



December 11, 2024

Dear Chairman Mendelson,

We hope this finds you well as this very busy year winds to a (very busy) close.

We are writing to request revisions to the Rules of Organization and Procedure for the Council of the District of Columbia for Council Period 26.

As part of our commitment to fighting for a just and equitable DC budget, we have focused on how process shifts can bring us closer to this goal. We are pleased to share with you [our proposals](#) for changes to Council rules that can make the budget and legislative processes more equitable, strengthen the Council's position in relation to the Mayor during the budget process, and make changes that are sensitive to the workload of Council staff.

Two years ago, you made significant improvements to promote community engagement in Council processes, resulting in the standardized Hearing Management System. We seek to add to those successes as well as grow in other areas of the rules. We have been mindful to ensure these proposals have no budget or legislative implications, and we sent the changes and draft language to the Office of General Counsel for review.

We have 4 overarching objectives that frame our specific rules change proposals:

- Encourage the Council to establish citywide priorities that will guide the budget process and offer framing ahead of the Mayor's budget proposal.
- Improve public engagement in Council hearings.
- Strengthen the role and impact of Racial Equity Impact Assessments (REIAs) in Council legislation.
- Implement revenue hearings at the DC Council.

Each objective has 1-4 specific proposed changes underneath it. Below we list proposed changes, broken out by the 4 objectives, and the rationale for them.

Objective 1: Encourage the Council to establish citywide priorities that will guide the budget process and offer framing ahead of the Mayor's budget proposal.

- *Hold a public budget work session or breakfast in January or February where the Council can outline its priorities for the upcoming budget and review the outcomes of the previous budget.*



We have seen over the past few years how the Mayor has used (sometimes successfully, sometimes not) budget and legislative processes to put the Council on its back foot. One of the most significant impediments to an equitable and community-engaged budget process is the Mayor's full control over the narrative and framing on the budget given that Council does not set shared priorities among all offices for the District. We believe that the Council must take steps to move into a more proactive position and set the terms of the debate, both internally and in the public discourse.

Under current practice, once the Mayor drops her budget, the Council immediately heads to budget oversight hearings within committees and then works on a committee markup. All moves at this point happen in siloes and without any overarching guidance (at least, publicly) that would flow from Council-wide priorities.

Last year's FY2025 budget process provides a stark example of the need for this shift. In spite of a city riven by an extreme housing affordability crisis, growing homelessness, and widespread signs of housing insecurity, the Housing Committee was left to address these issues within its own budget and with some last minute adjustments for more funding. But the magnitude of the housing problems - particularly given that housing underpins all other forms of community wellbeing - demand a different, more holistic and less reactive approach.

Additional barriers exist to a more equitable budget process and outcome: the budget period being fast and intense with no room for error, and the Council (and staff) being smaller than it should be to manage either a budget or an economy of DC's size. Addressing either of these, however, would require Congressional approval and an increased budget, which are well beyond the rules change process. We will likely return to these ideas at a later point.

Objective 2: Improve public engagement in Council hearings.

- *Set a minimum number of days between the Mayor's transmission of the budget to the Council and the start of hearings.*
- *Add one business day to notice and circulation requirements for Legislative and Committee of the Whole meetings, including for the Council's votes on the budget.*
- *Add one business day to notice and circulation requirements for drafts of any measure to be considered.*
- *Improve community engagement and participation in Council hearings.*
 - *Once a hearing hits 100 signups, automatically add a second hearing date, or if the hearing is anticipated to have more than 100 public witnesses, set two hearing dates.*
 - *Organizations testify during the day; community members choose if they testify day or evening.*



As colleagues [noted](#) two years ago in their request to you for rules changes to improve public engagement in Council business, “We have seen time and again that the D.C. Council produces its best legislation, budgets, and oversight when its level of engagement with residents is the highest.” We also believe this to be true and are pleased with the many changes that you implemented in Council Period 25. There is still room, however, to improve the experience of community members, and for this reason we are focusing again in this area.

Our main request is to increase the amount of time required at many points within legislative and budget processes, in order to give a little more breathing room for community members to analyze the information being circulated, prepare testimony, and bring others into the process. In addition to the routine legislative timelines, we highlight the need for guaranteed time buffers between the Mayor’s budget proposal and the first public hearings (3 days) and between the Chairman’s draft report and print and each budget vote.

Our last proposed change in this section relates to the marathon hearings that happen, predictably in certain committees and less predictably in others. While we know that Council hearing schedules are rigorous, we believe that strain on staff and community members can be better managed by breaking the lengthiest hearings up. With some attention to historic patterns of testimony registration, the same amount of work in a marathon day can be broken up into more manageable and human-scaled sessions. Hearing hours can be planned to be more inclusive of community members who are unable to testify during traditional work hours, and witnesses could choose a time frame in which to testify (morning, mid-day, and late afternoon or evening, for example).

The rapid pace of bills, hearings, and the budget challenges staff members, as well. We have a vested interest in their work-life balance and prevention of burnout, too, as Council staff interface with community members around legislative and budget issues. Our community wellbeing is intertwined with Council wellbeing!

We know that these suggestions will come right up against (or even pass) the congressionally mandated time limit for passing the DC budget. We do not have all the solutions mapped out but would be happy to work on this together with you, so that we find the right combination of tweaks to get maximum time and space on the most important of these adjustments.

Objective 3: Strengthen the role and impact of Racial Equity Impact Assessments (REIAs) in Council legislation.

- *Require each Committee’s Report to acknowledge and respond to a relevant REIA, and each Committee Chair to do the same at the relevant markup.*



- *Make additional improvements in consultation with CORE.*

The Council Office of Racial Equity performs an essential service in support of racially equitable legislation and a DC where all residents can thrive, not merely survive. It is clear from conversations with community members, Council staff, and CORE staff that there is room to grow the impact of CORE's analysis. While there are shifts we'd like to see that have budget and/or legislative implications, we believe that the rules change period offers an opportunity to strengthen this work simply by boosting its transparency and the Council's accountability to it.

We recommend that committees uplift REIAs on the record, by including them in committee reports and at markup. Such an addition to Council process will help raise the profile of the REIAs as well as help the public understand if and how committees are addressing any suggestions.

We urge the Council to consult with CORE to determine other improvements to REIA processes.

Objective 4: Implement revenue hearings at the DC Council.

- *Hold a standalone revenue hearing as part of the budget process.*
- *Hold a COW hearing to review all business incentives, tax abatements, corporate subsidies, TIFs, and tax expenditures.*

Revenue and revenue raisers are complex topics. The Chief Financial Officer has been overly cautious in his revenue estimates over the past several years, only to announce later that hundreds of millions of dollars are actually available for use. And the Tax Revision Commission, which the Council and Mayor have relied on for decennial policy analysis and advice, failed to deliver an actionable report over two different budget seasons (FY25, FY26). The overreliance on the TRC and the delays have resulted in a seeming paralysis to have discussions about much needed tax shifts to make our tax system more fair, racially equitable, progressive, resilient, and adequate.

We believe that policymakers need to have essential policy information and community engagement on the topic in the course of designing and passing the budget. Moreover, the full Council, through the Committee of the Whole, is the proper place to address the status of revenue and revenue policy, given the full Council's [shared responsibility](#) for the budget.

The same rationale holds for the accountability and transparency of all incentives and tax expenditures. While the Committee on Business and Economic Development has traditionally



included this oversight in its work, at the very least the hearing on incentives should be held jointly by the COW and CBED, if not solely by the COW.

Lastly, the narrative that DC spends and taxes too much is inaccurate and a dangerous impediment to maintaining strong economic growth. Recent analysis by the DC Fiscal Policy Institute [indicates](#) that we must continue to grow both revenue and spending to maintain DC's strong economic growth and prevent a contraction that will harm residents. We already see significant challenges for many essential workers to live and work in the District, and their inability to make ends meet bodes ill for the local economy, not just for themselves. Dedicated revenue hearings can help us get beyond the rhetoric and bring sunlight and engagement on revenue trends, revenue policy, and tax expenditures, for the strongest, most equitable budget that serves all DC residents.

We welcome any questions and dialog about these proposed changes. We look forward to working together with you in service of our great District.

Very sincerely,

Fair Budget Coalition

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