




OFFICE OF VINCENT C. GRAY
CHAIRMAN, COMMITTEE ON HEALTH
COUNCIL OF THE DISTRICT OF COLUMBIA

MEMORANDUM

TO: Chairman Phil Mendelson

FROM: Councilmember Vincent C. Gray, Chairperson 

DATE: October 28, 2021

SUBJECT: Request to Place Emergency Measures on the Agenda for November 2, 2021
Legislative Meeting

This memo is to request that the following measures be placed on the agenda for the November 2, 2021 Legislative Meeting:

- **“FY 2021 Reprogramming Request of \$30,195,173 from Various Agencies to the Emergency Planning and Security Fund, Department of General Services, Department of Consumer and Regulatory Affairs, Department of Health, and Department of Public Works Revised Emergency Declaration Resolution of 2021”**
- **“FY 2021 Reprogramming Request of \$30,195,173 from Various Agencies to the Emergency Planning and Security Fund, Department of General Services, Department of Consumer and Regulatory Affairs, Department of Health, and Department of Public Works Revised Emergency Approval Act of 2021”**

This emergency would approve the reprogramming request of Fiscal Year 2021 operating local funds in the amount of \$30,195,173.00 from various agencies to the Emergency Planning and Security Fund, Department of General Services, Department of Consumer and Regulatory Affairs, Department of Health, and Department of Public Works. The Emergency Planning and Security Fund (EPSF) is an annual federal appropriation for the District of Columbia. It is used to reimburse District agencies for expenses incurred while providing support for federal activities (such as presidential motorcades), special events (such as the Fourth of July), and First Amendment demonstrations with a federal nexus.

From FY 2015 through FY 2019, the District, on average, incurred \$17.5 million in EPSF-related costs. In FY 2020, the District was appropriated \$18 million by Congress to cover EPSF expenses. However, the District incurred \$61 million in actual costs through the end of FY 2020, resulting in a \$43 million EPSF deficit which the District unfortunately had to cover by using local

underspending. In FY 2021, the District also incurred \$94 million of expenses related to the Presidential Inauguration, the insurrection at the United States Capitol, and First Amendment activities and demonstrations. Since, the District has not received sufficient federal reimbursement despite repeated appeals to Congress and the White House. Rather, the District has only received \$68 million in reimbursements, leading to an \$18 million shortfall.

These funds are needed to address higher than anticipated FY 2021 expenditures by the Emergency Planning and Security Fund, Department of General Services, Department of Consumer and Regulatory Affairs, Department of Health, and Department of Public Works.

I am circulating drafts of this legislation today, which I will likely revise on Monday, November 1st. This legislation is identical to a declaration resolution and approval act that was introduced by Chairman Mendelson at the request of the Mayor, which we received at 8:31 p.m. yesterday evening. The reason I am taking the unusual approach of circulating identical legislation under my name is that I still have questions and concerns about the reprogramming action that I hope to address by Monday. However, I want to ensure the legislation is properly noticed in a timely manner to give us additional time to keep working with the Executive Branch and the Office of the Chief Financial Officer. This approach will allow me to file a revised draft on Monday, which incorporates possible changes, without creating the potential need to move multiple amendments at the legislative meeting. I will fully elucidate the concerns I have, potential remedies, and any changes to the legislation through a follow-up memo on Monday. For any questions or concerns, please contact Eric Goulet, Committee Director, at (202) 705-0482 or egoulet@dccouncil.us.