

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency, due to congressional review, with respect to the need to authorize the Mayor to exercise eminent domain to acquire the real property known as East Capitol Gateway, known for tax and assessment purposes as Lot 0110 in Square 5246 and Lots 807, 808, 809, and 7000 through 7014 in Square 5273.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “East Capitol Gateway Eminent Domain Authority Congressional Review Emergency Declaration Resolution of 2022”.

Sec. 2. (a) On February 1, 2022, the Council passed the East Capitol Gateway Eminent Domain Authority Emergency Act of 2022, effective February 17, 2022 (D.C. Act 24-336; 69 DCR 1471) (the “Emergency Act”), which the Mayor signed on February 17, 2022. The Emergency Act will expire on May 18, 2022.

(b) On March 1, 2022, the Council passed on second reading the East Capitol Gateway Eminent Domain Authority Temporary Act of 2022, enacted on March 28, 2022 (D.C. Act 24-367; 69 DCR 2680) (the “Temporary Act”), which the Mayor signed on March 28, 2022, was transmitted to Congress on April 6, 2022, and projected to be law on May 19, 2022.

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26 (c) The Committee on Business and Economic Development (the “Committee”)
27 held a hearing on the permanent version of the legislation, the “East Capitol Gateway Eminent
28 Domain Authority Act of 2022” (Bill 24-0643) (the “Permanent Legislation”) on March 14,
29 2022, during which the Deputy Mayor for Planning and Economic Development testified in
30 support of the legislation and provided background on the Capitol Gateway project and why the
31 exercise of eminent domain is necessary.

32 (d) On April 20, 2022, the Committee conducted mark-up of the Permanent
33 Legislation and the Committee voted unanimously to approve the legislation. The Committee’s
34 markup report will include extensive details about the project, its history, and the need for the
35 Mayor to exercise eminent domain authority on the site.

36 (e) Due to the gap in time between when the Emergency Act will expire on May
37 18, 2022, and the Temporary Act is projected to become law on May 19, 2022, emergency
38 legislation is necessary to account for congressional review.

39 Sec. 3. The Council of the District of Columbia determines that the circumstances
40 enumerated in section 2 constitute emergency circumstances making it necessary that the East
41 Capitol Gateway Eminent Domain Authority Congressional Review Emergency Act of 2022 be
42 adopted after a single reading.

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