

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-1
January 6, 2009

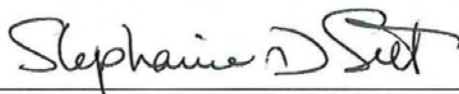
SUBJECT: Appointment – Medical Director, Fire and Emergency Medical Services
Department

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act of 1973, as amended, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2008 Supp.), section 3a of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, as amended, effective April 15, 2008 D.C. Law 17-147, D.C. Official Code § 5-404.01 (2008 Supp.), and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142, D.C. Official Code § 1-523.01 (2008 Supp.), and the Fire and Emergency Medical Services Department Medical Director James J. Augustine Confirmation Resolution of 2008, R17- 908 dated December 16, 2008 it is hereby **ORDERED** that:

1. **JAMES J. AUGUSTINE** is appointed as Medical Director of the Fire and Emergency Medical Services Department and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes previous Mayor's Orders to the extent of any inconsistency.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to December 16, 2008.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009 – 2
January 8, 2009

SUBJECT: Delegation of Authority to the Deputy Mayor for Planning and Economic Development – Authority to Acquire Real Property and Undertake Capital Improvements at Marvin Gaye Park

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) and 449 of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code §§ 1-204.22 (6) and (11) and 1-204.49 (2006 Repl.), section 6(b) of the Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1005(b)) (2008 Supp.), and D.C. Official Code §§ 16-1311 *et seq.* (2001), and the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01) it is hereby **ORDERED** that:

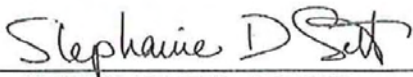
1. The Deputy Mayor for Planning and Economic Development (“Deputy Mayor”) is delegated the Mayor’s authority to acquire, through the exercise of eminent domain or pursuant to negotiated purchase agreements, and to take all actions necessary or useful for or incidental to the acquisition of, real property within, adjacent to, or otherwise for the expansion of, the park commonly known as Marvin Gaye Park.
2. The Deputy Mayor is further delegated the authority to undertake capital improvement projects at Marvin Gaye Park and to take all actions necessary or useful for or incidental to undertaking capital improvement projects at Marvin Gaye Park, including, without limitation, entering into construction contracts.
3. The Deputy Mayor may further delegate all or a part of his or her authority under this Mayor’s Order to subordinates under his or her jurisdiction.
4. This Order shall not supersede or terminate the authority of the Department of Parks and Recreation (“DPR”) for the day-to-day operation and maintenance of Marvin Gaye Park under section 6a of An Act To vest in the Commissioners of the District of Columbia control of street parking in said District, effective March 16, 1995 (as added by D.C. Law 10-226; codified at D.C. Official Code § 10-137.01) or section 2 of the Division of Park Services Act of 1988, effective March 16, 1989 (D.C. Law 7-209; D.C. Official Code § 10-166), or the Office of Property Management (“OPM”) under Title 10 of the District Columbia Official Code (D.C. Official Code §§ 10-1001 *et seq.*), or any authority delegated to DPR or OPM under a prior Mayor’s Order; to the extent that any of the authority delegated to the Deputy Mayor under this Order is coextensive with any existing

authority of DPR or OPM, the authority of the Deputy Mayor under this Order shall be concurrent with the authority of DPR and OPM.

5. Except as provided in paragraph 4, this Order supersedes all previous Mayor's Orders to the extent of any inconsistency herein.
6. EFFECTIVE DATE: This Order shall be effective *nunc pro tunc* to July 20, 2007.



ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-3


January 15, 2009

SUBJECT: Appointment as Lead Agency and delegation of Mayor's Authority to Administer the Day Care Policy Act of 1979 to the Office of the State Superintendent of Education

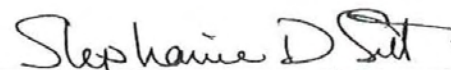
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code §§ 1-204.22(6) and (11) (2008 Supp.); and sections 2(d), 10, 11, and 14 of the Day Care Policy Act of 1979 (Act), effective September 19, 1979 (D.C. Law 3-16, D.C. Official Code §§ 4-401(4), 409, 410, and 413) it is hereby **ORDERED** that:

1. The Office of the State Superintendent of Education ("the OSSE") shall serve as the lead agency and grant recipient for the Child Care and Development Fund in conformance with The Child Care and Development Block Grant Act of 1990 (42 USC 9801 *et seq.*), as amended by the Personal Responsibility and Work Opportunity Act of 1996 (Public Law 104-193) and the Balanced Budget Act of 1997 (Public Law 105-33), and in conformance with the United States Department of Health and Human Services regulations, 45 Code of Federal Regulations §§ 98.1 *et seq.*
2. The OSSE is designated the "department" as that term is defined in section 2(d) of the Act and is also delegated all other authority vested in the Mayor to administer the Act.
3. The Mayor's authority to promulgate rules pursuant to sections 10, 11, and 14 of the Act is delegated to the State Superintendent of Education.
4. This Order supersedes in whole or in part as appropriate, any previously issued Mayor's Orders to the extent such provisions are inconsistent with this Order.
5. **EFFECTIVE DATE:** This Order shall take effect *punc pro tunc* to August 16, 2008.



ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

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

Mayor's Order 2009-4
January 16, 2009

SUBJECT: Delegation of Authority to the Chief of Police to Appoint Special Police Without Pay

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198; D.C. Official Code § 1-204.22(6) (2006 Repl.), it is hereby **ORDERED** that:

1. The Chief of Police is delegated the authority of the Mayor of the District of Columbia under D.C. Official Code § 5-129.03 (2001) upon any emergency of riot, pestilence, invasion, insurrection, or during any day of public election, ceremony, or celebration, to appoint as many special privates without pay, from among the citizens as he may deem advisable and for a specified time. During the term of service of such special privates, they shall possess all the powers and privileges and perform all the duties of the privates of the standing police force of the District and such special privates shall wear an emblem to be presented by the Mayor.
2. The authority delegated herein may be further delegated by the Chief of Police to his or her subordinate officials.
3. **EFFECTIVE DATE:** This order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

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

Mayor's Order 2009-5
January 16, 2009

SUBJECT: Delegation of Authority to the Attorney General to Issue Subpoenas and to Administer Oaths in Any Criminal Investigation

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act (Home Rule Act), as amended, 87 Stat. 790, Pub. L. No. 93-198; D.C. Official Code § 1-204.22(6) (2006 Repl.), and pursuant to Section 3 of the Independent Personnel Systems Implementation Act of 1980 (D.C. Law 3-109; D.C. Official Code § 1-301.21 (2006 Repl.) (the "Act")), it is hereby **ORDERED** that:

1. The Attorney General is delegated the authority of the Mayor of the District of Columbia under Section 3 of the Act, D.C. Official Code § 1-301.21 (2006 Repl.), to issue subpoenas to witnesses in any criminal investigation or examination for the purpose of obtaining records, including but not limited to phone records, computer information, Department of Motor Vehicles records and lease information.
2. The authority delegated herein may be further delegated by the Attorney General to his subordinate attorneys.
3. While Mayor's Order 2008-154, dated November 7, 2008, delegating the same authority to the Chief of Police was likewise designed to enhance the Metropolitan Police Department's ability to conduct criminal investigations and is valid despite the D.C. City Council's unlawful attempt on January 6, 2009 to repeal it, pursuant to Bill 18-23, the "Metropolitan Police Department Subpoena Limitation Emergency Act of 2009", Mayor's Order 2008-154 is hereby rescinded after consultation with the Attorney General and the Chief of Police.
4. **EFFECTIVE DATE:** This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

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

Mayor's Order 2009-6
January 16, 2009

SUBJECT: TEMPORARY AND LIMITED SUSPENSION OF THE ENFORCEMENT OF CERTAIN ENGINE IDLING PROVISIONS OF THE DISTRICT OF COLUMBIA OFFICIAL CODE AND MUNICIPAL REGULATIONS FOR PURPOSES OF THE 2009 PRESIDENTIAL INAUGURATION

ORIGINATING AGENCY: Office of the Mayor

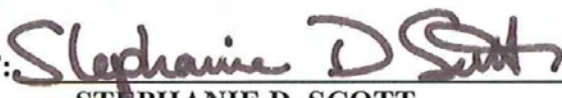
By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(11), it is hereby **ORDERED** that:

1. BACKGROUND AND PURPOSE:

- a. On January 20, 2009, President-elect Barack Obama will be inaugurated as the 44th President of the United States of America (the "Inauguration").
- b. To celebrate this historic occasion, more than a million people, including governors, senators, representatives, and foreign dignitaries, are expected to visit the District of Columbia to attend or view Inauguration events.
- c. The Inauguration has been designated as a National Special Security Event by the Secretary of Homeland Security.
- d. Law enforcement personnel providing security during the Inauguration will be exposed to the elements for extended periods of time during their shifts.
- e. The average noon temperature in the District of Columbia when the President is sworn in is 36.7 degrees Fahrenheit.
- f. To mitigate the health hazards associated with being exposed to inclement weather for extended periods of time, the District of Columbia Homeland Security and Emergency Management Agency ("HSEMA") will be providing a limited number of buses to serve as warming stations at designated locations on or near Pennsylvania Avenue, NW, on January 20, 2009, for law enforcement personnel and members of the general public who may require medical attention.

- g. Generally, the engine of a gasoline or diesel powered motor vehicle shall not idle for more than three (3) minutes while the motor vehicle is parked, stopped, or standing, except for three limited purposes.
 - h. The District of Columbia acknowledges the necessity of having in place and enforcing engine idling regulations on a uniform and consistent basis to offset the harmful effects excessive engine idling may cause to both the environment and one's health. However, in light of the historic nature of the Inauguration; the expected unavailability of alternate locations where persons could obtain warmth or medical assistance or both; the potentially greater danger posed to public health and the environment if the District does not provide stations; and the narrow tailoring of this Order such that it will apply to a limited number of warming stations identified herein, it is in the interest of the District of Columbia to suspend enforcement on Inauguration Day of those provisions of the District of Columbia Code and District of Columbia Municipal Regulations relating to engine idling, as such provisions relate to a limited number of warming stations identified herein.
 - i. The Home Rule Act vests the Mayor with the executive power of the District of Columbia and empowers the Mayor to execute all laws relating to the District of Columbia.
2. **TEMPORARY AND LIMITED SUSPENSION OF ENFORCEMENT:**
- a. No District of Columbia agency, including, but not limited to the Department of the Environment, Department of Health, Department of Public Works, Department of Motor Vehicles, and Metropolitan Police Department, shall enforce the District of Columbia's engine idling regulations on January 20, 2009, regarding a limited number of buses designated as warming stations by HSEMA.
 - b. HSEMA shall take such action as is necessary to clearly identify the limited number of buses subject to the provisions of this Mayor's Order.
3. **EFFECTIVE DATE:** This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-7
January 23, 2009

SUBJECT: Establishment of Recycling Policy into the District Department of the Environment

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by sections 422(6) and (11) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No 93-198, D.C. Official Code § 1-204.22(6) and (11) (2001), and by the District Department of the Environment Establishment Act of 2005, effective February 15, 2006, D.C. Law 16-51, D.C. Official Code § 8-151 *et seq.* ("Act"), it is hereby **ORDERED** that:

I. PURPOSE:

The purpose of this establishment order is to set forth a new and consolidated Recycling Policy to be overseen by the District Department of The Environment. The District Department of the Environment ("DDOE") was created to "establish a single executive agency to protect human health and the environment... and to streamline the administration of District environmental law and programs..." currently in other agencies as provided by section 102 of the Act.

II. FUNCTIONS:

Section 103 of the Act authorizes the Mayor to transfer to DDOE existing authority vested in other agencies currently performing duties related to the protection of the environment. In addition, section 103(b)(1)(B)(ii)(V) of the Act specifically transfers the policy setting duties and functions of the Director of the Department of Public Works ("DPW") related to recycling policy.

III. ADMINISTRATION:

The Mayor's authority is hereby delegated as follows:

- A. The following duties and authorities are jointly shared by the Director of DDOE, pursuant to §§ 103(b) and 105 of the Act, and the Director of the Department of Public Works, pursuant to § 8 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1008):
 - 1. Researching the technology available for solid waste utilization;
 - 2. Identifying potential markets for recyclable materials and obtaining statements of interest for recovered materials;
 - 3. Identifying the amount and characteristics of the solid waste stream in the District;


4. Providing an assessment of the potential impact of alternative methods of solid waste management, including the public health, physical, social, economic, fiscal, environmental, and aesthetic implications;
 5. Conducting and evaluating the results of public forums or surveys of local citizen opinion on solid waste management practices in conjunction with the Environmental Planning Commission; and
 6. Coordinating efforts to stimulate markets for recycled materials, including District government purchasing policies.
- B. The following authorities vested in the Mayor that were heretofore exercised solely by the Director of DPW, are hereby also vested in the Director of DDOE, with DDOE serving as lead agency in ensuring that these requirements are met:
1. § 8-1014(a) of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1014), which pertains to annual reporting requirements;
 2. § 8-1015(g) of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1015), which pertains to annual reporting of recycling surcharges and collection fees;
 3. § 8-1016 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1016), which pertains to maintaining an information clearinghouse; and
 4. § 8-1019 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1019), which pertains to minimum recycled content percentage requirements.
- C. The following authority shall be jointly shared by the Director of DDOE and Director of the Office of Contracting and Procurement ("OCP"):
1. § 8-1013 of the D.C. Solid Waste Management and Multi-Material Recycling Act of 1988 (D.C. Law 7-226; D.C. Official Code § 8-1013), which pertains to District procurement policies.

IV. REPEAL OF PRIOR DELEGATIONS. To the extent Mayor's Order 89-160 dated July 20, 1989, vests the authorities identified in III.B. and C. to the Director of DPW and the Director of Administrative Services, that Order is repealed and the vesting of the authorities are amended as stated above.

V. EFFECTIVE DATE: This Order shall become effective immediately.



ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-8

January 29, 2009

SUBJECT: Delegation of Authority Under D.C. Law 17-137, the "Excellence in Local Business Contract Grading Act of 2008"

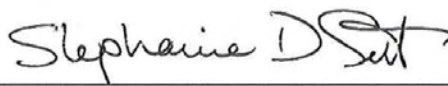
ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6)(2007 Supp.), and in accordance with section 3 of the Excellence in Local Business Contract Grading Act of 2008, effective March 26, 2008, (D.C. Law 17-137) and any similar succeeding legislation, it is hereby **ORDERED** that:

1. The Director of the Office of Contracting and Procurement is delegated the authority vested in the Mayor by section 3 of the Act to issue rules to implement its provisions.
2. **EFFECTIVE DATE:** This Order shall become effective immediately.



ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-9
January 29, 2009

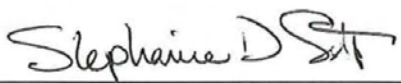
SUBJECT: Amendment of Mayor's Order 91-130, dated July 23, 1991 "Designation of Officers to Accept Service of Process on Behalf of the Mayor"

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, P. L. No. 93-198, D.C. Official Code § 1-204.22(6), it is hereby **ORDERED** that:

1. Paragraph 3 of Mayor's Order 91-130, dated July 23, 1991 is amended by striking the phrase "Department of Public Works" and inserting the phrase "Department of Motor Vehicles" in its place.
2. All actions taken by the Department of Motor Vehicles for the Department of Public Works by accepting Service of Process on behalf of the Department of Public Works shall be ratified *nunc pro tunc* to March 26, 1999.
3. The Director of the Department of Motor Vehicles is designated to Accept Service of Process pursuant to section 7 of the Motor Vehicle Safety Responsibility Act of the District of Columbia § 50-1301.07 (2001).
4. **EFFECTIVE DATE:** This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-10
February 2, 2009

SUBJECT: Continuation of Retirement Awards Program Pursuant to Sections 1902.1(a)(6) and 1904.7 of Chapter 19, Incentive Awards, of Title 6 of the District of Columbia Municipal Regulations

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act of 1973, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code §§ 1-204.22 (2) and (11) (2008 Supp.), it is hereby **ORDERED** that:

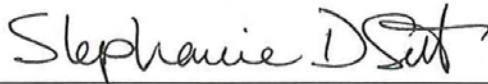
1. Pursuant to the provisions of sections 1902.1(a)(6) and 1904.7 of Chapter 19, Incentive Awards, of Title 6 of the District of Columbia Municipal Regulations, which established a Retirement Awards Program for certain District government employees, and as specified in this Order, retirement awards may be offered to eligible District government employees through September 30, 2009.
2. The purpose of Retirement Awards is to recognize the length of District government service of the recipients of the award as they end their careers with the District government via retirement.
3. The following categories of employees shall be eligible to receive Retirement Awards pursuant to this Order and section 1904.7 of the Regulations:
 - (a) Except as specified in Paragraph 4 (b) of this Order, an employee retiring under any of the retirement provisions of the Civil Service Retirement System (Chapter 83 of Title 5 of the U.S. Code), including the law enforcement or firefighter provisions;
 - (b) An employee covered under the District government retirement system applicable to persons first employed by the District government after September 30, 1987 (Defined Contribution Plan) who has completed at least five (5) years of creditable service with the District government and has vested under the Defined Contribution Plan and is separating from District government service after becoming entitled to retirement benefits under the Social Security Act; and
 - (c) An employee subject to the regulations retiring under any of the other District government retirement systems.

4. The following categories of employees are ineligible to receive Retirement Awards:
 - (a) An employee who is in a position designated by the agency head as a critical position;
 - (b) An employee retiring under the discontinued service/involuntary retirement provisions of 5 U.S.C. § 8336 (d)(1), or under the disability retirement provisions of 5 U.S.C. § 8337;
 - (c) An employee who receives a proposal or a final decision notice of removal for cause;
 - (d) An employee who is under indictment or who is charged by information with or who has been convicted of a felony or who has been convicted after a plea of *nolo contendere* to a felony related to his or her employment duties; provided, that any employee who ultimately is acquitted or cleared of any charge that caused his or her ineligibility shall be eligible for all benefits as if that employee had never been indicted for or charged by information with a felony; and
 - (e) An employee who, based on conduct related to his or her employment duties, has been convicted of a misdemeanor or who has plead guilty or has been convicted after a plea of *nolo contendere* to a misdemeanor; provided, that any employee who is ultimately acquitted or cleared of any charge which caused his or her ineligibility shall be eligible for all benefits as if that employee had never been charged with a misdemeanor.
5. No Retirement Award granted shall exceed fifty percent (50%) of an eligible employee's annual rate of basic pay, or up to twenty five thousand dollars (\$25,000), whichever is lower.
6. Retirement Award payments shall be prorated in the case of part-time employees.
7. The disbursement of funds for Retirement Awards shall be subject to the following conditions:
 - (a) The submission to the City Administrator of the agency's proposal or plan for the awards, including a list of employees to whom the award would be granted, the proposed amount of each award, and a list of critical positions, if any;
 - (b) The availability of funds within each agency, as certified by the agency's Chief Financial Officer;
 - (c) The approval of the agency proposal or plan by the City Administrator; and
 - (d) Procedures issued by the Director, DCHR, including guidance and criteria for agency heads to determine the amount of each individual Retirement Award to be granted.

8. For the purposes of Paragraph 4 (a) of this Order, the term "critical position" means a position whereby non-performance of the duties of the position would adversely affect the fulfillment of the mission or the function of an agency, office, or department, or any lesser organizational component.
9. For the purposes of Paragraph 4 (d) of this Order, the term "felony" means an offense that is punishable by a term of imprisonment that exceeds one (1) year or a fine of at least one thousand dollars (\$1,000).
10. This Order supersedes Mayor's Order 2008-31, dated February 20, 2008
11. **EFFECTIVE DATE:** This Order shall become effective immediately.


ADRIAN M. FENTY
MAYOR

ATTEST:



STEPHANIE D. SCOTT

SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-11
February 2, 2009


SUBJECT: RE-DESIGNATION OF THE BOARD OF REAL ESTATE AS THE
REAL ESTATE COMMISSION

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) and (11) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) and (11), it is hereby **ORDERED** that:

1. The District of Columbia Board of Real Estate is re-designated as the Real Estate Commission.
2. All references in statutes, regulations, rules, and orders to the Board of Real Estate shall henceforth refer to the Real Estate Commission.
3. **EFFECTIVE DATE:** This Order shall take effect immediately and shall supersede all prior orders to the extent of any inconsistency.


ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2009-12
February 4, 2009

SUBJECT: Delegation of Authority to Conduct Investigations of Unusual Incident Reports Submitted by Childcare Providers and Any Other Person(s) or Entity(s) on Behalf of the Early Care and Education Administration for a Period Not to Exceed Ninety (90) Days from the Effective Date of this Order

ORIGINATING AGENCY: Office of the Mayor

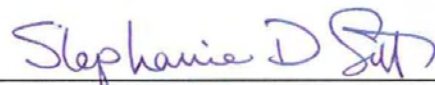
By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2008 Supp.), the Day Care Policy Act of 1979, as amended, effective September 19, 1979, D.C. Law 3-16; D.C. Official Code §§ 4-401(4), and 4-413) (2008 Repl.), and the Child Development Facilities Regulation Act of 1998, as amended, effective April 13, 1999, D.C. Law 12-215, D.C. Official Code § 7-2036(b) (2008 Repl.), it is hereby **ORDERED** that:

1. The Director of the Department of Human Services (DHS) is hereby delegated the authority vested in the Mayor to conduct investigations of unusual incident reports submitted by childcare providers, and any other person(s) or entity(s) on behalf of the Office of the State Superintendent of Education (OSSE).
2. The Director of DHS's authority to conduct investigations of unusual incident reports submitted by childcare providers, and any other person(s) or entity(s) on behalf of OSSE shall not exceed ninety (90) days from the effective date of this Order. After 90 days from the effective date of this Order the authority and responsibility to conduct investigations of unusual incident reports submitted by childcare providers, and any other person(s) or entity(s) shall be vested in OSSE.
3. DHS shall provide the investigative services in accordance with this Order within its existing resources. After 90 days from the effective date of this Order OSSE shall assume the authority and responsibility to conduct investigations of unusual incident reports submitted by childcare providers, and any other person(s) or entity(s), within its existing resources, and in accordance with its authority to administer the early care and education program pursuant to section 503a of the Early Intervention Program Establishment Act of 2004 (Act), effective June 12, 2007, D.C. Law 17-9, D.C. Official Code § 7-863.03a (2008 Repl.), and under the Supplemental Appropriations Clarification Temporary Amendment Act of 2008, effective May 13, 2008 (D.C. Law 17-163).

4. This Order shall not apply to investigations conducted on programs within the pre-k-education system as that authority is vested in OSSE pursuant to section 102 (b) (5) of the "Pre-k Enhancement and Expansion Amendment Act of 2008", effective July 18, 2008, D.C. Law 17-202, D.C. Official Code §38-3401.02(b)(5), 55 DCR 6297.
5. This Order supersedes any prior Mayor's Order or other issuance to the extent of any inconsistency.
6. **EFFECTIVE DATE:** This Order shall become effective immediately.



ADRIAN M. FENTY
MAYOR

ATTEST: 
STEPHANIE D. SCOTT
SECRETARY OF THE DISTRICT OF COLUMBIA