

**GOVERNMENT OF THE DISTRICT OF SYSTEM
COLUMBIA ADMINISTRATIVE ISSUANCE**

Mayor's Order 2021-003

January 6, 2021

SUBJECT: Extension of Public Emergency

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in the Mayor of the District of Columbia pursuant to section 422(11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(11) (2016 Repl.); section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3- 149, D.C. Official Code § 7-2304 (2018 Repl.); D.C. Official Code § 5-129.03, and Mayor's Order 2009-4, it is hereby **ORDERED** that:

I. FINDINGS (NATURE OF THE PUBLIC EMERGENCY)

First Amendment protests have turned violent. Many persons came to the District armed and for the purpose of engaging in violence and destruction and have engaged in violence and destruction. They have fired chemical irritants, bricks, bottles, and guns. They have breached the security of the Capitol and their destructive and riotous behavior has the potential to spread beyond the Capitol.

Their motivation is ongoing. Today, they sought to disrupt the Congressional proceedings relating to the acceptance of electoral college votes. President Trump continues to fan rage and violence by contending that the Presidential election was invalid. Persons are dissatisfied with judicial rulings and the findings of State Boards of Elections, and some persons can be expected to continue their violent protests through the inauguration.

Today's events and the reasonable apprehension of an ongoing public emergency represent an immediate threat to the health, safety, and welfare of District residents that requires emergency protective actions. Accordingly, by this Order, the public emergency declared by Mayor's Order 2021-002 earlier this afternoon is hereby extended for a total of fifteen (15) days, until and unless provided for by further Mayoral Order.

II. EMERGENCY MEASURES AND REQUIREMENTS

- A. The City Administrator, in consultation with the Director of the District of Columbia Homeland Security and Emergency Management Agency, is authorized to implement such measures as may be necessary or appropriate to protect persons and property in the District of Columbia from the conditions caused by this public emergency. Such measures may include, as necessary or appropriate, actions

authorized under D.C. Official Code § 7-2304(b), including requesting federal disaster assistance, or taking measures under the District Response Plan to the extent necessary or appropriate to effectuate the relief contemplated by this Order.

- B. This Order shall apply to all departments, agencies, and instrumentalities of the District government as necessary or appropriate to implement this Order.
- C. The Chief Financial Officer of the District of Columbia is authorized to approve disbursement of all appropriations necessary to carry out this Order.
- D. The City Administrator, in coordination with the Deputy Mayor for Public Safety and Justice, the Director of the District of Columbia Homeland Security and Emergency Management Agency, and the Chief Financial Officer, is authorized to apply for financial assistance through the Federal Emergency Management Agency, any other federal, private, or nonprofit disaster relief and recovery organizations, and any other appropriate agencies of the United States government to recoup expenditures incurred, or obtain funding needed, under this order.
- E. The District Response Plan is hereby implemented beginning immediately, including the execution of mutual aid agreements for public safety purposes, and the appointment and swearing in of special police.
- F. In accordance with 49 C.F.R. § 390.23 (Relief from Regulations), any motor carriers or drivers operating commercial motor vehicles directly engaged in the resolution of this emergency shall not be subject to any provision that restricts the length of their work hours. Accordingly, this order permits utility workers and District agencies to retain crews to complete emergency repairs and restore services beyond normal work hours.
- G. Expend appropriated funds as needed to address the public emergency.
- H. Prepare for, order, and supervise the evacuation or sheltering of persons.
- I. Disconnect, suspend, or shut-off public utilities.
- J. Destroy, remove, or prohibit access to real or personal property found to be contaminated by any matter which renders it deleterious to life or health.
- K. Issue orders to regulate the use, sale, production, and distribution of food, fuel, clothing and other commodities as required by the District's response plan.
- L. Reduce or alter the hours of business, and direct persons to remain off public streets if a curfew is established.
- M. Establish such emergency services units as required.

- N. Expand existing departmental and agency units related to public emergency services.
- O. Exercise operational direction over all District government departments.
- P. Procure supplies, provide inform the public, and take any other preparatory steps.
- Q. Request pre-disaster assistance from the federal government.
- R. Take action to prevent or reduce harmful consequences of disaster.
- S. Waive application of any law administered by the Department of Insurance, Securities, and Banking if doing so is reasonably calculated to protect the health, safety, or welfare of District residents; and
- T. Notwithstanding any provision of Chapter 6 of Title 1, or the rules issued pursuant to Chapter 6 of Title 1, the subchapter I-A of Chapter 5 of Title 1, or any other personnel law or rules, the Mayor may take the following personnel actions regarding executive branch subordinate agencies that the Mayor determines necessary and appropriate to address the emergency:
 - 1. Redeploying employees within or between agencies;
 - 2. Modifying employees' tours of duty;
 - 3. Modifying employees' places of duty;
 - 4. Mandating telework;
 - 5. Extending shifts and assigning additional shifts;
 - 6. Providing appropriate meals to employees required to work overtime or work without meal breaks;
 - 7. Assigning additional duties to employees;
 - 8. Extending existing terms of employees;
 - 9. Hiring new employees into the Career, Education, and Management Supervisory Services without competition;
 - 10. Eliminating any annuity offsets established by any law; or
 - 11. Denying leave or rescinding approval of previously approved leave.

III. DURATION OF ORDER

This Order shall remain in effect until fifteen (15) days after its effective date, until 3:00 p.m. on Thursday, January 21, 2021, unless earlier rescinded or superseded.

IV. EFFECTIVE DATE:

This Order shall become effective immediately.

ATTEST: Kimberly Bassett
Kimberly A. Bassett
SECRETARY OF STATE OF THE DISTRICT
OF COLUMBIA

Muriel Bowser
Muriel Bowser
Mayor