup>

<sup>1</sup> Labor organizations are initially certified by the Board under the Comprehensive Merit Personnel Act (“CMPA”) to represent units of employees that have been determined to be appropriate for the purpose of noncompensation terms-and-conditions bargaining. Once this determination is made, the Board then determines the compensation unit in which these employees should be placed. Unlike the determination of a terms-and-conditions unit, which is governed by criteria set forth under D.C. Official Code § 1-617.09, unit placement for purpose of authorizing collective bargaining over compensation is governed by D.C. Official Code § 1-617.16(b).

Decision and Order  
Case No. 16-CU-01  
Page 2 of 5

Pursuant to Board Rule 503.4, DGS posted the required notice for fourteen (14) consecutive days. No comments or requests for intervention were received by the Board.

## II. Background

The Department of General Services was created by the D.C. City Council in the fall of 2011. Employees from other agencies were transferred to the Facilities Management Division (“FMD”) of DGS.<sup>2</sup> Employees represented by the Teamsters and who were employed by the District of Columbia Public Schools’ (“DCPS”) Office of Public Education Facilities Modernization (“OPEFM”) were among the employees transferred to DGS.<sup>3</sup> While employed at DCPS, these employees were covered by a separate collective bargaining agreement, and were not placed in a D.C. compensation unit.

## III. Discussion

### A. Appropriateness of the compensation units

The Petition concerns the following group of employees covered under PERB Certification No.65 and who were transferred to the Department of General Services from D.C. Public Schools:

All employees in the Custodian Unit in the D.C. Public Schools System in the following job classifications: custodian foreman, custodian, assistant custodian, carpenter, carpenter helper, carpenter worker, plumber, plumber helper, plumber worker, locksmith, night custodian, gardener, gardener worker, school maintenance worker, janitor; and including,

All general maintenance repair workers, general maintenance repair leaders, cement finishers, maintenance worker helpers, masons, painters, painter helpers and leaders, plasterer leaders and plasterers, plumber leaders, pipefitters, sheet metal mechanics, welders, welder workers and leaders, electronic workers and leaders, locksmith leaders, window shade mechanics, pest controllers and leaders, gardener leaders, general equipment repair workers; and include,

All RW classification employees in the Supply Management Branch, Equipment Maintenance Unit of the District of Columbia Board of Education including typewriter repairer, general equipment repairer, radio and television repairer, digital computer and television repairer, digital computer mechanic, warehouse window shade helper, general appliance repairer, general equipment foreman, general woodwork repairer, digital computer foreman, locksmith, piano tuner repairer, general mechanic shop

---

<sup>2</sup> Petition at 2.

<sup>3</sup> *Id.* at 3.

Decision and Order  
Case No. 16-CU-01  
Page 3 of 5

foreman, general woodwork helper and window shade mechanic; excluding from all of the above classifications the following: management officials, supervisors, confidential employees, employees engaged in personnel work in other than a purely clerical capacity and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978.<sup>4</sup>

The Teamsters assert that these employees “work side by side and share the same overall supervision” and have the same or similar job titles as employees in FMD who are already included in Compensation Units 1 and 2 and who are represented by other unions. The employees represented by the Teamsters are currently on a different wage scale than the other employees. The Teamsters request that the Board determine that Compensation Unit 2 is appropriate for trade and craft employees they represent, and that Compensation Unit 1 is appropriate for any professional, technical, administrative, or clerical employees they represent.

The Board authorizes compensation units pursuant to D.C. Official Code § 1-617.16(b), which provides:

In determining an appropriate bargaining unit for negotiations concerning compensation, the Board shall authorize broad units of occupational groups so as to minimize the number of different pay systems or schemes. The Board may authorize bargaining by multiple employers or employee groups as may be appropriate.

The Board recognizes a two-part test from this provision to determine an appropriate compensation unit: (1) the employees of the proposed unit comprise broad occupational groups; and (2) the proposed unit minimizes the number of different pay systems or schemes.<sup>5</sup>

The list of job titles and classifications presented by the Teamsters includes a broad range of occupational groups. The Teamsters assert inclusion of the employees in Compensation Units 1 and 2 would minimize the number of different pay schemes within the District. DGS does not oppose the placement of the employees into Compensation Units 1 and 2.

The Board finds that both parts of its test have been satisfied. First, the affected employees occupy a broad range of occupational groups. Second, placement of the employees from their own wage scale into Compensation Units 1 and 2 would minimize the number of different pay schemes within the District. Therefore, the Board determines that Compensation Units 1 and 2 are appropriate bargaining units for negotiations concerning compensation for the above-specified employees.

---

<sup>4</sup> *DCPS and Teamsters Local Unions Nos. 639 and 730, a/w with Inter'l Brotherhood of Teamsters*, 38 D.C. Reg. 4145, Slip Op. No. 252, PERB Case No. 90-R-08 (1990).

<sup>5</sup> *AFSCME, D.C. Council 20, Local 2401 v. D.C. Pub. Schs.*, 59 D.C. Reg. 4954, Slip Op. No. 962 at 3, PERB Case No. 08-CU-01 (2009).

Decision and Order  
Case No. 16-CU-01  
Page 4 of 5

**B. Coverage of the existing compensation agreements**

DGS has requested that the compensation agreements for the affected employees be prospectively applied at a date to be negotiated by the parties.<sup>6</sup> This is a matter of first impression. The CMPA does not speak specifically to this scenario, but the Board considers D.C. Official Code §§1-617.17(f) and (m) instructive.

D.C. Official Code § 1-617.17(m) states, in relevant part,

When the Public Employee Relations Board makes a determination as to the appropriate bargaining unit for the purpose of compensation negotiations pursuant to § 1-617.16, negotiations for compensation between management and the exclusive representative of the appropriate bargaining unit shall commence as provided for in subsection (f) of this section.

Subsection (f)(1)(a)(iii) states,

Where the compensation agreement to be negotiated is for a newly certified collective bargaining unit assigned to an existing compensation unit, the parties shall proceed promptly to negotiate concurrently any working conditions, other non-compensation matters, and coverage of the compensation agreement.

Subsection (f)(1)(a)(iii) is the closest situation to the present case, although it literally applies only to a newly-certified bargaining unit. In the present case, the Teamsters have been the certified representative for the affected employees under Certification No. 65 since 1991.<sup>7</sup> The intent of the D.C. Council to allow the parties to bargain over the compensation set forth in 1-617.17 (m) leaves application of the compensation agreement open to negotiation as well. Therefore, the Board declines to determine that the application of the compensation agreement to these employees be prospective, as there is no indication that the parties have agreed to prospective application of the compensation agreement.

The Board denies DGS's request that the Board order Compensation Units 1 and 2 compensation agreements be prospectively applied.

---

<sup>6</sup> DGS Comments at 1-2.

<sup>7</sup> The unit was consolidated from Certification Nos. 35 (PERB Case No. 85-R-09) and 60 (PERB Case No. 89-R-05).

Decision and Order  
Case No. 16-CU-01  
Page 5 of 5

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. The Teamsters Petition for Compensation Unit Determination is granted.
2. Trade and craft employees represented by Teamsters under Certification No. 65, who were transferred from DCPS to DGS, are placed in Compensation Unit 2.
3. Professional, technical, administrative, or clerical employees represented by Teamsters under Certification No. 65, who were transferred from DCPS to DGS, are placed in Compensation Unit 1.
4. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

By unanimous vote of Board Chairperson Charles Murphy, Member Yvonne Dixon, and Member Ann Hoffman. Member Keith Washington was not present.

Washington, D.C.

January 21, 2016

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 16-CU-01 was served to the following parties via File & ServeXpress on this the 21st day of January 2016:

Kevin M. Stokes, Esq.  
Office of Labor Relations and Collective Bargaining  
441 4th Street, NW, Suite 820 North  
Washington, D.C. 20001

Diana M. Bardes, Esq.  
Mooney, Green, Saindon, Murphy & Welch, P.C.  
1920 L Street NW, Suite 400  
Washington, D.C. 20036

/s/Felice Robinson  
Felice Robinson  
Public Employee Relations Board  
1100 4th Street, SW  
Suite E630  
Washington, D.C. 20024  
Telephone: (202) 727-1822  
Facsimile: (202) 727-9116





Decision and Order  
PERB Case No. 14-A-09  
Page 2 of 11

On February 1, 2008, MPD advised the Grievant that it was proposing to terminate her employment based on these charges. The Grievant exercised her right to request a departmental hearing and an Adverse Action Panel (“Panel”) was convened. The Panel found the Grievant guilty on all charges and recommended the penalty of termination. The Fraternal Order of Police/Metropolitan Police Department Labor Committee (“FOP” or “the Union”) subsequently appealed the Final Notice of Adverse Action to Chief of Police Cathy Lanier. By letter dated October 7, 2008, Chief Lanier denied the appeal. The Final Agency Action Letter, informed the Grievant that her employment with MPD was being terminated as of the close of business on October 11, 2008. Pursuant to Article 19 of the Collective Bargaining Agreement (“CBA”), the Grievant filed for arbitration.

The parties submitted the following issues to the Arbitrator:

1. Does sufficient evidence exist to support the charges against the grievant?
2. Is termination an appropriate penalty in this case?

Arbitrator Martha R. Cooper issued her Opinion and Award on September 19, 2014.<sup>2</sup> She agreed with the findings of guilt but reduced the penalty from termination to a forty (40) day suspension. In her decision, she found that there was substantial evidence in the administrative record to support the Panel’s findings that the charges made against the Grievant were proven.<sup>3</sup> She also found that the Grievant did engage in conduct unbecoming an officer by engaging in conduct that would constitute a crime, when she threw raw marinating meat at Officer McCullough, slapped him in the face, and pulled on his shirt during the altercation at their home on the night in question.<sup>4</sup> The Arbitrator also found there was substantial evidence to support the Panel’s findings that when the Grievant engaged in those and other behaviors that night, she was under the influence of alcohol and was not in full control of her faculties, and her arrest brought discredit upon herself and MPD.

As to the second issue in dispute, the Arbitrator found that the Panel’s recommended disciplinary penalty of termination was not supported by substantial evidence.<sup>5</sup> After determining guilt, the Panel evaluated the twelve “*Douglas factors*”<sup>6</sup> to determine its recommended penalty.

---

<sup>2</sup> No hearing was held by the Arbitrator because she based her review on the record established at the administrative hearing, as supplemented by other documents and arbitration briefs from the parties.

<sup>3</sup> Award at 41.

<sup>4</sup> Id.

<sup>5</sup> Id.

<sup>6</sup> *Douglas v. Veterans Administration*, 5 M.S.P.B. 313 (1981), set the standard for assessing the appropriateness of a disciplinary penalty for federal agencies. It delineated 12 *factors* that an agency should consider when determining the appropriate penalty for an act of employee misconduct. These *factors* include (1) The nature and seriousness of the offense, and its relation to the employee’s duties, position, and responsibilities, including whether the offense was intentional or technical or inadvertent, or was committed maliciously or for gain, or was frequently repeated; (2) the employee’s job level and type of employment, including supervisory or fiduciary role, contacts with the public, and prominence of the position; (3) the employee’s past disciplinary record; (4) the employee’s past work record, including length of service, performance on the job, ability to get along with fellow workers, and dependability; (5) the effect of the offense upon the employee’s ability to perform at a satisfactory level and its effect upon supervisors’ confidence in the employee’s work ability to perform assigned duties; (6) consistency of the penalty with those imposed upon other employees for the same or similar offenses; (7) consistency of the penalty with any applicable agency table of penalties; (8) the notoriety of the offense or its impact upon the reputation of the agency;

Decision and Order  
PERB Case No. 14-A-09  
Page 3 of 11

Specifically, the Arbitrator concluded that the Panel did not sufficiently consider *Douglas* factors related to the employee's work record ("*Douglas* factor #4") and the consistency of penalty ("*Douglas* factor #6").<sup>7</sup> The Arbitrator disagreed with the Panel's rating on seven of the twelve *Douglas* Factors.<sup>8</sup> As a result, she ordered that the penalty of termination be rescinded, and that the Grievant be reinstated to her position as a police officer. She further ordered that the Grievant be suspended without pay for forty (40) days and made whole, including back pay for any lost wages in excess of 40 days.

MPD has filed this Arbitration Review Request seeking to have the Arbitrator's Award reversed on the grounds that (A) the Arbitrator exceeded the authority granted to her by the CBA when she substituted her discretion in selecting a penalty; (B) the Arbitrator exceeded her authority when she considered disciplinary decisions that were not part of the departmental record; and (C) the award is contrary to law and public policy. For reasons, stated below we affirm the Arbitrator's Award.

## II. Analysis

D.C. Official Code § 1-605.02(6) authorizes the Board to modify or set aside an arbitration award in only three limited circumstances: (1) if an arbitrator was without, or exceeded his or her jurisdiction; (2) if the award on its face is contrary to law and public policy; or (3) if the award was procured by fraud, collusion or other similar and unlawful means.<sup>9</sup> MPD does not contend that the award was procured by fraud, collusion or other similar and unlawful means.

### A. *The Arbitrator did not exceed her authority when she substituted her discretion for that of MPD in selecting an appropriate penalty.*

An arbitrator derives his jurisdiction from the collective bargaining agreement and any applicable statutory or regulatory provision.<sup>10</sup> The question of when an arbitrator's award is within that jurisdiction was "addressed in *Steel Workers v. Enterprise Wheel and Car Corp.*, 363 U.S. 593, 597 (1960), wherein the Court stated that the test is whether the Award draws its essence from the collective bargaining agreement."<sup>11</sup> The test of whether an award draws its

---

(9) the clarity with which the employee was on notice of any rules that were violated in committing the offense, or had been warned about the conduct in question; (10) the potential for the employee's rehabilitation; (11) mitigating circumstances surrounding the offense such as unusual job tensions, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter; and (12) the adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the employee or others. The D.C. Court of Appeals adopted the reasoning of *Douglas* for D.C. agencies in *Stokes v. District of Columbia*, 502 A.2d 1006 (D.C. 1985).

<sup>7</sup> *Douglas* Factor # 4 addresses the employee's past work record. *Douglas* Factor #6 will be discussed later.

<sup>8</sup> The scale is "Aggravating," "Neutral" or "Mitigating," when evaluating the 12 *Douglas* factors.

<sup>9</sup> *University of the District of Columbia v. PERB*, 2012 CA 8393 P (MPA)(2014).

<sup>10</sup> *D.C. Water & Sewer Auth. v. AFSCME, Local 2091*, Slip Op. No. 1276 at 3, PERB Case No. 04-A-24 (June 12, 2012).

<sup>11</sup> *D.C. Pub. Schs. v. AFSCME, District Council 20 (on behalf of Johnson)*, 34 D.C. Reg. 3610, Slip Op. No. 156 at 5, PERB Case No. 86-A-05 (1987).

Decision and Order  
PERB Case No. 14-A-09  
Page 4 of 11

essence from the CBA was delineated by the Board in *D.C. Dep't of Corrections v. Fraternal Order of Police/Dep't of Corrections Labor Committee*<sup>12</sup>: “Did the arbitrator act “outside his authority” by resolving a dispute not committed to arbitration? Did the arbitrator commit fraud, have a conflict of interest or otherwise act dishonestly in issuing the award? And in resolving any legal or factual disputes in the case, was the arbitrator “arguably construing or applying the contract”?” The arbitrator did not offend any of these requirements, so there is no basis for judicial intervention.

In its Memorandum in Support of its Arbitration Review Request, the Petitioner cited *Stokes v. District of Columbia*<sup>13</sup> for the proposition that deference should be given to an agency to decide how to discipline its workforce.<sup>14</sup> In *Stokes*, the D.C. Office of Employee Appeals (OEA) disagreed with the D.C. Department of Corrections’ decision to terminate an employee who was found to have committed several violations of agency regulations. OEA concluded that the agency failed to demonstrate that dismissal was the appropriate sanction and reduced the penalty to a 60-day suspension. The D.C. Court of Appeals in *Stokes* ruled that OEA’s decision was arbitrary and capricious, and an abuse of discretion, holding that the agency’s findings should be given deference. MPD equates the reduction in severity of discipline by OEA with the reduction in the severity of discipline by the Arbitrator in this case. In relying solely on the *Stokes* case, MPD ignores one significant difference. In this case, unlike *Stokes*, the parties explicitly authorized the Arbitrator to address the question, “Whether termination is an appropriate penalty?” *Stokes* is not the correct standard to apply to an arbitrator’s review of agency decisions because the parties agreed to submit this case to arbitration. Further, the Superior Court of the District of Columbia has recently held in *MPD v. PERB* that “PERB reasonably found that [the Arbitrator] was not bound by the standards that apply to OEA’s review of agency decisions set forth in *Stokes*.” In that case, the Court upheld a PERB decision that affirmed an arbitrator’s finding reducing an MPD’s officers penalty from termination to a thirty day suspension.<sup>15</sup>

Once it is determined that termination is not the appropriate remedy, it becomes reasonable for the arbitrator to determine what the appropriate remedy should be. The Superior Court upheld PERB’s finding that “the Panel’s misapplication of several *Douglas* factors properly led [the Arbitrator] to decide that termination ... would be beyond the tolerable bounds of reasonableness and, thus, an inappropriate penalty.”<sup>16</sup> The Arbitrator, in this case, conducted a thorough analysis of the *Douglas factors*,<sup>17</sup> and determined that termination was excessive and

---

<sup>12</sup> 60 D.C. Reg. 7185, Slip Op. No. 1380 at 2, PERB Case No. 10-A-03 (April 30, 2013).

<sup>13</sup> *Stokes v. District of Columbia*, 502 A.2d 1006 (D.C. 1985).

<sup>14</sup> *Stokes* at 1011.

<sup>15</sup> *District of Columbia Metro. Police Dep't. v. District of Columbia Public Employee Relations Board*, 2014 CA 007679 P(MPA) at 9 (December 16, 2015).

<sup>16</sup> *Id.* at 8.

<sup>17</sup> The Arbitrator disagreed significantly with the Panel’s evaluation of several of the *Douglas* factors. The Panel rated *Douglas* Factor #3 as “Aggravating” and the Arbitrator rated it as “Mitigating” noting that there was no reference in Grievant’s past disciplinary history of any alcohol-related offenses. The Panel rated Grievant’s past work record, *Douglas* factor #4, as “neutral” and the Arbitrator rated it as “mitigating,” stating the Panel never seriously considered Grievant’s work record, i.e. annual evaluations, number of years employed and testimony of several witnesses with positive assessments of Grievant’s work performance. For *Douglas* factor #6, to be discussed

Decision and Order  
PERB Case No. 14-A-09  
Page 5 of 11

found that the severity of the penalty should be reduced and that the Grievant should be reinstated and made whole. It was reasonable for the Arbitrator to reexamine the *Douglas* factors because the appropriateness of the penalty was explicitly presented to her for consideration by the parties

MPD argues that if the Arbitrator believed MPD exceeded the limits of reasonableness in the selection of penalty, that the Arbitrator should have remanded the matter to MPD to select a different penalty. In concluding that the penalty of termination was not supported by substantial evidence, the Arbitrator was obligated to review the agency's penalty decision.<sup>18</sup> Again, in authorizing the Arbitrator to review the appropriateness of the penalty, the parties did not limit the bounds of that authority. The parties also did not direct the Arbitrator to remand if she found termination to be an inappropriate penalty. MPD offered no support in its brief for the premise that the Arbitrator should have remanded the case to MPD. The Board has affirmed many Arbitrator decisions in which MPD employee terminations were reduced to suspension.<sup>19</sup> Under District of Columbia law, the Board is authorized to remand a case only if the Arbitrator was without or exceeded her jurisdiction.<sup>20</sup>

Consequently, we find that the Arbitrator acted within her authority when she adjusted the severity of the penalty after concluding that MPD exceeded the limits of reasonableness by imposing the penalty of termination.

*B. The Arbitrator did not exceed her authority when she considered disciplinary decisions that were not part of the departmental record.*

The Arbitrator quoted the relevant contractual provisions are follows:

#### ARTICLE 4 MANAGEMENT RIGHTS

---

in detail later, the Arbitrator stated the Panel's rating of "neutral" was not supported by substantial evidence. The Panel considered *Douglas* factor #10, potential for Grievant's rehabilitation, to be an "aggravating" factor but the Arbitrator rated it "mitigating," because the Panel ignored evidence of the potential for rehabilitation.

<sup>18</sup> *D.C. Dep't of Corrections v. Fraternal Order of Police/Dep't of Corrections Labor Committee* 60 D.C. Reg. 7185, Slip Op. No. 1380 at 2, PERB Case No. 10-A-03 (April 30, 2013).

<sup>19</sup> *Dist. Of Columbia Metro. Police Dep't v. Fraternal Order of Police/Metro. Police Dep't Labor Committee (on behalf of Tracy Kennie)*, 61 DC Reg. 12364 (2014), Slip Op. No. 1493, PERB Case No. 14-A-06 (October 30, 2014). *Am. Fed'n of Gov't Employees, Local 2725 v. Dist. Of Columbia Housing Auth.*, 61 DC Reg. 9062 (2014), Slip Op. No. 1480, PERB Case No. 14-A-01 (July 24, 2014). *Dist. Of Columbia Housing Auth. V. Am. Fed'n of Gov't Employees, Local 2725 (on behalf of Senta Hendrix-Smith)*, 60 DC Reg. 13706 (2013), Slip Op. No. 1415, PERB Case No. 13-A-07 (September 3, 2013). *Dist. Of Columbia Public Schools v. Washington Teachers' Union, Local 6 (on behalf of Lyntrel Smith)*, 60 DC Reg. 12096 (2013), Slip Op. No. 1406, PERB Case No. 12-A-08 (July 29, 2013). *Dist. Of Columbia Office of Chief Fin. Officer and Am. Fed'n of State, County and Municipal Employees, Dist. Council 20, Local 2776 (on behalf of Robert Gonzales)*, 60 DC Reg. 7218 (2013), Slip Op. No. 1386, PERB Case No. 12-A-06 (April 30, 2013). D.C. Official Code 1-605.02(6).

<sup>20</sup> D.C. Official Code 1-605.02(6).

The Department shall retain the sole right, authority, and complete discretion to maintain the order and efficiency of the public service entrusted to it, and to operate and manage the affairs of the Metropolitan Police Department in all respects including, but not limited to, all rights and authority held by the Department prior to the signing of this Agreement.

Such management rights shall not be subject to the negotiated grievance procedure or arbitration. The Union recognizes that the following rights, when exercised in accordance with applicable laws, rules, and regulations, which in no way are wholly inclusive, belong to the Department:

- ....
- 5. To suspend, demote, discharge, grant or deny step increases and take other disciplinary actions against employees for cause;
- ....

ARTICLE 12  
DISCIPLINE

Section 1

- 1. (a) The parties agree that discipline is a management right that has not been abridged except as specifically outlined in this Article.
- (b) Discipline may be imposed only for cause, as authorized in D.C. Official Code § 1-616.51.

...  
Section 2.

- 1. Corrective Action – A D 750, a letter of prejudice, and an official reprimand.
- 2. Adverse Action – any fine, suspension, removal from service, or any reduction of rank or pay of any employee who is not serving a probationary period.

....  
Section 8

Upon receipt of the decision of the Chief of Police on adverse actions, the employee may appeal to arbitration as provided in Article 19. Employees must use the negotiated grievance procedure (NGP) for a suspension of less than ten (10) days. In cases where a Departmental hearing has been held, any further appeal shall be based solely on the record established in the Departmental hearing. In such a case, the appellate tribunal has the authority to review the evidentiary ruling of the

Decision and Order  
PERB Case No. 14-A-09  
Page 7 of 11

Departmental Hearing Panel, and may take into consideration any documentary evidence which was improperly excluded from consideration from the Departmental Hearing Panel.

....

ARTICLE 19  
GRIEVANCE PROCEDURE

....

E. ARBITRATION

...

Section 5.

...

4. The arbitrator shall not have the power to add to, subtract from or modify the provisions of this Agreement in arriving at a decision of the issue presented and shall confine his decision solely to the precise issue submitted for arbitration.

....

7. The statement of the arbitrator’s fee and expenses shall accompany the award. The fee and expense of the arbitrator shall be borne by the losing party, which shall be determined by the Arbitrator.

...

MPD argues that “the arbitrator improperly considered disciplinary decisions for other officers submitted by Grievant for the first time during the arbitration proceeding.”<sup>21</sup> The issue raised here is whether an additional argument should have been considered by the Arbitrator. Article 12, Section 8 of the CBA establishes specific evidentiary rules in the disciplinary procedure. Article 19 (E) 5-4 of the CBA regarding arbitration under the Grievance Procedure section states: The arbitrator shall not have the power to add to, subtract from or modify the provisions of this agreement (CBA) in arriving at a decision of the issue presented and *shall confine his decision solely to the precise issue submitted for arbitration* (emphasis added).

After determining that sufficient evidence was presented to support the charges against the Grievant, the precise issue the parties submitted to the Arbitrator was whether termination was the appropriate penalty. We find that it is reasonable to conclude that the language in Article 12 § 8 concerns only the disciplinary proceedings. It is not a prohibition on considering additional arguments during the arbitration that was not presented in the disciplinary hearing. The “further appeal” referenced in Article 12 seems to apply to an appeal of the Panel’s decision to the Chief of Police.

MPD argues that the Arbitrator improperly considered cases about discipline of other officers in her analysis of *Douglas* factor #6 that were not considered by the Panel. *Douglas* factor #6 considers “Consistency of penalty with those imposed upon other employees for the

---

<sup>21</sup> ARR at 8.

Decision and Order  
PERB Case No. 14-A-09  
Page 8 of 11

same or similar offense.”<sup>22</sup> MPD further argues that the Grievant “did not submit any disciplinary decisions of other officers for consideration either to the Panel during the hearing of her case or in her appeal to Chief Lanier,” and any such information after the disciplinary hearing should not be considered by the Arbitrator because of Article 12 of the CBA.<sup>23</sup> The Panel stated, in relation to *Douglas* factor #6, “the penalty imposed is consistent with those for similar offenses and is not deemed to be excessive under the circumstances.” But it presented no examples to support that conclusion. The Board has held, “in a *Douglas* factor analysis, the burden is on the Agency to prove its facts by a preponderance of the evidence.”<sup>24</sup> In this case, the actual comparative evidence of penalties was not considered by the Panel and the Arbitrator found the Panel failed to meet its burden “to establish that the penalty it [recommended was] consistent with penalties imposed in like matters.”<sup>25</sup> Under the terms of Section 12 of the CBA contrary to MPD’s suggestion, the Grievant would have been prohibited from presenting comparison cases to Chief Lanier on appeal, after learning that the Panel had referenced no such comparisons. The Arbitrator was left with no alternative but to rely on other evidentiary determinations to assess the reasonableness of the Panel’s conclusion with respect to *Douglas* factor #6.

In addition, the Board has held that an arbitrator does not exceed her authority by exercising her equitable power, unless it is expressly restricted by the parties’ collective bargaining agreement.<sup>26</sup> Furthermore, the Supreme Court held in *United Steelworkers of America v. Enterprise Wheel & Car Corp.*, that arbitrators bring their “informed judgment” to bear on the interpretation of collective bargaining agreements, and that is “especially true when it comes to formulating remedies.”<sup>27</sup>

In her consideration of *Douglas* Factor # 6, the Arbitrator compared the sanction applied to Grievant with penalties imposed between 2003 and 2013 on eight officers, sometimes for more serious offenses, and the penalties ranged from 30-90 day suspensions. In a recent PERB decision, an arbitrator reduced an MPD officer’s termination to a 60-day suspension conditioned on the officer enrolling in an anger management course.<sup>28</sup> The officer was found guilty of second-degree assault and conduct unbecoming an officer while off-duty. All of these cases

---

<sup>22</sup> See f.3.

<sup>23</sup> MPD cites no authority that would require or even allow Grievant to present evidence of other officers’ disciplinary decisions to the Panel or the Chief. Further, we wonder about Grievant even having access to those decisions that the Panel could easily review.

<sup>24</sup> *District of Columbia Metro. Police Dep’t and Fraternal Order of Police/Metro. Police Dep’t Labor Committee, (on behalf of Charles Jacobs)*, Slip Op. No. 1509 at 8, PERB Case No. 12-A-04(R)(November 20, 2014). Citing *Douglas* at 297, 325.

<sup>25</sup> Award at 35.

<sup>26</sup> See *District of Columbia Metropolitan and Fraternal Order of Police/Metropolitan Police Department Labor Committee*, 39 D.C. Reg. 6232, Slip Op. No. 282, PERB Case No. 92-A-04 (1992). See also *Metropolitan Police Department and Fraternal Order of Police/Metropolitan Police Department Labor Committee*, 59 D.C. Reg. 3959, Slip Op. No. 925, PERB Case No. 08-A-O1 (2012) (upholding an arbitrator’s award when the arbitrator concluded that MPD had just cause to discipline grievant, but mitigating the penalty, because it was excessive).

<sup>27</sup> 363 U.S. 593, 597 (1960).

<sup>28</sup> *Fraternal Order of Police/Metro. Police Dep’t/Labor Committee v. Metro. Police Dep’t (Termination of Officer Jeffrey Mena)*, FMCS Case No. 13-52954-A.

Decision and Order  
PERB Case No. 14-A-09  
Page 9 of 11

suggest that the Panel was not accurate when it stated in relation to *Douglas* factor #6 that “the penalty imposed is consistent with those for similar offenses and is not deemed to be excessive under the circumstances.”<sup>29</sup> It was within the scope of the Arbitrator’s authority, after finding that the Panel’s evaluation of the *Douglas* factors lacked substantial support, to consider information about penalties imposed in similar cases to be able to properly evaluate the penalty imposed in this case. Factual and evidentiary determinations are squarely within an arbitrator’s discretion.<sup>30</sup> We find that the Arbitrator did not exceed her authority by considering the additional evidence.

C. *The Award is not contrary to law and public policy.*

A petitioner claiming that an arbitration award is contrary to law and public policy has the burden to specify applicable law and definite public policy that mandate that the arbitrator arrive at a different result.<sup>31</sup> The Board’s scope of review, particularly concerning the public policy exception, is extremely narrow. To justify judicial intervention, a petitioner must demonstrate that the arbitration award “compels” the violation of an explicit, well-defined, and dominant public policy grounded in law or legal precedent and not from general considerations of supposed public interest.<sup>32</sup> Furthermore, the petitioning party has the burden to specify the “applicable law and definite public policy that mandate that the Arbitrator arrive at a different result.”<sup>33</sup> Absent a clear violation of law evident on the face of the arbitrator’s award, the Board lacks authority to substitute its judgment for that of the arbitrator.<sup>34</sup>

Petitioner asserts that the Arbitrator invoked and then misinterpreted the well-settled law governing disparate treatment claims by finding that the burden was on the Panel to establish that the recommended penalty was consistent with those imposed in like matters.<sup>35</sup> Indeed, as stated previously, the Board ruled in *District of Columbia Metro. Police Dep’t and Fraternal Order of Police, Metro. Police Dep’t Labor Committee, (on behalf of Charles Jacobs)*<sup>36</sup> that “in a *Douglas* factor analysis, the burden is on the Agency to prove its facts by a preponderance of the evidence.”

---

<sup>29</sup> Award at 35.

<sup>30</sup> See *Verizon v. Communications Workers of America*, 571 F.3d 1296, 1302-3 (2009), citing *Howard Univ. v. Metro. Campus Police Officer’s Union*, 512 F.3d 716, 720 (D.C. Cir. 2008).

<sup>31</sup> *Univ. of the Dist. Of Columbia v. Am. Fed’n of State, County and Mun. Employees, Council 20, Local 2087*, 59 D.C. Reg. 15167, Slip Op. No. 1333 at 3, PERB Case No. 12-A-01(2012), cited in *Dist. Of Columbia Dep’t of Corrections v. Fraternal Order of Police/Dep’t of Corrections Labor Committee*, DC Reg. 7185 (2013), Slip Op. No. 1380, PERB Case No. 10-A-03 (April 30, 2013).

<sup>32</sup> See *United Paperworkers Int’l Union, AFL-CIO v. Misco, Inc.*, 484 US 29, 126 LRRM 3113 (1987).

<sup>33</sup> *District of Columbia Metro. Police Dep’t and Fraternal Order of Police/Metro. Police Dep’t Labor Committee*, 59 D.C. Reg. 11329, Slip Op. No. 1295, PERB Case No. 09-A-11 (2012). *Metro. Police Dep’t and Fraternal Order of Police/Metro. Police Dep’t Labor Committee*, 47 DC Reg. 717, Slip Op. No. 633 at 2, PERB Case No. 00-A-04 (2000); see also *District of Columbia Public Schools and American Fed’n of State, County and Municipal Employees, District Council 20*, 34 DC Reg. 3610, Slip Op. No. 156 at 6, PERB Case No. 86-A-05 (1987).

<sup>34</sup> *Fraternal Order of Police/Dep’t Of Corrections Labor Committee v. PERB*, 973 A.2d 174, 177 (D.C. 2009).

<sup>35</sup> ARR at 9.

<sup>36</sup> *District of Columbia Metro. Police Dep’t and Fraternal Order of Police/Metro. Police Dep’t Labor Committee, (on behalf of Charles Jacobs)*, Slip Op. No. 1509 at 8, PERB Case No. 12-A-04(R)(November 20, 2014)



Decision and Order  
PERB Case No. 14-A-09  
Page 10 of 11

Petitioner contends further that to establish disparate treatment, an employee must prove that he or she was similarly situated to other employees who were treated differently. Petitioner posited that (1) employees who work in a separate division are not similarly situated<sup>37</sup>; (2) employees without similar disciplinary records are not similarly situated<sup>38</sup>; and (3) employees must be subject to discipline by the same supervisor within the same general time period<sup>39</sup> to be considered similarly situated. These cases cited by Petitioner all arose from the Office of Employee Appeals in the context of appropriate salary disputes. As stated previously, OEA cases do not have precedential value in PERB decisions.<sup>40</sup> In addition, MPD suggests, without citation, that for employees to be considered similarly situated they should have served under the same Chief of Police and been assigned to the same MPD District office. These limitations taken together would make it almost impossible to identify a “similarly situated” employee for comparison when analyzing *Douglas* factors. The Board finds that the Arbitrator did not violate public policy when she evaluated *Douglas* factors #6 and #7<sup>41</sup> and reached a different conclusion than the Panel

The Board has held that “MPD was not deprived of a fundamentally fair hearing,” when “neither the Panel nor the Department identified any supporting decisions, thereby failing to provide the Arbitrator with a way to determine whether the facts and findings in this matter are comparable with those in other cases.”<sup>42</sup> In this case, the Arbitrator considered the evidence presented by the parties and based her analysis of the application of the *Douglas* factors on that evidence.

By submitting a grievance to arbitration, “the parties agree to be bound by the Arbitrator’s interpretation of the parties’ agreement, related rules and regulations, as well as the evidentiary findings on which the decision is based.”<sup>43</sup> The Board has held that a mere “disagreement with the Arbitrator’s interpretation ... does not make the award contrary to law and public policy.”<sup>44</sup> In the instant case, MPD has failed to specify applicable law and definite public policy that mandates the Arbitrator arrive at a different result.

---

<sup>37</sup> *Hutchinson v. Office of Employee Appeals*, 710 A.2d 227, 236-37 (D.C. 1998).

<sup>38</sup> *Jahr v. Office of Employee Appeals*, 19 A.3d 334, 341 n.7 (D.C. 2011).

<sup>39</sup> *Jahr v. District of Columbia*, Civ. Action No. 00-02423 (EGS), 2013 WL 5182646 at \*4 (D.C.C. Sept. 16, 2013).

<sup>40</sup> *District of Columbia Metro. Police Dep’t v. District of Columbia Public Employee Relations Board*, 2014 CA 007679 P(MPA) at 9 (December 16, 2015).

<sup>41</sup> Douglas factor #6 – Consistency of penalty with those imposed upon other employees with the same or similar offenses; Douglas factor #7 – Consistency of the penalty with any applicable agency table of penalties.

<sup>42</sup> *District of Columbia Metro. Police Dep’t and Fraternal Order of Police/Metro. Police Dep’t Labor Committee, (on behalf of Charles Jacobs)*, Slip Op. No. 1509 at 6, PERB Case No. 12-A-04(R)(November 20, 2014).

<sup>43</sup> *District of Columbia Metro. Police Dep’t v. Fraternal Order of Police/Metro. Police Dep’t Labor Comm.*, 47 DC Reg. 7217, Slip Op. No. 633 at 3, PERB Case No. 00-A-04 (2000); *District of Columbia Metro. Police Dep’t and Fraternal Order of Police/Metro. Police Dep’t Labor Comm. (Grievance of Angela Fisher)*, 51 DC Reg. 4173, Slip Op. No. 738, PERB Case No. 02-A-07 (2004).

<sup>44</sup> *District of Columbia Metro. Police Dep’t v. Fraternal Order of Police/Metro. Police Dep’t Labor Committee*, Slip Op. No. 933, PERB Case No. 07-A-08 (2008); see also *District of Columbia Metro. Police Dep’t v. Fraternal Order of Police/Metro. Police Dep’t Labor Committee (on behalf of Thomas Pair)*, 61 D.C. Reg. 11609, Slip Op. No. 1487 at 7-8, PERB Case No. 09-A-05 (2014) and

Decision and Order  
PERB Case No. 14-A-09  
Page 11 of 11

As the Court of Appeals has stated, the Board must “not be led by our own (or anyone else’s) concept of ‘public policy’ no matter how tempting such a course might be in any particular factual setting.”<sup>45</sup> In the absence of a clear violation of law and public policy apparent on the face of the Award, the Board may not modify or set aside the Award as contrary to law and public policy. MPD has offered no such clear violation of law and public policy. Therefore, MPD’s allegation must be dismissed.

### III. Conclusion

The Board has reviewed the Arbitrator's conclusions, the pleadings of the parties, and applicable law, and concludes that the Arbitrator did not exceed her authority and the Award on its face is not contrary to law and public policy. The Board finds that the Arbitrator’s conclusion is based on a thorough analysis and cannot be said to be clearly erroneous or contrary to law and public policy. For the reasons discussed, no statutory basis exists for setting aside the Award. The ARR is therefore denied.

### ORDER

IT IS HEREBY ORDERED THAT:

1. The District of Columbia Metropolitan Police Department's Arbitration Review Request is denied.
2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By unanimous vote of Board Chairperson Charles Murphy, Member Yvonne Dixon, Member Ann Hoffman, and Member Keith Washington.

Washington, D.C.

January 21, 2016

---

*Metro. Police Dep't v. Fraternal Order of Police/Metro. Police Dep't Labor Comm.*, 31 DC Reg. 4159, Slip Op. No. 85, PERB Case No. 84-A-05 (1984).

<sup>45</sup> *District of Columbia Dep't of Corrections v. Teamsters Union Local 246*, 54 A.2d 319, 325 (D.C. 1989).

**CERTIFICATE OF SERVICE**

This is to certify that the attached Decision and Order in PERB Case No. 14-A-09, Opinion No. 1561, was served by File & ServXpress on the following parties on this the 2<sup>nd</sup> day of February, 2016.

Marc L. Wilhite  
PRESSLER & SENFTLE, P.C.  
1432 K Street, N.W., 12<sup>th</sup> Floor  
Washington, DC 20005

Lindsay M. Neinast  
Assistant Attorney General  
441 4<sup>th</sup> Street, N.W., Suite 1180 North  
Washington, DC 20001

/s/ Sheryl Harrington\_\_\_\_\_

PERB

Government of the District of Columbia  
Public Employee Relations Board

<hr/>		)	
In the matter of:		)	
		)	
Federation of Administrative		)	
Law Judges – D.C.		)	
		)	
	Petitioner,	)	PERB Case No. 16-RC-01
and		)	
		)	Opinion No. <b>1562</b>
Office of		)	
Administrative Hearings		)	
		)	
	Respondent.	)	
<hr/>		)	

**DECISION ON UNIT DETERMINATION**

**AND VOLUNTARY RECOGNITION**

On November 18, 2015, the Federation of Administrative Law Judges – D.C. (“Petitioner”) filed a Recognition Petition (“Petition”) with the Public Employee Relations Board. Petitioner seeks to represent, for the purpose of collective bargaining, a unit of unrepresented professional employees at the Office of Administrative Hearings (“OAH”). The Petition was in compliance with Board Rule 502.1, and included a roster of Petitioner’s officers, and a copy of Petitioner’s constitution, bylaws, articles of incorporation and a statement of its objectives. Pursuant to Board Rule 502.1(d) the Petitioner represented a community of interest based on the following factors: (1) similar skills relating to legal analysis, research and writing; (2) same working conditions; (3) same supervisor; (4) same worksite location; and (5) performance of same duties.<sup>1</sup>

On December 8, 2015, OAH submitted an alphabetical list of employees in the proposed bargaining unit. Subsequent to filing the Petition, Petitioner delivered to the Board a showing of interest that satisfied Board Rule 502.2. Notices concerning the Petition were issued on December 15, 2015, with the requirement that they be conspicuously posted by December 28, 2015 for fourteen (14) days at OAH. The Notices required that comments or requests to

<sup>1</sup> Petition at 1.

Decision and Order  
Case No. 16-RC-01  
Page 2 of 4

intervene be filed no later than fourteen (14) days after the posting of the notice. No requests to intervene were received by the Board. Petitioner seeks to represent the following proposed bargaining unit:

All Attorney-Advisors in the District of Columbia Office of Administrative Hearings (“OAH” or “Agency”) appointed pursuant to D.C. Code § 2-1831.12, excluding all management officials, supervisors, confidential employees, employees engaged in personnel work other than in a purely clerical capacity, and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.<sup>2</sup> D.C. Official Code § 1-617.09(a) (2001 ed.) requires that a community of interest exist among employees for a unit to be found appropriate by the Board for collective bargaining over terms and conditions of employment. Petitioner set forth factors demonstrating that the employees in the proposed bargaining unit share a community of interest, as required by the CMPA.<sup>3</sup> An investigation of this matter further disclosed that there is no existing labor-management agreement covering the employees in the unit nor are there any additional employees who might reasonably be considered for inclusion in the proposed unit. OAH does not dispute the appropriateness of the proposed bargaining unit, pursuant to the criteria set forth under D.C. Official Code § 1-617.09(a). After reviewing the Petition, the Board finds that a community of interest exists among the employees in the proposed bargaining unit and that certification of the unit will promote effective labor relations and efficiency of agency operations.

The Executive Director determined that a majority of the employees in the proposed bargaining unit desired to be represented by Petitioner. Board Rule 502.12 provides in relevant part that “the Board may permit the employing agency to recognize the labor organization without an election on the basis of evidence that demonstrates majority status (more than 50%) ... indicating that employees wish to be represented by the petitioning labor organization.” On December 21, 2015, OAH notified the Board of its intent to voluntarily recognize the Petitioner as the exclusive representative of the employees in the proposed unit.

The Board finds in all other respects that the requirements of D.C. Official Code § 1-617.10 (b)(1) and Board Rule 502.12 have been met. Based upon its review of this matter, the Board concludes that the proposed unit is appropriate for collective bargaining. A certification of representation shall be granted to Petitioner without an election.

### **ORDER**

#### **IT IS ORDERED THAT:**

1. The following unit is an appropriate unit for collective bargaining over terms and conditions of employment:

---

<sup>2</sup> Petition at 1.

<sup>3</sup> Id.

Decision and Order  
Case No. 16-RC-01  
Page 3 of 4

All Attorney-Advisors in the District of Columbia Office of Administrative Hearings (“OAH” or “Agency”) appointed pursuant to D.C. Code § 2-1831.12, excluding all management officials, supervisors, confidential employees, employees engaged in personnel work other than in a purely clerical capacity, and employees engaged in administering the provisions of Title XVII of the District of Columbia Comprehensive Merit Personnel Act of 1978, D.C. Law 2-139.<sup>4</sup>

2. Pursuant to D.C. Official Code § 1-617.10 (b)(1)(2014 ed.) and in accordance with Board Rule 502.12, the District of Columbia Office of Administrative Hearings is permitted to voluntarily recognize, without an election, the Federation of Administrative Law Judges – D.C., as the collective bargaining representative of the unit found to be appropriate above.
3. The attached Certification of Representative is granted to the Federation of Administrative Law Judges – D.C. as the exclusive collective bargaining representative for the unit found appropriate for collective bargaining over compensation and other terms and conditions of employment.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

By unanimous vote of Board Chairperson Charles Murphy, Member Yvonne Dixon, Member Ann Hoffman, and Member Keith Washington.

January 21, 2016

Washington, D.C.

---

<sup>4</sup> Petition at 1.

**CERTIFICATE OF SERVICE**

This is to certify that the attached Decision and Order in PERB Case No. 16-RC-01, Opinion No. 1562, was served by File & ServXpress on the following parties on this the 3rd day of February, 2016.

Jesse Goode  
FALJ-DC, President  
P. O. Box 75728  
Washington, DC 20013

Herman R. Brown, Jr., Esq.  
Office of Labor Relations and Collective Bargaining  
441 4<sup>th</sup> Street, N.W., Suite 820N  
Washington, DC 20001

/s/ Sheryl Harrington \_\_\_\_\_

PERB

Government of the District of Columbia  
Public Employee Relations Board

<hr/>		)	
In the Matter of:		)	
		)	
Fraternal Order of Police/Metropolitan Police		)	
Department Labor Committee,		)	
		)	
	Complainant,	)	PERB Case No. 11-U-20
		)	
	v.	)	Opinion No. 1563
		)	
District of Columbia Metropolitan Police		)	
Department,		)	
		)	
	Respondent.	)	
<hr/>		)	

**DECISION AND ORDER**

**I. Statement of the Case**

The case before the Board, case number 11-U-20, was among four cases involving union requests for information that the Executive Director consolidated for hearing, namely case numbers 11-U-20, 12-U-05, 12-U-10, and 13-U-28. The Board decided all but the present case in *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. D.C. Metropolitan Police Department*, Slip Op. No. 1553, PERB Case Nos. 12-U-05, 12-U-10, and 13-U-28 (Oct. 29, 2015). Case number 11-U-20 is now before the Board for disposition.

The complaint filed by the Fraternal Order of Police/Metropolitan Police Department Labor Committee (“FOP”) in case number 11-U-20 names as respondents the Metropolitan Police Department (“MPD”), Commander Christopher LoJacono, Agent James McGuire, and Chief Cathy Lanier. FOP subsequently dismissed the individually-named respondents. The complaint alleges that FOP’s executive steward, Delroy Burton, submitted to Commander LoJacono a request for documents pertaining to an investigation of the conduct of an Internal Affairs Division (“IAD”) agent. The seventh item in the request for information (“RFI 7”) asked for the policy that permits IAD agents to lie.<sup>1</sup> FOP alleges that MPD violated D.C. Official Code § 1-617.04(a) by retaliating against the union steward for engaging in protected activity and by “interfering, restraining or coercing Executive Steward Burton’s and the DCFOP’s rights

<sup>1</sup> Complaint ¶ 2.



Decision and Order  
PERB Case No. 11-U-20  
Page 2

guaranteed by the CMPA.”<sup>2</sup> FOP alleges that MPD never responded to any of the requests for information in violation of D.C. Official Code § 1-617.04(a)(1) and (5).<sup>3</sup> The complaint also alleges that MPD violated D.C. Official Code § 1-617.04(a)(2) by interfering with the existence or administration of FOP.<sup>4</sup> FOP filed with the Board a request for a subpoena duces tecum, which MPD moved to quash. The case was referred to a hearing examiner.

Following a hearing held on December 12, 2014, and briefing by the parties, the hearing examiner submitted his Report and Recommendations on April 28, 2015. The hearing examiner found that the Union abandoned its section 1-617.04(a)(2) claim and that MPD committed unfair labor practices by failing to respond to RFI 7 and by retaliating against the union steward for submitting that request. MPD submitted exceptions to the Report and Recommendations, and FOP submitted an opposition to MPD’s exceptions.

## II. Discussion

### A. Facts

On October 14, 2010, Delroy Burton delivered to IAD Commander Christopher LoJacono a request for information containing seven items. RFI 7 requested a “copy of the written IAD policy that permits its Agents to lie, be deceptive, trick, or mislead FOP members during Administrative Interviews; and the statutory authority that permits this activity.”<sup>5</sup>

LoJacono testified that after Burton handed him the request for information he read through it while Burton was present and told Burton that RFI 7 was offensive and inflammatory.<sup>6</sup> Burton testified that LoJacono was visibly upset.<sup>7</sup> LoJacono testified, “I said something to the effect, . . . ‘There’s no IAD written policy. What are you talking about?’”<sup>8</sup> LoJacono questioned Burton on the source of his information that lying was permitted. Burton said that such was the testimony of IAD agents. LoJacono asked Burton to identify those agents. Burton would not identify them and was dismissed from LoJacono’s office.<sup>9</sup>

LoJacono immediately assigned IAD Agent James McGuire to call Burton back into the IAD office for questioning. LoJacono testified that Burton would be coming in “as I guess a complainant in that he had knowledge of misconduct, potentially. But I had also told Sergeant McGuire that if he refused to answer his questions . . . ‘I want[] you to order him to answer questions.’ So at that point, if he refused, then he could potentially become a target.”<sup>10</sup>

---

<sup>2</sup> Complaint ¶¶ 11, 14.

<sup>3</sup> Complaint ¶¶ 7, 13.

<sup>4</sup> Complaint ¶ 12.

<sup>5</sup> Report & Recommendations 3; FOP Ex. 1.

<sup>6</sup> Tr. 94-95.

<sup>7</sup> Tr. 26.

<sup>8</sup> Tr. 118.

<sup>9</sup> Tr. 94-95.

<sup>10</sup> Tr. 98.

Decision and Order  
PERB Case No. 11-U-20  
Page 3

Burton testified that, when he returned to his office from his meeting with LoJacono, “I was notified that I was being ordered to return to Internal Affairs Division with a union representative, because I was now the target of an investigation.”<sup>11</sup> Burton then called a union attorney, the FOP chairman, and Mark Viehmeyer of MPD’s Labor and Employment Relations Office.<sup>12</sup>

Within a half hour of ordering Sergeant McGuire to investigate, LoJacono received a telephone call from Viehmeyer and Terry Ryan, general counsel of MPD.<sup>13</sup> LoJacono testified,

I was asked not to have him come in, something about, you know, “How about if he provides a statement, you can ask whatever your questions are through a statement, and we’ll get a statement . . .,” meaning Mr. Viehmeyer, “. . . we’ll get a statement from Sergeant Burton. Would that satisfy the investigation?”<sup>14</sup>

On October 27, 2010, at Viehmeyer’s request, Burton gave Viehmeyer a statement concerning the assertion that IAD agents use deception in administrative interviews. Burton asked Viehmeyer to report to the inspector general that what he alleged was a violation of the Whistleblower Protection Act.<sup>15</sup> Viehmeyer did so.<sup>16</sup> Burton never had to go back to IAD for the investigation.<sup>17</sup> No Incident Summary (IS) numbers were created for an investigation of Burton. MPD did not initiate an investigation of Burton’s allegations regarding the use of lying by IAD agents during administrative investigations.<sup>18</sup>

### **1. Request for Information**

FOP alleged and MPD admitted that MPD did not provide any information in response to the October 14, 2010 information request.<sup>19</sup>

The hearing examiner found that items 5 and 6 of the request for information were abandoned. Items 1, 2, 3, and 4 sought information related to the investigation of an IAD agent who was not in the bargaining unit. The hearing examiner stated that FOP would not normally be entitled to investigative reports on non-bargaining unit employees. FOP did not adduce facts supporting its need for information on this particular investigation. The investigator and the subject of the investigation were mentioned only in passing during the hearing.

RFI 7 requested a “copy of the written IAD policy that permits its Agents to lie, be deceptive, trick, or mislead FOP members during Administrative Interviews; and the statutory

---

<sup>11</sup> Tr. 27.

<sup>12</sup> Tr. 30.

<sup>13</sup> Tr. 97.

<sup>14</sup> Tr. 97.

<sup>15</sup> Report & Recommendations 6.

<sup>16</sup> Report & Recommendations 7.

<sup>17</sup> Tr. 59.

<sup>18</sup> Tr. 7.

<sup>19</sup> Complaint ¶ 7; Answer ¶ 7.

Decision and Order  
PERB Case No. 11-U-20  
Page 4

authority that permits this activity.”<sup>20</sup> The hearing examiner found that the transcript of testimony in certain previous PERB cases “establishes that MPD’s witnesses Lieutenant Dean Welch, IAD supervisor, and Assistant Chief-of-Police Michael Anzallo, Office of Professional Responsibility, testified in a manner so as to support the conclusion that [it is] permissible for IAD agents to lie during an administrative interview involving allegations of misconduct.”<sup>21</sup> A policy permitting IAD agents to lie, in the hearing examiner’s view, would pose a challenge and arguably a threat to FOP’s representational role. For that reason, he found that the information requested by RFI 7 was relevant and necessary to that role and that MPD’s failure to respond to the request was a violation of D.C. Official Code § 1-617.04(a)(1) and (5). He recommended that the request for a subpoena duces tecum be granted to the extent it calls for production of RFI 7. The hearing examiner found that FOP abandoned its claim that MPD violated D.C. Official Code § 1-617.04(a)(2). Neither party excepted to those findings and recommendations.

An agency has an obligation to furnish information a union requests that is both relevant and necessary to the union’s role in processing of a grievance, an arbitration proceeding, or in collective bargaining. Failure to do so is an unfair labor practice.<sup>22</sup> The Board finds that the above findings and recommendations are reasonable, supported by the record, and consistent with Board precedent.

## **2. Alleged Retaliation against FOP’s Executive Steward**

### **(a) The *Wright Line* Test**

FOP’s complaint states that “the CMPA and PERB precedent forbid agencies, such as the MPD, from retaliating against employees for engaging in protected activity.”<sup>23</sup> The complaint alleges that MPD “violated D.C. Code § 1-617.04(a) by taking reprisals against Executive Steward Burton, who is a member of DCFOP, as a result of his engaging in protected union activities.”<sup>24</sup> Where a claim is made that an act of retaliation against an employee for protected union activity violates D.C. Official Code § 1-617.04(a)(1), (3), (4), or (5), PERB has applied the test articulated by the National Labor Relations Board in *Wright Line and Lamoureux*.<sup>25</sup> In this case, subsections (1) and (5) of section 1-617.04(a) apply. To establish a prima facie case under the *Wright Line* test, a complainant must show that the employee engaged in protected union activities, the agency knew about the employee’s protected union activity, and as a result of anti-union animus or retaliatory animus the agency took adverse employment action against the

---

<sup>20</sup> Report & Recommendations 3.

<sup>21</sup> Report & Recommendations 22.

<sup>22</sup> *Washington Teachers’ Union, Local No. 6 v. D.C. Pub. Sch.*, 61 D.C. Reg. 1537, Slip Op. 1448 at p. 4, PERB Case No. 04-U-25 (2014).

<sup>23</sup> Complaint ¶ 11.

<sup>24</sup> Complaint ¶ 14.

<sup>25</sup> 251 N.L.R.B. 1083, 1089 (1980), *enforced*, 622 F.2d 899 (1st Cir. 1981). The U.S. Supreme Court has approved the *Wright Line* test. *Dir., Office of Workers’ Comp., Dep’t of Labor v. Collieries*, 512 U.S. 267, 278 (1994); *NLRB v. Transp. Mgmt. Corp.*, 462 U.S. 393, 397–98 (1983).

Decision and Order  
PERB Case No. 11-U-20  
Page 5

employee.<sup>26</sup> A complainant may present the motivation for the adverse action as either anti-union animus or an act of retaliation.<sup>27</sup>

Establishing a prima facie case creates a presumption that the unfair labor practice has been committed. The employer may rebut the presumption by proving an affirmative defense by a preponderance of the evidence. The elements of the affirmative defense are that the employer had a legitimate business reason for the adverse employment action and that it would have taken the employment action in the absence of protected union activity.<sup>28</sup> The complainant then has the burden of showing that the employer's claim was pretextual.

### (b) FOP's Prima Facie Case

The hearing examiner found that the first two *Wright Line* elements as presented in this case were uncontested by the parties and established by the record. The record established (1) that Burton engaged in protected union activity generally through his representational role and specifically by submitting requests for information to LoJacono and (2) that LoJacono knew of Burton's protected union activity. Thus, the hearing examiner found that FOP proved those elements.<sup>29</sup> This finding is reasonable and supported by the record.

The hearing examiner found anti-union animus in LoJacono's demeanor, his hostile reaction to RFI 7, his immediate initiation of an investigation, and his resolve to order Burton to answer questions about RFI 7.<sup>30</sup>

Having anti-union animus by itself is not an unfair labor practice.<sup>31</sup> The union must prove that anti-union animus and/or retaliation was at least a motivating factor in a decision to take an adverse employment action.<sup>32</sup> In *Fraternal Order of Police/Metropolitan Police Department Labor Committee (on behalf of Daniels) v. D.C. Metropolitan Police Department*,<sup>33</sup> the Board observed that it has "allowed a variety of claims of adverse action to reach a hearing, including a claim that an adverse action occurred where employees who failed to obtain certifications for

---

<sup>26</sup> *AFGE, Local 2978 v. Office of the Chief Med. Examiner*, 60 D.C. Reg. 2516, Slip Op. No. 1348 at p. 4, PERB Case No. 09-U-62 (2013).

<sup>27</sup> *AFSCME, Local 2401 v. D.C. Dep't of Human Servs.*, 48 D.C. Reg. 3207, Slip Op. No. 644 at p. 4, PERB Case No. 98-U-05 (2001) ("The Hearing Examiner noted that in order to prevail on a claim of retaliation for union activity, the Complainants must make a prima facie showing that the Respondent's decision was motivated, at least in part, by anti-union animus and/or was an act of retaliation for union activities."). The Supreme Court explained, "As we understand the [National Labor Relations] Board's decisions, they have consistently held that the unfair labor practice consists of a discharge or other adverse action that is based in whole or in part on anti-union animus—or as the Board now puts it, that the employee's protected conduct was a substantial or motivating factor in the adverse action." *NLRB v. Transp. Mgmt. Corp.*, 462 U.S. at 401.

<sup>28</sup> *Office of the Chief Med. Examiner*, Slip Op. No. 1348 at 4; *Green v. D.C. Dep't Corrs.*, 41 D.C. Reg. 5991, Slip Op. No. 323 at 3, PERB Case No. 91-U-13 (1993) (supplemental decision and order).

<sup>29</sup> Report & Recommendations 23.

<sup>30</sup> Report & Recommendations 23-24.

<sup>31</sup> See *NLRB v. Collier*, 553 F.2d 425, 428 (5th Cir. 1977).

<sup>32</sup> *AFSCME, Local 2401 v. D.C. Dep't of Human Servs.*, 48 D.C. Reg. 3207, Slip Op. No. 644 at p. 4, PERB Case No. 98-U-05 (2001).

<sup>33</sup> 60 D.C. Reg. 12080, Slip Op. No. 1403, PERB Case No. 08-U-26 (2013).

Decision and Order  
PERB Case No. 11-U-20  
Page 6

their positions were required to use annual leave while awaiting transfer to positions that did not require certifications.”<sup>34</sup> The Board quoted the U.S. Supreme Court’s statement that, similarly, it had construed the “antiretaliation provision [of the National Labor Relations Act] to ‘prohibi[t] a wide variety of employer conduct that is intended to restrain, or has the effect of restraining, employees in the exercise of protected activities’ . . . .”<sup>35</sup>

The hearing examiner stated, “I find based on the totality of the record evidence and testimony that LoJacono assigned McGuire to target and investigate Burton in retaliation for the protected union activity of submitting RFI 7 to LoJacono for response. FOP has met its burden of proof to show a *prima facie* case of anti-union *animus* and retaliation.”<sup>36</sup> Implicitly the hearing examiner recommended that the Board find that LoJacono’s assignment to McGuire to target and investigate Burton was an adverse employment action. The Board finds that this was an adverse employment action and that it was made in retaliation for the protected activity of submitting an information request. Thus, the hearing examiner’s finding that FOP showed a *prima facie* case is supported by the record.

### (c) MPD’s Affirmative Defense

The hearing examiner states, “MPD presented no material or credible evidence of a business reason for LoJacono and McGuire’s actions or that they would have taken the same actions in the absence of Burton’s union activity.”<sup>37</sup> The hearing examiner’s recommendation is reasonable, supported by the record and consistent with the Board’s precedents. If LoJacono wanted further information from Burton, there were other means to obtain that information without initiating an IAD investigation of him. IAD investigates serious misconduct.<sup>38</sup>

### 3. Alleged Interfering with, Restraining, or Coercing FOP’s Executive Steward in the Exercise of Rights Guaranteed by the CMPA

The complaint alleges, “Respondents violated D.C. Code § 1-617.04(a) by interfering, restraining or coercing Executive Steward Burton’s and DCFOP’s rights guaranteed by the CMPA.” Although as written FOP’s allegation is that Respondents interfered, restrained, or coerced rights (as opposed to individuals), FOP presumably is invoking section 1-617.04(a)(1) of the D.C. Official Code, which provides, “The District, its agents, and representatives are prohibited from: Interfering with, restraining, or coercing any employee in the exercise of rights guaranteed by this subchapter.” As FOP points out in its post-hearing brief,<sup>39</sup> proof of motive is not required to establish a violation of section 1-617.04(a)(1).<sup>40</sup> The proper test is whether the

<sup>34</sup> *Id.* at 3 (citing *AFGE, Local 631 v. D.C. Water & Sewer Auth.*, 51 D.C. Reg. 11379, Slip Op. No. 734 at pp. 3, 6, PERB Case No. 03-U-52 (2004)).

<sup>35</sup> *Burlington N. & Santa Fe Ry. Co. v. White*, 548 U.S. 53, 66-67 (2006) (quoting *Bill Johnson’s Restaurants, Inc. v. NLRB*, 461 U.S. 731, 740 (1983)).

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> Tr. 28.

<sup>39</sup> FOP Post-Hearing Br. 24.

<sup>40</sup> See *AFGE, Local 631 v. D.C. Water & Sewer Auth.*, 52 D.C. Reg. 5148, Slip Op. No. 778 at 10-12, PERB Case No. 04-U-02 (2005).

Decision and Order  
PERB Case No. 11-U-20  
Page 7

conduct in question had a reasonable tendency in the totality of the circumstances to interfere with, restrain, or coerce the employee.<sup>41</sup>

The complaint alleges that MPD interfered with, restrained, and coerced Burton by ordering him “to report to IAD for questioning as the target of an investigation, during the work-day when he was performing his duties as Executive Steward of the DCFOP.”<sup>42</sup> Those acts do have a reasonable tendency to interfere with, restrain, or coerce an employee. An IAD investigation is a serious matter. Burton testified that he felt intimidated by the IAD investigation and that he did not follow up on the information request because the investigation took him aback and he did not want to go through that experience again.<sup>43</sup> Burton’s reaction was objectively reasonable under the circumstances.

Therefore, we find that MPD interfered with and restrained Burton in the exercise of the rights guaranteed by the CMPA in violation of section 1-617.04(a)(1).

### **ORDER**

#### **IT IS HEREBY ORDERED THAT:**

1. MPD shall cease and desist from refusing to bargain in good faith by failing to provide certain information requested by the Complainant in conjunction with the administration of the parties’ collective bargaining agreement.
2. MPD shall furnish the Complainant with all documents, if any exist, that were requested in item 7 of its October 14, 2010 request for information within ten (10) days from the issuance of this Decision and Order.
3. MPD shall notify the Board of its compliance with paragraph 2 of this Order within ten (10) days from the issuance of this Decision and Order.
4. MPD, its agents, and its representatives shall cease and desist from violating D.C. Official Code § 1-617.04(a)(1) by interfering with, restraining, or coercing employees in the exercise of the rights guaranteed under the CMPA.
5. MPD shall conspicuously post where notices to employees are normally posted a notice that the Board will furnish to MPD. The notice shall be posted within ten (10) days from MPD’s receipt of the notice and shall remain posted for thirty (30) consecutive days.

---

<sup>41</sup> *F.O.P./Metro. Police Dep’t Labor Comm. v. Metro. Police Dep’t*, 62 D.C. Reg. 5931, Slip Op. No. 1515 at 7, PERB Case No. 14-U-10 (2015); 1410 11-U-23, *F.O.P./Housing Auth. Labor Comm.*, 60 D.C. Reg. 12127, Slip Op. No. 1410 at 5, PERB Case No. 11-U-23 (2013).

<sup>42</sup> Complaint ¶ 12.

<sup>43</sup> Tr. 29, 33.

Decision and Order  
PERB Case No. 11-U-20  
Page 8

6. MPD shall notify the Public Employee Relations Board, in writing, within fourteen (14) days from receipt of the notice that it has been posted accordingly.
7. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

**January 21, 2016**  
**Washington, D.C.**

**CERTIFICATE OF SERVICE**

This is to certify that the attached Decision and Order in PERB Case Number 11-U-20 is being transmitted to the following parties on this the 2d day of February 2016.

Anthony M. Conti  
Daniel J. McCartin  
36 South Charles St., suite 2501  
Baltimore, MD 21201

**via File&ServeXpress**

Mark Viehmeyer  
Metropolitan Police Department  
300 Indiana Ave. NW, room 4126  
Washington, DC 20001

**via File&ServeXpress**

/s/ Sheryl V. Harrington  
Sheryl V. Harrington  
Secretary



**Government of the District of Columbia  
Public Employee Relations Board**

<hr/>		)	
In the Matter of:		)	
		)	
Alesia Hamilton		)	
		)	PERB Case No. 16-S-01
Complainant,		)	
		)	Opinion No. 1564
v.		)	
		)	Motion for Reconsideration
American Federation of State, County and		)	
Municipal Employees, District Council 20		)	
		)	
Respondent.		)	
<hr/>		)	

**MOTION FOR RECONSIDERATION**

**DECISION AND ORDER**

**I. Statement of the Case**

Pursuant to Board Rule 500.4, Alesia Hamilton (“Complainant”), on a Motion for Reconsideration (“Motion”), appeals an Executive Director’s Administrative Dismissal (“Administrative Dismissal”) of an amended standards of conduct complaint (“Complaint”).<sup>1</sup> The Executive Director dismissed the Complaint for untimeliness and for a failure to state a claim upon which relief could be granted. AFSCME District Council 20 (“Union”) opposes the Motion. Complainant filed a reply to AFSCME’s opposition (“Reply”).

For the following reasons, the Board denies the Motion for Reconsideration and dismisses the Complaint.

<sup>1</sup> On October 21, 2015, Complainant filed a standards of conduct complaint. Complainant amended her initial filing on October 28, 2015, prior to the submission of the Union’s Answer.

Decision and Order  
PERB Case No. 16-S-01  
Page 2 of 4

## II. Discussion

### A. Timeliness of the Complaint

According to Board Rule 544.4, a complaint alleging a standards of conduct violation “shall be filed not later than one hundred twenty (120) days from the date the alleged violation occurred.” The Complaint contained numerous allegations that occurred between November 17, 2011, and October 20, 2014. Complainant filed her Complaint on October 21, 2015 – more than 120 days from the dates of the alleged violations. Therefore, the Complaint is untimely.

Complainant does not contest the Executive Director’s calculations that the Complaint was filed more than 120 days after the last event complained of. Instead, Complainant provides a number of reasons why she filed the Complaint untimely.<sup>2</sup> In her Motion and Reply, Complainant requests that the Board accept jurisdiction over her Complaint, but does not assert that the Complaint is timely.<sup>3</sup>

The CMPA and Board rules governing the initiation of actions before the Board are jurisdictional and mandatory.<sup>4</sup> The Board has no discretion nor does the statute or the Board rules provide for extending the deadline for initiating an action for any reason.<sup>5</sup> Therefore, the Board finds that Complainant has not asserted any legal grounds for overturning the Administrative Dismissal, and that the Executive Director did not err in her application of the Board’s precedents to the case.

### B. Failure to State a Claim

Complainant has moved for reconsideration of the Executive Director’s determination that the Complaint failed to state a claim upon which the Board may grant relief. In her Motion, Complainant does not assert any legal argument for overturning the Executive Director’s determination, but rather provides more factual information for her allegations that the Union negligently handled her case.

Although Complainant initially alleged standards of conduct violations, Complainant also raises for the first time a duty of fair representation allegation in her Motion for Reconsideration. The crux of Complainant’s argument for both claims is that the Union did not adequately handle her case.

---

<sup>2</sup> Motion at 3.

<sup>3</sup> Motion at 2.

<sup>4</sup> See *D.C. Public Employee Relations Bd. v. D.C. Metropolitan Police Dept.*, 593 A.2d 641 (D.C. 1991) (“The time limits for filing appeals with administrative adjudicative agencies, as with courts, are mandatory and jurisdictional matters.”). See also *Michael Thomas Moore v. FOP/Dep’t of Youth Rehabilitation Services/Labor Committee*, Slip Op. No. 1290, PERB Case No. 12-S-03 (2012)(dismissing a standards of conduct complaint for failing to meet Board Rule 544.4’s 120-day time period for filing as jurisdictional and mandatory).

<sup>5</sup> See *Hoggard v. Public Employee Public Employee Relations Board*, 655 A.2d 320, 323 (D.C. 1995).

Decision and Order  
PERB Case No. 16-S-01  
Page 3 of 4

The Executive Director correctly determined that Complainant failed to state a claim of a standards of conduct violation. D.C. Official Code § 1-617.03(a) sets certain minimum standards that labor organizations must maintain with respect to its operation, practice and procedures for recognition by the Board as a labor organization under the CMPA.<sup>6</sup> The CMPA's standards of conduct for labor organizations address standards that apply to the internal operation of the union and union members' participation in such affairs.<sup>7</sup> Upon review of the record, the Complainant failed to allege any internal Union operations in her Complaint. Thus, Complainant has failed to state a claim for a standards of conduct violation.

Complainant asserts that the Union committed an unfair labor practice by breaching the duty of fair representation for the first time in her Motion for Reconsideration.<sup>8</sup> The Board may not rule on allegations that are not properly before it.<sup>9</sup> Complainant's unfair labor practice allegations are not properly before the Board, as they were not raised in the Complaint. Even if the Board were to consider the unfair labor practice allegations, Complainant's duty of fair representation claim would fail. In considering an allegation that a union has breached its duty of fair representation, the Board has repeatedly held that the test is not the competence of the Union, but rather whether the Union's representation was in good faith and its actions motivated by honesty of purpose.<sup>10</sup> The Board analyzes this test by determining whether the Union engaged in any conduct that was arbitrary, discriminatory, or in bad faith, or was based on considerations that are irrelevant, invidious or unfair.<sup>11</sup> Complainant does not allege that the Union's actions were arbitrary, discriminatory, or taken in bad faith, nor does she set forth any facts that would support such an allegation.<sup>12</sup> Complainant has failed to state a claim for breach of the duty of fair representation.

### III. Conclusion

The Board finds that the Complaint is untimely and fails to state a claim for which the Board may grant relief. Therefore, the Board concludes that Complainant's Motion for Reconsideration lacks merit. The Board denies the Motion for Reconsideration and dismisses the Amended Complaint.

---

<sup>6</sup> *Charles Bagenstose v. WTU, Local 6*, 40 D.C. Reg. 1397, Slip Op. No. 355, PERB Case Nos. 90-S-01 & 09-U-02 (1996)(noting that the Board's authority to "take appropriate action on charges of failure to adopt, subscribe or comply with the internal or national labor organization standards of conduct for labor organizations" is prescribed by D.C. Official Code § 1-605.2(9)).

<sup>7</sup> *William Dupree v. FOP/DOC Labor Committee*, 46 D.C. Reg. 4031, Slip Op. No. 568, PERB Case Nos. 98-S-08 & 98-U-28 (1999).

<sup>8</sup> MFR at 2.

<sup>9</sup> *Fraternal Order of Police/Metropolitan Police Department Labor Committee v. District of Columbia Metropolitan Police Department*, 61 D.C. Reg. 8003 (2014), Slip Op. No. 1316 at 5-6, PERB Case No. 09-U-50 (2012). *See, e.g., FOP/Dept. of Corrections Labor Committee v. Dept. of Corrections*, 49 D.C. Reg. 8933, Slip Op. No. 679, PERB Case Nos. 00-U-36 and 00-U-40 (May 17, 2002)

<sup>10</sup> *Stanley O. Roberts v. American Federation of Government Employees, Local 2725*, 36 D.C. Reg. 1590, Slip Op. No. 203 at 3, PERB Case No. 88-S-01(1989).

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

Decision and Order  
PERB Case No. 16-S-01  
Page 4 of 4

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. Complainant's Motion for Reconsideration is denied.
2. The Amended Complaint is dismissed with prejudice.
3. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

By unanimous vote of Board Chairperson Charles Murphy, Member Yvonne Dixon, and Member Ann Hoffman. Member Keith Washington was not present.

Washington, D.C.

January 21, 2016

CERTIFICATE OF SERVICE

This is to certify that the attached Decision and Order in PERB Case No. 16-S-01 was served to the following parties on this the 4th day of February 2016:

**U.S. Mail**

Alesia Hamilton  
4200 Wisconsin Ave., NW  
#106349  
Washington, D.C. 20016

**File&ServeXpress**

Brenda Zwack, Esq.  
Murphy Anderson PLLC  
1300 L Street, NW, Suite 1210  
Washington, D.C. 20005

/s/Sheryl V. Harrington

Sheryl V. Harrington  
Public Employee Relations Board  
1100 4th Street, SW  
Suite E630  
Washington, D.C. 20024  
Telephone: (202) 727-1822  
Facsimile: (202) 727-9116

Government of the District of Columbia

Public Employee Relations Board

_____		)	
In the Matter of:		)	
		)	
Michael P. Roney,		)	
		)	
	Complainant,	)	PERB Case No. 15-U-03
		)	
		)	Opinion No. 1565
	v.	)	
		)	
Clifford Lowery, AFGE 1975 President		)	
		)	
	Respondent.	)	
_____		)	

**DECISION AND ORDER**

This case presents an unfair labor practice claim for breach of the duty of fair representation. The respondent failed to answer the complaint after being given several opportunities. The facts alleged by the complaint, which the respondent is deemed to have admitted, establish the unfair labor practice.

**I. Statement of the Case**

**A. Pleadings**

On October 29, 2014, Complainant Michael P. Roney (“Complainant” or “Roney”), a former employee of the D.C. Department of Transportation (“DOT”), acting *pro se*, personally delivered an unfair labor practice complaint to the offices of the Board during business hours in accordance with Board Rule 501.11. On November 12, 2014, the Executive Director sent Complainant a deficiency notice informing him that the complaint he filed lacked a certificate of service and a copy of the collective bargaining agreement. The notice gave Complainant until November 24, 2014, to cure those deficiencies. On November 21, 2014, Complainant filed an unfair labor practice complaint (“Complaint”) that sufficiently addressed the cited deficiencies.<sup>1</sup>

<sup>1</sup> The Complaint contained a certificate of service, which certified contemporaneous service on the Respondent by e-mail on November 21, 2014. At the time, electronic mail was a permissible method of serving a complaint. *D.C. Child & Family Servs. Agency v. AFSCME Dist. Council 20, Local 241*, 62 D.C. Reg. 3565, Slip Op. No. 1408 at 6, PERB Case No. 14-A-08 (2015). *But see* Board R. 501.11(b) (2015) for requirements for initial pleadings filed on or

Decision and Order  
PERB Case No. 15-U-03  
Page 2

The Complaint names as the respondent Clifford Lowery, AFGE 1975 President (“Respondent” or “Lowery”). The Complainant served the Respondent with the Complaint on November 21, 2014.

Board Rule 520.6 requires an answer to be filed within fifteen days of service of the Complaint. Although not required by the Board’s rules, the Executive Director twice notified the Respondent of the filing of the Complaint and gave him additional time to answer. The Executive Director sent the first such notice to the Respondent on January 21, 2015, by e-mail and File & ServeXpress, the Board’s electronic filing and service program. The notice informed the Respondent that his answer would be due February 10, 2015. The Respondent did not file an answer by that date. Out of an abundance of caution, the Executive Director sent the Respondent a second notice by U.S. Mail and again by e-mail to the physical and e-mail addresses that the Respondent confirmed to a member of the Board’s staff. The second notice was sent April 9, 2015. It enclosed the Complaint and informed the Respondent that he may file an answer no later than April 29, 2015. In between the two notifications, a representative of AFGE 1975 came to the Board’s offices on April 8, 2015, and obtained a copy of the Complaint. Nonetheless, to date the Respondent has failed to file an answer.

As result of the Respondent’s failure to answer the Complaint, he is “deemed to have admitted the material facts alleged in the complaint and to have waived a hearing.”<sup>2</sup>

### **B. Undisputed Facts**

The following are the material facts that the Complainant has alleged and that the Board deems admitted.

Complainant was employed by DOT as a civil engineer technician. Complainant sought the assistance of Respondent in disciplinary proceedings brought against him by DOT, but Respondent did not reply to any of Complainant’s requests for his services. “This directly affected my chances of retaining my position negatively,” Complainant states.<sup>3</sup> On January 10, 2012, DOT issued to Complainant a notice of its decision to remove him from his position.<sup>4</sup>

Subsequently, Respondent represented Complainant at a mediation on April 11, 2012. Respondent advised Complainant not to accept an offer to resign because he was certain he could

---

after October 1, 2015. Exhibit J to the Complaint explains the Complainant’s unsuccessful efforts to procure a copy of the collective bargaining agreement. As a policy matter, the Board does not require submission of a collective bargaining agreement when the parties do not have a bargaining relationship. *Mack v. F.O.P./Dep’t of Corrs. Labor Comm.*, 46 D.C. Reg. 7609, Slip Op. No. 386 at 2 n.3, PERB Case No. 94-U-24 (1994). The Board obtained a copy of the collective bargaining agreement from DOT pursuant to Board Rules 500.15 and 520.8. The Board’s staff had also requested the Respondent to provide a copy of the collective bargaining agreement, but he did not provide one despite stating that he would do so.

<sup>2</sup> Board R. 520.7.

<sup>3</sup> Complaint ¶ 1.

<sup>4</sup> Complaint ¶¶ 1-3, Ex. C.

Decision and Order  
PERB Case No. 15-U-03  
Page 3

win Complainant's case. Complainant did as he was advised and told the mediator that the relief he sought was to be returned to his position and to be made whole.<sup>5</sup>

Respondent informed Complainant that he would represent him in the subsequent appeal of his termination to the Office of Employee Appeals ("OEA").<sup>6</sup> On March 28, 2014, an administrative judge at OEA held a status conference on Complainant's appeal. Respondent represented Roney at the conference. The administrative judge orally gave DOT until April 25, 2014, to submit its brief and gave Roney until May 23, 2014, to submit his brief.<sup>7</sup> A written order to that effect was mailed to Roney and Lowery "as all correspondence concerning this matter has been."<sup>8</sup>

After Complainant repeatedly called Respondent and sent him an e-mail, the two met and discussed the content of the response they would submit to OEA. Respondent said he would prepare a letter, hand deliver it to OEA by May 23, and send Complainant a draft as well. Complainant did not hear back from Respondent after the meeting. Complainant assumed that Respondent had done as he had promised until Complainant received from OEA a "show cause order" dated June 3, 2014.<sup>9</sup> The show cause order issued by the OEA administrative judge stated that the employee's brief was due May 23, 2014, but had not been not filed. The administrative judge ordered the employee to submit a statement of good cause for his failure to file timely along with his brief on or before June 9, 2014.<sup>10</sup> After making telephone calls to Respondent and leaving messages that were not returned, Complainant e-mailed Respondent on June 4, 2014, attaching the show cause order and stating, "If you need an excuse just blame it on me."<sup>11</sup>

Respondent answered a call from Complainant on June 6, 2014, and said that he had been hospitalized the past week but was back from the hospital. Respondent promised to take care of the letter and to hand deliver it to OEA on time.<sup>12</sup>

On June 14, 2014, Respondent received OEA's Initial Decision.<sup>13</sup> The Initial Decision, issued June 12, 2014, stated, "To date, Employee has failed to respond to both the Post Status Conference Order and the Show Cause Order. The record is now closed."<sup>14</sup> That same day, Complainant called, texted, and e-mailed Respondent to no avail. Eleven days later Respondent took one of Complainant's calls. Complainant states, "I asked him if I was going to get another shot at my appeal, and he said yes. Of course this led me to believe that he was going to, or already had, file [*sic*] the Petition for Review, as allowed within 35 days of the Initial Decision."<sup>15</sup>

---

<sup>5</sup> Complaint ¶ 4.

<sup>6</sup> Complaint ¶ 1.

<sup>7</sup> Complaint ¶ 5.

<sup>8</sup> Complaint ¶ 5; Complaint Ex. D.

<sup>9</sup> Complaint ¶ 5.

<sup>10</sup> Complaint Ex. E.

<sup>11</sup> Complaint Ex. F.

<sup>12</sup> Complaint ¶ 5.

<sup>13</sup> Complaint ¶ 5.

<sup>14</sup> Complaint Ex. G.

<sup>15</sup> Complaint ¶ 6.



Decision and Order  
PERB Case No. 15-U-03  
Page 4

On July 13, 2014, Complainant's case appeared on OEA's website as closed, and on that date Complainant tried to contact the Respondent by e-mail.<sup>16</sup> Complainant states, "Since time was getting close and Mr. Lowery's record of getting back to me was not good, I contacted AFGE[']s District 14 National Representative . . . [and] our shop steward. . . ."<sup>17</sup> The shop steward told Complainant that he spoke to Respondent about the case and Respondent said he was going to speak to the union's lawyers about it. That was the last response Complainant received from anyone connected with AFGE 1975 or District 14 despite numerous calls and e-mails. Complainant states that thereafter "time lapsed, case closed, and I could have taken other steps to be represented had I not been led to believe that the union had control of this matter."<sup>18</sup> OEA confirms that a petition for review was never filed in Complainant's appeal.<sup>19</sup>

## II. Discussion

### A. The complaint is timely as to only one of the alleged violations.

Complainant's original complaint was filed October 29, 2014.<sup>20</sup> Board Rule 520.4 provides that "[u]nfair labor practice complaints shall be filed not later than 120 days after the date on which the alleged violations occurred." One hundred twenty days before the Complaint was filed is July 1, 2014.

OEA's initial decision was issued June 12, 2014.<sup>21</sup> A petition for review may be filed within thirty-five days of issuance of the initial decision.<sup>22</sup> Complainant's claim based upon the failure to file a petition for review accrued on the last day on which Respondent could have filed a petition for review,<sup>23</sup> which was July 17, 2014. The Complaint was filed less than 120 days after that date. Therefore, the Complaint is timely with respect to Respondent's failure to file a petition for review, the latest alleged violation.

The earlier alleged violations, however, are not timely. Complainant argues in his "Statement on timeliness of Complaint," Exhibit I to his Complaint, that it was only after the expiration of the thirty-five days for filing a petition for review "that I realized something had gone wrong in the way Mr. Lowery handled my case." The period for filing a complaint commences when a complainant knew of or should have known of the acts giving rise to the violation<sup>24</sup> or, more specifically in this case, when the complainant knew or should have known that the union breached its duty of fair representation.<sup>25</sup> The facts set forth in the Complaint

---

<sup>16</sup> Complaint ¶6, Ex. H.

<sup>17</sup> Complaint ¶ 6.

<sup>18</sup> Complaint ¶ 6.

<sup>19</sup> See Board R. 520.8.

<sup>20</sup> "In the case of an individual acting *pro se* . . . a pleading shall not be considered filed with the Board unless it is personally delivered to the offices of the Board during business hours as defined in § 500.8." Board R. 501.11.

<sup>21</sup> Complaint Ex. G.

<sup>22</sup> Complaint ¶ 6; OEA R. 632.2.

<sup>23</sup> See *Wells v. Bottling Group, LLC*, 833 F. Supp. 2d 665, 670 (E.D. Ky. 2011).

<sup>24</sup> *Douglas v. AFGE Local 2725*, 60 D.C. Reg. 16483, Slip Op. No. 1437 at 6, PERB Case No. 13-U-12 (2013).

<sup>25</sup> *Demchik v. Gen. Motors Corp.*, 821 F.2d 102, 105 (2d Cir. 1982).

Decision and Order  
PERB Case No. 15-U-03  
Page 5

disclose that Complainant knew well before the expiration of the period for filing a petition for review that a number of things had gone wrong in the way Lowery was handling the case. Complainant knew no later than January 10, 2012, that despite Complainant's request Respondent did not represent him in DOT's internal disciplinary proceedings. Complainant knew no later than June 4, 2014, of Respondent's failure to file a brief with OEA as ordered. He knew on June 14, 2014, of Respondent's failure to comply with the show cause order. The Complaint is untimely as to these alleged violations because Complainant knew of them more than 120 days before the Complaint was filed.

**B. The timely claim establishes a breach of the duty of fair representation.**

**1. Liability of Respondent**

The Complaint asserts that Respondent violated D.C. Official Code § 1-617.04(b)(1), which states, "Employees, labor organizations, their agents, or representatives are prohibited from: (1) Interfering with, restraining, or coercing any employees or the District in the exercise of rights guaranteed by this subchapter. . . ." This provision "encompasses the right to be fairly represented by the labor organization that has been certified as the exclusive representative for the collective bargaining unit of which the employee is a part."<sup>26</sup> The duty of fair representation is derived from the authority of a single union to represent collectively all employees in the bargaining unit.<sup>27</sup>

Complaints filed by individuals acting *pro se* are to be construed liberally to determine whether a proper cause of action has been alleged.<sup>28</sup> Construed in that manner, the instant Complaint raises a claim for breach of the duty of fair representation by Respondent Clifford Lowery, AFGE 1975 President individually and acting in his official capacity as president of the local. The uncontested facts stated in the Complaint involve conduct of the Respondent taken in his official capacity and as an agent or representative of AFGE 1975..

The federal Labor Management Relations Act ("LMRA"), which is inapplicable to D.C. public employees,<sup>29</sup> does not permit money judgments against a labor organization to be enforced against any individual member or his assets.<sup>30</sup> In place of the LMRA, the Comprehensive Merit Personnel Act ("CMPA") is the exclusive remedy for a D.C. public employee who has a duty of fair representation claim.<sup>31</sup> In dismissing duty of fair representation claims brought in federal court against the Washington Teachers Union and individuals from the union, the U.S. District Court for the District of Columbia stated in *Younger v. D.C. Public Schools*:

---

<sup>26</sup> *Hoggard v. AFSCME, Dist. Council 20, Local 1959*, 43 D.C. Reg. 2655, Slip Op. No. 356 at 2-3, PERB Case No. 93-U-10 (1993).

<sup>27</sup> *Price v. WMATA*, 41 A.3d 526, 530 n. 10 (D.C. 2012).

<sup>28</sup> *Beeton v. D.C. Dep't of Corrs.*, 45 D.C. Reg. 2078, 538 at 3 n.1, PERB Case No. 97-U-26 (1998).

<sup>29</sup> *Oskere v. Gage*, 698 F. Supp. 2d 209 (D.D.C. 2010).

<sup>30</sup> 29 U.S.C. § 185(b).

<sup>31</sup> *Oskere v. Gage*, 698 F. Supp. 2d at 211; *Cooper v. AFSCME Local 1033*, 656 A.2d 1141 (D.C. 1995)

Decision and Order  
PERB Case No. 15-U-03  
Page 6

While the D.C. Code is not entirely clear as to whether duty of fair representation claims can be brought against individual Union representatives and agents, *see* D.C. Code § 1-617.04(b)(1) (providing that “[e]mployees, labor organizations, their agents, or representatives are prohibited from . . . [i]nterfering with, restraining, or coercing any employees or the District in the exercise of rights guaranteed by this subchapter”), the question must be presented to PERB in the first instance.<sup>32</sup>

The CMPA does not contain a restriction on the enforcement of money damages against union members like that found in the LMRA. To the contrary, as the court noted in *Younger*, section 1-617.04(b)(1) expressly applies to agents and representatives of labor organizations. Therefore, we find that under the CMPA a duty of fair representation claim may be brought against individual agents and representatives of labor organizations.

Thus, the Respondent is individually liable as an agent or representative of AFGE 1975. He is also liable in his official capacity as president of AFGE 1975. Noting that the U.S. Supreme Court has characterized “official capacity suits” as “another way of pleading an action against an entity of which an officer is an agent,”<sup>33</sup> the Board has recognized that suits against District officials in their official capacities should be treated as suits against the District<sup>34</sup> and that, when a governmental agency is also named as a party, the addition of an officer or agent in his official capacity is redundant and an inefficient use of resources.<sup>35</sup> Similarly, courts have held that, where a union has been named as a defendant, it is redundant to sue the union’s president in an official capacity.<sup>36</sup> Where a union has not been named as a defendant, courts have allowed duty of fair representation cases to proceed against union representatives in their official capacities<sup>37</sup> and found the union to be liable for the employee’s lost wages resulting from a breach of the duty of fair representation.<sup>38</sup>

The undisputed facts stated in the Complaint establish that Respondent owed Complainant a duty of fair representation in his OEA appeal and that he breached that duty.

---

<sup>32</sup> 60 F. Supp. 3d 130, 140 (D.D.C. 2014).

<sup>33</sup> *Hafer v. Melo*, 502 U.S. 21, 25 (1991) (quoted in *F.O.P./Metro. Police Dep’t Labor Comm. v. Metro. Police Dep’t*, 59 D.C. Reg. 6579, Slip Op. No. 1118 at 4, PERB Case No. 08-U-19 (2011)).

<sup>34</sup> *F.O.P./Metro. Police Dep’t Labor Comm.*, Slip Op. No. 1118 at 4.

<sup>35</sup> *Nat’l Ass’n of Gov’t Employees, Local R3-07 v. Gov’t of D.C. Office of Unified Commc’ns*, 60 D.C. Reg. 563, Slip Op. No. 1343 at 2, PERB Case No. 10-U-32 (2012).

<sup>36</sup> *Webb v. Local 73, SEIU*, 2002 WL 31049841, at \*6 (N.D. Ill. Sept. 13, 2002); *Crowne Investments, Inc. v. United Commercial Workers, Local No. 1657*, 959 F. Supp. 1473, 1479 (M.D. Ala. 1997).

<sup>37</sup> *Basnight v. HRSA-ILA Mgmt.*, 2006 WL 2850650, at \* 7-8 (E.D. Va. 2006); *Gagliardi v. E. Hartford Hous. Auth.*, 2004 WL 78150, at \*4-5 (D. Conn. 2004).

<sup>38</sup> *Byrne v. Buffalo Creek R.R. Co.*, 536 F. Supp. 1301 (W.D.N.Y. 1982). *See also White v. King*, 319 F. Supp. 122, 126 (E.D. La. 1970) (awarding damages against union for action brought under the LMRA against union officers in their official capacities).

Decision and Order  
PERB Case No. 15-U-03  
Page 7

## 2. Duty

Whether or not Respondent had a duty to represent Complainant at OEA, having undertaken to do so Respondent owed to Complainant a duty of fair representation.<sup>39</sup> In *Cooper v. AFSCME Local 1033*,<sup>40</sup> the D.C. Court of Appeals recognized the Board's exclusive jurisdiction over a duty of fair representation claim arising out of a union's alleged promise to represent an employee in an OEA appeal. In that case, a former D.C. General Hospital employee argued that he could bring a duty of fair representation claim in D.C. Superior Court regarding the union's mishandling of an administrative appeal of his termination because the union's representation was outside of its obligations under the collective bargaining agreement and the CMPA provides no remedy for breach of a contractual obligation outside of the collective bargaining agreement.<sup>41</sup> The court rejected that argument, stating that if the union promised to represent the member outside of its obligations under the agreement, the union would be bound by its standards of conduct to provide "fair and equal treatment" to him as someone it represents and that the employee's duty of fair representation claim for breach of that promise was within the Board's exclusive jurisdiction.<sup>42</sup>

## 3. Breach

The duty of fair representation requires a labor organization to act in good faith motivated by honesty of purpose. To breach the duty of fair representation, a labor organization's conduct must be arbitrary, discriminatory, or in bad faith, or be based upon considerations that are irrelevant, invidious, or unfair.<sup>43</sup>

The uncontested facts reveal that Respondent's conduct with regard to the petition for review was in bad faith and thus a breach of the duty of fair representation. OEA's initial decision was a dismissal for failure to file a brief and failure to respond to a show cause order. The Complaint states:

---

<sup>39</sup> See *Nedd v. UMW*, 556 F.2d 190, 200 (3d Cir. 1977); *Kesner v. NLRB*, 532 F.2d 1169, (7th Cir. 1976) ("It is venerable tort law that purporting to take action where duty is nonexistent creates in itself certain duties, or as the [National Labor Relations] Board puts the matter, 'it is a commonplace of our jurisprudence that those who act where they are not obliged to are nevertheless liable for misfeasance (sic) in the course of their undertaking.' It is one thing for a grievant to attempt to pursue his remedy without assistance and opposed only by one adversary. When that situation is compounded by two opponents, one of whom is supposedly his 'own people,' the bearing on the likelihood of his success assumes substantial significance.") *Aguinaga v. John Morrell & Co.*, 713 F. Supp. 368, 372 (D. Kan. 1988) ("[O]nce the Unions undertook to act affirmatively on behalf of plaintiffs, the duty of fair representation applied."). Cf. *Conley v. Gibson*, 355 U.S. 41, 47 (1957) ("We need not pass on the Union's claim that it was not obliged to handle any grievances at all because we are clear that once it undertook to bargain or present grievances for some of the employees it represented it could not refuse to take similar action in good faith for other employees just because they were Negroes."), *overruled on other grounds by Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 562-63 (2007).

<sup>40</sup> 656 A.2d 1141 (D.C. 1995).

<sup>41</sup> *Id.* at 1142-43.

<sup>42</sup> *Id.* at 1144.

<sup>43</sup> *Graham v. Williams*, 59 D.C. Reg. 2990, Slip Op. No. 787, PERB Case No. 05-U-24 (2005).

Decision and Order  
PERB Case No. 15-U-03  
Page 8

Despite several more phone calls and text messages, I did not hear from Mr. Lowery until he finally answered my call on June 25, 2014. I asked him if I was going to get another shot at my appeal and he said yes. Of course this led me to believe that he was going to, or already had, file [*sic*] the Petition for Review as, allowed within 35 days of the initial Decision.<sup>44</sup>

The procedure “to get another shot” at an OEA appeal after an initial decision is to file a petition for review with OEA’s board within thirty-days of the initial decision, as Respondent could easily have ascertained from OEA’s rules or its website. However, as had been his practice,<sup>45</sup> Respondent did not keep his word to Complainant. He misled Complainant, abandoned the case, ignored Complainant’s pleas to take action,<sup>46</sup> and refused to communicate with Complainant, not even to advise Complainant to handle the matter himself. Complainant detrimentally relied on Respondent’s promise.<sup>47</sup>

The Supreme Court has held that where occurrences within the National Labor Relations Act’s six-month period of limitations “may constitute, as a substantive matter, unfair labor practices . . . earlier events may be utilized to shed light on the true character of matters occurring within the limitations period. . . .”<sup>48</sup> Earlier events in this case shed light on the true character of Respondent’s failure to petition for review. Respondent’s repeated failures to do what he promised Complainant, resulting in a dismissal for want of prosecution, make clear that his failure to fulfill the representation he had made to Complainant by filing a timely petition for review was not based upon judgment, experience, or an evaluation of the case and was not an exercise of discretion, nor was it even mere negligence. Rather, the facts demonstrate dishonest conduct establishing bad faith.<sup>49</sup> Through his bad faith, Respondent breached his duty of fair representation.<sup>50</sup> As discussed, a breach of the duty of fair representation violates section 1-617.04(b)(1)’s prohibition against “[i]nterfering with, restraining, or coercing any employees or the District in the exercise of rights guaranteed by this subchapter.”<sup>51</sup> Therefore, we find that the Respondent violated this provision of the CMPA.

---

<sup>44</sup> Complaint ¶ 6.

<sup>45</sup> Complaint ¶¶ 1, 5, 6.

<sup>46</sup> Complainant’s e-mail to Respondent of July 13, 2014, stated, “Call me and let me know what[’]s going on please, I know you didn’t just drop the ball on me. I’m serious Cliff, give me a call.” Complaint Ex. H.

<sup>47</sup> Complaint ¶ 6 (“I could have taken other steps to be represented had I not been led to believe the union had control of this matter.”)

<sup>48</sup> *Local Lodge No. 1424 v. NLRB*, 362 U.S. 411, 416 (1960).

<sup>49</sup> See *Amalgamated Ass’n of Street, Elec., Ry. & Motor Coach Employees v. Lockeridge*, 403 U.S. 274, 299 (1999) (requiring substantial evidence of fraud, deceitful action, or dishonest conduct to prove union’s bad faith).

<sup>50</sup> See *IAM Local 39 and Evans*, 24 F.L.R.A. 352, 353 (1986) (Union breached its duty of fair representation where the union misled an employee into thinking that the union was going to file the grievance and his reliance on the union caused him to lose the right to file a timely grievance.).

<sup>51</sup> *Supra* p. 5.

Decision and Order  
PERB Case No. 15-U-03  
Page 9

### III. Remedies

Complainant seeks to be made whole; he requests to “be re-instated to my position as Civil Engineer Technician with D.C. DOT, Grade 12 Step 7. This would include back pay dating from January 27, 2012 to reinstatement, including wage increases, Step increases, and missed overtime opportunities that occurred over said period.”<sup>52</sup>

As DOT is not a respondent in this proceeding, reinstatement is not an available remedy. Respondent’s liability for the lost wages that Complainant seeks has not yet been established. The appropriate remedy is that awarded by the Board in *Chisholm v. AFSCME District Council 20*,<sup>53</sup> where the union breached its duty of fair representation by cancelling an arbitration. The Board directed the union to request to have the arbitration reinstated. If the arbitration could not be reinstated, then the case would be remanded to a hearing examiner to consider whether the grievant likely would have prevailed on the merits of her grievance at arbitration. If the hearing examiner were to determine that the grievant would have prevailed, then he was to recommend to the Board the appropriate back pay relief.<sup>54</sup> The Board stated, “We believe that this relief is consistent with our mandate under D.C. Code § 1-618.13 (a), to make an employee whole for any loss resulting from unfair labor practices.”<sup>55</sup> The Board also ordered the union to cease and desist from breaching its duty of fair representation and to post a notice concerning its violation.<sup>56</sup>

In *Foust v. International Brotherhood of Electrical Workers*,<sup>57</sup> the U.S. Court of Appeals for the Tenth Circuit upheld a remedy that included compensatory damages for lost wages and benefits from the date of discharge where, as in the present case, the employee could have brought the action in question himself. The court stated, “Having undertaken to act affirmatively on behalf of Foust, the Union is precluded from escaping responsibility by asserting that Foust could or should have presented the grievance rather than depend on it.”<sup>58</sup>

In accordance with the precedent and guidance of *Chisholm*, the Board will order Respondent to cease and desist from breaching the duty of fair representation, to post a notice regarding the violation set forth herein, and to attempt to reinstate Complainant’s OEA appeal. If the appeal cannot be reinstated, the Board orders the case to be referred to a hearing examiner to determine whether the Complainant would have prevailed in his appeal but for Respondent’s breach of the duty of fair representation in failing to file a petition for review and, if so, what monetary relief should be awarded to the Complainant.

---

<sup>52</sup> Complaint p. 6.

<sup>53</sup> 49 D.C. Reg. 789, Slip Op. No. 656, PERB Case Nos. 99-U-32 and 99-U-3 (2001).

<sup>54</sup> *Id.* at 8, 10.

<sup>55</sup> *Id.* at 8.

<sup>56</sup> *Id.* at 9-10.

<sup>57</sup> *Id.* at 8.

<sup>58</sup> *Id.* at 9-10

Decision and Order  
PERB Case No. 15-U-03  
Page 10

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. Respondent shall cease and desist from breaching his duty to fairly represent Complainant.
2. Respondent shall cease and desist from interfering with, restraining, or coercing, in any like or related manner, employees in the exercise of rights guaranteed by the Comprehensive Merit Personnel Act.
3. Respondent shall take the necessary steps to reinstate the Complainant's OEA appeal within thirty (30) days of the issuance of this Opinion including, but not limited to, requesting OEA in writing (with a copy to the Complainant and the Public Employee Relations Board) to reinstate the appeal.
4. Respondent shall notify the Board within thirty (30) days of service of this Decision and Order concerning the steps he has taken to comply with paragraph 3 of this Order.
5. In the event Complainant's appeal cannot be reinstated or has not been reinstated within sixty (60) days of service of this Decision and Order, the Board orders that the case be referred to a hearing examiner to determine whether the Complainant would have prevailed in his appeal but for Respondent's breach of the duty of fair representation in failing to file a petition for review. If the hearing examiner determines that the Complainant has shown by a preponderance of the evidence that the appeal would have prevailed, then the hearing examiner shall recommend to the Board the appropriate monetary relief.
6. Respondent shall conspicuously post a notice that the Board will furnish to Respondent. The notice shall be posted where AFGE 1975's notices to members are normally posted. The notice shall be posted within ten (10) days from Respondent's receipt of the notice and shall remain posted for thirty (30) consecutive days.
7. Respondent shall notify the Public Employee Relations Board, in writing, within fourteen (14) days from receipt of the notice that it has been posted accordingly.
8. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

**BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD**

January 21, 2016  
Washington, D.C.

**CERTIFICATE OF SERVICE**

This is to certify that the attached Decision and Order in PERB Case Number 15-U-03 is being transmitted to the following parties on this the 8th day of February 2016.

Michael P. Roney  
1143 Claire Rd.  
Crownsville, Maryland 21032

**via File&ServeXpress**

Clifford Lowery, AFGE 1975 President  
and AFGE 1975  
through their counsel of record  
H. David Kelly  
Beins, Axelrod, P.C.  
1625 Massachusetts Ave. NW, suite 500  
Washington, D.C. 20036

**via File&ServeXpress**

/s/ Sheryl V. Harrington  
Sheryl V. Harrington  
Secretary



**District of Columbia REGISTER – March 25, 2016 – Vol. 63 - No. 14 004282 – 004613**