

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

TO: All Councilmembers
FROM: Chairman Phil Mendelson
Committee of the Whole
DATE: November 17, 2020
SUBJECT: Report on Bill 23-234, the “Commemoration Task Force Act of 2020”

The Committee of the Whole, to which Bill 23-234, the “Commemoration Task Force Act of 2020” was referred, reports favorably thereon with amendments, and recommends approval by the Council.

CONTENTS

I.	Background and Need	1
II.	Legislative Chronology	4
III.	Position of The Executive	5
IV.	Comments of Advisory Neighborhood Commissions.....	5
V.	Summary of Testimony	5
VI.	Impact on Existing Law	5
VII.	Fiscal Impact	5
VIII.	Section-by-Section Analysis	6
IX.	Committee Action	6
X.	Attachments.....	6

I. BACKGROUND AND NEED

Bill 23-234, the “Commemoration Task Force Act of 2020,”¹ was introduced by Councilmember Kenyan McDuffie and Councilmembers Allen, Bonds, Cheh, Evans, Gray, Grosso, Nadeau, Silverman, R. White, and T. White on April 2, 2019. As introduced, Bill 23-234 would require the Mayor to establish an Advisory Commission on Monuments, Markers, and Symbols to study commemorative works in the District to assess their cultural and historical appropriateness. As revised by the committee print, the Bill will establish a five-member Task Force – with the members having a background in history or racial equity – with the same purpose. The committee print makes other amendments to the introduced version of the bill, as well.

Under the legislation as introduced, the Advisory Commission would have been made up of 8 District agencies, a DC Public Schools student, and a member from each of the 8 wards – at least one of whom would be a member from an organization advancing racial equity, one a local historian, and two would be community-based representatives. The Commission was to review all symbols of hate or racism on District property, engage with residents, develop criteria to

¹ Originally introduced as the “Advisory Commission on Monuments, Markers, and Symbols Establishment of 2019”

review the symbols, and submit a report containing recommendations to the Mayor and Council within 120 days of the Commission's establishment. The Commission would sunset after submission of the report.

After the hearing on Bill 23-234 in January 2020, a number of national events took place that heightened the country's attention to racism, social justice, and inappropriate commemorative works in America. On May 25th, George Floyd, a 46-year old Black man in Minneapolis, was killed by a police officer who suffocated him with his knee, leading to a wave of protests across the country against racism and police brutality. Some factions of these protests targeted commemorations of the Confederate States of America, toppling or defacing numerous monuments to racist historical figures. At the same time, numerous state and local governments announced their own plans to remove a number of racist memorials and commemorations.

The vestiges of slavery, segregation, and "separate but equal" treatment have persisted for years in our culture, laws and institutions, leading to continued harm against Blacks and Black communities in the form of disparate treatment, discrimination, and violence. While America has made some progress over the decades to come to terms with this truth, much still must be done. A symbolic but important gesture of this progress is the removal of commemorations that glorify or pay homage to the adverse treatment of African Americans. Moreover, a number of these commemorations were purposely erected in areas where people of color call home – a Jim Crow era reminder that the very people who live in those communities should show fealty or deference to their oppressors.

The District is not exempt from such commemorations in its boundaries. For instance, the statue of Albert Pike honors a man who was a Confederate General.² That statue was authorized by Congress and erected on Federal land, so the District does not have jurisdiction over its placement. That statue was torn down by demonstrators on June 19, 2020 (which was Juneteenth).

While Pike's statue was arguably the most egregious, certainly there are other commemorations that should be removed or altered. Many if not most are named for individuals or honor individuals many of whom may not be deserving of such commemoration due to their actions or views because they are offensive to our values.

Commemorative Works and public space names should be agreeable to the public. Yet the values embraced by the public in one era may change significantly generations later. Today, the challenge of overcoming racism dominates the national debate, the nation is grappling with how to end systemic and implied racism, and these issues can no longer be brushed aside, especially in light of the public's demand to cleanse the public space of racist symbols.

The District government has not been good about specifying why an individual is being honored - that is, actually articulating the primary reason(s). Perhaps in the moment the reasons

² Although the statue was erected by the Masons because Albert Pike was prominent in the Freemasons. Nevertheless, Pike was a Confederate, fought against the United States, and supported the Confederacy's goal to perpetuate slavery.

are assumed to be obvious, except that often a name is chosen too soon after the honoree's death when grief overwhelms perspective.³ As a result, the original basis for many of our commemorations and public space names has become obscure. This will make the review of commemorative works and public space names difficult.

It is the Committee's view that commemoration and the naming of public spaces should be both to honor and inspire. More broadly, any such commemoration should: (1) be one that the community supports; (2) honor a person, event, or place for a clearly articulated reason, and (3) be inspirational. It must be recognized that when the name honors a person there are seldom bright lines in history.

Bright lines are problematic. People are not perfect, and often there are reasons to single out certain good deeds from an otherwise complex life. On July 23, 2020, Mayor Muriel Bowser established a working group to assess the depth of commemorations and space names that may be inappropriate and provide recommended actions to address them. On August 31, 2020, the DC Facilities and Commemorative Expressions (DCFACES) released an executive summary and recommendations having completed its inventory of commemorations and public space names. That report identified 1,330 named buildings, streets, monuments, neighborhoods, and streets and highways.

The DCFACES executive summary held that individuals should not be honored if they "in some way encouraged the oppression of African Americans and other communities of color or contributed to our long history of systemic racism."⁴ The report identified 153 commemorations or names that were deemed concerning. This approach is well intended but rigid, when we should be more thoughtful and introspective, and understand that even for a commemoration of a flawed individual, of which many are, there are options other than removal or renaming. Further contextualization of such commemorations can be more powerful in showing, indeed, that America itself has its own flaws, and how we can learn from them. To that end, the Committee believes that the commemorations and named properties in the District should be reviewed by experts – historians, academics, and those with expertise in advancing racial equity.⁵

The committee print creates a Commemoration Task Force to reexamine the District's inventory utilizing the full DCFACES report that details the monuments and named places. The Task Force will report to the Council what commemorative works or public space names it deems to be inappropriate or offensive and its reasoning behind that recommendation. It will also recommend what action should be taken to the offending commemoration such as removal, relocation, renaming, alteration, or installation of additional interpretive elements. The Committee believes that the DCFACES work was not as thoughtful as it could be in its recommendations which may be in part because the working group released its recommendations after being in existence for less than 6 weeks. Indeed, in testimony on Bill 23-234, Office of

³ Under D.C. Code § 9-204.05, naming of a public space cannot occur until two years after the individual's passing.

⁴ DCFACES WORKING GROUP REPORT, EXECUTIVE SUMMARY 3 (2020).

⁵ To argue this differently: no one would propose tearing down the Washington Monument. Why? He was a slave holder. He believed only white males should vote. Answering the question why some monuments/names are inappropriate and should be removed while others may stay is the challenge any honest review must answer.

Planning Director Andrew Trueblood stated that a “120-day period for public engagement, study, and delivery of recommendations to the Mayor and Council is unrealistic and would be impossible to meet.” He was speaking of Bill 23-234 as introduced, but surely his comments would apply to the rushed DCFACES project.

Another flaw of the DCFACES report is that all concerning assets under the District’s jurisdiction were recommended only for renaming while only assets under federal control were recommended for removal, relocation, or contextualization. That no District assets were recommended for contextualization seems suspect. In fact, the DCFACES summary report came under scrutiny for recommending that the Federal government “remove, relocate, or contextualize” the Jefferson Memorial and the Washington Monument, and those recommendations were quickly removed from the executive summary. The DCFACES executive summary also indicated that there were 78 problematic street names, yet the executive summary contained no recommendations for addressing any of those names.

It is the hope of the Committee that the Commemoration Task Force can build on the work of DC FACES and provide a more thorough and thoughtful set of recommendations. Importantly, the Committee Print would require that the Task Force have access to the full DC FACES report and committee and subcommittee reports, none of which have yet been made public three months after issuance of the executive summary. Because the Executive is often reluctant to release drafts (and the DCFACES report and subsidiary reports may not have been finalized), the committee print provides that the Council should not be FOIA’d for these drafts reports.

The Committee of the Whole recommends the approval of Bill 23-234 the “Commemoration Task Force Act of 2020” as amended by the committee print.

II. LEGISLATIVE CHRONOLOGY

- | | |
|-------------------|---|
| April 2, 2019 | Bill 23-234, the “Commemoration Task Force Act of 2019” is introduced by Councilmember McDuffie and Councilmembers Grosso, Allen, T. White, Todd, R. White, Nadeau, and Bonds, and is referred to the Committee of the Whole. |
| April 5, 2019 | Notice of Intent to Act on Bill 23-234 is published in the <i>Register</i> . |
| December 27, 2019 | Notice of a Public Hearing on Bill 23-234 is published in the <i>Register</i> . |
| January 16, 2020 | A Public Hearing is held on Bill 23-234 by the Committee of the Whole. |
| November 17, 2020 | The Committee of the Whole marks up Bill 23-234. |

III. POSITION OF THE EXECUTIVE

Andrew Trueblood, Director, Office of Planning, testified that there is overlap with the membership of the proposed Advisory Commission on Monuments, Markers, and Symbols and the Commemorative Works Committee (CWC) and indicated that perhaps the CWC should instead be the working group to undertake a review of commemorations. However, he stated that such a working group would require appropriate resources and would benefit from utilizing institutional infrastructure and knowledge base. He warned that 120 days was not realistic for completing the work.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission on Bill 23-234.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a Public Hearing on Bill 23-234, the “Commemoration Task Force Act of 2020” on January 16, 2020. The testimony summarized below is from that hearing. Copies of testimony are attached to this report.

Andrew Trueblood, Director, Office of Planning, provided testimony with suggestions for improvements to the legislation and other considerations that should be taken into account in reviewing commemorative works.

Cody Rice, Ward 6 Resident, provided written testimony in support of Bill 23-234.

There was no testimony or written comments in opposition to Bill 23-234.

VI. IMPACT ON EXISTING LAW

Bill 23-234, would amend the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-202.01 *et seq.*) to clarify the definition of a commemorative work; reorganize the membership of the Commemorative Works Committee; clarify the process for proposing a commemorative work.

VII. FISCAL IMPACT

Funds are sufficient in the fiscal year 2021 through fiscal year 2024 budget and financial plan to implement the provisions of the proposed legislation. The Task Force will be supported by the Council. A copy of the November 16, 2020 Fiscal Impact Statement is attached to this report.

VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of the Bill 23-234.
<u>Section 2</u>	Definitions.
<u>Section 3</u>	Establishes the Commemoration Task Force.
<u>Section 4</u>	Sunsets the Task Force after it issues its report.
<u>Section 5</u>	Adopts the Fiscal Impact Statement.
<u>Section 6</u>	Establishes the effective date by stating the standard 30-day congressional review language.

IX. COMMITTEE ACTION

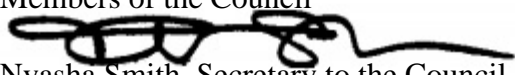
X. ATTACHMENTS

1. Bill 23-234 as introduced.
2. Written testimony and comments.
3. Fiscal Impact Statement.
4. Legal Sufficiency Review.
5. Committee Print for Bill 23-234.

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council

From : 
Nyasha Smith, Secretary to the Council

Date : April 03, 2019

Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Legislative Meeting on Tuesday, April 2, 2019. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Advisory Commission on Monuments, Markers, and Symbols Establishment Act of 2019", B23-0234


INTRODUCED BY: Councilmembers McDuffie, Nadeau, Bonds, Silverman, Gray, Grosso, R. White, Allen, T. White, Evans, and Cheh


The Chairman is referring this legislation to the Committee of the Whole.

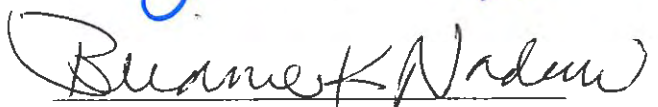
Attachment


cc: General Counsel
Budget Director
Legislative Services

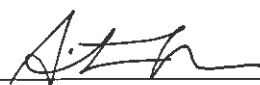
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2 Councilmember David Grosso

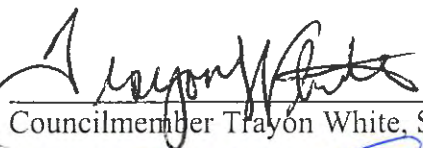

Councilmember Kenyan R. McDuffie

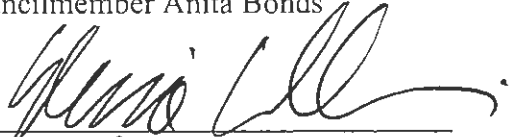
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6 Councilmember Robert C. White, Jr.

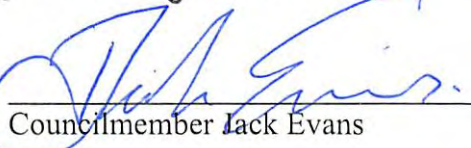

Councilmember Brianne K. Nadeau

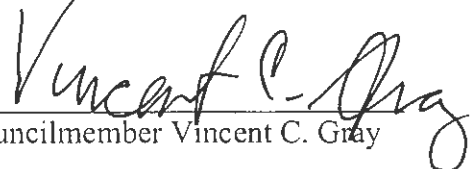
7 
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9 Councilmember Charles Allen



Councilmember Anita Bonds

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13 Councilmember Trayon White, Sr.


Councilmember Elissa Silverman

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17 Councilmember Jack Evans


Councilmember Vincent C. Gray

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21 Councilmember Mary M. Cheh

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24 A BILL

25 _____
26 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
27 _____

28
29 To establish an advisory commission to study monuments, markers, and symbols throughout
30 the District to assess their cultural and historical appropriateness.

31
32 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
33 act may be cited as the "Advisory Commission on Monuments, Markers, and Symbols
34 Establishment Act of 2019".

35
36 Sec. 2. (a) Within 30 days from the effective date of this act, the Mayor shall establish the
37 Advisory Commission on Monuments, Markers, and Symbols to study and make
38 recommendations regarding controversial monuments, markers, and symbols, such as statues,

39 street names, and school names, that are seen as oppressive and inconsistent with District of
40 Columbia values.

41 (b) The advisory commission shall be composed of the following members, or the
42 member's designee:

43 (1) The Director of the Commission on Arts and Humanities;

44 (2) The Director of the Department of Parks and Recreation;

45 (3) The Chancellor of the District of Columbia Public Schools ("DCPS");

46 (4) The Director of the Department of General Services;

47 (5) The Director of the District Department of Transportation;

48 (6) The Director of the Office of Human Rights;

49 (7) The Chairperson of the Historic Preservation Review Board;

50 (8) The Director of the Office of Planning;

51 (9) At least one student representative from the DCPS, appointed by the

52 Chancellor; and

53 (10) Representatives from each ward, who shall be appointed by the Mayor with
54 the advice and consent of the Council, as follows:

55 (A) At least one representative from organizations advancing racial equity
56 in the District of Columbia;

57 (B) At least one representative from a local historical society; and

58 (C) At least 2 community-based representatives.

59 (c)(1) The advisory commission shall:

60 (A) Conduct a review of all symbols of hate or racism on District
61 property;

62 (B) Listen to ideas and concerns from District residents and determine a
63 set of criteria by which the advisory commission will analyze relevant monuments, markers, and
64 symbols;

65 (C) Solicit public and community input through public forums and a
66 survey created on the Commission of Arts and Humanities website; and

67 (D) Submit a report of its recommendations to the Mayor and Council on
68 how to address offending or derisive symbols and monuments within 120 days after the
69 establishment of the advisory commission.

70 (2) The advisory commission shall sunset after the report required by paragraph
71 (1)(D) of this subsection is submitted to the Mayor and Council.

72 Sec. 3. Fiscal impact statement.

73 The Council adopts the fiscal impact statement in the committee report as the fiscal
74 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
75 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

76 Sec. 4. Effective date.

77 This act shall take effect following approval by the Mayor (or in the event of veto by the
78 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
79 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
80 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
81 Columbia Register.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Office of Planning



Public Hearing
On
Bill 23-233, the “Diverse Washingtonians Commemorative Works Amendment Act of 2019”
and
Bill 23-234, the “Advisory Commission on Monuments, Markers, and Symbols Establishment Act of
2019”

Testimony of
Andrew Trueblood
Director, DC Office of Planning
Chair, Commemorative Works Committee

Before the
Committee of the Whole
Chairman Phil Mendelson

John A. Wilson Building
Room 120
1350 Pennsylvania Avenue, NW
Washington, D.C. 20004

October 16, 2019
10:30 a.m.

Good morning, Chairman Mendelson and members and staff of the Committee of the Whole. I am Andrew Trueblood, Director of the DC Office of Planning. Today I am pleased to testify on Bill 23-233, the “Diverse Washingtonians Commemorative Works Amendment Act of 2019” and Bill 23-234, the “Advisory Commission on Monuments, Markers, and Symbols Establishment Act of 2019.” Relevant to these bills, I note that as the Director of the Office of Planning, I serve as Chairman of the Commemorative Works Committee. These bills reflect a recognition that commemorative works, and other forms of historic recognition, play a vital role in helping current and future DC residents, as well as visitors to our city, understand our history and culture, but that such works can also reflect a history that we do not wish to celebrate.

The timing of both bills is fortuitous, because it could align with current planning efforts. First, Mayor Bowser recently released the DC Cultural Plan, which emphasizes the rich and unique cultural history of the District of Columbia. Second, the Office of Planning is participating in the National Capital Planning Commission’s current work to update its Memorials and Museums Master Plan. Finally, the Commemorative Works Committee met in December 2019 to initiate a process that will include considering how to better achieve the goals of the original Commemorative Works Act, including reimagining what “commemoration” means, how the District of Columbia identifies subjects and locations for commemoration, and how those subjects are commemorated.

Diverse Washingtonians Commemorative Works Amendment Act of 2019 (B23-233)

First, I will speak to Bill 23-233, the “Diverse Washingtonians Commemorative Works Amendment Act of 2019”, which would direct the Commemorative Works Committee to

commission works to honor remarkable native Washingtonians and socially disadvantaged migrants who made Washington home and to prepare a written plan to erect no fewer than eight statues honoring these remarkable individuals throughout the city.

In directing the Commemorative Works Committee to commission works, this bill would expand the Committee's role from one of review, to include execution and implementation. Such an expansion in role and authority would have potentially significant budget and staffing implications that we have not studied.

The Bill would also require the Committee to prepare a plan to erect no fewer than eight statues honoring remarkable Washingtonians. The plan is to include recommended locations for each statue and identify the steps to have at least one statue erected in each Ward by January 1, 2030. In preparing the plan, the Committee is to consider input from residents, academics, cultural organizations, and other professionals. And the plan is to be submitted for Council review no later than 60 days from the date the Bill becomes effective.

The Bill's goal of honoring the remarkable achievements of Washingtonian's with commemorative works throughout the city is important and one on which we would very much like to work with the Council. For the purposes of today, I note that the budget and staffing implications of having the Commemorative Works Committee commission works requires careful attention. As currently drafted, the Bill is ambiguous as to whether the Committee would be required to commission statues for eight named individuals or whether those names are included for illustrative purposes. This should be clarified. It is also worth considering whether the bill should limit the subjects of commemorative works to individuals or be expanded to allow recognition of important events, social movements, or political achievements. Similarly, it is worth considering whether the commemorative works should be limited to statues or allowed to

include such works as monuments, landscape features, murals, and others. The Bill should also consider the increased resources, in terms of budget and staffing, required to prepare the commemorative works plan. Finally, I note that while it may be possible to erect eight new commemorative works by 2030, the 60-day turnaround for the Committee to solicit input and prepare a detailed commemorative works plan is unrealistic and would be impossible to meet. A useful and well-informed plan would require at least a year to complete. Who should be commemorated and specific locations for commemoration are complex topics on which the Committee will receive significant input and want to thoughtfully consider. Finally, it should be noted that plans to locate a single local or federal memorial or monument often takes years to complete.

Advisory Commission on Monuments, Markets, and Symbols Establishment Act of 2019

(B23-234)

Next, I will turn to the Bill 23-234, the “Advisory Commission on Monuments, Markers, and Symbols Establishment Act of 2019.” Bill 23-234 would direct the Mayor to establish a new Commission to study and make recommendations about what to do with monuments, markers, and symbols located on District property that are oppressive or inconsistent with DC values, within 120 days. After issuing the report, the Commission would disband.

As mentioned in my earlier testimony, the District has an established Commemorative Works Committee charged with developing “criteria to be used to review, evaluate, approve, or deny applications for placement of commemorative works” and to “review each application for . . . appropriateness of the . . . subject matter.” For future commemorative works, there are no explicit guidelines in existing law requiring the Committee to assess the subject of each

application to ensure it is consistent with District of Columbia values, but the current legislation authorizes the Committee to make this assessment.

As there is significant overlap between the Committee's District agency membership and the membership of the new commission contemplated in the Bill, a more efficient and effective approach may be for the Commemorative Work Committee to conduct the contemplated review, possibly with a special working group. Doing so would still require appropriate resources, but would benefit in time and content from an established institutional infrastructure and knowledge base. Additionally, whereas the new commission contemplated by this Bill would produce a report and then immediately sunset, the Commemorative Works Committee could revisit these issues periodically. However, regardless of who conducts the review, the 120-day period for public engagement, study, and delivery of recommendations to the Mayor and Council is unrealistic and would be impossible to meet. Additionally, should the Council decide to move forward with a separate commission, the requirement of Council consent for each ward representative makes the 30-day establishment of the Commission unrealistic.

I stand ready to work with the Committee of the Whole to identify the most appropriate District agency to undertake this study and the body to make recommendations to Council and the Mayor so that a more realistic timeline for completing the work can be developed.

This concludes my testimony. Again, I thank the Committee for the opportunity to appear before you today. I am happy to answer any questions.

Committee of the Whole (Council)

From: Cody Rice <codykrice@gmail.com>
Sent: Wednesday, January 15, 2020 10:39 AM
To: Committee of the Whole (Council)
Subject: Written statement for B23-2234, Jan 16, 2020

Dear Mr. Cash,

Although I cannot appear in person due to my work schedule, I wish to submit the following written statement to the record for B23-2234, Advisory Commission on Monuments, Markers, and Symbols Establishment Act of 2019

I am writing to express my support for B23-2234, Advisory Commission on Monuments, Markers, and Symbols Establishment Act of 2019, that the Council will be considering on January 16.

It is important that we reflect on whether the names we apply to public infrastructure, especially schools, reflect the values that we wish to honor and promote today. In particular, it is time to take a look across DC and determine whether we wish to continue honoring men who held humans in slavery, or who opposed the equality and dignity of all.

In Ward 6 alone, there are four elementary schools that were named to honor men who kept people in slavery:

Robert Brent: Procured slaves for the construction of the US Capitol. Mayor Brent and his council enacted the city's first "Black Codes" to bolster the institution of slavery and to maintain racial segregation in the city.

John Walker Maury: Held slaves, including Eliza Dyson and her five children.

Zachary Taylor: A wealthy slave owner with properties in the plantation states of Louisiana, Kentucky, and Mississippi. He was the last US president to have owned slaves while in office.

John Tyler: Held at least 40 slaves at his family plantation, Greenway. After his presidency, Taylor became a key figure in the secession of Virginia from the Union. He was elected to the Confederate Congress.

These men have no personal connection to the DC public elementary schools named for them. What does it say to our children if we cannot take the time or be bothered to decide if it is appropriate to continue to honor men who perpetuated slavery?

I support the concept of this legislation because I think this review should be done for all public infrastructure using common standards and not piecemeal and haphazardly on a one-by-one basis. I think this effort would help us remember and reflect on history. Ignoring the issue turns a blind eye to the injustices of the past.

Please vote to support B23-2234.

Sincerely,

Cody Rice
1238 C St NE, Washington, DC 20002

1 **DRAFT COMMITTEE PRINT**
2 **Committee of the Whole**
3 **November 17, 2020**

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8 A BILL

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11 23-234

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14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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17 _____
18
19 To establish a commemoration task force to review commemorative works and public space names
20 and provide recommendations the Council, and to establish qualifications for appointments
21 to the task force.

22
23 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
24 act may be cited as the “Commemoration Task Force Act of 2020”.

25 Sec. 2. Definitions.

26 For the purposes of this act, the terms “commemorative work” and “public space” shall
27 have the same meanings as provided for in section 411 of the Street and Alley Closing and
28 Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official
29 Code § 9-204.11).

30 Sec. 3. Commemoration Task Force – Establishment.

31 (a) There is established a Commemoration Task Force (“Task Force”) with the purpose
32 of reviewing existing commemorative works and public space names, including public buildings
33 and official street names, to evaluate whether a commemorative work or name is offensive to the
34 public or the District’s public policy under the Human Rights Act of 1977. The evaluation shall:

35 (1) Consider the artistic, social, historic, and political context or intent of the
36 commemorative work or public space name; and

37 (2) Consider the apparent primary rationale for establishing the commemorative
38 work or public space named for a person.

39 (b) The Task Force shall develop a process to solicit public input and comments.

40 (c) By December 31, 2021, the Task Force shall submit to the Council a report detailing:

41 (1) Any commemorative works or public space names it deems to be
42 inappropriate or offensive and the reason for such determination;

43 (2) Recommendations on what action should be taken with respect to the
44 commemorative work or public space name including removal, relocation, renaming, alteration,
45 or installation of additional interpretive elements.

46 (d)(1) The Office of Planning shall provide to the Task Force the following draft or latest
47 final documents from the DC Facilities and Commemorative Expressions (DCFACES) Working
48 Group:

49 (A) The final report and recommendations of the working group;

50 (B) The Engagement Committee report and summary;

51 (C) The Policy Committee report and summary;

52 (D) the Research Committee Report;

53 (E) Persons of Interest summary document; and

54 (F) An inventory of commemorative works and public space names.

55 (2) Any documents or drafts provided pursuant to this subsection shall not be
56 subject to a request under the Freedom of Information Act of 1976, effective March 29, 1977
57 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*) through the Council or the Task Force.

58 (e) The Council shall provide administrative and technical support to the Task Force.

59 (f) The Task Force shall be composed of 5 members appointed by the Council Chairman
60 to include:

61 (1) At least two members who are academics in the field of history;

62 (2) At least one member chosen by the Chairman from a list of three
63 recommendations of the DC Historical Society; and

64 (3) At least one member from an organization advancing racial equity in the
65 District.

66 Sec 4. Sunset.

67 This act shall expire upon the submission of the report required by Section 2(c) of this act
68 by the task force to the Council.

69 Sec. 5. Fiscal impact statement.

70 The Council adopts the fiscal impact statement in the committee report as the fiscal
71 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
72 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

73 Sec. 6. Effective date.

74 This act shall take effect following approval by the Mayor (or in the event of veto by the
75 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
76 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
77 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
78 Columbia Register.