



Councilmember Wendell Felder

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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 Small and Certified Business Enterprise Development and Assistance Act of 2005 to require a business applying for certification as a local business enterprise to be independently owned and operated, to amend minimum certified business enterprise performance requirements in a certified joint venture, and to establish uniform hearing procedures for enforcement actions.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Certified Business Enterprise Program Compliance and Enforcement Support Emergency Declaration Resolution of 2026”.

Sec. 2. (a) A Certified Business Enterprise (CBE) is a business enterprise certified by the Department of Small and Local Business Development (DSLBD) as a local business enterprise.

(b) Businesses with CBE certification may receive preference when submitting bids or proposals for procurement and contracting opportunities.

(c) There are currently over 2,000 businesses participating in the District’s CBE Program.

(d) In 2021, 2022, 2023, the Council passed a series of Local Business Enterprise Clarification Emergency Amendment Acts (“the Acts”) that required local businesses participating in the CBE Program to be independently owned and operated thereby furthering the spirit of the Small and Certified Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*).

34 (e) Emergency legislation is needed to reinstate the most recent version of the provisions
35 passed by Council in the Acts, which expired on March 29, 2026.

36 (f) Further, following a revocation hearing before the Office of Administrative Hearings,
37 DSLBD determined that uniform hearing procedures for complaints needed to be established
38 expeditiously to ensure procedural consistency and fairness for businesses, as well as increased
39 effectiveness and efficiency in departmental compliance and enforcement procedures.

40 (g) Accordingly, emergency legislation is needed to maintain provisions passed by the
41 Council in the Certified Business Enterprise Program Compliance and Enforcement Support
42 Temporary Amendment Act of 2025 that clarified and updated procedures under section 2363 of
43 the Act.

44 (h) Failure to move these amendments will have an adverse effect on CBE program
45 administration, agency operations, and agency compliance and enforcement mechanisms.

46 Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute
47 emergency circumstances making it necessary that the Certified Business Enterprise Program
48 Compliance and Enforcement Support Emergency Amendment Act of 2026 be adopted after a
49 single reading.

50 Sec. 4. The Secretary of the Council shall transmit a copy of this resolution, upon its
51 adoption, to the Mayor of the District of Columbia.

52 Sec. 5. This resolution shall take effect immediately.