

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

1350 Pennsylvania Avenue, NW, Washington, DC 20004

DRAFT

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**TO:** All Councilmembers

**FROM:** Chairman Phil Mendelson  
Committee of the Whole

**DATE:** September 20, 2022

**SUBJECT:** Report on Bill 24-722, the “Swampoodle Terrace Designation Act of 2022”

The Committee of the Whole, to which Bill 24-722, the “Swampoodle Terrace Designation Act of 2022” was referred, reports favorably thereon and recommends approval by the Council.

CONTENTS

I.	Background and Need.....	1
II.	Legislative Chronology.....	3
III.	Position of the Executive .....	3
IV.	Comments of Advisory Neighborhood Commissions .....	3
V.	Summary of Testimony.....	4
VI.	Impact on Existing Law .....	4
VII.	Racial Equity Impact Analysis.....	4
VII.	Fiscal Impact.....	4
VIII.	Section-by-Section Analysis.....	4
IX.	Committee Action.....	5
X.	Attachments .....	5

**I. BACKGROUND AND NEED**

On March 21, 2022, Bill 24-722, the “Swampoodle Terrace Designation Act of 2022” was introduced by Councilmember Allen to officially designate the park in Lots 800 and 807 in Square 748, bounded by L Street, N.E., 2nd Street, N.E., M Street, N.E., and 3rd Street, N.E. as Swampoodle Terrace. The location is in Ward 6.

In 2014, a partnership was established between the District Government and the NOMA Parks Foundation (“the Foundation”) to develop parks to fit a variety of community needs. Those needs were outlined in the 2012 NOMA Public Realm Design Plan and approved as a framework for public investment through the District’s 2014 Budget Support Act. Prior to this partnership, NOMA had few public green spaces. Since then, the Council has designated two parks established under the partnership – Swampoodle Park at 3<sup>rd</sup> and L Streets, N.E., and Alethia Tanner Park between Harry Thomas Way, N.E. and the Metropolitan Branch Trail.

Bill 24-722 proposes to designate additional park space across the street from Swampoodle Park as Swampoodle Terrace. This park is designed as a complement to Swampoodle Park in design and functionality. It is approximately the same size as Swampoodle Park, but includes more green space, tables and chairs, a pergola, and storage and service structures. From the street, there are multiple levels, or terraces, leading to the open green space.

The name Swampoodle Terrace was chosen after a two-round community naming process. Of 150 names initially recommended by the community, names related to Swampoodle Park had the most support. After a final community vote on the top three names, Swampoodle Terrace won, by far, the majority of the 900 votes cast. Advisory Neighborhood Commission 6C's Committee on Environment, Parks, and Events also strongly supported the name, and the full ANC has provided support for the naming.

### ***Legal Background***

The Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01 *et seq.*) (“Act”) establishes procedures for closing streets and alleys, opening new streets and alleys, naming public spaces, and other procedures related to streets and alleys. Specifically, the Act authorizes Council to designate or change the name of any public space in the District of Columbia.<sup>1</sup> Public spaces include “any public street, alley, circle, bridge, building, park, other public place or property owned by or under the administrative control or jurisdiction of the District of Columbia.”<sup>2</sup>

The Act establishes a notice requirement for the official designation of public spaces including parks; at least 30 days prior to the scheduled public hearing, the initiator of the proposed designation shall submit a copy of the legislation for review and comment to each Advisory Neighborhood Commission (“ANC”) in which the public space is located. Regarding Bill 24-722, the notice requirements have been met.

The Act also promulgates requirements that the Mayor must meet prior to consideration of a public space designation by the Council. First, the Mayor shall provide the Council with comments on the proposed designation submitted by any District agency with jurisdiction over the public space to be designated.<sup>3</sup> The Department of Parks and Recreation (“DPR”), which has jurisdiction over the park, submitted a letter regarding Bill 24-722, thus meeting this requirement. Second, prior to consideration of a designation by the Council, the Mayor shall provide to the Council a surveyor's plat showing the public space to be designated, including any adjacent and abutting squares to the designation.<sup>4</sup> The Office of the Surveyor provided the Council with a plat of the designation prior to mark up by the Committee of the Whole. The plat is attached to this report.

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<sup>1</sup> See D.C. Official Code § 9-204.01 *et seq.*

<sup>2</sup> D.C. Official Code § 9-204.11(2)(A).

<sup>3</sup> D.C. Official Code § 9-204.22(b).

<sup>4</sup> D.C. Official Code § 9-204.22(c)(1)-(3).

After the official public space designation legislation becomes law and all conditions required by the Council and the Act have been satisfied, the Mayor will install signage denoting the public space name.<sup>5</sup> The signage shall conform to the policies of the agency with jurisdiction over the public space, in this case DPR.<sup>6</sup> Additionally, the Surveyor of the District of Columbia shall record a copy of the act and the Surveyor’s plat in the Office of the Surveyor.<sup>7</sup>

Officially designating this bridge as the Swampoodle Terrace will be a fitting counterpart to adjacent Swampoodle Park, and the designation was recommended by an overwhelming vote of community members. For these reasons, the Committee of the Whole recommends the approval of Bill 24-722, the “Swampoodle Terrace Designation Act of 2022.”

## II. LEGISLATIVE CHRONOLOGY

March 21, 2022	Bill 24-722, the “Swampoodle Terrace Designation Act of 2022” is introduced by Councilmember Allen.
April 1, 2022	Notice of Intent to Act on Bill 24-722 is published in the <i>Register</i> .
April 5, 2022	Bill 24-722 is “read” at a Legislative Meeting and the referral to the Committee of the Whole is official.
June 14, 2022	Notice of Public Hearing on Bill 24-722 is published in the <i>Register</i> .
July 6, 2022	A Public Hearing is held on Bill 24-722 by the Committee of the Whole.
September 20, 2022	The Committee of the Whole marks up Bill 24-722.

## III. POSITION OF THE EXECUTIVE

Delano Hunter, Director, Department of Parks and Recreation, submitted a letter dated July 6, 2022 regarding Bill 24-722. He noted that the DPR does not take a position on public facility names, but only that DPR supports robust public engagement in selecting a name. In the case of Swampoodle Terrace, he indicated that such a robust community process had take place in this case. The letter is attached.

## IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

ANC 6C, in which the proposed official designation is located, voted unanimously on September 10, 2021 to support naming the park “Swampoodle Terrace.” (letter attached).

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<sup>5</sup> D.C. Official Code § 9-204.24(b).

<sup>6</sup> *Id.*

<sup>7</sup> D.C. Official Code § 9-204.24(c).

## V. SUMMARY OF TESTIMONY

The Committee of the Whole held a public hearing on Bill 24-722 on Wednesday, July 6, 2022 and received no testimony. However, the Committee did receive comments for the record in support of the designation from the NOMA Parks Foundation and the NOMA bid, which are both attached to this report. The Committee received no comments in opposition to Bill 24-722.

## VI. IMPACT ON EXISTING LAW

Bill 24-722 has no impact on existing law. D.C. Official Code § 9-204.01 authorizes the Council to designate any public space, including parks.<sup>8</sup> Further, the Act provides that, with limited exception, no public space shall be named in honor of any living person or in honor of any person who has been deceased less than two years.<sup>9</sup>

## VII. RACIAL EQUITY IMPACT ANALYSIS

According to the September XX, 2022 Racial Equity Impact Analysis of the Council Office on Racial Equity, the impact of Bill 24-722 is XXXXX.

## VII. FISCAL IMPACT

According to the September XX, 2022 Fiscal Impact Statement of the Chief Financial Officer, funds are sufficient in the fiscal year 2022 budget and proposed fiscal year 2023 through fiscal year 2026 budget and financial plan to implement the provisions of the proposed legislation. The cost to the District Department of Transportation (DDOT) is an estimated \$65 per official sign for fabrication and \$125 for installation, totaling \$380. The cost of Bill 24-722 can be absorbed.

## VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of Bill 24-722.
<u>Section 2</u>	Officially designates the park in Lots 800 and 807 in Square 748, bounded by L Street, N.E., 2nd Street, N.E., M Street, N.E., and 3rd Street, N.E. as “Swampoodle Terrace.”
<u>Section 3</u>	Adopts the Fiscal Impact Statement.
<u>Section 4</u>	Establishes the effective date by stating the standard 30-day Congressional review language.

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<sup>8</sup> Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201).

<sup>9</sup> See D.C. Code § 9-204.05.

## **IX. COMMITTEE ACTION**

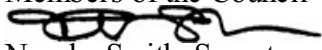
## **X. ATTACHMENTS**

1. Bill 24-722 as introduced
2. Written Testimony, Letter from DPR, and Letter from ANC 6C
3. Surveyor's Plat
4. Racial Equity Impact Assessment for Bill 24-722
5. Fiscal Impact Statement for Bill 24-722
6. Legal Sufficiency Determination for Bill 24-722
7. Committee Print for Bill 24-722

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

Memorandum

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To : Members of the Council  
From :  Nyasha Smith, Secretary to the Council  
Date : Thursday, March 24, 2022  
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Monday, March 21, 2022. Copies are available in Room 10, the Legislative Services Division.

TITLE: "Swampoodle Terrace Designation Act of 2022", B24-0722

INTRODUCED BY: Councilmember Allen

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

Attachment  
cc: General Counsel  
Budget Director  
Legislative Services



Councilmember Charles Allen

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A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To officially designate the park in Lots 800 and 807 in Square 748, bounded by L Street, N.E., 2nd Street, N.E., M Street, N.E., and 3rd Street, N.E. in Ward 6, as Swampoodle Terrace.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Swampoodle Terrace Designation Act of 2022”.

Sec. 2. Pursuant to sections 401 and 422 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.22), the Council officially designates the park in Lots 800 and 807 in Square 748, bounded by L Street, N.E., 2nd Street, N.E., M Street, N.E., and 3rd Street, N.E. in Ward 6, as “Swampoodle Terrace”.

Sec. 3. Transmittal.

The Council shall transmit a copy of this act, upon its effective date, to the Mayor, the Department of Parks and Recreation, and the Office of the Surveyor.

Sec. 4. Fiscal impact statement.

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

36           Sec. 5. Effective date.

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



**Testimony of Robin-Eve Jasper  
President, NoMa Parks Foundation  
Before the Committee of the Whole**

**Hearing re: Bill B24-0722 “Swampoodle Terrace Designation Act of 2022”  
July 6, 2022**

Good morning. I am Sherri Cunningham, Director of Communications at the NoMa Business Improvement District. I am here to deliver testimony on behalf of Robin-Eve Jasper, President of the NoMa Parks Foundation. Robin-Eve sends warm regards and thanks to Chairman Mendelson, and members and staff of the Committee of the Whole. She deeply regrets that she is unable to be here in person today to testify. She is traveling for her daughter’s wedding, which was scheduled before the hearing date was known. What follows are Robin-Eve’s remarks.

I want to thank Councilmember Allen and his staff for introducing the Swampoodle Terrace Designation Act and thank the Committee of the Whole for the opportunity to testify in support of this legislation.

As many of you know, the NoMa neighborhood had no dedicated space for parks until very recently. In 2014, a partnership was established between the District of Columbia government and the NoMa Parks Foundation to develop parks to fit a variety of community needs. Those needs were outlined in the 2012 NoMa Public Realm Design Plan and approved as a framework for public investment through the District of Columbia’s Fiscal Year 2014 Budget Support Act. Key benefits of the partnership have been the ability of the NoMa Parks Foundation to engage closely and continuously with the community and the Foundation’s capacity to move agilely in the highly competitive NoMa real estate market.

Swampoodle Terrace on the northwest corner of 3<sup>rd</sup> and L Streets, NE was the Foundation’s fourth acquisition of private property on behalf of the District. The park is located directly across from NoMa Parks Foundation’s first park, Swampoodle Park. Swampoodle Terrace is designed to complement Swampoodle Park both aesthetically and functionally. Swampoodle Park is small, 8,200 square feet, and includes a dog park, large children’s play structure, greenery and seating. Swampoodle Terrace, 8,400 square feet and just across the street, includes more greenery, space for unstructured play and contemplation, and table and chairs for picnics and small community events, and a shade structure called a pergola, and storage and service structure. The two parks are bookends that serve the needs and aspirations of the community, both inside and outside the NoMa BID.

The Parks Foundation has worked intensively with neighborhood residents and other stakeholders since 2012 to determine their functional and design priorities for parks. After acquisition of the property, the Foundation engaged the DC landscape architecture firm, Lee

and Associates, Incorporated. Lee and Associates designed Swampoodle Park which is loved by the community and has won several awards, including from the Potomac Chapter of the American Society of Landscape Architects and the Society of American Registered Architects. In designing Swampoodle Terrace, Lee and Associates worked hand-in-hand with community members, representatives of the Department of Parks and Recreation, and NoMa Parks Foundation staff. During the US Commission of Fine Arts review of the park plans, Commissioners called the park a “gem for the community.” The park will be complete in September and the NoMa Parks Foundation is delighted to deliver another great park for the neighborhood.

Selection of a proposed name for the park was once again the subject of a two-round community naming process. The community submitted more than 150 names for the park, and the great majority of those names submitted were in favor of three themes. Names related to Swampoodle Park received the largest number of supportive submissions. Three names relating to the top three themes were submitted to a final community vote and, in a vote participated in by more than 900, Swampoodle Terrace was the winner by far. Significantly, members of local ANC6C Committee on Environment, Parks and Events considered a name that related to Swampoodle Terrace important in creating a shared identity for these new community parks. ANC 6C has provided their support for passage of Bill B24-0722 “Swampoodle Terrace Designation Act of 2022” naming this new park Swampoodle Terrace.

Thank you for the opportunity to testify today. I am sorry I will be unable to answer your questions in person but would be happy to submit written answers for the record to any questions that the Chair or other Committee members may have.

## TESTIMONY

July 6, 2022

The Honorable Phil Mendelson  
Chairman Council of the District of Columbia  
Committee of the Whole  
The John Wilson Building  
1350 Pennsylvania Avenue, N.W.  
Washington D.C. 20004

Dear Chairman Mendelson:

My name is Daniel Hoagland, and I am Chief of Staff for the NoMa Business Improvement District. I am here today to testify in support of Bill B24-0722, the "Swampoodle Terrace Designation Act of 2022." This Bill, introduced by Ward 6 Councilmember Charles Allen, would officially designate the new DC park currently under construction in NoMa on Lots 800 and 807 in Square 748, bounded by L Street, NE and 3<sup>rd</sup> Street NE, as "Swampoodle Terrace."

The NoMa BID along with our non-profit affiliate, the NoMa Parks Foundation, are proud of the successful public-private partnership formed between our organizations and the DC Government to establish permanent public outdoor spaces in NoMa that are attractive, sustainable, and welcoming places for people to refresh, play, and connect, now and for generations to come. This new park at the corner of 3<sup>rd</sup> and L Streets NE will be the fifth new public park to open in NoMa as a result of this partnership.

Judging by the strong level of community engagement in the process to select a permanent name for this new park, the space will be eagerly welcomed by the neighborhood. In total, nearly 900 people participated in the community voting process, which was organized by the NoMa Parks Foundation this past January, February and March, and included two rounds of community voting. Round One yielded more than 200 potential names, with a strong consensus emerging around just three: (1) Swampoodle Terrace Park; (2) Union Garden Park; and (3) Tiber Creek Park.

These top three options were then put to a second round of community voting, and "Swampoodle Terrace" won handily, by a more than 20% margin. Those who submitted the name "Swampoodle Terrace" commented that they appreciated the continuity with "Swampoodle Park," which sits directly across L street NE from the new park. The name "Swampoodle" is itself an artifact of the neighborhood, and derives from "swamp puddle" and comes from the Irish immigrants who lived in the neighborhood during the 19th Century.

The park's design repeats many elements of its neighboring park, Swampoodle Park; is similar in overall size; and includes a special feature, a beautiful, terraced garden. As always, the NoMa BID is grateful to all the members of the NoMa community who participated in the community naming process.

The NoMa BID concurs with the community's choice of "Swampoodle Terrace Park," and we believe the park will provide a great place for all District residents and community members to gather and enjoy time outdoors with their NoMa neighbors. We'd like to especially thank Councilmember Allen for his support of this effort to deliver more green space to the NoMa neighborhood.

This concludes my written testimony before you Chairman Mendelson and other members of the Committee of the Whole. I am available to answer questions that you might have at this time.

Thank you,

Daniel Hoagland



Muriel Bowser  
Mayor

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Department of Parks and Recreation



Delano Hunter  
Director

Office of the Director

July 6, 2022

The Honorable Chairman Mendelson  
Chairperson, Committee of the Whole  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson and Members of the Committee of the Whole:

This letter provides a written statement on behalf of the Department of Parks and Recreation (DPR) Regarding Bill 24-722, Swampoodle Terrace Designation Act of 2022. The proposed legislation officially designates the park in Lots 800 and 807 in Square 748, bounded by L Street, 19 N.E., 2nd Street, N.E., M Street, N.E., and 3rd Street, N.E. in Ward 6, as Swampoodle Terrace.

DPR would like to take this opportunity to thank the NoMa Parks Foundation for delivering another park for the benefit of all DC residents. Improving community well-being by increasing access to public green spaces has been a high priority for Mayor Bowser since the onset of the coronavirus pandemic. Swampoodle Terrace will provide a great place for community members to gather and enjoy time outdoors with neighbors.

Though DPR does not take a position on the naming of public facilities, we firmly believe the process of naming public assets should include robust public engagement to ensure broad community support and awareness of any naming action. DPR applauds the NoMa Parks Foundation for their work to directly engage District residents in the process of naming the new park, seeking community input, and holding a public vote. According to the NoMa Parks Foundation, "Swampoodle Terrace" received the most votes, surpassing the other two options by a more than 20% margin. As such, DPR believes that a sufficient level of community engagement has occurred.

DPR's mission is to level the playing field by providing equitable access to recreation programs, services, and facilities that improve residents' health, well-being, and overall quality of life. DPR manages an inventory of 68 recreation centers, 34 aquatic centers and outdoor pools, 102 playgrounds, 35 splash parks, 113 athletic fields, 19 dog parks, and over 900 acres of park space. The new Swampoodle Terrace park is owned by the District and will be operated by DPR once completed. We look forward to adding Swampoodle Terrace to DPR's inventory of gold standard recreation facilities.

Sincerely,

Delano Hunter  
Director, Department of Parks and Recreation



Government of the District of Columbia

## Advisory Neighborhood Commission 6C

P.O. Box 77876 Washington, D.C. 20013, (202) 547-7168

September 10, 2021

Mr. Everett Lott, Acting Director  
D.C. Department of Transportation  
250 M Street S.E.  
Washington, D.C. 20003

Re DDOT TOPS 373814, Swampoodle II Park at 3<sup>rd</sup> and L Streets NE

Dear Mr. Lott:

On September 10, 2021 at a regularly scheduled, duly noticed monthly meeting of ANC 6C held via teleconference, with a quorum of 6 out of 6 commissioners and the public present, the above-mentioned matter came before us. The commissioners voted unanimously, 6:0:0, to support this public space application with three recommendations.

The recommendations are as follows: (1) ANC 6C supports the bump outs and crosswalk design as presented; (2) Because L Street NE is a local street, ANC 6C urges DDOT to add true traffic calming elements to maximize the safety of people crossing between Swampoodle I and Swampoodle II parks, which includes removing parking on both sides of L Street NE between the two parks, installing a table top or speed bumps to slow down cars, and; and adding a micromobility corral in the front of the Swampoodle II park amphitheater steps/stairs; (3) redesign the amphitheater steps/stairs to de-emphasize the center of the park and help visually direct people to cross at the corner.

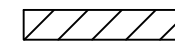
Thank you for giving great weight to the recommendations of ANC 6C.

cc: [Andrew.defrank@dc.gov](mailto:Andrew.defrank@dc.gov)  
[ancresolutions.ddot@dc.gov](mailto:ancresolutions.ddot@dc.gov)  
[matthew.marcou@dc.gov](mailto:matthew.marcou@dc.gov)

On behalf of ANC 6C,

Karen Wirt  
ANC 6C chair

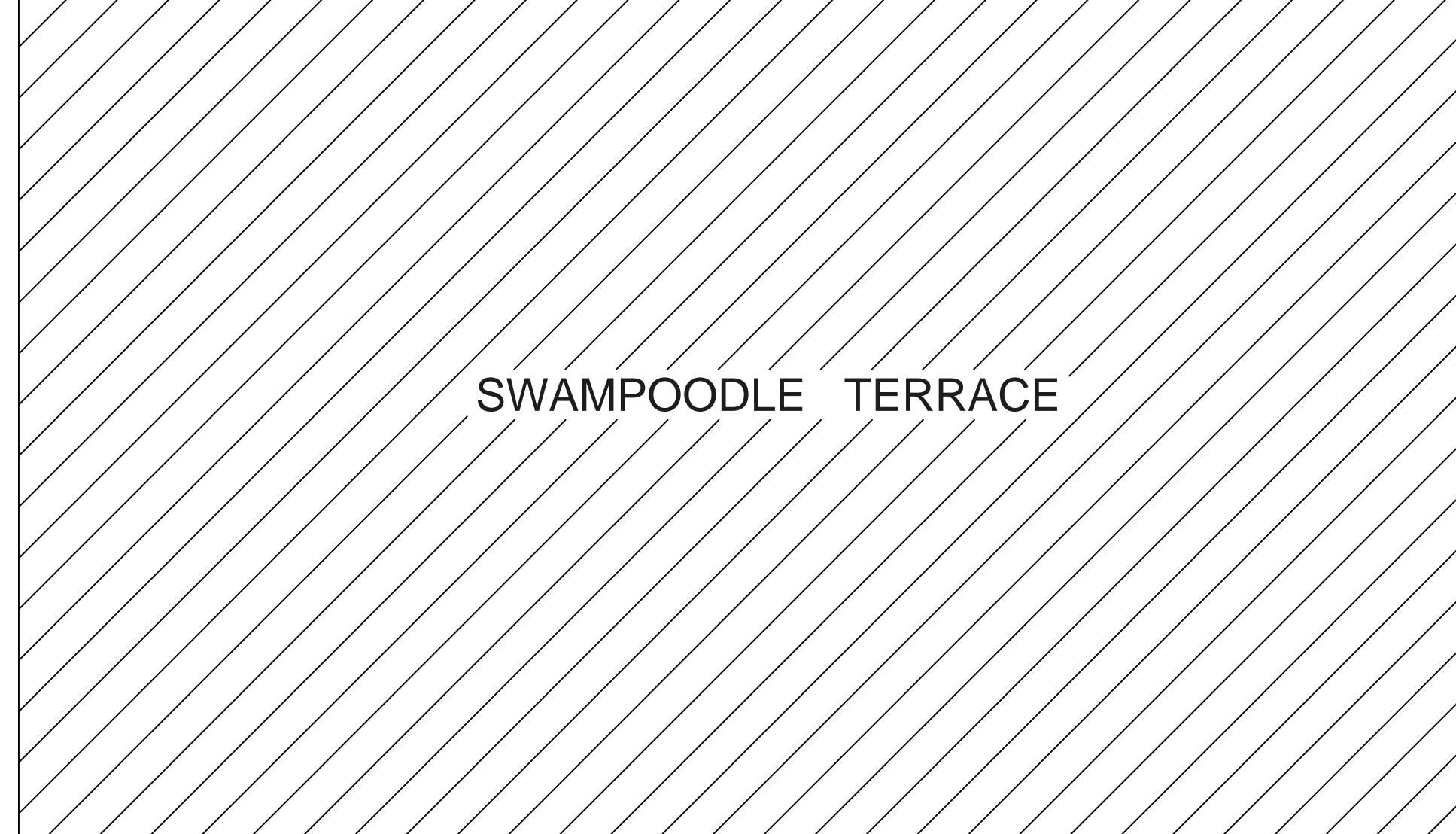
NAMING OF A PARK  
SWAMPOODLE TERRACE  
SQUARE 748

PURSUANT TO D.C. LAW \_\_\_\_\_ EFFECTIVE \_\_\_\_\_,  
THE AREA SHOWN THUS:  IS HEREBY DESIGNATED AS  
"SWAMPOODLE TERRACE".

OFFICE OF THE SURVEYOR, D.C.  
\_\_\_\_\_, 2022

I CERTIFY THAT THIS PLAT IS CORRECT AND IS RECORDED.

\_\_\_\_\_  
SURVEYOR, D.C.



3rd STREET, N.E.

L STREET, N.E.

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Record and computations by: <u>B. MYERS</u>	
Recorded at: _____	
Recorded in Book _____ Page _____	SR-22-0000
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1 **DRAFT COMMITTEE PRINT**  
2 **Committee of the Whole**  
3 **September 20, 2022**

4  
5 A BILL

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8 24-722  
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11 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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15 To officially designate the park in Lots 800 and 807 in Square 748, bounded by L Street, N.E.,  
16 2nd Street, N.E., M Street, N.E., and 3rd Street, N.E. as Swampoodle Terrace.

17  
18 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
19 act may be cited as the “Swampoodle Terrace Designation Act of 2022”.

20 Sec. 2. Pursuant to sections 401 and 422 of the Street and Alley Closing and Acquisition  
21 Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-  
22 204.01 and 9-204.22), the Council officially designates the park in Lots 800 and 807 in Square  
23 748, bounded by L Street, N.E., 2nd Street, N.E., M Street, N.E., and 3rd Street, N.E., as  
24 depicted in the plat in the committee report, as “Swampoodle Terrace”.

25 Sec. 3. Fiscal impact statement.

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

29 Sec. 4. Effective date.

30 This act shall take effect following approval by the Mayor (or in the event of veto by the  
31 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
32 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
33 24, 1973 (87 Stat. 813; D.C. Official Code §1-206.02(c)(1)), and publication in the District of  
34 Columbia Register.