

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, with respect to the need to amend the tolling time for FOIA requests and to extend the Mayor’s authority to declare a public emergency.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “FOIA Tolling and Public Emergency Continuation Emergency Declaration Resolution of 2021.”

Sec. 2. (a) The purpose of the underlying emergency measure is to continue the tolling of certain FOIA requests for public bodies that are not yet reopened due to the COVID-19 pandemic. There are ongoing limitations for some agencies to conduct FOIA searches for physical documents necessitating the option for continued tolling by agencies. The FOIA Tolling Temporary Amendment Act of 2020, effective April 9, 2021 (D.C. Law 23-267; 68 DCR 3689) will expire on October 27, 2021. It is necessary to do a new round of identical emergency and temporary provisions to continue this authority.

35 (b) The emergency measure would also extend the Mayor's authority to declare a public  
36 emergency through January 7, 2022. There is an ongoing need for an emergency declaration to  
37 continue to receive certain federal relief payments related to the COVID-19 pandemic.

38 Sec. 3. The Council of the District of Columbia determines that the circumstances in  
39 section 2 constitute emergency circumstances, making it necessary that the FOIA Tolling and  
40 Public Emergency Continuation Emergency Amendment Act of 2021 be adopted after a single  
41 reading.

42 Sec. 4. This resolution shall take effect immediately.