

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to immediately clarify grantor agencies' obligation to maintain sole source justifications and final agency justifications related to the selection of grantees and to produce such documents upon request of the Mayor or a member of the Council.

RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Government Grant Transparency Emergency Declaration Resolution of 2020".

Sec. 2. (a) In May, the Council passed the Coronavirus Support Emergency Amendment Act of 2020, the provisions of which it has extended through the passage of two subsequent congressional review emergency measures ("the Acts"). The Acts authorized the Mayor to issue grants to small businesses in need to economic relief as a consequence of COVID-19, and exempted the Mayor from otherwise following the provisions of the Grant Administration Act of 2013 in issuing these grants, including that grants awarded in excess of \$50,000 be awarded on a competitive basis. The Acts further authorize the Mayor to issue grants to a third-party grant managing entity for the purpose of distributing the grants to small businesses. In a process that lacked all transparency, the Mayor selected a third-party grant-managing entity and has denied requests for the justifications related to the selection.

31           (b) Accountability and transparency should not be sacrificed in a manner that hinders the  
32 Council’s ability to perform its governmental duty and responsibility to perform agency  
33 oversight.

34           (c) If the Council is to be effective in carrying out the duties required of it, it must be able  
35 to request, and promptly receive, the sole source justifications and final agency justifications for  
36 grants the Council authorizes agencies to issue. Such a clarification to the existing law,  
37 guarantees that Council will have access to information necessary to ensure government  
38 adherence to laws and ethical standards and to engender trust in governmental operations.

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  
41 Government Grant Transparency Emergency Amendment Act of 2020 be adopted after a single  
42 reading.

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