


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

MEMORANDUM

TO: Nyasha Smith, Secretary to the Council

FROM: Phil Mendelson, Chairman 

DATE: September 30, 2021

RE: **Request to Place Emergency Measures on the Agenda for the October 5, 2021 Legislative Meeting**

This memorandum is to request that the following measures be placed on the agenda for the October 5, 2021 Legislative Meeting:

- **FOIA Tolling and Public Emergency Continuation Emergency Declaration Resolution of 2021**
- **FOIA Tolling and Public Emergency Continuation Emergency Amendment Act of 2021**
- **FOIA Tolling and Public Emergency Continuation Temporary Amendment Act of 2021**

On December 15, 2020, the Council approved the FOIA Tolling Temporary Amendment Act of 2020, effective April 9, 2021 (D.C. Law 23-267; 68 DCR 3689) which expires on October 27, 2021. The underlying law allowed tolling of certain FOIA requests that require in person searches of records. A new round of emergency and temporary legislation is necessary given limitations on some agencies' ability to access physical workplace files due to the ongoing COVID-19 pandemic.

In addition, the Mayor's March 11, 2020 public health emergency expired on July 25, 2021 as indicated in Mayor's Order 2021-096. However, the Council extended the Mayor's authority to declare a public emergency through October 8, 2021. The Mayor has a continuing need for authority to declare a public emergency for certain COVID-related purposes. This emergency and temporary legislation would extend the Mayor's authority through January 7, 2022.

The draft measures are attached. Please call me or Mr. Evan Cash if you have any questions at (202) 724-7002.

cc: All Councilmembers
Council Officers