VOL. 73 – NO. 16 APRIL 17, 2026

District of Columbia REGISTER

HIGHLIGHTS

- D.C. Council proposes the Robert F. Kennedy Memorial Stadium and the District of Columbia National Guard Armory Public Safety Act to include the Downtown Arena and the Southeast Arena in the prohibition on unauthorized entry onto a playing surface (Act 26-291)
- D.C. Council passes Resolution 26-371 and 26-372 to approve an agreement to enter a long-term subsidy contract for 20 years in support of the District's Local Rent Supplement Program to fund housing costs
- D.C. Council schedules a public hearing to discuss Office of Human Rights Rulemaking Authority Amendment Act of 2026 (Bill 26-0570)
- D.C. Council schedules a public hearing to discuss the District's existing law governing the lottery and associated games to add a new title authorizing and regulating internet gaming and online games (Bill 26-0656)
- Department of Health (DC Health) announces funding availability for Housing Opportunities for People Living with HIV/AIDS
- Department of Health Care finance updates the rules regarding Medicaid payments
- Department of Health Care finance updates the Medicaid income eligibility threshold for parents or other caretaker relatives of a dependent child
- Office of Out of School Time Grants and Youth Outcomes announce funding availability for the FY 2027 My Out of School Time DC Program, Out of School Time College & Career Prep, Out of School Time Community Specific Coordinating Entity, Out of School Time Program, Out of School Time Small Nonprofit Program, Out of School Time Youth Scholarships Coordinating Entity and Students in the Care of DC Thrives Coordinating Entity

DISTRICT OF COLUMBIA REGISTER

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ADMINISTRATOR

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ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-291

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 8, 2026

To amend, on an emergency basis, the Robert F. Kennedy Memorial Stadium and the District of Columbia National Guard Armory Public Safety Act to include the Downtown Arena and the Southeast Arena in the prohibition on unauthorized entry onto a playing surface.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Arena Safety Conformity Emergency Amendment Act of 2026".

Sec. 2. The Robert F. Kennedy Memorial Stadium and the District of Columbia National Guard Armory Public Safety Act, effective November 3, 1977 (D.C. Law 2-37; D.C. Official Code § 3-341 *et seq.*), is amended as follows:

(a) Section 3a (D.C. Official Code § 3-342.01) is amended as follows:

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

"(1A) "Downtown Arena" means a sports and entertainment arena located at 601 F Street, N.W.".

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

"(3) "Southeast Arena" means a sports and entertainment arena located at 1100 Oak Drive, S.E.".

(b) Section 4b (D.C. Official Code § 3-343.02) is amended as follows:

(1) New subsections (b-2) and (b-3) are added to read as follows:

"(b-2) Unless expressly authorized by the operator of the Downtown Arena, or its duly authorized agents, no person shall at any time enter onto any portion of the playing surface within the Downtown Arena.

"(b-3) Unless expressly authorized by the Washington Convention and Sports Authority, the lessee or operator of the Southeast Arena, or their duly authorized agents, no person shall at any time enter onto any portion of the playing surface within the Southeast Arena.".

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

"(c) For the purposes of this section, the term "playing field" or "playing surface", as applicable, means the area encompassed by the seating facilities within the Robert F. Kennedy

ENROLLED ORIGINAL

Memorial Stadium, the Baseball Stadium, the Soccer Stadium, the Downtown Arena, or the Southeast Arena, as such seating facilities may be arranged from time to time.".

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.

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
APRIL 8, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-292

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 8, 2026

To approve, on an emergency basis, Contract No. CW119873 and Modification Nos. 001, 002, 003, 004, and 005 with Geographic Solutions, Inc., and to authorize payment for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW119873 with Geographic Solutions, Inc. Approval and Payment Authorization Emergency Act of 2026".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW119873 and Modification Nos. 001, 002, 003, No. 004, and 005 with Geographic Solutions, Inc. to operate and maintain the paid family benefits administration system and authorizes payment in the total not-to-exceed amounts of $1,201,445 for the base term of this contract and $1,148,244 for option period one.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

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
APRIL 8, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-293

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 8, 2026

To approve, on an emergency basis, Modification Nos. M0005 and M0006 and proposed Modification No. M0007 to Contract No. CW119504 with CORE DC, LLC, and to authorize payment for the services received and to be received under the modifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification Nos. M0005, M0006 and M0007 to Contract No. CW119504 with CORE DC, LLC Approval and Payment Authorization Emergency Act of 2026".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. M0005 and M0006 and proposed Modification No. M0007 to Contract No. CW119504 with CORE DC, LLC and authorizes payment in the not-to-exceed amount of $1,731,513.72 for the services received and to be received under the modifications.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

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
APRIL 8, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-294

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 10, 2026

To approve, on an emergency basis, Contract No. CW127336 with Compost Crew, Inc., and to authorize payment for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW127336 with Compost Crew, Inc. Approval and Payment Authorization Emergency Act of 2026".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), or the requirements of section 2346(d)(1),(3) and (e) of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.46(d)(1),(3) and (e)), the Council approves Contract No. CW127336 with Compost Crew, Inc., and authorizes payment in the not-to-exceed amount of $4,120,588.45 for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

ENROLLED ORIGINAL

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
APRIL 10, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-295

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 10, 2026

To amend, on an emergency basis, due to congressional review, section 205 of the Clemency Board Establishment Act of 2018 to authorize the Clemency Board to, for applicants seeking a pardon, grant a waiver of the 5-year waiting period.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Clemency Board Waiver Authority Congressional Review Emergency Amendment Act of 2026".

Sec. 2. Section 205 of the Clemency Board Establishment Act of 2018, effective December 13, 2018 (D.C. Law 22-197; D.C. Official Code § 24-481.05), is amended by adding a new subsection (f) to read as follows:

"(f) The Board may, upon written request of the applicant, grant a waiver of the requirements of subsection (c)(1) of this section; provided, that:

"(1) The Board shall only grant a waiver under this subsection where the Board is in receipt of notice from the Office of the Pardon Attorney that the Pardon Attorney or the President of the United States has provided the applicant with a waiver of the 5-year requirement pursuant to § 9-140.112 of the Department of Justice Manual;

"(2) The Board may decline to grant a waiver under this subsection even when the Board is in receipt of the notice described in paragraph (1) of this subsection;

"(3) The Board shall not grant a waiver under this subsection when the applicant is on probation, parole, or supervised release;

"(4) The Board may request additional information from the applicant to support their request for a waiver of subsection (c)(1) of this section, which may include a request to meet with the applicant to discuss their waiver request;

"(5) The Board shall provide the applicant with written notice of the Board's decision to grant or deny a waiver request pursuant to this subsection; and

"(6) Prior to the Board making a determination whether to grant a request for a waiver pursuant to this subsection, the applicant's application shall be deferred until a determination is made.".

ENROLLED ORIGINAL

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.

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
APRIL 10, 2026

ENROLLED ORIGINAL

AN ACT

D.C. ACT 26-296

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 10, 2026

To amend, on an emergency basis, due to congressional review, section 1505 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 to clarify certain reporting requirements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Pretrial Detention Reporting Congressional Review Emergency Amendment Act of 2026".

Sec. 2. Section 1505 of the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 22-4234), is amended as follows:

(a) Subsection (b-9) is amended as follows:

(1) The lead-in language is amended by striking the phrase "no later than 180 days after the applicability date of section 30(f), (g), and (h) of the Secure DC Omnibus Amendment Act of 2024, passed on 2nd reading on March 5, 2024 (Enrolled version of Bill 24-345) ("Secure DC Omnibus")" and inserting the phrase "no later than September 30, 2026" in its place.

(2) Paragraph (2) is amended by striking the phrase "and after the effective date of the Secure DC Omnibus" and inserting the phrase ", after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(3) Paragraph (3) is amended by striking the phrase "and after the effective date of the Secure DC Omnibus" and inserting the phrase ", after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(4) Paragraph (4) is amended by striking the phrase "and after the effective date of the Secure DC Omnibus" and inserting the phrase ", after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(b) Subsection (b-10) is amended as follows:

(1) The lead-in language is amended by striking the phrase "for juveniles" and inserting the phrase "for juveniles, no later than September 30, 2026" in its place.

(2) Paragraph (2) is amended by striking the phrase "and after the applicability date of section 28 of the Secure DC Omnibus" and inserting the phrase "after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(3) Paragraph (3) is amended by striking the phrase "and after the applicability date of section 28 of the Secure DC Omnibus" and inserting the phrase "after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(4) Paragraph (4) is amended by striking the phrase "and after the applicability date of section 28 of the Secure DC Omnibus" and inserting the phrase ", after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(5) Paragraph (5) is amended by striking the phrase "and after the applicability date of section 28 of the Secure DC Omnibus" and inserting the phrase ", after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(6) Paragraph (6) is amended by striking the phrase "and after the applicability date of section 28 of the Secure DC Omnibus" and inserting the phrase ", after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

(7) Paragraph (7) is amended by striking the phrase "and after the applicability date of section 28 of the Secure DC Omnibus" and inserting the phrase ", after the effective date of the Prioritizing Public Safety Emergency, and after the effective date of the Secure DC Omnibus" in its place.

Sec. 3. Applicability.

This act shall apply as of January 1, 2025.

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

ENROLLED ORIGINAL

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
APRIL 10, 2026

ENROLLED ORIGINAL

A RESOLUTION

26-358

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 205 of the Clemency Board Establishment Act of 2018 to authorize the Clemency Board to, for applicants seeking a pardon, grant a waiver of the 5-year waiting period.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Clemency Board Waiver Authority Congressional Review Emergency Declaration Resolution of 2026".

Sec. 2. (a) On January 6, 2026, the Council passed the Clemency Board Waiver Authority Emergency Amendment Act of 2026, effective January 27, 2026 (D.C. Act 26-253; 73 DCR 1078) ("emergency act"), which expires on April 27, 2026.

(b) On February 3, 2026, the Council passed on second reading the Clemency Board Waiver Authority Temporary Amendment Act of 2026, enacted on March 2, 2026 (D.C. Act 26-274, 73 DCR 3151) ("temporary act"), which has not yet completed congressional review.

(c) Congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Clemency Board Waiver Authority Congressional Review Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-359

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Criminal Justice Coordinating Council for the District of Columbia Establishment Act of 2001 to clarify certain reporting requirements.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Pretrial Detention Reporting Congressional Review Emergency Declaration Resolution of 2026".

Sec. 2. (a) On January 6, 2026, the Council passed the Pretrial Detention Reporting Emergency Amendment Act of 2026, effective January 27, 2026 (D.C. Act 26-254; 73 DCR 1080) ("emergency act"), which expires on April 27, 2026.

(b) On February 3, 2026, the Council passed on second reading the Pretrial Detention Reporting Temporary Amendment Act of 2026, enacted on March 2, 2026 (D.C. Act 26-267; 73 DCR 3134) ("temporary act"), which has not yet completed congressional review.

(c) Congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the emergency act and the effective date of the temporary act.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Pretrial Detention Reporting Congressional Review Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-360

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the reappointment of Dr. Leighton Ku to the District of Columbia Health Benefit Exchange Authority Executive Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Health Benefit Exchange Authority Executive Board Leighton Ku Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Leighton Ku
Ingleside Terrace, NW
Washington, DC 20010
(Ward 1)

as a voting member of the District of Columbia Health Benefit Exchange Authority Executive Board, established by section 6 of the Health Benefit Exchange Authority Establishment Act of 2011, effective March 2, 2012 (D.C. Law 19-94; D.C. Official Code § 31-3171.05), for a term to end July 6, 2029.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-361

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the reappointment of Donella Brockington to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Donella Brockington Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Donella Brockington
13th Place, NE
Washington, DC 20017
(Ward 5)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2031.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-362

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the appointment of Holly Flood to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Holly Flood Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Holly Flood
Columbia Road, NW
Washington, DC 20009
(Ward 1)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2031.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-363

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the appointment of Kristi C. Whitfield to the Board of Library Trustees.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Board of Library Trustees Kristi C. Whitfield Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the appointment of:

Kristi C. Whitfield
21st Street, NE
Washington, DC 20018
(Ward 5)

as a member of the Board of Library Trustees, established by section 4 of An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia, approved June 3, 1896 (29 Stat. 244; D.C. Official Code § 39-104), for a term to end January 5, 2029.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-364

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the reappointment of Monica Warren-Jones to the Green Finance Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Green Finance Authority Board Monica Warren-Jones Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Monica Warren-Jones
G Street, NE
Washington, DC 20002
(Ward 6)

as a member with experience in affordable housing or community development member of the Green Finance Authority Board, established by section 203 of the Green Finance Authority Establishment Act of 2018, effective August 22, 2018 (D.C. Law 22-155; D.C. Official Code § 8-173.23), for a term to end July 9, 2029.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-365

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the reappointment of Anthony Washington to the Green Finance Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Green Finance Authority Board Anthony Washington Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Anthony Washington
17th Street, NW
Washington, DC 20001
(Ward 4)

as a member with experience in affordable housing or community development member of the Green Finance Authority Board, established by section 203 of the Green Finance Authority Establishment Act of 2018, effective August 22, 2018 (D.C. Law 22-155; D.C. Official Code § 8-173.21), for a term to end July 9, 2029.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-366

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the reappointment of Rachna Butani Bhatt to the Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Rachna Butani Bhatt Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Rachna Butani Bhatt
Hoban Road, NW
Washington, DC 20007
(Ward 3)

as a member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), for a term to end September 12, 2030.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-367

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To confirm the reappointment of Dr. Jimmy Ortiz to the Water and Sewer Authority Board of Directors.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "District of Columbia Water and Sewer Authority Board of Directors Dr. Jimmy Ortiz Confirmation Resolution of 2026".

Sec. 2. The Council of the District of Columbia confirms the reappointment of:

Dr. Jimmy Ortiz
G Street, SW
Washington, DC 20024
(Ward 6)

as a member of the Board of Directors of the District of Columbia Water and Sewer Authority, in accordance with section 204 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.04), for a term to end September 12, 2030.

Sec. 3. The Council shall transmit a copy of this resolution, upon its adoption, to the nominee and to the Office of the Mayor.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-371

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To approve an agreement to enter into a long-term subsidy contract for 20 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2026-LRSP-01A with 2229 M Street NE Owner LLC for program units located at 2229 M Street, NE.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2026-LRSP-01A Approval Resolution of 2026".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. 2026-LRSP-01A, a long-term subsidy contract, with 2229 M Street NE Owner, LLC to provide an operating subsidy in support of 24 affordable housing units in an initial amount not to exceed $615,228 annually.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Housing Authority and the Mayor.

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 resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-372

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To approve an agreement to enter into a long-term subsidy contract for 20 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2026-LRSP-02A with 950 Eastern Ave TM L.L.C. for program units located at 950 Eastern Avenue NE.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2026-LRSP-02A Approval Resolution of 2026".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. 2026-LRSP-02A, a long-term subsidy contract, with 950 Eastern Ave TM L.L.C. to provide an operating subsidy in support of 13 affordable housing units in an initial amount not to exceed $437,216 annually.

Sec. 3. Transmittal.

The Council shall transmit a copy of this resolution, upon its adoption, to the District of Columbia Housing Authority and the Mayor.

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 resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-375

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To declare the existence of an emergency with respect to the need to amend the Retail Electric Competition and Consumer Protection Act of 1999 to disallow electricity service disconnection in a period of time after an order approved by the Public Service Commission is vacated and remanded.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Rate Plan Vacatur Interim Protections Emergency Declaration Resolution of 2026".

Sec. 2. (a) In January 2026, District residents experienced an extreme hike in electricity rates leading to a spike in shutoff notices and reports of residents' utilities bills doubling or rising hundreds of dollars in a single month.

(b) On March 5, 2026, the District of Columbia Court of Appeals vacated and remanded Order Nos. 22328 and 22358 of the Public Service Commission ("Commission"), which approved Potomac Electric Power Company's ("Pepco") multi-year rate plan and $123.4 million rate increase over 2 years (Order No. 22328) and denied the Office of the People's Counsel's request to the Commission for reconsideration (Order No. 22358).

(c) Given this, the Commission should restore Pepco distribution rates to those established prior to Order No. 22328, last in effect in December 2024, as these were the last rates that maintain legal standing, per a recent filing by the Office of the People's Counsel.

(d) Until the Commission takes action to reduce rates to their previous amount and bring immediate relief to ratepayers, District residents should not experience instability caused by having their electricity service disconnected, which many are at substantially higher risk of because of the inaction of the Commission. It is necessary to pause disconnection of electricity to ensure that District residents are not unnecessarily harmed while the Commission and Council weigh what actions should be taken to ensure electricity affordability in the longer term.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Rate Plan Vacatur Interim Protections Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-376

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To declare the existence of an emergency with respect to the need to authorize the Washington Convention and Sports Authority to enter into a long-term lease for Nationals Ballpark and to approve the Amended and Restated Lease Agreement between the Washington Convention and Sports Authority and Washington Nationals Stadium, LLC.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Nationals Ballpark Amended and Restated Lease Emergency Declaration Resolution of 2026".

Sec. 2. (a) There exists a need to approve the Amended and Restated Lease Agreement between the Washington Convention and Sports Authority and Washington Nationals Stadium, LLC because the Ballpark Budget and Maintenance Amendment Act of 2024, effective March 7, 2025 (D.C. Law 25-276; 72 DCR 1) ("Ballpark Maintenance Act") provides that the Ballpark Maintenance Act shall not become applicable until the execution and Council approval of a lease amendment agreement between the District and Washington Nationals Stadium, LLC that extends the current lease agreement through February 28, 2054.

(b) There also exists a need to approve Amended and Restated Lease Agreement because it is a contract that involves expenditures in excess of $1 million during a 12-month period and Council approval of this contract is required by section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Nationals Ballpark Amended and Restated Lease Emergency Approval Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-377

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To declare the existence of an emergency with respect to the need to disapprove proposed contract No. CW128791 with HME, Inc. to provide a minimum of one and a maximum of 24 pumpers for the Apparatus Division of the Fire and Emergency Medical Services Department.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Proposed Contract No. CW128791 with HME, Inc. Disapproval Emergency Declaration Resolution of 2026".

Sec. 2. (a) On March 17, 2026, the Mayor transmitted proposed definitive Contract No. CW128791 with HME, Inc. (CA26-646) in the not-to-exceed amount of $32,502,456 to provide 18 pumpers for the Apparatus Division of the Fire and Emergency Medical Services Department ("FEMS").

(b) This contract would be the first contract that FEMS has held with HME, Inc. Due to the contracting structure for many fire departments nationwide, this contract was decided upon via a cooperative agreement, not a traditional bid system. While the cooperative agreement model is effective for efficient ordering timelines, FEMS should use caution when making purchases from manufacturers for the first time and avoid bulk orders from vendors that are new to the District.

(c) In fact, the BDA Global report from 2020, which analyzed the current operations of the Apparatus Division, made it clear that bulk orders such as this order of 18 pumpers from HME, Inc., are not best practice. The report states that "[d]elays in apparatus procurement can be so lengthy that they can result in multi-year impacts. That includes years when the Department does not receive enough new apparatus followed by years when the Department receives too much new apparatus. The latter situation causes many, if not more, problems than the former. When too much new apparatus is received, a 'bubble' is created which results in too much apparatus moving into reserve status, and then too much apparatus needing to be replaced at one time when the newly acquired units reach the end of their service life. This creates strains on the budget. The far better option is to ensure that apparatus moves steadily through its lifecycle in even and predictable numbers – this makes budgeting, apparatus preparation, and apparatus maintenance considerably easier to do."

(d) The Executive has failed to provide sufficient reasoning as to why FEMS needed to make a bulk order of 18 pumpers from a manufacturer who they have never worked with.

(e) Emergency legislation is necessary to act on this contract because it will be deemed approved on March 28. 2026.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Proposed Contract with HME, Inc. Emergency Disapproval Resolution of 2026 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-378

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To disapprove, on an emergency basis, proposed contract No. CW128791 with HME, Inc. to provide a minimum of one and a maximum of 24 pumpers for the Apparatus Division of the Fire and Emergency Medical Services Department.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Proposed Contract No. CW128791 with HME, Inc. Emergency Disapproval Resolution of 2026".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2010 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council disapproves Contract No. CW128791 with HME, Inc. in the amount of $32,502,456.

Sec. 3. Transmittal.
The Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 4. Fiscal impact statement.
The Council adopts the fiscal impact statement 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 resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

26-379

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

March 31, 2026

To declare the existence of an emergency with respect to the need to amend the Open Meetings Act to clarify the definition of meeting, to provide for a public body's ability to be briefed about potential terrorist or public health threats so long as no official action is taken, to exempt from the act meetings between the Council and the Mayor provided that no official action is taken at such meetings, and to provide that a meeting shall be deemed open to the public if the public body takes steps reasonably calculated to allow the public to view or hear the meeting while the meeting is taking place, or, if doing so is not technologically feasible, as soon thereafter as reasonably practicable.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Open Meetings Clarification Emergency Declaration Resolution of 2026".

Sec. 2. (a) The Open Meetings Act, effective March 31, 2011 (D.C. Law 18-350; D.C. Official Code § 2-571 *et seq*.), became effective on March 31, 2011.

(b) The Open Meetings Act requires that any gathering of a quorum of a public body where members consider, conduct, or advise on public business offers the opportunity for the public to observe the meeting. The public must be given proper notice of these meetings and afforded the opportunity to review recordings of these meetings upon request. The Open Meetings Act also exempts several governmental entities from these requirements based on the definition of the term "public body." Exempted entities include the District of Columbia courts, the Mayor's cabinet, and Advisory Neighborhood Commissioners ("ANC"), but not the Council.

(c) In April 2025, the Council passed the Open Meetings Clarification Emergency Amendment Act of 2025, effective April 7, 2025 (D.C. Act 26-41; 72 DCR 4070). The accompanying temporary act, the Open Meetings Clarification Temporary Amendment Act of 2025, effective August 16, 2025 (D.C. Law 26-24; 72 DCR 7532), took effect in August 2025, and will expire on March 29, 2026.

(d) Since early 2025, the District government has had to deal with a variety of consequential, large-scale business and economic development propositions, most notably, the effort to retain Monumental Sports and Entertainment in the District and the negotiation of a deal with the NFL's Washington Commanders to build a new state-of-the-art stadium and mixed-use

development on the RFK campus. These efforts involved significant negotiations between the parties, much of which had to be kept confidential until agreements in principle were reached.

(e) The District also continues to face unprecedented federal involvement and interference in local affairs, beginning last year with Congress's passage of a continuing resolution that required federal spending to be consistent with FY 2024 levels and Congress's choice to treat the District as a federal agency as opposed to allowing the District to spend local funds at approved levels as had been the case for many years prior, which created the prospect of having to cut approximately $1.1 billion from the FY 2025 budget (in the middle of the fiscal year), and continuing with increased federal law enforcement presence leading to purported federal takeover of the Metropolitan Police Department in summer 2025. In 2026, the federal actions have continued with Congress passing (and the president signing) a joint resolution expressing disapproval with the District's plan to decouple from provisions of the One Big Beautiful Bill Act for Tax Year 2025.

(f) Each of the described circumstances called for a certain level of awareness and, in the case of the budget and tax issues, coordination among the District's elected officials – including the members of the Council – to develop workable strategies to effectively respond to the situation. While such coordination is relatively simple for the Executive and the Office of the Attorney General, since these entities are not "public bodies" under the Open Meetings Act, current law creates significant barriers for 13 members of the Council to prepare to function as a single unit in times of crisis.

(g) Beyond that, there is a legitimate expectation that circumstances like those described in subsections (d) and (e) of this section will continue to arise in the foreseeable future and will require a significant degree of organizational nimbleness on the part of the Council, as well as other public bodies within the District government, in order to respond in a timely and appropriate manner. For this reason, several U.S. states exempt completely, or make special exceptions for, their state legislatures with respect to open meetings laws.

(h) While the official action of a public body to make or adopt public policy is, and should be, required to be made public, the preparation put into moving toward official action, including background research and briefings, organizational discussions and information gathering (under certain circumstances) does not necessarily need to be. In fact, in certain circumstances, particularly circumstances related to threats to the health, safety, and welfare of the public or members of the public body, provisional and pre-decisional information should not be disclosed prematurely.

(i) This emergency legislation remains particularly necessary in the current political climate to allow the Council to be briefed as a body in a timely manner, to develop appropriate responses to rapidly unfolding issues, and to ensure that other public bodies in the District are able to receive, discuss and analyze relevant information securely, while also ensuring that the process for taking any official action with respect to that information is conducted publicly.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Open Meetings Clarification Emergency Amendment Act of 2026 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately

ENROLLED ORIGINAL

A RESOLUTION

26-380

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 7, 2026

To amend the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 26, Resolution of 2025, to authorize the transmission of the Fiscal Year 2027 Budget and Financial Plan during a period of recess.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Council Period 26 Recess Rules Amendment Resolution of 2026".

Sec. 2. (a) Section 306(b) of the Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 26, Resolution of 2025, effective January 2, 2025 (Res. 26-1; 72 DCR 1289), is amended by adding a new paragraph (5) to read as follows:

"(5) The Fiscal Year 2027 Local Budget Act of 2026, the Fiscal Year 2027 Local Budget Emergency Act of 2026, the Fiscal Year 2027 Budget Support Act of 2026, the Fiscal Year 2026 Revised Local Budget Emergency Act of 2026, the Fiscal Year 2026 Revised Local Budget Temporary Act of 2026, and the Fiscal Year 2027 Federal Portion Budget Request Act of 2026 may be introduced during any recess period.".

(b) This section shall expire on April 20, 2026.

Sec. 3. This resolution shall take effect immediately.

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 http://www.dccouncil.gov.

COUNCIL OF THE DISTRICT OF COLUMBIA PROPOSED LEGISLATION

B26-0655 Protecting Judicial Privacy Act of 2026

Intro. 04-06-2026 by Chairman Mendelson and referred to the Committee on Judiciary and Public Safety with comments from the Committee of the Whole

B26-0656 Internet Gaming and Consumer Protection Act of 2026

Intro. 04-09-2026 by Councilmember Felder and referred to the Committee on Human Services with comments from the Committee of the Whole

Council of the District of Columbia
COMMITTEE ON PUBLIC WORKS AND OPERATIONS
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

COUNCILMEMBER BRIANNE K. NADEAU, CHAIRPERSON
COMMITTEE ON PUBLIC WORKS AND OPERATIONS

ANNOUNCES A PUBLIC HEARING ON

B26-0570, THE "OFFICE OF HUMAN RIGHTS RULEMAKING AUTHORITY AMENDMENT ACT OF 2026"

Tuesday, May 12, 2026, 3:00pm
John A. Wilson Building, 1350 Pennsylvania Ave., N.W.,
Room 120 and virtual via Zoom.

To Watch Live:

https://www.brianneknadeau.com/live

On **Tuesday, May 12, 2026,** Councilmember Brianne K. Nadeau, Chairperson of the Committee on Public Works and Operations, will convene a public hearing to consider B26-0570, "Office of Human Rights Rulemaking Authority Amendment Act of 2026". The hearing will be held in person in the John A. Wilson Building Room 120 and virtually via the Zoom platform beginning at **3:00pm or immediately after the end of the agency's budget oversight hearing.**

B26-0570, "Office of Human Rights Rulemaking Authority Amendment Act of 2026", amends the Language Access Act of 2004 to include enforcement and relief provisions for violations of the act. The bill also authorizes the Office of Human Rights to adopt rules and regulations to implement the provisions of this act.

Those who wish to testify must register using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings by **5:30 p.m. Monday, May 11, 2026.** Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals (and any subsequent representatives of the same organizations) will be allowed a maximum of three minutes. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as

possible but no later than five business days before the proceeding by emailing publicworks@dccouncil.gov. We will make every effort to fulfill timely requests. Witnesses will receive instructions on how to participate by Zoom or in person prior to the hearing. If you have additional questions, please email publicworks@dccouncil.gov.

Testimony should be submitted through the Council's Hearing Management System https://lims.dccouncil.gov/hearings in advance of the hearing. Testimony will be publicly accessible upon Committee review. If you are unable to testify at the hearing, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System.

The record will close at 5:30 p.m. on Tuesday, May 26, 2026.

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE ON HUMAN SERVICES
NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, NW, Washington, DC 20004

COUNCILMEMBER MATTHEW FRUMIN, CHAIRPERSON,
COMMITTEE ON HUMAN SERVICES,

ANNOUNCES A PUBLIC HEARING ON

B26-0656, the "Internet Gaming and Consumer Protection Act of 2026"

Monday, May 4, 2026
1:00 p.m.
Room 123 of the John A. Wilson Building and Zoom Virtual Platform

Watch live at:
https://dccouncil.gov/hearings/
https://www.youtube.com/@cmfrumin

On Monday, May 4, 2026, Matthew Frumin, Chairperson of the Committee on Human Services, will convene a public hearing to consider B26-0656, the "Internet Gaming and Consumer Protection Act of 2026". The hearing will be held in a hybrid format, in both Room 123 of the John A. Wilson Building and on the Zoom virtual platform, beginning at 1:00 p.m.

The stated purpose of B26-0656 is to amend the District's existing law governing the lottery and associated games to add a new title authorizing and regulating internet gaming ("iGaming"). Online casino-style games like blackjack, poker, and roulette played on mobile devices or computers are already accessible to District residents through unregulated and offshore platforms. These platforms operate without meaningful consumer safeguards or regulatory oversight, creating risks for residents and limiting the District's ability to respond to any issues arising from them. This legislation establishes a comprehensive licensing, consumer protection, responsible gaming, taxation, reporting, and enforcement framework administered by the Office of Lottery and Gaming. B26-0656 also establishes an associated Community Reinvestment Fund, prohibits unlicensed sweepstakes gaming and similar dual-currency gaming products, and makes conforming and administrative changes necessary to implement safe iGaming in the District.

The Committee invites the public to provide oral and written testimony. Members of the public may sign up to testify using the Hearing Management System at https://lims.dccouncil.gov/hearings/. **Online registration will close at 9:00 a.m. on Friday, May 1, 2026.** If you cannot register to testify online, please contact Emelie Shany, Legislative Assistant at the Committee on Human Services, at (202) 741-8596 or eshany@dccouncil.gov.

Registered witnesses will receive an e-mail from the Committee with instructions on how to testify and register for a Zoom link before the hearing. All witnesses will have three (3) minutes to testify. Witnesses who anticipate needing spoken language interpretation or who require closed captioning are asked to communicate with the Committee about how it can best help them participate as soon as possible. If a witness who requires accommodations to participate reaches out to the Committee **fewer than five (5) business days before the hearing, it may no longer be possible to arrange for an accommodation.** An alternative may be offered.

All witnesses are strongly encouraged to provide written testimony by uploading it to the Hearing Management System. **The record will close for all forms of testimony at the end of the business day on Monday, May 11, 2026.**

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

CHAIRMAN PHIL MENDELSON
COMMITTEE OF THE WHOLE
ANNOUNCES A PUBLIC ROUNDTABLE

on

PR 26-569, "Commission on the Arts and Humanities Demetrius Butler Confirmation Resolution of 2026"

PR 26-570, "Commission on the Arts and Humanities Janice Kim Confirmation Resolution of 2026"

PR 26-571, "Commission on the Arts and Humanities Carla Sims Confirmation Resolution of 2026"

PR 26-572, "Commission on the Arts and Humanities Hector Tores Confirmation Resolution of 2026"

on

Wednesday, May 6, 2026 at 9:00 a.m.
Council Hearing Room 412 (Track B)
John A. Wilson Building
1350 Pennsylvania Avenue NW
DC Council Website (www.dccouncil.gov)

Council Chairman Phil Mendelson announces a public roundtable before the Committee of the Whole on **PR 26-569**, the "Commission on the Arts and Humanities Demetrius Butler Confirmation Resolution of 2026," **PR 26-570**, the "Commission on the Arts and Humanities Janice Kim Confirmation Resolution of 2026," **PR 26-571**, the "Commission on the Arts and Humanities Carla Sims Confirmation Resolution of 2026," and **PR 26-572**, the "Commission on the Arts and Humanities Hector Tores Confirmation Resolution of 2026." The roundtable will be held on **Wednesday, May 6, 2026 at 9:00 a.m.**

The stated purpose of PR 26-569 is to confirm the nomination of Demetrius Butler for reappointment to the Commission on the Arts and Humanities for a term to end June 30, 2029. The stated purpose of PR 26-570 is to confirm the nomination of Janice kim for reappointment to the Commission on the Arts and Humanities for a term to end June 30, 2029. The stated purpose of PR 26-571 is to confirm the nomination of Carla Sims for reappointment to the Commission on the Arts and Humanities to a term to end June 30, 2029. The stated purpose of PR 26-572 is to confirm the nomination of Hector Tores for reappointment to the Commission on the Arts and Humanities to a term to end June 30, 2029. The purpose of the roundtable is to receive testimony from public witnesses, as well as the nominees, as to the their fitness.

The Commission on the Arts and Humanities is an independent agency in the District of Columbia government responsible for evaluating and initiating action on matters relating to the arts and humanities, and is the designated state arts agency for the District of Columbia. The Commission is also responsible for selecting and distributing gratns to artsits and arts organizations in the District of Columbia as well as grants to HumanitiesDC.

Those who wish to testify must register using the Council's Hearing Management System at https://lims.dccouncil.gov/hearings by 5:00 p.m. on Monday, May 4, 2026. Testimony is limited to three minutes. Witnesses who anticipate needing spoken language interpretation, or require sign language interpretation, are requested to inform the Committee office of the need as soon as possible but no later than five business days before the proceeding by emailing ecash@dccouncil.gov. The Committee will make every effort to fulfill timely requests, although alternatives may be offered. Requests received in less than five business days may not be fulfilled. Witnesses will receive instructions on how to participate by Zoom prior to the roundtable. If you have additional questions, please contact Evan Cash, Committee and Legislative Director, at (202) 724-8196 or ecash@dccouncil.gov.

Public witnesses may participate in person or virtually via the Internet on the Zoom Video Conference platform. Testimony should be submitted through the Council's Hearing Management System (https://lims.dccouncil.gov/hearings) in advance of the roundtable. That testimony will be publicly accessible upon Committee review. If you are unable to testify at the roundtable, written statements are encouraged and will be made a part of the official record. Statements for the record should be submitted through the Hearing Management System or left by voicemail by calling (202) 430-6948 (up to 3 minutes which will be transcribed). The record will close at 5:00 pm on Wednesday, May 20, 2026.

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Grant Budget Modifications

Pursuant to the Consolidated Appropriations Act of 2017, approved May 5, 2017 (P.L. 115-31), the Council of the District of Columbia gives notice that the Mayor has transmitted the following Grant Budget Modification (GBM).

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

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

GBM 26-0050 Grant Budget Modification as of March 18, 2026

RECEIVED: 14-day review begins April 9, 2026

GBM 26-0051 Grant Budget Modification as of March 31, 2026

RECEIVED: 14-day review begins April 9, 2026

COUNCIL OF THE DISTRICT OF COLUMBIA
Notice of Reprogramming Requests

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

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

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

Reprog. 26-0110: Request to reprogram Capital funds budget authority and allotment in the amount of $42,000,000 within the District Department of Transportation (DDOT) was filed in the Office of the Secretary Thursday April 8, 2026. This reprogramming will fund the necessary local match and act as a temporary backstop to meet the Federal Highway Administration (FHWA) obligation mandates for the Benning Road Bridges and Transportation project.

RECEIVED: 14-day review begins April 9, 2026

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION

NOTICE OF PUBLIC HEARING

Placard Posting Date:	April 17, 2026
Protest Petition Deadline:	June 1, 2026
Roll Call Hearing Date:	June 22, 2026
License No.:	ABRA-103863
Licensee:	Chicken and Whiskey, LLC
Trade Name:	Chicken + Whiskey
License Class:	Retailer's Class "C" Restaurant
Address:	1738 14th Street, N.W.
Contact:	Diana Corzo: (202) 686-7600, dcorzo@theveritaslawfirm.com

WARD 2 ANC 2F SMD 2F01

Notice is hereby given that this licensee has requested Substantial Changes 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 June 22, 2026 at 10 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002**. Petitions and/or requests to appear before the ABC Board must be filed electronically to abca.legal@dc.gov on or before the Petition deadline.

NATURE OF SUBSTANTIAL CHANGES
Request for a Streatery Endorsement with 24 seats and a Sidewalk Café Endorsement with 5 seats.

HOURS OF OPERATION INSIDE PREMISES
Sunday through Thursday 11am – 2:30am, Friday and Saturday 11am – 3:30am

HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION INSIDE PREMISES
Sunday through Thursday 11am – 2am, Friday and Saturday 11am – 3am

PROPOSED HOURS OF OPERATION FOR THE STREATERY
Sunday through Thursday 11am – 2:30am, Friday and Saturday 11am – 3:30am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR THE STREATERY
Sunday through Saturday 11am – 12am

PROPOSED HOURS OF OPERATION FOR SIDEWALK CAFÉ
Sunday through Thursday 11am – 2:30am, Friday and Saturday 11am – 3:30am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE, AND CONSUMPTION FOR SIDEWALK CAFÉ
Sunday through Thursday 11am – 11pm, Friday and Saturday 11am – 3am

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ON
4/17/2026

Notice is hereby given that:
License Number: ABRA-091022 **License Class/Type: C Tavern**
Applicant: Sunflower Inc.
Trade Name: Flavors Of India/Marshall's Bar
SMD: 2A03

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

2524 L STREET NW, WASHINGTON, DC 20037

PETITIONS/LETTERS OF OPPOSITION OR SUPPORT MUST BE FILED ON OR BEFORE:
6/1/2026

A HEARING WILL BE HELD ON:
6/22/2026

AT 10:00 a.m., Suite 4200-B, 899 North Capitol Street N.E., Washington, DC, 20002

ENDORSEMENT(S): Sidewalk Cafe

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

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

FOR FURTHER INFORMATION CALL: (202) 442-4423

HISTORIC PRESERVATION REVIEW BOARD
NOTICE OF PUBLIC HEARING

The D.C. Historic Preservation Review Board will hold a public hearing to consider an application to designate the following property a historic landmark in the D.C. Inventory of Historic Sites. The Board will also consider the nomination of the property to the National Register of Historic Places:

Case No. 26-05: The Ritz Apartments
1631 Euclid Street NW
Washington, DC 20009
Applicant: Jubilee Housing Limited Partnership
Affected Advisory Neighborhood Commission: 1C

The hearing will take place at **9:00 a.m. on Thursday, May 28, 2026**. The Board hearing will be online, the details for which will be available here: planning.dc.gov/node/1176060. It will be conducted in accordance with the Review Board's Rules of Procedure (10C DCMR 2, see planning.dc.gov/node/594182).

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.

A copy of the historic designation application is currently on file and available for inspection by the public at the Historic Preservation Office. It is posted on the office website at planning.dc.gov/page/pending-nominations-dc-inventory. A copy of the staff report and recommendation will be available at the office five days prior to the hearing at https://planning.dc.gov/node/1176025. 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 a 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 or 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 Kim Williams, at kim.williams@dc. gov.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF VIRTUAL PUBLIC HEARING

TIME AND PLACE: **June 8, 2026 @ 4:00 p.m.**
Via WebEx: https://dcoz.dc.gov/ZC87-23A (to participate & watch)
Via Telephone: 1-650-479-3208 **Access code:** 2318 991 8842 (audio participation & listen)
Via YouTube: https://www.youtube.com/c/DCOfficeofZoning (to watch)
Instructions: https://dcoz.dc.gov/release/virtual-public-hearings
Witness Sign Up: https://dcoz.dc.gov/service/sign-testify

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 87-23A (The George Washington University – PUD Modification with Hearing @ Square 78, Lot 853 [2001 Pennsylvania Avenue, N.W.])

THIS CASE IS OF INTEREST TO ANCs 2A & 2C

Oral and Written Testimony

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ's website indicated above. Also, see below: *How to participate as a witness – oral statements*. **On the day of the hearing – by 3:00 p.m.**, call 202-727-0789 to sign up to testify.
- All written comments and/or testimony **must be submitted to the record at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements*.

The George Washington University (the "Applicant") filed an application on September 16, 2025, requesting the Zoning Commission ("Commission") to approve a PUD Modification with Hearing (the "Application") pursuant to Subtitle X, Chapter 3, Subtitle Z § 300, and Subtitle Z § 704 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, "Zoning Regulations of 2016," to which all subsequent references herein are made unless otherwise specified) for the property known as Lot 853 in Square 78 (the "Property"). The Property is within the boundaries of Advisory Neighborhood Commission ("ANC") 2A and across the street from ANC 2C.

The Property consists of approximately 14,450 square feet of land area and is located in the Golden Triangle Business Improvement District at the northwest corner of 20th Street, N.W. and I Street, N.W. The Property is improved with an 11-story mixed-use building with office and ground-floor retail uses. The Property is located in the D-5 zone.

The Applicant proposes to modify the PUD to (a) authorize university use in a portion of the ground floor and the upper stories of the building, and (b) authorize building identification signage (the "Project"). The Applicant requests flexibility from the number and location of short-term bicycle parking spaces to provide 36 short-term bicycle parking spaces and not locate the spaces within 120 feet of the primary building entrance.

The Office of Planning filed a setdown report dated March 2, 2026, recommending that the Commission set down the Application for a public hearing. The OP setdown report states that on balance, the Applicant's proposal would not be inconsistent with the maps and policies of the Comprehensive Plan, including when viewed through a racial equity lens. At a public meeting

This hearing is governed by the Open Meetings Act. A portion of this hearing may be closed according to the Act. Please address any questions or complaints arising under this hearing to the Office of Open Government at opengovoffice@dc.gov.

March 12, 2026, the Commission voted to set down the Application for a public hearing. The Applicant filed its prehearing submission in the case on March 18, 2026.

The public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, Subtitle Z, Chapter 4.

How to participate as a witness – oral presentation
Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ's website at https://dcoz.dc.gov/ or by calling **Ella Ackerman at (202) 727-0789** in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, **all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing**. The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

1.	Applicant and parties in support	60 minutes collectively
2.	Parties in opposition to	60 minutes collectively
3.	Organizations	5 minutes each
4.	Individuals	3 minutes each

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

How to participate as a witness – written statements
Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at https://app.dcoz.dc.gov/Login.aspx; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact **Ella Ackerman at (202) 727-0789** for further assistance.

How to participate as a party
Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it

means to participate as a party and would like more information on this, please contact OZ at dcoz@dc.gov or at (202) 727-6311.

Except for an 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 must comply with the provisions of Subtitle Z § 404. **Not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration,** persons seeking party status **must submit, a Form 140 – Party Status Application, through the Interactive Zoning Information System ("IZIS"). This** form may also be downloaded from OZ's website at**: https://app.dcoz.dc.gov/Help/Forms.html.**

"Great weight" to written report of ANC

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

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

ANTHONY J. HOOD, ROBERT E. MILLER, GWEN MARCUS WRIGHT, TAMMY STIDHAM, AND JOSEPH S. IMAMURA, ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿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.

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.

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

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。

Quí vị có cần trợ giúp gì để tham gia không? Nếu quí 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.

ለመሳተፍ ዕርዳታ ያስፈልግዎታል? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኤሜል Zelalem.Hill@dc.gov ይገናኙ። እነኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6)), and in An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), hereby gives notice of his adoption of amendments to Chapter 14 (Healthcare Assistance Reimbursement) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations ("DCMR").

Federal law requires states and the District of Columbia ("the District") to assure that Medicaid recipients utilize all other resources available to them to pay for all or part of their medical care needs before turning to Medicaid. This includes ensuring that the District takes all reasonable measures to identify legally liable third parties, determine the liability of third parties, avoid payment of third-party claims, and recover reimbursement from third parties. Medicaid pays only after all third-party payors have met the legal obligation to pay, as Medicaid is the payer of last resort.

Federal guidance in the Center for Medicare and Medicaid Services (CMS)'s State Medicaid Director Letter # 23-002, *Third-Party Liability in Medicaid: State Compliance with Changes Required in Law and Court Rulings*, required all states to submit a Medicaid State Plan amendment ("SPA") to provide assurances with two (2) new third-party requirements as stated in Section 202 (a)(1)(ii)of Title II of Division P of the Consolidated Appropriations Act, 2022, approved March 15, 2022 (136 Stat. 49; P.L. 117-103). The guidance also stated that under a 2022 Supreme Court decision, states may create liens on injury settlement proceeds attributable to future medical expenses.

Third-Party Payor Assurances

Section 202(a)(1)(ii) of Title II of Division P of the Consolidated Appropriations Act of 2022 ("CAA, 2022"), approved March 15, 2022 (136 Stat. 49; Pub. L. 117-103) (amending Section 1902(a)(25)(I) of the Social Security Act, approved July 30, 1965 (79 Stat. 286; 42 U.S.C.§ 1396a(a)(25)(I)), requires that a state provide assurances in its State Plan that laws exist in the state that mandate that certain responsible third-party payers who require prior authorization for an item or service, accept an authorization provided by the state that the item or service is covered under the State Plan (or waiver of the State Plan) to satisfy the prior authorization requirement. CAA, 2022 also requires that third-party payers respond to a state inquiry regarding a health care claim within sixty (60) days of receiving the inquiry.

Liens on Future Medical Expenses

In *Gallardo v. Marstiller*, 596 U.S. 420 (2022), the United States Supreme Court (USSC) concluded that states are permitted to create a lien over injury settlement proceeds attributable to

a beneficiary's future medical expenses. Although the USSC permits state agencies to recover from settlement portions allotted for future medical care in certain circumstances, DHCF *will not* seek recovery from settlement funds or jury awards granted to a Medicaid beneficiary for future medical care.

DHCF submitted a SPA in compliance with the third-party liability requirements in Section 202 of Title II of Division P of the Consolidated Appropriations Act of 2022 ("CAA, 2022"), approved March 15, 2022 (136 Stat. 49; Pub. L. 117-103), discussed above. CMS approved the SPA on February 21, 2024, with an effective date of February 1, 2024.

This rulemaking aligns the District's third-party liability rules with the CAA, 2022 requirements and reflects current reimbursement policies of the Medicaid program. There is no fiscal impact projected for this rulemaking.

Additionally, this rulemaking removes Sections 1451 and 1452, on chore and homemaker services, from Chapter 14 of Title 29, as the rules for those services have been moved to Chapter 42 of the same title.

A proposed rulemaking was published in the *District of Columbia Register* on February 13, 2026, at 73 DCR 001533. No comments were received and no changes have been made to the text of the rule.

The Director of DHCF took final action to adopt this rulemaking on April 8, 2026, and the rules shall become effective upon publication of this notice in the *District of Columbia Register*.

Chapter 14, HEALTH-CARE ASSISTANCE REIMBURSEMENT, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 1400, RIGHT TO REIMBURSEMENT, is amended as follows:

Subsection 1400.3 is amended as follows:

1400.3 In determining the unreimbursed value of health and health-related care and treatment that the District undertakes to provide directly to a beneficiary, the Department shall refer directly to the agency or institution which rendered the care or treatment to determine health or health-related cost for care and treatment.

A new Subsection 1400.4 is added as follows:

1400.4 All DHCF contractors, including managed care organizations who provide services to Medicaid beneficiaries, shall comply with all applicable federal and District statutes and regulations.

Section 1401, NOTICE OF KNOWN OR SUSPECTED THIRD-PARTY LIABILITY, is amended as follows:

Subsections 1401.1 through 1401.5 are amended to read as follows:

1401.1 Any individual, authorized representative, institutional health-care provider, or managed care plan that bills the District for health-care assistance furnished to a beneficiary shall provide the Department with written notice of any known or suspected third-party liability as required in D.C. Code § 4-606(a). The written notice of known or suspected third-party liability shall include the following:

(a) The beneficiary's name, date of birth, address, social security number, and Medicaid recipient number, if any;

(b) The name, address, and telephone number of the liable third-party, if known;

(c) A description of the incident causing the injury or illness, including the date and location;

(d) A description of the types of injuries sustained and whether treatment is ongoing; and

(e) A HIPAA release form signed and dated by the Medicaid recipient.

1401.2 A beneficiary, or if represented, the beneficiary's attorney, shall provide the Department and the District of Columbia Office of the Attorney General ("OAG") with written notice of any known or suspected third-party liability before taking any steps to recover damages or costs arising from an incident involving the third party. The written notice of intent to recover damages shall include the following:

(a) The beneficiary's name, date of birth, address, social security number, and Medicaid recipient number, if any;

(b) The name, address, and telephone number of the beneficiary's attorney, if any;

(c) The name, address, and telephone number of the third party;

(d) The name, address, and telephone number of the third party's attorney, if known;

(e) The name, address, and telephone number of the third party's insurer, if known;

(f) The name, address, and telephone number of beneficiary's insurer, if known;

(g) A description of the incident causing the injury or illness, including the date

and location; and

(h) A letter of representation from the beneficiary's attorney, if any, which shall include the beneficiary's signature.

1401.3 Upon receipt of a written notice of known or suspected liability of a third party pursuant to §§ 1401.1 and 1401.2, the Department shall respond to the beneficiary or, if represented, the beneficiary's attorney within sixty (60) calendar days and provide the dollar amount or monetary value of health-care assistance provided to or paid for on behalf of the beneficiary by the District for the incident related to the injury or illness.

1401.4 A third-party payer shall respond to a state inquiry regarding a healthcare claim from the Department within sixty (60) days of receiving the inquiry.

1401.5 If the beneficiary separately institutes a proceeding against or settlement negotiations with a third party, the beneficiary or if represented, the beneficiary's attorney shall inform the third party that the District also has a claim, and shall give the Department and OAG written notice of the action or settlement negotiations, by certified mail, email or personal service, within twenty (20) calendar days after instituting a proceeding or beginning settlement negotiations.

Subsections 1401.6 and 1401.7 are repealed.

Section 1402, ENFORCEMENT OF RIGHT TO REIMBURSEMENT, is repealed.

Section 1403, [RESERVED], is renamed and amended to read as follows:

1403 BARRING RESPONSIBLE THIRD PARTIES FROM REFUSING TO PAY FOR ITEMS OR SERVICES BASED SOLELY ON THE ABSENCE OF PRIOR AUTHORIZATION

1403.1 If a responsible third-party payer, other than a third-party payer described in the first parenthetical of Section 1902(a)(25)(I)(ii)(II) of the Social Security Act, 42 U.S.C. § 1396(a)(25)(I)(ii)(II), requires prior authorization for an item or service furnished to a beneficiary, the responsible third-party payer shall accept the authorization provided by the District that the item or service is covered under the State Plan (or waiver of such plan) for the beneficiary, as if such authorization were the prior authorization made by the third party for such item or service.

Section 1404, PERFECTION AND PAYMENT OF LIEN, is amended as follows:

Subsection 1404.2 through 1404.4 are amended to read as follows:

1404.2 After a third party deducts a beneficiary's litigation costs and reasonable attorney's fees, a third party who is aware that the District might have a claim for

reimbursement for health care assistance provided to or paid for on behalf of the beneficiary shall not satisfy the remainder of a judgment or settlement awarded to or executed in favor of the beneficiary without first giving the Department, or its designee, both written notice of the judgment or settlement and thirty (30) calendar days from the date the written notice is received by the Department, or its designee, to determine the appropriateness of a lien, and if appropriate, to perfect the lien.

1404.3 To perfect a lien under the Health-Care Assistance Reimbursement Act of 1984, D.C. Law 5-86, D.C. Code § 4-601 *et seq.*, the Department, or its designee, shall do the following:

(a) File in the Office of the Recorder of Deeds, in a docket provided for this type of lien, a written notice containing the beneficiary's name and address, the approximate date and location of the incident that caused or allegedly caused the beneficiary's injury or illness, and the name of the third party; and

(b) Provide by personal service or certified mail a copy of the written notice of lien, together with a statement of the date of filing to the beneficiary directly or in care of the beneficiary's attorney, if any, the third party, directly or in care of the third party's attorney, and if ascertained by the Department, or its designee, the insurance company which has insured the beneficiary or third party against liability.

1404.4 If, after receiving a notice of lien under § 1404.3, a beneficiary, third party, or an insurer disposes of funds covered by a lien without paying the District the amount of its lien that could have been satisfied with those funds after paying off any prior liens, the Office of the Attorney General, may, on behalf of the District, institute a civil action against that beneficiary, third party, or insurer, within one (1) year from the date that the funds were improperly disposed of, to recover any amount the District is otherwise unable to recover because of the improper disposition of funds.

Subsection 1404.5 is repealed.

A new Subsection 1404.7 is added as follows:

1404.7 The District shall not place liens on settlement funds or jury awards granted to Medicaid beneficiaries for future medical care.

Section 1405, WAIVER OF RIGHT TO REIMBURSEMENT, is amended as follows:

Subsections 1405.1 through 1405.3 are amended to read as follows:

1405.1 The Office of Attorney General (OAG), with the concurrence of the Director, may waive, in whole or in part, enforcement of the District's claim against a third-party if enforcement in a particular case would not be cost effective or would result in

undue hardship to the beneficiary, including any dependents or survivors of the actual recipient of health-care assistance.

1405.2 If waiver is based on the avoidance of undue hardship, OAG may in addition void the legal subrogation or assignment effected pursuant to §1400.2.

1405.3 In determining whether and to what extent reimbursement should be sought or awarded under D.C. Official Code § 4-604, OAG shall give due consideration to the extent of the beneficiary's injuries and his or her current and future medical needs, including the current and future needs of any dependents or survivors of the actual recipient of health-care assistance.

Section 1450, PERSONAL NEEDS ALLOWANCES, is amended as follows:

Subsection 1450.1 is amended to read as follows:

1450.1 The Department shall allow each eligible individual to retain a personal needs allowance in accordance with 29 DCMR § 9804.4.

Section 1451, INCOME LEVELS FOR CHORE AND HOMEMAKER SERVICES PROGRAMS, is repealed.

Section 1452, CHORE AND HOMEMAKER SERVICES; PROGRAM LIMITATIONS, is repealed.

Section 1499, DEFINITIONS, is amended as follows:

Subsection 1499.1 is amended to read as follows:

1499.1 As used in this chapter, the following terms and phrases shall have the meanings ascribed:

Beneficiary - any individual who has received health-care assistance from the District and, if applicable, that individual's guardian, conservator, personal representative, estate, dependents, and survivors.

Department - the D.C. Department of Healthcare Finance

Health-care assistance - the health or health-related care and treatment that the District has undertaken to provide free-of-charge or a discounted rate, or to pay for through Medicaid or the Medical Charities Program, or any other program and includes future care and treatment that the Department reasonably anticipates will be provided or paid for by the District. The term "Health-care assistance" includes medical, surgical, nursing, dental, hospital, nursing home, hospice and home care, prostheses and medical appliances, physical and occupational therapy, counseling and

psychotherapy, social work, related transportation costs, and funeral and burial expenses.

Third party - a third-party tortfeasor, beneficiary's insurer, or any other individual, organization, or entity, that is or may be liable to a beneficiary, in tort or contract, for all or part of the care and treatment the District has undertaken to provide or pay for as health-care assistance.

Unreimbursed value of health care assistance - the value or cost of the health and health-related care and services provided directly or through contract to the beneficiary by the District of Columbia.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6)), and An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.06), and Mayor's Order 2024-115, dated July 1, 2024, hereby gives notice of the adoption of amendments to Section 9506 (Modified Adjusted Gross Income (MAGI) Eligibility) of Chapter 95 (Medicaid Eligibility) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

DHCF is the single state agency for the administration of the State Medicaid program under Title XIX of the Social Security Act and Children's Health Insurance Program (CHIP) under Title XXI of the Social Security Act in the District. As the single state agency, DHCF is also responsible for supervising and administering the District of Columbia State Plan (State Plan) for Medical Assistance pursuant to 42 U.S.C. § 1396 *et seq.*, and amendments thereto.

Based on the authority provided under the Patient Protection and Affordable Care Act (ACA), effective March 30, 2010 (Pub. L. 111-148; 124 Stat. 119), DHCF offers expanded Medicaid eligibility to parents or other caretaker relatives, as described under 42 C.F.R. § 435.110, who: (1) are a parent or other caretaker relative of a dependent child; (2) have household income up to two hundred sixteen percent (216%) of the federal poverty level (FPL); and (3) meet all other applicable non-financial eligibility factors described in Section 9506 of Chapter 95 of the DCMR. DHCF is amending the income eligibility threshold for this eligibility group to require that household income be no higher than one hundred thirty-three percent (133%) of the FPL. The District's Health Benefit Exchange offers eligibility for health benefits through Qualified Health Plan and Basic Health Plan to individuals with incomes above one hundred thirty-three percent (133%) of the FPL.

These rules correspond to an amendment to the District's State Plan for Medical Assistance (State Plan), approved by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services (CMS) on November 18, 2025, with an effective date of January 1, 2026.DHCF projects that these rules will result in a net decrease in aggregate Medicaid expenditures of approximately forty-six million two hundred forty-two thousand three hundred twenty-five dollars ($46,242,325) in Fiscal Year 2026, with a total decrease in local expenditures of approximately thirteen million eight hundred seventy-two thousand six hundred ninety-seven dollars ($13,872,697).

A Notice of Emergency and Proposed Rulemaking was published in the *District of Columbia Register* on February 6, 2026, at 73 DCR 001337. No comments were received, and no changes have been made to the text of the rules. The Director of DHCF took final action to adopt this rulemaking on April 7, 2026, and the rules shall become effective upon publication of this notice in the *District of Columbia Register*.

Chapter 95, MEDICAID ELIGIBILITY, of Title 29, PUBLIC WELFARE, of the District of Columbia Municipal Regulations (DCMR) is amended to read as follows:

Section 9506, MODIFIED ADJUSTED GROSS INCOME (MAGI) ELIGIBILITY, is amended as follows:

Subsections 9506.2 is amended as follows:

9506.2 Beginning January 1, 2026, to be determined eligible for Medicaid as a parent or other caretaker relative, an individual shall:

(a) Be a parent or other caretaker relative of a dependent child;

(b) Have a household income that does not exceed one hundred thirty-three percent (133%) of the Federal Poverty Level (FPL) as determined in accordance with this section; and

(c) Meet all other applicable non-financial eligibility factors identified at Subsection 9506.9.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF PROPOSED RULEMAKING

The Alcoholic Beverage and Cannabis Board ("Board"), pursuant to the authority set forth in D.C. Official Code § 25-351(a), hereby gives notice of its intent to adopt the following proposed amendments to Section 308 (Glover Park Moratorium Zone) of Chapter 3 (Limitations on Licenses) of Title 23 (Alcoholic Beverages) of the District of Columbia Municipal Regulations ("DCMR").

The proposed rules will extend the duration of the Glover Park Moratorium and will allow one tavern license to be issued in the Glover Park Moratorium Zone.

Background

Under D.C. Official Code § 25-351(a)(2), the Board is authorized to adopt a moratorium on the issuance of any classes of alcoholic beverage licenses in a locality, section, or portion of the District.

A moratorium on the issuance of certain alcoholic beverage licenses has existed in the Glover Park neighborhood for approximately the last thirty years. The current areas of the Glover Park Moratorium Zone and the scope of the moratorium zone may be found in § 308 of Title 23 of the DCMR. The current moratorium zone extends approximately 1,200 feet from 2436 Wisconsin Avenue, N.W., Washington D.C., 20007, which is the location of Wisconsin Avenue Imports, LLC, t/a Pearson's Wine and Spirits, holder of a Retailer's Class A License (ABRA License No. 100880). Within the moratorium zone, the issuance of new nightclub, multipurpose facility, and tavern licenses (i.e., C/N, D/N, C/X, D/X, C/T, and D/T) are currently prohibited. The moratorium zone does not apply to hotels or prohibit the transfer of liquor licenses within the moratorium zone. The moratorium zone does prohibit the transfer of liquor licenses from outside the zone into the zone.

The moratorium was most recently extended in 2023. In extending the moratorium zone, the Board agreed with public comment that the moratorium zone had improved peace, order, and quiet in the area by limiting certain license classes near highly residential areas in the neighborhood. *See* Notice of Final Rulemaking, 70 DCR 3921 (Mar. 31, 2023). In addition, based on the large number of families in the neighborhood, the Board determined that the addition of alcohol-focused businesses, such as nightclubs, taverns, and similar establishments was inappropriate and would disrupt the ability of residents to enjoy peace and quiet in their homes. *Id.* at 3922. The Board was also persuaded by testimony that public street parking and public transportation was limited in the neighborhood. *Id*. Based on this testimony, the Board found the renewal of the moratorium appropriate in accordance with D.C. Official Code § 25-354(d).

The current moratorium is scheduled to expire on March 31, 2026. On December 1, 2025, Advisory Neighborhood Commission ("ANC") 3B filed a written request with the Board to continue the current moratorium with one change; specifically, ANC 3B requested that the Board permit one new tavern liquor license to be issued in the moratorium zone.

Public Hearing

In response to ANC 3B's request to renew the Glover Park Moratorium Zone, the Board held a public hearing on January 14, 2026, on the proposed extension, pursuant to D.C. Official Code § 25-354(a). Notice of the public hearing was published in the *District of Columbia Register* on December 19, 2025, at 72 DCR 14029 and provided to the persons and entities required by D.C. Official Code § 25-354(c) and 23 DCMR § 303.2. The Board received written testimony and oral testimony from members of the Glover Park community. A summary of the testimonies is set forth below.

Jackie Blumenthal, representative for ANC 3B, testified in support of the moratorium. Ms. Blumental stated that the ANC supports adding a tavern license based on neighborhood support for the additional license. She stated that since ANC 3B has a high number of residential homes, the Commission only wants to permit one tavern license at a time to prevent neighborhood disturbances. Ms. Blumenthal further stated that issues generally associated with operating a tavern such as loud music playing during the early hours of the morning, parking congestion, and increased foot traffic during late night hours, are a potential risk to peace, order, and quiet if too many taverns are located in the neighborhood, but adding one tavern license to the community would not likely have a detrimental impact. Ms. Blumenthal added that the ANC would also like to prevent many of the existing restaurant establishments from converting to taverns at the same time. Further, Ms. Blumenthal stated that the ANC will reconsider supporting an increase in tavern licenses at the next moratorium renewal once this moratorium period concludes. Finally, Ms. Blumenthal expressed concern that the Glover Park neighborhood has a limited amount of public parking and stated that this makes Glover Park inappropriate as a late-night destination because it would lead to drivers parking in the nearby residential areas and competing with residents for parking.

ANC 3B's written request to the Board also expressed concern that the absence of the moratorium could have a negative impact on real property values. In particular, the ANC feared that without a moratorium this could encourage an influx of taverns and nightclubs that would change the character of the neighborhood and have a significant impact on property rental rates.

Kate Dean, Executive Director of the Glover Park Alliance, testified in support of the moratorium and allowing one tavern license. Nevertheless, she expressed concerns about the overall restrictive nature of the moratorium. Ms. Dean stated that the Glover Park Alliance administers funding and support to businesses in the Woodley Park Main Street program including 80 storefront businesses in the community. In recent years, Ms. Dean testified, Glover Park has experienced less foot traffic, a shift in the age demographic to an older demographic even though Glover Park is home to two colleges, a change in consumer spending habits to be more conservative, and several more changes in behaviors affecting the economic life of the

community. She added that Glover Park has also experienced more businesses shuttering in recent years. Ms. Dean stated that while the Glover Park Alliance supports adding an additional tavern license, the Alliance advocates for a less restrictive moratorium to encourage new businesses to enter the community and improve nightlife experiences in Glover Park.

Board Action

In determining whether to adopt a moratorium, the Board considers whether the testimony and evidence leads the Board to conclude that the moratorium is appropriate under at least two of the factors found at D.C. Official Code § 25-313(b)(1)-(3), including the impact of establishments on peace, order, and quiet; residential parking and vehicular and pedestrian safety; and real property values.

At this time, the Board agrees with ANC 3B's request to continue the moratorium and to make one new tavern liquor license available. ANC 3B informed the Board that it seeks the continuance of the moratorium based upon the negative impact of new alcohol licenses on residential parking, real property values, and noise. The Board agrees with ANC 3B's recommendation that the continuation of a moratorium in Glover Park is appropriate. Based upon the testimony provided at the hearing, the Board agrees that the moratorium will help balance the neighborhood's nightlife, protect the neighborhood's peace, order, and quiet; prevent competition for limited parking spots; and protect against negative impacts on real property values.

Although ANC 3B supports extending the Glover Park moratorium, it also supports permitting one new tavern liquor license as part of the moratorium renewal because it believes the change would have a minimal impact on the neighborhood. The Board further considered the testimony of the Glover Park Alliance in support of the moratorium and encourages the parties to discuss proposals to modify the moratorium and assist the economic vitality of the Glover Park neighborhood.

The Board notes that a tavern liquor license previously existed in the Glover Park moratorium area, but it was cancelled in 2018, leaving the moratorium area with no taverns. The Board agrees with ANC 3B that permitting one new tavern liquor license will have a minimal impact on the neighborhood. Based upon the testimony provided at the hearing, the Board agrees that increasing the permitted number of tavern liquor licenses by one would present a minimal risk to peace, order, and quiet, real property values, and residential parking. Consequently, the proposed rulemaking modifies 23 DCMR §§ 308.1, 308.9, and 308.10 to establish a cap on the total number of permitted taverns in the moratorium zone at one.

The proposed rules further require that the new tavern liquor license be a new business with a new certificate of occupancy issued and a new trade name formed on or after April 1, 2026, as set forth in 23 DCMR § 308.9. The purpose of this subsection is to prevent an existing retailer from making a substantial change by converting its license from a restaurant or other retail license type to a tavern for the purpose of merely holding the license in the hopes of later selling it without adding a new tavern or new business to the Glover Park neighborhood.

In light of the findings above,, on January 28, 2026, the Board adopted the proposed rulemaking by a vote of 5 to 0.

The Board gives notice of its intent to take final rulemaking action in not less than 30 days after publication of this notice in the *District of Columbia Register*. In accordance with D.C. Official Code § 25-211(b), proposed final rules will be transmitted to the Council of the District of Columbia (Council) for a 90-day period of review. The Board will not adopt the rules as final prior to the expiration of the 90-day review period, unless earlier approved by Council resolution.

Section 308, GLOVER PARK MORATORIUM ZONE, of Chapter 3, LIMITATIONS ON LICENSES, of Title 23 DCMR, ALCOHOLIC BEVERAGES, is amended to read as follows:

Subsection 308.1 is amended to read as follows:

308.1 In the area that extends approximately one thousand two hundred feet (1,200 ft.) in all directions from 2436 Wisconsin Avenue, N.W., Washington, D.C. 20007:

(a) No new retailer's license class CN, CX, DN, or DX shall be issued; and

(b) The number of retailer's licenses class CT or DT shall not exceed one (1).

Subsection 308.9 is amended to read as follows:

308.9 (a) The Board may issue only one (1) new tavern license in the Glover Park Moratorium Zone.

(b) To be eligible to be issued a tavern license, an applicant shall:

(1) Be a new business or new entity with a new trade name formed on or after April 1, 2026;

(2) Have a new certificate of occupancy issued on or after April 1, 2026, for the establishment for which the license is sought; and

(3) Not be the holder of a retailer license in the Glover Park Moratorium Zone seeking to convert its existing license to a tavern license.

A new Subsection 308.10 is added to read as follows:

308.10 This section shall expire three (3) years after the date of publication of the notice of final rulemaking in the *District of Columbia Register*.

All persons desiring to comment on the subject matter of the proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of the publication of this notice in the *District of Columbia Register*, to abca.legal@dc.gov or by mail or hand delivery to Jonathan Berman, General Counsel, Alcoholic Beverage and Cannabis Administration, 899 North Capitol Street NE, Suite 4200-B, Washington, DC 20002. Copies of the proposed rulemaking can be obtained by contacting Jonathan Berman at the above address.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PROPOSED RULEMAKING
Z.C. Case No. 25-08
Office of Planning
(Text Amendment to Subtitles C, F, U, and Y to Update the Residential Apartment (RA-1) Zone)

The Zoning Commission for the District of Columbia (Commission), pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797), as amended; D.C. Official Code § 6-641.01 (2018 Rep1.), and pursuant to § 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2016 Repl.)), hereby gives notice of its intent to amend Subtitles C, F, U, and Y of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified), with the proposed text at the end of this notice.

SETDOWN

On June 3, 2025, the Office of Planning (OP) filed a petition (OP Set down Report[1]) to the Commission proposing text amendments to update the Residential Apartment (RA-1) zone to provide clarity and additional directions pertaining to new developments or expansions within the zone. (Exhibit [Ex.] 2.) The OP Set down Report provided background for the proposal stating that the RA-1 zone originated in the 1958 Zoning Regulations as R-5-A and was later renamed to RA-1 as part of the 2016 Zoning Regulations. Unique to the RA-1 zone is the Subtitle U § 421 special exception review requirement for all new residential developments except those comprising of all one-family detached and semi-detached dwellings. Accordingly, any new rowhouse, flat, or multi-family building requires special exception review, and additions to existing multi-family buildings require special exception review. This requirement was originally introduced in a 1970 text amendment to the then R-5-A zone to address the oversaturation of multi-family development in the Anacostia area, Wards 7 and 8. RA-1 zoning is present in many parts of the District except Ward 1; however, Ward 8 continues to have the highest concentration of RA-1 zoning at approximately 1.94 square miles despite numerous rezonings approved by the Commission of large areas of Wards 7 and 8 from RA-1 to lower intensity R of RF zones. The OP Set down Report stated that the proposed amendments are in response to requests from the Commission and Board of Zoning Adjustment (BZA). The proposed amendments are intended to:

- Analyze the current RA-1 intent, review standards, and development patterns;
- Make sure the regulations advance the purpose and intent of this zone;
- Provide better clarity in the regulations;
- Refine new development review standards;
- Continue to promote flexibility for new, diverse development that is compatible with existing development patterns;
- Allow reasonable expansions of residential buildings by right;
- Allow new rowhouses by right; and

[1] The OP Set down report also served as the prehearing report required by Subtitle Z § 501.

- Identify ANC and community concerns related to new residential development in RA-1.

(Ex. 2).

OP stated that primarily the proposed amendments would:

- Allow opting into IZ provisions by right;
- Establish and clarify minimum lot size requirements, including for an IZ development;
- Replace existing side yard requirements to base them on typology for buildings containing four (4) units or less, requiring new buildings with more than four (4) units to provide 2 side yards and existing buildings with nonconforming side yards to provide a minimum 5 foot side yard;
- Allow any new apartment house or expansion of less than four (4) units by right;
- Allow renovations of existing apartments of more than four (4) units by right to allow for enlargement of existing units and conversion of space into new units;
- Retain the existing special exception review requirement for apartment houses of more than four (4) units and those seeking lot dimension flexibility;
- Update application filing requirements and referral to District agency requirements to ensure adequate application information is provided at the time of filing for community, ANC, and District agency review; and
- Update filing fees to reflect instances where special exception filing fees are required for apartment houses.

(Ex. 2).

To effectuate these changes, OP proposed amendments to the following Subtitles:

- Subtitle C § 1000: Remove Special Exception review requirement from RA-1 Voluntary Inclusionary Developments;
- Subtitle F § 100-101: Introduction to Residential Apartment (RA) Zones - Purpose and intent of RA-1 zone;
- Subtitle F § 200-212: Development Standards for Residential Apartment (RA) Zones - Minor revisions to selected development standards;
- Subtitle U § 401: Use Permissions - Include rowhouses and limited Multiple Dwelling development as a matter-of-right;
- Subtitle U § 421: New Residential Development (RA-1) - Application requirements and review criteria; and
- Subtitle Y § 1600: Clarify filing fees for RA-1.

(Ex. 2.)

At its June 12, 2025 public meeting, the Commission expressed support for the proposed amendments and requested that OP provide additional information regarding the following:

- Examples of previous RA-1 cases that would no longer require BZA approval under the proposed amendments; and
- Existing density and floor area ratio (FAR) requirements in the RA-1 zone[2], to respond to a suggestion to allow additional FAR in the zone;

[2] The RA-1 zone allows a maximum FAR of 0.9 for most structures, except a public library which is allowed a FAR of 2.0. (Subtitle F§ 201.1.) For IZ developments, the RA-1 zone allows a maximum FAR of 1.08. (Subtitle F § 201.4.)

The Commission then voted to set down the petition for a public hearing.

OP Reports

OP submitted a Set down Report on June 3, 2025, and a Hearing Report on December 26, 2025 (hereinafter collectively, the OP Reports), which are summarized below regarding the Comprehensive Plan consistency analyses provided (Ex. 2, 14).

Comprehensive Plan

The OP Reports concluded that, on balance, the proposal would not be inconsistent with the Comprehensive Plan, including when viewed through a racial equity lens, and would further policy objectives of the Land Use, Housing, Urban Design, Historic Preservation, and Implementation Elements as well as policies of the Far Northeast and Southeast Area Element. OP stated that the proposal should lessen the burden for new development and expansion of existing buildings in the RA-1 zone and encourage further allowances of permitted uses and increased density while ensuring that new construction, redevelopment, infill, additions, and renovations will be compatible and in scale with the surrounding context (*Id*.).

Racial Equity

Community Outreach and Engagement

The OP Reports stated that OP began outreach regarding the proposed amendments in January 2025 holding three (3) virtual meetings in January 2025 for ANC commissioners, with over 30 commissioners attending these meetings collectively. OP held two additional virtual ANC meetings on October 20, 2025. OP also had individual conversations with ANC commissioners and members of the public; and OP staff had contact with the American Institute of Architects (AIA) and land use attorneys regarding the proposed amendments. In addition, OP launched a project webpage through the OP website providing an overview of the proposal and various information; the webpage provided an email for submission of questions and comments and comments could also be provided through OP social media platforms. OP stated that it received general support of the proposed amendments from ANCs and property owners (Id.).

Disaggregated Race and Ethnicity Data

OP provided Districtwide disaggregated race and ethnicity data regarding population, median income, median age, and housing tenure for the 2012-2016 and 2019-2023 time periods. OP noted that it does not anticipate the proposed amendments to result in direct or indirect displacement of tenants or residents as the intent of the proposal is to encourage appropriate levels of redevelopment by alleviating procedural review for both small scale residential development and expansions of existing apartment houses. OP also noted that the potential for displacement as part of redevelopment exists under the current regulations and the provision of additional housing options as a matter-of-right should help mitigate displacement. OP further stated that the proposal's allowance of by right opting into IZ for bonus density, and by right new apartment houses and expansion of existing apartment houses will facilitate more by right housing options and provide District residents with greater housing choice (*Id*.).

OP Hearing Report

The OP Hearing Report provided responses to questions raised by the Commission at set down (Ex. 14). Specifically, examples of RA-1 cases that would no longer require BZA approval with adoption of the proposed amendments, and information providing the maximum density and FAR requirements in the RA-1 zone (Ex. 14 at 2-4).

The OP Hearing Report stated OP made the following changes to the proposed text between set down and the OP Hearing Report:

- Changed the language for opting into IZ by right to apply to mandatory IZ developments under Subtitle F § 202.2, as recommended by the Office of the Attorney General (OAG). The originally proposed language was worded to apply to voluntary IZ developments only;
- Proposed deleting a provision under the IZ regulations (i.e., Subtitle C § 1001.2(b)(3)) in its entirety to reflect Commission action taken eliminating special exception relief to opt into IZ for voluntary inclusionary developments in R and RF zones. Specifically, OP proposed eliminating the special exception requirement for opting into IZ in the R-2, R-3, and RF zones in the Omnibus text amendments Case No. 25-12, for which the Commission has taken proposed action.[3] As a part of this case, OP is proposing to eliminate the special exception requirement for opting into IZ in the RA-1 zone, and allowing the reduced lot area and lot width permitted under the IZ program as a matter of right for either a mandatory or a voluntary IZ project; and
- Made additional technical edits from the Department of Buildings (DOB) for clarification and more effective administration.

(Ex. 14).

The OP Hearing Report also responded to comments from ANC 3C and OAG. OP stated that it does not agree with ANC 3C's suggestion to allow by right residential development for up to ten (10) units or more. OP stated that it agrees with OAG's suggestion to make opting into IZ by right apply to mandatory IZ developments and made this change to the proposed amendment language; and OP stated that it disagrees with OAG's suggested changes to side yard requirements after consulting with DOB (Ex. 14).

NOTICE

Pursuant to Subtitle Z § 502, the Office of Zoning (OZ) sent notice of the November 6, 2025 public hearing on August 20, 2025 (Ex. 10) and published notice of the public hearing in the August 29, 2025, *District of Columbia Register* (72 DCR 009307 *et seq*.) as well as on the calendar on OZ's website (Ex. 8, 9). The public hearing was rescheduled to January 5, 2026.

COMMENTS

Prior to the January 5, 2026 public hearing, the Commission received comments regarding the proposed amendments from ANCs 5F, 4D, 5B, and 3C; Goulston & Storrs; OAG; Committee of 100; Sullivan & Barros; and AIA. The comments are summarized below to provide a general overview of the main issues raised, but the summaries are not intended to be exhaustive.

[3] The Commission took proposed action on this text at its December 18, 2025 public meeting.

ANCs
ANCs 5F, 4D, 5B, and 3C submitted reports in support of the proposed amendments to the RA-1 zone (Ex. 3, 5, 6, 7). ANC 3C suggested the Commission consider allowing by right residential development for up to ten (10) units or more (Ex. 7). The other ANCs did not make suggestions for changes to the proposal.

Goulston & Storrs
Goulston & Storrs submitted comments requesting that the Commission correct a technical error in the PUD regulations, under Subtitle X § 303.3, that misstates the maximum density allowed in a PUD in the RA-1 zone as a part of case 25-08.[4] (Ex. 12).

OAG
OAG submitted comments in overall support of the proposed amendments and suggested changes to further simplify provisions (Ex. 13, 13B). OAG suggested further amending Subtitle F § 202.2 to apply the proposal to mandatory IZ developments, to which OP agreed in its Hearing Report. OAG suggested further amendments to the side yard requirements of Subtitle F § 208.5-208.7 to ensure that side yards are tied to building size rather than number of units and better reflect a building's impact on neighboring properties. OAG also stated that it opposes the proposed amendments to Subtitle U § 401 regarding expansions of existing developments because they will add costs and delay to the renovation of existing multiple dwelling buildings; and opposes the proposed amendments to Subtitle F § 202 regarding minimum lot width and area requirements because they are duplicative and limit property owner flexibility (*Id*.).

Committee of 100
Committee of 100 submitted comments opposing allowing by right construction of new rowhouses to be built to the lot line and requesting that special exception relief be required for any proposed development that will eliminate an existing side yard (Ex. 15). In response to OAG's submissions to record, Committee of 100 stated that OAG's proposed changes are aggressive, and that OAG mischaracterizes these amendments as an exercise of gentle density to address past discriminatory land use policies and advance racial equity. Committee of 100 stated that gentle density should be built in high opportunity, amenity rich neighborhoods near rapid transit hubs, but notably, the bulk of the District's RA-1 zoning is in Wards 7 and 8, which are neither high opportunity, amenity rich nor well served by transit. Finally, Committee of 100 stated the importance of public participation in decision making and cautioned the Commission on the dangers of imposing matter of right zoning forms without public input (*Id*.).

Sullivan & Barros
Sullivan & Barros submitted comments in overall support of the proposed amendments (Ex. 16). The Sullivan & Barros comments questioned the absence of allowance of habitable penthouses in the RA-1 zone from this case and suggested adding it; stated that the proposed increased side yard requirement coupled with the need for side yard variance relief for new buildings could unnecessarily discourage housing production in the RA-1 zone; and stated that the proposed

[4] At the January 5, 2025 public hearing, the Commission agreed that this correction could be made separate from this case with an errata, which was published in the *District of Columbia Register* on January 16, 2026 (73 DCR 000499 *et seq.*).

additional filing requirements (i.e., shadow study and stormwater management plan) are overly burdensome and costly (*Id*.).

AIA

AIA submitted comments in overall support of the proposed amendments (Ex. 17). The AIA comments suggested expanding by right density to six (6) units to better accommodate small multifamily development; permitting habitable penthouses in the RA-1 zone to allow resident access to rooftop areas; and reducing the proposed eight foot (8 ft.) side yard requirement to five feet (five feet (5 ft.)) for buildings with six (6) or fewer units because the reduction would make detached buildings more feasible while ensuring enough privacy and space. AIA noted that maintaining the eight foot (8 ft.) side yard for buildings with seven (7) or more units remains suitable (*Id*.).

PUBLIC HEARING

At the January 5, 2026 public hearing, OP presented the proposal. The Commission then heard testimony in overall support from Will Teass on behalf of AIA; Marty Sullivan on behalf of Sullivan & Barros; Shane Dettman on behalf of Goulston & Storrs[5]; and Laura Richards on behalf of Committee of 100. The testimony largely reiterated the comments submitted to the case record summarized above. The Commission asked questions of OP and the individuals who provided testimony. No ANCs or government agencies, other than OP, testified at the public hearing.

At the conclusion of the public hearing, the Commission asked OP to provide a post-hearing submission addressing the following questions and issues identified during the public hearing:

- Provide information on potentially increasing the by right development/expansion proposed to more than a four (4)-unit threshold and possibly six (6) or ten (10) units;
- Consider making additional changes to the side yard requirements to potentially incorporate some of the comments and concerns raised by OAG, Committee of 100, Sullivan & Barros, and AIA;
- Provide information on circumstances where side yard variance relief would be triggered;
- Provide a response to OAG's opposition arguments regarding the proposed changes to Subtitle U § 401 and Subtitle F § 202;
- Provide a response regarding the absence of allowance of habitable penthouses in the proposed amendments;
- Provide a response to Committee of 100's gentle density characterization argument; and
- Provide a response regarding the additional filing requirements, i.e., shadow study and stormwater management plan.

In addition, the Commission directly responded to the public participation comments raised by Committee of 100 noting its longstanding and continued commitment to public participation and input in the zoning process.

In response to the Commission's request for a post-hearing submission, OP filed a Supplemental Report (OP Supplemental Report) on January 23, 2026 (Ex. 20). The OP Supplemental Report addressed each question and issue raised as explained below.

[5] See Footnote No. 3 immediately above.

- Provide information on potentially increasing the by right development/expansion proposed to more than a four (4)-unit threshold and possibly six (6) or ten (10) units;

OP Response: OP agrees with increasing by right development/expansion to six (6) units as this unit threshold should not have significant impacts on building bulk and height. OP changed the proposed language accordingly. OP does not support increasing to a maximum of ten (10) units as it could have compatibility impacts on surrounding properties and should require BZA review.

- Consider making additional changes to the side yard requirements to potentially incorporate some of the comments and concerns raised by OAG, Committee of 100, Sullivan & Barros, and AIA;

OP Response: OP does not agree with OAG's suggested changes because they would add new side yard lot occupancy requirements for the RA-1 zone and introduce terms that are not defined in the current regulations; and the suggestions include eliminating RA-2 and RA-5 side yard requirements that are outside the scope of these amendments. OP does not support the Committee of 100 idea of creating a new special exception review process based solely on a lower density use sharing a side lot line and does not see an argument for why this would be appropriate in the RA-1 zone given its already lower development capacity. OP is not opposed to the AIA idea of reducing the minimum side yard requirement to five feet (five feet (5 ft.)) for buildings with six (6) units or less. OP believes this typology should be allowed in row form; and larger higher density development with more than six (6) units would continue to require an 8 ft. side yard. OP changed the proposed language consistent with AIA's suggestion reducing the minimum side yard requirement to five feet (five feet (5 ft.)) for buildings with six (6) units or less. OP also changed the proposed language to require existing buildings with nonconforming side yards to provide a minimum three foot (3 ft.) side yard.[6]

- Provide information on circumstances where side yard variance relief would be triggered;

OP Response: OP states that relief from side yard requirements does not require a variance, and can be approved by special exception per Subtitle F § 5201 and Subtitle X § 900.

- Provide a response to OAG's opposition arguments regarding the proposed changes to Subtitle U § 401 and Subtitle F § 202;

OP Response: OP explained, in reference to Subtitle U § 401, that OP's proposal would not reduce flexibility to expand an existing building as a matter-of-right as asserted by OAG. The proposal would allow limited expansions within an existing building or construction of new buildings with up to six (6) units as a matter-of-right, which provides more flexibility than the current regulations. OP explained, in reference to Subtitle F § 202, that OAG is opposed to applying minimum lot dimension requirements, but the proposal allows row dwellings as a matter-of-right consistent with the lot sizes allowed by the current Subtitle F § 202.1 (i.e., 1800 sq. ft.) and consistent with the minimum lot width in other zones allowing row dwellings.

[6] The original proposed language required a five feet (5 ft.) side yard for existing buildings with nonconforming side yards.

- Provide a response regarding the absence of allowance of habitable penthouses in the proposed amendments;

OP Response: OP did not evaluate allowance of penthouse habitable space in the RA-1 zone as part of these amendments because it has not been a recurring issue in recent years. OP is in support of further review of the penthouse regulations as part of a separate text amendment. Or should the Commission conclude that this habitable penthouse space be permitted as a part of this text amendment, OP would recommend that those spaces be subject to special exception review, and not be matter-of-right, and be subject to the Penthouse Affordable Housing Production requirements.

- Provide a response to Committee of 100's gentle density characterization argument; and

OP Response: The purpose of these text amendments are not to address "gentle density" but to analyze and update the RA-1 zone. OP generally agrees with the Committee of 100 that we are looking to remove obstacles for the development of lower-density development in the RA-1 zone.

- Provide a response regarding the additional filing requirements, i.e., shadow study and stormwater management plan.

OP Response: OP continues to propose a shadow study and a stormwater management plan as requirements for special exception applications. OP did not change the stormwater management plan requirement, but OP changed the proposed language to allow supplemental representation to demonstrate shadow impacts of proposed development.

(Ex. 20.)

"Great Weight" to the Recommendations of OP

The Commission must give "great weight" to the recommendations of the Office of Planning (OP) pursuant to § 5 of the Office of Zoning Independence Act of 1990, effective September 20, 1990. ((D.C. Law 8-163; D.C. Official Code § 6-623.04 (2018 Repl.) and Subtitle Z § 504.6; *Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016)).

The Commission finds persuasive and concurs with the analyses in the OP Reports and the OP Supplemental Report. The Commission agrees with the revisions to the proposed amendments that were made in the OP Supplemental Report and concurs with OP's recommendation that the Commission take proposed action to adopt the proposed amendments as revised. Specifically, increasing by right development/expansion to six (6) units; reducing the minimum side yard requirement to five feet (5 ft.) for buildings with six (6) units or less; not allowing habitable penthouse space in the RA-1 zone as a part of case 25-08; and continuing to require a shadow study and a stormwater management plan as filing requirements for special exception relief, but allowing for supplemental representation to demonstrate shadow impacts. The Commission acknowledges the comments and suggestions raised by OAG, Committee of 100, Sullivan & Barros, and AIA and finds that OP fully responded to the comments and suggestions raised in the OP Supplemental Report, as discussed above.

"Great Weight" to the Written Report of the ANCs

The Commission must give great weight to the issues and concerns raised in the written report of an affected ANC that was approved by the full ANC at a properly noticed public meeting pursuant

to § 13(d) of the Advisory Neighborhood Commissions Act of 1975, effective March 26, 1976 (D.C. Law 1-21; D.C. Official Code § 1-309.10(d) (2012 Repl.) and Subtitle Z § 505.1). To satisfy the great weight requirement, the Commission must articulate with particularity and precision the reasons why an affected ANC does or does not offer persuasive advice under the circumstances. (*Metropole Condo. Ass'n v. D.C. Bd. of Zoning Adjustment*, 141 A.3d 1079, 1087 (D.C. 2016).) The District of Columbia Court of Appeals has interpreted the phrase "issues and concerns" to "encompass only legally relevant issues and concerns." (*Wheeler v. District of Columbia Board of Zoning Adjustment,* 395 A.2d 85, 91 n.10 (1978) (citation omitted).)

The Commission finds ANCs 5F, 4D, 5B, 3C support of the proposal persuasive and concurs in that judgment. The Commission notes ANC 3C's suggestion to consider allowing by right residential development for up to ten (10) units or more; however, based on the information provided in the OP Supplemental Report, the Commission does not find this suggestion persuasive. Instead, the Commission believes allowing by right residential development for six (6) units is appropriate based on the testimony provided at the public hearing and the OP Supplemental Report.

PROPOSED ACTION

At the conclusion of the February 26, 2026 public meeting, the Zoning Commission voted to take **PROPOSED ACTION** to:

- Adopt the Petition as proposed in the OP Supplemental Report; and
- Authorize the publication of a Notice of Proposed Rulemaking (NOPR).

VOTE (February 26, 2026): 5-0-0 (Joseph S. Imamura, Anthony J. Hood, Robert E. Miller, Tammy Stidham, and Gwen Wright to **APPROVE**)

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice of proposed rulemaking in the *District of Columbia Register.*

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *District of Columbia Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at https://app.dcoz.dc.gov/Login.aspx; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

The complete record in the case can be viewed online at the Office of Zoning's Interactive Zoning Information System (IZIS) at https://app.dcoz.dc.gov/Content/Search/Search.aspx.

PROPOSED TEXT AMENDMENT

The proposed amendments to the text of the Zoning Regulations are as follows) text to be deleted is marked in **~~bold and strikethrough~~** text; new text is shown in **bold and underline** text).

I. Amendments to Subtitle C

Subsection 1001.2(b) of § 1001, APPLICABILITY, of Chapter 10, INCLUSIONARY ZONING, of Subtitle C, GENERAL RULES, is amended to read as follows:

1001.2 ... [7]

(b) A "Voluntary Inclusionary Development" – any single household dwelling, flat, or multiple dwelling development not described in Subtitle C § 1001.2(a) if the owner voluntarily agrees to comply with the requirements of Subtitle C, Chapter 10, provided:

(1) The square footage set aside achieves a minimum of one (1) Inclusionary Unit; **and**

(2) Modifications to development standards shall only be allowed as specified in the development standards of the individual zones pursuant to Subtitle C § 1002.**~~; and~~**

~~(3) Any use of the modifications of development standards and bonus density authorized by Subtitle C § 1002 and in the development standards of the RA-1 zones shall require special exception approval pursuant to Subtitle X, Chapter 9.~~ [8]

II. Amendments to Subtitle F

Subsections 101.5-101.8 of § 101, PURPOSE AND INTENT, of Chapter 1, INTRODUCTION TO RESIDENTIAL APARTMENT (RA) ZONES, of Subtitle F, RESIDENTIAL APARTMENT (RA) ZONES, is amended to read as follows:

101.5 The RA-2 zone provides for areas developed with predominantly moderate-density residential **development**.

101.6 The RA-3 zone provides for areas developed with predominantly medium-density residential **development**.

[7] The use of this and other ellipses indicate that other provisions exist in the subsection being amended and that the omission of the provisions does not signify an intent to repeal.

[8] As part of Z.C. Case No. 25-12, Omnibus, the Commission took proposed action on December 18, 2025, to delete the special exception requirement for a voluntary inclusionary zoning development in the R-2, R-3, and RF zones.

101.7 The RA-4 zone provides for areas developed with predominantly medium- to high-density residential **development**.

101.8 The RA-5 zone provides for areas developed with predominantly high-density residential **development**.

Chapter 2, DEVELOPMENT STANDARDS FOR RESIDENTIAL APARTMENT (RA) ZONES, of Subtitle F, RESIDENTIAL APARTMENT (RA) ZONES, is amended to read as follows:

. . .

201.4 The maximum permitted FAR for Inclusionary Developments in any of the RA-1 through RA-5 zones, incorporating the IZ bonus density authorized by Subtitle C § 1002.3, shall be as set forth in the following table~~; provided that in all the RA-1 zones Voluntary Inclusionary Developments shall require special exception relief pursuant to Subtitle X, Chapter 9, to utilize this modification~~:

TABLE F § 201.4: MAXIMUM PERMITTED FLOOR AREA RATIO FOR INCLUSIONARY DEVELOPMENTS

Zones	Maximum FAR for Inclusionary Developments
RA-1	1.08
RA-2	2.16
RA-3	3.6
RA-4	4.2
RA-5	7.2

202 LOT DIMENSIONS

202.1 Except as provided elsewhere in this section, the minimum required lot width and lot area for the creation of a new lot of record in any of the RA-1 zones shall be as set forth in the following table:

TABLE F § 202.1: MINIMUM LOT WIDTH AND LOT AREA

Zones	Type of Structure	Minimum Lot Width (ft.)	Minimum Lot Area (sq. ft.)
RA-1	All Structures	18	1,800

202.2 The minimum lot width and lot area of Mandatory or Voluntary Inclusionary Developments may be reduced in any of the RA-1 zones to not less than as set forth in the following table:

TABLE F § 202.2: MINIMUM LOT WIDTH AND LOT AREA FOR MANDATORY OR VOLUNTARY INCLUSIONARY DEVELOPMENTS

Zones	Type of Structure	Minimum Lot Width (ft.)	Minimum Lot Area (sq. ft.)
RA-1	All Structures	16	1,500

202.~~1~~**3** In any of the RA-1 zones, each ~~**single household row**~~ building shall have at least ~~**one thousand eight hundred square feet (1,800 sq. ft.) of gross land area exclusive of any land area in the project used as a basis for determining the floor area ratio of multiple dwelling unit buildings**~~ **the minimum lot areas as permitted by this section**. Each ~~**single household**~~ row building, however, need not ~~**have a site of one thousand eight hundred square feet (1,800 sq. ft.)**~~ **meet the minimum lot area requirement individually** and the difference between the site area and the gross land area may be accumulated into common spaces. Land area used to support ~~**this**~~ **the** floor area ratio of ~~**multiple dwelling unit buildings**~~ **Multiple Dwellings** may also be used for common spaces~~**.**~~**; provided that all developments seeking this flexibility shall require special exception relief pursuant to Subtitle U § 421.1 to utilize this modification.**

~~**202.2 In any of the RA-1 zones, lot area and lot width for residential uses permitted as a special exception shall be as prescribed by the Board of Zoning Adjustment.**~~

203 HEIGHT

…

203.6 In any of the RA-1, RA-2, or ~~**R-3**~~**RA-3** zones, a building or other structure may be erected to a height not exceeding ninety feet (90 ft.) with no limit on number of stories, not including a penthouse or rooftop structure; provided, that the building or structure shall be removed from all lot lines of its lot for a distance equal to the height of the building or structure above the adjacent natural or finished grade, whichever is the lower in elevation.

203.7 In any of the RA-1, RA-2, or ~~**R-3**~~**RA-3** zones, an institutional building or structure may be erected to a height not exceeding ninety feet (90 ft.) with no limit on number of stories, not including a penthouse or rooftop structure, provided that the building or structure shall be removed from all lot lines of its lot a distance of not less than one foot (1 ft.) for each one foot (1 ft.) of height in excess of that authorized in the zone in which it is located.

…

205 PENTHOUSE AND ROOFTOP STRUCTURE

…

205.2 Notwithstanding Subtitle F § 205.1, in any of the RA-1 and RA-2 zones, a mechanical penthouse or rooftop structure with a maximum height of eighteen feet,

six inches, (18 ft. 6 in.) shall be permitted on a non-residential building constructed pursuant to Subtitle F §§ 203.3 through ~~**203.6**~~**203.7**.

…

208 SIDE YARD

…

208.2 A side yard shall not be required along a side street abutting a corner lot in any of the RA-1, RA-2, RA-3, RA-4, and RA-5 zones.

208.3 Existing conforming side yards shall not be reduced to a nonconforming width or eliminated.

208.4 In the case of a lot proposed to be used by a public library or public recreation and community center where a side lot line abuts or adjoins a public open space, recreation area, or reservation, no side yard shall be required.

208.~~2~~**5** ~~**Side yards for a detached or semi-detached building containing one (1) or two (2) dwelling units shall be a minimum of eight feet (8 ft.). No side yards shall be required for a row building containing one (1) or two (2) dwelling units.**~~
In any of the RA-1 zones, side yards for buildings containing six (6) Dwelling Units or less shall be as follows:

(a) Side yards for detached buildings shall be a minimum of five feet (five feet (5 ft.)), ; and

(b) Side yards for semi-detached buildings shall be a minimum of five feet (five feet (5 ft.)); and

(c) No side yards shall be required for row buildings; and

(d) In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).

208.6 In the RA-1 zones, Multiple Dwellings containing seven (7) units or more shall provide:

(a) Two side yards of a minimum of eight feet (8 ft.); and

(b) In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of

the existing side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of five feet (five feet (5 ft.)).

~~**208.3 Except as provided in Subtitle F § 208.2, the following side yard rules apply:**~~

~~**(a) In any of the RA-1 zones, one (1) side yard shall be provided unless the building is a multiple dwelling that contains three (3) or more dwelling units per floor, in which case two (2) side yards shall be provided; in either case such side yards shall have the minimum distance equal to three inches (3 in.) per foot of building height but not less than eight feet (8 ft.); and**~~]

~~**(b) In any of the RA-2, RA-3, RA-4, and RA-5 zones, no side yards are required; however, if a side yard is provided, it shall be a minimum of four feet (4 ft.).**~~

208.7 **In any of the RA-2, RA-3, RA-4, and RA-5 zones, the following side yard rules apply:**

(a) **A detached building containing one (1) or two (2) Dwelling Units shall provide two (2) side yards a minimum of eight feet (8 ft.);**

(b) **A semi-detached building containing one (1) or two (2) Dwelling Units shall provide one (1) side yard a minimum of eight feet (8 ft.);**

(c) **No side yards shall be required for a row building containing one (1) or two (2) Dwelling Units;**

(d) **For all other buildings no side yards are required; however, if a side yard is provided, it shall be a minimum of four feet (4 ft.); and**

(e) **In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).**

~~**208.4 A side yard shall not be required along a side street abutting a corner lot in any of the RA-1, RA-2, RA-3, RA-4, and RA-5 zones.**~~

~~**208.5 Existing conforming side yards shall not be reduced to a nonconforming width or eliminated.**~~

~~**208.6 In the case of a building with a non-conforming side yard, an extension or addition may be made to the building; provided, that the width of the existing**~~

~~**side yard shall not be reduced or eliminated; and provided further, that the width of the side yard adjacent to the extension or addition shall be a minimum of three feet (3 ft.).**~~

~~**208.7 In the case of a lot proposed to be used by a public library or public recreation and community center where a side lot line abuts or adjoins a public open space, recreation area, or reservation, no side yard shall be required.**~~

III. Amendments to Subtitle U

Chapter 4, USE PERMISSIONS RESIDENTIAL APARTMENT (RA) ZONES, of Subtitle U, USE PERMISSIONS, is amended to read as follows:

401.1 The following uses shall be permitted as a matter of right subject to any applicable conditions for each use below:

(a) …

~~**(d) Except for the RA-1 zones:**~~

~~**(1) Multiple dwellings provided that in an apartment house, accommodations may be provided only to residents who stay at the premises a minimum of one (1) month; and**~~

~~**2) Hotel in existence as of May 16, 1980, with a valid certificate of occupancy or a valid application for a building permit; provided, that the gross floor area of the hotel may not be increased and the total area within the hotel devoted to function rooms, exhibit space, and commercial adjuncts may not be increased. An existing hotel may be repaired, renovated, remodeled, or structurally altered; and**~~

~~**(3) A continuing care retirement community; and**~~

(~~**e**~~**d**) Community Residence Facility for not more than six (6) persons not including resident supervisors or staff and their families. The facility may accommodate seven (7) to fifteen (15) persons, not including resident supervisors or staff and their families; provided there shall be no property containing an existing community residence facility for eight (8) or more persons within a radius of five hundred feet (500 ft.) from any portion of the subject property;

(~~**f**~~**e**) Recreation building, park, playground, swimming pool, athletic field, ice rink, or other similar athletic facility, public or private, operated on and using local or federal land and approved by a joint federal-local jurisdictional transfer agreement; subject to the following:

(1) No part of any use is nearer than seventy feet (70 ft.) to the nearest residential structure;

(2) The uses shall not be organized for profit;

(3) All parking areas shall be shared by all uses on a lot;

(4) Scoreboards shall be installed such that the highest point is no taller than twenty-five feet (2five feet (5 ft.)) above grade; and

(5) Any lighting used to illuminate a park, playground, athletic field, trail, or other outdoor space, shall be so arranged that all direct rays of lighting are confined to the boundaries of the lot;

(**~~g~~f**) Elderly development center or adult day treatment facility provided, that the use shall be limited to no more than twenty-five (25) individuals not including staff; **~~and~~**

(**~~h~~g**) Youth Residential Care Home for not more than six (6) persons not including resident supervisors or staff and their families. The facility may accommodate seven (7) to fifteen (15) persons, not including resident supervisors or staff and their families; provided, there shall be no property containing an existing youth residential care home for eight (8) within a radius of five hundred feet (500 ft.) from any portion of the subject property**~~.~~;**

(**~~i~~h**) A temporary surface parking lot accessory to the Ballpark shall be permitted on Square 767, Lots 44-47 and Square 768, Lots 19-22 in accordance with Subtitle C § 718**~~.~~; and**

(i) In any RA zone other than the RA-1 zone:

(1) Multiple Dwelling developments; and

(2) Hotel in existence as of May 16, 1980, with a valid certificate of occupancy or a valid application for a building permit; provided, that the gross floor area of the hotel may not be increased and the total area within the hotel devoted to function rooms, exhibit space, and commercial adjuncts may not be increased. An existing hotel may be repaired, renovated, remodeled, or structurally altered; and

(3) A continuing care retirement community.

~~401.2 A chancery is a permitted use in RA-4 and RA-5 zones, subject to disapproval by the Board of Zoning Adjustment in accordance with the requirements of Subtitle X, Chapter 2.~~

~~401.3 In the RA-2/RC zone, the uses of this section shall be permitted as a matter of right unless prohibited in Subtitle U § 514.3.~~

401.2 In the RA-1 zone, Multiple Dwelling developments are subject to the following:

(a) A Multiple Dwelling shall be permitted as a matter of right when limited to no more than six (6) Dwelling Units;

(b) Multiple Dwelling(s) of more than six (6) dwelling units existing prior to [enactment date of this order], as a matter of right, may

(1) Expand or reduce structurally; and

(2) Alter the number of Dwelling Units, provided that additional dwelling units shall only be located within basement or cellar spaces not already dedicated to dwelling units, so long as the added units do not project beyond the existing Building Area.

(c) All other Multiple Dwelling developments are subject to Subtitle U § 421.

401.3 In the RA-2/RC zone, the uses of this section shall be permitted as a matter of right unless prohibited in Subtitle U § 422.2.

401.4 A chancery is a permitted use in RA-4 and RA-5 zones, subject to disapproval by the Board of Zoning Adjustment in accordance with the requirements of Subtitle X, Chapter 2.

…

421 **SPECIAL EXCEPTION FOR NEW RESIDENTIAL DEVELOPMENTS (RA-1)**

421.1 In any of the RA-1 zones, ~~all new~~ **the following** residential developments shall be reviewed by the Board of Zoning Adjustment as special exceptions pursuant to Subtitle X, Chapter 9, in accordance with the standards and requirements in this section~~.~~**:**

(a) Multiple Dwelling developments that do not meet the standards set in U § 401.2; and

(b) Residential developments seeking flexibility pursuant to Subtitle F § 202.3.

~~421.2 The Board of Zoning Adjustment shall refer the application to the relevant District of Columbia agencies for comment and recommendation as to the adequacy of the following:~~

~~(a) Existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project; and~~

~~(b) Public streets, recreation, and other services to accommodate the residents that can be expected to reside in the project.~~

~~421.3 The Board of Zoning Adjustment shall refer the application to the Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the surrounding neighborhood, and the relationship of the proposed project to public plans and projects.~~

~~421.4 In addition to other filing requirements, the developer shall submit to the Board of Zoning Adjustment with the application a site plan and set of typical floor plans and elevations, grading plan (existing and final), landscaping plan, and plans for all new rights-of-way and easements.~~

421.2 When seeking relief pursuant to Subtitle U § 421.1, in addition to filing requirements of Subtitle Y § 300, the applicant shall submit the following at the time of initial filing:

(a) Existing and proposed site plans of the entire property, showing:

(1) Existing and proposed buildings and structures;

(2) Building Restriction Lines and easements;

(3) All heritage trees and all trees to be retained or removed;

(4) All impervious surface materials;

(5) Location and screening of trash enclosures;

(6) Location and screening of any surface parking spaces;

(7) Screening or fencing along common lot lines; and

(8) Exterior lighting.

(b) Architectural Plans, including but not limited to;

(1) Floor plans of each level and roof;

(2) Elevations, including door and window locations and exterior building materials;

(3) Sectional drawings through the entire building; and

(4) Any other renderings relevant to this or other relief associated with the application;

(c) Streetscape and alley-scape photos;

(d) Shadow study, or supplemental representation, comparing existing, by-right, and proposed development at the equinox, longest, and shortest days of the year; and

(e) Other plans or illustrations demonstrating the proposed development in relation to adjacent properties including, but not limited to the alignment of windows, doors, trash enclosures, parking, and screening in relation to adjacent residential buildings.

421.3 In addition to the filing requirements of Subtitle U § 421.2, when seeking relief from F § 202.3, or for a proposal with more than one principal building, or for a property exceeding twenty thousand square feet (20,000 sq. ft.), the applicant shall submit the following at the time of initial filing:

(a) An existing and proposed Grading Plan, with the limit of disturbance shown;

(b) Plans for all new public or private rights-of-way and easements;

(c) A statement of justification which examines the proposed development in relation to adjacent properties and the surrounding neighborhood context regarding the proposed:

(1) Arrangement of buildings and structures;

(2) Landscaping, grading, and storm-water management;

(3) Vehicle parking; and

(4) Recreation and outdoor space.

421.4 In addition to the notification requirements of Subtitle Y §400.4, the Board of Zoning Adjustment shall refer any application subject to review under Subtitle U § 421.3 to the following District of Columbia agencies for comment:

(a) **District of Columbia Public Schools (DCPS) to review whether the existing and planned area schools can accommodate the number of students that can be expected to reside in the project;**

(b) **Department of Parks and Recreation (DPR) to review the potential impacts on nearby recreational facilities; and**

(c) **Department of Energy and Environment (DOEE) to review the proposed grading and stormwater management plan.**

421.5 **The Board of Zoning Adjustment may require special treatment for the mitigation of undue impacts to adjacent properties.**

IV. Amendments to Subtitle Y

Subsection 1600.1(b)(19) of § 1600, FILING FEES FOR APPLICATIONS AND APPEALS, of Chapter 16, FEES, of Y, BOARD OF ZONING ADJUSTMENT RULES OF PRACTICE AND PROCEDURE, is amended to read as follows:

1600.1 Except as provided in Subtitle Y §§ 1600.2 and 1600.3, at the time of filing a request for an appeal or application with the Board of Zoning Adjustment, the appellant or applicant shall pay a filing fee in accordance with the following schedule:

...

(b) Application for a special exception:

...

(19) Residential development, new **or modified**, ~~**except those comprising all detached and semi-detached single dwelling units in the RA-1 zones**~~ pursuant to Subtitle U § 421.1, five hundred forty dollars ($540) for each **new** dwelling unit;

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CEASE AND DESIST AGENDA – CATERER LICENSES

WEDNESDAY, APRIL 22, 2026 AT 10:30 AM
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be issuing Orders to Cease and Desist to the following Licensees for the reasons outlined below:

1) ABRA-088949 - **Spilled Milk Catering** - Caterer - 18911 Premier CT
[Licensee did not pay the second-year annual fee.]

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2) ABRA-106464 - **JD Chicken & Ribs** - Caterer - 2800 10TH STREET NE
[Licensee did not pay the second-year annual fee.]

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3) ABRA-114867 - **El Cielo Restaurant by Juan Manuel Barrientos** - Caterer - 1280 4TH STREET NE
[Licensee did not pay the second-year annual fee.]

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4) ABRA-120942 - **Green Plate** - Caterer - 11307 Elkin ST
[Licensee did not pay the second-year annual fee.]

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5) ABRA-124662 - **Playa Ocho Cantina** - Caterer - 514 8TH STREET SE
[Licensee did not pay the second-year annual fee.]

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6) ABRA-125989 - **Kitchen + Kocktails by Kevin Kelley DC** - Caterer - 1300 I STREET NW
[Licensee did not pay the second-year annual fee.]

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7) ABRA-128444 - **Drinks for Love** - Caterer - 26 K STREET NE
[Licensee did not pay the second-year annual fee.]

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8) ABRA-130283 - **Eat To Live Catering** - Caterer - 2800 10TH STREET NE
[Licensee did not pay the second-year annual fee.]

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9) ABRA-132927 - **Dionne's** - Caterer - 1110 OAK DRIVE SE
[Licensee did not pay the second-year annual fee.]

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10) ABRA-133432 - **Charlene's Bar & Grille** - Caterer - 2618 GEORGIA AVENUE NW
[Licensee did not pay the second-year annual fee.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq*.) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CEASE AND DESIST AGENDA – CLASS A LICENSES

WEDNESDAY, APRIL 22, 2026 AT 10:30 AM
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be issuing Orders to Cease and Desist to the following Licensees for the reasons outlined below:

1) ABRA-078014 - **Tenley Wine & Liquors** - A - Retail - Liquor Store - 4525 WISCONSIN AVENUE NW
[Licensee did not pay the third-year annual fee.]

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2) ABRA-095984 - **Bell Wine & Liquor** - A - Retail - Liquor Store - 1821 M STREET NW
[Licensee did not pay the third-year annual fee.]

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3) ABRA-118178 - **Uncorked** - A - Retail - Liquor Store - 1005 1ST STREET NE
[Licensee did not pay the third-year annual fee.]

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4) ABRA-118369 - **Heights Liquor** - A - Retail - Liquor Store - 547 42ND STREET NE
[Licensee did not pay the third-year annual fee.]

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5) ABRA-120039 - **DC Liquor** - A - Internet - 301 NEW YORK AVENUE NE
[Licensee did not pay the third-year annual fee.]

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6) ABRA-125712 - **Barrel Cartel** - A - Internet - 1341 CONNECTICUT AVENUE NW
[Licensee did not pay the third-year annual fee.]

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7) ABRA-127494 - **Gordon's Fine Wines of DC** - A - Internet - 3521 V STREET NE
[Licensee did not pay the third-year annual fee.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq*.) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF MEETING
CEASE AND DESIST AGENDA – CLASS C AND D LICENSES

WEDNESDAY, APRIL 22, 2026 AT 10:30 AM
899 NORTH CAPITOL STREET, N.E., SUITE 4200-B, WASHINGTON, DC 20002

The ABC Board will be issuing Orders to Cease and Desist to the following Licensees for the reasons outlined below:

1) ABRA-001750 - **Decarlos Restaurant** - Retail - C - Restaurant - 4000 CATHEDRAL AVE NW
[Licensee did not pay the second-year annual fee.]

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2) ABRA-013995 - **Parthenon Restaurant & Chevy Chase Lounge** - Retail - C - Restaurant - 5510 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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3) ABRA-021395 - **La Bise** - Retail - C - Restaurant - 800 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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4) ABRA-025084 - **Pupatella** - Retail - C - Restaurant - 1801 18TH STREET NW
[Licensee did not pay the second-year annual fee.]

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5) ABRA-070945 - **Rajaji Curry House** - Retail - C - Restaurant - 2603 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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6) ABRA-071021 - **The Regent Thai Cuisine** - Retail - C - Restaurant - 1910 18TH STREET NW
[Licensee did not pay the second-year annual fee.]

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7) ABRA-075613 - **Stoney's** - Retail - C - Restaurant - 1433 P STREET NW

[Licensee did not pay the second-year annual fee.]

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8) ABRA-079261 - **Los Cuates Restaurant** - Retail - C - Restaurant - 1564 WISCONSIN AVENUE NW
[Licensee did not pay the second-year annual fee.]

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9) ABRA-079296 - **Italian Pizza Kitchen** - Retail - C - Restaurant - 4483 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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10) ABRA-082836 - **Hotel Arboretum** - Retail - C - Hotel - 1917 BLADENSBURG ROAD NE
[Licensee did not pay the second-year annual fee.]

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11) ABRA-086125 - **Lincoln** - Retail - C - Restaurant - 1110 VERMONT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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12) ABRA-088564 - **Menomale, LLC** - Retail - C - Restaurant - 2711 12TH STREET NE
[Licensee did not pay the second-year annual fee.]

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13) ABRA-089616 - **Beuchert's Saloon** - Retail - C - Restaurant - 623 PENNSYLVANIA AVENUE SE
[Licensee did not pay the second-year annual fee.]

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14) ABRA-092731 - **Wagshal's** - Retail - C - Restaurant - 3201 NEW MEXICO AVENUE NW
[Licensee did not pay the second-year annual fee.]

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15) ABRA-095030 - **India Gate** - Retail - C - Restaurant - 2020 P STREET NW
[Licensee did not pay the second-year annual fee.]

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16) ABRA-099158 - **Hyatt Place Washington DC/National Mall** - Retail - C - Hotel - 400 E STREET SW
[Licensee did not pay the second-year annual fee.]

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17) ABRA-100297 - **Hiwot Ethiopian Restaurant Market and Dream Lounge** - Retail - C - Restaurant - 5333 GEORGIA AVENUE NW
[Licensee did not pay the second-year annual fee.]

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18) ABRA-100312 - **VILLA TUSCANA** - Retail - C - Restaurant - 1723 COLUMBIA ROAD NW
[Licensee did not pay the second-year annual fee.]

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19) ABRA-100621 - **Haikan** - Retail - C - Restaurant - 805 V STREET NW
[Licensee did not pay the second-year annual fee.]

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20) ABRA-101707 - **Wagshal's/Chef Trini's** - Retail - C - Restaurant - 4857 MASSACHUSETTS AVENUE NW
[Licensee did not pay the second-year annual fee.]

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21) ABRA-106038 - **Shilling Canning Company** - Retail - C - Restaurant - 1331 4TH STREET SE
[Licensee did not pay the second-year annual fee.]

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22) ABRA-106099 - **Across The Pond Restaurant & Pub** - Retail - C - Restaurant - 1734 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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23) ABRA-107131 - **Playa Ocho Cantina** - Retail - C - Restaurant - 514 8TH STREET SE
[Licensee did not pay the second-year annual fee.]

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24) ABRA-107879 - **Georgia Ave Oohh's & Aahh's Restaurant** - Retail - C - Restaurant - 5933 GEORGIA AVENUE NW

[Licensee did not pay the second-year annual fee.]

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25) ABRA-108322 - **Luke's Lobster** - Retail - C - Restaurant - 800 17TH STREET NW
[Licensee did not pay the second-year annual fee.]

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26) ABRA-111655 - **The Point Fish House/The Point** - Retail - C - Restaurant - 2100 2ND STREET SW
[Licensee did not pay the second-year annual fee.]

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27) ABRA-112800 - **Cranes** - Retail - C - Restaurant - 724 9TH STREET NW
[Licensee did not pay the second-year annual fee.]

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28) ABRA-116631 - **La Plaza** - Retail - C - Restaurant - 3917 14TH STREET NW
[Licensee did not pay the second-year annual fee.]

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29) ABRA-116741 - **Petit Monde** - Retail - C - Restaurant - 2653 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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30) ABRA-116798 - **The Strand** - Retail - C - Restaurant - 5131 NANNIE HELEN BURROUGHS AVENUE NE
[Licensee did not pay the second-year annual fee.]

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31) ABRA-119215 - **Lunas de Buenos Aires- Argentinian Street Food** - Retail - C - Restaurant - 1276 5TH STREET NE
[Licensee did not pay the second-year annual fee.]

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32) ABRA-120148 - **La Cocina** - Retail - C - Restaurant - 3740 12TH STREET NE
[Licensee did not pay the second-year annual fee.]

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33) ABRA-120259 - **Mamma Tee's Kitchen** - Retail - C - Restaurant - 828 UPSHUR STREET NW
[Licensee did not pay the second-year annual fee.]

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34) ABRA-120509 - **Le Mont Royal** - Retail - C - Restaurant - 1815 ADAMS MILL ROAD NW
[Licensee did not pay the second-year annual fee.]

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35) ABRA-120987 - **Fat Fish Rolls & Twists** - Retail - D - Restaurant - 1 MARKET SQUARE SW
[Licensee did not pay the second-year annual fee.]

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36) ABRA-121029 - **Rendezvous** - Retail - C - Restaurant - 2020 9TH STREET NW
[Licensee did not pay the second-year annual fee.]

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37) ABRA-121216 - **Philippe by Philippe Chow/ Merchants Marina** - Retail - C - Restaurant - 635 WHARF STREET SW
[Licensee did not pay the second-year annual fee.]

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38) ABRA-122804 - **Talea** - Retail - C - Restaurant - 3228 WISCONSIN AVENUE NW
[Licensee did not pay the second-year annual fee.]

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39) ABRA-123600 - **Mama Chepa Cocina Latina** - Retail - C - Restaurant - 5018 1ST STREET NW
[Licensee did not pay the second-year annual fee.]

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40) ABRA-123761 - **Mola Empanada** - Retail - C - Restaurant - 2438 18TH STREET NW
[Licensee did not pay the second-year annual fee.]

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41) ABRA-123908 - **Pho House** - Retail - C - Restaurant - 637 T STREET NW
[Licensee did not pay the second-year annual fee.]

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42) ABRA-124751 - **King Street Oyster Bar** - Retail - C - Restaurant - 7 RIDGE SQUARE NW
[Licensee did not pay the second-year annual fee.]

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43) ABRA-124767 - **Prince Hall Free & Accepted Order of the Eastern Star Title Holding Company** - Retail - C - Multipurpose - 1000 U STREET NW
[Licensee did not pay the second-year annual fee.]

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44) ABRA-124934 - **Nile Ethiopian Restaurant and Nile Market** - Retail - C - Restaurant - 7815 GEORGIA AVENUE NW
[Licensee did not pay the second-year annual fee.]

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45) ABRA-125040 - **Los Molcajetes Mi Casita** - Retail - C - Restaurant - 2307 18TH STREET NW
[Licensee did not pay the second-year annual fee.]

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46) ABRA-125376 - **Little Chicken** - Retail - C - Restaurant - 11 PEARL STREET SW
[Licensee did not pay the second-year annual fee.]

---

47) ABRA-126137 - **Giovannis Trattu** - Retail - C - Restaurant - 1823 JEFFERSON PLACE NW
[Licensee did not pay the second-year annual fee.]

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48) ABRA-126871 - **Alfreda** - Retail - C - Restaurant - 2016 P STREET NW
[Licensee did not pay the second-year annual fee.]

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49) ABRA-128255 - **The Greek Spot** - Retail - D - Restaurant - 2017 11TH STREET NW
[Licensee did not pay the second-year annual fee.]

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50) ABRA-128599 - **The Upper Room DC** - Retail - C - Restaurant - 1360 H STREET NE
[Licensee did not pay the second-year annual fee.]

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51) ABRA-128762 - **For Five Coffee Roasters** - Retail - C - Restaurant - 901 K STREET NW
[Licensee did not pay the second-year annual fee.]

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52) ABRA-129034 - **Seta Oasis** - Retail - C - Restaurant - 3813 GEORGIA AVENUE NW
[Licensee did not pay the second-year annual fee.]

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53) ABRA-129516 - **IL Supremo Italian Restaurant & Bar II** - Retail - C - Restaurant - 4400 CONNECTICUT AVENUE NW
[Licensee did not pay the second-year annual fee.]

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54) ABRA-130414 - **Fuddruckers** - Retail - C - Restaurant - 781 7TH STREET NW
[Licensee did not pay the second-year annual fee.]

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55) ABRA-132170 - **Salvi Mex Bar & Grill Restaurant** - Retail - C - Restaurant - 1424 PARK ROAD NW
[Licensee did not pay the second-year annual fee.]

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56) ABRA-132951 - **Nanglo** - Retail - C - Restaurant - 1301 H STREET NE
[Licensee did not pay the second-year annual fee.]

In accordance with the Open Meetings Act (D.C. Official Code §2-571 *et. seq*.) this meeting may be closed to consult with an attorney to obtain legal advice pursuant to §2-575(b)(4)(A). The Board's vote will be held in an open session and the public is permitted to attend. This meeting is governed by the Open Meetings Act. Please address any questions or concerns arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ALCOHOLIC BEVERAGE AND CANNABIS ADMINISTRATION
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, APRIL 22, 2026
899 NORTH CAPITOL STREET NE, SUITE 4200 A-B
WASHINGTON, DC 20002

Donovan W. Anderson, Chairperson
Members: Silas Grant, Jr., Teri Janine Quinn, Ryan Jones and David Meadows

Protest Hearing (Status) **10:30 AM**

Case # 26-PRO-00025
GF, Inc., t/a Il Canale
1063 31st Street NW
License #83707
Retailer CR
ANC 2E
Substantial Change (Streatery)

Show Cause Hearing **10:30 AM**

Case # 25-CMP-00110
Kitchen + Kocktails by Kevin Kelley DC, LLC t/a Kitchen + Kocktials by Kevin Kelley DC
1300 I Street NW
License #123472
Retailer CR
ANC 2C
Failed to File Quarterly Statement

Board's Calendar
April 15, 2026

Show Cause Hearing **10:30 AM**

Case # 26-CMP-00001
Marcellino, LLC t/a Tari Trattoria
300 Morse Street NE
License #119120
Retailer CR
ANC 5D
Failed to File Quarterly Statement

Fact Finding Hearing **10:30 AM**

Mirage INC,
1278 5th Street NE
License #129298
Retailer MC
ANC 5D
Review Applicants Request for Safekeeping

BOARD RECESS AT 12:00 PM

ADMINISTRATIVE AGENDA AT 1:00 PM

Fact Finding Hearing **1:30 PM**

The Holistic District LLC t/a Holistic District
2002 17th Street NW
License #129436
Retailer MC
ANC 1B
Review New Application (Medical Cannabis Retailer with Delivery Endorsement)

Board's Calendar
April 15, 2026

Fact Finding Hearing **1:30 PM**

Growth & Wellness LLC t/a District Wellness Center
4915 Georgia Ave NW
License #127954
Retailer MC
ANC 4D
Review New Application (Social Equity Applicant)

Fact Finding Hearing **1:30 PM**

Case # 26-251-00004
Café Bistro Med, LLC, t/a Café 8
424 8th Street SE
License #77797
Retailer CR
ANC 6A
Domestic Violence Assault

All of the ABC Board's public hearings are conducted virtually and are livestreamed on ABCA's YouTube channel which can be found here: *https://www.youtube.com/@alcoholicbeverageregulatio5683.*

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at *opengovoffice@dc.gov*

GOVERNMENT OF THE DISTRICT OF COLUMBIA

COMMISSION ON THE ARTS AND HUMANITIES

NOTICE OF PUBLIC MEETING

The District of Columbia Commission on the Arts and Humanities Board of Commissioners will hold its regular monthly business meeting on **Monday April 20, 2026, at 5:30 pm.** Below is a draft agenda for the meeting. Updates to the meeting agenda will be posted on the Commission's website at www.dcarts.dc.gov.

The meeting will be a hybrid meeting happening in person at 200 I St SE and livestreamed via Zoom to the Commission's YouTube channel. Members of the public are invited to observe the meeting in person or through the live broadcast of the meeting online at https://bit.ly/dcartsyoutube. A recording of the meeting will be available on the Commission's website.

DRAFT AGENDA

1. Call to Order
2. Roll Call and Determination of Quorum
3. Land Acknowledgement
4. Welcome
5. Presentation
6. Public Comment Period – Members of the public may request three minutes to make public comments before the Board. Requests to make public comments must be submitted by noon on the Thursday before the meeting via the online form at https://dcarts.dc.gov/page/cah-public-comment-signup-form
7. Executive Director's Report
8. Finance Update
9. Committee Reports
10. Unfinished and New Business
11. Adjournment

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

DEPARTMENT OF BUILDINGS

SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square:**	**Lot:**
245 Peabody Street, NW	3338	0811

Dear Sir/Madam:

The Department of Buildings, (DOB), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2025 2ND HALF ONLY** for the following reasons: **The documentation you submitted is adequate to support your hardship request.**

Annually you are required by law to register vacant property or seek an exemption for the current tax year. DOB will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as exempt or Class 1/Class 2 for the period approved. Please visit mytax.dc.gov to inquire about refunds, updated tax bills or payment.

DOB reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance standards, or if disqualifying information is obtained. To learn more about the vacant building registration process or inspection requirements, please visit dob.dc.gov.

If you have questions regarding this decision, please contact Theresa Hollins, Program Support Specialist, on (202) 442-4377.

Sincerely,

Mekdelawi Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

SUBSTANTIAL ECONOMIC or PERSONAL HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square:**	**Lot:**
4422 Connecticut Avenue, NW	1971	0029

Dear Sir/Madam:

The Department of Buildings, (DOB), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2025 ONLY** for the following reasons: **The documentation you submitted is adequate to support your hardship request.**

Annually you are required by law to register vacant property or seek an exemption for the current tax year. DOB will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as exempt or Class 1/Class 2 for the period approved. Please visit mytax.dc.gov to inquire about refunds, updated tax bills or payment.

DOB reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance standards, or if disqualifying information is obtained. To learn more about the vacant building registration process or inspection requirements, please visit dob.dc.gov.

If you have questions regarding this decision, please contact Theresa Hollins, Program Support Specialist, on (202) 442-4377.

Sincerely,

Mekdelawi Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square:**	**Lot:**
811 18th St. NE	4494	0075

Dear Sir/Madam:

The Department of Buildings, (DOB), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2023** for the following reasons: **You provided sufficient evidence to support your extraordinary circumstances and hardship.**

> *Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.*
> *(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."*

Annually you are required by law to register vacant property or seek an exemption for the current tax year. DOB will immediately notify the Office of Tax and Revenue (OTR) to reclassify the subject property as exempt or Class 1/Class 2. Please visit mytax.dc.gov to inquire about refunds, updated tax bills or payment.

DOB reserves the right to revoke this exemption if the building is not maintained in accordance with the Vacant Building Maintenance standards, or if disqualifying information is obtained. To learn more about the vacant building registration process or inspection requirements, please visit dob.dc.gov.

If you have questions regarding this decision, please contact Carousel Moore, Program Support Specialist, at (202) 442-4541.

If you have questions regarding this decision, please contact Mekdelawi Taddese, Deputy Strategic Enforcement Administrator @ mekdelawi.taddese@dc.gov .

Sincerely,

Mekdelawi Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

DEPARTMENT OF BULDINGS

NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square:**	**Lot:**
811 18th St. NE	4494	0075

Dear Sir/Madam:

The Department of Buildings, (DOB), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2024** for the following reasons: **You provided sufficient evidence to support your extraordinary circumstances and hardship.**

> *Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.*
> *(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."*

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If you have questions regarding this decision, please contact Mekdelawi Taddese, Deputy Strategic Enforcement Administrator @ mekdelawi.taddese@dc.gov .

Sincerely,

Mekdelawi Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

DEPARTMENT OF BUILDINGS

NOTICE OF SUBSTANTIAL UNDUE ECONOMIC HARDSHIP DETERMINATION

Office of Strategic Code Enforcement

RE:

Address:	**Square:**	**Lot:**
4351 Varnum Pl. NE	3810	0123

Dear Sir/Madam:

The Department of Buildings, (DOB), has reviewed and **granted** your request for Hardship for the above property for real property tax year for **FY2025** for the following reasons: **You provided sufficient evidence to support your extraordinary circumstances and hardship.**

> *Pursuant to D.C. Code §42-3131§.06 (b), Paragraph 5, "A vacant building shall be exempted by the Mayor in extraordinary circumstances and upon a showing of substantial undue economic hardship.*
> *(B) The exemption may be granted for a period of up to 24 months, subject to renewal on the basis of continuing extraordinary circumstances and substantial undue economic hardship."*

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If you have questions regarding this decision, please contact Mekdelawi Taddese, Deputy Strategic Enforcement Administrator @ mekdelawi.taddese@dc.gov .

Sincerely,

Mekdelawi Taddese
Deputy Strategic Enforcement Administrator
Office of Strategic Code Enforcement
(202) 701.5399
Mekdelawi.taddese@dc.gov

CRIMINAL JUSTICE COORDINATING COUNCIL

NOTICE OF PUBLIC MEETING

Prearrest diversion task force meeting

AGENDA
Friday, April 24, 2026 | *1:00 pm – 4:00 pm* |
Meeting location: *441 4th St. NW 715N, Washington, D.C. 20001*

PURPOSE OF THE PREARREST DIVERSION TASK FORCE

Duties of the Prearrest Diversion Task Force:

1. Reviewing and assessing best practices for prearrest diversion;
2. Making recommendations for prearrest diversion of certain misdemeanor offenses, and certain categories of persons;
3. Making recommendations regarding the programs, facilities, personnel, and funding that are necessary to implement prearrest diversion;
4. Making recommendations for any legislative changes that are necessary to enable prearrest diversion;
5. Implementing prearrest diversion of certain misdemeanor offenses, and categories of persons identified by the Task Force as being appropriate for diversion;
6. Identifying any potential improvements in police training or procedures relating to police interactions with individuals impacted by homelessness, mental or behavioral health issues, or substance abuse; and
7. Identifying individuals who frequently interact with police, are frequent mental health consumers, or have suffered from chronic homelessness, and ensure that those individuals are connected to social services.

Please note: the Prearrest Diversion Task Force is subject to the Open Meetings Act.

PRESENTERS
Meeting Facilitator: Kelly O'Meara, Chairperson, MPD and Adam Schutzman, Policy Analyst, CJCC

Meeting topics	Presenter
Welcome and Introduction	**Kelly O'Meara, MPD**

1. Announcement of Chairperson and meeting process
   a. Roll Call / Quorum
   b. Approval of meeting minutes

Discussion

1. Prearrest Diversion recommendations vote **All**

ATTACHMENTS

Please read the following documents included in the email with this agenda prior to attending the Task Force meeting.

- **March meeting minutes**
- **Updated prearrest diversion decision points**
- **Updated prearrest diversion context**
- **Prearrest diversion voting form**

Previous Meeting Action Items	**Person/Agency**	**Deadline**
Come prepared to discuss and vote on the prearrest diversion program elements		

Direct any questions to Adam Schutzman at adam.schutzman@dc.gov

Please note: the Prearrest Diversion Task Force is subject to the open meetings act

The agenda for the meeting is subject to change up until the day before the meeting. Please check the CJCC website for the most up-to-date agenda.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

ANNOUNCES APRIL 28, 2026 PUBLIC MEETING

FOR THE DISTRICT OF COLUMBIA EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN STATE COUNCIL

The Office of the State Superintendent of Education (OSSE) hereby announces that it will hold a public meeting of the District of Columbia Educational Opportunity for Military Children State Council ("Council") as follows:

TUESDAY, APRIL 28, 2026
2:00 PM – 2:30 PM (EST)

Please join the MS TEAMS meeting from your computer, tablet or smartphone.
Join the Meeting

You can also dial in using your phone.
Access Code: 590 884 998# United States: +1 (202) 594-9550

The draft agenda for the above-referenced meeting is the following:

I. Welcome and Introductions (5 Mins.)
II. Public Comment (10 Mins.)
III. General Announcements and Reminders (1 Min.)
IV. Presentation, Discussion, and Vote on DC Purple Star Schools (14 Mins.)
V. Adjournment

For additional information, please contact:

Joseph Hood, Policy Analyst
State Council Chairman
Office of the State Superintendent of Education
1050 First St. NE, Third Floor, Washington, DC 20002
202-262-8883 or joseph.hood@dc.gov

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov. All agendas, whether draft or final must include the statement. The statement is required pursuant to 3 DCMR § 10409.2.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION
OFFICE OF PUBLIC CHARTER SCHOOL FINANCING AND SUPPORT

Public Charter School Credit Enhancement Committee Meeting

APRIL 23, 2026

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 ("Committee") as follows:

THURSDAY, APRIL 23, 2026
12:00 PM - 1:30 PM (EST)

Please join the meeting from your computer, tablet or smartphone.
Join the meeting now
You can also dial in using your phone.
Access Code: 715865873# United States: +1 202-594-9550

Note: After the Roll Call, the committee anticipates entering executive session for approximately 45 minutes. The committee anticipates reconvening in open session between 12:30 PM – 12:45 PM.

The draft agenda for the above-referenced meeting will be:

I. Call to Order/Roll Call/Ascertainment of Quorum
II. **EXECUTIVE SESSION (CLOSED TO PUBLIC)**
   a. *Pursuant to 2-575 (b)(4)(A), the Committee will enter into executive session for a work session to consult with its attorney to obtain legal advice.*
III. Approval of agenda for the April 23, 2026, Committee meeting
IV. Approval of minutes from the February 19, 2025, Committee meeting
V. Girls Global Academy PCS - Request for a new $1,000,000 Credit Enhancement
VI. Social Justice School PCS - Request for a new $1,000,000 Credit Enhancement

For additional information, please contact:
Nile Speight-Leggett, 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
Nile.Speight-Leggett@dc.gov or (202) 957-7434

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov. All agendas, whether draft or final must include the statement. The statement is required pursuant to 3 DCMR § 10409.2.

D.C. STATE BOARD OF EDUCATION

NOTICE OF PUBLIC MEETING

Educator Excellence Committee Meeting

The D.C. State Board of Education's Educator Excellence Committee Meeting will hold a meeting on the following date:

- Tuesday, April 28, 2026 at 5:00 P.M.

The meeting will be conducted remotely via Zoom, and members of the public are invited to join the meeting webinar and observe at: https://dc-gov.zoom.us/j/83722869448

Below is the agenda for the committee's meeting.

AGENDA:

I. Establishment of a Quorum
II. Discussion of Key Performance Indicators
III. Committee Work Planning
IV. New Business
V. Adjournment

Please note: This agenda is subject to change.

These meetings are governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

D.C. STATE BOARD OF EDUCATION

NOTICE OF PUBLIC MEETING

Student Experience and Engagement Committee Meeting

The D.C. State Board of Education's Student Experience and Engagement Committee Meeting will hold a meeting on the following date:

- Wednesday, April 29, 2026 at 6:00 - 7:00 p.m.

If there are any meeting materials, they will be posted on the State Board's meeting DropBox at: https://www.dropbox.com/scl/fo/ej5bisqnjfppfpxu5jnnc/AKyrcPjdj4phkZHZb4G-OzU?rlkey=4qa058wjv6d04p9qxkz8nue2a&st=hv4uc0i2&dl=0

The meeting will be conducted remotely via Zoom, and members of the public are invited to join the meeting webinar and observe at: https://dc-gov.zoom.us/j/87626672313.

Below is the agenda for the committee's meeting.

AGENDA:

- Revisiting *SR22-13, Recommendation Related to Public Safety* (Thompson)
- Eric's ID Law (B26-0619) discussion
- SBOE Youth Convening update
- School trailers letter update
- Chaperone policy changes discussion
- 2026 Work Plan review – Milestones update
- New Business

Please note: This agenda is subject to change.

These meetings are governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@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 (1) one Advisory Neighborhood Commission office, certified pursuant to D.C. Official Code § 1-309.06(d)(2).

VACANT: 2A01

Petition Circulation Period: **Monday, April 20, 2026, through Monday, May 11, 2026**
Petition Challenge Period: **Thursday, May 14, 2026, through Wednesday, May 20, 2026**

Note: The deadline to file petitions or challenges is **4:45 p.m.** on the date listed above.

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions by email at candidate@dcboe.org or in-person during office hours at the following location:

D.C. Board of Elections
1015 Half Street, SE, Suite 750
Washington, DC 20003

For more information, the public may call **202-727-2525**.

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
CITYWIDE REGISTRATION SUMMARY
AS OF MARCH 31, 2026

WARD	DEM	REP	STG	N-P	OTH	TOTALS
1	44,922	2,038	627	10,181	335	58,103
2	36,716	3,853	343	11,275	338	52,525
3	40,883	4,072	439	11,233	328	56,955
4	48,008	2,170	627	9,808	385	60,998
5	53,387	2,465	778	11,610	500	68,740
6	49,033	5,700	532	12,907	454	68,626
7	47,901	2,066	630	9,733	463	60,793
8	37,832	2,093	545	8,570	432	49,472
TOTALS	**358,682**	**24,457**	**4,521**	**85,317**	**3,235**	**476,212**
Percentage by Party	**75.32%**	**5.14%**	**0.95%**	**17.92%**	**0.68%**	**100.00%**

DISTRICT OF COLUMBIA BOARD OF ELECTIONS MONTHLY REPORT OF
VOTER REGISTRATION STATISTICS AND REGISTRATION TRANSACTIONS
AS OF THE END OF MARCH 31, 2026

COVERING CITY-WIDE TOTALS BY:
WARD, PRECINCT, AND PARTY



1015 HALF STREET, SE SUITE 750
WASHINGTON, DC 20003
(202) 727-2525
http://www.dcboe.org

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 1 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
20	864	36	11	184	7	1,102
22	4,298	290	29	956	24	5,597
23	3,000	138	38	682	27	3,885
24	2,830	148	22	633	23	3,656
25	4,225	240	52	995	26	5,538
35	3,611	114	56	756	30	4,567
36	4,038	199	59	874	24	5,194
37	3,958	142	56	1,013	39	5,208
38	2,758	112	42	690	23	3,625
39	4,004	147	62	834	25	5,072
40	3,270	125	67	665	24	4,151
41	3,226	166	60	871	29	4,352
42	1,765	75	29	391	10	2,270
43	1,844	56	27	377	13	2,317
137	1,231	50	17	260	11	1,569
TOTALS	**44,922**	**2,038**	**627**	**10,181**	**335**	**58,103**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 2 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
2	464	64	4	210	6	748
3	1,718	248	23	647	22	2,658
4	2,402	329	22	898	32	3,683
5	2,248	446	19	908	30	3,651
6	2,277	500	21	1,183	27	4,008
13	1,372	165	11	420	10	1,978
14	2,893	265	31	819	21	4,029
15	3,135	229	24	787	22	4,197
16	3,749	295	18	913	19	4,994
17	4,688	367	37	1,299	31	6,422
18	4,660	281	40	1,055	37	6,073
21	1,054	43	12	220	12	1,341
129	3,440	429	56	1,307	42	5,274
141	2,616	192	25	609	27	3,469
TOTALS	**36,716**	**3,853**	**343**	**11,275**	**338**	**52,525**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 3 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
7	1,416	271	14	533	18	2,252
8	2,887	529	15	1,001	27	4,459
9	1,017	287	7	417	10	1,738
10	2,018	290	21	702	22	3,053
11	3,397	352	61	1,103	48	4,961
12	663	147	2	267	7	1,086
26	3,253	218	26	798	22	4,317
27	2,452	180	27	570	9	3,238
28	2,526	299	33	736	19	3,613
29	1,809	123	26	527	17	2,502
30	1,517	160	15	403	15	2,110
31	2,601	225	23	588	14	3,451
32	2,937	184	27	686	20	3,854
33	2,987	157	26	652	20	3,842
34	3,671	193	48	935	16	4,863
50	2,234	212	30	539	27	3,042
136	1,275	80	16	292	6	1,669
138	2,223	165	22	484	11	2,905
TOTALS	**40,883**	**4,072**	**439**	**11,233**	**328**	**56,955**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 4 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
45	2,226	83	31	409	10	2,759
46	2,826	81	37	509	27	3,480
47	3,207	128	60	680	28	4,103
48	2,752	114	37	609	17	3,529
49	983	45	17	225	7	1,277
51	3,603	359	23	691	19	4,695
52	1,467	98	4	284	8	1,861
53	1,073	58	16	249	9	1,405
54	2,183	78	28	460	28	2,777
55	2,265	76	24	460	14	2,839
56	3,038	121	49	666	29	3,903
57	2,280	91	36	536	22	2,965
58	1,933	67	26	402	22	2,450
59	2,387	85	25	433	14	2,944
60	2,040	151	29	655	36	2,911
61	1,442	74	21	320	19	1,876
62	3,723	144	43	626	12	4,548
63	3,760	157	67	740	24	4,748
64	2,166	65	24	392	21	2,668
65	2,654	95	30	462	19	3,260
TOTALS	**48,008**	**2,170**	**627**	**9,808**	**385**	**60,998**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 5 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
19	4,518	215	88	1,040	43	5,904
44	2,353	186	47	624	26	3,236
66	4,317	147	47	815	41	5,367
67	2,704	99	30	492	18	3,343
68	1,873	136	28	377	17	2,431
69	2,060	71	25	374	10	2,540
70	1,384	67	27	290	9	1,777
71	2,258	78	34	470	23	2,863
72	3,976	162	55	836	52	5,081
73	1,758	85	26	319	14	2,202
74	5,226	279	95	1,312	57	6,969
75	4,979	235	58	1,126	39	6,437
76	2,960	159	31	759	37	3,946
77	2,715	138	48	587	32	3,520
78	2,724	122	39	637	23	3,545
79	1,939	86	35	508	19	2,587
135	2,740	126	35	551	20	3,472
139	2,903	74	30	493	20	3,520
TOTALS	**53,387**	**2,465**	**778**	**11,610**	**500**	**68,740**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 6 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
1	5,307	461	58	1,572	47	7,445
81	3,288	308	33	713	24	4,366
82	2,696	221	32	613	22	3,584
83	3,502	290	39	786	28	4,645
84	2,003	350	21	496	14	2,884
85	2,671	458	21	701	23	3,874
88	2,029	249	14	474	21	2,787
89	2,650	488	26	703	24	3,891
90	1,606	185	18	451	19	2,279
91	4,259	353	45	1,053	41	5,751
127	4,718	401	70	1,206	39	6,434
128	2,186	177	26	590	13	2,992
130	3,755	1,074	24	1,269	64	6,186
142	2,948	320	52	973	30	4,323
143	354	25	4	54	3	440
144	5,061	340	49	1,253	42	6,745
TOTALS	**49,033**	**5,700**	**532**	**12,907**	**454**	**68,626**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 7 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
80	1,833	224	56	437	24	2,574
86	2,938	202	43	685	40	3,908
87	2,632	215	27	597	27	3,498
92	1,305	38	17	229	10	1,599
93	1,447	43	19	280	12	1,801
94	1,812	74	27	394	18	2,325
95	1,628	59	22	374	15	2,098
96	1,740	59	15	327	17	2,158
97	1,287	50	20	287	17	1,661
98	1,967	75	28	410	22	2,502
99	1,264	47	14	298	11	1,634
100	2,071	66	21	407	15	2,580
101	1,389	49	16	265	16	1,735
102	2,206	95	31	400	20	2,752
103	2,781	86	43	531	24	3,465
104	2,899	121	43	599	30	3,692
105	2,204	84	25	502	17	2,832
106	2,455	76	24	487	21	3,063
107	1,038	44	11	210	14	1,317
108	967	26	7	146	8	1,154
109	868	40	6	145	4	1,063
110	3,266	103	36	525	24	3,954
111	1,993	65	33	437	20	2,548
113	2,061	66	24	381	24	2,556
132	1,850	59	22	380	13	2,324
TOTALS	**47,901**	**2,066**	**630**	**9,733**	**463**	**60,793**

D.C. BOARD OF ELECTIONS
MONTHLY REPORT OF VOTER REGISTRATION STATISTICS
WARD 8 REGISTRATION SUMMARY
AS OF MARCH 31, 2026

PRECINCT	DEM	REP	STG	N-P	OTH	TOTALS
112	1,212	32	16	238	10	1,508
114	2,550	121	52	611	38	3,372
115	1,651	51	23	361	15	2,101
116	2,331	94	33	520	23	3,001
117	2,394	86	33	533	30	3,076
118	2,801	96	36	592	31	3,556
119	1,642	86	24	351	26	2,129
120	1,791	69	19	339	17	2,235
121	2,831	104	34	583	24	3,576
122	1,755	68	25	365	16	2,229
123	1,522	147	33	398	23	2,123
124	1,893	64	36	399	16	2,408
125	3,081	110	42	630	44	3,907
126	2,677	128	58	642	23	3,528
131	3,434	665	31	1,168	51	5,349
133	1,355	61	14	259	10	1,699
134	1,547	53	20	312	18	1,950
140	1,365	58	16	269	17	1,725
TOTALS	**37,832**	**2,093**	**545**	**8,570**	**432**	**49,472**

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PUBLIC MEETING

Building Energy Performance Standards Task Force Meeting
April 21, 2026

The next meeting of the District of Columbia Building Energy Performance Standards Task Force will be on Tuesday, April 21, 2026, from 2:30 p.m. to 4:30 p.m. The meeting will be held virtually on the WebEx link below. The agenda for the meeting will be posted at https://dc.beam-portal.org/helpdesk/kb/BEPS/15/ at least two (2) business days in advance of the meeting.

The Task Force is only offering a remote meeting option. To join remotely:

On a computer or mobile phone:
https://dcnet.webex.com/dcnet/j.php?MTID=m8f60365f17bad73a52d2e2b86d9338ca

Meeting number:
2302 403 1798
Password: U2AubxP8vu9

By phone:
1-650-479-3208
Access code: 2302 403 1798
.....

Information on how the public may access future meetings, once scheduled, will be posted at https://dc.beam-portal.org/helpdesk/kb/BEPS/15/ at least two (2) business days in advance of the meeting.

Background on the BEPS Task Force:
The Building Energy Performance Standards Task Force ("Task Force") was established to advise the District of Columbia Department of Energy and the Environment ("DOEE") on the building energy performance program, recommend amendments to proposed regulations issued by DOEE, and recommend complementary programs or policies (D.C. Official Code § 6-1451.09(h)(1)).

For more information, please contact the Building Performance helpdesk at building.performance@dc.gov.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov" (hereinafter referred to as "regulation statement").

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PUBLIC MEETING

District Waterways Advisory Commission Meeting
April 22, 2026

The next meeting of the District Waterways Advisory Commission is on Wednesday, April 22, 2026, from 2:00 p.m. to 4:00 p.m. The meeting will be held virtually on WebEx. The agenda for the meeting will be posted at open-dc.gov/public-bodies/district-waterways-advisory-commission at least two (2) business days in advance of the meeting.

The District Waterways Advisory Commission is only offering a remote meeting option. To join remotely, please register at the link below:

Registration link: https://engage.dc.gov/districtwaterwaysadvisoryplan

Information on how the public can engage with the District Waterways Advisory Commission, the development of the District Waterways Advisory Plan, and attend Commission meetings is posted at: https://engage.dc.gov/districtwaterwaysadvisoryplan

Background on the District Waterways Advisory Commission:
The District Waterways Advisory Commission was established by the DC Council to develop and adopt a strategic vision for the District's waterways. The Commission is comprised of 30 members - 14 voting members and 16 non-voting ex-officio members. The voting members are nominated by the Mayor and the Chairman of the Council and are selected from various constituencies of waterways users for their knowledge of the local waterways or for their subject matter expertise. The non-voting members represent various District and Federal agencies.

For more information, please contact the Office of District Waterways Management at ODWM@dc.gov.

This meeting is governed by the Open Meetings Act. If you have questions about the Open Meetings Act or would like to file a complaint with the Office of Open Government, contact opengovoffice@dc.gov.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF FILING OF A REQUEST FOR A VOLUNTARY CLEANUP CERTIFICATE OF COMPLETION

100 V Street, SW
Case No. VCP2020-071

Pursuant to § 601(b) of the Brownfield Revitalization Amendment Act of 2000, D.C. Law 13-312, D.C. Official Code § 8-631 *et seq.*, as amended April 8, 2011, D.C. Law 18-369 (herein referred to as the "Act"), the Voluntary Cleanup Program (VCP) in the Department of Energy and Environment (DOEE), Land Remediation and Development Branch (LRDB), is informing the public that it has received a Site Completion Report and a request for a Certificate of Completion to support a Voluntary Cleanup Program (VCP) project addressed as 100 V Street, SW, consisting of Square 611, 609 and lot 19, portion 810. The applicant for the property is SW Land Holder, LLC, Akridge 601 13th Street, NW #300, Washington, DC 20005.

The application identifies the presence of Total Petroleum Hydrocarbon (TPH), Lead and Arsenic in soil. No VOCs/TPH were found in groundwater. The Cleanup Action Plan (CAP) for this site was approved by the Program on July 21, 2021. The Subject Property has been redeveloped into a mixed-use building complex. Based on the cleanup oversight and review of the Site Completion Report, the Voluntary Cleanup Program may issue a Certificate of Completion.

Pursuant to § 601(b) of the Act, this notice will also be mailed to the Advisory Neighborhood Commission (ANC-6D07) for the area in which the property is located. The Site Completion Report is available for public review at the following location:

Voluntary Cleanup Program
Department of Energy and Environment (DOEE)
1200 First Street NE, Fifth Floor
Washington, DC 20002

Interested parties may also request a copy of the application by contacting the Voluntary Cleanup Program at the above address or by calling (202) 499-0437. An electronic copy of the application may be viewed at http://doee.dc.gov/service/vcp-cleanup-sites.

Written comments on the proposed approval of the application must be received by the VCP office at the address listed above within fourteen (14) days from the date of this publication. DOEE is required to consider all public comments it receives before acting on a request for a Certificate of Completion.

Please refer to Case No. VCP2020-071 in any correspondence related to this notice

BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY

OFFICE OF OPEN GOVERNMENT

ADVISORY OPINION

March 30, 2026

VIA ELECTRONIC MAIL

[REDACTED]

RE: Resolution of Complaint Concerning Creative Minds International Public Charter School Board's Compliance with the Open Meetings Act (#OOG-2025-0014)

Dear [REDACTED]:

On February 12, 2025, the Office of Open Government ("OOG") received your complaint (#OOG-2025-0014) ("Complaint") alleging that Creative Minds International Public Charter School Board ("Creative Minds PCSB", or the "Board") does not publish the location and times of its meetings.[1]

As you are aware, the Office of Open Government has the statutory charge to ensure that public bodies adhere to the Open Meetings Act.[2] The OMA reiterates the District of Columbia's long-standing public policy that "all persons are entitled to full and complete information regarding the affairs of [the] government and the actions of those who represent them."[3] To support this policy, the OMA requires that its provisions be construed broadly to increase public access to public bodies' meetings.[4]

Pursuant to 3 DCMR § 10400 *et seq*.,[5] I reviewed and assessed your Complaint. OOG's legal staff also reviewed Creative Minds International Public Charter School's ("Creative Minds PCS" or the "PCS") and District of Columbia Public Charter School's ("DC PCS") websites, and Creative Minds PCSB Chief Operating Officer's response to the Complaint.

Upon consideration of the aforementioned (detailed background below), and the investigation results, I find that Creative Minds PCSB has not violated the OMA, because at the

[1] Email from [REDACTED] to Office of Open Government (OOG), on February 12, 2025.
[2] D.C. Official Code § 2-571, *et seq*.
[3] D.C. Official Code § 2-572.
[4] D.C. Official Code § 2-573.
[5] D.C. Municipal Regulations Section 3-10400 – Filing and Presentation of Complaints.

times OOG conducted its investigation, the Board's complete meeting notices for upcoming meetings were posted on the PCS' website. Furthermore, the Board has since March 2025 stated the location of its in person meetings on the Board's designated webpage of the PCS' website and in the meeting notices linked to the webpage, instead of assuming the public knows that the location of its in person meetings is at the PCS. As such, I must dismiss this matter pursuant to 3 DCMR §10403.1(b) and 3 DCMR §10403.1(f), respectively, because the action of (alleged) unpublished times of the Board's meetings does not violate the OMA, and the unstated location of the Board's meetings is moot. The justification for the dismissal follows.

My analysis begins with the facts, then a discussion of the OMA's Notice of meetings provisions. I will conclude with a discussion of my enforcement authority under the OMA.

I. BACKGROUND

A. The Complaint

On February 10, 2025, you sent an email to OOG concerning alleged OMA violations by eleven Boards of Trustees, followed by an email inquiry about whether to submit separate complaints against forty-seven Boards of Trustees in alleged violation of the OMA or a detailed report of the total violations. In response to your question, OOG suggested that you "submit one complaint that collectively captures the 47 (or more) charters with [] a detailed report of the total, elaborating the potential problems with each."[6] On February 12, 2025, you submitted the Collective Complaint (Complaints) via email to OOG. Your Collective Complaint contains the Complaint against Creative Minds International Public Charter School Board, as follows: "No posted information on where or when meetings are."[7]

The following is a summary of Creative Minds PCSB Chief Operating Officer's email response to the Complaint.

B. Summary of Creative Minds PCSB Chief Operating Officer's February 20, 2025, email response to the Complaint

OOG provided the (then) chairman of Creative Minds PCSB with a redacted (for personal identifiable information) copy of the Complaint, thereby availing him of the opportunity to respond to the said Complaint. The Board's Chief Operating Officer Craig Bednarovsky responded; his response to the allegations in the Complaint via email on February 20, 2025, in part, is as follows:

> Information on the dates and times of our board meetings is, and has always been, posted to our website. You can find the information on this page. The meetings are also included on our calendar.

[6] Email from [REDACTED] to Office of Open Government (OOG), on February 10, 2025; Email from Director Niquelle Allen (OOG) to [REDACTED], on February 12, 2025.
[7] Email from [REDACTED] to Office of Open Government (OOG), on February 12, 2025.

> Regarding the location while a reasonable person could likely deduce that "in person" meetings occur at our school location we will, however, modify the language to make that explicitly clear.[8]

I, now move to discuss the Notice of meetings provision concerning publication of the Board's meeting notices in full, to include the times and location of the meetings.

II. DISCUSSION

A. The OMA requires that a public body provides notice (which includes date, time, location, and draft agenda) as soon as possible of its scheduled meeting and when the schedule is changed, but not less than forty-eight (48) hours or two (2) business days before its meeting, whichever is greater, except for emergency meetings.

All meetings properly constituted to conduct public business as defined under the OMA,[9] unless specifically and legally exempted,[10] are presumed to be open to the public, and the public must receive advanced notice of the date, time, location and draft agenda.[11] Pursuant to D.C. Official Code § 2-576(1), the public must be given notice as soon as possible of a scheduled meeting and when the schedule is changed, but not less than forty-eight (48) hours or two (2) business days before its meeting, whichever is greater, except for emergency meetings. If one of the requirements of the notice is absent (date, time, location, and draft agenda) pursuant to D.C. Official Code § 2-576(5), a proper meeting notice has not been provided.

You state in your Complaint that there is "[n]o posted information on where or when meetings are" held by Creative Minds PCSB.[12] OOG's staff conducted a review of Creative Minds PCS' website in March 2025 and January and March 2026, and no OMA violations were identified. However, OOG notes from the attached February 10, 2025, Board's meeting minutes, that no members of the public were present at the corresponding meeting. While this in and of itself is not conclusive proof that a full meeting notice was not published, the following of the Chief Operating Officer's response to the Complaint demonstrates that a full meeting notice was not published for the February 2025 meeting. "Regarding the location while a reasonable person could likely deduce that 'in person' meetings occur at our school location we will, however, modify the language to make that explicitly clear."[13] Creative Minds PCSB has since published the location of its meetings in two places on the PCS' website, on the Board's designated

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[8] Email from Chief Operating Officer, Creative Minds PCS to Attorney Advisor Joan Lelma (OOG), on February 20, 2025.
[9] D.C. Official Code § 2-574(1).
[10] D.C. Official Code § 2-575(b).
[11] D.C. Official Code § 2-576(5).
[12] Email from [REDACTED] to Office of Open Government (OOG), on February 12, 2025.

[13] Email from Chief Operating Officer, Creative Minds PCS to Attorney Advisor Joan Lelma (OOG), on February 20, 2025.

webpage and in the meeting notices attached on the said webpage. The following information was posted on the PCS' website on the Board's designated webpage in March 2025 and remains to date.

> The board's overall objective is to conduct school business in a transparent manner; many board documents, including financial statements, are available for viewing online. Creative Minds International is required to hold open board meetings, per the DC Open Meetings Act… Board meetings typically occur from 6:00 p.m. to 7:30 p.m. and are held either via video conference or in the Creative Minds Main Hall on the first floor. They are open to the public, and we share information with our community the week before each meeting… Meetings may be in person or virtual. The format will be conveyed when the meeting is officially announced.[14]

OOG acknowledges that the preceding statement does not constitute the publishing of the Board's complete meeting notices in accordance with the OMA. However, based on OOG's investigation since March 2025, Creative Minds PCSB publishes complete meeting notices (with the location and time) forty-eight (48) hours or two (2) business days before its meetings. OOG also acknowledges that the Board's assumption prior to receiving the Complaint, that members of the public would know that "in person meetings" are held at the school, instead of stating the location of its meetings as required by the OMA, constituted a violation of the statute.[15] However, for the purposes of this Advisory Opinion, Creative Minds PCSB is not in violation of the OMA. Pursuant to 3 DCMR § 10403.1(f), the allegation that the Board does not publish the location of its meeting is moot, and therefore dismissible because Creative Minds PCSB has ceased violating the OMA soon after receiving the Complaint.[16]

Concerning the time of the Board's meetings, the statement on the PCS' website that "meetings typically occur from 6:00 p.m. to 7:30 p.m.," does not fulfill the OMA's notice requirement. However, it provides the public with useful time-line information before the meeting notices are published. Furthermore, OOG's investigation reveals that Creative Minds PCSB has consistently provided the times of its meetings in accordance with the OMA.[17]

Based on the preceding, Creative Minds PCSB has not violated the OMA with regards to the times of its meetings as you alleged, and its violation concerning meeting location is moot. However, I advise that the Board posts its annual schedule (with no other school events) on the PCS' webpage designated for the Board's information. Creative Minds PCS' general calendar has the dates and times of the Board's scheduled meetings, which is helpful for publication of the Board's meetings. However, the Board's scheduled meetings on the PCS' general calendar do

[14] *See* https://www.creativemindspcs.org/about/board-of-trustees/.
[15] D.C. Official Code § 2-576.
[16] 3 DCMR § 10403.1(f) ("The Director [of Open Government] may dismiss a complaint on one or more of the following grounds: … (f) The complaint becomes moot due to action taken by the Public Body").
[17] D.C. Official Code § 2-576.

not constitute "an annual schedule" of the Board's meetings as required by the OMA. The statute contemplates a document with the dates, and if available, the times of the Board's meetings alone, and not of various school and community activities.[18] Furthermore, for accessibility purposes, I recommend that Creative Minds PCSB's annual schedule of meetings is posted on the webpage (tab) designated for the Board's information and not on a separate page or tab.

Next, I will discuss my enforcement authority under the OMA and conclude.

III. CONCLUSION

The facts alleged in the Complaint concerning times of meetings do not amount to a violation of the OMA, and that which concerns the location of meetings, is moot. I am only empowered to seek injunctive and declaratory relief when certain OMA violations have occurred.[19] Your Complaint does not establish a violation of the OMA, in part, and where there was a violation, it has become moot. As such, I am dismissing it for the reasons stated herein, and under the OOG's regulations.[20] Attached is a copy of your Complaint.[21]

The Office of Open Government's 2026 OMA training schedule for Boards of Trustees for DC public charter schools is published, and the training invites for the second training were sent to Boards' chairpersons and members.[22] The invites for all the trainings will be dispatched likewise; that is, two weeks before each scheduled training session, with a reminder closer to the respective sessions. Per the training schedule, the next session will be on April 8, 2026. Public body chairpersons and members must attend at least one of OOG's OMA training sessions annually. The staff of public bodies are encouraged to attend the trainings.

If you have any questions or concerns, contact OOG Attorney Joan Lelma at joan.lelma@dc.gov.

Sincerely,

/S/

Niquelle M. Allen, Esq.
Director of Open Government
Board of Ethics and Government Accountability

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[18] D.C. Official Code § 2-576(1).
[19] *See* D.C. Official Code § 2-579.
[20] 3 D.C.M.R. § 10403.1 ("The Director [of Open Government] may dismiss a complaint on one or more of the following grounds: . . . (b) The action complained of does not violate the [OMA]") … "(f) The complaint becomes moot due to action taken by the Public Body").
[21] *See* 3 DCMR § 10403.2.
[22] *See* https://www.open-dc.gov/news/2026-oma-trainings-boards-trustees-dc-public-charter-schools.

BOARD OF ETHICS AND GOVERNMENT ACCOUNTABILITY

OFFICE OF OPEN GOVERNMENT

ADVISORY OPINION

April 1, 2026

VIA ELECTRONIC MAIL

[REDACTED]

RE: Request for Advisory Opinion Concerning the Community Review Panel's Compliance with the Open Meetings Act (#OOG-2025-0055)

Dear [REDACTED]:

On August 1, 2025, the Office of Open Government ("OOG") received your request for an advisory opinion (#OOG-2025-0055) (the "Request") regarding the Community Review Panel's ("CRP," or the "Panel") obligation to comply with the Open Meetings Act ("OMA") by making its meetings open to the public. You have provided reasons why the CRP is a public body within the meaning of the OMA and requested that OOG review the matter and issue an advisory opinion to assist the CRP, and the Office of the State Superintendent of Education ("OSSE") with understanding their legal obligations under the OMA.[1]

The Office of Open Government has the statutory charge to ensure that public bodies adhere to the Open Meetings Act.[2] The OMA reiterates the District of Columbia's long-standing public policy that "all persons are entitled to full and complete information regarding the affairs of [the] government and the actions of those who represent them."[3] To support this policy, the OMA requires that its provisions be construed broadly to increase public access to public bodies' meetings.[4]

I have reviewed and assessed your Request and pursuant 3 DCMR § 10407.1, and as the Director of Open Government, I am empowered to issue an advisory opinion at the request of a public official or an employee and on my own initiative. [5] As [REDACTED] is not a public body, I am issuing this Advisory Opinion *sua sponte*.[6]

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[1] Email from [REDACTED] to Office of Open Government on August 1, 2025.
[2] D.C. Official Code § 2-571, *et seq*.
[3] D.C. Official Code § 2-572.
[4] D.C. Official Code § 2-573.
[5] D.C. Municipal Regulations Section 3-10407 – Public Body Requests for Advisory Opinions.
[6] D.C. Official Code § 2-579(g); 3 DCMR § 10407.

Based on OOG's investigation results and the aforementioned (detailed background below), I find that the Community Review Panel is not a public body and is therefore not subject to the OMA. The Advisory Opinion begins with the facts, which include the formation and functions of the CRP, then a discussion of the OMA's relevant Definitions and Open meetings provisions, and an examination of certain issues identified in OSSE's response concerning the Request. The Opinion concludes with a summary of the reasons the CRP is not a public body under the OMA and advice to the Office of the State Superintendent of Education to ensure that the Office of Dispute Resolution Community Review Panel Guidance/Guidelines are not misleading to the public, specifically concerning its meeting procedures.

I. BACKGROUND

A. The Request

On August 1, 2025, you submitted the Request via email to OOG. Your Request, in part, states:

> This is a request for an advisory opinion regarding the meetings held by the Community Review Panel (CRP) to advise the Office of the State Superintendent of Education (OSSE) regarding the hiring of Hearing Officers in Special Education Due Process Hearings.
>
> We request an advisory opinion from your office regarding the obligation of the Community Review Panel to comply with the Open Meetings Act, D.C. Code § 2–572, making their meetings open to the public. This law requires D.C. agencies to open their meetings because of the policy that "all persons are entitled to full and complete information regarding the affairs of government and the actions of those who represent them." We consider the Community Review Panel (CRP) to be a public matter, as these Due Process Hearings concern students with known or suspected disabilities in all DC public schools (both charter and DCPS).
>
> Background of CRP:
>
> The CRP functions as an advisory body to OSSE when choosing Hearing Officers to preside over Special Education Due Process Hearings. These independent Hearing Officers contract with OSSE's Office of Dispute Resolution to resolve disputes between parents and their children's schools about the identification, evaluation and programming for students with disabilities. These Hearings are the only venue through which students with known or suspected disabilities and their families can seek redress. A Hearing Officer gives the final decision on whether a child has received a Free and Appropriate Public Education, and can directly

order Local Education Agencies to make changes to a child's educational program, complete evaluations, change the student's placement or provide other relief as permitted by IDEA…

The important role given to the CRP is explicitly stated in D.C. Code § 38–2572.02. (b) (d): "In selecting Hearing Officers for administering special education Due Process Hearings, OSSE shall submit potential candidates for review to a 7-member community review panel…Following its review of candidates for Hearing Officers, the community review panel shall forward its recommendations to the State Superintendent of Education." Through this process, the CRP's meetings are the only chance that the public has to confer and gain information about the selection process of these important decision makers, the Hearing Officers, who resolve disputes between families and the DCPS or Charter schools that serve their children with disabilities.

Why should the OMA apply to the CRP?

We believe that the Open Meetings Act (OMA) should apply to the Community Review Panel for two main reasons. First is that it fits squarely with the definitions in D.C. Code § 2–574 concerning what is considered to be a "meeting" and a "public body." Second, the CRP board is convening to advise a governmental agency in its hiring process, which is clearly a purpose covered by the OMA. According to D.C. Code § 2–574 (1), a meeting is defined "gathering of a quorum of the members of a public body, including hearings and roundtables, whether formal or informal, regular, special, or emergency, at which the members advise on public business, including gathering information, taking testimony, discussing, deliberating, recommending, and voting, regardless whether held in person, by telephone, electronically, or by other means of communication." The CRP is engaging in a meeting under this code because they are a quorum of members that are meeting at special times in order to vote and advise on public business in order to recommend specific Hearing Officer candidates to OSSE.

Next, D.C. Code § 2–574 (3) states that a public body is considered to be "any government council, including the Council of the District of Columbia, board, commission, or similar entity, including a board of directors of an instrumentality, a board which supervises or controls an agency, the board of trustees of a public charter school, or an advisory body that takes official action by the vote of its members convened for such purpose."

There are currently public bodies that operate similarly to CRP that have the same function and are covered by the OMA. For example, the Advisory Group on

> Community Use of Public Space's primary purpose is to "provide… advice and recommendations regarding District policies and procedures related to the community use of public spaces." Additionally, the Advisory Committee on Office Administrative Hearings is also an advisory body that advises the Chief Administrative Law Judge in carrying out their duties. Both of these organizations are similar to CRP because they all provide official advice and recommendations on issues related to public interest. However, unlike CRP, these public bodies are required to comply with OMA.
>
> Given the D.C. Code and current examples, CRP is considered to be a public body because it is an advisory body that takes official action by the vote of its members; the action being the review of potential special education Hearing Officers. This public body has seven members made up of attorneys, parents, representatives, and educators… Therefore, we request your review of this matter and an opinion to assist the Community Review Panel and OSSE in understanding its legal obligations under the Open Meetings Act.[7]

The following is a summary of OSSE's General Counsel's email response to the Request and an informational meeting with OSSE's General Counsel and Senior Assistant General Counsel, and a member of OOG's staff concerning what is required by the Request.

B. Summary of Carol Esptein, OSSE's General Counsel November 26, 2025, email response to the Request and a virtual meeting with Joan Lelma, Attorney Advisor (OOG) on November 20, 2025

To issue this response, OOG provided General Counsel Epstein with a redacted (for personal identifiable information) copy of the Request, thereby availing OSSE of the opportunity to respond to the said Request. The General Counsel requested a meeting with a member of OOG's staff to discuss the Request.

On November 20, 2025, Attorney Lelma attended a virtual meeting with General Counsel Epstein and Senior Assistant General Counsel Chantel Mullen (OSSE) at which Attorney Lelma responded to their questions about whether OSSE should provide a formal written response to the Request and what the response should entail. Attorney Lelma informed General Counsel Epstein and Senior Assistant General Counsel Mullen that OOG prefers a written response to the Request and that the response should address whether the CRP is subject to the OMA, and if so, whether it is adhering to the statute.

General Counsel Epstein responded to the Request via email on November 26, 2025, and provided the following explanation regarding the CRP's obligation to comply with the OMA by making its meetings open to the public. "… the Community Review Panel (CRP) is not and was never intended to be a public body and is therefore not subject to the Open Meetings Act

[7] Email from [REDACTED] to Office of Open Government on August 1, 2025.

(OMA)…Rather, the C[RP] is an internal OSSE advisory group. This is evidenced by the applicable legislative history, statutory language, and structure and operational function of the C[RP]."[8]

With respect to the language of the OMA, General Counsel Epstein states the following.

> The C[RP] does not meet the definition of a "public body" and does not hold meetings"; therefore, it is not subject to the requirements of the Open Meetings Act … First, the C[RP] does not fit the definition of, nor does it function as or perform the work of a "public body." A "public body" is one that conducts or advises on public matters, including advisory bodies…The C[RP]'s agenda and work are limited to internal applicant evaluations, it does not conduct or advise on public business. Second the C[RP] does not conduct its business in the structural or substantive form of "meetings." ... "Meetings" require that a quorum of members be present and that the body considers, conducts, deliberates on, or advises on public business, and votes. *Id*. The C[RP] does not vote or have a quorum requirement. Instead, they rate the hearing officer interest packet and come to a consensus on the ratings. Furthermore, advisory bodies that fall within the scope of the D.C. Code § 2-574(1)(A) and (3) share consistent structural features: they are part of the District's public governance framework, and their members are appointed through the Mayor's authority. *See D.C. Code § 1–204.22(3).* The members of the C[RP] do not share the structural features of a public body and are not appointed through the authority of the Mayor, they are chosen internally by OSSE staff…[9]

Concerning the legislative history of the CRP, General Counsel Epstein states as follows:

> The plain language of the Committee Report indicates that the CRP was designed to be an administrative, agency internal review entity that would be embedded in the contracting process. *See Committee Report, p. 9 (B20-723) (July 10, 2014)* …
>
> The function of the CRP supports and reinforces the position that the C[RP] was neither intended nor created to be a public body. The CRP's single function is to review and rate applicants whom OSSE has already screened for baseline qualifications through an OSSE managed Request for Information process.
>
> The Office of the General Coun[sel] for the Council of the District of Columbia's Legal Sufficiency Determination for the Act also makes clear that the CRP is considered part of an OSSE managed contracting process…[10]

[8] Email from General Counsel Carol Epstein (OSSE) to Attorney Advisor Joan Lelma (OOG) on November 26, 2025.
[9] Email from General Counsel Carol Epstein (OSSE) to Attorney Advisor Joan Lelma (OOG) on November 26, 2025.
[10] Ibid.

General Counsel Epstein's address of the CRP's operational function is as follows:

> The C[RP]'s unique structure and operational function, especially in comparison to District Advisory Bodies, clearly shows that it is not a "public body" and therefore not subject to the OMA. There are distinct and important fundamental differences between public advisory bodies whose appointments flow through the Mayor and groups like C[RP] who are managed by OSSE.
>
> OSSE has three (3) public advisory bodies, The Higher Education Licensure Commission, The Public Charter School Finance Credit Committee, and the State Advisory Panel on Special Education, all are legally required to be, and are, compliant with the [OMA]. All three have very similar structures: mayoral appointments, defined terms, open meeting requirements, and public facing duties.
>
> In addition to public advisory bodies, OSSE also has internal advisory groups. Advisory groups have a very different function, purpose, and intent th[a]n public advisory bodies. They are internal advisory groups, whose members are appointed directly by OSSE through OSSE managed application processes, and who serve in an internal consultative function. In addition to C[RP], examples of other OSSE advisory groups are the Superintendent's Advisory Councils; the Low Income Investment Fund Advisory Committee; and the Emergency Food Assistance Program (TEFAP) State Advisory Board.
>
> The CRP is an advisory group. All seven CRP members are appointed by OSSE and not through the Mayor's Office of Talent and Appointments, which manages appointments for the District's roughly 180 public boards and commissions. The CRP has no residency requirement. CRP members serve voluntarily and without compensation and may be removed by OSSE at its discretion. The CRP does not operate on a regular schedule and convenes only when OSSE initiates the hearing officer selection cycle which is typically once every five years which is following the contract expiration period, or if there is a vacancy. There is no quorum requirement, and the CRP meetings proceed only when all members are available.
>
> Lastly, CRP recommendations are nonbinding. OSSE retains decision making authority over candidates selected for hearing officer contracts…[11]

[11] Email from General Counsel Carol Epstein (OSSE) to Attorney Advisor Joan Lelma (OOG) on November 26, 2025.

The following is a summary of OSSE General Counsel's and Senior Assistant General Counsel's virtual informational meeting with two members of OOG's staff.

C. Summary of a virtual meeting with OSSE's General Counsel and Senior Assistant General Counsel and OOG's staff members on February 23, 2026

On February 23, 2026, Chief Counsel Louis Neal and Attorney Lelma (OOG) attended a virtual meeting with General Counsel Epstein and Senior Assistant General Counsel Mullen (OSSE), at which the OOG's staff in attendance asked questions concerning how the CRP conducts its meetings and how the Panel's composition under specific circumstances is addressed, chiefly when a member is absent. Senior Assistant General Counsel Mullen stated that based on her research and inquiries made with certain members of staff at the Office of Dispute Resolution, the CRP does not take formal votes (with motion that is seconded) to reach a consensus on the names of applicants that are recommended to OSSE for hearing officer positions. Rather, Senior Assistant General Counsel Mullen explained that the CRP uses a two-step process at its meetings to agree on the applicants to be recommended to OSSE for hiring. The first is where each Panel member reviews the informational packets provided by OSSE with the applicants' information, and each member provides a score for each applicant. The second step at the Panel's meeting is a discussion among the members on how they score each applicant, and the members agree on the highest score for each applicant. Therefore, all the applicants receive a score, and all the scores (scored applicants) are submitted (recommended) to OSSE. However, not all applicants receive the same score, and according to the Senior Assistant General Counsel, OSSE may hire a lower scored applicant over a higher scored applicant, and vice versa.

OSSE's staff members at the meeting explained that if a member of the Panel is unable to serve, OSSE will ensure that a suitable replacement is found. As such, the Panel will not meet without the statutorily required seven (7) members present. When asked by OOG's staff members in attendance how does OSSE reconcile the following statement from the 2021 Office of Dispute Resolution Community Review Panel Guidelines with Senior Assistant General Counsel's description of how the Panel operates, she and General Counsel Epstein explained that the Panel's practice is inconsistent with the 2021 Guidelines, in so far as the Panel members do not vote as the Guidelines provide.

> For convenience, rating forms shall be provided to each panel member to rate each individual applicant by rating factor. Each member shall vote for their highest rated applicants, but there must be a consensus among panel members for the applicant to be submitted to the OSSE representative for consideration. At the close of the meeting, one

panel member shall submit an applicant
recommendation form to the OSSE representative.[12]

General Counsel Epstein notes that it is an inconsistency that needs to be corrected in the Guidelines to prevent any misconception by the public on how the Panel operates. She also concurs with the preceding of Senior Assistant General Counsel Mullen's statement and corresponding explanation that the CRP members do not take formal votes at its meetings, and all the applicants are accorded a score, the scores are submitted to OSSE, and OSSE may not choose the highest scored applicant. Also, on February 25, 2026, Senior Assistant General Counsel Mullen provided OOG with a revised copy of what is now Office of Dispute Resolution Community Review Panel Guidance ("2025 Guidance") and not Guidelines. More importantly, the 2025 Guidance does not describe how the members reach a consensus as "vote," but that a Panel consensus takes place and the members agree.[13]

As per the 2025 Guidance, a panel consensus entails combining the individual conclusions reached by the CRP members into one technical document. A detailed consensus narrative justification is required concerning each applicant, explaining the strengths and weaknesses of each applicant based on each stated evaluation criteria. In addition, the 2025 Guidance provides that signed individual evaluation sheets must be given to the program representative at the end of the meeting, along with the completed and signed (by each member) consensus report.[14]

The following is a summary of information from OOG's investigation pertinent to the matter.

D. Summary of Pertinent Research Information Concerning the Community Review Panel

The CRP for the Office of Dispute Resolution ("ODR") at the OSSE was established by the "Special Education Due Process Hearing Independence and Transparency Act of 2014," codified at D.C. Official Code § 38–2572.01, *et seq*. The Panel consists of seven members appointed by OSSE and is tasked with reviewing candidates' applications and recommending them for hearing officer positions to administer special education due process in the District of Columbia. The composition of the CRP is provided at D.C. Official Code § 38–2572.02(c)(1), and is as follows:

[12] See https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/Final%20Community%20Review%20Panel_2021_0.pdf.
[13] See attached, 2025 Office of Dispute Resolution Community Review Panel Guidance.
[14] Ibid.

> (A) One attorney knowledgeable in the field of special education who has experience representing parents and who is admitted to practice and in good standing in the District of Columbia;
>
> (B) One attorney knowledgeable in the field of special education who has experience representing schools and who is admitted to practice and is in good standing in the District of Columbia;
>
> (C) One educator knowledgeable in the field of special education and special education programming;
>
> (D) One representative from a charter school LEA who is knowledgeable in the field of special education and special education programming;
>
> (E) One representative from DCPS who is knowledgeable in the field of special education and special education programming; and
>
> (F) Two parents of individuals who are or at one time were eligible to receive special education and related services in the District of Columbia.

The statute provides that no member of the CRP may be an employee of OSSE.[15] Further, pursuant to D.C. Official Code § 38–2572.03(a), OSSE may establish process to submit individual hearing officer's records to the CRP for evaluation prior to the exercise of the one-year contract option. Pursuant to D.C. Official Code § 38–2572.04(a), subject to the Individuals with Disabilities Education Act (IDEA), the special hearing officer administering special due process hearings may restrict the practice of an attorney at the special hearing by way of an order, after a showing that the attorney has a pattern of filing frivolous pleadings.

The Organization, Notice of Meetings, and Meeting Format from Office of Dispute Resolution's ("ODR") CRP Guidelines in 2021 is as follows:

> ORGANIZATION
>
> The activities of the community review panel are governed by the "Special Education Due Process Hearing Independence and Transparency Act of 2014" and these guidelines. The community review panel will be convened by OSSE prior to the selection of Hearing Officers contracted to preside over Special Education Due Process Hearings.
>
> NOTICE OF MEETINGS
>
> OSSE shall provide written notice to members of the panel at least 14 days prior to the date of the scheduled meeting for applicant review. OSSE shall schedule the meeting and provide a meeting space for the panel.

[15] D.C. Official Code § 38–2572.02(c)(2).

MEETING FORMAT

All community review panel meetings are closed to the public. Attendance is limited only to the current seven members of the panel. A representative from OSSE shall be present to provide applicant information packets to the panel before the meeting begins and to collect applicant information packets and rating forms after the meeting has ended. However, the OSSE representative is not permitted in the room once the meeting has commenced. The community review panel shall convene for no more than 2 hours. For convenience, rating forms shall be provided to each panel member to rate each individual applicant by rating factor. Each member shall vote for their highest rated applicants, but there must be a consensus among panel members for the applicant to be submitted to the OSSE representative for consideration. At the close of the meeting, one panel member shall submit an applicant recommendation form to the OSSE representative. No applicant information, rating forms, or notes shall be removed from the meeting room during or after the meeting.[16]

OSSE's Request for Information to Potential Respondents for Impartial Hearing Officers, Mediator and Facilitator Applicants, issued on August 1, 2025, in part is as follows:

INTRODUCTION

The Office of Dispute Resolution (ODR), within the Office of the State Superintendent of Education (OSSE), seeks a contractor to serve as an Impartial Hearing Officer (IHO), Mediator, and Facilitator.

PROGRAM BACKGROUND

ODR coordinates and manages the District's special education dispute resolution options. The ODR program includes IHOs, who serve as Mediators and Facilitators to meet the agency's specialized due process function as prescribed by the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400. The qualified IHO will be procured under the exemption from competition provisions of the Procurement Practice Reform Act (PPRA) section 413 (3), for legal and negotiation services related to proceedings before administrative agencies, state or federal courts, including experts, attorneys, and mediators. All IHO applications will be reviewed and evaluated by a seven-member Community Review Panel (CRP) in accordance with "The Special Education Due Process Hearing Independence and Transparency Act of 2014," DC Law 20-194.[17]

[16]https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/Final%20Community%20Review%20Panel_2021_0.pdf.
[17]https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2025%20Impartial%20Hearing%20Officer%20RFI.pdf.

I now move to discuss the preceding information and the Request, commencing with what constitutes a public body under the OMA and whether the CRP is a public body within the meaning of the statute. This is followed by an examination of whether the gatherings of the CRP are considered meetings under the statute.

II. DISCUSSION

The CRP is not subject to the OMA. The CRP does not meet the statutory definition of a public body and OOG's examination of its operations revealed that the CRP does not function as a public body. Although the CRP is established by statute and performs a governmental function, it does not take "official action" as a collective body within the meaning of the OMA. The CRP also does not deliberate toward or vote upon a collective position. Rather, it transmits individual or aggregated evaluative inputs that OSSE may consider when selecting hearing officers. The gatherings of the CRP to perform this function within OSSE's procurement process do not meet the definition of a meeting under the OMA. The CRP does not conduct its gatherings as a governmental deliberative body; it functions as a structured component of the agency's procurement/hiring process. Accordingly, the CRP is not a "public body" subject to the OMA. A discussion of the factors leading to this determination follows.

A. A public body within the meaning of the OMA includes an advisory body that takes official action by the vote of its members convened for such purpose.

1. The Community Review Panel is not a statutorily created Public Body.

The determination of whether an entity is a "public body" under the OMA is dependent upon its formal establishment and its functional operation. The term "public body" in the OMA means "any government council, including the Council of the District of Columbia, board, commission, or similar entity, including a board of directors of an instrumentality, a board which supervises or controls an agency, the board of trustees of a public charter school, or an advisory body that takes official action by the vote of its members convened for such purpose."[18] The following entities are not public bodies under the OMA: a District agency or instrumentality (other than the board which supervises or controls an agency or the board of directors of an instrumentality); the District of Columbia courts; the Mayor's cabinet; the professional or administrative staff of public bodies when they meet outside the presence of a quorum of those bodies; Advisory Neighborhood Commissions; and the Criminal Justice Coordinating Council.[19]

When an entity is not specifically excluded, the OMA's presumption of openness leads us to conclude an entity is a public body, especially when it is created by statute. However, the

[18] D.C. Official Code § 2-574(3).
[19] Ibid., the temporary legislative measure concerning Criminal Justice Coordinating Council will expire on March
29, 2026.

statute may also point to the entity not being created as a public body, which is the case here. The CRP was created by statute, but its creation was to serve as a screening function within an agency selection process. [20] The Committee Report for B20-0723 distinctly states this intention: "Section 203: Clarifies that OSSE administers special education due process hearings and incorporates the review of community members into the existing contracting process for special education due process hearing officers."[21] The Panel's function is embedded in a procurement process and is task-specific, so the statutory intent is not for the Panel to be a deliberative, independent entity. Thus, the CRP is not a statutorily created public body.

2. The Community Review Panel does not function as a Public Body or take official action by voting.

Even though the enabling legislation giving OSSE the authority to create the CRP did not design the "community review panel" as a public body, the OMA may apply if an entity functions as a public body and takes official action by voting. When determining an entity's status as a public body, OOG examines the entity's functional authority. In OOG's *Advisory Opinion OOG-2019-004* (Local School Advisory Teams), OOG concluded that Local School Advisory Teams ("LSAT") are subject to the OMA even though its statutory creation did not indicate it as a public body.[22] Like OSSE, DC Public School ("DCPS") was empowered by statute to create LSATs as functional entities within DCPS for a specified purpose. The operation of LSATs and their policy-making function and decision-making demonstrated that they performed a government function and took official action.[23] The conclusion rested on several factors: (1) the LSATs collectively deliberated concerning matters related to school level decisions; (2) the LSATs held regular meetings and took formal votes and (3) the LSATs formulated recommendations as a body on policy and budget matters related to public schools. The LSAT Advisory Opinion emphasized that the LSATs adopted positions by deliberation and agreement, and this was tantamount to "official action." OOG ultimately found that the LSATs were public bodies because (1) they acted as an advisory body; (2) had a quorum of its members

[20] D.C. Official Code § 38–2572.02(d).
[21] Council of the District of Columbia, Committee on Education, Report on Bill 20-0723, the "Special Education Student Rights Act of 2014," at page 17 (July 15, 2014) https://lims.dccouncil.gov/downloads/LIMS/31379/Committee_Report/B20-0723-CommitteeReport1.pdf.

[22] Office of Open Government, Board of Ethics & Government Accountability, Whether Local School Advisory Teams ("LSATs") Are Public Bodies Subject to the Open Meetings Act (OMA Advisory Opinion, Aug. 8, 2019), https://www.open-dc.gov/sites/default/files/DCPS%20LSAT%20Advisory%20Opinion.pdf.
[23] *Id.* at p.3-5.

attending its meetings; and (3) engaged in deliberations and voting. All three criteria must be met for the OMA to apply.

In contrast, the CRP also does not function as an advisory body within the meaning of the OMA. The Panel's consensus to recommend candidates for hearing officer positions to OSSE and how it scores candidates for (scored) submission to OSSE do not constitute voting as contemplated under the OMA.[24] The CRP also does not carry out an advisory function. OSSE has a procurement process where it receives scores and a summary of individual hearing officer applicant's evaluation sheets scored by the CRP prior to making a selection.[25] OSSE's Office of Dispute Resolution Community Review Panel Guidance of 2025 is clear that the nature of the proceedings at the CRP's meetings are individual determinations followed by a group discussion for the purposes of an agreement, as opposed to a meeting where motions are made and votes are taken.

Assistant General Counsel Mullen explains that the consensus on the names of applicants that are recommended to OSSE for hearing officer positions are not reached via votes, but rather through discussion among the Panel's members. The 2025 Guidance states in part: "A panel consensus is also required to combine the different conclusions reached by the CRP members into a single technical decision… Panel members should try to agree on each conclusion and its supporting rationale."[26] In practice, Panel members complete scoring sheets reflecting their assessments of each applicant. The CRP then creates a single technical decision document, and these scores are transmitted to OSSE. The agency retains full discretion to select hearing officers and is not bound by the CRP's scores. The CRP does not select candidates, rank applicants through a collective vote, or issue formal recommendations as a body. It only completes forms and submits them as a collective technical document. Unlike the LSATs, the CRP does not deliberate to reach a collective decision; the CRP does not take formal votes to reach a consensus; and the CRP does not issue a recommendation that reflects the judgment of the entity as a whole. Thus, it does not engage in formal deliberations or voting and is not a public body.

3. CRP's non-binding recommendations are not determinative of whether it is a Public Body, but it further demonstrates that the CRP is an evaluative mechanism in OSSE's contracting process.

The General Counsel also contends that the CRP is not a public body subject to the OMA because "CRP recommendations are nonbinding. OSSE retains decision making authority over

[24] D.C. Official Code § 38–2572.01, *et seq.;* D.C. Official Code § 2-574(3), § 2-574(1)(A).
[25] D.C. Official Code § 38–2572.02(d).
[26] See attached, 2025 Office of Dispute Resolution Community Review Panel Guidance. I will note that the publicly available outdated document, the Office of Dispute Resolution Community Review Panel Guidelines of 2021, describes the meeting procedures of the CRP with votes taken.

candidates selected for hearing officer contracts."[27] This issue is also discussed in Advisory Opinion #OOG-2019-0002-M, which cites the previous Opinion, #OOG-002_8.31.15. The Opinions discuss how an entity operates in practice is determinative of whether it meets the public body definition. One of the factors considered was whether the entity operated in an advisory capacity.[28] In that matter, the LSAT provided advice on policy that may be adopted by DCPS. The opinion also explains that acceptance of the advice given by a body to a government official/(s) is not a determinant of whether the entity is a public body within the meaning of the OMA.

In this matter, OSSE receives the Panel's scores but is not required to select the hearing officer based upon the CRP's highest scored applicant. The scores are not policy recommendations, but part of the contacting process. This issue alone is not dispositive on the question of whether CRP is a public body. At issue here is not whether the Panel provides a policy recommendation but whether OSSE adopts the Panel's preferred candidate without deviation. The Panel forwards score sheets; it does not select, appoint, or bind OSSE to a hearing officer selection. Further, there are no formal votes, like the LSAT, only forms completed together. So, the CRP does not function as a public body; it does not take official action through voting and formal decision-making; and its decisions are nonbinding. Taken together, this looks far closer to a statutorily required evaluation committee than to a board or commission exercising governmental authority.

Based on the foregoing facts, the CRP does not take official action by the vote of its members convened for such purpose, as required by the OMA for the entity to be deemed an advisory body under the statute.[29] While the CRP may meet to facilitate the evaluation process, the output of its work is a compilation of evaluative inputs on forms provided by OSSE which the agency passes on to the Superintendent for the official action.

4. *Response to OSSE's Other Positions Regarding whether the CRP is a public body subject to the OMA.*

The following responds to General Counsel Epstein's statement that "advisory bodies that fall within the scope of the D.C. Code § 2-574(1)(A) and (3) share consistent structural features: they are part of the District's public governance framework, and their members are appointed through the Mayor's authority… The members of the C[RP] do not share the structural features of a public body and are not appointed through the authority of the Mayor, they are chosen internally by OSSE staff…"[30]

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[27] Email from General Counsel Carol Epstein (OSSE) to Attorney Advisor Joan Lelma (OOG) on November 26, 2025.
[28] https://www.open-dc.gov/sites/default/files/DCPS%20LSAT%20Advisory%20Opinion.pdf at p.7.
[29] D.C. Official Code § 2-574(3).
[30] Email from General Counsel Carol Epstein (OSSE) to Attorney Advisor Joan Lelma (OOG) on November 26, 2025.

OOG has found in two advisory opinions (#OOG-2019-0002-M and #OOG-002_8.31.15) that an entity is a public body where all the elements of a public body under the OMA are satisfied, notwithstanding the entity was established by agency directive and not by Mayor's Order, legislation, or regulation.[31] Also, not all public body members are appointed by the Mayor. The members of Boards of Trustees for public charter schools ("Boards of Trustees") are not appointed by the Mayor and Boards of Trustees are public bodies under the OMA. Neither are all advisory bodies' members appointed by the Mayor. One of the public bodies used by General Counsel Epstein to explain that the CRP is not a public body under the OMA, the Public Charter School Finance Credit Committee (the "Credit Committee"), three of its five members are appointed by the Mayor and two by the District of Columbia Public Charter School Board ("DC PCSB").[32] Even though advisory bodies such as the Credit Committee sometimes have bodies whose members are appointed by the Mayor who in turn appoint members to public bodies, as is the case with the two appointments to the Credit Committee by DC PCSB, this is not the deciding factor of the CRP's non-public body status under the OMA.[33] The Panel does not have the elements of a public body as laid down in the statute.[34]

Noteworthy is that the Higher Education Licensure Commission (the "HELC") used by General Counsel Epstein in an effort to set the public body apart from the CRP and other public bodies she describes as "advisory groups" not subject to the OMA, notwithstanding Mayoral appointment of HELC's members, it was originally established by the Educational Institution Licensure Commission Act of 1976, and later restructured and renamed though legislation and mayoral directives.[35] This reinforces OOG's preceding holding that the method by which a body was established, whether by legislation, Mayor's Order, regulation, or agency directive is not in and of itself a determinant of its public body status under the OMA. The CRP is not a public body because it is none of the following: "an instrumentality, a board which supervises or controls an agency, the board of trustees of a public charter school, or an advisory body that takes official action by the vote of its members convened for such purpose."[36] The latter is the one discussed chiefly in my opinion since whether the CRP should be categorized as an advisory body is the one description that is in issue.

Before examining the gatherings of the CRP to determine whether they are meetings under the OMA, the following statements by the General Counsel require addressing in the context of what constitutes a public body under the statute. The first is that "[t]he CRP is an

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[31] See https://www.open-dc.gov/sites/default/files/DCPS%20LSAT%20Advisory%20Opinion.pdf, https://www.open-dc.gov/sites/default/files/DME%20Cross-Sector%20Collaboration%20Task%20Force_OOG%20OPINION%20%2810.7.15%29%28OOG-0002_%28Niles%29.pdf.

[32] See https://files.elaws.us/eRegs_DC/Register/2016/2016-04-01/mayor's_orders/61379.pdf.

[33] D.C. Code § 38–1802.14.

[34] D.C. Official Code § 2-574(3).

[35] D.C. Law 1-104; Mayor's Order 89-120, dated May 31, 1989; Higher Education Licensure Commission Amendment Act of 2015; D.C. Code § 38–1303.

[36] D.C. Official Code § 2-574(3).

advisory group. All seven CRP members are appointed by OSSE and not through the Mayor's Office of Talent and Appointments, which manages appointments for the District's roughly 180 public boards and commissions…"[37] As has been discussed in the preceding, the OMA does not require that a body be formed by Mayor's Order to be considered a public body under the statute, and neither is appointment of the body's members by the Mayor required to be deemed a public body under the statute. There are public bodies within the meaning of the OMA whose members were not appointed through the Mayor's Office of Talent and Appointments. It follows that there are several public bodies subject to the OMA, that were not established and neither are the members appointed as described in OSSE's response to the Request for Advisory Opinion. Among such are LSATs, which were created by the District of Columbia Public Schools and given delegated governmental responsibilities. Another is the Board of Trustees for DC public charter schools, which was established by legislation. Both bodies' members are not appointed by the Mayor.[38]

The second statement by the General Counsel in her determination that the CRP is an advisory group and not an advisory body subject to the OMA is that "the CRP has no residency requirement."[39] In like manner to the appointment issue, the OMA does not have a residency requirement for public body members. The Credit Committee used in General Counsel Epstein's comparison with the CRP and other bodies to deem the Panel a non-public body does not have a strict District of Columbia residency requirement. Mayor's Order 2016-037 that establishes the Credit Committee states that "[t]he Committee shall consist of five (5) members, three (3) of whom shall be appointed by the Mayor and two (2) of whom shall be appointed by the Public Charter School Board ("PCSB")."[40] The Mayor's Office of Talent and Appointments description of the membership positions states as follows concerning residency requirement: "Strong preference from DC residents from all 8 wards."[41] However, the OMA does not preclude District of Columbia residency requirement by public bodies for its members. One example of residency requirement for public body members is the Higher Education Licensure Commission.[42] The absence of District residency requirement by the CRP does not determine its non-public body status within the meaning of the OMA.

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[37] Email from General Counsel Carol Epstein (OSSE) to Attorney Advisor Joan Lelma (OOG) on November 26, 2025.
[38] D.C. Code § 38–1802.05.
[39] Ibid.
[40] See https://files.elaws.us/eRegs_DC/Register/2016/2016-04-01/mayor's_orders/61379.pdf.
[41] See https://motaboards.applytojob.com/apply/1GhvsY/Public-Charter-School-Credit-Enhancement-Fund-Committee-CDCR-26A2600.
[42] See https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/HELC%20Member%20Duties.pdf.

The third statement by General Counsel Epstein in support of her conclusion that the CRP is not a public body under the OMA is as follows: "CRP members serve voluntarily and without compensation and may be removed by OSSE at its discretion."[43]

The OMA does not address compensation of public body members, and there are various public bodies that do not compensate their members. One such is the DC Commission on Arts and Humanities, whose members are appointed by the Mayor and serve three year term without compensation. The non-compensating public bodies include advisory bodies. Among them is the Commission on Selection and Tenure of Administrative Law Judges of the Office of Administrative Hearings ("COST"). Similarly to the outcome of the CRP's function, the Administrative Law Judges that COST appoints are compensated. The hearing officers recommended by the CRP to OSSE, if hired, are compensated. However, while COST has the elements of a public body under the OMA, the CRP does not. The COST takes official action by the vote of its members convened for such purpose.[44] Also, the OMA does address the removal of public body members. Therefore, removal of Panel members by OSSE at its discretion is not dispositive of whether the CRP is a public body.

Furthermore, one of the public bodies used in General Counsel Epstein's response to demonstrate that the CRP is not subject to the OMA, the State Advisory Panel on Special Education (the "Advisory Panel"), does not mandate compensation for its members. Mayor's Order 2012-48 states that "[m]embers of the Advisory Panel shall serve without compensation, except that a member may be reimbursed for expenses incurred in the authorized execution of official Advisory Panel duties, if authorized in advance by the Office of the State Superintendent of Education (OSSE), or designee, and as supported by budget appropriation and authority."[45] The Credit Committee shows more restraint in compensation by not providing any form of compensation for its members. Mayor's Order 2016-037 states that "[t]he members of the Committee shall serve without compensation."[46] The CRP's members non-compensation is not a determinant of whether it is a public body under the OMA.

I, now move to discuss whether the gatherings of the CRP are meetings within the meaning of the OMA.

B. A meeting as defined by the OMA requires a quorum of the public body gathered to consider, conduct or advice on public business, which includes recommending and voting.

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[43] Email from General Counsel Carol Epstein (OSSE) to Attorney Advisor Joan Lelma (OOG) on November 26, 2025.
[44] D.C. Official Code § 2-574(3).
[45] See https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/2012-48%20Establishment%20-%20State%20Advisory%20Panel%20on%20Special%20Education%20for%20the%20District%20of%20Columbia.pdf.
[46] See https://files.elaws.us/eRegs_DC/Register/2016/2016-04-01/mayor's_orders/61379.pdf.

The OMA applies to public body meetings where there is a "gathering of a quorum of the members of a public body, including hearings and roundtables, whether formal or informal, regular, special, or emergency, at which the members consider, conduct, or advise on public business" (D.C. Official Code § 2-574(1)). Chance or social gatherings are not meetings under the OMA. However, a public body is not permitted under the OMA to cloak its public meetings in a chance or social gathering to circumvent the statute, which includes conducting public business in the absence of quorum.[47]

The gatherings of the CRP are not considered meetings within the meaning of the OMA because the Panel is not a public body. As discussed in the preceding, the Panel does not take official action by the vote of its members present at the meetings.[48] Therefore, a discussion concerning quorum is not warranted.

Where an entity is found to be a public body under the OMA and a meeting within the meaning of the OMA has been conducted, all the requirements of the OMA must be adhered to.[49] Among the requirements are that "Notice shall be provided when meetings are scheduled and when the schedule is changed … A public body shall attempt to provide notice as early as possible, but not less than 48 hours or 2 business days, whichever is greater, before a meeting."[50] Also, open and closed session meetings must be recorded, and the former must be available to the public. D.C. Official Code § 2-578(a) states, "All meetings of public bodies, whether open or closed, shall be recorded by electronic means, and the recording shall be preserved for a minimum of 5 years; provided, that if a recording is not feasible, detailed minutes of the meeting shall be taken and preserved for a minimum of 5 years." The CRP is not a public body, and as such, there is no requirement for its meetings to conform with the OMA.

I now move to discuss an assertion in the Request that there is a legal requirement for District of Columbia government agencies to open their meetings to the public.

C. Agencies are not public bodies within the meaning of the OMA.

You state in your Request as follows: "We request an advisory opinion from your office regarding the obligation of the Community Review Panel to comply with the Open Meetings Act, D.C. Code § 2–572, making their meetings open to the public. This law requires D.C. agencies to open their meetings because of the policy."[51] District of Columbia agencies are not required under the OMA to make their meetings accessible to the public. Government agencies are not public bodies under the statute. However, a board which supervises or controls an agency is a public body within the meaning of the OMA.[52] This is not the case concerning the CRP; it is not a board that supervises an agency and neither is it an advisory body within the meaning of

[47] D.C. Official Code § 2-574(1)(B).
[48] D.C. Official Code § 2-574(3).
[49] Ibid.; D.C. Official Code § 2-574(1)(A).
[50] D.C. Official Code § 2-576(1).
[51] Email from [REDACTED] to Office of Open Government on August 1, 2025.
[52] D.C. Official Code § 2-574(3).

the OMA. The Panel does not take official action by vote whenever it meets to recommend members as hearing officers to the OSSE. Thus, OSSE is not required to adhere to the OMA.

III. CONCLUSION

A. Conclusion

Based on the statute establishing the Panel and how the OMA defines a covered "public body," the CRP is a time-limited advisory review mechanism to OSSE, not an independent deliberative public body**,** and therefore is not subject to the OMA. D.C. Official Code § 38-2572.02 establishes the statutory framework for special-education due-process hearing independence. The operative provisions require OSSE to: (1) submit potential hearing-officer candidates to a 7-member community review panel for evaluation; (2) ensure the panel is composed of specified stakeholder categories (attorneys, educators, LEA/DCPS representatives, and parents); (3) prohibit members from being OSSE employees; and (4) have the panel forward recommendations to the State Superintendent of Education after reviewing candidates. The statute does not require OSSE to grant the Panel delegated decision-making authority.

Thus, the Panel was created by statute and performs a governmental function. However, creation and function alone are not dispositive of OMA coverage. The CRP satisfies two of the three threshold elements of the OMA definition of a public body: (1) statutorily created entity; (2) performs a governmental function; and (3) takes official action by vote on public business. The CRP is a multi-member entity and was created by statute. It also performs a governmental function by participating in the evaluation of candidates for public positions. However, as OOG has previously explained, these characteristics alone are insufficient. The OMA requires that the entity also "take official action" as a body. The CRP was created by statute to perform a screening role inside OSSE's executive selection process where the agency takes the official action.

The OMA only applies when there is a meeting of a "public body" that takes official action by vote on public business. Our investigation revealed that the CRP is not a public body and does not vote. Several statutory design features also point away from OMA coverage. The CRP is purely advisory to a single executive official (OSSE Superintendent). The Panel's function is embedded in a procurement-style evaluation process. It forwards collective forms and it does not select, appoint, or bind the agency to a specific hearing officer selection. Hearing officers are procured and managed through OSSE's dispute-resolution program, with the CRP's review functioning as part of that administrative vetting. The CRP operates on a task-specific basis and is convened only during hearing officer selection cycles, rather than serving as a standing, continuously constituted body. The CRP also does not have independent supervisory nor policy authority over OSSE. The OMA applies to bodies that "supervise or control an agency" or "take official action;" the CRP does neither. The CRP does not function as an advisory body to the OSSE; it does not take official action by the votes of its members convened to recommend candidates (or submit scored candidates) for hearing officer positions to OSSE.[53]

[53] D.C. Official Code § 38–2572.01, *et seq.;* D.C. Official Code § 2-574(3), § 2-574(1)(A).

Therefore, I find that the Community Review Panel is not a public body within the meaning of the OMA and is it therefore not subject to the statute.

Lastly, I am providing a cautionary note regarding D.C. Freedom of Information Act (D.C. FOIA) compliance.[54] The challenge posed to OOG of the Community Review Panel as being subject to the OMA is not frivolous. It focuses less on what the statute *calls* the panel and more on how it functions in practice as described in the 2021 Office of Dispute Resolution Community Review Panel Guidelines. The Office of the State Superintendent of Education must ensure that the Office of Dispute Resolution Community Review Panel Guidance/Guidelines always correctly state the meeting procedures of the Panel and make its final document publicly available under D.C. FOIA.[55] This cautionary measure stems specifically from the description in the 2021 Office of Dispute Resolution Community Review Panel Guidelines that the Panel's members vote to recommend or submit candidates for hearing officer positions to OSSE, and considering certain OSSE staff members' explanation, is inconsistent with the CRP's actual meeting procedures. The 2021 Office of Dispute Resolution Community Review Panel Guidelines invites an OMA challenge because that document describes an entity that functions as a public body. Even though the 2025 Guidance eliminates the description of "vote" for the Panel's members to submit scored candidates to OSSE for consideration as hearing officers, I see fit to provide this caution to prevent any reoccurrence of misleading the public about how the CRP conducts its meetings. As of the date of this opinion, the 2025 guidance is not available for public viewing. To properly inform the public, update your policy documents and make them publicly available under D.C. FOIA requirements. We also encourage OSSE to revise or replace the 2025 Guidance to reflect the agency's actual practice, described in detail in this advisory opinion.

Your Request is attached, along with the 2025 Guidance referenced in this Advisory Opinion. Please contact Attorney Lelma at joan.lelma@dc.gov, if you have any questions about this Advisory Opinion.

Sincerely,

/S/

_____

Niquelle M. Allen, Esq.
Director of Open Government
Board of Ethics and Government Accountability

[54] Title II of Pub. L. 90-614, effective March 29, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 et seq.).
[55] D.C. Official Code § 2-536(b).

CC: *Via Electronic Mail*
Ms. Carol Esptein, Esq.
General Counsel
Office of the State Superintendent of Education
1050 First Street, NE
Washington, DC 20002
Carol.Epstein1@dc.gov

FRIENDSHIP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Advanced Teacher Education and Professional Learning Services

Friendship Public Charter School – seeks a qualified partner organization to design and deliver advanced professional learning opportunities for experienced, high-performing educators across its network of schools.

The competitive Request for Proposal can be found on FPCS website at http://www.friendshipschools.org/procurement/. Proposals are due no later than **4:00 P.M., EST, Friday, May 1, 2026**. No proposals will be accepted after the deadline. Questions can be addressed to ProcurementInquiry@friendshipschools.org .

FRIENDSHIP PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Coupa Consultant Services

Friendship Public Charter School – Consultant to provide end-to-end services to implement, configure, and optimize Coupa's cloud-based spend management platform, including procurement, invoicing, sourcing, and contract management. They conduct business requirement workshops, map processes, train users, and ensure best practices to maximize ROI and supplier adoption.

The competitive Request for Proposal can be found on FPCS website at http://www.friendshipschools.org/procurement/. Proposals are due no later than **4:00 P.M., EST, Wednesday, April 29, 2026**. No proposals will be accepted after the deadline. Questions can be addressed to ProcurementInquiry@friendshipschools.org .

DC DEPARTMENT OF HEALTH

HIV/AIDS, Hepatitis, STD & TB Administration (HAHSTA)

NOTICE OF FUNDING AVAILABILITY (NOFA)

FO# HAHSTA-HOPWA-5.1.26

Housing Opportunities for People Living with HIV/AIDS

The District of Columbia, Department of Health (DC Health) is requesting proposals from qualified applicants to provide services in the program and service areas described in this Notice of Funding Availability (NOFA). This announcement is to provide public notice of DC 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.

Funding Opportunity Title:	Housing Opportunities for People Living with HIV/AIDS
Funding Opportunity Number:	HAHSTA-HOPWA-5.1.26
DC Health Administrative Unit:	HIV/AIDS, Hepatitis, STD & TB Administration (HAHSTA)
DC Health Program Bureau	Capacity Building, Housing and Community Partnerships Division
Funding Opportunity Contact:	Sherita J. Grant, Housing Coordinator, housing.cbhcp@dc.gov
Funding Opportunity Description:	This funding opportunity is to support rental assistance and housing-related supportive services for eligible District and Maryland residents living with HIV through the Housing Opportunities for Persons with AIDS program.
Eligible Applicants	Not-profit housing organizations with locations in the District of Columbia and in Prince George's County, Maryland.
Anticipated # of Awards:	Up to 10 awards
Anticipated Amount Available:	$10,200,000
Annual Floor Award Amount:	$300,000
Annual Ceiling Award Amount:	$8,000,000.00

Legislative Authorization	AIDS Housing Opportunity Act, Public Law 101-624
Associated CFDA#	14.241
Associated Federal Award ID#	DCH2026-F001
Cost Sharing/Match Required?	No
RFA Release Date:	May 1, 2026
Letter of Intent Due date:	Not required, but recommended
Application Deadline Date:	June 10, 2026
Application Deadline Time:	3:00 p.m.
Links to Additional Information about this Funding Opportunity	DC Grants Clearinghouse https://communityaffairs.dc.gov/content/community-grant-program#4 DC Health EGMS https://egrantsdchealth.my.site.com/sitesigninpage

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 Tax ID#, and be registered in the federal Systems for Award Management (SAM) with an active UEI# to be registered in DC Health's Enterprise Grants Management System.

IDEA INTEGRATED DESIGN AND ELECTRONIC ACADEMY PUBLIC CHARTER SCHOOL

REQUEST FOR PROPOSALS

Construction Services for Commercial Kitchen and Classroom Space

IDEA Integrated Design and Electronic Academy PCS solicit proposals for the following services:

- Construction Services for Commercial Kitchen and Classroom Space

Full RFP available by request. All proposals must be submitted in PDF format and emailed to bids@ideapcs.org no later than 5:00 PM on **Tuesday, May 12th, 2026**. No phone calls please.

KIPP DC PUBLIC CHARTER SCHOOLS

REQUEST FOR PROPOSALS

Instructional Excellence Implementation & School Transformation Partner

KIPP DC is soliciting proposals from qualified vendors for an Instructional Excellence Implementation & School Transformation Partner. The RFP can be found on KIPP DC's website at www.kippdc.org/procurement. Proposals must be uploaded to the website by Friday, May 1, 2026. Questions must be addressed to phuong.trinh@kippdc.org by Friday, April 24, 2026.

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

District of Columbia Board of Professional Engineers

NOTICE OF PUBLIC MEETING

The District of Columbia Board of Professional Engineers ("Board") hereby gives notice of its upcoming meeting, pursuant to the section 406 of the Open Meetings Act of 2010, effective January 19, 2011 (D.C. Law 18-350; D.C. Official Code § 2-576). The proposed agenda for each meeting will be posted on the Department of Licensing and Consumer Protection's website at www.dlcp.dc.gov and the Office of Open Government's website at https://www.open-dc.gov/public-bodies/meetings, not less than forty-eight (48) hours before the meeting.

The Board will hold its upcoming meeting on Thursday, April 23, 2026, at 11:00 a.m.

The Board holds its meetings on the fourth Thursday of every month, unless otherwise noted, at 11:00 a.m. The meetings are open to members of the public virtually through Zoom. For additional information, please contact Ms. Avis B. Pearson, Board Administrator, at (202) 615-2331 or avis.pearson@dc.gov.

Draft Agenda

1. Call to Order – 11:00 a.m.
2. Attendance
3. Comments from the Public
4. Approval of Minutes
5. Old Business
6. New Business
   Motion - Executive Session, which is closed to the public, in order to consult with our attorneys to seek legal advice; to discuss disciplinary matters; and to deliberate upon decisions in adjudication actions and proceedings, as provided by D.C. Code § 2-575(b)(4)(A), § 2-575(b)(9), and § 2-575(b)(13). We will resume the public portion of the meeting at the conclusion of the executive session. Please stand by for our return if you are participating online.
7. Adjourn
8. Next Scheduled Meeting – June 25, 2026, via Zoom.

Meeting Login Information
https://dc-gov.zoom.us/j/87819871953?pwd=MErDSjyzZLC0D28ax8TU6WMdlBMOr2.1
Webinar ID: 878 1987 1953; **Password:** 042326

***** This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov***

DEPARTMENT OF LICENSING AND CONSUMER PROTECTION

District of Columbia Real Estate Commission

NOTICE OF CANCELLED MEETING

The District of Columbia Real Estate Commission cancelled its monthly meeting scheduled for April 14, 2026.

Notice of future meetings will be posted on the Department of Licensing and Consumer Protection's website, https://dlcp.dc.gov/service/dlcp-board-meetings9.

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at open.govoffice@dc.gov.

OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2027 My Out of School Time-DC RFA

The Office of Out of School Time Grants and Youth Outcomes (OST Office), a steward of the Learn24 network, invites high-performing, fiscally responsible, nonprofit organizations that focus on youth development and serve school-age children and youth with Out of School Time programs and MOST-DC Priority Schools to apply to the Fiscal Year 2027 My Out of School Time-DC (MOST-DC) Request for Applications (RFA). For the purposes of this RFA, Out of School Time programming is defined as a structured and supervised program offering consistent services to a distinct group of District youth enrolled in a MOST-DC Priority School(s) outside of the instructional day, including before school, after school, teacher workdays/no school days or during seasonal school breaks; and must take place onsite at a FY27 MOST-DC Priority School(s). This RFA supports the request for both School Year and Year-Round grant funded Out of School Time program opportunities. Grant funds may only be used to serve youth who reside in the District of Columbia. The total amount available for these grants is approximately $3 million for programs that will occur between August 26, 2026, and August 22, 2027.

Beginning April 15, 2026, the full text of the Requests for Applications (RFA) will be available on the OST Office website. A person may obtain a copy of these RFAs by any of the following means:

> **Download** from the OST Office website, Learn24. Select the *Learn24 Network* tab and click on *OST Grants* to find the RFAs.
>
> **Email** a request to learn24rfa@dc.gov with "Request copy of FY 2027 My Out of School Time-DC RFA" in the subject line.

The deadline for application submissions is Wednesday, May 27, 2026, at 5:00 p.m. for the Fiscal Year 2027 My Out of School Time-DC Program RFA. Submission information will be available on the website and included with the RFAs.

Eligibility: All the checked institutions below may apply for these grants.

☒-Nonprofit organizations, including those with IRS 501(c)(3) determinations
☐-Faith-based organizations
☐-Government agencies
☒-Universities/educational institutions
☐-Private Enterprises

For additional information regarding these RFAs, write to: learn24rfa@dc.gov.

OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2027 Out of School Time College & Career Prep RFA

The Office of Out of School Time Grants and Youth Outcomes (OST Office), a steward of the Learn24 network, invites high-performing, fiscally responsible, nonprofit organizations that focus on youth development and serve school-age children and youth with Out of School Time programs to apply to the Fiscal Year 2027 Out of School Time College & Career Prep Request for Applications (RFA). For the purposes of this RFA, Out of School Time programming is defined as a structured and supervised program offering consistent services to a distinct group of District youth before school, after school, on weekends, teacher workdays/no school days or during seasonal school breaks when classes are not in session. Grant funds may only be used to serve youth who reside in the District of Columbia. The total amount available for these grants is approximately $700,000 for programs that will occur between August 26, 2026, and August 22, 2027.

Beginning April 15, 2026, the full text of the Requests for Applications (RFA) will be available on the OST Office website. A person may obtain a copy of these RFAs by any of the following means:

Download from the OST Office website, Learn24. Select the *Learn24 Network* tab and click on *OST Grants* to find the RFAs.

Email a request to learn24rfa@dc.gov with "Request copy of FY 2027 Out of School Time College & Career Prep RFA" in the subject line.

The deadline for application submissions is Wednesday, May 27, 2026, at 5:00 p.m. for the Fiscal Year 2027 Out of School Time College & Career Prep Program RFA. Submission information will be available on the website and included with the RFAs.

Eligibility: All the checked institutions below may apply for these grants.

☒-Nonprofit organizations, including those with IRS 501(c)(3) determinations
☐-Faith-based organizations
☐-Government agencies
☐-Universities/educational institutions
☐-Private Enterprises

For additional information regarding these RFAs, write to: learn24rfa@dc.gov.

OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2027 Out of School Time Community Specific Coordinating Entity RFA

The Office of Out of School Time Grants and Youth Outcomes (OST Office), a steward of the Learn24 network, invites high-performing, fiscally responsible, nonprofit organizations that focus on youth development and serve school-age children and youth with Out of School Time programs to apply to the Fiscal Year 2027 Out of School Time Community Specific Coordinating Entity Request for Applications (RFA). For the purposes of this RFA, OST programming is defined as a structured and supervised program offering consistent services to a distinct group of District youth outside of the instructional day, including before school, after school, on weekends, teacher workdays/no school days or during seasonal school breaks; and must take place onsite in a DCHA public housing community, DHS temporary housing community or at a CFSA Family Success Center. Grant funds may only be used to serve youth who reside in the District of Columbia. The total amount available for these grants is approximately $1.5 million for programs that will occur between August 26, 2026, and August 22, 2027.

Beginning April 15, 2026, the full text of the Requests for Applications (RFA) will be available on the OST Office website. A person may obtain a copy of these RFAs by any of the following means:

> **Download** from the OST Office website, Learn24. Select the *Learn24 Network* tab and click on *OST Grants* to find the RFAs.
>
> **Email** a request to learn24rfa@dc.gov with "Request copy of FY 2027 Out of School Time Community Specific Coordinating Entity RFA" in the subject line.

The deadline for application submissions is Wednesday, May 27, 2026, at 5:00 p.m. for the Fiscal Year 2027 Out of School Time Community Specific Coordinating Entity Program RFA. Submission information will be available on the website and included with the RFAs.

Eligibility: All the checked institutions below may apply for these grants.

☒-Nonprofit organizations, including those with IRS 501(c)(3) determinations
☐-Faith-based organizations
☐-Government agencies
☐-Universities/educational institutions
☐-Private Enterprises

For additional information regarding these RFAs, write to: learn24rfa@dc.gov.

OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2027 Out of School Time RFA

The Office of Out of School Time Grants and Youth Outcomes (OST Office), a steward of the Learn24 network, invites high-performing, fiscally responsible, nonprofit organizations and DC Public Charter Schools that focus on youth development and serve school-age children and youth with Out of School Time programs to apply to the Fiscal Year 2027 Out of School Time Request for Applications (RFA). For the purposes of this RFA, Out of School Time programming is defined as a structured and supervised program offering consistent services to a distinct group of District youth before school, after school, on weekends, teacher workdays/no school days or during seasonal school breaks when classes are not in session. This RFA supports the request for both School Year and Year-Round grant funded Out of School Time program opportunities. Grant funds may only be used to serve youth who reside in the District of Columbia. The total amount available for these grants is approximately $17.55 million for programs that will occur between August 26, 2026, and August 22, 2027.

Beginning April 15, 2026, the full text of the Requests for Applications (RFA) will be available on the OST Office website. A person may obtain a copy of these RFAs by any of the following means:

Download from the OST Office website, Learn24. Select the *Learn24 Network* tab and click on *OST Grants* to find the RFAs.

Email a request to learn24rfa@dc.gov with "Request copy of FY 2027 Out of School Time RFA" in the subject line.

The deadline for application submissions is Wednesday, May 27, 2026, at 5:00 p.m. for the Fiscal Year 2027 Out of School Time Program RFA. Submission information will be available on the website and included with the RFAs.

Eligibility: All the checked institutions below may apply for these grants.

☒-Nonprofit organizations, including those with IRS 501(c)(3) determinations
☐-Faith-based organizations
☐-Government agencies
☒-Universities/educational institutions
☐-Private Enterprises

For additional information regarding these RFAs, write to: learn24rfa@dc.gov.

OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2027 Out of School Time Small Nonprofit RFA

The Office of Out of School Time Grants and Youth Outcomes (OST Office), a steward of the Learn24 network, invites high-performing, fiscally responsible, small nonprofits, defined as organizations with an annual operating budget of less than $250,000, that focus on youth development and serve school aged children and youth with OST programs to apply to the Fiscal Year 2027 Out of School Time Small Nonprofit Request for Applications (RFA). For the purposes of this RFA, Out of School Time programming is defined as a structured and supervised program offering consistent services to a distinct group of District youth before school, after school, on weekends, teacher workdays/no school days or during seasonal school breaks when classes are not in session. This RFA applies to both School Year and Year-Round grant funded Out of School Time program opportunities. Grant funds may only be used to serve youth who reside in the District of Columbia. The total amount available for these grants is approximately $1.705 million for programs that will occur between August 26, 2026, and August 22, 2027.

Beginning April 15, 2026, the full text of the Requests for Applications (RFA) will be available on the OST Office website. A person may obtain a copy of these RFAs by any of the following means:

Download from the OST Office website, Learn24. Select the *Learn24 Network* tab and click on *OST Grants* to find the RFAs.

Email a request to learn24rfa@dc.gov with "Request copy of FY 2027 Out of School Time Small Nonprofit RFA" in the subject line.

The deadline for application submissions is Wednesday, May 27, 2026, at 5:00 p.m. for the Fiscal Year 2027 Out of School Time Small Nonprofit Program RFA. Submission information will be available on the website and included with the RFAs.

Eligibility: All the checked institutions below may apply for these grants.

☒-Nonprofit organizations, including those with IRS 501(c)(3) determinations
☐-Faith-based organizations
☐-Government agencies
☐-Universities/educational institutions
☐-Private Enterprises

For additional information regarding these RFAs, write to: learn24rfa@dc.gov.

OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2027 Out of School Time Youth Scholarships Coordinating Entity RFA

The Office of Out of School Time Grants and Youth Outcomes (OST Office), a steward of the Learn24 network, invites high-performing, fiscally responsible, nonprofit organizations that have a history of supporting scholarship programs to apply to the Fiscal Year 2027 Out of School Time Request for Applications (RFA). The intent of the RFA is to select one (1) organization that will manage the entirety of the OST Office's Youth Scholarships Program from application, through selection, and finally the award. For this RFA, the term youth refers to any school-aged (grades K-12) individual of 21 years of age or less who is eligible to enroll in a District primary or secondary school, or an individual of 22 years of age or less who is eligible to receive special education services from a local educational agency. Grant funds must be used to award scholarships to youth identified as "at-risk" and who require access to high-quality, low- or no-cost out-of-school-time opportunities. Out of School Time programming is defined as a structured and supervised program offering consistent services to a distinct group of District youth before school, after school, on weekends, teacher workdays/no school days or during seasonal school breaks when classes are not in session. Grant funds may only be used to serve youth who reside in the District of Columbia. The total amount available for these grants is approximately $850,000 for programs that will occur between August 26, 2026, and August 22, 2027.

Beginning April 15, 2026, the full text of the Requests for Applications (RFA) will be available on the OST Office website. A person may obtain a copy of these RFAs by any of the following means:

> **Download** from the OST Office website, Learn24. Select the *Learn24 Network* tab and click on *OST Grants* to find the RFAs.
>
> **Email** a request to learn24rfa@dc.gov with "Request copy of FY 2027 Out of School Time Youth Scholarships Coordinating Entity RFA" in the subject line.

The deadline for application submissions is Wednesday, May 27, 2026, at 5:00 p.m. for the Fiscal Year 2027 Out of School Time Youth Scholarships Coordinating Entity RFA. Submission information will be available on the website and included with the RFAs.

Eligibility: All the checked institutions below may apply for these grants.

☒-Nonprofit organizations, including those with IRS 501(c)(3) determinations
☐-Faith-based organizations
☐-Government agencies
☐-Universities/educational institutions
☐-Private Enterprises

For additional information regarding these RFAs, write to: learn24rfa@dc.gov.

OFFICE OF OUT OF SCHOOL TIME GRANTS AND YOUTH OUTCOMES

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2027 Students in the Care of DC Thrives Coordinating Entity RFA

The Office of Out of School Time Grants and Youth Outcomes (OST Office), a steward of the Learn24 network, invites high-performing, fiscally responsible, nonprofit organizations to apply to the Fiscal Year 2027 Students in the Care of DC Thrives Coordinating Entity RFA. Prospective applicants must have experience managing and coordinating enrichment or youth programming, experience managing subcontractors or willingness to work with subcontractors, ability to implement evidence-based practices that support Positive Youth Development and Positive Youth Justice outcomes, have experience working in a secure facility, and have experience working with justice-involved youth.

For the purposes of this RFA, OST programming is defined as a structured and supervised youth development programming that offers consistent services to justice-involved youth during timeframes outside of the mandated instructional time, including during seasonal breaks and on weekends. In addition, the program must provide each youth participant with access to a similar community-based program after release from and DC facility in order to provide the youth participant with a continuum of programming. The total amount available for this grant is approximately $500,000 for programs that will occur between August 26, 2026, and August 22, 2027.

Beginning April 15, 2026, the full text of the Requests for Applications (RFA) will be available on the OST Office website. A person may obtain a copy of these RFAs by any of the following means:

> **Download** from the OST Office website, Learn24. Select the *Learn24 Network* tab and click on *OST Grants* to find the RFAs.
>
> **Email** a request to learn24rfa@dc.gov with "Request copy of FY 2027 Students in the Care of DC Thrives Coordinating Entity RFA" in the subject line.

The deadline for application submissions is Wednesday, May 27, 2026, at 5:00 p.m. for the Fiscal Year 2027 Students in the Care of DC Thrives Coordinating Entity RFA. Submission information will be available on the website and included with the RFAs.

Eligibility: All the checked institutions below may apply for these grants.

☒-Nonprofit organizations, including those with IRS 501(c)(3) determinations
☐-Faith-based organizations
☐-Government agencies
☐-Universities/educational institutions
☐-Private Enterprises

For additional information regarding these RFAs, write to: learn24rfa@dc.gov

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

NOTICE OF PETITION TO AMEND CHARTER GOALS

BRIYA PUBLIC CHARTER SCHOOL

SUMMARY: The District of Columbia Public Charter School Board (DC PCSB) announces an opportunity for the public to comment on a request from Briya Public Charter School (Briya PCS) to amend its goals and academic achievement expectations (charter goals). The school submitted its request on January 22, 2026.[1]

Briya PCS began operation in 2006. The school educates 770 pre-kindergarten and adult students at a single campus across four facilities in Wards 1, 4, and 5. Briya PCS's mission is "to strengthen families through culturally responsive, two-generation education."

Briya PCS seeks to modify its entered or retained employment and postsecondary goals, revise its mission-specific goals, remove its in-seat attendance goal, and update the business rules for all goals. These changes are to ensure alignment between the school's charter goals and DC PCSB's *Annual School Performance Index Report and Evaluation (ASPIRE) Policy & Technical Guide* and the standards defined in the *Charter Goals Policy*.[2,3]

PUBLIC MEETINGS: The public hearing will be on April 27, 2026, at 5 p.m. The vote will be on May 18, 2026, at 5 p.m. Please check www.dcpcsb.org to register to attend the virtual meetings.

HOW TO SUBMIT PUBLIC COMMENTS: You may submit comments by any one of the methods listed below.[4]

1. Testify during the public meeting on April 27, 2026. To register, please visit https://dcpcsb.org/public-comment. Click "Sign up to Testify at the Meeting," then complete the form. Please note you must sign up no later than noon on April 17, 2026.
2. Submit a written comment on or before 11:59 pm the day before the public meeting via:
   a. "Submit a Written Comment" at https://dcpcsb.org/public-comment.

[1] Pursuant to the School Reform Act, D.C. Code 38-1802 et seq., a charter school must submit a petition to revise its charter.

[2] See DC PCSB's *ASPIRE Policy and Technical Guide* here: https://bit.ly/4lLF1i8

[3] See DC PCSB's *Charter Goals Policy* here: https://bit.ly/4dOxniA

[4] DC PCSB reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all your submission that it may deem to be inappropriate for publication, such as obscenities.

b. Postal mail, hand delivery, or courier: Attn: Public Comment, DC Public Charter School Board, 100 M Street SE, Suite 400, Washington, DC 20003

3. Submit voicemail testimony by calling (202) 328-2660 and select option 2. You will have up to five minutes to record your testimony. All comments will be transcribed and made available to the public upon receipt.

FOR FURTHER INFORMATION, CONTACT: Starling Temp, a Senior Specialist in the School Performance Department, at stemp@dcpcsb.org.

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

NOTIFICATION OF SPECIAL BOARD MEETING

Thursday, April 23, 2026
10:00 AM – 12:00 PM

Please register for the Board Meeting Zoom Webinar at the below registration link. Due to enhanced security features, participants will need a Zoom account to receive access to either a Zoom link or a dial-in number.

Webinar Registration:
https://dcpcsb.zoom.us/webinar/register/WN_r89iDJeXSvWwQ6Cl55nCFA

Board Meeting Agenda

Public Meeting	
Item	**Action**
Call to Order Public Meeting	No Action
Public Comment	No Action
Vote to close the Public Meeting and move to a closed session to train and develop members of a public body and staff pursuant to DC Code § 2-575(b)(12)	Vote
Board training and development on DC PCSB's ASPIRE System	Discussion
Vote to exit closed session and adjourn the meeting	Vote

Interpretation Services
To request interpretation services for a board meeting, contact 202-330-4050 or public.comment@dcpcsb.org. We ask all inquiries are made by 4:00 p.m. at least two business days before the board meeting service is requested.

Submitting Public Testimony
Community members may sign up to testify or submit written or audio comments on an item on the agenda by visiting the following link: https://dcpcsb.org/publiccomment.

Questions
Direct questions to public.comment@dcpcsb.org.

Open Meetings Act
This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

Notice: This decision may be formally revised before it is published in the District of Columbia Register. Parties should promptly notify this office of any errors so that they may be corrected before publishing the decision. This notice is not intended to provide an opportunity for a substantive challenge to the decision.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:	
District of Columbia Metropolitan Police Department,	
Petitioner	PERB Case No. 26-A-01
	Opinion No. 1947
v.	
	CORRECTED
District of Columbia Police Union Lodge #2,	
Respondent	

DECISION AND ORDER

I. Statement of the Case

On November 20, 2025, the District of Columbia Metropolitan Police Department (MPD) filed an amended[1] arbitration review request (Request) seeking review of a remand award (Remand Award) dated October 20, 2025, pursuant to D.C. Official Code § 1-605.02(6) of the Comprehensive Merit Personnel Act (CMPA). MPD previously filed an arbitration review request of the award on the merits (Merits Award)—issued to the parties on January 8, 2024—which the Board granted in PERB Opinion No. 1873[2] and upheld in Opinion No. 1882.[3] The Remand Award found that the Arbitrator was *functus officio* with respect to the Merits Award and that reevaluation of the analysis of the merits was "neither ethically permissible nor warranted."[4] MPD requests that the Board vacate the Remand Award on the grounds that it is contrary to law and public policy. The District of Columbia Police Union, Lodge #2 (Union) filed an opposition to the Request (Opposition).

Upon consideration of the Arbitrator's conclusions, applicable law, and the record presented by the parties, the Board finds that the Remand Award is not contrary to law or public policy.

[1] MPD filed the original arbitration review request on November 10, 2026.
[2] *MPD v. FOP/MPD Labor Comm.*, 71 D.C. Reg. 7918, Slip Op. No. 1873, PERB Case No. 24-A-05 (2024).
[3] *MPD v. FOP/MPD Labor Comm.*, 71 D.C. Reg. 127111, Slip Op. No. 1882, PERB Case No. 24-A-05 (2024). Since the publication of these decisions, the Board amended the Union's certification upon request. *D.C. Police Union, Lodge #2 and MPD*, Slip Op. No. 1918, PERB Case No. 25-AC-01 (2025).
[4] Remand Award at 10.

II. Arbitration Award

A. Background

On August 19, 2019, MPD produced an incident summary sheet which found that an MPD officer (Grievant) was "potentially a target of a confidential criminal investigation," including an allegation of "prejudicial conduct."[5] As a result, that same day, MPD placed the Grievant on non-contact duty status and revoked his police powers.[6]

On or about May 22, 2021, while still on non-contact duty status and without police powers, the Grievant witnessed gun shots "fired at another individual by unknown assailants" and took cover.[7] Surveillance footage showed the Grievant "holding a silver weapon," despite the Grievant's lack of a license to carry a pistol in the District.[8] "After MPD officers responded to the scene, the Grievant left without identifying himself as an officer. The incident resulted in a homicide."[9] On or about May 24, 2021, a Homicide Detective recognized the Grievant on surveillance footage.[10] On or about June 4, 2021, MPD interviewed the Grievant regarding the homicide.[11] On or about June 24, 2021, unrelated to the homicide, the Grievant was federally indicted for bribery and making false statements.[12] On August 3, 2021, MPD created official Incident Summary (IS) numbers regarding the homicide.[13] MPD initiated an adverse action process against the Grievant based on his conduct surrounding the homicide and investigation of the homicide.[14] After an Adverse Action Panel found the Grievant guilty of all charges and unanimously recommended termination, MPD issued a Final Notice of Adverse Action on August 15, 2022.[15] On August 30, 2022, the Grievant appealed the Notice to the Chief of Police, who denied the appeal on or about September 30, 2022.[16] The Grievant's employment with MPD was terminated.[17]

On October 20, 2022, the Union invoked arbitration.[18] On January 8, 2024, the Arbitrator issued the Merits Award, which analyzed the Grievant's lack of prior disciplinary issues under the

[5] Merits Award at 7.
[6] Merits Award at 7. The Merits Award defines non-contact duty status as: "member has been assigned to an MPD element with restricted contact with members of the public without police powers and no loss of salary." Merits Award at 7. The revocation of police powers included revocation of the Grievant's authority to carry a service weapon, make arrests, or perform any duty requiring the exercise of police powers. Merits Award at 7. However, the Grievant remained "subject to all MPD policies and procedures" while in non-contact duty status. Merits award at 7.
[7] Merits Award at 7.
[8] Merits Award at 7. Ultimately, the U.S. Attorney's Office declined to prosecute the Grievant for possession of a firearm and informed MPD that the charge could not be established beyond a reasonable doubt. Merits Award at 8.
[9] Merits Award at 7.
[10] Merits Award at 7-8.
[11] Merits Award at 8.
[12] Merits Award at 8.
[13] Merits Award at 8.
[14] Merits Award at 8-9.
[15] Merits Award at 9.
[16] Merits Award at 9.
[17] Merits Award at 9.
[18] Merits Award at 9.

Douglas[19] factors. The Arbitrator declined to consider the Grievant's federal indictment as an aggravating factor,[20] noting that "indictment…is not a conviction, and it is not appropriate…to make any negative inference as to the Grievant's ability to be rehabilitated or the appropriateness of alternative sanctions in light of the indictment."[21] However, the Arbitrator included a footnote stating that "[a]ny intervening conviction *may*, of course, impact remedy."[22]

The Merits Award ordered MPD to convert the Grievant's termination to a sixty (60) calendar day suspension without pay, reinstate the Grievant, and make him whole less the period of suspension.[23] The Arbitrator retained jurisdiction over the Merits Award "for the exclusive purpose of resolving any issue(s) pertaining to the order of remedy in this matter."[24] The Arbitrator noted that "[i]t is within the discretion of the Arbitrator to determine whether the issue(s) presented by the party or parties is within the jurisdiction of this provision pertaining to the retention of the Arbitrator's jurisdiction."[25]

On January 11, 2024, a jury entered guilty verdicts against the Grievant for violations of 18 U.S.C. § 371, conspiracy, 18 U.S.C. § 201(b)(2)(C), and 18 U.S.C. § 1001, false statement.[26] On January 26, 2024, MPD emailed the Arbitrator a request that she reconsider the remedy in the Merits Award in light of the Grievant's conviction.[27] The same day, the Union replied objecting to any reopening or reconsideration of the Merits Award.[28] On January 29, 2026, the Arbitrator declined to reconsider the remedy, noting her consideration of MPD's request, the Union's opposition, and the doctrine of *functus officio*.[29] The same day, MPD filed an arbitration review request of the Merits Award (Merits Request).[30]

On May 16, 2024, the Board—considering the Arbitrator's retention of jurisdiction regarding remedy and footnoted statement that conviction might impact remedy—granted the Merits Request and issued Opinion No. 1873, remanding the Merits Award to the Arbitrator for consideration of the remedy in light of the Grievant's subsequent conviction.[31] On May 30, the Union filed its Motion for Reconsideration of Opinion No. 1873.[32] On August 20, 2024, the Board

[19] *Douglas v. Veterans Administration*, 5 MPR 280 (1981). In *Douglas*, the Merit Systems Protection Board (MSPB) established a list of twelve factors an agency must consider when determining an appropriate penalty to impose for employee misconduct.
[20] Merits Award at 28.
[21] Merits Award at 28.
[22] Merits Award at 28 (fn. 3) (emphasis added). The Arbitrator determined that "the large majority [of the *Douglas* factors] are mitigating and neutral," Merits Award at 28, and therefore "MPD's penalty of termination exceeds the tolerable limits of reasonableness." Merits Award at 28.
[23] Merits Award at 30.
[24] Merits Award at 30.
[25] Merits Award at 30.
[26] *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1873 at 9.
[27] 24-A-05 Motion for Reconsideration at 3 (citing Opposition Ex. 1, email exchange between the parties and the Arbitrator at 2).
[28] Opposition Ex. 1 at 1.
[29] Opposition Ex. 1 at 1.
[30] *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1873 at 1.
[31] *Id.* at 9.
[32] *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1882 at 1.

denied the Motion for Reconsideration and affirmed its decision to remand this matter to the Arbitrator.[33] On October 20, 2025, the Arbitrator issued the Remand Award to the parties, denying MPD's request for reevaluation of the Merits Award based on the Grievant's conviction.[34] On November 20, 2025, MPD filed the instant Request with PERB.

B. Arbitrator's Findings

The Arbitrator originally considered the following issues:

> (1) Whether the Department instituted adverse action against [the Grievant] in violation of D.C. Code § 5-1031 ("the 90-day rule")?
>
> (2) Whether there was sufficient evidence to sustain the charges against [the Grievant]?
>
> (3) Whether termination is an appropriate penalty?[35]

The Arbitrator found in MPD's favor on the first and second issue.[36] However, the Arbitrator reviewed MPD's application of the *Douglas* factors to the disciplinary action proposed against the Grievant and found that termination was not an appropriate penalty.[37] The Arbitrator reduced the penalty to a sixty (60)-day suspension.[38]

In the Remand Award, the Arbitrator found that while the Board specifically remanded the Merits Award back for "a finding on remedy," MPD's brief on remand "did not argue or assert that reinstatement was not possible in light of the conviction and/or incarceration of the Grievant or make any other argument implicating the remedial jurisdiction of the Arbitrator," but rather asserted that the "Arbitrator must change her analysis of the merits."[39] The Arbitrator noted that changing her analysis of the merits was "neither ethically permissible nor warranted. As conveyed to the parties in January, 2024, the Arbitrator is *functus officio* as to the merits."[40] The Arbitrator found the Union's argument that "MPD had already begun the process to discipline the Grievant for matters related to the Grievant's conviction prior to submission of the parties' briefs on remand" compelling.[41] The Arbitrator concluded that the "adjudication of the subsequent, unrelated conviction [is] best handled through the processes already established and in which the parties were already engaged."[42]

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[33] *Id.* at 3.
[34] Remand Award at 10-11.
[35] Merits Award at 2.
[36] Merits Award at 29.
[37] Merits Award at 29.
[38] Merits Award at 30.
[39] Remand Award at 10.
[40] Remand Award at 10.
[41] Remand Award at 10.
[42] Award at 10-11.

III. Discussion

Section 1-605.02(6) of the D.C. Official Code permits the Board to modify, set aside, or remand a grievance arbitration award in only three narrow circumstances: (1) if an arbitrator was without, or exceeded their jurisdiction; (2) if the award on its face is contrary to law and public policy; or (3) if the award was procured by fraud, collusion, or other similar and unlawful means.[43] MPD requests review on the grounds that the Remand Award is contrary to law and public policy.[44]

IV. The Remand Award is not contrary to law.

MPD bears the burden of demonstrating that the Remand Award itself violates established law or compels an explicit violation of "well defined public policy grounded in law and or legal precedent."[45] Furthermore, MPD has the burden to specify "applicable law and public policy that mandates that the Arbitrator arrive at a different result."[46] The D.C. Court of Appeals has reasoned, "Absent a clear violation of law[,] one evident on the face of the arbitrator's award, the [Board] lacks authority to substitute its judgment for the arbitrator's."[47]

MPD asserts that the Remand Award is contrary to law because: (1) the Arbitrator failed to properly apply *Stokes v. District of Columbia*;[48] (2) the Arbitrator failed to "conduct a full review of the penalty," therefore contravening the Board's remand order;[49] and (3) the Arbitrator misapplied the *Douglas* factors and instituted a "random penalty."[50]

These arguments are unavailing. As noted by the Union, the Board has repeatedly held that *Stokes* is not the correct standard to apply to an arbitrator's review of agency decisions when the parties have agreed to submit the case to arbitration.[51] The Board has previously affirmed an arbitrator's decision reducing a police officer's penalty from termination to suspension. The Superior Court has held that the Board reasonably found that an arbitrator was not bound by the standards that apply to the Office of Employee Appeal's review of agency decisions set forth in

[43] D.C. Official Code § 1-605.02(6).
[44] Request at 3.
[45] *FEMS v. AFGE, Local 3721*, 51 D.C. Reg. 4158, Slip Op. No. 728, PERB Case No. 02-A-08 (2004).
[46] *MPD v. FOP/MPD Labor Comm.*, 47 D.C. Reg. 717, Slip Op. No. 633 at 2, PERB Case No. 00-A-04 (2000).
[47] *Fraternal Order of Police/Dep't of Corr. Labor Comm. v. District of Columbia Pub. Emp. Relations Bd.*, 973 A.2d 174, 177 (D.C.2009). MPD attempts to reassert its arguments presented in its Merits Award review request. Request at 5, fn. 3. The Board will not consider or incorporate arguments from a past case decided over a year ago. The Board remanded the Merits Award to the Arbitrator for consideration of the *remedy only*. Arguments regarding the merits are untimely and irrelevant to the discussion of the Arbitrator's determination regarding her jurisdiction to reevaluate the ordered remedy. *See, generally, MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1873; *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1882; Board Rule 538.1, which states: "A party to a grievance arbitration proceeding who is aggrieved by the arbitration award may file with the Board a request for review of the award no later than twenty-one (21) days after service of the award."
[48] Request at 6 (citing *Stokes v. District of Columbia*, 502 A.2d 1006 (D.C. 1985).
[49] Request at 7 (citing *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1873; *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1882).
[50] Request at 7-8.
[51] Opposition at 8 (citing *MPD v. FOP/MPD Labor Comm.*, 65 D.C. Reg. 7468, Slip Op. No. 1667 at 3, PERB Case No. 18-A-04 (2018).

Stokes. As the Board has previously established, an arbitrator's authority does not arise from *Stokes*, but from the parties' contractual agreement to submit the case to arbitration.[52]

The Board's remand order in Opinion 1873 directed the Arbitrator to consider "the reinstatement remedy in light of the Grievant's subsequent conviction."[53] The Arbitrator provided a well-reasoned analysis of the parties' briefs on remand and determined that: (1) MPD had made arguments requesting reevaluation of the merits only, on which the Arbitrator is *functus officio*; and (2) that the Grievant's conviction in an unrelated matter—which is already the subject of a separate disciplinary proceeding—does not compel reevaluation of the order of reinstatement.[54] The Arbitrator thoroughly reviewed the *Douglas* factors in the Merits Award[55] and asserted well-reasoned determinations to support the conclusion that reevaluation of the remedy under the circumstances was inappropriate.[56] By agreeing to arbitrate, parties bargain for an arbitrator's interpretation of the law, not the Board's.[57] The Board may not modify or set aside an award as contrary to law in the absence of a clear violation on the face of the award.[58] The Board does not find such a clear violation in the Remand Award.

For the foregoing reasons, the Board finds that the Remand Award is not contrary to law.

V. The Remand Award is not contrary to public policy.

Section 1-605.02(6) of the D.C. Official Code authorizes the Board to set aside an arbitration award if the award "on its face is contrary to law and public policy." The public policy exception is an "extremely narrow" exception to the rule that reviewing bodies must defer to an arbitrator's interpretation of a contract.[59] For the Board to overturn an award as on its face contrary to public policy, the "public policy alleged to be contravened must be well-defined and dominant, and is to be ascertained by reference to the laws and legal precedents and not from general considerations of supposed public interests."[60] "[T]he exception is designed to be narrow so as to limit potentially intrusive judicial review of arbitration awards under the guise of 'public

[52] *See MPD v. FOP/MPD Labor Comm.*, 65 D.C. Reg. 7468, Slip Op. No. 1667 at 3, PERB Case No. 18-A-04 (2018) (affirming that while *Stokes* establishes the deferential standard by which the Office of Employee Appeals reviews penalties imposed on employees by District agencies, it is not the correct standard to apply to an arbitrator's review of agency decisions when the parties have agreed to submit the case to arbitration).
[53] *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1873 at 9.
[54] Remand Award at 9-10.
[55] Merits Award at 23-28.
[56] Merits Award at 28-29.
[57] *MPD v. FOP/MPD Labor Comm.*, 70 D.C. Reg. 4123, Slip Op. No. 1833 at 9, PERB Case No. 18-A-04 (2023).
[58] *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1865 at 9, PERB Case No. 24-A-01 (2024)
[59] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 6056, Slip Op. No. 1702 at 4, PERB Case No. 18-A-17 (2019) (citing *Am. Postal Workers Union v. USPS*, 789 F.2d 1, 8 (D.C. Cir. 1986), *accord MPD v. FOP/MPD Labor Comm. ex rel. Pair*, 61 D.C. Reg. 11609, Slip Op. No. 1487 at 8, PERB Case No. 09-A-05 (2014); *MPD v. FOP/MPD Labor Comm. ex rel. Johnson*, 59 D.C. Reg. 3959, Slip Op. No. 925 at 11-12, PERB Case No. 08-A-01 (2012)).
[60] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022) (quoting *MPD v. PERB*, 901 A.2d 784, 789 (D.C. 2006)).

policy.'"[61] The petitioning party has the burden to specify "applicable law and definite public policy that mandates that the Arbitrator arrive at a different result."[62] By agreeing to arbitrate, the parties bargain for an arbitrator's interpretation of the law, not the Board's.[63]

MPD generally asserts that the Remand Award is contrary to public policy.[64] However, MPD does not specifically allege a violation of any well-defined and dominant public policy backed by legal precedent which would mandate a different result.[65] Rather, MPD asserts that the Remand Award violates a general policy "requiring police officers to preserve the peace, protect life, and uphold the law" by ordering the reinstatement of a convicted felon.[66] However, as noted by the Union, the Board has repeatedly rejected the argument that general tenets on "how police officers should conduct themselves"[67] provide sufficient grounds to overturn an award on public policy grounds.[68]

Therefore, the Board finds that the Remand Award is not contrary to public policy.

VI. Conclusion

The Board rejects MPD's arguments and finds no cause to modify, set aside, or remand the Remand Award. Accordingly, the Request is denied, and the matter is dismissed in its entirety.

ORDER

IT IS HEREBY ORDERED THAT:

1. The arbitration review request is denied; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Members Renee Bowser, Mary Anne Gibbons and Douglas Warshof.

February 19, 2026
Washington, D.C.

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[61] *MPD*, Slip Op. No. 1702 at 4.
[62] *MPD v. FOP/MPD Labor Comm.*, 62 D.C. Reg. 9178, Slip Op. No. 1516 at 3, PERB Case No. 14-A-12 (2015).
[63] *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1833 at 5 (citing *Dist. Of Columbia Metro. Police Dep't v. Dist. Of Columbia Pub. Employee Relations Bd.*, 282 A.3d 598 at 604 (D.C. 2022).
[64] Request at 9-10.
[65] Request at 9-10.
[66] Request at 9.
[67] Opposition at 14.
[68] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 873, Slip Op. No. 1688 at 4, PERB Case No. 18-A-14 (2019); *see also MPD v. FOP/MPD Labor Comm.*, 68 D.C. Reg. 5078, Slip Op. No. 1784 at 8, PERB Case No. 21-A-08 (2021); *MPD v. FOP/MPD Labor Comm.*, Slip Op. No. 1865 at 11.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the matter of	)	
	)	
Angela Everett,	)	
	)	
Complainant	)	
	)	
v.	)	PERB Case No. 26-U-06
	)	
District of Columbia Public Schools and Washington Teachers' Union, Local #6,	)	Opinion No. 1948
	)	Motion for Reconsideration
	)	
Respondents	)	
	)	

DECISION AND ORDER

I. Statement of the Case

On November 15, 2025, the complainant, a District of Columbia Public Schools (DCPS) teacher (Complainant), filed an amended unfair labor practice complaint (Complaint) against DCPS and the Washington Teachers' Union, Local #6 (WTU).[1] The Complaint asserted that DCPS violated D.C. Official Code § 1-617.04(a)(1) of the Comprehensive Merit Personnel Act (CMPA) and that WTU violated D.C. Official Code § 1-617.04(b)(1) of the CMPA. Specifically, the Complaint asserted that DCPS committed an unfair labor practice by depriving the Complainant of contractual duty-free lunch and planning periods, presenting a falsified schedule at a grievance meeting and disparate treatment.[2] The Complaint further asserted that WTU failed to process her grievance in good faith, to communicate with her, or to advocate for enforcement of the collective bargaining agreement (CBA) between DCPS and WTU.[3] The Complainant requested compensation for lost planning and lunch time, reimbursement of union dues, compensation for "stress, therapy costs, and harm caused by the non-compliant schedule," and a Board order directing WTU to advance her grievance to arbitration.[4]

On November 26, 2025, WTU filed an answer, affirmative defenses, and motion to dismiss (Motion to Dismiss). On December 1, 2025, DCPS filed its answer (DCPS Answer). On December

[1] The original complaint, which was deficient, was filed on November 3, 2025.
[2] Complaint at 7.
[3] Complaint at 7.
[4] Complaint at 7.

9, 2025, the Complainant filed an opposition to WTU's Motion to Dismiss (Complainant Opposition), including an assertion of continuing violations.[5] On December 12, 2025, the PERB Executive Director administratively dismissed the Complaint for untimeliness.[6]

On December 25, 2025, the Complainant filed the instant motion for reconsideration (Motion for Reconsideration). On January 8, 2026, WTU filed its opposition to the Motion for Reconsideration (WTU Opposition). On January 9, DCPS filed its opposition to the Motion for Reconsideration (DCPS Opposition).

For the reasons discussed herein, the Motion for Reconsideration is denied.

II. Standard of Review

The Board has established that the standard for a motion for reconsideration is clear legal error.[7] The moving party must provide authority which compels reversal of the initial decision.[8] Motions for reconsideration that do not provide a basis to compel reversal of an initial decision will be denied.[9]

III. Discussion

The Complainant seeks reconsideration of the administrative dismissal on the basis that: (1) ongoing union inaction may constitute a continuing violation;[10] (2) the question of whether a continuing violation has been committed "is a mixed question of law and fact that typically benefits from factual development" and the administrative dismissal contravened PERB precedent by

[5] Complainant Opposition at 2.
[6] The Complaint stated that "since at least the 2022-2023 school year," she and other "inner core teachers" at her school were assigned a schedule that violated DCPS and WTU's CBA by failing to provide adequate lunch and planning time. Complaint at 6. The Complaint asserted that general education classroom teachers received more combined lunch and planning time than similarly situated inner cure teachers such as the Complainant. Complaint at 6. On or about September 11, 2023, the Complainant requested WTU file a grievance regarding the allegedly noncompliant schedules. Complaint at 6. The Complainant asserted that WTU did not file this grievance until November 17, 2023, and that the grievance has been "stalled at Step 2 since August 2, 2024." Complaint at 6. The Complainant further asserted that she has repeatedly requested updates from WTU without adequate response from the Union. Complaint at 6. On August 11, 2025, the Complainant requested that WTU advance the grievance to arbitration; she asserts that, as of the filing of the Complaint, WTU has not advanced the grievance to arbitration. Complaint at 6. The Complainant alleged that the "inadequate schedule" has caused "significant stress, requiring therapy and FMLA leave." Complaint at 6. However, the Complainant noted that she transferred to a different DCPS school beginning with the 2024-2025 academic year and now has a "compliant" schedule. Complaint at 6. Both DCPS and WTU asserted that the Complaint was untimely. DCPS Answer at 5; WTU Answer at 4. The Executive Director found that the Complainant's August 11, 2025 request to advance a grievance initiated in 2023 to arbitration did not constitute a continuing violation, and that the Complainant knew or should have known of both Respondents' alleged unfair labor practices well over one hundred twenty (120) days prior to the filing of the Complaint. PERB Case No. 26-U-06 Administrative Dismissal at 2.
[7] *FOP/MPD Labor Comm. v. MPD*, 59 D.C. Reg. 7165, Slip Op. No. 1233 at 4, PERB Case No. 11-E-01 (2012).
[8] *AFSCME, District Council 20 v. OSSE*, D.C. Reg. 7165, Slip Op. No. 1679 at 3, PERB Case No. 17-N-04(a) (2018).
[9] *WTU, Local #6 v. DCPS*, 72 D.C. Reg. 13824, Slip Op. No. 1930 at 2, PERB Case No. 24-U-19 (MFR) (2025).
[10] Motion for Reconsideration at 2-4.

drawing factual inferences adverse to the Complainant's position;[11] and (3) rigid application of the Board's timeliness rules undermines the "statutory grievance framework."[12]

The Complainant purports to cite Board caselaw to support these arguments. However, none of the citations reference actual PERB cases.[13] The Complainant has therefore failed to meet the burden of providing authority which compels reversal of the initial decision. Further, the principles that the Complainant claims the nonexistent cases support run counter to actual Board case law. The Board has held—and the courts have affirmed—that "a continuing violation is one whose 'character as a violation did not become clear until it was repeated during the limitations period because it is only its cumulative impact … that reveals its illegality.'"[14] "By contrast, 'the mere failure to right a wrong and make [a] plaintiff whole cannot be a continuing wrong which tolls the statute of limitations.'"[15] Here, the Complainant knew about the alleged violations well over one hundred twenty days before the date the Complaint was filed,[16] and the Complainant's later request that WTU advance her grievance to arbitration does not elevate the stagnant grievance to a continuing violation. While the issue of timeliness may be waived by a respondent, once "properly invoked [by a party] … [it] must be enforced."[17] DCPS and WTU both raised the timeliness issue in their responses to the case.[18] Therefore, the Complaint was properly dismissed as untimely.

IV. Conclusion

The Board finds no grounds to overturn the administrative dismissal of PERB Case No. 26-U-06. Therefore, the Motion for Reconsideration is denied.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Motion for Reconsideration is denied; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Members Renee Bowser, Mary Anne Gibbons and Douglas Warshof.

February 19, 2026
Washington, D.C.

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[11] Motion for Reconsideration at 4.
[12] Motion for Reconsideration at 5.
[13] The Board suspects that the citations are the product of A.I. hallucinations. The cases referenced do not exist as cited and there is no support for the arguments presented in the pleading.
[14] *Neill v. Dist. of Columbia Pub. Employee Relations Bd.*, 234 A.3d 177, 185 (D.C. 2020) (upholding the Board's decision in *Neill v. FOP/MPD Labor Comm.*, Slip Op. No. 1647, PERB Case No. 10-S-04a (2017)).
[15] *Id.*
[16] Complaint at 6.
[17] *Neill*, 234 A.3d at 185.
[18] Motion to Dismiss at 4; DCPS Answer at 5.

APPEAL RIGHTS

A final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the matter of	
Thomas Olmstead,	
Complainant	
v.	PERB Case No. 26-U-11
Public Service Commission of the District of Columbia,	Opinion No. 1949
	Motion for Reconsideration
Respondent	

DECISION AND ORDER

I. Statement of the Case

On November 18, 2025, the complainant (Complainant), an employee at the Public Service Commission of the District of Columbia (PSC), filed an amended unfair labor practice complaint (Complaint) against PSC.[1] The Complaint asserted that the PSC violated D.C. Official Code § 1-617.04(a)(1), (4) and (5) of the Comprehensive Merit Personnel Act (CMPA)[2] by instituting a procedurally defective Performance Improvement Plan (PIP) against the Grievant for retaliatory reasons.[3] On November 24, 2025, PSC filed an answer (Answer). On December 12, 2025, the PERB Executive Director administratively dismissed the Complaint for untimeliness.[4]

[1] The original complaint, which was deficient, was filed on November 10, 2025. The Complainant initially filed an amended Complaint on November 17, 2025, before filing the instant Complaint without comment.

[2] The Complaint also alleged violations of the parties' collective bargaining agreement and the District Personnel Manual, Complaint at 7, which were dismissed as outside the Board's jurisdiction. PERB Case No. 26-U-11 Administrative Dismissal at 1 (citing *FOP/MPD Labor Comm. v. MPD*, 62 D.C. Reg. 13348, Slip Op. No. 1534 at 8, PERB Case No. 08-U-22 (2015) (holding that the Board does not have authority over purely contractual disputes); *AFGE, Local 2731 v. D.C. Fire Dep't*, 39 D.C. Reg. 8599, Slip Op. No. 287 at 26, PERB Case No. 90-U-11 (1992) (establishing that alleged violations of the DPM are outside the Board's jurisdiction and must be brought in another forum)).

[3] Complaint at 5-7.

[4] The Complaint states that PSC management placed the Complainant on a PIP without "required IPP/IDP or constructive discussion" on March 19, 2025. Complaint at 3. In March and April of 2025, the Complainant's supervisor was allegedly "prevented from answering questions" by PSC's acting general counsel (General Counsel). Complaint at 3. The Complainant's telework privileges were rescinded during the PIP. Complaint at 3. The Complainant alleges that his final PIP check-in was held on June 24, 2025, ninety-seven (97) days after it was instituted. Complaint at 3. On July 1, 2025, PSC issued a proposed corrective action. Complaint at 3. On July 14,

On December 19, 2025, the Complainant filed the instant motion for reconsideration (Motion for Reconsideration). On January 9, 2026, the PSC filed an opposition to the Motion for Reconsideration (Opposition).[5] On January 19, 2026, the Complainant filed a document styled "complainant's opposition to respondents' opposition to complainant's motion for reconsideration" (Reply).

For the reasons discussed herein, the Motion for Reconsideration is denied.

II. Standard of Review

The Board has established that the standard for a motion for reconsideration is clear legal error.[6] The moving party must provide authority which compels reversal of the initial decision.[7] Motions for reconsideration that do not provide a basis to compel reversal of an initial decision will be denied.[8]

III. Discussion

The Complainant seeks reconsideration of the administrative dismissal of the Complaint on the basis that: (1) the American Federation of State, County and Municipal Employees, District Council 20 (AFSCME)—the Complainant's union and a non-party to the case—had to allocate resources to other pressing matters;[9] and (2) the Complainant preferred to wait for the "procedurally defective, retaliatory in purpose, and illicit" grievance process to reach its conclusion.[10]

The Complainant provides no citations to support the arguments in the Motion for Reconsideration.[11] The Complainant has therefore failed to meet the burden of providing authority which compels reversal of the initial decision. The Motion for Reconsideration primarily repeats

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2025, PSC issued its final agency decision on the corrective action. Complaint at 4. PSC asserted that the Complaint was untimely. Answer at 12. Only the July 14, 2025 issuance of the Final Agency Decision occurred during the permissible 120-day filing window. The Executive Director found that the Complainant knew or should have known discipline based on the "defective" PIP by the July 1, 2025, Notice of Proposed Action at the latest. PERB Case No. 26-U-11 Administrative Dismissal at 1-2.

[5] Pursuant to Board Rule 555.2, the Opposition was untimely filed and has not been considered as part of the record in this Decision and Order.

[6] *FOP/MPD Labor Comm. v. MPD*, 59 D.C. Reg. 7165, Slip Op. No. 1233 at 4, PERB Case No. 11-E-01 (2012).

[7] *AFSCME, District Council 20 v. OSSE*, D.C. Reg. 7165, Slip Op. No. 1679 at 3, PERB Case No. 17-N-04(a) (2018).

[8] *WTU, Local #6 v. DCPS*, 72 D.C. Reg. 13824, Slip Op. No. 1930 at 2, PERB Case No. 24-U-19 (MFR) (2025).

[9] Motion for Reconsideration at 4.

[10] Motion for Reconsideration at 4. The Complainant further asserts that the Complaint is "not about contractual disputes as alleged in the Board's Decision [sic]; nor is the Complaint about the DPM." Motion for Reconsideration at 4. However, the Complaint asserts violations of both. Complaint at 3-4. Regardless of the Board's jurisdiction in the instant matter, the Complaint was properly dismissed as untimely. *See* Board Rule 520.4. Further, while the Complainant alleges that PSC placed him on a PIP for retaliatory reasons, the Complaint does not allege any union activity for which PSC retaliated by placing the Complainant on the PIP. *See, generally*, Complaint.

[11] The Motion for Reconsideration does include the entirety of D.C. Official Code § 1-605.02. Powers of the Board, emphasizing Section 1-605.02(3), which states that the Board may "[d]ecide whether unfair labor practices have been committed and issue an appropriate remedial order." This power of the Board does not constitute an authority that compels the reversal of the dismissal of the instant claims. PERB properly investigated the Complaint and determined that dismissal was appropriate.

arguments considered and rejected by the Executive Director in administratively dismissing the Complaint. The remaining arguments are unavailing. The Motion for Reconsideration appears to allege a continuing violation argument.[12] However, "a continuing violation is one whose 'character as a violation did not become clear until it was repeated during the limitations period because it is only its cumulative impact … that reveals its illegality.'"[13] The Complainant has explicitly asserted that PSC violated "[t]he PIP process … from beginning to end."[14]

The Complainant asserts alleged good cause for the untimely filing of the Complaint, but does not provide any support for his assertion that a union's need to "allocate resources to other pressing matters" could constitute good cause for waiving a mandatory claims processing rule.[15] While the issue of timeliness may be waived by a respondent, once "properly invoked [by a party] … [it] must be enforced."[16] PSC raised timeliness in its Answer; therefore, the Complaint was properly dismissed as untimely.[17]

IV. Conclusion

The Board finds no grounds to overturn the administrative dismissal of PERB Case No. 26-U-11. Therefore, the Motion for Reconsideration is denied.

ORDER

IT IS HEREBY ORDERED THAT:

1. The Motion for Reconsideration is denied; and

2. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Members Renee Bowser, Mary Anne Gibbons and Douglas Warshof.

February 19, 2026
Washington, D.C.

[12] Motion for Reconsideration at 6.
[13] *Neill v. Dist. of Columbia Pub. Employee Relations Bd.*, 234 A.3d 177, 185 (D.C. 2020) (upholding the Board's decision in *Neill v. FOP/MPD Labor Comm.*, Slip Op. No. 1647, PERB Case No. 10-S-04a (2017)).
[14] Motion for Reconsideration at 6.
[15] Motion for Reconsideration at 4.
[16] *Neill.*, 234 A.3d at 185.
[17] Answer at 12.

APPEAL RIGHTS

A final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
PUBLIC EMPLOYEE RELATIONS BOARD

In the Matter of:	
District of Columbia Metropolitan Police Department,	
Petitioner	PERB Case No. 26-A-02
v.	Opinion No. 1950
District of Columbia Police Union Lodge #2,[1]	
Respondent	

DECISION AND ORDER

I. Statement of the Case

On December 9, 2025, the District of Columbia Metropolitan Police Department (MPD) filed an amended[2] arbitration review request (Request) seeking review of a supplemental award (Supplemental Award) dated November 13, 2025, pursuant to D.C. Official Code § 1-605.02(6) of the Comprehensive Merit Personnel Act (CMPA). Following the original award (Merits Award),[3] which found in favor of the District of Columbia Police Union, Lodge #2's (Union), the Supplemental Award granted the Union's petition for attorney fees (Petition) and awarded the Union $68,588.30 in attorney fees.[4] MPD requests that the Board vacate the Supplemental Award on the grounds that the Supplemental Award is contrary to law and public policy. The Union filed an opposition to the Request (Opposition). MPD filed a reply to the Union's Opposition (Reply).

Upon consideration of the Arbitrator's conclusions, applicable law, and the record presented by the parties, the Board finds that the Supplemental Award is contrary to law and public policy.

[1] The Request erroneously referred to the Respondent as the Fraternal Order of Police/FOP Labor Committee. Request at 1. However, the Board amended the Union's certification upon request. *D.C. Police Union, Lodge #2 and MPD*, Slip Op. No. 1918, PERB Case No. 25-AC-01 (2025).
[2] MPD filed the original arbitration review request on December 3, 2025.
[3] MPD did not contest the Merits Award. Opposition at 2.
[4] Supplemental Award at 6.

II. Arbitration Award

A. Background

The instant arbitration proceedings stemmed from the Union grieving discipline imposed on an individual officer (Grievant) by the Use of Force Review Board (Review Board).[5] The Review Board comprises management officials with the responsibility to review all uses of force by MPD officers that have been investigated by the Internal Affairs Division (IAD).[6] The Arbitrator noted that IAD investigates "[s]erious uses of force," while "less serious conduct is investigated by the chain of command."[7] IAD classifies its findings as "Justified," "Justified Tactical Improvement Opportunity," and "Unjustified." The Review Board classifies its findings regarding completed IAD investigations as "unfounded," sustained," "insufficient facts," or "exonerated."[8] The Review Board does not conduct its own investigations, but rather sends cases back to IAD where necessary—including when the Review Board determines that the case involves misconduct that was not addressed in the initial investigation.[9] Generally, only the relevant IAD investigator appears as a witness before the Review Board.[10] The officer whose alleged use of force is at issue does not appear as a witness before the Review Board.[11] If the Review Board finds an officer's use of force was "not justified," the case is forwarded to the Disciplinary Review Division (DRD) to impose discipline.[12]

The Grievant's disciplinary proceedings arose from a "social gathering" he hosted at his home on May 9, 2021.[13] The Grievant was in civilian clothes and not on duty at the time.[14] An "incident" occurred between the Grievant and one of his guests that resulted in two on-duty MPD officers being dispatched to the Grievant's home.[15] These MPD officers used force on the Grievant, who suffered injuries that sent him to the emergency room.[16] IAD investigated both the Grievant and the responding officers.[17] IAD concluded in its August 30, 2021 Final Investigative Report (Report) that "two allegations against [the Grievant] were unfounded and therefore 'exonerated.'"[18] However, IAD sustained a charge of prejudicial conduct against the Grievant for

[5] Merits Award at 2.
[6] Merits Award at 2. The Union has a non-voting seat on the Review Board. Merits Award at 2.
[7] Merits Award at 2. The Review Board may also review chain of command investigations and reviews all vehicle pursuits resulting in a fatality. Merits Award at 3.
[8] Merits Award at 3.
[9] Merits Award at 4.
[10] Merits Award at 3.
[11] Merits Award at 3.
[12] Merits Award at 4.
[13] Merits Award at 11.
[14] Merits Award at 11.
[15] Merits Award at 11.
[16] Merits Award at 11.
[17] Merits Award at 11.
[18] Merits Award at 11.

"not being more courteous to the two officers," which is a misconduct violation.[19] The Report did not cite the Grievant for use of force as he was off duty at the time of the incident.[20]

On September 8, 2021, the Review Board held a hearing regarding IAD's Report.[21] The Review Board reviewed and sustained the use of force violations against the responding officers.[22] The Review Board further reviewed all non-use of force allegations against the Grievant.[23] On September 9, 2021, the Review Board issued a memorandum with its findings. The Review Board reclassified an allegation that the Grievant assaulted a houseguest from IAD's finding of "unfounded" to "insufficient facts."[24] The Review Board further reclassified an allegation that the Grievant assaulted a police officer from IAD's finding of "exonerated" to "sustained."[25] The Review Board concurred with IAD's finding that the Grievant exhibited prejudicial, non-use of force conduct in his lack of courteousness toward the responding officers.[26] Finally, the Review Board sustained two additional violations against the Grievant, neither of which had been presented to the Grievant during IAD's original investigation; neither of these violations related to use of force allegations.[27] The Grievant did not receive notice or the opportunity to respond to these additional allegations from the Review Board.[28]

DRD issued discipline to the Grievant based on the Review Board's referral.[29] However, the parties stipulated to the Arbitrator at hearing that the issued discipline was "resolved informally through another proceeding."[30] However, the Union asserted that the Review Board had unilaterally expanded its own jurisdiction in violation of the "disciplinary practices and procedures" bargained for in the parties' collective bargaining agreement (CBA) and has the potential to affect any and all bargaining unit members.[31] Accordingly, the grievance arbitration moved forward as a class grievance—rather than a proceeding specifically involving the Grievant—with the Union seeking the remedies that MPD and the Review Board cease-and-desist from violating the CBA.[32]

The Arbitrator sustained the Union's class grievance, made several cease-and-desist orders, ordered MPD to bargain with the Union over the Review Board's scope, and ordered the Union to file a petition for attorney fees within thirty (30) days of the issuance of the Merits Award.[33]

[19] Merits Award at 11.
[20] Merits Award at 11.
[21] Merits Award at 11.
[22] Merits Award at 11.
[23] Merits Award at 11.
[24] Merits Award at 11.
[25] Merits Award at 11.
[26] Merits Award at 11.
[27] Merits Award at 11.
[28] Merits Award at 11.
[29] Merits Award at 12.
[30] Merits Award at 12.
[31] Merits Award at 6-7.
[32] Merits Award at 6.
[33] Merits Award at 14.

On October 10, 2025, the Union submitted its Petition to the Arbitrator.[34] On October 20, 2025, MPD filed its opposition to the Petition (Petition Opposition).[35] On October 24, 2025, the Union filed a reply to the Opposition.[36] On November 13, 2025, the Arbitrator issued the Supplemental Award, granting the Union's Petition and awarding $68,588.30 in attorney fees to the Union.[37]

On November 20, 2025, MPD filed the instant Request with PERB.

B. Arbitrator's Findings

The Arbitrator originally considered the following issues:

> (1) Whether the grievance must be dismissed on the grounds of untimeliness.
>
> (2) Whether the grievance may be found to be a class grievance. If so, what shall be the remedy?
>
> (3) Whether the Department unilaterally expanded the Review Board's jurisdiction to alter and add to the findings and recommendations of the IAD on non-use of force conduct, in violation of Articles 1, 4, 12, 13, and 48 of the CBA. If so, what shall be the remedy?[38]

The Arbitrator found that the Review Board had inappropriately and unilaterally expanded its own jurisdiction in violation of the parties' CBA in such a way that could deprive bargaining unit members of key due process rights.[39] The Arbitrator ordered that:

> With respect to its request for an award of its costs and attorneys fees, the Union shall file a written petition within 30 days of issuance of the Award, to be supported by a short brief, not to exceed five pages, stating (a) the grounds for such award and (b) a list of representative awards. The Department shall have the right to file a reply brief within five business days.[40]

In the Supplemental Award, the Arbitrator stated: "[i]t is well-settled, as a fundamental tenet of administrative law and judicial present [sic], that an arbitrator has the authority to impose

[34] Request at 3. As a technical issue led to a delay of service of the Merits Award to the parties until September 29, 2025, the Union's Petition was timely. Request at 3 (fn. 2).
[35] Request at 3.
[36] Request at 3.
[37] Request at 3.
[38] Merits Award at 2.
[39] Merits Award at 13.
[40] Merits Award at 14-15.

attorneys' fees incurred in litigation in favor of the prevailing party."[41] The Arbitrator reviewed Supreme Court precedent established by *United Steelworkers*,[42] stating that the case affirmed that "arbitrators have full authority to award relief in the form of reinstatement, back pay, restoration of any benefits or seniority as required, and other such relief as is just and proper. This relief includes, in accordance with judicial precedent, the authority to award attorneys' fees …."[43]

The Arbitrator rejected MPD's assertion that attorney fees may only be awarded where back pay has been awarded under the Federal Back Pay Act (BPA).[44] The Arbitrator further rejected MPD's argument that the award of attorney fees in an arbitration award does not constitute an exception to the American Rule, finding that "the [American] Rule hardly conveys an absolute prohibition against" arbitrators awarding attorney fees to a prevailing party.[45] The Arbitrator relied on the Court's language in *Jumper*[46] that "*the general principles* of the 'American [R]ule' on attorneys' fees, provides that a prevailing litigant *ordinarily* may not recover attorneys' fees."[47] The Arbitrator discussed several statutory exceptions to the American Rule.[48]

The Arbitrator noted, "Although the CBA does not expressly authorize attorneys' fees to prevailing parties, it is well-settled in cases before PERB, that arbitrators have full authority to fashion [sic] 'wide latitude and flexibility' in crafting remedies for CBA violations, so long as the remedy is not expressly limited by the CBA."[49] The Arbitrator further noted that the Board has explicitly held that Article 19(E)[50] of the parties' CBA does not preclude an award of attorney fees by an arbitrator and that the District of Columbia Court of Appeals has held that "*nowhere* in the parties' CBA does it 'purport to restrict an arbitrator's power to grant equitable relief.'"[51]

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[41] Supplemental Award at 2.
[42] *United Steelworkers of Am. V. Enter. Wheel & Car Corp.*, 363 U.S. 593, 80 S. Ct. 1358, 4 L. Ed. 2d 1424 (1960).
[43] Supplemental Award at 3.
[44] Supplemental Award at 3.
[45] Supplemental Award at 3. The "American Rule" provides that "a prevailing litigant ordinarily may not recover attorneys' fees from the defeated party when a case is concluded." *Jung v. Jung*, 844 A.2d 1099, 1107 (D.C. 2004). Along with statutory exceptions, the American rule has a "bad faith" exception that "allows a court to award attorneys' fees to the prevailing party if the defeated opponent acted in bad faith, vexatiously, wantonly, or for oppressive reasons … [t]he party's bad faith conduct must be so egregious that fee shifting becomes warranted as a matter of equity." *Id.* However, courts "must scrupulously avoid penalizing litigants for aggressively litigating their claims or discouraging good faith assertions of colorable claims and defenses." *Id.* at 1108.
[46] *In re Jumper*, 984 A.2d 1232, 1247 (D.C. 2009).
[47] Supplemental Award at 3 (citing *In re Jumper*, 984 A.2d 1232, 1247) (emphasis added by Arbitrator).
[48] These exceptions included Title VII and Age Discrimination in Employment Act, and Americans with Disabilities Act discrimination cases, as well as Family and Medical Leave Act cases. Supplemental Award at 3. The Arbitrator further discussed the National Labor Relations Board's authority to award attorney fees under the Equal Access to Justice Act when an agency's position is found "not substantially justified." Supplemental Award at 3.
[49] Supplemental Award at 3.
[50] Article 19(E)(5)(3) states: "All parties shall have the right at their own expense to legal and/or stenographic assistance at this hearing." Opposition Ex. B, *Exhibits to MPD's Opposition to Union's Petition for Attorney Fees, Ex. 1, Collective Bargaining Agreement Between District of Columbia Government, Metropolitan Police Department and District of Columbia Police Union (Fraternal Order of Police/Metropolitan Police Department Labor Committee)* at 33.
[51] Supplemental Award at 3 (citing *FOP/MPD Labor Comm. v. MPD*, 277 A.3d 1272, 1278, fn. 3 (D.C. 2022)) (emphasis in Supplemental Award).

The Arbitrator stated:

> This case involving the Review Board and [the Grievant] presents an unusual twist. Toward such end, my Award in this case does not contain any specific relief to [the Grievant]. Hence, the Department might contend that absent any statutory reliance upon the Back Pay Act, an award of attorney's fees cannot be granted here. However, the Union's underlying grievance in this case, with [the Grievant] as the complaining party, did seek backpay as part of a make whole remedy for him. But backpay was not contained in my Award solely because of a stipulation I received during hearing that the Union and the Department had executed a private settlement of the [Grievant's] matter.[52]

The Arbitrator determined that the status of the case as a class grievance rather than individual provided an additional reason for awarding attorney fees.[53] The Arbitrator noted that the Review Board unlawfully deprived the Grievant of his due process rights and that the nature of the case—including other similarly deprived officers—necessitated the imposition of a class remedy.[54] The Arbitrator stated, "[t]hus, the undeniable import and impact and [sic] of this class relief upon the entire bargaining unit is yet another reason why attorneys' fees should be granted in this case."[55]

The Arbitrator reviewed the Petition, including the *Laffey*[56] and *Fitzpatrick*[57] Matrices, and determined that the Union had requested reasonable attorney fees.[58] The Arbitrator decided to use the median amount between *Laffey* and *Fitzpatrick* calculations and, accordingly, awarded the Union $68,588.30 in attorney fees.[59]

III. Discussion

Section 1-605.02(6) of the D.C. Official Code permits the Board to modify, set aside, or remand a grievance arbitration award in only three narrow circumstances: (1) if an arbitrator was without, or exceeded their jurisdiction; (2) if the award on its face is contrary to law and public policy; or (3) if the award was procured by fraud, collusion, or other similar and unlawful means.[60]

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[52] Supplemental Award at 4.
[53] Supplemental Award at 4.
[54] Supplemental Award at 4-5.
[55] Supplemental Award at 5.
[56] *Laffey v. Northwest Air Lines*, 523 F. Supp. 354 (D.D.C. 1983).
[57] The *Fitzpatrick* Matrix is published by the U.S. Attorney's Office for the District of Columbia as an alternative to the *Laffey* Matrix "based on market rates for attorneys with similar levels/years of experience who practice in the Washington, D.C. region." *OAG v. AFSCME, Local 2401, AFL-CIO*, Slip Op. No. 1934 at 3-4, fn. 27, PERB Case No. 25-A-03 (2025).
[58] Supplemental Award at 5-6.
[59] Supplemental Award at 6.
[60] D.C. Official Code § 1.605.02(6).

MPD requests review on the grounds that the Supplemental Award is contrary to law and public policy.[61]

IV. The Supplemental Award is contrary to law and public policy

Section 1-605.02(6) of the D.C. Official Code authorizes the Board to set aside an arbitration award if the award "on its face is contrary to law and public policy." The D.C. Court of Appeals has commented that "an award that is contrary to a specific law *ipso facto* may be said to be contrary to the public policy that the law embodies."[62] However, "courts' authority to invoke the public policy exception is not limited solely to instances where the arbitration itself violates positive law."[63] Nonetheless, the public policy exception is an "extremely narrow" exception to the rule that reviewing bodies must defer to an arbitrator's interpretation of a contract.[64]

MPD bears the burden of demonstrating that the Supplemental Award itself violates established law or compels an explicit violation of "well defined public policy grounded in law and or legal precedent."[65] Furthermore, MPD has the burden to specify "applicable law and public policy that mandates that the Arbitrator arrive at a different result."[66]

> Under the so-called "American Rule," each party in litigation bears its own attorneys' fees in the absence of bad faith in the proceedings or unless a statute or public policy permits shifting the cost to the losing party, or shifting the cost would fairly distribute the cost of obtaining a "common fund" or "common benefit." Although, absent statutory or contractual authorization, it is not customary to award attorneys' fees against the offending party in private-sector arbitration, a request for attorneys' fees may be granted for the same reasons as a punitive damage award: bad faith, or egregious, flagrant, willful, and repeated violations of the contract.[67]

MPD asserts that the Supplemental Award is contrary to law and public policy because: (1) the Award violates a well-defined and dominant public policy that, absent a statutory exception or bad faith, attorney fees cannot be awarded in civil matters;[68] (2) United States and District courts apply

[61] Request at 3.
[62] *MPD v. PERB*, No. 19-CV-1115, Mem. Op. & J. at 10-11 (D.C. Sept. 15, 2022) (citing *Fraternal Order of Police/Dept. of Corr. Labor Comm. v. Dist. of Columbia Pub. Employee Relations Bd.*, 973 A.2d 174 at 179 (D.C. 2009)).
[63] *Id.* at 18 (citing *E. Associated Coal Corp. v. UMW, Dist. 17*, 531 U.S. 57, 63 (2000)).
[64] *MPD v. FOP/MPD Labor Comm.*, 66 D.C. Reg. 6056, Slip Op. No. 1702 at 4, PERB Case No. 18-A-17 (2019) (citing *Am. Postal Workers Union v. USPS*, 789 F.2d 1, 8 (D.C. Cir. 1986), *accord MPD v. FOP/MPD Labor Comm. ex rel. Pair*, 61 D.C. Reg. 11609, Slip Op. No. 1487 at 8, PERB Case No. 09-A-05 (2014); *MPD v. FOP/MPD Labor Comm. ex rel. Johnson*, 59 D.C. Reg. 3959, Slip Op. No. 925 at 11-12, PERB Case No. 08-A-01 (2012)).
[65] *FEMS v. AFGE, Local 3721*, 51 D.C. Reg. 4158, Slip Op. No. 728, PERB Case No. 02-A-08 (2004).
[66] *MPD v. FOP/MPD Labor Comm.*, 47 D.C. Reg. 717, Slip Op. No. 633 at 2, PERB Case No. 00-A-04 (2000).
[67] ABA/Bloomberg Law, Elkouri & Elkouri: How Arbitration Works, Chapter 18. Remedies in Arbitration.
[68] Request at 3.

"the general principles of the 'American Rule' on attorneys' fees[,] which provides that 'a prevailing litigant ordinarily may not recover attorneys' fees'";[69] (3) the Arbitrator does not cite any evidence that MPD operated in bad faith;[70] (4) the Arbitrator did not award back pay;[71] and (5) the Arbitrator relies on misstatements of cited pleadings and authorities to justify his award of back pay.[72]

The Union argues that: (1) MPD failed to meet its burden to show that the Supplemental Award was premised on a misinterpretation of law that was apparent on the face of the award, including failing to show that the American Rule mandated the Arbitrator to reach a different result;[73] and (2) the Supplemental Award is not contrary to arbitrators' wide degree of latitude and flexibility in fashioning remedies.[74]

The Union's assertions regarding the appropriateness of awarding attorney fees in the instant case are unavailing. As noted by MPD, all of the exceptions to the American Rule cited by the Arbitrator are statutory carveouts that explicitly provide authorization to award attorney fees.[75] The Arbitrator suggests the "unusual twist" that the Grievant settled with MPD, and therefore does not receive any individual relief in the Merits Award, does not impact the appropriateness of attorney fees because the Union originally sought back pay in the underlying grievance and because the Arbitrator would have otherwise ordered back pay.[76] The Arbitrator further suggests that the significance of the ruling as a class grievance and the potentially widespread due process violations the ruling seeks to prevent justify an award of attorney fees.[77] However, the widespread impact of an arbitration award is not a relevant factor with respect to the appropriateness of attorney fees.[78]

The Arbitrator asserts that *United Steelworkers* specifically supports the premise that "arbitrators have full authority to award relief in the form of reinstatement, back pay, restoration of any benefits or seniority as required, and other such relief as is just and proper," including "in accordance with judicial precedent, the authority to award attorneys' fees in favor of the prevailing party in arbitration cases."[79] This is a misstatement of both *United Steelworkers* and overall judicial precedent on attorney fees. *United Steelworkers* reinforced that courts should not overturn arbitration awards simply because the court merely disagreed with the arbitrator's construction of the contract, if the court's disagreement is not based upon any finding that an arbitrator did not

[69] Request at 3-5.
[70] Request at 5.
[71] Request at 6.
[72] Request at 6-8.
[73] Opposition at 4-5.
[74] Opposition at 5-10. The Union further disputed MPD's assertion that the Arbitrator's attorney fees calculations were unreasonable. Opposition at 10-11. As the Board finds, *infra*, that the Arbitrator's award of attorney fees is contrary to law and public policy, it need not reach the issue of the reasonableness of the Arbitrator's calculations.
[75] Request at 5 (citing Supplemental Award at 3-4).
[76] Supplemental Award at 4.
[77] Supplemental Award at 4-5.
[78] *But see Malik Corp.*, 961 A.2d 1057, 1063.
[79] Supplemental Award at 2-3.

premise their award on their construction of the contract.[80] *United Steelworkers* emphasized that "[w]hen an arbitrator is commissioned to interpret and apply the collective bargaining agreement, he is to bring his informed judgment to bear in order to reach a fair solution of a problem. This is especially true when it comes to formulating remedies."[81] However, an arbitrator's award "is legitimate only so long as it draws its essence from the collective bargaining agreement. When the arbitrator's words manifest an infidelity to this obligation, courts have no choice but to refuse enforcement of the award."[82]

United Steelworkers and other case law cited by the Arbitrator and the Union protect an arbitrator's ability to fashion an equitable remedy including attorney fees where the parties' CBA does not explicitly prohibit an award of attorney fees.[83] However, these cases are distinguishable. The Supreme Court has clearly held that the American Rule goes beyond "general principles" that are "ordinarily" enforced. Rather, "the bedrock principle known as the American Rule" provides that all litigants pay their own attorney fees, win or lose, "unless a statute or contract provides otherwise."[84] The Supreme Court has rejected the creation of an exception to the American Rule "in the absence of express congressional authority."[85] While the parties' CBA here does not expressly bar an award of attorney fees under appropriate circumstances, neither does it independently authorize such an award. Further, none of the statutory exceptions to the American Rule apply to the instant Awards, and the Arbitrator did not purport to rely on any statute that provides such an exception. In fact, the Arbitrator explicitly states that he did not award any back pay. As such, *all* of the cited precedent is distinguishable as involving invocations of the BPA or other statutory exceptions.[86]

MPD asserts that both United States and District caselaw have adopted the American Rule as a public policy supported by extensive caselaw.[87] The Union argues that: (1) the American Rule is not a well-defined and dominant public policy;[88] and (2) the Supplemental Award does not violate any public policies underlying the American Rule.[89] MPD provides significant legal support to its argument that the American Rule is a well-defined and dominant policy grounded in

[80] *United Steelworkers*, 363 U.S. 593, 598.
[81] *Id.* at 597.
[82] *Id.*
[83] *Id; see also DOC v. FOP/DOC Labor Comm.*, 60 D.C. Reg. 14972, Slip Op. No. 1381 at 4, PERB Case No. 10-A-14(a) (2013) (concluding that an arbitrator based her award on reasonable interpretation of the parties' CBA, the arbitrator's grant of authority, and the relevant laws, regulations, and case law, including the BPA); *FOP/MPD Labor Comm. v. MPD*, 67 D.C. Reg. 11476, Slip Op. No. 1759 at 2, PERB Case No. 20-A-08 (2020); *Fraternal Order of Police/Metro. Police Dep't Labor Comm. v. D.C. Metro. Police Dep't*, 277 A.3d 1272, 1278 n. 3 (D.C. 2022).
[84] *Hardt v. Reliance Standard Life Ins. Co.*, 560 U.S. 242, 253 (May 24, 2010).
[85] *Summit Valley Indus. Inc. v. Local 112, United Broth. of Carpenters & Joiners of Am.*, 456 U.S. 717, 724-25 (1982); *F. D. Rich Co., Inc. v. U. S. for Use of Indus. Lumber Co., Inc.*, 417 U.S. 116, 127 (1974).
[86] Supplemental Award at 3.
[87] Request at 5-6.
[88] Opposition at 11-12.
[89] Opposition at 13.

law.[90] Further, the Union's argument fails in that the Supplemental Award clearly violates the public policy underlying the American Rule because it grants attorney fees under circumstances in which *none* of the exceptions to the Rule apply.

Therefore, the Board finds that the Remand Award is contrary to law and public policy.

V. Conclusion

The Board accepts MPD's arguments and finds cause to set aside the Award. Accordingly, the Request is granted.

ORDER

IT IS HEREBY ORDERED THAT:

1. The arbitration review request is granted;

2. The Supplemental Award is set aside; and

3. Pursuant to Board Rule 559.1, this Decision and Order is final upon issuance.

BY ORDER OF THE PUBLIC EMPLOYEE RELATIONS BOARD

By vote of Board Members Renee Bowser, Mary Anne Gibbons and Douglas Warshof.

February 19, 2026
Washington, D.C.

[90] Request at 3-8.

APPEAL RIGHTS

Pursuant to Board Rule 559.2, a party may file a motion for reconsideration, requesting the Board reconsider its decision. Additionally, a final decision by the Board may be appealed to the District of Columbia Superior Court pursuant to D.C. Official Code §§ 1-605.2(12) and 1-617.13(c), which provides 30 days after a decision is issued to file an appeal.

ROCKETSHIP DC PUBLIC CHARTER SCHOOLS

REQUEST FOR PROPOSALS (RFP)

Art and Physical Education Enrichment

Rocketship DC Public Charter Schools are seeking proposals from qualified vendors to provide a comprehensive after school program operating five days per week during after school hours at our three elementary campuses. The program should offer approximately 4.5 hours per day of engaging, high-quality programming that includes both arts and physical enrichment activities for students ages 3–12. The selected vendor will be responsible for designing and delivering a structured program that supports student development, creativity, and physical activity in a safe and supportive environment.

Bids that do not address all areas as outlined in the RFP or bids received past the deadline will not be considered.

Send proposal by 10:00AM, May 1, 2026 via e-mail to: rheckstall@rsed.org

DISTRICT OF COLUMBIA
COMMISSION ON SELECTION AND TENURE OF
ADMINISTRATIVE LAW JUDGES OF
THE OFFICE OF ADMINISTRATIVE HEARINGS

NOTICE OF PUBLIC MEETING

In accordance with D.C. Code § 2-576(1), the District of Columbia Commission on Selection and Tenure of Administrative Law Judges of the Office of Administrative Hearings hereby gives notice that it will conduct a meeting on **May 5, 2026, at 4:30 p.m.** to discuss the reappointment of one Administrative Law Judge, candidates for Administrative Law Judge, and personnel matters. The meeting will be held in Conference Room #6500 at the H. Carl Moultrie Courthouse (500 Indiana Avenue, NW), but will be accessible to the public only remotely via Webex. A portion of the meeting will be closed pursuant to D.C. Code § 2-575(b)(10), which permits closed meetings to "discuss the appointment, employment, assignment, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials." The agenda below will be posted on the OAH website at www.oah.dc.gov and the Office of Open Government/BEGA website at www.open-dc.gov.

For further information about this meeting, please contact Jacqueline Spencer at jacqueline.spencer1@dc.gov. This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

AGENDA

I. Call to Order (Commission Chair)

II. Ascertainment of Quorum

III. Adoption of Agenda

IV. Executive Session (non-public).

a. Vote to enter closed session to discuss personnel matters pursuant to D.C. Official Code § 2-575(b)(10).
b. Vote on Reappointment of Administrative Law Judge Christopher Costa.
c. Discussion of candidates.
d. Discussion of personnel matters.
e. Vote to reopen the meeting.

V. Other Business

VI. Adjournment (Commission Chair)

Information on Joining the Webex Meeting

- Telephone
  Telephone Number: 1-202-860-2110
  Meeting Number (Access Code): 2317 946 7644

- Online
  Link: https://dcnet.webex.com/dcnet/j.php?MTID=m081668f2dd497c522cc482dc3cfb011a
  Meeting Number (Access Code): 2317 946 7644
  Meeting Password: Ba7jFPQJJ23

DISTRICT OF COLUMBIA SENTENCING COMMISSION

NOTICE OF CANCELLATION OF PUBLIC MEETING
PREVIOUSLY SCHEDULED FOR TUESDAY, April 21st, 2026, AT 5:00 PM

D.C. Sentencing Commission
441 Fourth Street, NW, Suite 430S, Washington, D.C. 20001
(202) 442-8715 www.scdc.dc.gov

The District of Columbia Sentencing Commission canceled the previously scheduled monthly meeting on Tuesday, April 21st, 2026, at 5:00 PM.

Notice of future meetings will be posted on the agency's website, https://scdc.dc.gov/page/commission-meetings. For further information, contact Linden Fry, Executive Director, at (202) 727-8822 or email scdc@dc.gov

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

BOARD OF DIRECTORS

NOTICE OF PUBLIC MEETING

District of Columbia Retail Water and Sewer Rates Committee

The Board of Directors of the District of Columbia Water and Sewer Authority (DC Water) District of Columbia Retail Water and Sewer Rates Committee will hold a meeting on Tuesday, April 28, 2026, at 9:30 a.m. The meeting will **not** be held in the Board Room (2nd floor) at 1385 Canal Street, S.E, but will be held via Microsoft Teams. Below is the draft agenda for this meeting. A final agenda will be posted on DC Water's website at www.dcwater.com. Please see the website for remote access information for this meeting.

For additional information, contact Michelle Rhodd, Board Secretary at (202) 787-2331 or Michelle.Rhodd@dcwater.com.

DRAFT AGENDA

1. Call to Order	Committee Chairperson
2. Monthly Updates	CFO and EVP, Finance & Procurement
3. Committee Work Plan	CFO and EVP, Finance & Procurement
4. Other Business	CFO and EVP, Finance & Procurement
5. Adjournment	Committee Chairperson

This meeting is governed by the Open Meetings Act. Please address any questions or complaints arising under this meeting to the Office of Open Government at opengovoffice@dc.gov.

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING /s/
Z.C. Case No. 26-04
(Office of Zoning – Text Amendment to Subtitles Y & Z, Ch. 2, 7 & 16)
April 15, 2026

On April 2, 2026, the Office of Zoning received an application from the Office of Zoning (the "Petitioner") for approval of a Text Amendment to Subtitles Y & Z, Ch. 2, 7 & 16.

The Petitioner's proposed text amendment would:

- Update the requirements for submitting a digital file (Y § 203.6; Z § 203.5);
- Update the times for receiving email and IZIS filings (Y and Z §§ 206.10-206.14);
- Clarify when the clock starts for scheduling BZA modifications without hearing (Y § 703.15);
- Add that BZA owner-occupied fees apply to applications that do not involve subdivided lots (Y § 1600.1);
- Remove the outdated references to COVID-19 time extensions and the fees for filing such (Y & Z, Chapters 7 & 16); and
- Add a new section for fees for required additional hearing notices (signs to post on properties) prepared by OZ (Y § 1600.4; Z § 1600.8).

This case was filed electronically through the Interactive Zoning Information System ("IZIS"), which can be accessed through http://dcoz.dc.gov. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

DISTRICT OF COLUMBIA REGISTER
2026 AGENCY SUBMISSION DEADLINE SCHEDULE

The *District of Columbia Register* is published weekly on Fridays including on public holidays that fall on a Friday. The deadline for submitting notices for publication by District agencies, boards, commissions, and public charter schools is **THURSDAY**, noon of the **PREVIOUS** week. For example, the deadline for the January 16, 2026 *District of Columbia Register* is noon on Thursday January 8, 2026.

The deadline for a Register to be published during a week that has an official District of Columbia holiday is WEDNESDAY noon of the PREVIOUS week. For example, Monday, January 19, 2026 (Martin Luther King Jr. Day) is an official District of Columbia holiday therefore, the deadline for the January 23, 2026 *District of Columbia Register* is noon on Wednesday, January 14, 2026.

If an official government holiday falls on a Thursday, the deadline for submitting documents is WEDNESDAY. Because Thursday, January 1, 2026 is New Years Day, the deadline for the January 9, 2026 *District of Columbia Register* is noon on Wednesday, December 31, 2025.

Because Thursday, November 26, 2026 is Thanksgiving Day, the deadline for submitting documents for the December 4, 2026 *District of Columbia Register* is noon on Wednesday, November 25, 2026.

Documents that are uploaded after the noon deadline will be published in the next edition of the Register.

The DC Register Submission Deadline Schedule is published at the end of each Register.

The Office of Documents also publishes the Submission Deadline Schedule on the DCRegs Home page at https://dcregs.dc.gov:



Since the deadline changes for a Register to be published during a week that has an official District of Columbia Government holiday, the 2026 holiday schedule is provided here for your convenience.

2026 District of Columbia Government Holiday Schedule	
New Year's Day	Thursday, January 1, 2026
Dr. Martin Luther King, Jr.'s Birthday	Monday, January 19, 2026
Washington's Birthday	Monday, February 16, 2026
DC Emancipation Day	Thursday, April 16, 2026
Memorial Day	Monday, May 25, 2026
Juneteenth National Independence Day	Friday, June 19, 2026
Independence Day (Observed)	Friday, July 3, 2026
Labor Day	Monday, September 7, 2026
Indigenous Peoples' Day	Monday, October 12, 2026
Veterans Day	Wednesday, November 11, 2026
Thanksgiving Day	Thursday, November 26, 2026
Christmas Day	Friday, December 25, 2026

Below is the 2026 District of Columbia Register Submission Deadline schedule.

OFFICE OF DOCUMENTS AND ADMINSTRATIVE ISSUANCES
DISTRICT OF COLUMBIA REGISTER
2026 AGENCY SUBMISSION DEADLINE SCHEDULE

D.C. Register Issue		Submission Deadline	
Vol. 73/1	January 2, 2026*	Wednesday	December 24, 2025
Vol. 73/2	January 9, 2026	Wednesday	December 31, 2025
Vol. 73/3	January 16, 2026	Thursday	January 8, 2026
Vol. 73/4	January 23, 2026*	Wednesday	January 14, 2026
Vol. 73/5	January 30, 2026	Thursday	January 22, 2026
Vol. 73/6	February 6, 2026	Thursday	January 29, 2026
Vol. 73/7	February 13, 2026	Thursday	February 5, 2026
Vol. 73/8	February 20, 2026*	Wednesday	February 11, 2026
Vol. 73/9	February 27, 2026	Thursday	February 19, 2026
Vol. 73/10	March 6, 2026	Thursday	February 26, 2026
Vol. 73/11	March 13, 2026	Thursday	March 5, 2026
Vol. 73/12	March 20, 2026	Thursday	March 12, 2026
Vol. 73/13	March 27, 2026	Thursday	March 19, 2026
Vol. 73/14	April 3, 2026	Thursday	March 26, 2026
Vol. 73/15	April 10, 2026	Thursday	April 2, 2026
Vol. 73/16	April 17, 2026*	Wednesday	April 8, 2026
Vol. 73/17	April 24, 2026	Wednesday	April 15, 2026
Vol. 73/18	May 1, 2026	Thursday	April 23, 2026
Vol. 73/19	May 8, 2026	Thursday	April 30, 2026
Vol. 73/20	May 15, 2026	Thursday	May 7, 2026
Vol. 73/21	May 22, 2026	Thursday	May 14, 2026
Vol. 73/22	May 29, 2026 *	Wednesday	May 20, 2026
Vol. 73/23	June 5, 2026	Thursday	May 28, 2026
Vol. 73/24	June 12, 2026	Thursday	June 4, 2026
Vol. 73/25	June 19, 2026*	Wednesday	June 10, 2026
Vol. 73/26	June 26, 2026	Thursday	June 18, 2026
Vol. 73/27	July 3, 2026 *	Wednesday	June 24, 2026
Vol. 73/28	July 10, 2026	Thursday	July 2, 2026
Vol. 73/29	July 17, 2026	Thursday	July 9, 2026
Vol. 73/30	July 24, 2026	Thursday	July 16, 2026
Vol. 73/31	July 31, 2026	Thursday	July 23, 2026
Vol. 73/32	August 7, 2026	Thursday	July 30, 2026
Vol. 73/33	August 14, 2026	Thursday	August 6, 2026
Vol. 73/34	August 21, 2026	Thursday	August 13, 2026
Vol. 73/35	August 28, 2026	Thursday	August 20, 2026
Vol. 73/36	September 4, 2026	Thursday	August 27, 2026
Vol. 73/37	September 11, 2026*	Wednesday	September 2, 2026
Vol. 73/38	September 18, 2026	Thursday	September 10, 2026
Vol. 73/39	September 25, 2026	Thursday	September 17, 2026
Vol. 73/40	October 2, 2026	Thursday	September 24, 2026
Vol. 73/41	October 9, 2026	Thursday	October 1, 2026
Vol. 73/42	October 16, 2026*	Wednesday	October 7, 2026
Vol. 73/43	October 23, 2026	Thursday	October 15, 2026
Vol. 73/44	October 30, 2026	Thursday	October 22, 2026
Vol. 73/45	November 6, 2026	Thursday	October 29, 2026
Vol. 73/46	November 13, 2026*	Wednesday	November 4, 2026
Vol. 73/47	November 20, 2026	Thursday	November 12, 2026
Vol. 73/48	November 27, 2026*	Wednesday	November 18, 2026
Vol. 73/49	December 4, 2026	Wednesday	November 25, 2026
Vol. 73/50	December 11, 2026	Thursday	December 3, 2026
Vol. 73/51	December 18, 2026	Thursday	December 10, 2026
Vol. 73/52	December 25, 2026*	Wednesday	December 16, 2026
Vol. 74/1	January 1, 2027*	Wednesday	December 23, 2026

*Weeks with District of Columbia Government public holidays. Last Updated December 5, 2025