

***District of Columbia***

**REGISTER**

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**HIGHLIGHTS**

- D.C. Council schedules a public hearing on Bill 23-0150, Dyslexia and Other Reading Disabilities Screening and Prevention Pilot Program Act of 2019
- D.C. Commission on the Arts and Humanities announces availability of funding for the FY 2020 Playable Art Project DC Program
- Department of Behavioral Health announces funding availability for implementing a comprehensive care system for opioid use disorder
- Office of the State Superintendent of Education announces availability of grants for improving achievement levels of public charter schools
- Department of Health announces funding availability for providing facility based housing with supportive services
- Department of Health announces availability of funds for training sexual health peer educators
- Department of Housing and Community Development announces funding availability for providing homeownership training, small business assistance, and store front improvements
- Department of Insurance, Securities and Banking schedules a public hearing on the 2020 proposed health insurance rates

# DISTRICT OF COLUMBIA REGISTER

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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.).

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ADMINISTRATOR

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ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-70**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 1, 2019**

To amend, on a temporary basis, the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011 to set a minimum value for a qualified small-dollar contribution that can be matched under the Fair Elections Program, to clarify the definition of “uncontested election”, to provide an additional reporting date on which an election is held for the office sought, to allow candidates seeking certification to file, at any time, for certification and receive any base amount and initial disbursement of matching payments to which the candidate is entitled, to clarify the requirements for information provided by contributors when contributing and the form for receipts or confirmations retained by the candidate, to clarify the disbursement process, to provide guidance as to which non-participating candidates may participate in Fair Elections Program debates, and to clarify the process for donating campaign equipment to unaffiliated non-profit organizations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fair Elections Temporary Amendment Act of 2019”.

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

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

(1) Paragraph (47A) is amended by striking the phrase “a deposit of money” and inserting the phrase “a deposit of money, including in cash or in kind, with a value of \$5 or more” in its place.

(2) Paragraph (53) is amended by striking the phrase “candidate.” and inserting the phrase “candidate and no other candidate.” in its place.

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

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

“(1) In addition to the reports required by subsection (a) of this section, candidates seeking certification and participating candidates shall submit reports of qualified small-dollar contributions and contributions from non-District resident individuals that include the

## ENROLLED ORIGINAL

information required by section 332b(b) on the 10th day of the October preceding the date on which an election is held for the office sought and on such other dates as the Director of Campaign Finance shall establish by rulemaking.”

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

“(3) Candidates seeking certification may file for certification pursuant to section 332c(a)(2) and receive the base amount and initial disbursement of matching payments to which they are eligible pursuant to sections 332d and 332e, respectively, at any time.”

(c) Section 332b (D.C. Official Code § 1-1163.32b) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase “physical or digital receipt to the contributor, with a copy to be retained by the candidate. The receipt” and inserting the phrase “physical or electronic confirmation or receipt, as the candidate prefers. The candidate shall retain the information in paragraphs (1) and (2) of this subsection. The confirmation or receipt to the candidate” in its place.

(B) Paragraph (1) is amended by striking the phrase “digital or physical signature, printed name, home address, telephone number,” and inserting the phrase “physical or electronic signature or other indicia of identity (such as an affirmation checkbox), printed or typed name, address,” in its place.

(C) Paragraph (2) is amended by striking the phrase “A written and signed oath or affirmation declaring” and inserting the phrase “An indication, including by clicking a checkbox or button, that the contributor has sworn or affirmed” in its place.

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

“(b-1) Notwithstanding subsection (b)(2) of this section:

“(1) If a contributor agrees to make contributions to a candidate that recur automatically on a periodic basis, the contributor’s initial indication made pursuant to subsection (b)(2) of this section or paragraph (2) of this subsection is sufficient to indicate continuous assent, and the contributor need not provide an indication pursuant to subsection (b)(2) of this section or paragraph (2) of this subsection for each recurring contribution.

“(2) If a contributor makes a contribution to a candidate over the phone, the indication required by subsection (b)(2) of this section may be provided by the contributor orally.”

(d) Section 332c (D.C. Official Code § 1-1163.32c) is amended as follows:

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

(A) The lead-in language is amended by striking the phrase “5 days” and inserting the phrase “10 business days” in its place.

(B) Paragraph (2)(B) is amended by striking the phrase “5 business days” and inserting the phrase “10 business days after the candidate receives the determination” in its place.

(2) Subsection (d) is amended by striking the phrase “5 business days” and inserting the phrase “10 business days” in its place.

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(e) Section 332d (D.C. Official Code § 1-1163.32d) is amended as follows:

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

“(a)(1)(A) Within 5 days after a participating candidate is certified under section 332c(b), the Director of Campaign Finance shall direct the Office of the Chief Financial Officer to disburse to the participating candidate half of the base amount described in paragraph (2) of this subsection. The Office of the Chief Financial Officer shall disburse the funds within 5 business days after receiving direction to do so from the Director of Campaign Finance.

“(B) Within 5 days after the participating candidate qualifies for the ballot, the Director of Campaign Finance shall direct the Office of the Chief Financial Officer to disburse to the participating candidate the other half of the base amount described in paragraph (2) of this subsection. The Office of the Chief Financial Officer shall disburse the funds within 5 business days after receiving direction to do so from the Director of Campaign Finance.”.

(2) The lead-in language of subsection (b)(2) is amended to read as follows:

“(2) If an uncontested election becomes a contested election after a participating candidate is certified under section 332c(b), the Director of Campaign Finance shall direct, no later than 5 days after the uncontested election becomes a contested election, the Office of the Chief Financial Officer to disburse to the participating candidate, and the Office of the Chief Financial Officer shall disburse, within 5 business days after receiving direction to do so from the Director of Campaign Finance:”.

(f) Section 332e (D.C. Official Code § 1-1163.32e) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “Qualified-small-dollar” and inserting the phrase “Qualified small-dollar” in its place.

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

“(e) Within 5 days after the receipt of a report made under section 309(a) and (b-1), the Director of Campaign Finance shall direct the Office of the Chief Financial Officer to disburse payments under this section. The Office of the Chief Financial Officer shall disburse the payments within 5 business days after receiving direction to do so from the Director of Campaign Finance.”.

(3) Subsection (f) is amended by striking the phrase “5 business days” and inserting the phrase “10 business days” in its place.

(g) Section 332f(d)(7) (D.C. Official Code § 1-1163.32f(d)(7)) is amended by striking the phrase “section 332k” and inserting the phrase “section 332l” in its place.

(h) Section 332g(b) (D.C. Official Code § 1-1163.32g(b)) is amended by adding a new paragraph (4) to read as follows:

“(4) Any candidate who has qualified for ballot access for a covered office listed in paragraph (1) of this subsection, in accordance with the procedures required by the Elections Board pursuant to section 8 of the Election Code, and who is not a participating candidate, may participate in a debate for that covered office held pursuant to this section.”.

(i) Section 332h (D.C. Official Code § 1-1163.32h) is amended as follows:

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(1) The section heading is amended by striking the phrase “turning over equipment to the Office of Campaign Finance” and inserting the phrase “donating equipment” in its place.

(2) Subsection (a) is amended by striking the phrase “turn over any equipment purchased by the campaign to the Office of Campaign Finance.” both times it appears and inserting the phrase “donate any equipment purchased by the campaign to a non-profit organization, within the meaning of section 501(c)(3) of the Internal Revenue Code and operating in good standing in the District for a minimum of one calendar year before the date of any donation, that is unaffiliated with the candidate, the candidate’s immediate family, the principal campaign committee, the principal campaign committee chair and treasurer, the immediate family of the principal campaign committee chair and treasurer, and any board of directors or similar governing body on which sits the candidate, the candidate’s immediately family, or the principal campaign committee chair or treasurer.” in its place.

(3) Subsection (b)(1) is amended by striking the phrase “turn over any equipment purchased by the campaign to the Office of Campaign Finance.” and inserting the phrase “donate any equipment purchased by the campaign to a non-profit organization, within the meaning of section 501(c)(3) of the Internal Revenue Code and operating in good standing in the District for a minimum of one calendar year before the date of any donation, that is unaffiliated with the candidate, the candidate’s immediate family, the principal campaign committee, the principal campaign committee chair and treasurer, the immediate family of the principal campaign committee chair and treasurer, and any board of directors or similar governing body on which sits the candidate, the candidate’s immediately family, or the principal campaign committee chair or treasurer.” in its place.

(4) Subsection (d) is repealed.

(j) Section 332j(a)(1)(H) (D.C. Official Code § 1-1163.32j(a)(1)(H)) is amended by striking the phrase “funds of the” and inserting the phrase “funds that the” in its place.

(k) Section 332l(a)(2) (D.C. Official Code § 1-1163.32l(a)(2)) is amended to read as follows:

“(2) Rules relating to the donation of equipment.”.

### 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).

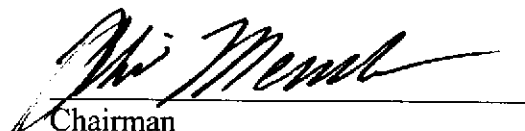
### Sec. 4. Effective date.

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

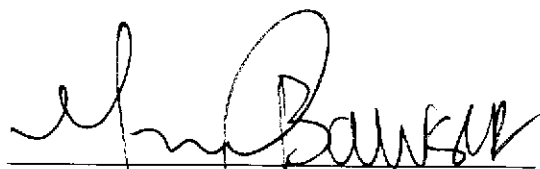
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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

July 1, 2019  
APPROVED

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-71**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 1, 2019**

To amend, on a temporary basis, the Business Improvement District Act of 1996 to allow the Board of the Adams Morgan Business Improvement District to adopt amendments to set its tax rate.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Adams Morgan Business Improvement District Temporary Amendment Act of 2019".

Sec. 2. Section 206(c) of the Business Improvement District Act of 1996, effective March 8, 2006 (D.C. Law 16-56; D.C. Official Code § 2-1215.56(c)), is amended to read as follows:

"(c) The BID taxes for the taxable properties in the Adams Morgan BID shall not exceed \$.21 for each \$100 in assessed value for all taxable properties and all commercial portions of mixed use properties; provided, that any change in the BID taxes from the current tax year rates shall be made subject to the requirements of section 8."

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).

Sec. 4. Effective date.

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



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Chairman  
Council of the District of Columbia



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Mayor  
District of Columbia

July 1, 2019  
APPROVED

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-72**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 4, 2019**

To require the Office of Zoning to contract for an analysis of short-term rental uses.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Short-Term Rental Independent Analysis Emergency Act of 2019".

Sec. 2. (a) Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), on or before July 15, 2019, the Office of Zoning shall enter into a contract for a short-term rental analysis report for use by the Zoning Commission for the District of Columbia.

(b) The report shall:

(1) Set forth the current legal status of short-term rental uses in the District of Columbia under the Zoning Regulations;

(2) Discuss short-term rental regulations in jurisdictions comparable to the District;

(3) Provide draft text for inclusion in the Zoning Regulations that would permit short-term rental uses in such zones and under such conditions as would be consistent with the Short-Term Rental Regulation Act of 2018, effective April 25, 2019 (D.C. Law 22-307; D.C. Official Code § 30-201.01 *et seq.*) ("Act"), and not inconsistent with the Comprehensive Plan;

(4) Indicate whether the text provided pursuant to paragraph (3) of this subsection should become effective no later than October 1, 2019 in conjunction with the earliest potential applicability date of the Act; and

(5) Recommend whether the Zoning Commission for the District of Columbia should adopt the text on an emergency basis to be consistent with the earliest potential applicability date of the Act.

(c) The total contract amount for the report shall not exceed the amount appropriated for such purpose in the Fiscal Year 2019 Revised Local Budget Emergency Adjustment Act of 2019, passed on emergency basis on June 18, 2019 (Enrolled version of Bill 23-205).

(d) The entity awarded the contract may consult with the Office of Planning for technical



ENROLLED ORIGINAL

assistance or for information, but such consultation or lack of consultation shall not delay issuance of the report.

(e) The final report shall be delivered to the Office of Zoning, which shall make the report public, and the Zoning Commission for the District of Columbia not later than September 1, 2019.

Sec. 3. Applicability.

This act shall apply as of July 1, 2019.

Sec. 4. 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).

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

UNSIGNED

Mayor  
District of Columbia  
July 3, 2019

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-73**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 4, 2019**

To amend, on a temporary basis, section 47-362 of the District of Columbia Official Code to require Council approval of capital reprogrammings made by the District Department of Transportation if certain conditions are not met.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Florida Avenue Multimodal Project Completion Temporary Amendment Act of 2019”.

Sec. 2. Section 47-362 of the District of Columbia Official Code is amended by adding a new subsection (h) to read as follows:

“(h)(1) Notwithstanding § 47-363, after September 30, 2019, the District Department of Transportation (“DDOT”) shall not, unless the Council has approved the action by resolution, make a capital reprogramming until the following conditions on Florida Avenue, N.E., between 2nd Street, N.E., and H Street, N.E., have been met:

“(A) The number of vehicle travel lanes are reduced from 6 to a maximum of 4 through lanes;

“(B) Design elements are installed to ensure that all right-of-way width affected by the reduction in travel lanes described in subparagraph (A) of this paragraph are available for use exclusively by modes of transportation other than motor vehicles, as that term is defined in section 8 of An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, effective March 15, 1985 (D.C. Law 5-176; D.C. Official Code § 50-1108); and

“(C) High-visibility crosswalk markings are installed at all locations that meet the standards for high-visibility crosswalk markings in DDOT’s 2019 Design and Engineering Manual.

“(2) On June 4, 2019, and the first Tuesday of each month thereafter, DDOT shall submit to the Council committee with oversight over DDOT and the Councilmembers representing Wards 5 and 6, a letter that:

“(A) Describes the status of the procurements for design and for construction of the Florida Avenue Multimodal Transportation Project (“Project”);

“(B) Estimates the percent of final design the Project has reached and the

ENROLLED ORIGINAL

projected date that the Project will reach 100% design;

“(C) Describes any outreach made during the previous month, or planned for the following month, to District residents about the design of the Project; and

“(D) Includes the most current publicly available design of the Project.

“(3) This subsection shall expire on the date that the Office of Contracting and Procurement publishes on its website a request for proposals for the construction phase of the Project.”.

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).

Sec. 4. Effective date.

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

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



Chairman  
Council of the District of Columbia

UNSIGNED

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

July 2, 2019

ENROLLED ORIGINAL

AN ACT  
**D.C. ACT 23-74**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 8, 2019**

To adjust, on a temporary basis, certain allocations in the Fiscal Year 2019 Local Budget Act of 2018 pursuant to the Omnibus Appropriations Act, 2009.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2019 Revised Local Budget Temporary Adjustment Act of 2019".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2019 budget shall be adjusted as follows:

**PART A—SUMMARY OF EXPENSES**

\$57,610,000 is added (including an increase of \$52,267,000 in local funds, a decrease of (\$122,000) in dedicated taxes, an increase of \$4,201,000 in other funds, and an increase of \$1,264,000 in Medicaid payments), to be allocated as follows:

**PART B—DIVISION OF EXPENSES**

**Governmental Direction and Support**

The appropriation for Governmental Direction and Support is increased by \$14,245,000 in local funds, to be allocated as follows:

- (1) Department of General Services. – \$13,587,000 is added in local funds;
  - (2) Captive Insurance Agency – \$1,322,000 is added in local funds;
  - (3) Deputy Mayor for Greater Economic Opportunity. – (\$500,000) is removed from local funds, from the funds available for the Workforce Investment Council for activities consistent with the DC Central Kitchen Grants Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; 65 DCR 9388);
  - (4) Advisory Neighborhood Commissions. – \$30,000 is added in local funds;
  - (5) Office of Finance and Resource Management. – (\$61,000) is removed from local funds;
  - (6) Public Employee Relations Board. – (\$33,000) is removed from local funds;
- and

## ENROLLED ORIGINAL

(7) Council of the District of Columbia. – (\$100,000) is removed from local funds.

**Economic Development and Regulation**

The appropriation for Economic Development and Regulation is decreased by (\$1,587,000) (including a decrease of (\$2,065,000) in local funds, a decrease of (\$122,000) in dedicated taxes, and an increase of \$600,000 in other funds), to be allocated as follows:

- (1) Office of Planning. – \$1,083,000 is added in local funds;
- (2) Department of Consumer and Regulatory Affairs. – \$500,000 is added in local funds and \$600,000 is added in other funds;
- (3) Housing Production Trust Fund Subsidy. – (\$3,184,000) is removed from local funds.
- (4) Office of the Tenant Advocate. – (\$617,000) is removed from local funds;
- (5) Housing Authority Subsidy. – \$53,000 is added in local funds;
- (6) Alcoholic Beverage Regulation Administration. – (\$122,000) is removed from dedicated taxes; and
- (7) Office of Zoning. – \$100,000 is added in local funds.

**Public Safety and Justice**

The appropriation for Public Safety and Justice is increased by \$5,294,000 (including an increase of \$3,794,000 in local funds and an increase of \$1,500,000 in Medicaid payments), to be allocated as follows:

- (1) Metropolitan Police Department. – \$3,600,000 is added in local funds;
  - (2) Fire and Emergency Medical Services Department. – \$231,000 is added in local funds and \$1,500,000 is added in Medicaid payments;
  - (3) Department of Corrections. – \$1,182,000 is added in local funds;
  - (4) Office of Neighborhood Safety and Engagement. – (\$265,000) is removed from local funds;
  - (5) District of Columbia National Guard. – (\$14,000) is removed from local funds;
  - (6) Department of Forensic Sciences. – (\$156,000) is removed from local funds;
  - (7) Office of Police Complaints. – (\$700) is removed from local funds;
  - (8) Office of Administrative Hearings. – (\$107,000) is removed from local funds;
  - (9) Office of Unified Communications. – (\$657,000) is removed from local funds;
- and
- (10) Office of Victim Services and Justice Grants. – (\$20,000) is removed from local funds.

**Public Education System**

The appropriation for Public Education System is decreased by (\$4,249,000) in local

## ENROLLED ORIGINAL

funds, to be allocated as follows:

- (1) Office of the State Superintendent of Education. – \$1,292,000 is added in local funds;
- (2) Non-Public Tuition. – (\$500,000) is removed from local funds;
- (3) State Board of Education. – (\$42,000) is removed from local funds; and
- (4) District of Columbia Public Charter Schools. – (\$5,000,000) is removed from local funds.

#### Human Support Services

The appropriation for Human Support Services is decreased by (\$19,418,000) (including a decrease of (\$19,182,000) in local funds and a decrease of (\$236,000) in Medicaid payments), to be allocated as follows:

- (1) Office on Aging. – \$2,250,000 is added in local funds;
- (2) Department of Parks and Recreation. – \$1,744,000 is added in local funds;
- (3) Department of Health Care Finance. – (\$10,296,000) is removed from local funds and (\$236,000) is removed from Medicaid payments;
- (4) Department of Youth Rehabilitation Services. – (\$7,945,000) is removed from local funds;
- (5) Child and Family Services Agency. – (\$3,293,000) is removed from local funds.
- (6) Department of Health. – (\$10,000) is removed from local funds;
- (7) Department of Human Services. – (\$315,000) is removed from local funds;
- (8) Deputy Mayor for Health and Human Services. – (\$231,000) is removed from local funds;
- (9) Department of Disability Services. – (\$382,000) is removed from local funds;
- (10) Department of Behavioral Health. – (\$205,000) is removed from local funds;
- and
- (11) Unemployment Compensation Fund. – (\$500,000) is removed from local funds.

#### Public Works

The appropriation for Public Works is increased by \$9,886,000 (including an increase of \$6,285,000 in local funds and an increase of \$3,601,000 in other funds), to be allocated as follows:

- (1) Washington Metropolitan Area Transit Authority. – \$13,578,000 is added in local funds;
- (2) District Department of Transportation. – (\$965,000) is removed from local funds and \$3,601,000 is added in other funds;
- (3) Department of Public Works. – (\$4,947,000) is removed from local funds; and
- (4) Department of Motor Vehicles. – (\$1,382,000) is removed from local funds.

ENROLLED ORIGINAL

**Financing and Other**

The appropriation for Financing and Other is increased by \$53,439,000 in local funds, to be allocated as follows:

- (1) Emergency and Contingency Reserve Funds. – \$47,598,000 is added in local funds; and
- (2) Workforce Investments Account. – \$5,841,000 is added in local funds.

Sec. 3. Remaining Fiscal Year 2019 unexpended revenue of \$26,010,000 shall be carried over into Fiscal Year 2020 as fund balance and shall be available as set forth in the approved Fiscal Year 2020 Budget and Financial Plan.

Sec. 4. Capital adjustments.

In Fiscal Year 2019, the Chief Financial Officer shall rescind or adjust capital project allotments as set forth in the following tabular array, with the savings to be used in accordance with the Fiscal Year 2020 Local Budget Act of 2019, passed on 2nd reading on May 28, 2019 (Enrolled version of Bill 23-208):

Owner Agency	Project No	Project Title	Fund Detail	Total
AM0	BRM05C	DALY BUILDING CRITICAL SYSTEMS	300	(40.00)
	N1403C	ONE JUDICIARY SQUARE	300	(107,395.82)
	PL102C	ELEVATOR POOL	300	(50,413.97)
	PL104C	ADA COMPLIANCE POOL	300	(100,000.00)
	PL106C	GOVERNMENT CENTERS POOL	300	(312,944.51)
	PL107C	MISCELLANEOUS BUILDINGS POOL	300	(232,721.13)
	PL108C	BIG 3 BUILDINGS POOL	300	(450,000.00)
	PL402C	ENHANCEMENT COMMUNICATIONS INFRASTRUCTUR	300	(72,000.00)
	PL601C	HVAC REPAIR RENOVATION POOL	300	(322,468.38)
	PL603C	WINDOW REPAIR AND RENOVATION POOL	300	(84,612.16)
	PL901C	ENERGY RETROFITTING OF DISTRICT BUILDING	300	(900,000.00)
	PL905C	MUNICIPAL LABOR PROGRAM MANAGEMENT	300	(200,804.00)
BA0	AB102C	ARCHIVES	300	(1,000,000.00)
CE0	ASF18C	SHARED TECHNICAL SERVICES CENTER	304	(2,400,000.00)
CF0	UIM02C	UI MODERNIZATION PROJECT-FEDERAL	300	(3,095,653.23)

## ENROLLED ORIGINAL

CR0	ISM07C	IT SYSTEMS MODERNIZATION - DCRA	300	(2,500.00)
EB0	SC216C	CONSTRUCTION- REDEVELOPMENT	300	(2,250,000.00)
	STH01C	STRAND THEATER	301	(94,408.68)
FA0	ATE01C	2850 NY AVE BUILDING	300	(2,940,657.62)
GA0	MO337C	MOTEN ES MODERNIZATION/RENOVATION	300	(1,407.50)
	TB137C	BRENT ES MODERNIZATION	300	(9,840.00)
	YY101C	BANNEKER HS MODERNIZATION/RENOVATION	300	2,251,535.58
	YY120C	SHAW MODERNIZATION	300	721,302.93
			301	278,697.07
HA0	AW304C	MARVIN GAYE RECREATION CENTER	300	(747.18)
	QD738C	FORT DUPONT ICE ARENA REPLACEMENT	306	(5,000,000.00)
	QJ801C	FRIENDSHIP PARK	300	(32,018.59)
	QK338C	FORT STANTON RECREATION CENTER	300	(235,327.66)
			301	(167,424.30)
	QN7MMC	METRO MEMORIAL PARK	300	(25,772.95)
	RG001C	GENERAL IMPROVEMENTS - DPR	300	(1,064,351.70)
	RR007C	FACILITY RENOVATION	301	(16,864.09)
	RR015C	PARK LIGHTING	300	(0.90)
	SET38C	SOUTHEAST TENNIS AND LEARNING CENTER	300	(489,511.22)
	YDPKIC	YARDS PARK AND CANAL PARK IMPROVEMENTS	300	(3,723,655.00)
JA0	CMSHSC	CASE MANAGEMENT SYSTEM	302	(15,474.82)
	HSW04C	WARD 4 TEMPORARY HOUSING FOR FAMILIES	300	(1,662,000.00)
	JB237C	MODERNIZATION/RENOVATIONS	300	(287,216.00)
	THK17C	EMERGENCY AND TEMPORARY HOUSING UPGRADES	301	(1,165,000.00)
	THK19C	EMERGENCY & TEMPORARY HOUSING FOR MEN	300	22,000,000.00
KA0	TRL50C	TRAILS	300	(500,000.00)
KE0	SA311C	WMATA FUND - PRIIA	300	(832,074.00)
TO0	N1601B	DCWAN	300	(71,230.17)
	N2518C	DATA CENTER RELOCATION	304	(1,500,000.00)
<b>Total rescission</b>				<b>(6,165,000.00)</b>



## ENROLLED ORIGINAL

## Sec. 5. Designated fund transfers.

(a) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year 2019 the following amounts from certified fund balances and other revenue in the identified accounts to the General Fund of the District of Columbia:

Agency	Fund Detail	Fund Detail Title	Total
AT0	606	Recorder of Deeds Surcharge	500,000
AT0	613	Unclaimed Property	30,642
AT0	619	DC Lottery Reimbursement	106,581
CB0	616	Litigation Support Fund	1,601,990
CF0	619	DC Jobs Trust Fund	61,280
CR0	6006	Nuisance Abatement	27,669
CR0	6013	Basic Business License Fund	815,000
CR0	6040	Corporate Recordation Fund	2,855,190
CR0	6050	Expedited Permit Review Fund	2,000,000
DB0	602	HPAP Repay	849,194
EB0	419	H Street NE Retail Priority Area Grant Fund	2,120,000
EB0	609	Industrial Revenue Bond Program	475,287
EB0	632	AWC & NCRC Development (ED Special Account)	2,890,000
EN0	6160	Streetscape Loan Relief Fund	268,121
FO0	100	Community Based Violence Reduction Fund	1,200,000
GD0	1120	Student Enrollment Fund	2,896,188
GC0	100	Special Education Enhancement Fund	8,000,000
GD0	111	Healthy Schools Fund	700,000
HT0	115	DC Provider Fee	69,577
HC0	605	SHPDA Fees	286,702
HC0	632	Pharmacy Protection	7,967
HC0	643	Board of Medicine Fund	15,192
HC0	644	Spay and Neutering Fund	29,419
HC0	655	SHPDA Admission Fee	33,691
HC0	661	ICF/MR Fees and Fines Fund	108,241
HT0	631	Medicaid Collections - 3rd Party Liability	467,924
HT0	632	Bill of Rights (Grievance and Appeals)	9,079

ENROLLED ORIGINAL

JA0	0	Escheatment Fund	935,507
KA0	6031	DC Circulator Bus System - NPS Mall Route	1,650,000
KE0	110	Dedicated Taxes	468,000
KT0	6052	Solid Waste Diversion Fund	50,000
KV0	6258	Motor Vehicle Inspection Program	200,000
LQ0	6017	ABC - Import and Class License Fees	76,613
LQ0	110	Reimbursable Detail Subsidy Program	122,000
RM0	640	DMH Medicare and 3rd Party Reimbursement	250,000
SR0	2200	Insurance Assessment Fund	571,130
SR0	2350	Securities and Banking Fund	832,218
TC0	2400	Public Vehicles for Hire Customer Service	302,277
TO0	602	DCNet Services Support	353,000
<b>Total sweep</b>			<b>34,235,679</b>

(b) The total amount identified in subsection (a) of this section shall be made available as set forth in the approved Fiscal Year 2020 Budget and Financial Plan.

Sec. 6. Additional fund transfers.

(a) Notwithstanding any provision of law, the Chief Financial Officer shall transfer in Fiscal Year 2019 the following amounts in the identified accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency	Fund Detail	Fund Detail Title	Total
PA0	301	General Capital Improvements Fund	9,899,000
UZ0	6218	Housing Production Trust Fund	9,899,000
<b>Total sweep</b>			<b>19,798,000</b>

(b) Notwithstanding any provision of law, the Chief Financial Officer shall transfer in Fiscal Year 2019 \$28,053,000 from the Cash Flow Reserve Account established pursuant to D.C. Official Code § 47-392.02(j-2) to the unassigned fund balance of the General Fund.

(c) The \$47,851,000 transferred to the unassigned fund balance of the General Fund pursuant to subsections (a) and (b) of this section shall be directed as follows:

(1) \$23,925,500 shall be deposited into the Emergency and Non-Emergency Number Telephone Calling Systems Fund, established by section 603(a) of the Emergency and

## ENROLLED ORIGINAL

Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802(a)), and shall be made available as set forth in the approved Fiscal Year 2020 Budget and Financial Plan; and

(2) \$23,925,500 shall be deposited into the DCHA Rehabilitation and Maintenance Fund, established by section 3(c-1) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202(c-1)).

Sec. 7. Section 47-812(b-9)(2)(D)(ii) of the District of Columbia Official Code is amended to read as follows:

“(ii) IST revenue collected during the period beginning on January 1, 2019 and ending on September 30, 2019, shall be directed to the unassigned balance of the General Fund for purposes consistent with the Fiscal Year 2019 Revised Local Budget Emergency Adjustment Act of 2019, passed on emergency basis on June 18, 2019 (Enrolled version of Bill 23-205).”

Sec. 8. Section 603(b) of the Emergency and Non-Emergency Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802(b)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase “; and” and inserting a semicolon in its place.

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

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

“(4) Such amounts as may be appropriated or deposited into the Fund.”

Sec. 9. 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. 10. Effective date.

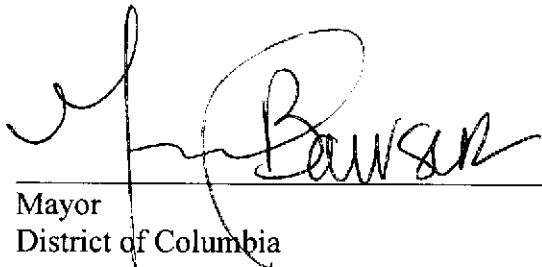
(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813;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

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

ENROLLED ORIGINAL



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED  
July 8, 2019

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-75**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 8, 2019**

To adjust, on an emergency basis, certain allocations in the Fiscal Year 2019 Local Budget Act of 2018 pursuant to the Omnibus Appropriations Act, 2009.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2019 Revised Local Budget Emergency Adjustment Act of 2019”.

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the Fiscal Year 2019 budget shall be adjusted as follows:

**PART A—SUMMARY OF EXPENSES**

\$57,610,000 is added (including an increase of \$52,267,000 in local funds, a decrease of (\$122,000) in dedicated taxes, an increase of \$4,201,000 in other funds, and an increase of \$1,264,000 in Medicaid payments), to be allocated as follows:

**PART B—DIVISION OF EXPENSES**

**Governmental Direction and Support**

The appropriation for Governmental Direction and Support is increased by \$14,245,000 in local funds, to be allocated as follows:

- (1) Department of General Services. – \$13,587,000 is added in local funds;
  - (2) Captive Insurance Agency. – \$1,322,000 is added in local funds;
  - (3) Deputy Mayor for Greater Economic Opportunity. – (\$500,000) is removed from local funds, from the funds available for the Workforce Investment Council for activities consistent with the DC Central Kitchen Grants Amendment Act of 2018, effective October 30, 2018 (D.C. Law 22-168; 65 DCR 9388);
  - (4) Advisory Neighborhood Commissions. – \$30,000 is added in local funds;
  - (5) Office of Finance and Resource Management. – (\$61,000) is removed from local funds;
  - (6) Public Employee Relations Board. – (\$33,000) is removed from local funds;
- and

## ENROLLED ORIGINAL

(7) Council of the District of Columbia. – (\$100,000) is removed from local funds.

**Economic Development and Regulation**

The appropriation for Economic Development and Regulation is decreased by (\$1,587,000) (including a decrease of (\$2,065,000) in local funds, a decrease of (\$122,000) in dedicated taxes, and an increase of \$600,000 in other funds), to be allocated as follows:

- (1) Office of Planning. – \$1,083,000 is added in local funds;
- (2) Department of Consumer and Regulatory Affairs. – \$500,000 is added in local funds and \$600,000 is added in other funds;
- (3) Housing Production Trust Fund Subsidy. – (\$3,184,000) is removed from local funds;
- (4) Office of the Tenant Advocate. – (\$617,000) is removed from local funds;
- (5) Housing Authority Subsidy. – \$53,000 is added in local funds;
- (6) Alcoholic Beverage Regulation Administration. – (\$122,000) is removed from dedicated taxes; and
- (7) Office of Zoning. – \$100,000 is added in local funds.

**Public Safety and Justice**

The appropriation for Public Safety and Justice is increased by \$5,294,000 (including an increase of \$3,794,000 in local funds and an increase of \$1,500,000 in Medicaid payments), to be allocated as follows:

- (1) Metropolitan Police Department. – \$3,600,000 is added in local funds;
  - (2) Fire and Emergency Medical Services Department. – \$231,000 is added in local funds and \$1,500,000 is added in Medicaid payments;
  - (3) Department of Corrections. – \$1,182,000 is added in local funds;
  - (4) Office of Neighborhood Safety and Engagement. – (\$265,000) is removed from local funds;
  - (5) District of Columbia National Guard. – (\$14,000) is removed from local funds;
  - (6) Department of Forensic Sciences. – (\$156,000) is removed from local funds;
  - (7) Office of Police Complaints. – (\$700) is removed from local funds;
  - (8) Office of Administrative Hearings. – (\$107,000) is removed from local funds;
  - (9) Office of Unified Communications. – (\$657,000) is removed from local funds;
- and
- (10) Office of Victim Services and Justice Grants. – (\$20,000) is removed from local funds.

**Public Education System**

The appropriation for Public Education System is decreased by (\$4,249,000) in local

## ENROLLED ORIGINAL

funds, to be allocated as follows:

- (1) Office of the State Superintendent of Education. – \$1,292,000 is added in local funds;
- (2) Non-Public Tuition. – (\$500,000) is removed from local funds;
- (3) State Board of Education. – (\$42,000) is removed from local funds; and
- (4) District of Columbia Public Charter Schools. – (\$5,000,000) is removed from local funds.

#### Human Support Services

The appropriation for Human Support Services is decreased by (\$19,418,000) (including a decrease of (\$19,182,000) in local funds and a decrease of (\$236,000) in Medicaid payments), to be allocated as follows:

- (1) Office on Aging. – \$2,250,000 is added in local funds;
  - (2) Department of Parks and Recreation. – \$1,744,000 is added in local funds;
  - (3) Department of Health Care Finance. – (\$10,296,000) is removed from local funds and (\$236,000) is removed from Medicaid payments;
  - (4) Department of Youth Rehabilitation Services. – (\$7,945,000) is removed from local funds;
  - (5) Child and Family Services Agency. – (\$3,293,000) is removed from local funds;
  - (6) Department of Health. – (\$10,000) is removed from local funds;
  - (7) Department of Human Services. – (\$315,000) is removed from local funds;
  - (8) Deputy Mayor for Health and Human Services. – (\$231,000) is removed from local funds;
  - (9) Department of Disability Services. – (\$382,000) is removed from local funds;
  - (10) Department of Behavioral Health. – (\$205,000) is removed from local funds;
- and
- (11) Unemployment Compensation Fund. – (\$500,000) is removed from local funds.

#### Public Works

The appropriation for Public Works is increased by \$9,886,000 (including an increase of \$6,285,000 in local funds and an increase of \$3,601,000 in other funds), to be allocated as follows:

- (1) Washington Metropolitan Area Transit Authority. – \$13,578,000 is added in local funds;
- (2) District Department of Transportation. – (\$965,000) is removed from local funds and \$3,601,000 is added in other funds;
- (3) Department of Public Works. – (\$4,947,000) is removed from local funds; and
- (4) Department of Motor Vehicles. – (\$1,382,000) is removed from local funds.

ENROLLED ORIGINAL

**Financing and Other**

The appropriation for Financing and Other is increased by \$53,439,000 in local funds, to be allocated as follows:

- (1) Emergency and Contingency Reserve Funds. – \$47,598,000 is added in local funds; and
- (2) Workforce Investments Account. – \$5,841,000 is added in local funds.

Sec. 3. Remaining Fiscal Year 2019 unexpended revenue of \$26,010,000 shall be carried over into Fiscal Year 2020 as fund balance and shall be available as set forth in the approved Fiscal Year 2020 Budget and Financial Plan.

Sec. 4. Capital adjustments.

In Fiscal Year 2019, the Chief Financial Officer shall rescind or adjust capital project allotments as set forth in the following tabular array, with the savings to be used in accordance with the Fiscal Year 2020 Local Budget Act of 2019, passed on 2nd reading on May 28, 2019 (Enrolled version of Bill 23-208):

Owner Agency	Project No	Project Title	Fund Detail	Total
AM0	BRM05C	DALY BUILDING CRITICAL SYSTEMS	300	(40.00)
	N1403C	ONE JUDICIARY SQUARE	300	(107,395.82)
	PL102C	ELEVATOR POOL	300	(50,413.97)
	PL104C	ADA COMPLIANCE POOL	300	(100,000.00)
	PL106C	GOVERNMENT CENTERS POOL	300	(312,944.51)
	PL107C	MISCELLANEOUS BUILDINGS POOL	300	(232,721.13)
	PL108C	BIG 3 BUILDINGS POOL	300	(450,000.00)
	PL402C	ENHANCEMENT COMMUNICATIONS INFRASTRUCTUR	300	(72,000.00)
	PL601C	HVAC REPAIR RENOVATION POOL	300	(322,468.38)
	PL603C	WINDOW REPAIR AND RENOVATION POOL	300	(84,612.16)
	PL901C	ENERGY RETROFITTING OF DISTRICT BUILDING	300	(900,000.00)
	PL905C	MUNICIPAL LABOR PROGRAM MANAGEMENT	300	(200,804.00)
BA0	AB102C	ARCHIVES	300	(1,000,000.00)
CE0	ASF18C	SHARED TECHNICAL SERVICES CENTER	304	(2,400,000.00)
CF0	UIM02C	UI MODERNIZATION PROJECT-FEDERAL	300	(3,095,653.23)



## ENROLLED ORIGINAL

CR0	ISM07C	IT SYSTEMS MODERNIZATION - DCRA	300	(2,500.00)
EB0	SC216C	CONSTRUCTION- REDEVELOPMENT	300	(2,250,000.00)
	STH01C	STRAND THEATER	301	(94,408.68)
FA0	ATE01C	2850 NY AVE BUILDING	300	(2,940,657.62)
GA0	MO337C	MOTEN ES MODERNIZATION/RENOVATION	300	(1,407.50)
	TB137C	BRENT ES MODERNIZATION	300	(9,840.00)
	YY101C	BANNEKER HS MODERNIZATION/RENOVATION	300	2,251,535.58
	YY120C	SHAW MODERNIZATION	300	721,302.93
			301	278,697.07
HA0	AW304C	MARVIN GAYE RECREATION CENTER	300	(747.18)
	QD738C	FORT DUPONT ICE ARENA REPLACEMENT	306	(5,000,000.00)
	QJ801C	FRIENDSHIP PARK	300	(32,018.59)
	QK338C	FORT STANTON RECREATION CENTER	300	(235,327.66)
			301	(167,424.30)
	QN7MMC	METRO MEMORIAL PARK	300	(25,772.95)
	RG001C	GENERAL IMPROVEMENTS - DPR	300	(1,064,351.70)
	RR007C	FACILITY RENOVATION	301	(16,864.09)
	RR015C	PARK LIGHTING	300	(0.90)
	SET38C	SOUTHEAST TENNIS AND LEARNING CENTER	300	(489,511.22)
	YDPKIC	YARDS PARK AND CANAL PARK IMPROVEMENTS	300	(3,723,655.00)
JA0	CMSHSC	CASE MANAGEMENT SYSTEM	302	(15,474.82)
	HSW04C	WARD 4 TEMPORARY HOUSING FOR FAMILIES	300	(1,662,000.00)
	JB237C	MODERNIZATION/RENOVATIONS	300	(287,216.00)
	THK17C	EMERGENCY AND TEMPORARY HOUSING UPGRADES	301	(1,165,000.00)
	THK19C	EMERGENCY & TEMPORARY HOUSING FOR MEN	300	22,000,000.00
KA0	TRL50C	TRAILS	300	(500,000.00)
KE0	SA311C	WMATA FUND - PRIIA	300	(832,074.00)
TO0	N1601B	DCWAN	300	(71,230.17)
	N2518C	DATA CENTER RELOCATION	304	(1,500,000.00)
<b>Total rescission</b>				<b>(6,165,000.00)</b>

## ENROLLED ORIGINAL

## Sec. 5. Designated fund transfers.

(a) Notwithstanding any provision of law limiting the use of funds in the accounts listed in the following chart, the Chief Financial Officer shall transfer in Fiscal Year 2019 the following amounts from certified fund balances and other revenue in the identified accounts to the General Fund of the District of Columbia:

<b>Agency</b>	<b>Fund Detail</b>	<b>Fund Detail Title</b>	<b>Total</b>
AT0	606	Recorder of Deeds Surcharge	500,000
AT0	613	Unclaimed Property	30,642
AT0	619	DC Lottery Reimbursement	106,581
CB0	616	Litigation Support Fund	1,601,990
CF0	619	DC Jobs Trust Fund	61,280
CR0	6006	Nuisance Abatement	27,669
CR0	6013	Basic Business License Fund	815,000
CR0	6040	Corporate Recordation Fund	2,855,190
CR0	6050	Expedited Permit Review Fund	2,000,000
DB0	602	HPAP Repay	849,194
EB0	419	H Street NE Retail Priority Area Grant Fund	2,120,000
EB0	609	Industrial Revenue Bond Program	475,287
EB0	632	AWC & NCRC Development (ED Special Account)	2,890,000
EN0	6160	Streetscape Loan Relief Fund	268,121
FO0	100	Community Based Violence Reduction Fund	1,200,000
GC0	1120	Student Enrollment Fund	2,896,188
GD0	100	Special Education Enhancement Fund	8,000,000
GD0	111	Healthy Schools Fund	700,000
HT0	115	DC Provider Fee	69,577
HC0	605	SHPDA Fees	286,702
HC0	632	Pharmacy Protection	7,967
HC0	643	Board of Medicine Fund	15,192
HC0	644	Spay and Neutering Fund	29,419
HC0	655	SHPDA Admission Fee	33,691
HC0	661	ICF/MR Fees and Fines Fund	108,241
HT0	631	Medicaid Collections - 3rd Party Liability	467,924
HT0	632	Bill of Rights (Grievance and Appeals)	9,079

ENROLLED ORIGINAL

JA0	0	Escheatment Fund	935,507
KA0	6031	DC Circulator Bus System - NPS Mall Route	1,650,000
KE0	110	Dedicated Taxes	468,000
KT0	6052	Solid Waste Diversion Fund	50,000
KV0	6258	Motor Vehicle Inspection Program	200,000
LQ0	6017	ABC - Import and Class License Fees	76,613
LQ0	110	Reimbursable Detail Subsidy Program	122,000
RM0	640	DMH Medicare and 3rd Party Reimbursement	250,000
SR0	2200	Insurance Assessment Fund	571,130
SR0	2350	Securities and Banking Fund	832,218
TC0	2400	Public Vehicles for Hire Customer Service	302,277
TO0	602	DCNet Services Support	353,000
<b>Total sweep</b>			<b>34,235,679</b>

(b) The total amount identified in subsection (a) of this section shall be made available as set forth in the approved Fiscal Year 2020 Budget and Financial Plan.

Sec. 6. Additional fund transfers.

(a) Notwithstanding any provision of law, the Chief Financial Officer shall transfer in Fiscal Year 2019 the following amounts in the identified accounts to the unassigned fund balance of the General Fund of the District of Columbia:

Agency	Fund Detail	Fund Detail Title	Total
PA0	301	General Capital Improvements Fund	9,899,000
UZ0	6218	Housing Production Trust Fund	9,899,000
<b>Total sweep</b>			<b>19,798,000</b>

(b) Notwithstanding any provision of law, the Chief Financial Officer shall transfer in Fiscal Year 2019 \$28,053,000 from the Cash Flow Reserve Account established pursuant to D.C. Official Code § 47-392.02(j-2) to the unassigned fund balance of the General Fund.

(c) The \$47,851,000 transferred to the unassigned fund balance of the General Fund pursuant to subsections (a) and (b) of this section shall be directed as follows:

(1) \$23,925,500 shall be deposited into the Emergency and Non-Emergency Number Telephone Calling Systems Fund, established by section 603(a) of the Emergency and

## ENROLLED ORIGINAL

Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802(a)), and shall be made available as set forth in the approved Fiscal Year 2020 Budget and Financial Plan; and

(2) \$23,925,500 shall be deposited into the DCHA Rehabilitation and Maintenance Fund, established by section 3(c-1) of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202(c-1)).

Sec. 7. Section 47-812(b-9)(2)(D)(ii) of the District of Columbia Official Code is amended to read as follows:

“(ii) IST revenue collected during the period beginning on January 1, 2019 and ending on September 30, 2019, shall be directed to the unassigned balance of the General Fund for purposes consistent with the Fiscal Year 2019 Revised Local Budget Emergency Adjustment Act of 2019, passed on emergency basis on June 18, 2019 (Enrolled version of Bill 23-205).”.

Sec. 8. Section 603(b) of the Emergency and Non-Emergency Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1802(b)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase “; and” and inserting a semicolon in its place.

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

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

“(4) Such amounts as may be appropriated or deposited into the Fund.”.

Sec. 9. 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. 10. 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)).

ENROLLED ORIGINAL

Chairman  
Council of the District of Columbia

Mayor  
District of Columbia  
APPROVED  
July 8, 2019

ENROLLED ORIGINAL

AN ACT

**D.C. ACT 23-76**

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 8, 2019**

To order, on an emergency basis, the closing of a portion of South Dakota Avenue, N.E., adjacent to Squares 3760 and 3766, in Ward 4.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Closing of a Portion of South Dakota Avenue, N.E., Adjacent to Squares 3760 and 3766, S.O. 18-40261, Emergency Act of 2019".

Sec. 2. (a) Pursuant to section 404 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04), and consistent with the Street and Alley Closing and Acquisitions Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-201.01 *et seq.*) ("Act"), the Council finds that a portion of South Dakota Ave., N.E., as shown by the hatch-marks on the Surveyor's plat in S.O. 18-40261 ("Plat"), is unnecessary for street purposes and orders it closed.

(b) Having determined that title to the portion of the street closed (the "District Land") is held by the District of Columbia, the Council further orders, pursuant to section 208 of the Act (D.C. Official Code 9-202.08), that:

(1) Upon closing, title to a portion of the District Land shall vest with the owner of Lot 11 in Square 3760 as shown on the Plat;

(2) Upon closing, title to a portion of the District Land shall vest with the owner of Lot 21 in Square 3760 as shown on the Plat;

(3) Upon closing, title to a portion of the District Land shall vest with the owner of Lot 802 in Square 3760 as shown on the Plat;

(4) Title to the remaining portion of the District Land on Square 3760 shall vest with the owner of Lot 816 in Square 3760 as shown on the Plat;

(5) Upon closing, title to the District Land on Square 3766 shall remain with the District of Columbia as shown on the Plat; and

(6) Prior to closing, an easement to Washington Gas for the utility's facilities located in a portion of the street to be closed shall be executed by the District of Columbia and recorded among the land records of the Recorder of Deeds after the recordation of the Plat by the Surveyor and the creation of an assessment and taxation lot for the portion of District Land on which the easement is located.

ENROLLED ORIGINAL

Sec. 3. Transmittal.

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

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  
July 8, 2019

ENROLLED ORIGINAL

AN ACT  
**D.C. ACT 23-77**

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

**JULY 8, 2019**

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to prohibit the District of Columbia government from taking adverse employment actions against individuals for participating in a medical marijuana program; and to amend the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996 to do the same.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Marijuana Program Patient Employment Protection Emergency Amendment Act of 2019".

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

(a) Section 2051 (D.C. Official Code § 1-620.11) is amended as follows:

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

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

"(b) To the extent permitted by federal law and regulations, programs and rules adopted pursuant to subsection (a) of this section shall accommodate qualifying patients, as that term is defined in section 2(19) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01(19)), in compliance with title XX-E."

(b) Section 2025 (D.C. Official Code § 1-620.25) is amended by adding a new subsection (d) to read as follows:

"(d) Notwithstanding subsection (a) of this section, the testing program established pursuant to this title shall comply with the requirements of title XX-E."

(c) Section 2032 (D.C. Official Code § 1-620.32) is amended by adding a new subsection (g) to read as follows:

"(g) The testing program established pursuant to this title shall comply with the requirements of title XX-E."

(d) A new title XX-E is added to read as follows:



## ENROLLED ORIGINAL

## "TITLE XX-E

## "MEDICAL MARIJUANA PROGRAM PATIENT EMPLOYMENT PROTECTIONS.

## "Sec. 2051. Definitions.

"For the purposes of this title, the term:

"(1) "Marijuana" shall have the same meaning as provided in section 102(3)(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 § 48-901.02(3)(A)).

"(2) "Qualifying patient" shall have the same meaning as provided in section 2(19) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.01(19)).

"(3) "Public employer" means the District government.

"(4) "Safety sensitive position" means a position with duties that, if performed while under the influence of drugs or alcohol, could lead to a lapse of attention that could cause actual, immediate, and permanent physical injury or loss of life to self or others.

## "Sec. 2052. Patient protections.

"(a)(1) Notwithstanding any other provision of law, except as provided in subsection (b) of this section, a public employer may not refuse to hire, terminate from employment, penalize, fail to promote, or otherwise take adverse employment action against an individual based upon the individual's status as a qualifying patient unless the individual used, possessed, or was impaired by marijuana at the individual's place of employment or during the hours of employment.

"(2) A qualifying patient's failure to pass a drug test for marijuana components or metabolites administered by a public employee may not be used as a basis for employment-related decisions unless reasonable suspicion exists that the qualified patient was impaired by marijuana at the qualifying patient's place of employment or during the hours of employment.

"(b) Subsection (a) of this section shall not apply to safety sensitive positions or if compliance would cause the public employer to commit a violation of a federal law, regulation, contract, or funding agreement."

Sec. 3. Section 3 of the Department of Corrections Employee Mandatory Drug and Alcohol Testing Act of 1996, effective September 20, 1996 (D.C. Law 11-158; DC. Official Code § 24-211.22), is amended by adding a new subsection (d) to read as follows:

"(d) The testing program established pursuant to this act shall comply with the requirements of title XX-E of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, passed on 2<sup>nd</sup> Reading on June 18, 2019 (Enrolled version of Bill 23-335)."

ENROLLED ORIGINAL

Sec. 4. Fiscal impact statement.

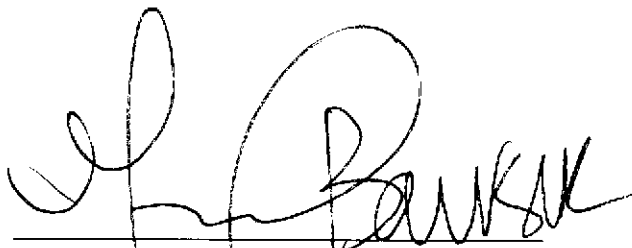
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

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  
July 8, 2019

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

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

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

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

B23-216            Wells Middle School Designation Act of 2019

Intro. 3-25-19 by Chairman Mendelson at the request of the Mayor and re-referred to the Committee of the Whole with comments from the Committee on Education

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B23-372            Small and Certified Business Enterprise Protection and Enforcement Amendment Act of 2019

Intro. 7-2-19 by Chairman Mendelson at the request of the Attorney General and referred to the Committee on Business and Economic Development

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**PROPOSED RESOLUTIONS**

PR23-193            Master Facilities Plan Approval Resolution of 2019

Intro. 3-15-19 by Chairman Mendelson at the request of the Mayor and re-referred to the Committee of the Whole with comments from the Committee on Education

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PR23-422            St. Elizabeths East Parcel 15 Surplus Declaration and Approval Resolution of 2019

Intro. 7-2-19 by Chairman Mendelson at the request of the Mayor and referred to the Committee on Facilities and Procurement

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PR23-423      St. Elizabeths East Parcel 15 Disposition Approval Resolution of 2019  
Intro. 7-2-19 by Chairman Mendelson at the request of the Mayor and referred  
to the Committee on Business and Economic Development

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PR23-434      Council Period 23 Rules and Investigation Authority Amendment Resolution  
of 2019  
Intro. 7-9-19 by Chairman Mendelson and Retained by the Council

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**COUNCIL OF THE DISTRICT OF COLUMBIA  
 COMMITTEE OF THE WHOLE AND  
 COMMITTEE ON EDUCATION  
 NOTICE OF JOINT PUBLIC HEARING  
 1350 Pennsylvania Avenue, NW, Washington, DC 20004**

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**CHAIRMAN PHIL MENDELSON  
 COMMITTEE OF THE WHOLE  
 &  
 COUNCILMEMBER DAVID GROSSO  
 COMMITTEE ON EDUCATION  
 ANNOUNCE A JOINT PUBLIC HEARING**

on

B23-0049, the “Classroom Innovation Grant Program Act of 2019,”

B23-0094, the “Organ, Eye, and Tissue Donation Education Amendment Act of 2019,”

B23-0150, “Dyslexia and Other Reading Disabilities Screening and Prevention Pilot Program Act of 2019,”

And

B23-0196, the “District of Columbia Public Schools Student Technology Equity Act of 2019”

on

**Wednesday, November 6, 2019  
 10:00 A.M., Hearing Room 500, John A. Wilson Building  
 1350 Pennsylvania Avenue, NW  
 Washington, DC 20004**

Chairman Phil Mendelson and Councilmember David Grosso announce the scheduling of a joint public hearing of the Committee of the Whole and the Committee on Education on B23-0049, the “Classroom Innovation Grant Program Act of 2019,” B23-0094, the “Organ, Eye, and Tissue Donation Education Amendment Act of 2019,” B23-0150, “Dyslexia and Other Reading Disabilities Screening and Prevention Pilot Program Act of 2019,” and B23-0196, the “District of Columbia Public Schools Student Technology Equity Act of 2019.” The hearing will be held on Wednesday, November 6, 2019 at 10:00 A.M in room 500 of the John A. Wilson Building.

The stated purpose of B23-0049 is to establish a classroom innovation grant program to provide funding to District of Columbia public and public charter elementary schools to allow classroom teachers to utilize technology to enhance students' learning experience.

The stated purpose of B23-0094 is to require the District of Columbia Public Schools and Public Charter Schools provide education on the process of making an anatomical gift.

The stated purpose of B23-0150 is to establish a dyslexia screening and intervention pilot program for early elementary grades to be implemented by the State Superintendent of Education.

The stated purpose of B23-0196 is to require the Mayor to convene a steering committee to develop and publish a Comprehensive Student Technology Equity Plan for DC Public Schools every two years.

Those who wish to testify may sign-up online at [bit.do/EducationHearings](http://bit.do/EducationHearings) or call the Committee on Education at (202) 724-8061 by 5:00pm on Monday November 4, 2019. Persons wishing to testify are encouraged, but not required, to submit 10-15 copies of written testimony. Witnesses appearing on his or her own behalf should limit their testimony to three minutes; witnesses representing organizations should limit their testimony to five minutes.

If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements should be submitted by email to Ashley Strange, Committee Assistant, at [astrange@dccouncil.us](mailto:astrange@dccouncil.us), or by post to the Committee on Education, Council of the District of Columbia, Suite 116 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. The record will close at 5:00 p.m. on Wednesday November 20, 2019.

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

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**COUNCIL CHAIRMAN PHIL MENDELSON, CHAIRPERSON  
COMMITTEE OF THE WHOLE**

**AND**

**COUNCILMEMBER BRIANNE K. NADEAU, CHAIRPERSON  
COMMITTEE ON HUMAN SERVICES**

**ANNOUNCE A JOINT PUBLIC ROUNDTABLE ON**

**District of Columbia Department on Disability Services'**

**"Developmental Disabilities Administration  
Health Initiative Program Contract"**

**Tuesday, July 23, 2019, 10:00 a.m.  
Room 412, John A. Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004**

On Thursday, July 23rd, 2019, Council Chairman Phil Mendelson, Chairperson of the Committee of the Whole, and Councilmember Brianne K. Nadeau, Chairperson of the Committee on Human Services will hold a joint public roundtable on the Developmental Disabilities Administration's Health Initiative Program contract. The roundtable will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, NW, at 10:00 a.m.

The focus of the Health Initiative program is to improve health outcomes for adults with intellectual disabilities by addressing policies, practices, and resources for workforce development that affect change in the system of community-based services and supports for the Developmental Disabilities Administration (DDA) in the District of Columbia. For the last five years, the Department on Disability Services has contracted with Georgetown University for the provision of services through the DDA Health Initiative program. The Committees would like to better understand how these services will be transitioned away from Georgetown and how the agency intends to ensure there are no gaps in the provision of services.

The Committees invite the public to testify or to submit written testimony. Anyone wishing to testify at the roundtable should contact the Committee on Human Services via email

at [humanservices@dccouncil.us](mailto:humanservices@dccouncil.us) or at (202) 724-8170, and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Friday, July 19, 2019**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses are encouraged to submit a copy of their written testimony via email to the Committee on Human Services in advance of the roundtable and bring **fifteen single-sided copies** of their written testimony to the roundtable.

For witnesses who are unable to testify at the roundtable, written statements will be made part of the official record. Copies of written statements should be submitted either to the Committee on Human Services at [humanservices@dccouncil.us](mailto:humanservices@dccouncil.us) or to Nyasha Smith, Secretary to the Council, 1350 Pennsylvania Avenue, N.W., Suite 5, Washington, D.C. 20004. **The record will close at the end of the business day on August 6, 2019.**



**COUNCIL OF THE DISTRICT OF COLUMBIA**  
**CONSIDERATION OF TEMPORARY LEGISLATION**

**B23-377**, Urban Farming Lease Amendment Temporary Amendment Act of 2019, **B23-381**, MLK Gateway Real Property Tax Abatement Temporary Act of 2019 and **B23-383**, Appraisal Management Company Regulation Temporary Act of 2019, **B23-385**, Standby Guardian Temporary Amendment Act of 2019, and **B23-389**, Criminal Justice Coordinating Council Information Sharing Temporary Amendment Act of 2019 were adopted on first reading on July 9, 2019. These temporary measures were considered in accordance with Council Rule 413. A final reading on these measures will occur on September 17, 2019.

<p style="text-align: center;"><b>COUNCIL OF THE DISTRICT OF COLUMBIA</b> <b>EXCEPTED SERVICE APPOINTMENTS AS OF JUNE 30, 2019</b></p>
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**NOTICE OF EXCEPTED SERVICE EMPLOYEES**

D.C. Code § 1-609.03(c) requires that a list of all new appointees to Excepted Service positions established under the provisions of § 1-609.03(a) be published in the D.C. Register. In accordance with the foregoing, the following information is hereby published for the following positions.

<b>COUNCIL OF THE DISTRICT OF COLUMBIA</b>			
<b>NAME</b>	<b>POSITION TITLE</b>	<b>GRADE</b>	<b>TYPE OF APPOINTMENT</b>
Antista, Jonathan	Senior Budget Analyst	8	Excepted Service - Reg Appt
Tapp, Maxx	Administrative Aide	2	Excepted Service - Reg Appt

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION**

**NOTICE OF PUBLIC HEARING**

Placard Posting Date: July 12, 2019  
Protest Petition Deadline: August 26, 2019  
Roll Call Hearing Date: September 9, 2019  
Protest Hearing Date: November 6, 2019

License No.: ABRA-114286  
Licensee: Colombia Lodge Eighty Five of the Improved Benevolent and Protective Order of Elks of the World  
Trade Name: Colombia Lodge Eighty Five of the Improved Benevolent and Protective Order of Elks of the World  
License Class: Retailer’s Class “C” Club  
Address: 4832 Nannie Helen Burroughs Avenue, N.E.  
Contact: Andrew Kline, Esq.: (202) 686-7600

WARD 7

ANC 7C

SMD 7C01

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 **Roll Call Hearing date on September 9, 2019 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on **November 6, 2019 at 4:30 p.m.**

**NATURE OF OPERATION**

New Class “C” club private fraternal organization serving food and alcohol. Applicant is requesting an Entertainment Endorsement with Dancing and Cover Charge. Total Occupancy Load of 250 with seating for 240 patrons.

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

Sunday through Thursday 8am – 2am  
Friday and Saturday 8am – 3am

**HOURS OF LIVE ENTERTAINMENT**

Sunday through Saturday 8am – 2am

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION****NOTICE OF PUBLIC HEARING**

Placard Posting Date: July 12, 2019  
Protest Petition Deadline: August 26, 2019  
Roll Call Hearing Date: September 9, 2019  
Protest Hearing Date: November 6, 2019

License No.: ABRA-114205  
Licensee: Nicolas Hospitality, Inc.  
Trade Name: Mama 'San  
License Class: Retailer's Class "C" Tavern  
Address: 2001 11<sup>th</sup> Street, N.W.  
Contact: David Bailey Jr.: (202) 438-4838

WARD 1

ANC 1B

SMD 1B02

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 **Roll Call Hearing date on September 9, 2019 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline. The **Protest Hearing date** is scheduled on **November 6, 2019 at 1:30 p.m.**

**NATURE OF OPERATION**

New C Tavern with a Seating Capacity of 200 and a Total Occupancy Load of 200. The License will include an Entertainment Endorsement, Dancing and Cover Charge.

**HOURS OF OPERATION**

Sunday through Thursday 8am – 3am, Friday and Saturday 8am – 4am

**HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND CONSUMPTION**

Sunday through Thursday 9am – 2am, Friday and Saturday 9am – 3am

**HOURS OF LIVE ENTERTAINMENT**

Sunday through Thursday 10am – 3am, Friday and Saturday 10am – 4am

## ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

## NOTICE OF PUBLIC HEARING

Placard Posting Date: July 12, 2019  
Protest Petition Deadline: August 26, 2019  
Roll Call Hearing Date: September 9, 2019

License No.: ABRA-105176  
Licensee: NJ Beverage Services, Inc.  
Trade Name: Notti 824  
License Class: Retailer's Class "C" Restaurant  
Address: 824 New Hampshire Avenue, N.W.  
Contact: Michael D. Fonseca, Esq.: (202) 625-7700

WARD 2

ANC 2A

SMD 2A04

Notice is hereby given that this licensee has requested a Substantial Change to their license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the **Roll Call Hearing date on September 9, 2019 at 10 a.m., 4th Floor, 2000 14<sup>th</sup> Street, N.W., Washington, DC 20009**. Petitions and/or requests to appear before the ABC Board must be filed on or before the Petition Deadline.

**NATURE OF SUBSTANTIAL CHANGE**

Class Change from "C" Restaurant to "C" Hotel.

**HOURS OF OPERATION INSIDE PREMISES**

Sunday through Saturday 12am – 12am (24-hour operations)

**HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES**

Sunday 10am – 12am, Monday through Thursday 9am – 12am, Friday and Saturday 9am – 1am

**HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION OUTSIDE IN SUMMER GARDEN**

Sunday 10am – 10pm, Monday through Thursday 9am – 10pm, Friday & Saturday 9am – 11pm

**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. 15-09:      The Charles Whitney Gilmore Residence (rescheduled)**  
**451 Park Road NW**  
**Square 3036, Lot 25**  
**Affected Advisory Neighborhood Commission: 1A**

**Case No. 17-09:      National Geographic Society Headquarters**  
**1145 17<sup>th</sup> Street NW**  
**Square 183, Lot 883**  
**Affected Advisory Neighborhood Commission: 2B**

**Case No. 17-07:      Folger Shakespeare memorial Library amendment (to designate the**  
**interior and exterior of the 1980s addition as character-defining features)**  
**201 East Capitol Street SE**  
**Square 760, Lot 31**  
**Affected Advisory Neighborhood Commission: 6B**

The hearing will take place at **9:00 a.m. on Thursday, July 25, 2019**, 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 address above.

For each property, a copy of the historic landmark application is currently on file and available for inspection by the public at the Historic Preservation Office. 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.



**DISTRICT OF COLUMBIA  
DEPARTMENT OF INSURANCE, SECURITIES AND BANKING**

**NOTICE OF PUBLIC HEARING**

1050 First Street NE, Suite 801, Washington, DC 20002

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**COMMISSIONER STEPHEN C. TAYLOR  
DISTRICT OF COLUMBIA  
DEPARTMENT OF INSURANCE, SECURITIES AND  
BANKING**

**ANNOUNCES A PUBLIC HEARING**

**on**

**2020 PROPOSED HEALTH INSURANCE RATES**

**Thursday, August 22, 2019**

**5:30 p.m.**

**One Judiciary Square  
Old Council Chambers  
441 4th Street NW  
Washington, DC 20001**

Stephen C. Taylor, Commissioner of the Department of Insurance, Securities and Banking (Department), hereby gives notice of the Department's intent to conduct a public hearing on the results of its actuarial review of the 2020 proposed health insurance rates for individual and small group health benefits plans sold in the District of Columbia. The Department will receive testimony from the public before the Department makes a final determination on the proposed rates. The hearing will be held at 5:30 p.m. on Thursday, August 22, 2019 at One Judiciary Square, 441 4th Street NW, Washington, DC 20001 in the Old Council Chambers.

The Department invites the public to testify or submit written testimony. Any person or organization wishing to testify at the hearing should contact the Department via email at [HealthRate.Comments@dc.gov](mailto:HealthRate.Comments@dc.gov) or at 202-442-8571 by 5:00 p.m. on Friday, August 16, 2019 to have their names added to the witness list. Each witness should provide his or her name, telephone number, email address (if any), organizational affiliation (if any) and title (if any). Written statements should be sent no later than 5 p.m. on August 22, 2019 to the email address above or mailed to the Department at District of Columbia Department of Insurance, Securities and Banking, 1050 First Street NE, Suite 801, Washington, DC 20002, Attention: Howard Liebers. Witnesses should bring five (5) copies of their written testimony.

If a party or witness is deaf, has a hearing impairment, or otherwise cannot readily understand or communicate in English, the party may apply to the Department for the appointment of a qualified interpreter at the hearing. In addition, if any hearing attendee requires other special accommodations, he or she should contact the Department at (202) 442-8571 by 5:00 p.m. on Friday, August 16, 2019.

**BOARD OF ZONING ADJUSTMENT  
PUBLIC HEARING NOTICE  
WEDNESDAY, SEPTEMBER 11, 2019  
441 4<sup>TH</sup> STREET, N.W.  
JERRILY R. KRESS MEMORIAL HEARING ROOM, SUITE 220-SOUTH  
WASHINGTON, D.C. 20001**

**TO CONSIDER THE FOLLOWING:** The Board of Zoning Adjustment will adhere to the following schedule, but reserves the right to hear items on the agenda out of turn.

**TIME: 9:30 A.M.**

**WARD SIX**

20090  
ANC 6B            **Application of Marc and Dale Lippman**, pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the lot occupancy requirements of Subtitle E § 504.1, to construct a second story rear addition to an existing attached principal dwelling unit in the RF-3 at premises 224 South Carolina Ave S.E. (Square 271, Lot 232).

**WARD SIX**

20092  
ANC 6C            **Application of James J. Hogan Jr.**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle F § 5201 from the lot occupancy requirements of Subtitle F § 504.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a one-story rear addition to an existing accessory structure in the RA-7 Zone at premises 224 C Street N.E. (Square 756, Lot 804).

**WARD FOUR**

20093  
ANC 4C            **Application of KPNR Investment, LLC**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the residential conversion requirements of Subtitle U § 320.2, to construct a third-story and rear addition to the existing principal dwelling unit and convert it to a three-unit apartment house in the RF-1 Zone at premises 1330 Randolph Street N.W. (Square 2825, Lot 123).

## BZA PUBLIC HEARING NOTICE

SEPTEMBER 11, 2019

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WARD TWO

20096  
ANC 2B      **Application of Christophe Lucas and Jennie Chang**, pursuant to 11 DCMR Subtitle X, Chapter 10, for a variance from the floor area ratio requirements of Subtitle F § 602.1, to construct a third-story addition to an existing, attached principal dwelling unit in the RA-8 Zone at premises 2124 O Street, N.W. (Square 69, Lot 220).

WARD ONE

20098  
ANC 1A      **Application of Richard Bodack and Vincent Savoia**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under Subtitle E § 5201 from the lot occupancy provisions of Subtitle E § 304.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a rear addition to an existing, attached principal dwelling unit in the RF-1 Zone at premises 3618 13th Street N.W. (Square 2828, Lot 78).

WARD THREE

20099  
ANC 3B      **Application of Margaret and Mark McCrone**, pursuant to 11 DCMR Subtitle X, Chapter 10, for an area variance from the lot occupancy requirements of Subtitle D § 304.1, to construct a rear addition to an existing, attached principal dwelling unit in the R-3 Zone at premises 2103 Huidekoper Place N.W. (Square 1301, Lot 1163).

WARD TWO

20104  
ANC 2B      **Application of Zeta Phi Beta Sorority, Inc.**, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the use provisions of Subtitle U § 320.1(a) and pursuant to Subtitle X, Chapter 10, for an area variance from the residential use requirements of Subtitle U § 203.1(n)(2), to permit a non-profit use in an existing, semi-detached principal dwelling unit in the RF-2 Zone at premises 1461 S Street, N.W. (Square 206, Lot 25).

## BZA PUBLIC HEARING NOTICE

SEPTEMBER 11, 2019

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WARD ONE

20105            **Application of Joanne Pascale**, pursuant to 11 DCMR Subtitle X,  
ANC 1A           Chapter 9, for a special exception under Subtitle E §§ 5007.1 and 5201  
from the accessory building rear yard requirements of Subtitle E §  
5004.1, to construct an accessory structure at the rear of the existing,  
attached principal dwelling unit in the RF-1 Zone at premises 3564  
11th Street N.W. (Square 2833, Lot 76).

WARD ONE

20107            **Application of Mary Kangethe**, pursuant to 11 DCMR Subtitle X,  
ANC 1A           Chapter 9, for special exceptions under the residential conversion  
provisions of Subtitle U § 320.2, from the general penthouse  
requirements of Subtitle C § 1500.4, and under Subtitle C § 1504 from  
the penthouse setback requirements of Subtitle C §§ 1502.1(b),  
1502.1(c)(2)(A) and 1502.1(c)(2)(B) to construct a third-story, rear,  
and side addition to convert a semi-detached principal dwelling unit  
into a three-unit apartment house with rooftop access penthouse in the  
RF-1 Zone at premises 641 Quebec Place N.W. (Square 3034, Lot  
167).

## PLEASE NOTE:

Failure of an applicant or appellant to appear at the public hearing will subject the application or appeal to dismissal at the discretion of the Board.

Failure of an applicant or appellant to be adequately prepared to present the application or appeal to the Board, and address the required standards of proof for the application or appeal, may subject the application or appeal to postponement, dismissal or denial. The public hearing in these cases will be conducted in accordance with the provisions of Subtitles X and Y of the District of Columbia Municipal Regulations, Title 11. Pursuant to Subtitle Y, Chapter 2 of the Regulations, the Board will impose time limits on the testimony of all individuals. Individuals and organizations interested in any application may testify at the public hearing or submit written comments to the Board.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. **Persons seeking party status shall file with the Board, not less than 14 days prior to the date set for the hearing, a Form 140 – Party Status Application**

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Form.\* This form may be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning’s website at: www.dcoz.dc.gov. All requests and comments should be submitted to the Board through the Director, Office of Zoning, 441 4th Street, NW, Suite 210, Washington, D.C. 20001. Please include the case number on all correspondence.

\*Note that party status is not permitted in Foreign Missions cases.

Do you need assistance to participate?

Amharic

ለመሳተፍ ዕርዳታ ያስፈልግዎታል?

የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም)

ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዜ.ሂልን በስልክ ቁጥር (202) 727-

0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።

Chinese

您需要有人帮助参加活动吗?

如果您需要特殊便利设施或语言协助服务（翻译或口译），请在见面之前提前五天与 Zee Hill 联系，电话号码 (202) 727-0312，电子邮件 Zelalem.Hill@dc.gov。这些是免费提供的服务。

French

Avez-vous besoin d’assistance pour pouvoir participer ? Si vous avez besoin d’aménagements spéciaux ou d’une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

Korean

참여하시는데 도움이 필요하세요?

특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

Spanish

¿Necesita ayuda para participar?

Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Vietnamese

Quý vị có cần trợ giúp gì để tham gia không?

Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

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FOR FURTHER INFORMATION, CONTACT THE OFFICE OF ZONING AT (202)  
727-6311.

**FREDERICK L. HILL, CHAIRPERSON**  
**LESYLLEÉ M. WHITE, MEMBER**  
**LORNA L. JOHN, MEMBER**  
**CARLTON HART, VICE-CHAIRPERSON,**  
**NATIONAL CAPITAL PLANNING COMMISSION**  
**A PARTICIPATING MEMBER OF THE ZONING COMMISSION**  
**CLIFFORD W. MOY, SECRETARY TO THE BZA**  
**SARA A. BARDIN, DIRECTOR, OFFICE OF ZONING**

## DISTRICT OF COLUMBIA BOARD OF ELECTIONS

NOTICE OF FINAL RULEMAKING

The District of Columbia Board of Elections, pursuant to the authority set forth in the District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2016 Repl.)), hereby gives notice of the adoption of amendments to Chapter 5 (Voter Registration), in Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendments to Chapter 5 is to provide means for voters who are victims of covered offenses or covered employees, as defined in the Address Confidentiality Act of 2018, effective July 3, 2018 (D.C. Law 22-118; 65 DCR 5064 (May 11, 2018)), to make their voter records confidential. The amendments to § 510 are as follows:

1. Amend § 510.9 to allow a registered elector to qualify to have his or her voter record made confidential by providing an Address Confidentiality Program authorization card issued pursuant to the “Address Confidentiality Act of 2018;”
2. At § 510.10, clarify that registered qualified electors who provide an Address Confidentiality Program authorization card shall have their entire voter record removed from all voter records available for public inspection, including poll books at all voting locations. Subsection 510.10 further clarifies that the addresses of all other electors who qualify to make their address confidential will be removed from all records available for public inspection except poll books. This exception is created to allow these electors with a confidential status the ability to vote in person at voting locations. In contrast, Address Confidentiality Program participants who wish to make their voter record confidential are obligated to vote by mail pursuant to law;
3. Create a new § 510.11 to establish rules for the duration of the confidential status and the ability for electors to renew or cancel the confidential status.

An initial Notice of Emergency and Proposed Rulemaking was published at 65 DCR 14152 (December 28, 2018). A Notice of Second Emergency and Proposed Rulemaking with respect to these amendments was published in the *D.C. Register* on April 12, 2019, at 66 DCR 4841. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed. The Board adopted these amendments as final at a regular meeting on Wednesday, May 29, 2019.

These final rules will become effective upon publication of this notice in the *D.C. Register*.



**Chapter 5, VOTER REGISTRATION, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Subsection 510.9 of Section 510, VOTER REGISTRATION INFORMATION, is amended to read as follows:**

510.9 A registered qualified elector's address shall be considered public information unless made confidential. A registered qualified elector's address may be made confidential under any of the following circumstances:

- (a) The registered qualified elector, or his or her representative, presents a copy of a court order to the Registrar directing the confidentiality of the qualified elector's address;
- (b) The registered qualified elector, or his or her representative, presents the Registrar with reasonable written evidence demonstrating that the registered voter has at any time been a victim of a covered offense or covered employee, as defined in the "Address Confidentiality Act of 2018" (D.C. Law 22-118). This evidence may include employment, court, law enforcement, medical, or social service records; or an Address Confidentiality Program authorization card issued pursuant to the "Address Confidentiality Act of 2018."
- (c) In the determination of the Registrar of Voters, the registered qualified elector is an individual of significant public stature and public disclosure of the elector's address would cause an unwarranted invasion of privacy.

**A new Subsection 510.10 is created to read as follows:**

510.10 If a registered qualified elector's address is made confidential upon the showing of an Address Confidentiality Program authorization card, his or her entire registration record shall be removed from all voter records available for public inspection, including poll books available in any voting place. If a registered qualified elector's address is made confidential upon the showing of any other document or reason authorized by this section, the elector's address shall be removed from all voter records available for public inspection with the exception of poll books available in any voting place.

**A new Subsection 510.11 is created to read as follows:**

510.11 Any record made confidential pursuant to this section shall remain confidential for a period of five years from the date the address is made confidential unless any of the following:

- (a) An alternate period of time is specified by court order;

- (b) The Registrar of Voters determines that maintenance of the confidential status is necessary to prevent the unwarranted invasion of privacy;
- (c) The elector renews his or her request to maintain a confidential voter status; or
- (d) The elector makes a written request to remove his or her record from confidential status.

## DISTRICT OF COLUMBIA BOARD OF ELECTIONS

**NOTICE OF FINAL RULEMAKING**

The District of Columbia Board of Elections, pursuant to the authority set forth in the District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2016 Repl.)), hereby gives notice of the adoption of amendments to Chapter 5 (Voter Registration) in Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

The purpose of the amendment to Subsection 511.2 is to clearly enumerate the agencies that serve as voter registration agencies in the District of Columbia pursuant to 52 USCA § 20506(a)(2) and D.C. Official Code § 1-1001.07(d). Under these existing federal and District law provisions, any agency of the District of Columbia government that provides public assistance or that operates or funds programs primarily engaged in providing services to persons with disabilities shall serve as a voter registration agency. Additionally, as needed or desired, the Mayor or Council of the District of Columbia may designate additional agencies as voter registration agencies; however, such designations are optional.

A Notice of Proposed Rulemaking with respect to these amendments was published in the *D.C. Register* on April 12, 2019, at 66 DCR 4802. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed. The Board adopted these amendments as final at a regular meeting on Wednesday, May 29, 2019.

These final rules will become effective upon publication of this notice in the *D.C. Register*.

**Chapter 5, VOTER REGISTRATION, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Subsection 511.2 of Section 511, VOTER REGISTRATION AGENCY DATA, is amended as follows:**

511.2 The designated voter registration agencies in the District of Columbia are:

- (a) The Department of Corrections;
- (b) The Department of Health;
- (c) The Department of Health Care Finance;
- (d) The Department of Human Services;
- (e) The Department of Motor Vehicles;
- (f) The Department of Parks and Recreation;

- (g) The Department of Youth Rehabilitation Services;
- (h) The Department on Disability Services;
- (i) The District of Columbia Public Library;
- (j) The District of Columbia Public Schools;
- (k) The Health Benefit Exchange Authority; and
- (l) The Office on Aging.

## DISTRICT OF COLUMBIA BOARD OF ELECTIONS

NOTICE OF FINAL RULEMAKING

The District of Columbia Board of Elections, pursuant to the authority set forth in the District of Columbia Election Code of 1955, approved August 12, 1955, as amended (69 Stat. 699; D.C. Official Code § 1-1001.05(a)(14) (2016 Repl.)), hereby gives notice of the adoption of amendments to Chapter 30 (Campaign Finance Operations: Committees, Candidates, Constituent Service Programs, Statehood Funds), Chapter 34 (Campaign Finance Recordkeeping and Audits), Chapter 37 (Investigations and Hearings), and Chapter 99 (Definitions) of Title 3 (Elections and Ethics) of the District of Columbia Municipal Regulations (DCMR).

These amendments will place the Board's regulations into conformity with the Campaign Finance Act of 2011, effective April 27, 2012 (D.C. Law 19-124, 59 DCR 1862 (March 9, 2012)); as amended by the Fair Elections Amendment Act of 2018, effective May 5, 2018 (D.C. Law 22-94, 65 DCR 2847 (March 23, 2018)) as amended by the Fair Elections Emergency Act of 2019, enacted May 22, 2019 (D.C. Act 23-0050, 66 DCR 6583 (May 31, 2019)). This rulemaking is necessary because the provisions of the aforementioned Act are in effect and require supporting regulations.

A Notice of Proposed Rulemaking was published in the *D.C. Register* on April 19, 2019, at 66 DCR 5090. No written comments on the proposed rules were received during the public comment period, and no substantive changes have been made to the regulations as proposed. The Board adopted these amendments as final at a regular meeting on Wednesday, May 29, 2019.

These final rules will become effective upon publication of this notice in the *D.C. Register*.

**Chapter 30, CAMPAIGN FINANCE OPERATIONS: COMMITTEES, CANDIDATES, CONSTITUENT SERVICE PROGRAMS, STATEHOOD FUNDS, of Title 3 DCMR, ELECTIONS AND ETHICS, is amended as follows:**

**Sections 3000 – 3002 are amended as follows:**

**3000 ORGANIZATION OF POLITICAL COMMITTEES, POLITICAL ACTION COMMITTEES, AND INDEPENDENT EXPENDITURE COMMITTEES**

3000.1 Each political committee shall file a Statement of Organization form, prescribed by the Director of the Office of Campaign Finance (the Director) (OCF), within ten (10) days of organization.

3000.2 A political committee shall be deemed "organized" when any proposer, individual, committee, club, association, organization, or other group of individuals formally agree, orally or in writing, or decide to promote or oppose a political party, the nomination or election of an individual to office, or any

initiative, referendum, or recall; or to form an inaugural, transition, or legal defense committee.

- 3000.3 Each committee controlled by or coordinated with any candidate or public official, or controlled by or coordinated with anyone acting on behalf of a candidate or public official, shall be deemed a political committee.
- 3000.4 In the absence of a decision to organize as a committee opposing an initiative or referendum measure under § 3000.2, a person who addresses a Board determination regarding the propriety of a proposed measure filed under Chapter 10 of this title shall not be required to file a Statement of Organization, under § 3000.1, or a Report of Receipts and Expenditures (R&E Report), under § 3008.
- 3000.5 A candidate's designation of a committee on the candidate's Statement of Candidacy form filed under § 3002.2 constitutes agreement to form a political committee.
- 3000.6 Any political committee designated by a candidate on the Statement of Candidacy form filed under § 3002.2 to receive contributions or make expenditures on behalf of the candidate, shall include the name of the candidate for elective office in the District of Columbia in its name.
- 3000.7 Political committees shall include the following:
- (a) Affiliated Political Committees - all authorized committees of the same candidate for the same election, or all committees established, financed, maintained, or controlled by the same corporation, labor or membership organization, cooperative or trade association, or any similar organization, for the purposes stated in § 3000.2;
  - (b) Delegate Committees – a person, or group of persons, established to support a presidential candidate, which shall include the word "delegate(s)" in its name and may include the name of the presidential candidate whom it supports;
  - (c) Exploratory Committees - a person, or group of persons, organized for the purpose of examining or exploring, with the consent of the prospective candidate, the feasibility of a qualified individual becoming a candidate for an elective office in the District of Columbia;
  - (d) Fair Election Committee – a political committee that only accepts contributions from individuals who are District residents, which shall not exceed fifty dollars (\$50) per individual per calendar year; or a membership organization, if the contributions consist of membership dues paid by individuals who are District resident that do not exceed the

amount of membership dues actually paid per member per calendar year and two hundred fifty dollars (\$250) per member per calendar year.

- (e) Inaugural Committees - a person, or group of persons, organized for the purpose of soliciting, accepting, and spending funds and coordinating activities to celebrate the election of a new Mayor;
- (f) Initiative, Referendum, Recall, or Proposed Charter Amendment Committees - a person, or group of persons, organized for the purpose of, or engaged in promoting or opposing initiative, referendum or recall measures or proposed Charter amendments, respectively;
- (g) Legal Defense Committees - a person, or group of persons, organized for the purpose of soliciting, accepting, or expending funds to defray the professional fees and costs for a public official's legal defense to one or more civil, criminal, or administrative proceedings;
- (h) Party Committees – a person, or group of persons, organized to represent a political party of the official party structure at the city-wide or ward level;
- (i) Principal Campaign Committees – a person, or group of persons, designated and authorized by a candidate or slate of candidates for election as officials of a political party, as the principal campaign committee, in accordance with § 3005; provided, that it shall include the name(s) of the candidate(s) who authorized the committee in its name; and
- (j) Transition Committees - a person, or group of persons, organized for the purpose of soliciting, accepting, or expending funds for office and personnel transition on behalf of the Chairman of the Council or the Mayor.

3000.8 Political committees shall not include the following:

- (a) Connected Organizations - a corporation, labor or membership organization, cooperative or trade association, or any similar organization that directly or indirectly establishes, administers or financially supports a political committee;
- (b) Political Action Committees; and
- (c) Independent Expenditure Committees.

3000.9 Each political action committee shall file a Statement of Organization form, prescribed by the Director of the Office of Campaign Finance (the Director) (OCF), within ten (10) days of organization.

- 3000.10 A political action committee shall be deemed “organized” when any proposer, individual, committee, club, association, organization, or other group of individuals maintained, or controlled by the same corporation, labor or membership organization, cooperative or trade association, or any similar organization, formally agree orally or in writing, or decide to promote or oppose the nomination or election of a person to public office, a political party, or any initiative, referendum, or recall.
- 3000.11 A political action committee shall not be controlled by or coordinated with any public official or candidate, or any person acting on behalf of a public official or candidate.
- 3000.12 A political action committee shall not include the name of any candidate for elective office in the District of Columbia in its name.
- 3000.13 Each independent expenditure committee shall file a Statement of Organization form, prescribed by the Director of the Office of Campaign Finance (the Director) (OCF), within ten (10) days of organization.
- 3000.14 An independent expenditure committee shall be deemed “organized” when any proposer, individual, committee, club, association, organization, or other group of individuals formally agree orally or in writing, or decide to organize for the principal purpose of making independent expenditures to promote or oppose the nomination or election of a person to public office, a political party, or any initiative, referendum, or recall.
- 3000.15 An independent expenditure committee shall not be controlled by or coordinated with any public official or candidate, or any person acting on behalf of a public official or candidate.
- 3000.16 An independent expenditure committee shall not make transfers or contributions of funds to political committees, political action committees, or candidates.
- 3000.17 An independent expenditure committee shall not include the name of any candidate for elective office in the District of Columbia in its name.
- 3000.18 Each political action committee and independent expenditure committee shall indicate its intent not to support a candidate during a specific election cycle by:
- (a) Declaring its intention on a Notification of Non-Support form; and
  - (b) Filing the Notification of Non-Support form within ten (10) days of the declaration by the committee of its intention to not support a candidate, or not later than January 31<sup>st</sup> of each year.



- 3000.19 Each political action committee and independent expenditure committee shall notify the Director in writing within ten (10) days of its decision to support a candidate, where it has previously filed a Notification of Non-Support, under § 3000.18.
- 3000.20 Each political committee, political action committee, and independent expenditure committee shall have a chairperson and a treasurer, and may elect to list a designated agent, in the Statement of Organization filed pursuant to §§ 3000.1, 3000.9, or 3000.13.
- 3000.21 When either the office of chairperson or treasurer of a political committee, political action committee, or independent expenditure committee is vacant, the committee shall:
- (a) Designate a successor chairperson or treasurer within five (5) days of the vacancy; and
  - (b) Amend its Statement of Organization within ten (10) days of the designation of the successor; provided, that the successor officer agrees to accept the position.
- 3000.22 No political committee, political action committee, or independent expenditure committee shall accept a contribution or make any expenditure while the office of treasurer is vacant, and no other person has been designated and agreed to perform the functions of treasurer.
- 3000.23 Each expenditure made for, or on behalf of, a political committee, political action committee and independent expenditure committee shall be authorized by either:
- (a) The chairperson;
  - (b) The treasurer; or
  - (c) Their designated agent, as listed on the Statement of Organization filed under §§ 3000.1, 3000.9, and 3000.13.
- 3000.24 A chairperson shall be required to file:
- (a) A Statement of Acceptance of Position of Chairperson form, and a copy of written notification sent to the address of record of the treasurer (and the candidate, in the case of a political committee), within five (5) days of assuming the office; and
  - (b) A Statement of Withdrawal of Position of Chairperson form, and a copy of written notification sent to the address of record of the treasurer (and the

candidate, in the case of a political committee), within five (5) days of vacating the office.

- 3000.25 A treasurer shall be required to file:
- (a) A Statement of Acceptance of Position of Treasurer form, and a copy of written notification sent to the address of record of the chairperson (and the candidate, in the case of a political committee), within forty-eight (48) hours of assuming the office:
  - (b) All periodic Reports of Receipts and Expenditures (R&E Reports) due to the Director, pursuant to § 3008, during the treasurer's tenure; provided that the designated agent listed on the Statement of Organization under §§ 3000.1, 3000.9, or 3000.13 may file the R&E Report if the treasurer is unavailable; and
  - (c) A Statement of Withdrawal of Position of Treasurer form, prescribed by the Director, and a copy of written notification sent to the address of record of the chairperson (and the candidate, in the case of a political committee), within forty-eight (48) hours of vacating the office.
- 3000.26 A person shall not simultaneously serve as the chairperson and treasurer of any committee, except the following:
- (a) A candidate; or
  - (b) A proposer or opponent of an initiative, referendum, or recall measure, or an opponent of a proposed charter amendment.
- 3000.27 Each political committee, political action committee, and independent expenditure committee shall amend its Statement of Organization within ten (10) days of any change in the information previously reported on its Statement of Organization.
- 3000.28 The funds of each political committee, political action committee, or independent expenditure committee shall be segregated from, and may not be commingled with, anyone's personal funds.
- 3000.29 Each political committee, political action committee, and independent expenditure committee that accepts contributions or makes expenditures shall:
- (a) Designate one or more national banks located in the District of Columbia as the committee's depository or depositories;
  - (b) Maintain a checking account or accounts at such depository or depositories; and

- (c) Deposit any contribution received by the committee into that account or accounts.

### **3001 MANDATORY TRAINING**

- 3001.1 Each candidate for public office (with the exception of candidates for Advisory Neighborhood Commissioners (ANC)), and each treasurer of a political committee, political action committee, or independent expenditure committee shall appear in person at the Office of Campaign Finance to attend a training program conducted by the Director.
- 3001.2 At the discretion of the Director, the Office of Campaign Finance may provide online training materials to supplement the in-person training program.
- 3001.3 Each candidate for public office shall attend the Office of Campaign Finance training program within fifteen (15) calendar days of submitting the Statement of Candidacy form in accordance with § 3002, or as otherwise scheduled by the Office of Campaign Finance.
- 3001.4 Each candidate seeking certification and the candidate's treasurer and each participating candidate and the candidate's treasurer of the Fair Elections Program shall appear in person at the Office of Campaign Finance to attend a training program conducted by the Director within fifteen (15) calendar days of submitting the Public Financing Statement of Registration in accordance with § 4201, or as otherwise scheduled by the Office of Campaign Finance.
- 3001.5 Each treasurer of a political committee, political action committee, or independent expenditure committee shall attend the Office of Campaign Finance training program within fifteen (15) calendar days of submitting the Statement of Acceptance of Treasurer form in accordance with § 3000.25(a), or as otherwise scheduled by the Office of Campaign Finance.
- 3001.6 Each candidate and treasurer participating in the Office of Campaign Finance training program shall affirm by signature and oath to follow the District's campaign finance laws at the conclusion of the training program.
- 3001.7 The Director shall publish the names of all training program participants on the Office of Campaign Finance website for public viewing.

### **3002 CANDIDATE STATUS**

- 3002.1 An individual shall be considered a candidate when he or she:
- (a) Receives a campaign contribution;
  - (b) Makes a campaign expenditure;

- (c) Obtains nominating petitions;
- (d) Authorizes any person to perform any of the above acts; or
- (e) Fails to disavow in writing to the Director any of the above acts by any other person within ten (10) days after written notification by the Director.

3002.2 With the exception of candidates for Advisory Neighborhood Commission (ANC) member, each candidate shall, within five (5) days after becoming a candidate under § 3002.1, file a Statement of Candidacy form that indicates:

- (a) Whether spending is anticipated at less than five hundred dollars (\$500);
- (b) Whether a principal campaign committee will be designated; and
- (c) Whether or not the candidate intends to seek certification as a participating candidate in the Fair Elections Program.

3002.3 Each candidate who indicates on the Statement of Candidacy that a principal campaign committee will be designated on his or her behalf shall provide the following information on the Statement of Candidacy form:

- (a) The name of the principal campaign committee;
- (b) The names of any other affiliated committees; and
- (c) The names of the national bank(s) located in the District of Columbia that has been designated as the candidate's campaign depository.

3002.4 The candidate shall commence filing personal R&E Reports in accordance with this chapter, or if a candidate seeking certification or participating in the Fair Elections Program in accordance with § 4212, unless reporting is otherwise exempted or waived pursuant to § 3004.

3002.5 Each candidate who files the R&E Report shall by oath or affirmation, subject to penalties of perjury, verify the following statements:

- (a) The candidate has used all reasonable diligence in the preparation of the report and the report is true and complete to the best of the candidate's knowledge; and
- (b) The candidate has used all reasonable due diligence to ensure that the candidate and the candidate's committees are in compliance with the Campaign Finance Act, and the committees have advised their

contributors of the obligations imposed on those contributors by the Campaign Finance Act.

- 3002.6 The Summary Financial Statement form of the Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC) shall be filed no later than sixty (60) days after the certification by the Board of Elections (the Board) of the election results by the following individuals:
- (a) ANC candidates who qualified for the ballot through the write-in process;
  - (b) ANC candidates who qualified for the ballot through the nominating petition process;
  - (c) ANC candidates who accepted contributions or made expenditures and did not qualify for the ballot; and
  - (d) ANC candidates who qualified as candidates for selection in the ANC vacancy filling process.
- 3002.7 The Summary Financial Statement form of the Candidate for the Office of Member of an ANC shall be filed electronically with the Director of Campaign Finance at the OCF website, [www.ocf.dc.gov](http://www.ocf.dc.gov), except as provided in § 3002.9. A paper filing of the Summary Financial Statement shall not be accepted and will be considered a failure to file.
- 3002.8 The Office of Campaign Finance shall provide log-in information, including a Personal Identification Number (PIN), for access to the OCF Electronic Filing and Disclosure System to ANC candidates following the certification of the election results by the Board.
- 3002.9 The Director of the Office of Campaign Finance may grant an exception to the electronic filing requirement by the ANC candidate in either of the following circumstances:
- (a) The filer submits a statement of actual hardship to the OCF no less than fifteen (15) days before the applicable filing deadline; and
  - (b) The filer submits a statement to the OCF describing an emergency that occurred on or before the filing deadline preventing the electronic filing. The request for an exception based on emergency does not delay any reporting deadlines. If a penalty is imposed for failure to file or timely file, the penalty may be set aside or reduced in accordance with § 3711.2(f).
- 3002.10 The Director shall review and respond in writing to an application for an exception within three (3) business days after its receipt.

3002.11 With the exception of candidates for the Office of Member of an Advisory Neighborhood Commission, each individual who ceases to become a candidate shall immediately file a Statement of Candidate Withdrawal form upon termination of the candidacy.

**Sections 3005 – 3006 are amended as follows:**

**3005 PRINCIPAL CAMPAIGN COMMITTEE**

3005.1 With the exception of persons who make independent expenditures under the Act, only a candidate's designated principal campaign committee and its affiliated committees shall accept contributions or make expenditures on behalf of that candidate.

3005.2 An individual who is a candidate for more than one (1) office shall designate a separate principal campaign committee for each office sought.

3005.3 Notwithstanding § 3005.2, a principal campaign committee supporting the nomination or election of a candidate as an official of a political party may support the nomination or election of more than one (1) candidate as an official of a political party.

3005.4 The principal campaign committee shall process contributions in the following manner:

- (a) Contributions received by check, money order, or other written instrument shall be consigned directly to the principal campaign committee; and
- (b) The proceeds of any monetary instruments listed in Subsection (a) that have been cashed or redeemed by the candidate pursuant to § 3004.2 shall be disallowed by the principal campaign committee and returned by the candidate to the donor; except
- (c) Contributions to a candidate seeking certification or participating in the Fair Elections Program shall be processed in accordance with § 4203.24.

3005.5 No contributions shall be commingled with the candidate's personal funds or accounts.

3005.6 Except as provided in § 4101, an existing committee shall not be designated as the principal campaign committee of a candidate for public office, including the designation of any previously designated principal campaign committee of a candidate, or a slate of candidates for election as officials of a political party, in any future election.

**3006 MANDATORY ELECTRONIC FILING**

- 3006.1 All Reports of Receipts and Expenditures filed with the Director of the Office of Campaign Finance shall be filed electronically at the OCF website, [www.ocf.dc.gov](http://www.ocf.dc.gov), except as provided in § 3006.2. A paper filing of an R&E Report shall not be accepted and will be considered a failure to file.
- 3006.2 The Director may grant an exception to the electronic filing requirement in either of the following circumstances:
- (a) The filer submits a statement of actual hardship to the OCF at the time of registration demonstrating that the hardship will continue through the duration of the election cycle;
  - (b) The filer submits a statement of actual hardship to the OCF no less than fifteen (15) days before the applicable filing deadline; or
  - (c) The filer submits a statement to the OCF describing an emergency that occurred on or before the filing deadline preventing the electronic filing. The request for an exception based on emergency does not delay any reporting deadlines. If a penalty is imposed for failure to file or timely file, the penalty may be set aside or reduced in accordance with § 3711.2(f).
- 3006.3 The Director shall review and respond in writing to an application for an exception within three (3) business days after its receipt.
- 3006.4 The Office of Campaign Finance shall provide log-in information, including a Personal Identification Number (PIN), for access to the OCF Electronic Filing and Disclosure System to the following registrants:
- (a) Each candidate who files the Statement of Registration form unless a waiver from the filing and reporting requirements is granted pursuant to § 3004;
  - (b) The treasurer of each political committee, political action committee, and independent expenditure committee which files the Statement of Organization form pursuant to §§ 3000.1, 3000.9, and 3000.13;
  - (c) The treasurer of each constituent-service program established by an elected public official who files the Statement of Organization form pursuant to § 3014.20(b);
  - (d) Each Senator and Representative who establishes a Statehood Fund and files the Statement of Information form, pursuant to §§ 3600.1 and 3600.8; and

- (e) Each ANC candidate following the certification of election results by the Board.
  - (f) The treasurer of each candidate seeking certification and the treasurer of each participating candidate who files a Statement of Registration, pursuant to § 4201.
- 3006.5 The filer of the Report of Receipts and Expenditures shall electronically verify each R&E Report through the use of the confidential PIN Number assigned by the Office of Campaign Finance.
- 3006.6 Each treasurer of a political committee, political action committee, independent expenditure committee, constituent-service program, and Statehood Fund who files the R&E Report shall electronically verify that the filer used all reasonable due diligence in the preparation of the report and to the best of their knowledge, the report is true and complete.
- 3006.7 Each candidate who files the R&E Report shall electronically verify on each R&E Report the statements contained in § 3002.5.
- 3006.8 The treasurer of each independent expenditure committee shall electronically certify the following on each R&E Report:
- (a) The contributions received and the expenditures made by the committee have not been controlled or directed by any public official or candidate, any political committee, or by any political party; and
  - (b) The committee has not made a contribution or transfer of funds to any public official or candidate, any political committee, or any political action committee.
- 3006.9 The treasurer of each political action committee shall electronically certify on each R&E Report that the contributions received and the expenditures made by the committee have not been controlled or directed by any public official or candidate, any political committee, or by any political party.

**Section 3008 is amended as follows:**

**3008 FINANCIAL REPORTS AND STATEMENTS**

- 3008.1 Candidates, committees, constituent-service programs and Statehood Funds and their treasurers shall make best efforts to obtain, report, and maintain the information required under Chapter 34 of this title.



- 3008.2 With the exception of candidates for the office of ANC member, all contributions, expenditures, debts, contracts, and agreements shall be reported on separate schedules in the following manner:
- (a) On the R&E Report form prescribed by the Director; or
  - (b) In a format consistent with the R&E Report form.
- 3008.3 Each contribution, rebate, refund, or any other receipt of fifteen dollars (\$15) or more shall be reported.
- 3008.4 Each contribution, receipt, transfer from other authorized committees, dividend or interest receipt, offset to operating expenditures, including rebates and refunds, and in the case of the constituent-service programs, personal property, shall be itemized and reported on the appropriate sub-schedule of Schedule A in accordance with the instructions for preparing the R&E Report.
- 3008.5 Each receipt for a loan made or guaranteed by the candidate or the committee, or owed by the candidate or the committee, and each loan repayment made by the candidate or the committee, shall be itemized and reported on the appropriate sub-schedule of Schedule E.
- 3008.6 Partnership contributions, under § 3011.23, shall be itemized and reported on Schedule A, in accordance with the instructions for preparing the R&E Report, in the following manner:
- (a) In the name of the partnership; and
  - (b) In the name of each contributing partner.
- 3008.7 Each operating expenditure, transfer to other authorized committees, refund of a contribution, independent expenditure, offset to receipts, and in the case of a constituent-service program, personal property, shall be itemized and reported on the appropriate sub-schedule of Schedule B in accordance with the instructions for preparing the R&E Report.
- 3008.8 Each in-kind contribution, under §§ 3008.5 and 3008.8, shall be assessed at the current local fair market value at the time of the contribution, and shall be itemized and reported on the appropriate sub-schedules of Schedules A and B.
- 3008.9 Each Bitcoin contribution shall be reported on the R&E report in the following manner:
- (a) Bitcoin contributions shall be reported as in-kind contributions in accordance with § 3008.9;

- (b) Bitcoin contributions shall be reported received as of the date the contribution is liquidated into U.S. dollars;
  - (c) The full amount liquidated shall be reported as the contributor's total contribution;
  - (d) A refund check for any liquidated amount exceeding the contribution limit shall be issued to the contributor; and
  - (e) Each service charge incurred or discounted from the public Bitcoin exchange website shall be reported in the same manner as credit card transactions under §§ 3008.15(c) and (d).
- 3008.10 The net proceeds of each mass sale and collection shall be itemized and reported on Schedule C in accordance with the instructions for preparing the R&E Report, and the supporting documentation for each itemization maintained under § 3401.3 (b).
- 3008.11 Each debt and obligation, excluding loans, shall be itemized and reported on Schedule D in accordance with the instructions for preparing the R&E Report.
- 3008.12 Each loan shall be itemized and reported on the appropriate sub-schedule of Schedule E in accordance with the instructions for preparing the R&E Report.
- 3008.13 The R&E Report shall be complete, under § 3017, as of five (5) days prior to the date of any filing; provided, that any contribution of two hundred dollars (\$200) or more received after any deadline for the filing of the last R&E Report required to be filed prior to an election shall be reported within twenty-four (24) hours after its receipt.
- 3008.14 Financial transactions undertaken by credit card shall be reported on the R&E Report in the following manner:
- (a) Contributions shall be reported for the date upon which the authorized transaction is received;
  - (b) The full amount authorized by the contributor as a contribution shall be reported by the candidate or committee;
  - (c) Each service charge deducted by the credit card issuer shall be reported as an expenditure made by the candidate or the committee on the date when notified of the deduction; and
  - (d) Each discount from the normal service charge authorized by the credit card issuer shall constitute an in-kind contribution, under § 3008.5, from the issuer, and shall be reported as an in-kind contribution.

- 3008.15 Each contribution or expenditure exceeding fifty dollars (\$50) made by a person, other than a political committee, independent expenditure committee, political action committee, or candidate, during a calendar year, other than by contribution to a committee or candidate, shall be reported in the following manner:
- (a) On a Report of Receipts and Expenditures form prescribed by the Director listing each expenditure; and
  - (b) At the times specified under § 3017, for the period when the expenditure occurred, unless the value of the independent expenditure totals \$1000 or more in a two (2) week period, in which case the report shall be filed within fourteen (14) calendar days of the expenditure.
- 3008.16 The independent expenditure report filed pursuant to § 3008.16 shall identify the following:
- (a) The name and address of the filer;
  - (b) The affiliated entities of the filer which have also made an independent expenditure;
  - (c) The amount and object of the independent expenditure; and
  - (d) The name of each candidate, initiative, referendum, or recall in support of or in opposition to which the independent expenditure is directed.
- 3008.17 The Summary Financial Statement of Candidate for the Office of Member of an Advisory Neighborhood Commission (ANC), filed under § 3002.6, shall include:
- (a) Total receipts collected and expenditures made by the candidate for the campaign;
  - (b) Certification that the candidate did not receive contributions from any person, other than the candidate, in excess of twenty-five dollars (\$25);
  - (c) Certification that the candidate did not receive any contributions from any person or make any expenditures, including from or by the candidate, to support the candidate's election to office; and
  - (d) The disposal of surplus contributions, if any.
- 3008.18 The Summary Financial Statement of an ANC candidate shall be filed in an electronic format at the OCF website, pursuant to § 3002.7, and the contents of the statement electronically certified through the use of a PIN number assigned by the Office of Campaign Finance.

- 3008.19 Each person who files reports and statements with the Director of Campaign Finance has a continuing obligation to provide the Director with correct and up-to-date information.
- 3008.20 Contributions from business contributors, under § 3011.26, shall be itemized and reported on Schedule A in accordance with the instructions for preparing the R&E Report, and shall be accompanied by the name and address of each affiliated entity of the business contributor who has made a contribution or expenditure to the filer.
- 3008.21 The filer of the R&E Report must obtain a certification by each business contributor for each contribution that it made to the filer that none of its affiliate entities have contributed an amount that when aggregated with the contributions of the business contributor, would exceed the contribution limits.
- 3008.22 No person shall sell or utilize information copied from reports and statements filed with the Office of Campaign Finance for the purpose of commercial use or soliciting contributions.
- 3008.23 Except for §§ 3008.1 and 3008.2, the provisions under § 3008 shall not apply to the R&E Report filed by candidates seeking certification and participating in the Fair Elections Program.

**Section 3011 is amended as follows:**

**3011 LIMITATIONS ON CONTRIBUTIONS**

- 3011.1 No person, including a business contributor and its affiliated entities, may make any contribution, and no person may receive any contribution, which, when totaled with all other contributions from the same person, pertaining to an individual's campaign for nomination as a candidate or election to public office, including both the primary and general elections, or special elections, exceeds the limitations enumerated for each office set forth in § 3011.2.
- 3011.2 Contributions in support of either individual candidates or their authorized committees, or for the recall of an incumbent, shall be limited to the following:
- (a) Mayor, U.S. Senator, and U.S. Representative to Congress – two thousand dollars (\$2,000);
  - (b) Chairman of the Council and the Attorney General – one thousand five hundred dollars (\$1,500);
  - (c) At-large Member of the Council – one thousand dollars (\$1,000);

- (d) Ward Member of the Council and At-large Member of the State Board of Education— five hundred dollars (\$500);
- (e) Ward Member of the State Board of Education – two hundred dollars (\$200);
- (f) Official of a Political Party – two hundred dollars (\$200);
- (g) Advisory Neighborhood Commissioner – twenty-five dollars (\$25); and
- (h) Political Action Committee – five thousand dollars (\$5,000).

3011.3 With the exception of special elections, no person, including a business contributor and its affiliated entities, shall make any contribution in any one primary or general election that, when totaled, exceeds five thousand dollars (\$5,000), to any one (1) political action committee.

3011.4 No person or business contributor and its affiliated entities shall receive or make a contribution in the form of cash or money order which exceeds one hundred dollars (\$100).

3011.5 For the purposes of the contribution limitations of this section, expenditures for candidates for office shall not be considered contributions or expenditures by or on behalf of a candidate when derived from:

- (a) Personal funds belonging to candidates; and
- (b) Funds from any person, political action committee, or independent expenditure committee advocating the election or defeat of any candidate for office; provided, that the contributions it has received and the expenditures it has made were not controlled by or coordinated with any public official or candidate, anyone acting on their behalf, or by any political committee authorized by the candidate.

3011.6 Each loan or advance from a candidate or member of the immediate family of a candidate shall be evidenced by a written instruction that fully discloses:

- (a) The terms of the loan or advance;
- (b) The conditions of the loan or advance;
- (c) The parties to the loan or advance; and
- (d) Documentation regarding the source of the funds when the loan or advance is from the candidate.

- 3011.7 The amount of each loan or advance from a member of the candidate's immediate family shall be included in computing and applying the limitations on contributions under § 3011, upon receipt by the authorized political committee of the loan or advance from an immediate family member; provided, that the standards for repayment are consistent with the repayment policies of lending institutions in the District of Columbia.
- 3011.8 Contributions to a candidate, political committee, political action committee, or an independent expenditure committee shall be attributed to the person actually making the contribution.
- 3011.9 Contributions from minor children (under eighteen (18) years old) shall be attributed to their parents or legal guardians unless:
- (a) The decision to contribute is made knowingly and voluntarily by the minor child; and
  - (b) The funds, goods, or services contributed are owned or controlled exclusively by the minor child.
- 3011.10 A connected organization, under § 3000.8, and each committee established, financed, maintained, or controlled by the connected organization share a single contribution limitation.
- 3011.11 A Bitcoin contribution may be accepted if the value of the Bitcoin contribution at the time of transfer does not exceed the contribution limits established by § 3011.
- 3011.12 A Bitcoin contribution received during the initial transfer shall be rejected and returned to the contributor if it exceeds the contribution limits established by § 3011.
- 3011.13 A Bitcoin contribution that does not exceed the contribution limits at the time of transfer shall, within five (5) days of receipt, be liquidated and converted into U.S. dollars on a high volume public Bitcoin exchange website that is open to transactions in the United States.
- 3011.14 Each committee that receives a Bitcoin contribution shall be responsible for verifying both the accuracy of the contributor information provided and the Bitcoin value determinations as part of the committee's recordkeeping obligations under § 3400.
- 3011.15 Each committee that accepts Bitcoin contributions shall require the contributor to affirm on forms soliciting Bitcoin contributions:
- (a) That the contributor is a United States citizen or legal permanent resident;

- (b) That the contributor's personal funds were used to purchase the Bitcoin contributed; and
  - (c) That the contributor is the actual lawful owner of the Bitcoin contributed.
- 3011.16 No person, including a business contributor, shall make a bundled or cause to make a bundling of contributions from different donors for the purpose of making a single contribution, directly or indirectly, to a candidate or political committee.
- 3011.17 No candidate or political committee shall accept, directly or indirectly a bundling of contributions from different donors for the purpose of making a single contribution in support of a candidate for public office.
- 3011.18 Each political committee shall disclose in a separate sub-schedule of Schedule A, to be prescribed by the Director, of the R&E Report, where two (2) or more contributions are forwarded from one or more persons, by a person who is not acting with actual authority as an agent or principal of a committee, the following information:
  - (a) The name, address, and employer of each person reasonably known by the committee to have bundled in excess of ten thousand dollars (\$10,000) in contributions during the reporting period;
  - (b) The identity of each instance in which multiple checks or money orders dated on or around the same date were received from contributors who share the same employer; and
  - (c) For each person, the total amount of the bundling.
- 3011.19 Limitations on bundled contributions under §§ 3011.16 and 3011.17, shall not apply to hosting a fundraiser, by itself.
- 3011.20 Any business entity, as that term is defined in § 29-101.02 of the District of Columbia Official Code, may make contributions in the District of Columbia.
- 3011.21 A corporation, its affiliated entities, including its subsidiaries, and each committee established, financed, maintained, or controlled by the corporation and its affiliated entities share a single contribution limitation.
- 3011.22 Each business entity is deemed to be a separate entity; provided, that a business entity, which is established, financed, maintained, or controlled (51% or more) by another entity, or shares a controller, whether the controller is another entity or an individual, is considered, for the purposes of the contribution limitations, an affiliated entity of the other business entity.

- 3011.23 All contributions by a partnership shall be subject to each contributing partner's individual contribution limitations, under § 3011.
- 3011.24 Contributions by a partnership shall be attributed to each partner either by:
- (a) Instructions from the partnership to the committee or the candidate; or
  - (b) Agreement of the partners; provided, that the profits of non-contributing partners are not affected.
- 3011.25 No portion of any contribution under § 3011.22 shall derive from the profits of a corporation that is a partner.
- 3011.26 Each business entity, as that term is defined in § 29-101.02 of the District of Columbia Official Code, is subject to the limitations on contributions set forth in § 3011.
- 3011.27 A business contributor consists of:
- (a) A business entity that makes a contribution; and
  - (b) Each of that business entity's affiliated entities.
- 3011.28 A business contributor shall certify on a form prescribed by the Director and submitted to the committee for each contribution that it makes that none of its affiliated entities have contributed an amount that, when aggregated with the business contributor's contribution to that committee, would exceed the limits imposed by the Campaign Finance Act.
- 3011.29 A business contributor to a political committee, political action committee, or an independent expenditure committee shall provide the committee with the identities of the contributor's affiliated entities that have also contributed to the committee, the date and amount of each contribution and expenditure made.
- 3011.30 [REPEALED].
- 3011.31 Limitations on contributions under § 3011 shall not apply to initiative or referendum measures.
- 3011.32 With the exception of contributions received to retire debt, a political committee or a candidate shall not receive or accept contributions after the election or defeat of the candidate for office, or after the candidate notifies the Office of Campaign Finance of the intent to terminate the candidacy.
- 3011.33 [REPEALED].



3011.34 Limitations on contributions under § 3011 shall not apply to candidates seeking certification and participating candidates of the Fair Elections Program, who are subject to the limitations on contributions under § 4205.

**Section 3013 is amended as follows:**

**3013 LIMITATIONS ON THE USE OF CAMPAIGN FUNDS**

3013.1 Campaign funds shall be used solely for the purpose of financing, directly or indirectly, the election campaign of a candidate.

3013.2 Limitations on the use of campaign funds shall include the following:

- (a) Payment or reimbursement for a candidate or staff of a campaign committee for travel expenses and necessary accommodations, except when directly related to a campaign purpose;
- (b) Payment or reimbursement for the cost of professional services unless those services are directly related to a campaign purpose;
- (c) Payment for medical expenses of a candidate; provided, that campaign funds may be used to pay employer costs of health care benefits for employees of a principal campaign committee;
- (d) Payment or reimbursement for fines and penalties, unless litigation arises directly out of a candidate's or principal campaign committee's campaign activities;
- (e) Payment or reimbursement for judgments or settlements, unless litigation or agency administrative action arises directly out of the campaign activities of a candidate or principal campaign committee;
- (f) Attorneys' fees, unless legal expenses arise directly out of a candidate's or a principal campaign committee's campaign activities;
- (g) Payment or reimbursement for the purchase or lease of personal property, unless the legal title resides in, or the lessee is, the principal campaign committee, and the use of the property is directly related to a campaign purpose;
- (h) Clothing, except for specialty clothing which is not suitable for everyday use, including, but not limited to, formal wear, if the attire is used in the campaign and is directly related to a campaign purpose;

- (i) The purchase or lease of a vehicle, unless the title or lease to the vehicle is held by the campaign committee and not the candidate, and the use of the vehicle is directly related to a campaign purpose; and
- (j) Compensation to a candidate for the performance of campaign activities, except for reimbursement of out-of-pocket expenses incurred for campaign purposes.

3013.3 With the exception of expenditures made to retire debt or wind down the campaign operation, campaign funds shall not be expended following the election or defeat of a candidate for office, or after a candidate notifies the Office of Campaign Finance of the intent to withdraw the candidacy for the purpose of financing, directly or indirectly, the election campaign of a candidate.

3013.4 With the exception of the limitations under § 3013, use of Fair Elections Program funds and expenditures shall be in accordance with the limitations set forth in § 4209.

**Sections 3015 – 3017 are amended as follows:**

**3015 USE OF SURPLUS FUNDS**

3015.1 Surplus funds of a constituent-service program (except for that of an at-large councilmember who has been elected to the office of Chairman of the Council) or a Statehood Fund shall be disbursed within one hundred twenty (120) days of the date that the elected official:

- (a) Vacates the public office held; or
- (b) Notifies the Director in writing of any determination that the constituent-service program or Statehood Fund shall no longer receive contributions or make expenditures.

3015.2 Surplus funds of a constituent-service program shall be disbursed only for the following purposes:

- (a) To retire the debts of the program; and/or
- (b) To donate to a not-for-profit organization, within the meaning of the federal tax laws, that is in good standing in the District of Columbia for a minimum of one (1) calendar year prior to the date of donation.

3015.3 Surplus funds of a Statehood Fund shall be disbursed by a U.S. Senator or Representative to retire debts and obligations for the following:

- (a) Salaries;

- (b) Office expenses; and
  - (c) Other expenses necessary to support the purposes and operations of the public office.
- 3015.4 Upon retirement of debts and obligations, a U.S. Senator or Representative shall donate any remaining funds to a not-for-profit organization within the meaning of the federal tax laws.
- 3015.5 Surplus funds of a candidate or candidate-elect shall be:
  - (a) Used to retire the debts of the committee that received the funds;
  - (b) Returned to donors;
  - (c) Contributed to a political party for political purposes; and/or
  - (d) Transferred to a political committee, a charitable organization that meets the requirements of the tax laws of the District of Columbia, or in the case of an elected official, an established constituent-services fund.
- 3015.6 Surplus funds of a candidate or candidate-elect shall be disbursed under § 3015.5(b) to the donors within six (6) months of one (1) of the following events:
  - (a) Defeat in an election;
  - (b) Election to office; or
  - (c) Withdrawal as a candidate.
- 3015.7 Surplus funds of a committee formed to collect signatures or advocate the ratification or defeat of any initiative, referendum, or recall measure may be transferred to any charitable, scientific, literary, or educational organization or any other organization that meets the requirements of the tax laws of the District of Columbia.
- 3015.8 A campaign committee shall continue to function after the election for which the committee was organized, as a political committee, until all debts and obligations are extinguished.
- 3015.9 A campaign committee, pursuant to § 3015.8, shall:
  - (a) Dispose of all surplus funds in accordance with § 3015;

- (b) Refrain from collecting or spending money to support a candidate in a future election;
- (c) Adhere to contribution limitations in accordance with § 3011; and
- (d) File R&E Reports in accordance with § 3008.

3015.10 A constituent-service program or a Statehood Fund shall continue to file R&E Reports, pursuant to §§ 3008 and 3017, until all debts are satisfied.

3015.11 Use of surplus funds under § 3015 shall not apply to candidates seeking certification and participating in the Fair Elections Program, who are subject to the requirements of § 4211.

### **3016 TERMINATION OF COMMITTEES, CONSTITUENT-SERVICE PROGRAMS, AND STATEHOOD FUNDS**

3016.1 A final R&E Report and a verified statement of termination, on a form prescribed by the Director, shall be filed upon termination of any committee, constituent-service program (program), or Statehood Fund (fund).

3016.2 An elected official shall terminate a program or fund if the elected official:

- (a) Fails to win re-election;
- (b) Resigns; or
- (c) Becomes ineligible to serve, by operation of law.

3016.3 An authorized committee shall terminate, upon satisfaction of all debts and obligations, when the purpose for which the committee was organized ceases.

3016.4 Any committee, program, or fund may terminate its reporting requirements by filing a final R&E Report; provided that the committee, program, or fund:

- (a) Has ceased to receive contributions or make expenditures;
- (b) Has extinguished all debts and obligations;
- (c) Is not involved in any enforcement, audit, or litigation action with the Office of Campaign Finance; and
- (d) Has disbursed all surplus funds in accordance with § 3015.

3016.5 A committee, program, or fund that cannot extinguish its outstanding debts and obligations may qualify to terminate its reporting requirements by:

(a) Settling its debts for less than the full amount owed to its creditors; or

(b) Demonstrating that a debt is unpayable.

3016.6 The types of debts that are subject to debt settlement include:

(a) Amounts owed to commercial vendors;

(b) Debts arising from advances by individuals;

(c) Salary owed to committee or program employees; and

(d) Loans owed to committees.

3016.7 The types of debts that are not subject to debt settlement include:

(a) Disputed debts; and

(b) Bank loans.

3016.8 A qualifying committee, program, or fund shall be settled if:

(a) Credit was initially extended in the ordinary course of business;

(b) Reasonable efforts, including, for example, fundraising, reducing overhead costs, and liquidating assets, were undertaken to satisfy the outstanding debt; and

(c) The creditor made the same efforts to collect the debt as those made to collect debts from a non-political debtor in similar circumstances.

3016.9 Once a committee, program, or fund has reached an agreement with a creditor, the treasurer shall file a debt settlement proposal with the Director on a form prescribed by the Director.

3016.10 Following receipt of the debt settlement proposal, the Director shall:

(a) Review each debt settlement proposal for substantial compliance with the Act; and

(b) Notify the committee or program within thirty (30) days of its approval or disapproval.

3016.11 A debt may be considered unpayable, under § 3016.5(b), if:

- (a) The debt has been outstanding for at least twenty-four (24) months;
  - (b) The creditor is out of business, and no other entity has the right to collect the amount owed; and
  - (c) The creditor cannot be located after best efforts to do so.
- 3016.12 A committee, program, or fund may apply to the Director to determine whether a specific debt may be unpayable upon a showing that best efforts to locate the creditor have been made.
- 3016.13 For purposes of this section, the term "Best efforts" shall include the following:
- (a) Ascertaining the creditor's current address and telephone number; and
  - (b) Contacting the creditor by registered or certified mail, in person, or by telephone.
- 3016.14 The reporting obligation of a committee, program, or fund ends when the Director notifies the committee, program, or fund that the final Report has been approved, and the official record closed.
- 3016.15 Termination of committees under § 3016 shall not apply to principal campaign committees of a participating candidate in the Fair Elections Program.
- 3016.16 A candidate seeking certification in the Fair Elections Program may rescind his or her certification, as provided under § 4206.10 and terminate the principal campaign committee; provided that the candidate file a Statement to Rescind Certification form before the rescission deadline date, as prescribed by the Office of Campaign Finance.

### **3017 FILINGS AND DEADLINES**

- 3017.1 Reports of Receipts and Expenditures (R&E Reports) shall be filed with the Office of Campaign Finance by:
- (a) The treasurer of each political committee;
  - (b) Each candidate required to register pursuant to § 3002.2, unless reporting is otherwise exempted or waived under §§ 3003 and 3004;
  - (c) The treasurer of each political action committee; and
  - (d) The treasurer of each independent expenditure committee.

- 3017.2 All candidates and committees, except as otherwise noted in this chapter, shall file R&E Reports on the following dates:
- (a) March 10, June 10, August 10, October 10, and December 10 in the seven (7) months preceding the date on which an election is held for which the candidate seeks office and the committee supports a candidate for office;
  - (b) January 31, March 10, June 10, August 10, October 10, December 10, and the eighth (8<sup>th</sup>) day next preceding the date of any election, in any year in which there is held an election for which the candidate seeks office and the committee supports a candidate for office;
  - (c) January 31 and July 31; provided, that a committee no later than January 31 declares its intention to not support a candidate during an election year under § 3000.18; and
  - (d) January 31 and July 31, in a non-election year; provided, that a committee no later than January 31 of the non-election year declares its intention to not support a candidate during an election year under § 3000.18.
- 3017.3 All political action committees and independent expenditure committees shall also file R&E Reports on April 10 and October 10 of each year in which there is no election.
- 3017.4 Constituent-service program R&E Reports shall be filed quarterly each year on the first (1<sup>st</sup>) day of the following months:
- (a) January;
  - (b) April;
  - (c) July; and
  - (d) October.
- 3017.5 Statehood Fund R&E Reports shall be filed quarterly each year on the first (1<sup>st</sup>) day of the following months:
- (a) January;
  - (b) April;
  - (c) July; and
  - (d) October.

- 3017.6 Except as otherwise provided in this chapter, R&E Reports shall be filed on January 31 and July 31 of each year until all debts and obligations are satisfied by the following:
- (a) Political committees pursuant to § 3015.8;
  - (b) A Statehood Fund when the U.S. Senator or Representative vacates office; and
  - (c) A constituent-service program when the elected official vacates office.
- 3017.7 Fair Elections Program R&E Reports shall be filed on the following dates:
- (a) March 10, June 10, August 10, October 10, and December 10 in the seven (7) months preceding the date on which an election is held for which the candidate seeks office and the committee supports a candidate for office;
  - (b) January 31, March 10, June 10, August 10, October 10, December 10, and the eighth (8<sup>th</sup>) day next preceding the date of any general or special election, in any year in which there is held an election for which the candidate seeks office and the committee supports a candidate for office;
- 3017.8 Fair Elections Program R&E Reports shall also be filed in accordance with the following schedule:
- (a) On the tenth (10<sup>th</sup>) day of the second (2<sup>nd</sup>) month preceding the date of any election for a seat for a covered office;
  - (b) On the tenth (10<sup>th</sup>) day of the first (1<sup>st</sup>) month preceding the date of any election for a seat for a covered office; and
  - (c) Fourteen (14) days immediately preceding the date of any special or general election for a seat for a covered office.
- 3017.9 All R&E Reports shall contain all financial transactions through and including the fifth (5<sup>th</sup>) day preceding the filing deadline for each R&E Report; provided, that the reporting period for the next R&E Report shall commence on the day following the closing date of the prior R&E Report.
- 3017.10 All contributions of two hundred dollars (\$200) or more, received after the filing deadline for the eighth (8<sup>th</sup>) day preceding the election Report, shall be reported in writing within twenty-four (24) hours of receipt.
- 3017.11 Where an exception to the mandatory electronic filing requirement is granted, all reports and statements filed in person or by first class mail shall be deemed timely filed when received by 5:30 p.m. of the prescribed filing date.



- 3017.12 All reports and statements electronically filed shall be deemed timely filed if received by midnight of the prescribed filing deadline.
- 3017.13 Upon written request submitted by the candidate or committee, on or before the filing deadline, the Director may allow an extension for filing a Report or statement for a reasonable period of time, for good cause shown.
- 3017.14 Any reference to days in this chapter is to calendar days, unless otherwise indicated.

**Chapter 34, CAMPAIGN FINANCE RECORDKEEPING AND AUDITS, is amended as follows:**

**Sections 3400 - 3404 are amended as follows:**

**3400 RECORDKEEPING PROCEDURES**

- 3400.1 To ensure financial accountability, this chapter governs the recordkeeping procedures for the following:
- (a) All candidates;
  - (b) Political Committees;
  - (c) Political action committees;
  - (d) Independent expenditure committees;
  - (e) Constituent-Service Programs;
  - (f) Statehood Funds; and
  - (g) Fair Elections Program.
- 3400.2 Each person who is required to file records under § 3400.1 shall obtain and preserve, from the date of registration, detailed records of all contributions and expenditures disclosed in reports and statements filed with the Director, including the following:
- (a) Check stubs;
  - (b) Bank statements;
  - (c) Canceled checks;

- (d) Contributor cards and copies of donor checks;
- (e) Credit card contributions, including merchant statements
- (f) Deposit slips;
- (g) Invoices;
- (h) Receipts;
- (i) Contracts;
- (j) Subcontracts;
- (k) Payroll records;
- (l) Lease agreements;
- (m) Petty cash journals, if applicable;
- (n) Ledgers;
- (o) Vouchers;
- (p) Loan documents including the source of the funds;
- (q) Affirmation statements;
- (r) Affidavits, if applicable; and
- (s) Campaign equipment records

3400.3 Each filer shall also obtain and preserve from each business contributor:

- (a) The identities of the business contributor's affiliated entities that have made contributions or expenditures to the filer;
- (b) The date and amount of each contribution and expenditure made by the business contributor's affiliated entities to the filer;
- (c) [REPEALED]; and
- (d) A certification with respect to each contribution made that none of the business contributor's affiliated entities contributed an amount that, when aggregated with the contribution of the business contributor, exceeded the contribution limits.

- 3400.4 Each Fair Elections Program filer shall obtain and preserve a contribution receipt from each qualified small-dollar contributor and each non-District resident contributor, including:
- (a) The contributor's digital or physical signature, printed name, home address, telephone number, occupation and principal place of business, if any, and the name of the candidate to whom the contribution is made; and
  - (b) A written and signed oath or affirmation declaring that the contributor:
    - (1) Is making the contribution in the contributor's own name and from the contributor's own funds;
    - (2) Is making the contribution voluntarily and has not received anything of value in return for the contribution;
    - (3) In the case of a small-dollar contributor, is a District resident;
    - (4) In the case of a contribution from a non-District resident individual, is a non-District resident individual; and
    - (5) Understands that a false statement is a violation of law.
- 3400.5 Bank statements may be submitted in lieu of canceled checks to show financial transactions, as long as the bank statements include photocopies of the canceled checks.
- 3400.6 A contribution received after an election cycle (primary and general) shall be earmarked to indicate that the contribution is for the retirement of the debt of a candidate or political committee.
- 3400.7 All filers, with the exception of lobbyists, shall maintain the records required under § 3400.2 for a period of three (3) years from the date of the filing of the final Report of Receipts and Expenditures (R&E Report) and the Statement of Committee Termination under § 3016.
- 3400.8 Each lobbyist shall maintain the records required under § 3400.2 for a period of five (5) years from the date of the filing of the Lobbying Activity Report previously required to be filed with the Office of Campaign Finance.
- 3401 EXPENDITURES**
- 3401.1 With the exception of petty cash disbursements, each expenditure shall be made by:

- (a) A serially pre-numbered check that identifies the required filer on the face of the check; or
- (b) A commercial-business type of check that includes spaces for the entry of each check and a brief explanation of the nature of the disbursement.

3401.2 Checks shall be issued by the filer:

- (a) In consecutive numerical order; and
- (b) Out of the depository account.

3401.3 Checks shall be recorded:

- (a) In a cash disbursement journal; and
- (b) On the check stub, as provided.

3401.4 Voided or stale-dated checks shall be:

- (a) Stamped "void" or made non-negotiable; and
- (b) Retained in accordance with § 3400.2.

3401.5 Each expenditure from petty cash shall be made in accordance with the following procedures:

- (a) Each disbursement from the petty cash fund shall be supported by a petty cash voucher; and
- (b) Each reimbursement out of the petty cash fund shall be accompanied by appropriate documentation including, for example, receipts or invoices.

3401.6 Each expenditure shall be reconciled with the total monthly disbursements, as shown by the following:

- (a) Canceled checks; and
- (b) Bank statements.

## **3402 RECEIPTS**

3402.1 Each receipt from a contributor, including a Bitcoin, shall include:

- (a) The contributor's full name;

- (b) The contributor's mailing address;
- (c) The contributor's occupation and principal place of business, if any;
- (d) The date of the contribution;
- (e) The amount of the contribution; and
- (f) The contribution type (*i.e.*, check, credit card, money order, or cash).

3402.2 Each Fair Elections Program receipt shall also include:

- (a) The contributor's digital or physical signature,
- (b) The name of the candidate to whom the contribution is made; and
- (c) A written and signed oath or affirmation declaring that the contributor:
  - (1) Is making the contribution in the contributor's own name and from the contributor's own funds;
  - (2) Is making the contribution voluntarily and has not received anything of value in return for the contribution;
  - (3) In the case of a small-dollar contributor, is a District resident;
  - (4) In the case of a contribution from a non-District resident individual, is a non-District resident individual; and
  - (5) Understands that a false statement is a violation of law.

3402.3 Each receipt from a business contributor shall also contain the following:

- (a) The identities of the business contributor's affiliated entities that have made contributions or expenditures to the filer;
- (b) The date and amount of each contribution and expenditure made by the business contributor's affiliated entities to the filer;
- (c) [REPEALED]; and
- (d) A certification with respect to each contribution made that none of the business contributor's affiliated entities contributed an amount that, when aggregated with the contribution of the business contributor, exceeded the contribution limits;

- 3402.4 Each receipt shall be handled in the following manner:
- (a) A pre-numbered receipt shall issue for each contribution received; and
  - (b) Receipts shall be documented by contributor cards and copies of the donor's check.
- 3402.5 Each committee shall obtain and preserve:
- (a) Each instance in which two (2) or more contributions are forwarded from one or more persons by a person who is not acting with actual authority as an agent or principal of a committee;
  - (b) The name, address, and employer of each person reasonably known by the committee to have bundled in excess of ten thousand dollars (\$10,000) during any reporting period, and;
  - (c) For each person, the total amount of the bundling.
- 3402.6 Records of receipts and contributions shall be maintained to show:
- (a) Cumulative totals, with the exception of receipts for sales or collections; and
  - (b) For receipts for sales or collections, a detailed record of receipts and expenditures.
- 3402.7 Each filer shall separately identify itemized receipts from unitemized receipts (for example, those receipts obtained at fundraising events).

### **3403 AVAILABILITY OF FINANCIAL RECORDS**

- 3403.1 The Director shall have access to:
- (a) All books, records, accounts, reports, surveys, and other documentation deemed necessary by the Director for the administration and enforcement of this title; and
  - (b) All books, accounts, records, reports, surveys, and any other evidence or documentation within the custody of any organization, including subcontractors, agency, board, commission, department, or any instrumentality of the District of Columbia government, pertaining to the activities of any filer.
- 3403.2 All records, under this chapter, shall be made available for review and audit no later than ten (10) days after receipt of a written request by the Director, or fifteen

(15) days after receipt in the case of a periodic audit, or thirty (30) days after receipt in the case of a full audit.

3403.3 With exception to § 3403.2, all records under §§ 3400, 3401 and 3402, if applicable, shall be included for review with each Fair Elections Program R&E Report filed with the Office of Campaign Finance.

#### **3404 DESK REVIEWS AND AUDITS**

3404.1 With the exception of Fair Elections Program Reports of Receipts and Expenditures, the Report Analysis and Audit Division (Audit Division) of the Office of Campaign Finance shall conduct Desk Reviews of each Report of Receipt and Expenditure filed with the Agency to ensure the accurate reporting of financial activity, as shown by the following:

- (a) The ending balance from the last report filed is carried forward as the beginning balance for the report under review;
- (b) The information on the Summary Page, including both columns A and B, is complete and correct mathematically, and presents an overall view of the financial activities of the filer;
- (c) The information on the Detailed Summary Page, including both columns A and B, is complete and correct mathematically, and presents an overall breakdown of the categories of all receipts;
- (d) All Schedules A provide complete and detailed information for each receipt, an itemized list of, and which equals, all receipts for each of the categories on the Detailed Summary Page, and that each contribution does not exceed contribution limits;
- (e) All Schedules B provide complete and detailed information for each disbursement, an itemized list of, and which equals, all disbursements for each of the categories on the Detailed Summary page, and list valid purposes for each expenditure;
- (f) The information on Schedule C is complete and detailed as to all receipts received from sales and collections, including the date and type of event or fundraiser, and the total is carried to the Summary Page;
- (g) The information on Schedule D is complete and detailed as to all debts and obligations that are sixty (60) days or more outstanding (excluding loans) owed by or to the filer, and the total is carried to the Summary Page; and

- (h) The information on Schedule E is complete and detailed as to all loans made by or to the filer, and the total is carried to the Summary Page.

3404.2 At the conclusion of the Desk Review, the Audit Division will issue a Request for Additional Information (RFAI) letter to each filer whose Report of Receipts and Expenditures was found to contain errors or discrepancies. The RFAI will detail the errors and discrepancies noted during the Desk Review, and will require the filer to respond within fifteen (15) calendar days and provide corrections or file an amended report.

3404.3 In addition, the Audit Division may conduct full field audits and periodic random field audits of the receipts, disbursements, and debts and obligations of candidates, political committees, political action committees, independent expenditure committees, and constituent-service and statehood fund programs.

3404.4 Full Field Audits may be initiated as follows:

- (a) Following an election year, the principal campaign committees of candidates newly elected to office may be selected for full field audit in the non-election year occurring thereafter; or
- (b) The Director of the Office of Campaign Finance may direct the conduct of full field audits as the result of complaints received for the investigation of alleged violations of the Campaign Finance Act of 2011 from either the OCF or members of the public, or by order of the Board of Elections.

3404.5 Periodic Random Field Audits will be conducted as follows:

- (a) For candidates and continuing political committees, the auditees will be selected from the list of timely filers for each January 31<sup>st</sup> and July 31<sup>st</sup> report date, following the close of the filing deadline;
- (b) For political action committees and independent expenditure committees, the auditees will be selected from the list of timely filers for each January 31<sup>st</sup> and July 31<sup>st</sup> report date, following the close of the filing deadline;
- (c) For Constituent Service and Statehood Fund Programs, the auditees will be selected commencing with the April 1<sup>st</sup> report date and every other quarterly filing deadline thereafter, during the calendar year;
- (d) For candidates and political committees active during an election cycle, the auditees will be selected from the list of timely filers for each October 10<sup>th</sup>, March 10<sup>th</sup>, and August 10<sup>th</sup> report date, following the close of the filing deadline.



- 3404.6 The Audit Division must notify the Treasurer of the committee selected for audit in writing of the audit, and request the delivery to OCF by a date certain within fifteen (15) calendar days for periodic random field audits, or within thirty (30) calendar days for full field audits, of the issuance of the letter, of all underlying documentation, including bank statements and records, copies of deposit slips, contributor checks and cards, credit card documentation (including merchant statements), invoices, and loan documents supporting each and every transaction reported during the coverage period.
- 3404.7 Upon receipt of all financial records, the audit field work shall commence and include the review of all disclosure reports for completeness and mathematical accuracy, the reconciliation of bank account records to the disclosure reports filed, and such other audit procedures as deemed necessary.
- 3404.8 Once the field work is completed, the Audit Division shall issue a Draft Audit Report, with Findings and Recommendations, and require the submission of a written response, amended report, and/or additional documentation by the committee within thirty (30) calendar days or less after receipt of the Report.
- 3404.9 The Audit Report will be released and made available to the public following the receipt and review of the committee response for compliance with all outstanding issues.
- 3404.10 In the event of the failure to provide committee records or to respond to the Draft Audit Report, in whole or in part, or to any other request of the Audit Division, including the Request for Additional Information, the Audit Division will refer the failure to comply to the OCF General Counsel for the initiation of the enforcement process pursuant to § 3700 of this title.
- 3404.11 It is the policy of the Board of Elections that extensions of time to take action required within a period of time under this chapter will not be routinely granted, without a demonstration that good cause exists for such a request, and the extension shall not exceed fifteen (15) days.
- 3404.12 During the period of any audit under this chapter, the committee must continue to file any reports of receipts and expenditures which may become due.
- 3404.13 Except as provided under this chapter, the Fair Elections Division shall conduct desk reviews and audits of each Fair Elections Program R&E Reports filed with the Office of Campaign Finance in accordance with Chapter 43 of this title.

**Chapter 37, INVESTIGATIONS AND HEARINGS, is amended as follows:**

**Section 3709 is amended as follows:**

**3709            INFORMAL HEARING FOR ALLEGED VIOLATIONS OF REPORTING AND DISCLOSURE REQUIREMENTS**

3709.1        The Director may institute or conduct an informal hearing, including an order to show cause, on alleged violations of the reporting and disclosure requirements, prescribed by the Act and Chapters 30-43 of this title.

3709.2        The reporting and disclosure requirements shall apply to the following documents:

- (a)        Statement of Acceptance of Position of Chairperson;
- (b)        Statement of Acceptance of Position of Treasurer;
- (c)        Identification of Campaign Literature;
- (d)        Notification of Non-Support;
- (e)        Report of Exemption for a Candidate Spending Less Than \$500;
- (f)        Report of Receipts and Expenditures;
- (g)        Request for Candidate Waiver;
- (h)        Request for Additional Information;
- (i)        Statement of Candidacy;
- (j)        Statement of Candidate Withdrawal;
- (k)        Statement of Committee Termination;
- (l)        Statement of Information;
- (m)        Statement of Organization;
- (n)        Summary Financial Statement for Advisory Neighborhood Commission (ANC);
- (o)        Verified Statement of Contribution Report;
- (p)        Withdrawal of Chairperson;

- (q) Withdrawal of Treasurer;
- (r) 24-Hour Report of Receipts for Candidates and Committees;
- (s) Schedule of Bundled Contributions;
- (t) 14-Day Report of Independent Expenditures by Individuals;
- (u) Certification of Attendance at In-Person Training for Candidate and Treasurer;
- (v) Designation of Campaign Depository;
- (w) Affidavit of Business Contributor;
- (x) Fair Elections Program Report of Receipts and Expenditures;
- (y) Fair Elections Program Statement of Registration;
- (z) Fair Elections Program Affidavit of Candidate and Treasurer;
- (aa) Fair Elections Program Receipt and Affirmation Statement for Contributor; and
- (bb) Fair Elections Program Request to Rescind Certification.

3709.3 Notice of an informal hearing shall be issued in writing at least ten (10) days prior to the hearing; provided that the ten (10) day period may be waived for good cause shown as long as the party is given a sufficient opportunity to prepare for the hearing.

3709.4 In the notice, an alleged violator of the reporting requirements shall be informed of:

- (a) The nature of the alleged violation;
- (b) The authority on which the hearing is based;
- (c) The time and place of the hearing;
- (d) The right to be represented by legal counsel;
- (e) The fact that the alleged violator's failure to appear may be considered an admission of the allegation; and

- (f) The fact that service of process shall be by regular mail.
- 3709.5 The Director shall regulate the course of the informal hearing and the conduct of the parties and their counsel.
- 3709.6 The respondent, or his or her counsel, may present the respondent's case and evidence to the Director.
- 3709.7 The Director may wait a reasonable period of time for the respondent to appear before beginning the informal hearing.
- 3709.8 If the respondent fails to appear after a reasonable period of time, the Director shall:
- (a) Reschedule the informal hearing;
  - (b) Issue notice of the rescheduled informal hearing; and
  - (c) Serve the respondent both by certified and regular mail.
- 3709.9 If the respondent fails to appear after an informal hearing has been rescheduled under § 3709.8, the Director may proceed with the informal hearing by making a record of the proceeding.
- 3709.10 Following the conduct of each informal hearing, the Director shall:
- (a) Determine whether a violation has occurred; and
  - (b) Issue a written order with findings of facts and conclusions of law.
- 3709.11 Any party adversely affected by any order of the Director may obtain review of the order by filing, with the Board of Elections, a request for a hearing *de novo*.
- 3709.12 The request for a hearing *de novo* pursuant to § 3709.12 shall be filed:
- (a) Within fifteen (15) days from the issuance by the Director of an order; and
  - (b) In accordance with Chapter 4 of this title.
- 3709.13 Within five (5) days after receipt of an order of the Director where a fine has been imposed, a respondent may file a Motion for Reconsideration to address issues considered mitigating that were not presented during the hearing.
- 3709.14 The Motion shall not address issues that were not the subject of the alleged violation for which the penalty was assessed.

- 3709.15 The Director shall respond to the Motion within five (5) days after its receipt by issuing a new order which either:
- (a) Modifies or vacates the original order, providing clearly articulated reasons; or
  - (b) Denies the Motion and affirms the original order, providing clearly articulated reasons.
- 3709.16 The filing of the Motion shall toll the appeal period for requesting a hearing *de novo* before the Board of Elections, or the payment of the fine.
- 3709.17 The appeal period shall be recalculated from the date of issuance of the subsequent order of the Director in the matter, if appropriate.

**Section 3711 is amended as follows:**

**3711 SCHEDULE OF FINES**

- 3711.1 Upon a determination, pursuant to §§ 3704 or 3709, that a violation has occurred, the Director may ministerially impose fines upon the candidate, treasurer, committee, designated agent under § 3000.12, or any other person, in the following manner:
- (a) Each allegation shall constitute a separate violation; and
  - (b) A fine shall attach for each day of non-compliance for each violation.
- 3711.2 Except for fines imposed for violations of the regulations and statutory provisions governing the Constituent Service Programs under § 3711.3 and the Fair Elections Program under § 3711.4, fines shall be imposed as follows:
- (a) Accepting a contribution or making an expenditure while office of treasurer is vacant: fifty dollars (\$50) per day;
  - (b) Failure to designate a principal campaign committee: fifty dollars (\$50) per day;
  - (c) Failure to designate a campaign depository: fifty dollars (\$50) per day;
  - (d) Failure to file a Statement of Organization for a political committee, political action committee and independent expenditure committee: fifty dollars (\$50) per day;
  - (e) Failure to file a Statement of Candidacy: fifty dollars (\$50) per day;

- (f) Failure to file a Report of Receipts & Expenditures: fifty dollars (\$50) per day;
- (g) Failure to file an Exemption for a Candidate spending less than \$500: fifty dollars (\$50) per day;
- (h) Accepting legal tender or a money order of one hundred dollars (\$100) or more: five hundred dollars (\$500);
- (i) Using Statehood Funds for political activities: four thousand dollars (\$4,000);
- (j) Making a contribution deposit into an account not designated as a campaign depository: one thousand dollars (\$1,000);
- (k) Failure to place identification notice/identity of a sponsor on campaign literature: five hundred dollars (\$500);
- (l) Accepting a contribution in excess of contribution limitations: four thousand dollars (\$4,000);
- (m) Making a contribution in excess of contribution limitations: four thousand dollars (\$4,000);
- (n) Accepting a contribution made by one person in the name of another person: four thousand dollars (\$4,000);
- (o) Making a contribution in the name of another person: four thousand dollars (\$4,000);
- (p) Failure to timely dispose of surplus campaign funds: fifty dollars (\$50) per day;
- (q) Failure to file additional information requested by the Director: fifty dollars (\$50) per day;
- (r) Failure to disclose/amend required information on reports and statements: fifty dollars (\$50) per day;
- (s) Failure to file ANC Summary Financial Report: fifty dollars (\$50) per day;
- (t) Failure to file a Statement of Acceptance of Position of Chairperson: fifty dollars (\$50) per day;

- (u) Failure to file a Statement of Acceptance of Position of Treasurer: fifty dollars (\$50) per day;
- (v) Making an expenditure in excess of expenditure limitations: four thousand dollars (\$4,000);
- (w) Using District of Columbia government resources for campaign-related activities: four thousand dollars (\$4,000);
- (x) Failure to designate an exploratory committee: fifty dollars (\$50) per day;
- (y) Accepting a contribution in excess of aggregate limitations: four thousand dollars (\$4,000);
- (z) Failure to maintain records required under § 3400.2: four thousand dollars (\$4,000);
- (aa) Failure to file a Statement of Information: fifty dollars (\$50) per day;
- (bb) Failure to designate a Statehood Fund depository: fifty dollars (\$50) per day;
- (cc) Failure to disclose bundled contributions in excess of ten thousand dollars (\$10,000): four thousand dollars (\$4,000);
- (dd) Selling or utilizing information copied from reports and statements for the purpose of soliciting contributions: four thousand dollars (\$4,000);
- (ee) Selling or utilizing information copied from reports and statements for the purpose of commercial use: four thousand dollars (\$4,000);
- (ff) Failure to timely liquidate a Bitcoin contribution: fifty dollars (\$50) per day;
- (gg) Failure to attend mandatory in-person training: fifty dollars (\$50) per day;
- (hh) Failure to disclose affiliated entities of a business contributor who also made contributions to the same committee: one thousand dollars (\$1,000);
- (ii) Making a contribution or transfer of funds if an independent expenditure committee: five hundred dollars (\$500);
- (jj) Failure to file a Statement of Withdrawal of Candidate, Treasurer or Chairperson: fifty dollars (\$50) per day; and

- (kk) Failure to file a Statement of Committee Termination: fifty dollars (\$50) per day.

3711.3 Fines for violations of the regulations and statutory provisions governing Constituent Services Programs shall be imposed, as follows:

- (a) Failure to designate a constituent-service program depository: fifty dollars (\$50) per day;
- (b) Failure to file a Statement of Acceptance of Position of Chairperson: fifty dollars (\$50) per day;
- (c) Failure to file a Statement of Acceptance of Position of Treasurer: fifty dollars (\$50) per day;
- (d) Accepting a contribution or making an expenditure while office of treasurer is vacant: fifty dollars (\$50) per day;
- (e) Failure to file additional information requested by the Director: fifty dollars (\$50) per day;
- (f) Failure to disclose required information on reports and statements: fifty dollars (\$50) per day;
- (g) Accepting a contribution made by one person in the name of another person: five thousand dollars (\$5,000);
- (h) Making a contribution in the name of another person: five thousand dollars (\$5,000);
- (i) Accepting a contribution in excess of the constituent-services program contribution limitation: five thousand dollars (\$5,000);
- (j) Making a contribution in excess of the constituent-services program contribution limitation: five thousand dollars (\$5,000);
- (k) Conducting campaign activities in the constituent-services program: five thousand dollars (\$5,000);
- (l) Making an expenditure in excess of expenditure limitations: five thousand dollars (\$5,000);
- (m) Accepting a contribution in excess of aggregate limitations: five thousand dollars (\$5,000);



- (n) Failure to maintain records required under § 3400.2: five thousand dollars (\$5,000);
- (o) Promoting or opposing, as a primary purpose, a political party, committee, candidate, or issue: five thousand dollars (\$5,000);
- (p) Making any expenditure for the payment of penalties and fines inured to the District of Columbia: five thousand dollars (\$5,000);
- (q) Making any expenditures of cash from constituent service program funds: five thousand dollars (\$5,000);
- (r) Making expenditures for sponsorships for political organizations: five thousand dollars (\$5,000);
- (s) Conducting mass mailings within the ninety (90)-day period immediately preceding a primary, special, or general election by a member of the Council, or the Mayor, who is a candidate for office: five thousand dollars (\$5,000).
- (t) Failure to disclose affiliated entities of a business contributor who have also made contributions to the same committee: one thousand dollars (\$1,000); and
- (u) Failure to timely liquidate a Bitcoin contribution: fifty dollars (\$50) per day.

3711.4 Fines for violations of the regulations and statutory provisions governing the Fair Elections Program shall be imposed, as follows:

- (a) Accepting contribution in the form of cash in excess of one hundred dollars (\$100) or more: five hundred dollars (\$500);
- (b) Accepting a contribution in excess of the contribution limitations: four thousand dollars (\$4,000);
- (c) Accepting any contribution in excess of the aggregate limitations: four thousand dollars (\$4,000);
- (d) Accepting contributions from prohibited sources: four thousand dollars (\$4,000);
- (e) Accepting a contribution or making an expenditure while the office of treasurer is vacant: fifty dollars (\$50) per day;

- (f) Accepting a loan in the form of a contribution in excess of the aggregate limitations: four thousand dollars (\$4,000);
- (g) Failure to return unexpended public funds: four thousand dollars (\$4,000);
- (h) Failure to designate a principal campaign committee: fifty dollars (\$50) per day;
- (i) Failure to designate a campaign depository: fifty dollars (\$50) per day;
- (j) Failure to file a Fair Elections Program Statement of Registration: fifty dollars (\$50) per day;
- (k) Failure to file a Statement of Organization for Principal Campaign Committee: fifty dollars (\$50) per day;
- (l) Failure to file a Fair Elections Program Report of Receipts & Expenditures: fifty dollars (\$50) per day;
- (m) Failure to place identification notice/identity of a sponsor on campaign literature: five hundred dollars (\$500);
- (n) Failure to remit funds to the Fair Elections Program: four thousand dollars (\$4,000);
- (o) Failure to turnover campaign equipment to the Office of Campaign Finance: four thousand dollars (\$4,000);
- (p) Failure to file additional information requested by the Director: fifty dollars (\$50) per day;
- (q) Failure to disclose/amend required information on reports and statements: fifty dollars (\$50) per day;
- (r) Failure to file a Statement of Acceptance of Position of Chairperson: fifty dollars (\$50) per day;
- (s) Failure to file a Statement of Withdrawal of Candidate, Treasurer, or Chairperson: fifty dollars (\$50) per day;
- (t) Failure to file a Statement of Committee Termination: fifty dollars (\$50) per day;
- (u) Failure to file a Statement of Acceptance of Position of Treasurer: fifty dollars (\$50) per day;

- (v) Failure to maintain records required under § 3400.2: four thousand dollars (\$4,000);
- (w) Failure to attend mandatory in-person training: fifty dollars (\$50) per day;
- (x) Failure to participate in the debate requirement: four thousand dollars (\$4,000)
- (y) Failure to comply with the Fair Elections requirements: four thousand dollars (\$4,000);
- (z) Making a contribution of personal funds in excess of aggregate limitations: four thousand dollars (\$4,000);
- (aa) Making expenditures for any purpose prohibited under § 4209: four thousand dollars (\$4,000);
- (bb) Making a contribution deposit into an account not designated as a campaign depository: four thousand dollars (\$4,000);
- (cc) Making a contribution loan or transfer of funds to another candidate's political committee or to a political action committee: four thousand dollars (\$4,000);
- (dd) Using District of Columbia government resources for campaign-related activities: four thousand dollars (\$4,000); and
- (ee) Failure to timely file the Fair Elections Program Request to Rescind Certification: fifty dollars (\$50) per day.

3711.5 The aggregate of the penalties imposed under the Director's authority, pursuant to §§ 3711.2, 3711.3 and 3711.4, may not exceed four thousand dollars (\$4,000) for each violation, except or unless otherwise authorized.

3711.6 In calculating the time period for delinquencies, Saturdays, Sundays, and holidays shall not be included.

3711.7 Any fine imposed by the Director, pursuant to §§ 3711.2, 3711.3 and 3711.4, shall become effective on the sixteenth (16th) day following the issuance of a decision and order; provided, that, the respondent does not request a hearing pursuant to § 3709.11.

3711.8 The Director may modify, rescind, dismiss, or suspend any fine imposed, pursuant to §§ 3711.2, 3711.3 and 3711.4, for good cause shown; provided, that fines imposed for failure to file an eight (8) day pre-election report shall be

mandatory, unless a written extension for filing the report, pursuant to Chapter 30 of this title, is granted by the Director.

3711.9 Fines imposed pursuant to this chapter shall be paid within ten (10) days of the effective date of the issuance of an Order of the Director. Payment by check or money order shall be payable to the D.C. Treasurer, and directed to the Office of Campaign Finance, 1015 Half Street S.E., Suite 775, Washington, D.C. 20003.

3711.10 If a party fails to pay the ordered fine, the Director may petition for enforcement of its order before the Board in an adversarial and open hearing, pursuant to Chapter 4 of this title, within sixty (60) days of the expiration of the period provided for payment of the fine.

**Section 3712 is amended as follows:**

**3712 PROCEDURES REGARDING EXCESSIVE CONTRIBUTIONS**

3712.1 The Director shall determine whether a contribution made to a person was in excess of the aggregate maximum to which the person was entitled.

3712.2 Upon a determination that an excessive contribution has been made, the Director shall, in writing, notify the recipient of the excessive contribution of:

- (a) The amount of the excessive contribution;
- (b) The requirement that an amount equal to the excess contribution shall be repaid to the contributor; and
- (c) The requirement that such repayment shall be accomplished within fifteen (15) days of the notice.

3712.3 Any person required by the Director to repay an excess contribution may apply in writing to the Director for an extension of time in which to repay the excess contribution.

3712.4 The Director may grant an extension for a reasonable amount of additional time for good cause to any person who files an application in accordance with § 3712.3.

3712.5 If the person who has been determined to have received an excessive contribution disputes the Director's determination, the person shall so advise the Director in writing within seven (7) days upon receipt of the notice issued under § 3712.2.

3712.6 Within ten (10) days after receiving notice of the existence of the dispute pursuant to § 3712.5, the Director shall schedule and conduct an informal hearing in accordance with § 3709.

3712.7 With the exception of § 3712.2, when a candidate seeking certification or participating in the Fair Elections Program knows or has reason to know that he or she has accepted a contribution, contributions, or aggregate contributions from a single source in excess of the applicable contribution limits under § 4205.1, or from prohibited sources, the candidate shall promptly return the excess portion or prohibited contribution, by bank check or certified check made out to the contributor in accordance with §§ 4205.15, 4205.16 and 4207.9.

**Section 3714 is amended as follows:**

**3714 REPORTS AND STATEMENTS UNDER OATH**

3714.1 All reports and statements filed pursuant to the Act shall be verified by the oath or affirmation of the person filing such reports or statements in accordance with Chapters 30, 42 and 43 of this title.

3714.2 During regular business days and hours, the Director shall maintain a notary public to administer the oaths; provided, that in the absence of the notary public, an Affirmation Statement, on a form prescribed by the Director, shall suffice.

**Chapter 99, DEFINITIONS, is amended as follows:**

**Section 9900 is amended as follows:**

**9900 DEFINITIONS**

9900.1 The terms and phrases used in this title shall have the meanings set forth in the Election Act, the Ethics Act, and this section unless the text or context of the particular chapter, section, subsection, or paragraph provides otherwise.

**Activity** - acts or functions of an agency or its authorized agent and the methods of performing them.

**Address** - personal residence, principal place of business, campaign office, political committee office, and constituent-service program office.

**Administrative action** – the execution of policies relating to persons or things as previously authorized, or required by official action of the agency, adopted at an open meeting of the agency. The term does not include the deliberation of agency business or taking official action. Examples of administrative action include the review of an agenda, setting witness testimony time limitations, and other such procedural discussions.

**Adversely affected** – harm caused by an administrative action for which redress is necessary or required.

**Affidavit** – a written statement sworn to by the affiant before a notary or officer authorized to administer oaths, which attests to the truth of the stated written matter.

**Aggrieved party** – one who has been directly and detrimentally harmed by the outcome of an administrative decision or action.

**Anything of value** - related to the monetary worth of something.

**Authorized committee** – a principal campaign committee or any other political committee designated and authorized by a candidate, on the Statement of Candidacy Form, to support the candidate for election, receive contributions, or make expenditures on behalf of such candidate.

**Authorized officer or agent** - one who has the actual or apparent authority to bind the principal.

**Ballot** - a sheet of paper, or electronic card, filmstrip, or other device on which votes are recorded and stored. See also, “official ballot.”

**Ballot card** – see “ballot.”

**Ballot measure** – a specific category of ballot question, including initiatives, referenda, and recalls.

**Ballot question** – a direct vote in which the electorate is asked to either accept or reject a particular proposal, including ballot measures (initiatives, referenda, and recalls) and Charter Amendments.

**Base amount** - means the amount a participating candidate in the Fair Elections Program is eligible to receive as a lump-sum payment.

**Board** - the District of Columbia Board of Elections, under Title III of the “Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011.”

**Board Employee** - as distinguished from a “polling place official,” an individual who is employed by the District of Columbia Board of Elections to perform personal services for the Board either as a permanent, temporary, intermittent, or trainee employee and includes employees on leave, leave without pay, or on furlough or leave of absence for educational purposes.

**Board’s office** – the Board’s principal place of business, and for purposes of registration only, any voter registration agency (VRA) or early voting center location that the Board shall designate.

**Bundling** – the combining of one or more contributions by different donors to make a single contribution to a candidate for public office or to support an initiative, referendum, or recall measure in the District of Columbia.

**Business** - any corporation, partnership, sole proprietorship, firm, nonprofit corporation, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock, trust, or any legal entity through which business is conducted, whether for profit or not.

**Campaign Finance Act** – the Campaign Finance Act of 2011 under Title III of the “Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011,” as amended.

**Candidate** – one who qualifies and seeks election for public office in the District of Columbia.

**Candidate for election** - an individual who has won a party primary; or who has survived the challenge period (D.C. Official Code §§ 1-1001.08(o) and 1-1101.01(2) (2011 Repl. & 2012 Supp.)) after filing a petition to have his or her name printed directly on the general election ballot.

**Candidate for nomination** - an individual who is seeking to win a party primary; or an individual who is seeking ballot access in a general or special election by having registered voters sign a nominating petition to have the candidate’s name printed directly on the ballot.

**Candidate seeking certification** - a candidate for a covered office who:

- (a) Has complied with § 4201; and
- (b) Indicated on the registration statement that the candidate will seek certification as a participating candidate in the Fair Elections Program.

**Chairman** – the Chairman of the District of Columbia Board of Elections.

**Close of business** - 4:45 p.m. Monday through Friday, excluding District of Columbia legal holidays, unless otherwise indicated in this title.

**Commingling** - the improper mixing of personal and campaign or other funds donated for a specific or limited purpose.

**Committee** – an organized group consisting of a chairman and treasurer engaged for one of the following purposes:

- (a) To nominate, elect, or defeat a candidate for public office;

- (b) To solicit, accept, and expend funds to defray the costs of attorney fees, on behalf of a public officer;
- (c) To solicit, accept and expend funds for the transition of the Mayor or Chairman of the Council;
- (d) To explore or test the feasibility of an individual's viability as a candidate for public office in the District of Columbia;
- (e) To plan, raise, and expend funds for inaugural celebration for a new Mayor of the Council; or
- (f) To qualify an initiative, referendum, or recall measure for ballot access.

**Complainant** – one who alleges a violation of District of Columbia campaign finance law or regulation.

**Constituent Service Fund** – monetary resources authorized by law for use by the Mayor, Chairman and members of the DC Council to provide certain services to benefit the citizens of the District of Columbia.

**Contest** - the aggregate of candidates who run against each other among themselves for a particular nomination or number of nominations, or a particular office or number of offices. The write-in options for each of the positions to be filled by the election are also part of the contest.

**Contested election** - an election for a seat for a covered office for which there are at least 2 candidates, at least one of whom is a participating candidate in the Fair Elections Program.

**Contribution** – the meaning provided in D.C. Official Code § 1161.01(10)(A).

**Council** – the Council of the District of Columbia.

**Coordinated expenditure** – made in cooperation, consultation, or concert with a candidate or party based on certain conduct or interactions occurring between the candidate or political committee and spender. An expenditure is deemed coordinated if it meets at least one “conduct” standard and one “content” standard.

**Covered office** - the office of Mayor, Attorney General, Chairman of the Council, member of the Council, and member of the State Board of Education.

**Debate** - the public, moderated, reciprocal discussion of issues conducted by the Director of Campaign Finance.



**Days** - calendar days, unless stated otherwise.

**Director** – the Director of Campaign Finance of the Board of Elections.

**D.C. Official Code** - the 2001 Edition of the Code, as amended.

**Directly related** - immediately or approximately connected to, allied to, or affiliated with.

**Domestic partner** – the same meaning as provided in D.C. Official Code § 32-701(3).

**Duly registered voter** - a registered voter who resides at the address listed on the Board’s records.

**Effective date (of registration)** – the date from which a registered voter’s information is valid.

**Elected officials** - the following local public officials:

- (a) The Delegate to the United States House of Representatives from the District of Columbia, as provided for in the District of Columbia Delegate Act of 1970, effective September 22, 1970, as amended (84 Stat. 848, Pub. L. 91-405; D.C. Official Code §§ 1-401, *et seq.* (2016 Repl.));
- (b) The Mayor of the District of Columbia, as provided for in D.C. Official Code §§ 1-204.21 and 1-204.22 (2016 Repl.);
- (c) The Chairperson and Members of the Council of the District of Columbia, as provided for in D.C. Official Code § 1-204.01 (2016 Repl.);
- (d) The Members of the State Board of Education, as provided for in D.C. Official Code § 38-2651 (2012 Supp.);
- (e) Electors of President and Vice President of the United States and the officials of political parties as provided for in D.C. Official Code § 1-1001.01 (2016 Repl.); and
- (f) Members of Advisory Neighborhood Commissions, as provided for in D.C. Official Code § 1-309.06 (2016 Repl.) and § 1-1001.02(13) (2016 Repl.).

**Election** – means a primary, general, or special election held in the District of Columbia to nominate an individual as candidate for election to office, to elect a candidate for office, or to decide an initiative, referendum, or recall

measure, including a convention or caucus of a political party held to nominate such candidate.

**Election Act** - the District of Columbia Election Act, effective August 12, 1955, as amended (69 Stat. 699; D.C. Official Code §§ 1-1001.01, *et seq.* (2016 Repl.)), which governs the administration of all elections in the District of Columbia.

**Election cycle** - means:

- (a) The period beginning on the day after the date of the most recent general election for a seat for a covered office and ending on the date of the next general election for that seat for the covered office; or
- (b) In the case of a special election for a seat for a covered office, the period beginning on the day the special election is called and ending on the date of the special election for that seat for the covered office.

**Election day worker** – see “polling place official.”

**Election observer** – an individual who has received proper credentials from the Board to witness the administration of elections, including members of nonpartisan or bipartisan, domestic or international organizations, who are not affiliated with a candidate or ballot measure.

**Election official** – any employees of the Board and polling place officials, excluding poll watchers and election observers.

**Election year** - the calendar year in which there is held an election, where a political committee is engaged in promoting or opposing a political party, nomination or election of an individual to office, or any initiative, referendum, or recall measure.

**Electronic filing** - as provided by the Office of Campaign Finance in Chapters 30-40, the procedure by which filers may process required forms online through the world wide web at [www.ocf.dc.gov](http://www.ocf.dc.gov).

**Eligible candidate** - an individual who is not ineligible to be a candidate pursuant to D.C. Official Code § 1-1001.15(b) (2016 Repl.) and who meets or is capable of meeting those statutory requirements necessary to serve in a particular office by the date of the election in which he or she seeks the office.

**Employee** - unless otherwise apparent from the context, a person who performs a function of the District of Columbia government and who receives compensation for the performance of such services, or a member of a

District of Columbia government board or commission, whether or not for compensation.

**Entrusted position** - an elective and public office which is a public trust in which the citizenry reposes special confidence in the officeholder for the execution of duties or services which inure to the benefit of the citizenry.

**Executive agency** - includes:

- (a) A department, agency, or office in the executive branch of the District of Columbia government under the direct administrative control of the Mayor;
- (b) The State Board of Education or any of its constituent elements;
- (c) The University of the District of Columbia or any of its constituent elements;
- (d) The Board of Elections; and
- (e) Any District of Columbia professional licensing and examining board under the administrative control of the executive branch.

**Expenditure** – is made in cooperation, consultation, or concert with a candidate or committee that includes:

- (a) A purchase, payment, distribution, loan, advance, deposit, or gift or money or anything of value, made for the purpose of financing, directly, or indirectly:
  - (1) The election campaign of a candidate;
  - (2) Any operations of a political, exploratory, inaugural, transition, or legal defense committee; or
  - (3) The election campaign to obtain signatures on any initiative, referendum, or recall petition, or to bring about the ratification or defeat of any initiative, referendum, or recall measure, or any operations of a political committee involved in such a campaign.
- (b) A contract, promise, or agreement, whether legally enforceable, to make an expenditure; and
- (c) A transfer of funds between political committees or between an exploratory committee and a political committee.

**Exploratory Committee** – any person, or group of persons, organized for the purpose of examining the feasibility of becoming a candidate for an elective office in the District of Columbia.

**Fair Elections Committee** – a political committee that only accepts contributions from:

- (a) Individuals who are District residents, which shall not exceed two hundred fifty dollars (\$250) per individual per calendar year; or
- (b) A membership organization, if the contribution consists of membership dues paid by individuals who are District residents that do not exceed:
  - (1) The amount of membership dues actually paid per member per calendar year; and
  - (2) \$250 per member per calendar year.

**Fair Election Fund** – the fund established by D.C. Official Code § 1-1163.32i.

**Fair Elections Program** – the program to provide for publicly funded campaigns.

**Fair market value** - the fair and reasonable cash price for which the property can be sold in the market at that time, or at the time of the filing of the financial statement.

**Fictitious ballot** – a ballot which shows the design and layout of a ballot in an upcoming election, and does not contain the names of nominees or candidates actually seeking office or ballot questions actually to appear on an official ballot.

**File, filed, and filing** – delivery in person, electronically or by mail to the OCF by 5:30 p.m. of the prescribed date.

**FOIA-** the District of Columbia Freedom of Information Act, which ensures disclosure of certain information relative to the conduct of the District of Columbia Government and its employees.

**Gift** - a payment, subscription, advance, forbearance, rendering, or deposit of money, services, or anything of value, unless consideration of equal or greater value is received.

**Government photo identification** – a card issued by the District of Columbia government that bears a photograph of the face of the voter and the voter's current, District of Columbia residential address.

**Household** - a public official or employee and any member of his or her immediate family with whom the public official or employee resides.

**Identification** - in the case of an individual, the full name, including first name, middle name or initial, if available, last name of an individual, and full address of the principal place of residence; and in the case of partnership, committee, corporation, labor organization, and any other organization, full name and mailing address.

**Immediate family** - the spouse or domestic partner of a public official or employee and any parent, grandparent, brother, sister, or child of the public official or employee, and the spouse or domestic partner of any such parent, grandparent, brother, sister, or child.

**Inaugural Committee** – any person, or group of persons, organized for the purpose of soliciting, accepting, and spending funds and coordinating activities to celebrate the election of a new Mayor.

**Incidental expenses** - any unreimbursed payment from a volunteer’s personal funds for usual and normal local travel and subsistence expenses incident to volunteer activity.

**Income** - gross income as defined in Section 61 of the Internal Revenue Code (26 USC § 61).

**Independent expenditures** - an expenditure for communications by a person expressly advocating the election or defeat of a clearly identified candidate, which is made without cooperation, consultation, or concert with any candidate or any authorized committee or agent of the candidate.

**Individual** – means a natural person.

**In-kind contribution** - a contribution of goods, services, or property by the contributor to a campaign finance committee, candidate, constituent-service program, or Statehood Fund.

**Interpretative Opinion** – a legal opinion issued by the Director of Campaign Finance concerning a proposed transaction relative to District of Columbia campaign finance law or regulation.

**Legal Defense Committee** – any person, or group of persons, organized for the purpose of soliciting, accepting, and spending funds to defray attorney and other related costs for a public official’s legal defense in civil, criminal, or administrative proceedings. Such funds shall not be used for fundraising, media or political consulting fees, mass mailing or advertising, payment or reimbursement for a fine, penalty, judgment, or settlement, or a payment

to reimburse or to disgorge contributions from any other committee controlled by the public official.

**Legal tender** - currency and coins of the United States; ready money.

**Legislative action** - includes any activity conducted by an official in the legislative branch in the course of carrying out his or her duties as such an official, and relating to the introduction, passage, or defeat of any legislation in the Council.

**Limited Liability Company (LLC)** – is an unincorporated association established pursuant to District of Columbia Code Title 29, Chapter 8, with one or more members who have limited personal liability for the debts and actions of the LLC.

**Logic and accuracy testing (“L&A testing”)** – validation of the mathematical accuracy of vote recording and tabulation equipment for internal and external consistencies.

**Made with cooperation or consultation with any candidate** - any arrangement, coordination, or direction by the candidate or his or her agent prior to the publication, distribution, display, or broadcast of the communication. An expenditure will be presumed to be so made when it is as follows:

- (a) Based on information about the candidate’s plans, projects, or needs provided to the expending person by the candidate, or by candidate’s agent, with a view toward having an expenditure made; and
- (b) Made by or through any person who is, or has been, authorized to raise or expend funds; who is, or has been, an officer of an authorized committee; or who is, or has been receiving any form of compensation or reimbursement from the candidate, the candidate’s committee or agent.

**Mass collections** - the receipt of contributions by a committee, candidate, or individual, at dinners, luncheons, rallies, and other fundraising events organized by a committee, candidate, or individual.

**Mass sales** - to make available for purchase by a committee, candidate, or individual, at dinners, luncheons, rallies, and other fundraising events organized by such committee, candidate, or individual, items in bulk such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials.

**Matching payments** – payments provided to a participating candidate in the Fair Elections Program for qualified small-dollar contributions.

**Membership organization** – an organization that:

- (a) Is tax-exempt under Section 501(c) of the Internal Revenue Code;
- (b) Is comprised of members who are individuals, whether or not the organization also has affiliated organizations; provided that all of the members are required as a condition of membership to pay dues at least annually in amounts predetermined by the membership organization;
- (c) Expressly solicits individuals to become members and expressly acknowledges acceptance of membership; and
- (d) Is neither a political committee nor otherwise organized for the principal purpose of promoting or opposing the nomination or election of a person to local, state, or federal public office.

**Non-postmarked** – not bearing the postal cancellation imprint on letters flats and parcels that shows the date, name, state, and ZIP Code of the post office or sectional center facility that accepted the mail.

**Non-support year** - any calendar year in which a political committee is not engaged in promoting or opposing a political party, the nomination or election of an individual to office, or any initiative, referendum, or recall measure.

**Occupation** - the principal job title or position, and type of business, or whether self-employed for the purposes of the Campaign Finance Act.

**Office** – the Office of Mayor, Attorney General, Chairman or member of the Council, President or member of the Board of Education, or an official of a political party in the District of Columbia.

**Official ballot** – a sheet of paper, or electronic card, filmstrip, or other device that has been approved by the Board for use during an election on which votes are recorded and stored. For direct-recording electronic (“DRE”) machines, the official ballot shall be the electronic card that records and stores the elector’s votes, except that the voter-verified paper audit trail (“VVPAT”) shall be the official ballot of record during all occurrences of manual tabulation, including audits and recounts.

**Official in the executive branch** - includes:

- (a) The Mayor;
- (b) Any officer or employee in the Executive Service;

- (c) Persons employed under the authority of D.C. Official Code §§ 1-609.01 through 1-609.03 (except § 1-609.03(a)(3)) paid at a rate of DS-13 or above in the General Schedule or equivalent compensation under the provisions of Subchapter XI of Chapter 6 of this title designated in § 1-609.08 (except paragraphs (9) and (10) of that section; or
- (d) Members of boards and commissions designated in § 1-523.01(e).

**Official in the legislative branch** - any candidate for Chairman or member of the Council in a primary, special, or general election, the Chairman or Chairman-elect or any member or member-elect of the Council, officers, and employees of the Council appointed under the authority of §§ 1-609.01 through 1-609.03 or designated in § 1-609.08.

**Official of a political party** – national committeemen and committeewomen and their alternates; delegates to conventions of political parties nominating candidates for the Presidency and Vice Presidency of the United States and their alternates, where permitted by party rules; such members and officials of local committees of political parties as designated by duly authorized local committees of such parties for election, by public ballot, at large or by ward in the District of Columbia.

**Ordinary course of business** - transacting business according to customary and reasonable business practices.

**Overvote** – instance in which a voter casts a vote for a greater number of candidates or positions than the number for which he or she was lawfully entitled to vote and no vote shall be counted with respect to that office or question.

**Participating candidate** – a candidate for a seat for a covered office who is certified under § 4206.

**Particular matter** - a deliberation, decision, or action that is focused upon the interests of specific persons, or a discrete and identifiable class of persons.

**Partnership** – an association of two (2) or more persons acting as co-owners of a business for profit.

**Party** – a person or group of persons directly involved in, or having an interest at stake in the outcome of a transaction, which is the subject of a legal proceeding as a litigant.

**Party affiliation status** – for registration and registration update purposes, the elector’s choice of “Democratic Party,” “Republican Party,” “D.C.



Statehood Green Party,” “Libertarian Party”, “no party (independent),” or any other minor party.

**Person** – an individual, partnership, committee, corporation, limited liability company, labor organization, or any other organization.

**Political Committee** – any proposer, individual, committee (including a principal campaign committee), club, organization, association, or other group of individuals organized for the purpose of, or engaged in promoting or opposing, the nomination or election of an individual to office, a political party, or any initiative, referendum, or recall measure.

**Political Party** – an association, committee, or other organized group of individuals who share a similar ideology concerning government policy, and which nominates a candidate for election to office in the District of Columbia.

**Political Action Committee (PAC)** – an organized group of individuals not authorized by a candidate to act on his or her behalf, but may operate independently of the candidate for purposes of supporting or opposing a clearly identified candidate for office, political party, or may be solely issues-oriented.

**Poll watcher** – a qualified elector who has received proper credentials from the Board to monitor voting or ballot counting activity on behalf of a qualified candidate, or proponent or opponent of a proposed initiative, referendum, recall measure, or Charter amendment.

**Polling place official** - an individual who is employed by the District of Columbia Board of Elections on those dates when elections and early voting are conducted in the District of Columbia or any subsequent dates upon which the counting or recounting of ballots occurs and includes, but is not limited to, precinct captains, precinct workers, counters, or area representatives.

**Postmarked** – bearing the postal cancellation imprint on letters flats and parcels that shows the date, name, state, and ZIP Code of the post office or sectional center facility that accepted the mail.

**Principal Campaign Committee (PCC)** – an organized group of individuals, whose name includes the name of a clearly identified candidate, which is authorized by a candidate to cause his or her nomination or election to office in the District of Columbia.

**Principal place of business** - full name under which the business is conducted and the addresses, city, and state in which the person is employed or conducts business.

**Prohibited source** - any person that:

- (a) Has or is seeking to obtain contractual or other business or financial relations with the District of Columbia government;
- (b) Conducts operations or activities that are subject to regulation by the District of Columbia government; or
- (c) Has an interest that may be favorably affected by the performance or non-performance of the employee's official responsibilities.

**Public official** - includes:

- (a) A candidate for nomination for election, or election, to public office;
- (b) The Mayor, Chairman, and each member of the Council of the District of Columbia holding office under Chapter 2 of this title;
- (c) The Attorney General;
- (d) A Representative or Senator elected pursuant to D.C. Official Code § 1-123;
- (e) An Advisory Neighborhood Commissioner;
- (f) A member of the State Board of Education;
- (g) A person serving as a subordinate agency head in a position designated as within the Executive Service;
- (h) A member of a board or commission listed in D.C. Official Code § 1-523.01(e); and
- (i) A District of Columbia Excepted Service employee paid at a rate of Excepted Service 9 or above, or its equivalent, who makes decisions or participates substantially in areas of contracting, procurement, administration of grants or subsidies, developing policies, land use planning, inspecting, licensing, regulating, or auditing, or acts in areas of responsibility that may create a conflict of interest or appearance of a conflict of interest; and any additional employees designated by rule by the Ethics Board who make decisions or participate substantially in areas of contracting, procurement, administration of grants or subsidies,

developing policies, land use planning, inspecting, licensing, regulating, or auditing, or act in areas of responsibility that may create a conflict of interest or appearance of a conflict of interest.

**Qualified elector** – a registered voter who resides at the address listed on the Board’s records.

**Qualified registered elector** – a registered voter who resides at the address listed on the Board’s records.

**Qualified small-dollar contribution** – a deposit of money that:

- (a) Is made for the purpose of financing the nomination or election of a candidate or any operations of a political committee;
- (b) Meets the requirements of § 4205; and
- (c) Is contributed by a small-dollar contributor to a candidate seeking certification or a participating candidate in the Fair Elections Program.

**Qualifying period** – means:

- (a) For a candidate running in a primary election, the period beginning on the date after the most recent general election for a seat for the covered office that the candidate is seeking and ending on the last day to file nominating petitions for the primary election for the seat for the covered office sought;
- (b) For a candidate not running in a primary election, the period beginning on the day after the most recent general election for the seat for the covered office that the candidate is seeking and ending on the last day to file nominating petitions for the covered office sought; or
- (c) For a candidate running in a special election, the period beginning on the day the special election is called and ending on the last to file nominating petitions for the covered office sought.

**Registered qualified elector** - a registered voter who resides at the address listed on the Board’s records.

**Respondent** – a party to a contested matter in an administrative proceeding.

**Sample/specimen ballot** – a representation of an original official ballot used for demonstration purposes only.

**Small-dollar contributor** – an individual who:

- (a) Is a District resident; and
- (b) Contributes a qualified small-dollar contribution to a candidate seeking certification or a participating candidate in the Fair Elections Program.

**Statement of Candidacy** - a written statement, filed with the Director, declaring one's intention of becoming a candidate for election, made "under penalty of perjury" and signed by the candidate.

**Statement of Organization** – a prescribed form that identifies the name of any group of individuals, proposer, individual, club, organization, or association organized for the purpose of promoting or opposing the nomination or election of an individual to office, or promoting or opposing a political party or any initiative, referendum or recall measure, made "under penalty of perjury" and signed by the Treasurer or a designated agent.

**Submission** – the voter's act of returning a voted ballot to the Board.

**Surplus funds** - residual or unexpended monies remaining in a candidate, constituent-service program, Statehood Fund, or political committee account in excess of the amount necessary to defray expenses.

**Testimonial committee** - any committee, association, or organization organized and operated exclusively for the purpose of publicly acknowledging an official's services, character, attainments, conduct, qualifications, or contributions while holding office. A testimonial committee is not a political committee.

**Timely completed** – the information given and signature made on or prior to the date required pursuant to the D.C. Official Code and the D.C. Municipal Regulations, Title 3.

**To cause to be undertaken** - an actual writing, drawn up by an executive agency, intended to initiate a rulemaking proceeding. The phrase is not intended to include discussion among members of the agency or the public prior to their submission of the writing.

**Transition Committee** – any person or group of persons organized for the purpose of soliciting, accepting or expending funds for office and personnel transition on behalf of the Mayor or the Chairman of the Council.

**Transmission** – the Board's act of sending a ballot to the voter.

**To propose legislation** - an actual written proposal signed by the head of a proposing agency and submitted to the Mayor, Council, President of the United States, or the United States Congress. It does not refer to discussion among members of the proposing agency before submission of the written request, nor does it refer to oral communications between the proposing agency and the Mayor, President, or members of the Council or the U. S. Congress.

**Treasurer** – an official of a political campaign or other committee, who is required to file a Statement of Acceptance of Treasurer with the Director of Campaign Finance, and authorized to receive contributions, to make expenditures and to file financial reports on behalf of a candidate or other committee.

**Unauthorized committee** – any organized political committee that has not been designated by a candidate for election.

**Uncontested election** – an election for a seat for a covered office for which there is only one participating candidate.

**Undervote** – an instance in which a voter casts a vote for a lesser number of candidates or positions than the number for which he was lawfully entitled to vote.

**Voter registration application** – a Board-approved form that meets federal requirements pursuant to the National Voter Registration Act (“NVRA”) (42 USC §§ 1973gg, *et seq.*) and the Help America Vote Act (“HAVA”) (42 USC § 15301 – 15545) that a qualified elector uses to register to vote or to update voter registration information.

**Voting system** – any equipment or software used to tabulate ballots.

**Write-in nominee** - an individual whose name is written on or imprinted upon the ballot by a voter, in a primary, general, or special election and whose eligibility as a candidate in the election has not been determined by the Executive Director.

**Write-in candidate (“qualified write-in candidate”)** – as distinguished from a “write-in nominee,” an individual who is seeking nomination or election by the electorate and whose eligibility as a candidate in the election has been determined by the Executive Director.

## DEPARTMENT OF HEALTH

**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Health (Department), pursuant to § 302(4) of the District of Columbia Health Occupations Revision Act of 1985 (“Act”), effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor’s Order 98-140, dated August 20, 1998, hereby gives notice of her intent to adopt the following amendment to Chapter 51 (Anesthesiologist Assistants) of Title 17 (Business, Occupations, and Professionals) 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 rulemaking is necessary to update Sections 5108 (Continuing Education Requirements) and 5199 (Definitions) of the District of Columbia Municipal Regulations regarding the Board of Medicine in order to amend the requirement for Continuing Education for anesthesiologist assistants. Consistent with the aim of the Act, this rulemaking will enhance professionalism within the community and operate in support of the health and welfare of the public.

**Chapter 51, ANESTHESIOLOGIST ASSISTANTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 5108, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 5108.2 is amended to read as follows:**

- 5108.2 A licensee applying for renewal shall meet continuing education requirements by demonstrating that he or she has:
- (a) Been recertified by the National Commission for Certification of Anesthesiologist Assistants (NCCAA), or its successor organization;
  - (b) Completed two (2) continuing medical education hours in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) which meet the requirements of §§ 5108.5 and 5108.6; and
  - (c) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website.

**Section 5199, DEFINITIONS, is amended as follows:**

**Subsection 5199.1 is amended to read as follows:**

**The following definition is added before the definition of “Immediately Available”:**

**Director** – The Director of the Department of Health, or his or her designee.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6<sup>th</sup> Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at [Angli.Black@dc.gov](mailto:Angli.Black@dc.gov), (202) 442-5977.

## DEPARTMENT OF HEALTH

**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Health (Department), pursuant to § 302(4) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of her intent to adopt the following amendment to Chapter 52 (Naturopathic Medicine) of Title 17 (Business, Occupations, and Professionals) 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 rulemaking is necessary to update Sections 5206 (Continuing Education Requirements) and 5299 (Definitions) of the District of Columbia Municipal Regulations pertinent to the Board of Medicine in order to amend the requirement for Continuing Education for naturopathic physicians. Consistent with the aim of the Health Occupations Revision Act, this rulemaking will enhance professionalism within the community and operate in support of the health and welfare of the public.

**Chapter 52, NATUROPATHIC MEDICINE, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 5206, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsections 5206.4 – 5206.7 are amended to read as follows:**

5206.4 An applicant for renewal of a license shall:

- (a) Have completed thirty (30) hours of approved continuing education credit during the two (2) year period preceding the date the license expires, which shall include:
  - (1) Two (2) hours of continuing education credit in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 5206.11; and
  - (2) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined



by the Director via electronic communication and through publication on its website.

- (b) Attest to completion of the required continuing education credit on the renewal application form; and
- (c) Be subject to a random audit.

**Subsection 5206.5 is amended to read as follows:**

5206.5 To qualify for a license a person in inactive status for at least five (5) years as set forth in § 511 of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14)(2016 Repl.)), Act, D.C. Official Code § 3-1205.11 (2016 Repl.), who submits an application to reactivate a license shall submit proof pursuant to § 5206.8 of this section of having completed fifteen (15) hours of approved continuing education credit in the year immediately preceding the date of the application. Of the fifteen (15) hours of approved continuing education:

- (a) Two (2) hours shall relate to cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) and shall meet the requirement of § 5206.11; and
- (b) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website.

**Subsection 5206.6 is amended to read as follows:**

5206.6 To qualify for a license, a person in inactive status within the meaning of § 511 of the Act, D.C. Official Code § 3-1205.11 (2016 Repl.) for more than five (5) years who submits an application to reactivate a license shall submit proof pursuant to § 5206.8 of having completed approved continuing education credit in the year immediately preceding the date of the application as follows:

- (a) Thirty (30) hours of approved continuing education credit, which shall include:
  - (1) Two (2) hours of continuing education credit in cultural competence or appropriate clinical treatment specifically for

individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 5206.11; and

(2) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website; and

(b) One hundred sixty (160) hours within a sixty (60) day period of professional practice under the supervision of a naturopathic physician.

**Subsection 5206.7 is amended to read as follows:**

5206.7 To qualify for a license, an applicant for reinstatement of a license shall submit proof pursuant to § 5206.8 of having completed approved continuing education credit in the year immediately preceding the date of the application as follows:

(a) Thirty (30) hours of approved continuing education credit, which shall include:

(1) Two (2) hours of continuing education credit in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 5206.11; and

(2) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website; and

(b) One hundred sixty (160) hours within a sixty (60) day period of professional practice under the supervision of a naturopathic physician.

**Section 5299, DEFINITIONS, is amended as follows:**

**Subsection 5299.1 is amended to read as follows:**

**The following definition is added before the definition of “Natural Remedy”:**

**Director** – The Director of the Department of Health, or his or her designee.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6<sup>th</sup> Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at [Angli.Black@dc.gov](mailto:Angli.Black@dc.gov), (202) 442-5977.

## DEPARTMENT OF HEALTH

**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Health (Department), pursuant to § 302(4) of the District of Columbia Health Occupations Revision Act of 1985 (Act) , effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) 2016 Repl.), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of her intent to adopt the following amendments to Chapter 80 (Surgical Assistants) of Title 17 (Business, Occupations, and Professionals) 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*.

An amendment to Section 8003 (Licensure Requirements) is necessary to add the National Board of Surgical Technology and Surgical Assisting as an authorized certifying body, pursuant to D.C. Official Code § 3-1205.04 (q)(D) (2016 Repl.). The amendment to Section 8008 (Continuing Education Requirements) is necessary to amend the requirement for Continuing Education for surgical assistants. Consistent with the aim of the Act, this rulemaking will enhance professionalism within the community and operate in support of the health and welfare of the public.

**Chapter 80, SURGICAL ASSISTANTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 8003, LICENSURE REQUIREMENTS, is amended as follows:**

**Subsection 8003.2 is amended to read as follows:**

8003.2            Additionally, an applicant shall submit proof satisfactory to the Board in accordance with § 504 of the Act, D.C. Official Code § 3-1205.04 that the applicant was certified as a surgical assistant by at least one of the following:

- (a)     The National Surgical Assistant Association;
- (b)     The American Board of Surgical Assistants; or
- (c)     The National Board of Surgical Technology and Surgical Assisting.

**Section 8008, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 8008.2 is amended to read as follows:**

8008.2            An applicant for renewal of a license to practice as a surgical assistant shall submit proof pursuant to § 8008.6 of having completed during the two-year (2) period preceding the date the license expires approved continuing education units (CEUs) constituting:

- (a)     Fifty (50) hours of CEU credit as specified in § 8009.2;

- (b) Two (2) hours of CEU credit in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 8009.3, and which shall count towards the hours required under paragraph (a) ; and
- (c) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website.

**Subsection 8008.4 is amended to read as follows:**

8008.4 A surgical assistant who is required to obtain continuing education units pursuant to § 8008.2 may, in lieu of meeting the requirement of that section through the completion of CEUs approved by the Board pursuant to § 8009, furnish proof satisfactory to the Board that the surgical assistant holds a current valid certification from the American Board of Surgical Assistants or the National Surgical Assistant's Association and has completed fifty (50) hours of CEUs over a two (2)-year period as part of that certification. Nothing in this subsection shall waive the requirement of § 8008.2(b) and (c).

**Subsection 8008.5 is amended to read as follows:**

8008.5 An applicant for reactivation of an inactive license or reinstatement of a license to practice as a surgical assistant shall submit proof pursuant to § 8008.6 of having completed during the two (2)-year period immediately preceding the date of application approved CEUs. The CEUs:

- (a) Shall include two (2) hours of CEU credit in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 8009.3; and
- (b) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified

subjects to its licensees when determined by the Director via electronic communication and through publication on its website.

**Section 8099, DEFINITIONS, is amended as follows:**

**Subsection 8099.1 is amended to read as follows:**

**The following definition is added before the definition of “Immediately Available”:**

**Director** – The Director of the Department of Health, or his or her designee.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6<sup>th</sup> Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at [Angli.Black@dc.gov](mailto:Angli.Black@dc.gov), (202) 442-5977.

## DEPARTMENT OF HEALTH

**NOTICE OF PROPOSED RULEMAKING**

The Director of the Department of Health (Department), pursuant to § 302(4) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.)), and Mayor's Order 98-140, dated August 20, 1998, hereby gives notice of her intent to adopt the following amendments to Chapter 106 (Trauma Technologists) of Title 17 (Business, Occupations, and Professionals) 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 rulemaking is necessary to update Sections 10608 (Continuing Education Requirements) and 10699 (Definitions) of the District of Columbia Municipal Regulations pertinent to the Board of Medicine in order to amend the requirement for Continuing Education for trauma technologists. Consistent with the aim of the Health Occupations Revision Act, this rulemaking will enhance professionalism within the community and operate in support of the health and welfare of the public.

**Chapter 106, TRAUMA TECHNOLOGISTS, of Title 17 DCMR, BUSINESS, OCCUPATIONS, AND PROFESSIONALS, is amended as follows:**

**Section 10608, CONTINUING EDUCATION REQUIREMENTS, is amended as follows:**

**Subsection 10608.2 is amended to read as follows:**

10608.2 An applicant for renewal of a license to practice as a trauma technologist shall submit proof pursuant to § 10608.5 of having completed during the two (2)-year period preceding the date the license expires approved continuing education units (CEUs) constituting:

- (a) Fifty (50) hours of CEU credit as specified in § 10609.2;
- (b) Two (2) hours of CEU credit in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 10609.3, and which shall count towards the hours required under paragraph (a); and
- (c) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified

subjects to its licensees when determined by the Director via electronic communication and through publication on its website.

**Subsection 10608.4 is amended to read as follows:**

- 10608.4 An applicant for reactivation of an inactive license or reinstatement of a license to practice as a trauma technologist shall submit proof pursuant to § 10608.5 of having completed during the two (2)-year period immediately preceding the date of application fifty (50) hours of CEU credit as specified in § 10609.2 of which:
- (a) Two (2) hours of CEU credit are in cultural competence or appropriate clinical treatment specifically for individuals who are lesbian, gay, bisexual, transgender, gender nonconforming, queer, or questioning their sexual orientation or gender identity and expression (LGBTQ) that meets the requirement of § 10609.3; and
  - (b) At least ten percent (10%) of the total required continuing medical education shall be in the subjects determined by the Director as public health priorities of the District every five (5) years or less frequently as deemed appropriate by the Director with notice of the subject matter published in the *D.C. Register*. The Board shall disseminate the identified subjects to its licensees when determined by the Director via electronic communication and through publication on its website.

**Section 10699, DEFINITIONS, is amended as follows:**

**Subsection 10699.1 is amended to read as follows:**

**The following definition is added before the definition of “Immediately available”:**

**Director** – The Director of the Department of Health, or his or her designee.

All persons desiring to comment on the subject matter of this proposed rulemaking action shall submit written comments, not later than thirty (30) days after the date of publication of this notice in the *D.C. Register*, to Phillip Husband, General Counsel, Department of Health, Office of the General Counsel, 899 North Capitol Street, N.E., 6<sup>th</sup> Floor, Washington, D.C. 20002. Copies of the proposed rules may be obtained between the hours of 8:00 a.m. and 4:00 p.m. at the address listed above, or by contacting Angli Black, Paralegal Specialist, at [Angli.Black@dc.gov](mailto:Angli.Black@dc.gov), (202) 442-5977.



**DISTRICT OF COLUMBIA PUBLIC EMPLOYEE RELATIONS BOARD****NOTICE OF EXTENSION OF PUBLIC COMMENT PERIOD**

The Public Employee Relations Board (Board), pursuant to the authority set forth in the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.02(11) (2016 Repl.)), hereby gives notice that the comment period concerning the Notice of Proposed Rulemaking on Chapter 5 (Rules of the Public Employee Relations Board) of Title 6 (Personnel), Subtitle B (Government Personnel) of the District of Columbia Municipal Regulations, will be extended and will now be due by Friday, August 30, 2019, at 11:59pm.

The proposed rules were published in the *District of Columbia Register* on May 3, 2019, at 66 DCR 5660, with a thirty (30)-day comment period. On May 31, 2019, a notice was published in the *District of Columbia Register* extending the comment period to July 1, 2019. The comment period is being extended for a second time to allow the public additional time to submit comments.

All persons interested in commenting on the proposed rules may submit comments in writing, not later than August 30, 2019, to Clarene Martin, Executive Director, Public Employee Relations Board, 1100 4th Street, SW, Suite 630 East, Washington, D.C. 20024, or via e-mail at [perb@dc.gov](mailto:perb@dc.gov). Comments may also be submitted through <https://www.dcregs.dc.gov/>. Copies of this proposed rulemaking are available upon written request to the address listed above and online at <http://www.perb.dc.gov/>.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2019-061  
July 2, 2019

**SUBJECT:** Delegation of Authority – Rulemaking – Service Contract Regulation Act of 2018

**ORIGINATING AGENCY:** Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422(6) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) (2016 Repl.), and section 13 of the Service Contract Regulation Act of 2018, effective February 22, 2019, D.C. Law 22-216; D.C. Official Code § 31-2351.12, it is hereby **ORDERED** that:

1. The Commissioner of the Department of Insurance, Securities, and Banking is delegated the authority of the Mayor to issue rules pursuant to section 13 of the Service Contract Regulation Act of 2018, effective February 22, 2019 (D.C. Law 22-216; D.C. Official Code § 31-2351.12).
2. **EFFECTIVE DATE:** This Order shall become effective immediately.




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MURIEL BOWSER  
MAYOR

ATTEST:   
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 KIMBERLY A. BASSETT  
 SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2019-062  
July 2, 2019

**SUBJECT:** Appointment — Interim Deputy Mayor for Planning and Economic Development

**ORIGINATING AGENCY:** Office of the Mayor


By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2016 Repl.), it is hereby **ORDERED** that:

1. **JOHN FALCICCHIO**, is appointed Interim Deputy Mayor for Planning and Economic Development, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2015-085, dated March 16, 2015.
3. **EFFECTIVE DATE:** This Order shall be effective July 2, 2019.


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**MURIEL BOWSER**  
**MAYOR**

**ATTEST:**   


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**KIMBERLY A. BASSETT**  
**SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA**

**DC MAYOR'S OFFICE ON AFRICAN AFFAIRS****THE COMMISSION ON AFRICAN AFFAIRS****Notice of Commissioners Meeting**

The Commission on African Affairs will be holding a meeting on Wednesday, July 3rd, 2019 from 6pm to 8pm.

The meeting will be held at Frank D. Reeves Center of Municipal Affairs, 2000 14<sup>th</sup> Street, NW, 6<sup>th</sup> floor, Washington, DC 20001.

The Location is closest to the U Street / African –American Civil war Memorial / Cardozo Metro station on the green and yellow line of the Metro.

All Commission meetings are open to the public.

Below is a draft agenda for this meeting. A final agenda will be posted on The Office of African Affairs website at [oaa.dc.gov](http://oaa.dc.gov).

If you have any questions about the commission or its meetings, please contact [oaa@dc.gov](mailto:oaa@dc.gov).  
Phone: (202) 727-5634

**DRAFT AGENDA**

- I. Opening – Call to Order
- II. MOAA Updates and Announcements
- III. Chair Announcements
- IV. Public Comments
- V. Adjournment (8:00pm).

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION  
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS  
CALENDAR

WEDNESDAY, JULY 17, 2019  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S  
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson  
Members: Mike Silverstein,  
James Short, Bobby Cato, Rema Wahabzadah

Show Cause Hearing (Status) 9:30 AM  
Case # 19-CMP-00045; Allure Lounge, LLC, t/a Allure Lounge, 711 H Street  
NE, License #108303, Retailer CT, ANC 6C  
Exceeded Capacity

Show Cause Hearing (Status) 9:30 AM  
Case # 19-CMP-00001; The Pitch, LLC, t/a The Pitch, 4015 Georgia Ave NW  
License #95107, Retailer CT, ANC 4C  
Substantial Change in Operation Without Board Approval

Show Cause Hearing (Status) 9:30 AM  
Case # 19-AUD-00023; Spilled Milk Catering Corporation, t/a Spilled Milk  
18911 Premiere Court, License #88949, Retailer Caterer  
Failed to File Quarterly Statement

Show Cause Hearing\* 10:00 AM  
Case # 18-251-00219 and # 18-CMP-00208; Green Island Heaven and Hell,  
Inc., t/a Green Island Café/Heaven & Hell, 2327 18th Street NW, License  
#74503, Retailer CT, ANC 1C  
Failed to Maintain Ownership and Control of the Establishment, Failed to  
Follow Security Plan (Two Counts), Allowed a Patron to leave the  
Establishment with an Alcoholic Beverage in an Open Container, Violation  
of Settlement Agreement

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

Board's Calendar

July 17, 2019

**\*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  
LICENSING AGENDA

WEDNESDAY, JULY 17, 2019 AT 1:00 PM  
2000 14<sup>TH</sup> STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009

1. Review Application for Safekeeping of License – Original Request. ANC 4C. SMD 4C01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Simple Bar and Grill*, 5828 Georgia Avenue NW, Retailer CT, License No. 092423.

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2. Review Application for Safekeeping of License – Original Request. ANC 3B. SMD 3B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Sprig & Sprout*, 2317 Wisconsin Avenue NW, Retailer CR, License No. 089362.

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3. Review Request to Extend Safekeeping due to pending transfer of license – Seventh Request. Original Safekeeping Date: 9/1/2008. No Location. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *TBD (Zenebe Shewayene)*, No Location, Retailer B, License No. 100620.

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4. Review Application for Summer Garden Endorsement with 39 seats. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption for Summer Garden*: Sunday-Saturday 8am to 12am. ANC 5D. SMD 5D01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *New Columbia Distillers*, 1832 Fenwick Street NE, Manufacturer A, License No. 087725.

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5. Review request to expand operations into the adjoining space at 1834 Fenwick Street NE and move the bar, tasting area, and some storage into the new space. ANC 5D. SMD 5D01. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *New Columbia Distillers*, 1832 Fenwick Street NE, Manufacturer A, License No. 087725.

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6. Review request for approval to provide a gift of two tickets to Rose and Music Festival that do not exceed \$500 in value to Stadium Club (ABRA-094244), Restaurant Associates (ABRA-001133), and Officina (ABRA-107664). ANC 5C. SMD 5C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Breakthru Beverage*, 2800 V Street NE, Wholesaler A, License No. 060518.
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**\*In accordance with D.C. Official Code §2-547(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**



**DC COMMISSION ON THE ARTS AND HUMANITIES****NOTICE OF FUNDING AVAILABILITY****FY 2020 Playable Art Project DC Program**

The DC Commission on the Arts and Humanities (CAH) and the DC Office of Planning announces the availability of grants to support public art projects for the Playable Art Project in the District of Columbia during Fiscal Year 2020. This project is made possible through a grant from ArtPlace America.

The DC Commission on the Arts and Humanities seeks to provide support for artists and design professionals with prior site-specific public art experience to design, fabricate and install playable artworks at three unique sites in Washington, DC.

Artists and design teams must meet eligibility criteria listed in the program's guidelines. All applicants must possess a Citywide Clean Hands Certification at the time of application.

All eligible applications are reviewed through a competitive process. CAH will publish evaluation criteria and eligibility requirements in its forthcoming Request for Qualifications (RFQ). All activities funded by the grant must be completed by September 30, 2020.

**The RFQ will be available beginning July 12, 2019 on the CAH website at <http://dcarts.dc.gov/>. Applicants must apply online. The deadline for this application is August 23, 2019.**

For more information, please contact:

Ron Humbertson, Art Collections Registrar  
DC Commission on the Arts and Humanities  
200 I (EYE) St. SE, Suite #1400  
Washington, DC 20003  
(202) 724-5613 or [Ron.Humbertson@dc.gov](mailto:Ron.Humbertson@dc.gov)

## DEPARTMENT OF BEHAVIORAL HEALTH

## NOTICE OF FUNDING AVAILABILITY

RFA No. RM0 DCOR 071219

## District of Columbia Opioid Response (DCOR) Grant Opportunities

**Purpose/Description of Project**

As a part of the District's opioid response strategy, LIVE. LONG. DC., which has an overarching goal to reduce opioid-related deaths 50% by 2020, the DC Department of Behavioral Health (DBH) is seeking to use District of Columbia Opioid Response (DCOR) grant funds to build a comprehensive system of care for residents with opioid use disorder (OUD) throughout the District. The forthcoming request for applications (RFA) will identify a range of opportunities across the continuum of care from prevention through treatment and recovery. DBH is requesting applications from eligible organizations for three (3) different competitions funded under the DCOR initiative.

**Eligibility Requirements****Applicable for all competitions:**

A not-for profit organization located in the District of Columbia (DC) and licensed by the DC Department of Consumer and Regulatory Affairs (DCRA) to conduct business.

**Specific eligibility requirements by competition outlined below:**

1. **Competition #1:** Integrated Medication-Assisted Treatment (MAT) for Co-occurring Conditions (**Integrated MAT**)
  - a. At least two years working with individuals with human immunodeficiency virus (HIV), hepatitis C virus (HCV) and/or OUD.
  - b. If the applicant currently provides HIV and HCV services, a partnership with an internal or external clinician providing MAT is also required. Or, if the applicant is a MAT provider, a partnership with an internal or external provider for HIV/HCV services is required. If an external partnership is part of your application, a letter of commitment from the partner organization(s) is required.
2. **Competition #2:** Certified Addiction Councilor (CAC) Workforce Development Program (**CAC Program**)
  - a. At least two years of experience working with populations with OUD in DC.
  - b. Have intern supervisors on staff who hold at least one of the following licenses: advanced practice addiction counselor, licensed professional counselor, licensed clinical psychologist, licensed clinical social worker, licensed marriage and family therapist, licensed medical doctor, and/or registered nurse.
3. **Competition #3:** DC Peer Organized Activities Supporting Individuals with OUD and Providing Awareness about Opioid Misuse (**Peer Activities**)
  - a. Have a leadership team with lived experience in the behavioral health system.

**Implementation Requirements**

Each competition has specific implementation requirements. Please reference the forthcoming RFA for details.

**Length of Award**

The length of award for all competitions included in the forthcoming RFA will be October 1, 2019 – September 29, 2020.

**Available Funding**

**Total available funding:** \$1,020,000

**Funding by competition:**

1. **Competition #1:** Integrated MAT – Approximately \$390,000 is available to fund up to three (3) grant awards. Each grant award is a minimum of \$130,000.
2. **Competition #2:** CAC Program – Approximately \$480,000 is available to fund up to four (4) grant awards. Each grant award is \$120,000.00.
3. **Competition #3:** Peer Activities – Approximately \$150,000 is available to fund up to five (5) grant awards. Interested parties can apply for only one award. Each award is \$30,000.

**Anticipated Number of Awards**

**Total anticipated number of awards:** 12

1. **Competition #1:** Integrated MAT – three (3) awards
2. **Competition #2:** CAC Program – four (4) awards
3. **Competition #3:** Peer Activities – five (5) awards

**APPLYING TO MULTIPLE COMPETITIONS: An organization applying to multiple competitions must submit a separate application for each competition. Applications may not be combined.**

DBH anticipates announcing award recipients in September 2019.

**Request for Application (RFA) Release Date**

The RFA will be released Friday, July 12, 2019. The RFA will be posted on the DBH website, [www.dbh.dc.gov](http://www.dbh.dc.gov) under Opportunities, Request for Applications, and on the website of the Office of Partnerships and Grants, [www.opgs.dc.gov](http://www.opgs.dc.gov), under the District Grants Clearinghouse. A copy of the RFA may be obtained at DBH from Daijon Wilburn or Jacqueline Murphy, 64 New York Avenue, NE, 3<sup>rd</sup> Floor, Washington, DC 20002; (202) 671-2792 or (202) 727-9479

**Pre-Application Conference Information**

**Date and Time:** Wednesday, July 17, 2019, 1:00 p.m. – 4:00 p.m. \*

1. **Competition #1**: Integrated MAT – 1:00 p.m. – 2:00 p.m.
2. **Competition #3**: CAC Program – 2:00 p.m. – 3:00 p.m.
3. **Competition #4**: Peer Activities – 3:00 p.m. – 4:00 p.m.

**Location:**

64 New York Avenue, NE  
DBH Training Room – Room 242  
Washington, DC 20002

\*If you are interested in attending the meeting via conference call or WebEx, please email Kelly Murphy at [kelly.murphy@dc.gov](mailto:kelly.murphy@dc.gov).

**Deadline for Applications**

Monday, August 5, 2019 at 4:45 p.m. ET

All applications must be submitted no later than 4:45 p.m. Eastern Time (ET) by the deadline date of Monday, August 5, 2019, to DBH c/o Daijon Wilburn or Jacqueline Murphy, 64 New York Avenue, NE, 3<sup>rd</sup> Floor, Washington, DC 20002; (202) 671-2792 or (202) 727-9479.

**Applications received at or after 4:46 p.m. ET on Monday, August 5, 2019 will not be forwarded to the Review Panel for review and funding recommendation.**

**Points of Contact**

For inquiries, please contact:

- Kelly Murphy, Project Director, State Opioid Response at [kelly.murphy@dc.gov](mailto:kelly.murphy@dc.gov)
- Orlando Barker, Project Coordinator, State Opioid Response at [orlando.barker@dc.gov](mailto:orlando.barker@dc.gov)

**CHILD SUPPORT SERVICES DIVISION  
DISTRICT OF COLUMBIA CHILD SUPPORT GUIDELINE COMMISSION**

**NOTICE OF A PUBLIC MEETING**

**The District of Columbia's Child Support Guideline Commission's meeting**

Thursday, July 25, 2019, at 4:00 P.M. in 11<sup>th</sup> Floor Conference Room 1112  
Office of the Attorney General for the District of Columbia  
441 4<sup>th</sup> Street N.W  
Washington, D.C. 20001

Conference Call Option: 1 (605) 313-5671  
Access Code: 117839 #

The District of Columbia Child Support Guidelines Commission (Commission) announces meeting in which it will discuss proposed changes to the District's Child Support Guideline (Guideline). The Commission's mission is to review the Guideline annually and to provide the Mayor with recommendations for improving the efficiency and effectiveness of the Guideline. In order to achieve its objective, and to ensure the recommendations the Commission provides to the Mayor take into account the public's concerns, it invites the public to attend its meeting.

**Agenda**  
TBD

**Persons wishing to review** the Child Support Guideline prior to the public meeting, may access it online by visiting the District of Columbia's website at [www.dc.gov](http://www.dc.gov).

**Individuals who wish to attend** should contact: LaShelle Williams-Franklin, Chairperson, at (202) 904-2323, or by e-mail at [lashelle.williams-franklin@dcbc.dc.gov](mailto:lashelle.williams-franklin@dcbc.dc.gov) by Tuesday, May 21, 2019. E-mail submissions should include the full name, title, and affiliation, if applicable, of the person(s) wishing to attend. Persons wishing to comment should send nine (9) copies of their written commentary to the Office of the Attorney General for the District of Columbia at the address below.

**Individuals who wish to submit their comments** as part of the official record should send copies of written statements no later than 4:00 p.m., Wednesday, July 24, 2019 to:

David E Martinez, Assistant Attorney General  
Office of the Attorney General for the District of Columbia  
Child Support Service Division  
441 4<sup>th</sup> Street, N.W.  
Suite 550 North  
Washington, D.C. 20001  
[davide.martinez@dc.gov](mailto:davide.martinez@dc.gov)

**D.C. CRIMINAL CODE REFORM COMMISSION****NOTICE OF PUBLIC MEETING**

**WEDNESDAY, JULY 31, 2019 AT 10:00 AM**  
**441 4<sup>TH</sup> STREET N.W., ROOM 1112, WASHINGTON, D.C., 20001**

D.C. Criminal Code Reform Commission  
441 Fourth Street, NW, Suite 1C001S, Washington, D.C. 20001  
(202) 442-8715 [www.ccrdc.dc.gov](http://www.ccrdc.dc.gov)

The D.C. Criminal Code Reform Commission (CCRC) will hold a meeting of its Criminal Code Revision Advisory Group (Advisory Group) on Wednesday, JULY 31, 2019 at 10am. The meeting will be held in Room 1112 of the Citywide Conference Center on the 11<sup>th</sup> Floor of 441 Fourth St., N.W., Washington, DC. The planned meeting agenda is below. Any changes to the meeting agenda will be posted on the agency's website, <http://ccrc.dc.gov/page/ccrc-meetings>. For further information, contact Richard Schmechel, Executive Director, at (202) 442-8715 or [richard.schmechel@dc.gov](mailto:richard.schmechel@dc.gov).

**MEETING AGENDA**

- I. Welcome and Announcements.
- II. Discussion of Advisory Group Comments Due July 8, 2019 on the First Draft of Report #36, *Cumulative Update to Chapters 3, 7 and the Special Part of the Revised Criminal Code*
- III. Discussion of Draft Reports and Memoranda Currently Under Advisory Group Review:
  - (A) First Draft of Report #37, *Controlled Substance Offenses and Related Provisions*;
  - (B) First Draft of Report #38, *Enlistment of Minors & Maintaining Location to Manufacture Controlled Substances*; and
  - (C) Advisory Group Memo #23 Supplemental Materials to the First Draft of Reports # 36-37.
- IV. Adjournment.

## OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

NOTICE OF PUBLIC MEETING  
COMMISSION ON OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

Commission on Out of School Time Grants and Youth Outcomes (OST Commission) Public Meeting Washington, DC – The Commission on Out of School Time Grants and Youth Outcomes will hold a public meeting on Thursday, August 8, 2019 from 6:30 pm to 8:00 pm at One Judiciary Square, 441 4<sup>th</sup> Street NW, Room 1107 South. The OST Commission will hear updates from the Office of Out of School Time Grants and Youth Outcomes and present the OST Strategic Plan for a Public Vote. Finally, the Commission will hear updates from the OST Commission’s standing committees.

Individuals and representatives of organizations who wish to comment at a public meeting are asked to notify the OST Office in advance by phone at (202) 481-3932 or by email at [learn24@dc.gov](mailto:learn24@dc.gov). Individuals should furnish their names, addresses, telephone numbers, and organizational affiliation, if any, and if available, submit one electronic copy of their testimony by the close of business on Tuesday, August 6th at 5:00 pm.

Below is the draft agenda for the meeting.

- I. Call to Order
- II. Public Comment
- III. Announcement of a Quorum
- IV. Approval of the Agenda
- V. Approval of Minutes
- VI. Updates: Office of Out of School Time Grants and Youth Outcomes
- VII. Public Vote on Strategic Plan
- VIII. Needs Assessment Committee Update
- IX. Adjournment

The Office of Out of School Time Grants and Youth Outcomes (OST Office) and the OST Commission support the equitable distribution of high-quality, out-of-school-time programs to District of Columbia youth through coordination among government agencies, grant-making, data collection and evaluation, and the provision of technical assistance to service providers. The OST Commission’s purpose is to develop a District-wide strategy for equitable access to out-of-school-time programs and to facilitate interagency planning and coordination for out-of-school time programs and funding.

**Date:** August 8, 2019  
**Time:** 6:30 p.m. – 8:00 p.m.  
**Location:** One Judiciary Square  
Room 1107 South  
441 4<sup>th</sup> Street, NW  
Washington, DC 20001

**Contact:** Debra Eichenbaum  
Grants Management Specialist  
Office of Out of School Time Grants and Youth Outcomes  
Office of the Deputy Mayor for Education  
(202) 478-5913  
Debra.eichenbaum@dc.gov



**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**  
**OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT**  
**ANNOUNCES JULY 18, 2019 PUBLIC MEETING**  
**FOR THE DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL CREDIT**  
**ENHANCEMENT COMMITTEE**

The Office of the State Superintendent of Education (OSSE) hereby announces that it will hold a public meeting for the District of Columbia Public Charter School Credit Enhancement Committee as follows:

**12:30 p.m. – 2:00 p.m.**  
**Thursday July 18, 2019**  
**1050 First St. NE, Washington, DC 20002**  
**Conference Room 536 (LeDroit Park)**

For additional information, please contact:

Debra Roane, Financial Program Specialist  
Office of Public Charter School Financing and Support  
Office of the State Superintendent of Education  
1050 First St. NE, Fifth Floor  
Washington, DC 20002  
(202) 478-5940  
[Debra.Roane@dc.gov](mailto:Debra.Roane@dc.gov)

The draft agenda for the above-referenced meeting will be:

- I. Call to Order
- II. Approval of agenda for the July 18, 2019, committee meeting
- III. Approval of minutes from June 20, 2019, committee meeting
- IV. Approval of minutes from the June 27, 2019 special committee meeting
- V. Review Conflict of Interest – Transaction Disclosure Checklist
- VI. Mundo Verde Bilingual PCS - \$2,000,000 direct loan
- VII. Richard Wright School for Journalism and Media Arts PCS - \$2,000,000 direct loan
- VIII. Charter School Incubator Initiative (Birney School) - \$1,637,494 funded credit enhancement

Any changes made to the agenda that are unable to be submitted to the DC Register in time for publication prior to the meeting will be posted on the [public meetings calendar](#) no later than two (2) business days prior to the meeting.

**OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION****NOTICE OF FUNDING AVAILABILITY****Scholarships for Opportunity and Results (SOAR) Act Grants****Request for Applications Release Date: July 26, 2019, 4:30 PM**

The Office of the State Superintendent of Education (OSSE) will issue Requests for Applications (RFAs) for Scholarships for Opportunity and Results (SOAR) Act grant funds. SOAR Act funds are available to District of Columbia (DC) charter local education agencies (LEAs) and third-party non-profit charter support organizations. The purpose of the funds is to increase the achievement and academic growth of DC public charter school students and to support the improvement and expansion of high-quality public charter schools. This notice provides information regarding two competitive opportunities: Grants to Non-Profit Third-Party Charter Support Organizations (Charter Support Grants) and Facilities Grants

**I. Charter Support Grants**

**Eligibility and Selection Criteria:** Eligible applicants are DC-based non-profit third-party charter school support organizations that have a demonstrated history of success working with DC charter schools on similar projects. Applicants must use funds to support projects designed to have a direct and rapid impact on academic achievement and outcomes for charter school students overall or on the achievement of historically underperforming subgroups. Applicants are required to submit a letter of recommendation from a DC charter school with direct experience working with the organization as well as a complete list of all schools and districts to which the organization has provided similar services.

Applications will be scored in the following selection criteria: (1) project data; (2) needs assessment; (3) project description; (4) theory of action; (5) OSSE's priority of meeting the needs of students with disabilities; (6) logic model; (7) an overall description of the project; and (8) the application's budget.

**Length of Award:** The duration of the Charter Support grant is for a period of two years from the grant award date.

**Available Funding for the Award:** The amount available under the Charter Support grant is \$2,000,000. OSSE will provide up to \$400,000.00 per "direct assistance" award and up to \$300,000.00 per "indirect assistance" award. Determinations regarding the number of competitive grant awards will be based on the quality and number of applications received and available funding. OSSE anticipates awarding approximately 7 to 10 awards. Successful applicants may be awarded amounts less than requested. Awards are limited to one per organization. Grant funds shall only be used to support activities authorized by the relevant statutes and included in the applicant's submission.

## II. Facilities Grants

**Eligibility and Selection Criteria:** Eligible applicants are high-quality DC public charter schools. Applicants must use funds to support the renovation of facilities occupied by charter schools. Eligible applicants must provide documentation of site control.

Applications will be scored in the following selection criteria: (1) project data; (2) needs assessment; (3) project description; (4) theory of action; (5) OSSE's priority of meeting the needs of students with disabilities; (6) logic model; (7) an overall description of the project; and (8) the application's budget.

**Length of Award:** The duration of the Facilities grant is for a period of two years from the grant award date.

**Available Funding for the Award:** At least \$4,000,000.00 is available for awards through this RFA. OSSE will provide up to \$750,000 per award. Determinations regarding the number of competitive grant awards will be based on the quality and number of applications received and available funding. Successful applicants may be awarded amounts less than requested. Awards are limited to one per local educational agency. Grant funds shall only be used to support activities authorized by the relevant statutes and included in the applicant's submission.

## III. Application Process

A review panel or panels will be convened to review, score, and rank each application for a competitive grant. The review panel(s) will be composed of external, neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. Each application will be scored against a rubric and applications will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). OSSE will make all final award decisions. Applications for both grants must be submitted prior to 3pm on September 6, 2019. OSSE estimates that it will award both grants by October 1, 2019; however this date may change.

To receive more information on these grants, please contact:

Ronda Lasko  
Office of the State Superintendent of Education  
1050 First Street, NE, Fifth Floor, Washington, D.C. 20002  
Email: [Ronda.Kardash@dc.gov](mailto:Ronda.Kardash@dc.gov)

The RFA for these competitive grant programs will be available on OSSE's website at [www.osse.dc.gov](http://www.osse.dc.gov). All applications will be submitted through the Enterprise Grants Management System (EGMS) at [grants.osse.dc.gov](http://grants.osse.dc.gov).

**BOARD OF ELECTIONS****CERTIFICATION OF ANC/SMD VACANCY**

The District of Columbia Board of Elections hereby gives notice that there is a vacancy in one (1) Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2); 2001 Ed; 2006 Repl. Vol.

**VACANT: 5A04**

Petition Circulation Period: **Monday, July 15, 2019 thru Monday, August 5, 2019**

Petition Challenge Period: **Thursday, August 8, 2019 thru Wednesday, August 14, 2019**

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Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

**D.C. Board of Elections  
1015 Half Street, SE, Room 750  
Washington, DC 20003**

For more information, the public may call **727-2525**.

**DEPARTMENT OF ENERGY AND ENVIRONMENT  
NOTICE OF FUNDING AVAILABILITY**

**Community Stormwater Solutions Evaluation and Expansion Grant**

The Department of Energy and Environment (the Department) is seeking proposals to evaluate DOEE's Community Stormwater Solutions Grant Program, work with DOEE to enhance the Program, manage the improved Program by awarding subgrants, and expand the Program's effectiveness by building capacity of potential Program grantees through grant writing and management trainings. The project period is two years, with the option of up to two additional years, for a total of four years. Up to \$400,000 is available for the first two years for one award. DOEE's intent is to establish a four-year relationship with the successful grantee.

Beginning 7/12/2019, the full text of the Request for Applications (RFA) will be available on the Department's website. A person may obtain a copy of this RFA by any of the following means:

**Download** from the Department's website, [www.doe.dc.gov](http://www.doe.dc.gov). Select the *Resources* tab. Cursor over the pull-down list and select *Grants and Funding*. On the new page, cursor down to this RFA. Click on *Read More* and download this RFA and related information from the *Attachments* section.

**Email** a request to [communitystormwater.expansion@dc.gov](mailto:communitystormwater.expansion@dc.gov) with "Request copy of RFA 2019-1924-WPD" in the subject line.

**Pick up a copy in person** from the Department's reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. To make an appointment, call Emily Rice at (202) 535-2679 and mention this RFA by name.

**Write** DOEE at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Emily Rice RE:2019-1924-WPD" on the outside of the envelope.

**The deadline for application submissions is 8/23/2019, at 4:30 p.m.** Five hard copies must be submitted to the above address **OR** a complete electronic copy must be e-mailed to [communitystormwater.expansion@dc.gov](mailto:communitystormwater.expansion@dc.gov).

**Eligibility:** All the checked institutions below may apply for these grants:

- Nonprofit organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations;
- Faith-based organizations;
- Government agencies
- Universities/educational institutions; and
- Private Enterprises.

For additional information regarding this RFA, write to:  
[communitystormwater.expansion@dc.gov](mailto:communitystormwater.expansion@dc.gov).

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**DEPARTMENT OF FORENSIC SCIENCES****NOTICE OF PUBLIC MEETING****Science Advisory Board Meeting****Friday, July 26, 2019****9:00 a.m.****Draft Agenda**

On Friday, July 26, 2019, the Department of Forensic Sciences will be hosting the Science Advisory Board Meeting at the Consolidated Forensic Laboratory, 401 E Street SW, Washington, DC 20024 in Room 1224. The meeting will commence at 9:00 a.m. Any questions should be directed to Herb Thomas, 202-727-8267. Mr. Thomas can also be reached at [Herbert.Thomas@dc.gov](mailto:Herbert.Thomas@dc.gov).

Roll Call, Review of Minutes from last meeting, Approval of Minutes

Quality Update – Brittany Graham

Public Health Lab Update – Dr. Anthony Tran

Old Business, New Business

Future meeting dates and locations

Closing and adjournment

**DEPARTMENT OF HEALTH (DC HEALTH)****PUBLIC NOTICE**

The District of Columbia Board of Dentistry (“Board”) hereby gives notice, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2012 Repl.), of the following meeting dates and public hearings:

**Wednesday, July 17, 2019**, the Board will hold an open session (public) meeting, which will begin at 9:30 a.m. and end at 10:30 a.m., or when there is no further open session business for the Board to consider. Following the open (public) session, the Board will meet in executive (closed/non-public) session to seek the advice of counsel to the board, pursuant to D.C. Official Code § 2-575(b)(4); to discuss disciplinary matters pursuant to D.C. Official Code § 2-575(b)(9); and to discuss ongoing or planned investigations pursuant to D.C. Official Code § 2-575(b)(14).

**Wednesday, August 21, 2019**, the Board will not have a regularly scheduled Board meeting.

**Wednesday, August 28, 2019**, the Board will conduct a disciplinary action hearing in the matter of Mark McClure, DDS, at 8:00 a.m. In accordance with 17 DCMR § 4109.1, the hearing is open to the public. Following the open (public) session, the Board will meet in executive (closed/non-public) session to deliberate upon the case.

**Wednesday, September 18, 2019**, the Board will hold an open session (public) meeting, which will begin at 9:30 a.m. and end at 10:30 a.m., or when there is no further open session business for the Board to consider. Following the open (public) session, the Board will meet in executive (closed/non-public) session to seek the advice of counsel to the board, pursuant to D.C. Official Code § 2-575(b)(4); to discuss disciplinary matters pursuant to D.C. Official Code § 2-575(b)(9); and to discuss ongoing or planned investigations pursuant to D.C. Official Code § 2-575(b)(14).

Unless otherwise scheduled, the District of Columbia Board of Dentistry meets on the third Wednesday of each month at 899 North Capitol Street, NE, 2<sup>nd</sup> Floor, Washington, D.C. 20002. The agendas for all open (public) session meetings will be posted at least one business day before the meeting on the Board of Ethics and Government Accountability website at <http://www.bega-dc.gov/board-commission/meetings> and on the DOH website at [www.doh.dc.gov](http://www.doh.dc.gov).

**DEPARTMENT OF HEALTH (DC Health)  
HIV/AIDS, Hepatitis, STD & TB Administration (HAHSTA)  
NOTICE OF FUNDING AVAILABILITY (NOFA)  
HAHSTA\_FBH\_07.26.19 (RFA)  
Facility Based Housing (Transitional and Emergency)**

The District of Columbia, Department of Health (DC Health) is soliciting applications from qualified applicants to services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of the Department of Health's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

**General Information:**

Funding Opportunity Title:	FY 2019 HOPWA Facility Based Housing with Supportive Services
Funding Opportunity Number:	FO-HAHSTA-PG-00191-001
Program RFA ID#:	HAHSTA_RFA_FBH_07.26.19
Opportunity Category:	Competitive
DC Health Administrative Unit:	HIV/AIDS, Hepatitis, STD, and Tuberculosis Administration
DC Health Program Bureau	Capacity Building, Housing and Community Partnerships Division
Program Contact:	Sherita J. Grant, Housing Coordinator <a href="mailto:Sherita.grant@dc.gov">Sherita.grant@dc.gov</a> 202-671-5062
Program Description:	The HIV/AIDS, Hepatitis, STD, and Tuberculosis Administration is soliciting applications from qualified organizations to provide services for Facility Based Housing with Supportive Services. Under Facility Based Housing is Transitional and Emergency housing. Transitional Housing is to provide housing for up to 24 months. Emergency Housing is to provide housing for 60 days within a six month period. With these housing services, Supportive Services will consist of only Intensive Case Management. All participants will be provided intensive case management within the respective agencies. Case Managers will have to be at least a License Graduate Social Worker (LGSW) to qualify for the case management position. Additionally, your agency can have a peer navigator to assist clients with reaching the goals in their housing plans.



Eligible Applicants	Not- for profit organizations and government agencies. All applicants must have locations in the District of Columbia, Prince George's, Charles or Calvert counties.
Anticipated # of Awards:	Approximately 6
Anticipated Amount Available:	\$2,500,000.00
Floor Award Amount:	\$400,000.00
Ceiling Award Amount:	N/A

### Funding Authorization

Legislative Authorization	AIDS Housing Opportunity Act, Public Law 101-624
Associated CFDA#	14.241
Associated Federal Award ID#	DCH18-F001
Cost Sharing / Match Required?	No
RFA Release Date:	July 26, 2019
Pre-Application Meeting Date)	Thursday, August 1, 2019
Pre-Application Meeting (Time)	1:00pm
Pre-Application Meeting	899 North Capitol Street, NE Washington, DC 20002
Letter of Intent Due date:	COB August 7, 2019
Application Deadline Date:	August 23, 2019
Application Deadline Time:	6:00 PM
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse <a href="http://opgs.dc.gov/page/opgs-district-grants-clearinghouse">http://opgs.dc.gov/page/opgs-district-grants-clearinghouse</a> . DC Health EGMS <a href="https://dcdoh.force.com/GO_ApplicantLogin2">https://dcdoh.force.com/GO_ApplicantLogin2</a>

#### Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a DUNS #, Tax ID#, be registered in the federal Systems for Award Management (SAM) and the DC Health Enterprise Grants Management System (EGMS)
5. Contact the program manager assigned to this funding opportunity for additional information.
6. DC Health is located in a secured building. Government issued identification must be presented for entrance.

**DEPARTMENT OF HEALTH (DC Health)  
HIV/AIDS, Hepatitis, STD and TB Administration (HAHSTA)  
NOTICE OF FUNDING AVAILABILITY (NOFA)  
HAHSTA\_SHPE\_07.26.19 (RFA)**

**Sexual Health Peer Education**

The District of Columbia, Department of Health (DC Health) is soliciting applications from qualified organizations to provide services in the program areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of the Department of Health's intent to make funds available for the purpose described herein. The applicable Request for Applications (RFA) will be released under a separate announcement with guidelines for submitting the application, review criteria and DC Health terms and conditions for applying for and receiving funding.

**General Information:**

Funding Opportunity Title:	Sexual Health Peer Education
Funding Opportunity Number:	FO-HAHSTA-PG-00008-001
Program RFA ID#:	RFA# <b>HAHSTA_SHPE_07.26.19</b>
Opportunity Category:	Competitive
DC HEALTH Administrative Unit:	HIV/AIDS, Hepatitis, STD and TB Administration (HAHSTA)
DC HEALTH Program Bureau	STD and Tuberculosis Division
Program Contact:	Mariel Edge Mariel.edge@dc.gov
Program Description:	DC Health is soliciting proposals from community based organizations that will recruit, train, and provide financial compensation and program support to sexual health peer educators ages 13-24 in the District of Columbia. The purpose of this program is to expand the number of highly trained and Wrap MC certified peer educators in DC high schools and the community. The Project implementation is projected to begin October 1, 2019.
Eligible Applicants	Non-profit, public, private and faith-based organizations located in the District of Columbia who provide services to youth in the District of Columbia.
Anticipated # of Awards:	1
Anticipated Amount Available:	\$214,000
Floor Award Amount:	\$214,000
Ceiling Award Amount:	\$214,000

**Funding Authorization**

Legislative Authorization	NA
Associated CFDA#	NA
Associated Federal Award ID#	NA
Cost Sharing / Match Required?	No
RFA Release Date:	July 26, 2019
Pre-Application Meeting(Date)	August 6, 2019
Pre-Application Meeting (Time)	11:00 AM
Pre-Application Meeting (Location/Conference Call Access)	899 North Capitol Street NE 4 <sup>th</sup> Floor Washington DC 20002
Letter of Intent Due date:	NA
Application Deadline Date:	August 23, 2019
Application Deadline Time:	6:00 PM
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse <a href="http://opgs.dc.gov/page/opgs-district-grants-clearinghouse">http://opgs.dc.gov/page/opgs-district-grants-clearinghouse</a> .  DC Health EGMS <a href="https://dcDCHealth.force.com/GO_ApplicantLogin2">https://dcDCHealth.force.com/GO_ApplicantLogin2</a>

## Notes:

1. DC Health reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.
2. Awards are contingent upon the availability of funds.
3. Individuals are not eligible for DC Health grant funding.
4. Applicants must have a DUNS #, Tax ID#, be registered in the federal Systems for Award Management (SAM) and the DC Health Enterprise Grants Management System (EGMS)
5. Contact the program manager assigned to this funding opportunity for additional information.
6. DC Health is located in a secured building. Government issued identification must be presented for entrance.

**DISTRICT OF COLUMBIA  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**NOTICE OF FUNDING AVAILABILITY (NOFA): NEIGHBORHOOD BASED  
ACTIVITIES PROGRAM**

Department of Housing and Community Development (DHCD) is making available Community Development Block Grant CDBG) funding for organizations committed to affordable housing and neighborhood revitalization. The Department supports activities that benefit neighborhoods comprised of at least 51% low- and moderate-income persons.

DHCD is soliciting applications from qualified Community Based Non-profit Organizations (CBOs) for the following programs:

**Housing Counseling Services:** to provide comprehensive housing counseling services for homeownership, home preservation, tenants and tenant groups. DHCD seeks organizations which can provide the following services:

- Homeownership counseling and training in support of HPAP and its associated programs;
- Counseling and training for home preservation, including the Single Family Residential Rehabilitation Program, the Tenant Purchase Technical Assistance Program, and foreclosure counseling; and
- Counseling and education for tenants and tenant groups.

**Small Business Technical Assistance:** to provide small business assistance in targeted neighborhood commercial districts. DHCD will focus its funding on these target areas:

- 7<sup>th</sup> Street – Georgia Avenue, NW (Mount Vernon Square to Eastern Avenue)
- H Street, NE (North Capitol Street to 17<sup>th</sup> Street, NE)
- Benning Road, NE and SE (Bladensburg Road to Southern Avenue)
- Martin Luther King, Jr. Avenue, SE + South Capitol Street (Good Hope Road to Southern Avenue)
- Pennsylvania Avenue, SE (2<sup>nd</sup> Street, SE to Southern Avenue)
- Minnesota Avenue NE and SE (Good Hope Road to Sheriff Road)
- Nannie Helen Burroughs Avenue, NE (Minnesota Avenue to Eastern Avenue)
- Rhode Island Avenue, NE (North Capitol Street to Eastern Avenue)
- North Capitol Street (Massachusetts Avenue to New Hampshire Avenue)
- Kennedy Street, NW (North Capitol Street to Georgia Avenue)
- Martin Luther King, Jr. Avenue, SE (St. Elizabeth's East/Congress Heights)

**Storefront Façade Improvement:** to development storefront improvement projects. DHCD will focus its funding on the improvement of corner stores and small neighborhood commercial nodes located in low and moderate income neighborhoods in the District.

**How to Apply:** This Request for Applications (RFA) will be available on the DHCD website at [www.dhcd.dc.gov](http://www.dhcd.dc.gov) on or about July 1, 2019. This RFA will be available only on the DHCD website via [ZoomGrants](#). Applications submitted through [ZoomGrants](#) require access to a computer, internet access, and a valid email address (free email addresses can be obtained from services such as Gmail and Yahoo). The deadline for submitting application is July 26, 2019, 11:59 p.m. and can only be done so electronically through the [ZoomGrants](#) portal on the DHCD website [www.dhcd.dc.gov](http://www.dhcd.dc.gov).

**Important Dates:** Notice of Funding Availability published: July 1, 2019.  
RFA Issuing Date: July 1, 2019  
RFA Closing Date: July 26, 2019, 11:59 p.m.  
Grant Agreements Executed: on or about October 1, 2019

Questions can be emailed to [nba.rfa@dc.gov](mailto:nba.rfa@dc.gov).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF HUMAN SERVICES  
FAMILY SERVICES ADMINISTRATION (FSA)**

**AMENDED NOTICE OF  
FUNDING AVAILABILITY**

**RFA# JA-FSA-SO-001-20**

**Comprehensive Street Outreach Network**

This notice supersedes the notice of funding availability published in the DC Register on Friday, July 5, 2019 at 66 DCR 008000.

The District of Columbia (District) Department of Human Services (DHS) Family Services Administration (FSA), hereinafter referred to as the “DHS/FSA” seeks eligible entities to operate a geographically defined, year-round Comprehensive Street Outreach Network (“Street Outreach”) program. The total amount available for the project is up to approximately \$3,000,000 for up to three awards.

**Purpose/Description of the Project:** According to the 2019 Point in Time count, the District has 3,578 homeless individuals living in our community. Of these individuals, 44% are chronically homeless, 31% have severe mental illness, 22% suffer from chronic substance abuse, 21% have a chronic health problem, 16% have a physical disability, and 17% (608 individuals) are unsheltered individuals residing on the street or in locations not fit for human habitation who are exposed to difficult weather conditions in both winter and summer. Because of the overlapping vulnerabilities experienced by unsheltered individuals, the District wishes to expand the points of access and services to unsheltered individuals to advance the first strategy of the [Homeward DC Plan to End Chronic Homelessness](#).

In that vein, this Notice of Funding Availability seeks to identify potential applicants that can provide Street Outreach for unsheltered individuals. The Street Outreach provided by the applicant should primarily be focused on meaningfully engaging consumers disconnected from services, high risk individuals, long term homeless individuals, individuals requiring navigation within the homeless services system, and engagement with encampments and other hot spots through trauma informed care to make connections to housing solutions, the homeless services system, and other mainstream resources. In addition, the successful Street Outreach team will provide interventions and support to increase the health, safety, and quality of life of unsheltered individuals. The outreach provided by the Grantee(s) will take place within a broader network that will span three geographic clusters covering all eight wards and will be supported with transportation, technology, and telecommunication infrastructure to unify outreach efforts by a central coordinating entity.

**Eligibility:** Non-profit community organizations, including those with IRS 501(c)(3) or 501(c)(4) determinations, faith-based organizations, such as churches, synagogues, mosques, or religiously based social service affiliates of such organizations, and private enterprises located in the District that have demonstrated experience working unsheltered individuals are encouraged to apply. Applications are also encouraged from collaborating community-based and faith-based organizations.

Applicants will be judged based on past experience or clear plan to administer high quality Street Outreach efforts. In addition to having the appropriate staff qualifications and experience performing services similar in size and scope to the requirements of this grant, the eligible Grantee(s) must also demonstrate their intent and ability to:

- Establish effective and efficient communication channels with other Grantees, shelters, day service programs, homeless service providers within the Continuum of Care, and the entity managing the District's central outreach coordination;
- Provide the required services and deliverables while delivering high-value housing focused and trauma informed care and services to consumers;
- Leverage non-governmental assets and coordinate with other organizations in the homeless services Continuum of Care; and
- Offer services at scale while maintaining client confidentiality;

**Length of Grant Award and Available Funding:** The Grantee(s) will be awarded funding based on their capacity to meet the requirements of the program. The award period for the grant will be from November 1, 2019 through October 31, 2020. The amount available for up to three Grantees for the project is up to approximately \$3,000,000 for one base year with four option years, subject to funding availability.

**RFA Release:** The RFA will be released on August 5, 2019. A copy of the RFA may be obtained by the following means:

**Download** from the Office of Partnerships and Grant Services website under the District Grants Clearinghouse (<http://opgs.dc.gov/page/opgs-district-grants-clearinghouse>).

**Email** a request to Jim Crawford with "Request copy of RFA #JA-FSA-SO-001-20" in the subject line.

**Pick up a copy in person** from the Department's reception desk, located at 64 New York Ave., 6<sup>th</sup> Fl., Washington, DC 20002. To make an appointment, call Jim Crawford at 202-671-4357 and mention this RFA by name.

**Write** DHS at 64 New York Ave., 6th Fl., Washington, DC 20002, "Attn: Jim Crawford RE: RFA #JA-FSA-SO-001-20" on the outside of the envelope.

**Deadline for Applications:** The deadline for application submissions is **September 4, 2019 at 4:00 PM**. Five hard copies must be submitted to the above address and a complete electronic copy must be e-mailed to [jim.crawford@dc.gov](mailto:jim.crawford@dc.gov). Late or incomplete applications will not be forwarded to the review panel.

For additional information, write to: Jim Crawford at [jim.crawford@dc.gov](mailto:jim.crawford@dc.gov).

**MUNDO VERDE PUBLIC CHARTER SCHOOL****REQUEST FOR PROPOSALS****Vended Meals**

Mundo Verde Public Charter School is advertising the opportunity to bid on the delivery of breakfast and lunch to children enrolled at the school for the 2019-2020 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 and Lunch meal pattern requirements. Additional specifications outlined in the Request for Proposal (RFP) such as; student data, days of service, meal quality, etc. may be obtained beginning on July 12, 2019 from Danielle Revers at (202) 750-7060 ext. 7027 or [drevers@mundoverdepcs.org](mailto:drevers@mundoverdepcs.org)

Proposals will be accepted at 30 P St. NW, Washington, DC on August 2, 2019 not later than 3:00 p.m.

**All bids not addressing all areas as outlined in the RFP will not be considered.**



## PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF FINAL TARIFFELECTRIC TARIFF 2019-01, IN THE MATTER OF THE PROPOSAL OF THE POTOMAC ELECTRIC POWER COMPANY TO AMEND ITS GENERAL TERMS AND CONDITIONS TARIFF, P.S.C.-D.C. No. 1

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Official Code and in accordance with Section 2-505 of the District of Columbia Official Code,<sup>1</sup> of its final action taken in the above-captioned proceeding.

2. On March 1, 2019, Pepco filed a request for Commission approval of an addition to Section 7(c) of Pepco's Tariff to include language that specifies the percentage amount that Pepco can charge for late payments.<sup>2</sup> Pepco proposes the tariff amendment in order that the assessment of late payment charges conform to the requirements of 15 DCMR, Chapter 3: Consumer Rights and Responsibilities (commonly known as the Consumer Bill of Rights or CBOR). Section 305.3 of the CBOR provides that: "No late payment charge shall be levied on any amounts, including deferred payment installments, paid by the due date, or on amounts in dispute before the Commission. Utilities may levy a late payment charge on amounts that are not paid by the due date. Such late payment charges shall be established in tariffs in accordance with the procedure required by the Commission."<sup>3</sup> To that end, Pepco's proposal will amend the following tariff page:

**ELECTRICITY TARIFF, P.S.C.-D.C. No. 1**  
**(Current) Second Revised Page No. 24**  
**(Proposed) Third Revised Page No. 24**

According to the tariff amendment, Pepco's proposed late payment charge will state that: "Such late payment charges shall be one percent (1%) for amounts unpaid within the first month after the due date and an additional one and one half percent (1 ½%) on any remaining unpaid balance per billing month thereafter."<sup>4</sup>

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<sup>1</sup> D.C. Code §§ 2-505 (2016 Repl.) and 34-802 (2012 Repl.).

<sup>2</sup> *Electric Tariff 2019-01, In the Matter of the Joint Motion of Potomac Electric Power Company and the Office of the People's Counsel for the District of Columbia to Amend Pepco's General Terms and Conditions for Furnishing Electric Service in the District of Columbia*, The Motion of the Potomac Electric Power Company to Amend Pepco's General Terms and Conditions for Furnishing Electric Services in the District of Columbia, filed March 1, 2019 ("Tariff Amendment").

<sup>3</sup> Tariff Amendment at 2, *citing* 15 DCMR § 305.3 (2009). (Pepco's Emphasis).

<sup>4</sup> Tariff Amendment at Proposed Third Revised Page No. 24.

3. On March 22, 2019, the Commission published a Notice of Proposed Tariff (NOPT) in the *D.C. Register* inviting public comment on Pepco's tariff amendment.<sup>5</sup> No comments were filed in response to the NOPT. The Commission at its regularly scheduled Open Meeting held on June 27, 2019, took final action approving Pepco's tariff amendment specifying the percentage amount assessed on late payment fees, effective upon publication of this Notice of Final Tariff in the *D.C. Register*.

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<sup>5</sup> 66 *D.C. Reg.* 003582-003583 (March 22, 2019).

**DISTRICT OF COLUMBIA RETIREMENT BOARD****NOTICE OF OPEN PUBLIC MEETING**

July 18, 2019

1:00 p.m.

900 7<sup>th</sup> Street, N.W.  
2<sup>nd</sup> Floor, DCRB Boardroom  
Washington, D.C. 20001

The District of Columbia Retirement Board (DCRB) will hold an Open meeting on Thursday, July 18, 2019, at 1:00 p.m. The meeting will be held at 900 7<sup>th</sup> Street, N.W., 2<sup>nd</sup> floor, DCRB Boardroom, Washington, D.C. 20001. A general agenda for the Open Board meeting is outlined below.

*Please call one (1) business day prior to the meeting to ensure the meeting has not been cancelled or rescheduled.* For additional information, please contact Deborah Reaves, Executive Assistant/Office Manager at (202) 343-3200 or [Deborah.Reaves@dc.gov](mailto:Deborah.Reaves@dc.gov).

**AGENDA**

- |       |                                   |                    |
|-------|-----------------------------------|--------------------|
| I.    | Call to Order and Roll Call       | Chair Clark        |
| II.   | Approval of Board Meeting Minutes | Chair Clark        |
| III.  | Chair's Comments                  | Chair Clark        |
| IV.   | Executive Director's Report       | Ms. Morgan-Johnson |
| V.    | Investment Committee Report       | Mr. Warren         |
| VI.   | Operations Committee Report       | Mr. Smith          |
| VII.  | Benefits Committee Report         | Ms. Collins        |
| VIII. | Legislative Committee Report      | Mr. Blanchard      |
| IX.   | Audit Committee Report            | Mr. Hankins        |
| X.    | Other Business                    | Chair Clark        |
| XI.   | Adjournment                       |                    |

**D.C. SENTENCING COMMISSION****MEETING NOTICE**

The D.C. Sentencing Commission hereby gives notice that the Commission meeting scheduled for July 16, 2019, is cancelled. Inquiries concerning the meeting may be addressed to Mia Hebb, Staff Assistant, at (202) 727-8822 or [Mia.Hebb@dc.gov](mailto:Mia.Hebb@dc.gov).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT**

**Application No. 19996 of Mallard Estates LLC**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for a special exception under the residential conversion requirements of Subtitle U § 320.2, with a waiver from the rooftop architectural element requirement of Subtitle U § 320.2(h), and pursuant to Subtitle E § 5201.1, for a special exception from the side yard requirements of Subtitle E § 207.2, to construct a third story and a three-story side addition to an existing, semi-detached principal dwelling unit and convert it to a three-unit apartment house in the RF-1 Zone at premises 1501 West Virginia Avenue, N.E. (Square 4058, Lot 70).

**HEARING DATES:** May 8, May 15, and June 26, 2019  
**DECISION DATE:** June 26, 2019

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 42 (Final Revised); Exhibit 38 (Revised); Exhibit 8 (Original).)<sup>1</sup>

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 5D.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on June 11, 2019, at which a quorum was present, the ANC voted 5-0-2 to support the application. (Exhibit 55.)

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 40.)

DDOT Report. The District Department of Transportation submitted a report indicating that it had no objection to the application. (Exhibit 34.)

Persons in Support. The Board received six letters from neighbors in support of the Application. (Exhibit 47.)

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<sup>1</sup> The original application was amended to add a request for special exception relief from the side yard requirements of Subtitle E § 207.2.

### Special Exception Relief

The Applicant seeks relief under Subtitle X § 901.2, for a special exception under the residential conversion requirements of Subtitle U § 320.2, with a waiver from the rooftop architectural element requirement of Subtitle U § 320.2(h), and pursuant to Subtitle E § 5201.1, for a special exception from the side yard requirements of Subtitle E § 207.2, to construct a third story and a three-story side addition to an existing, semi-detached principal dwelling unit and convert it to a three-unit apartment house in the RF-1 Zone at premises 1501 West Virginia Avenue, N.E. (Square 4058, Lot 70).

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>2</sup> AT EXHIBIT 39.**

**VOTE:**           **4-0-1** (Carlton E. Hart, Lesylleé M. White, Lorna L. John, and Robert E. Miller to APPROVE; Frederick L. Hill not participating.)

### **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:** June 27, 2019

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<sup>2</sup> In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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 SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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. 20001 of Simone Management LLC**, as amended, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under the new residential development requirements of Subtitle U § 421.1, and pursuant to Subtitle C § 703.2 from the minimum parking requirements of Subtitle C § 701.5, to construct seven new, attached flats in the RA-1 Zone at premises 6003-6015 Eads Street, N.E. (Square 5261, Lots 50-56).

**HEARING DATES:** May 15, 2019 and June 26, 2019  
**DECISION DATE:** June 26, 2019

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 42 (Final Revised); Exhibits 17 and 21 (Revised); Exhibit 2 (Original).)<sup>1</sup>

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 7C.

ANC Report. ANC 7C did not submit a written report to the record. The ANC's Chair submitted a request to postpone the original hearing on May 15, 2019 that was granted by the Board. The ANC Chair submitted a second request for postponement on the morning of the rescheduled hearing date, June 26, 2019. The Board denied the request, as the ANC has an opportunity to consider the application at executive meetings and at a full ANC meeting.

OP Report. The Office of Planning submitted a report recommending approval of the application. (Exhibit 50.)

DDOT Report. The District Department of Transportation ("DDOT") submitted two reports to the record, indicating that it had no objection to the application and noting that it approved the

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<sup>1</sup> The original application was amended to withdraw a request for variance relief from the lot occupancy requirements of Subtitle F § 304.1 and to add special exception relief from the parking requirements of Subtitle C § 701.5.



Applicant's proposed transportation demand management ("TDM") plan. (Exhibits 51 and 63.) The Board adopted the TDM measures as conditions of this Order.

Persons in Opposition. A resident of ANC 7C, Talayah Jackson, provided testimony in opposition.

### **Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under the new residential development requirements of Subtitle U § 421.1, and pursuant to Subtitle C § 703.2 from the minimum parking requirements of Subtitle C § 701.5, to construct seven new, attached flats in the RA-1 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>2</sup> AT EXHIBITS 43-48 AND WITH THE FOLLOWING CONDITIONS:**

1. The Applicant shall provide welcome packets to all new residents in rental units that include, at a minimum, the Metrorail pocket guide, brochures of local bus lines (Circulator and Metrobus), carpool and vanpool information, Capital Bikeshare coupon or rack card, Guaranteed Ride Home brochure, and the most recent DC Bike Map. Brochures can be ordered from DDOT's goDCgo program by emailing info@godcgo.com.
2. The Applicant shall provide residents who wish to carpool with detailed carpooling information and shall refer residents to other carpool matching services sponsored by the Metropolitan Washington Council of Governments ("MWCOG") or other comparable service if MWCOG does not offer this in the future.

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<sup>2</sup> In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

3. The Applicant shall provide a free SmarTrip card to every new resident in a rental unit and a complimentary Capital Bikeshare coupon good for one ride.
4. The Applicant shall meet the short and long-term bicycle parking requirements established in the Zoning Regulations.

**VOTE:** 4-0-1 (Carlton E. Hart, Lorna L. John, Lesylleé M. White, and Robert E. Miller to APPROVE; Frederick L. Hill not participating.)

**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:** July 2, 2019

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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 SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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.

PURSUANT TO 11 DCMR SUBTITLE A § 303, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, 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,

**BZA APPLICATION NO. 20001**

**PAGE NO. 3**

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 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. 20045 of Celeste Brown**, pursuant to 11 DCMR Subtitle X, Chapter 9, for special exceptions under Subtitle D § 5201, from the lot occupancy requirements of Subtitle D § 1204.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a one story rear addition to an existing semi-detached principal dwelling in the R-20 Zone at premises 3401 N Street N.W. (Square 1228, Lot 832).

**HEARING DATE:** June 26, 2019

**DECISION DATE:** June 26, 2019

**SUMMARY ORDER**

Relief Requested. The zoning relief requested in this case was self-certified, pursuant to 11 DCMR Subtitle Y § 300.6. (Exhibit 12 (Final Revised); Exhibit 10 (Revised); Exhibit 6 (Original).)

Notice of the Application and Public Hearing. The Board of Zoning Adjustment ("Board" or "BZA") referred the application to the appropriate agencies and provided proper and timely notice of the public hearing in accordance with Subtitle Y § 402.1.

Parties. The parties to this case were the Applicant and Advisory Neighborhood Commission ("ANC") 2E.

ANC Report. The ANC's report indicated that at a regularly scheduled, properly noticed public meeting on June 3, 2019, at which a quorum was present, the ANC adopted a resolution by a vote of 6-0-0 to support the application. (Exhibit 37.)

OP Report. The Office of Planning ("OP") submitted a timely report, dated June 13, 2019, in support of the application. (Exhibit 34.)

DDOT Report. The District Department of Transportation ("DDOT") submitted a report, dated June 7, 2019, expressing no objection to the approval of the application. (Exhibit 33.)

Agencies in Support. The Commission of Fine Arts submitted a letter in support of the application. (Exhibit 32.)

Persons in Opposition. No persons submitted correspondence in opposition to the application.

**Special Exception Relief**

The Applicant seeks relief under Subtitle X § 901.2, for special exceptions under Subtitle D § 5201, from the lot occupancy requirements of Subtitle D § 1204.1, and from the nonconforming structure requirements of Subtitle C § 202.2, to construct a one story rear addition to an existing semi-detached principal dwelling in the R-20 Zone.

Based upon the record before the Board, and having given great weight to the appropriate reports and recommendations filed in this case, the Board concludes that the Applicant has met the burden of proof that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map. The Board further concludes that, pursuant to Subtitle X § 901.2(c), any other specified conditions for special exception relief have been met.

Pursuant to 11 DCMR Subtitle Y § 604.3, the order of the Board may be in summary form and need not be accompanied by findings of fact and conclusions of law where granting an application when there was no party in opposition.

It is therefore **ORDERED** that this application is hereby **GRANTED AND, PURSUANT TO SUBTITLE Y § 604.10, SUBJECT TO THE APPROVED PLANS<sup>1</sup> AT EXHIBIT 9.**

**VOTE: 4-0-1** (Carlton E. Hart, Lorna L. John, Lesylleé M. White, and Robert E. Miller to APPROVE; Frederick L. Hill not participating.)

**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:** June 27, 2019

PURSUANT TO 11 DCMR SUBTITLE Y § 604.11, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO SUBTITLE Y § 604.7.

PURSUANT TO 11 DCMR SUBTITLE Y § 702.1, 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

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<sup>1</sup> In granting the certified relief, the Board made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO SUBTITLE Y § 705 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO SUBTITLE Y § 703.14, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO SUBTITLE Y §§ 703 OR 704, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR SUBTITLE Y § 604, 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.

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