


Councilmember Kenyan R. McDuffie

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To establish a high technology investment authority to invest in and coordinate the growth of high technology sector businesses in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “The High Technology Investment Authority Establishment Act of 2014.”

TITLE I. DEFINITIONS AND FINDINGS

Sec. 101. Definitions.

For the purposes of this act, the term:

(1) “Authority” means the High Technology Investment Authority established pursuant to section 201(a).

(2) “Qualified High Technology company” means “Qualified High Technology company as defined in D.C. Official Code § 47-8717.01(5).

Sec. 102. Findings.

The Council finds that:

(1) The District was the first city in the nation to establish a municipal 100 gigabit per second capable network.

(2) The technology sector is expected to see continued national growth.

30 (3) Growing a strong high technology sector in the District is an important
31 means of diversifying the District's economy and insulating the economy from declines in other
32 sectors.

33 (4) The District faces strong regional competition for high technology firms.

34 (5) Investing in early-stage high technology companies that are near
35 commercial viability is a cost efficient method of growing and retaining the high technology
36 sector in the District.

37 (6) The District has large amounts of industrial land that can be adaptively re-
38 used to foster innovation hubs.

39 (7) An independent authority, with subject matter experts, will allow the
40 District to develop a comprehensive plan and policy for nurturing the high technology sector.

41 (8) Moreover, an independent authority will promote and foster a culture of
42 innovation in the District.

43 (9) In view of these findings, the Council believes that the citizens of the
44 District will benefit from the enactment of the High Technology Investment Authority Act of
45 2014.

46 TITLE II. ESTABLISHMENT AND POWERS OF AUTHORITY

47 Sec. 201. Establishment of the High Technology Investment Authority; general purpose
48 of the Authority.

49 (a) There is established, as an independent authority of the District government, the
50 High Technology Investment Authority. The Authority shall be a corporate body, created to
51 effect certain public purposes, that has a separate legal existence within the District government.

52 (b) Except as provided in section 210, the Authority shall be subject to all laws
53 applicable to offices, agencies, departments, and instrumentalities of the District government,
54 and shall be subject to the provisions of the District of Columbia Self-Government and
55 Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 777; D.C. Code § 1-
56 201 *passim*) (“Self-Government Act”).

57 (c) Notwithstanding any other provisions of this act, the general purpose of the
58 Authority is to invest in, provide equity, provide access to infrastructure, provide access to
59 hardware, provide assistance with raising capital, provide operating space, consult, and mentor
60 qualified high technology companies

61 Sec 202. General Powers of the Authority.

62 The Authority shall possess the following powers:

63 (1) To sue and be sued;

64 (2) To have a seal and alter the seal at its pleasure;

65 (3) To make, adopt, and alter by-laws, rules, and regulations for the administration and
66 regulation of its business and affairs;

67 (4) To elect, appoint, or hire officers, employees, or other agents of the Authority, except
68 Board members, including experts and fiscal agents, define their duties, and fix their
69 compensation;

70 (5) To acquire, by purchase, gift, lease, or otherwise, and to own, hold, improve, use, sell,
71 convey, exchange, transfer, lease, sublease, and dispose of real and personal property of every
72 kind and character, or any interest therein, for its corporate purposes;

73 (6) To issue regulations and establish policies for contracting and procurement which are
74 consistent with principles of competitive procurement;

75 (7) To accept loans, gifts, or grants of money, materials, or property of any kind from the
76 United States, or any agency or instrumentality thereof, or the District, upon terms and
77 conditions as may be imposed upon the Authority to the extent that the terms and conditions are
78 not inconsistent with the limitations and laws of the District and are otherwise within the powers
79 of the Authority;

80 (8) To borrow money for any of its corporate purposes and to provide for the payment of
81 the same, as may be permitted under the District of Columbia Self-Government and
82 Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 777; D.C. Code § 1-
83 201 passim), and the laws of the District;

84 (9) To issue revenue bonds pursuant to section 208;

85 (10) To enter into contracts with the District, the United States, or their political
86 subdivisions, other public entities, or private entities for goods and services as needed to achieve
87 its purposes; provided, that prior to the Authority contracting out to a private entity, a service or
88 activity performed by employees of the Authority, through established standards developed by
89 rules and regulations, the Authority shall establish that the contracting out will achieve increased
90 efficiencies and cost savings to the Authority; provided further, that any contractor who is
91 awarded a contract that displaces any District government employee shall offer to any displaced
92 employee a right-of-first-refusal to employment by the contractor, in a comparable available
93 position for which the employee is qualified, for a least a 6-month period during which time the
94 employee shall not be discharged without cause. If the employee's performance during the 6-
95 month transition employment period is satisfactory, the new contractor shall offer the employee
96 continued employment under the terms and conditions established by the new contractor. Any
97 District government employee who is displaced as a result of a contract and is hired by the

98 contractor who was awarded the contract which displaced the employee shall be entitled to the
99 benefits provided by the Service Contract Act of 1965 41 U.S.C. § 351 et seq., notwithstanding
100 any exclusion of applicability of the Service Contract Act of 1965 to the employee.

101 (11) To establish, adjust, levy, collect, and abate charges for services, facilities, or
102 commodities furnished or supplied by it;

103 (12) To refund overcharges for services, facilities, or commodities furnished or supplied
104 by it;

105 (13) To undertake any public project, acquisition, construction, or any other act necessary
106 to carry out its purposes;

107 (14) To engage in activities, programs, and projects on its own behalf or, with the
108 concurrence of the Mayor, jointly with other public bodies or political divisions or subdivisions
109 of the District of Columbia;

110 (15) To provide for the cost of activities, programs, and projects from grants, loans, the
111 proceeds of bonds, or from other revenues available to the Authority for such purposes;

112 (16) To exercise any power usually possessed by public enterprises or private
113 corporations performing similar functions that is not in conflict with the Self-Government Act, or
114 the laws of the District;

115 (17) To invest in Qualified High Technology companies in the District;

116 (18) To provide facilities, and infrastructure to Qualified High Technology companies in
117 the District;

118 (19) To develop policies related to fostering the growth and retention of Qualified High
119 Technology companies in the District;

120 (20) To enter into contracts, including leases and lease-purchase agreements involving
121 real property and personal property;

122 (21) To enter into a financing lease, a service agreement or other arrangement for
123 contracted services; obligations with respect to credit facilities; and interest rate swaps, interest
124 rate caps, interest rate floors and any other interest rate-related hedge agreements entered into by
125 the Authority for the purpose of interest rate risk and asset management that may be, but need
126 not be, entered into in conjunction with the issuance of bonds or notes by the Authority.

127 (22) To do all things necessary or convenient to carry out the powers expressly provided
128 by this act.

129 Sec. 203. Establishment of a board of directors.

130 (a) (1) The Authority shall be governed by a board of directors ("Board") comprised of 9
131 members.

132 (2) Board members shall be appointed by the Mayor with the advice and consent of the
133 Council, of which at least one member shall be a founder or president of a high technology
134 company that has successfully secured over \$2 million in venture capital, one member shall be a
135 board member, partner, or executive officer of a venture capital investment firm with a minimum
136 of \$100 million of investments, two members shall be the president or his/her designee of
137 institutions of higher education in the District, and one member shall be the director of the Office
138 of the Chief Technology Officer or its successor agency. At least 5 members shall be District
139 residents, and at no time may more than 3 board members be District employees or elected
140 officials. The nomination of a Board member shall be submitted to the Council for a 30-day
141 period of review excluding days of Council recess. The Council may approve or disapprove the
142 nomination by resolution within 30 days of the date the nomination is transmitted to the Council.

143 If the Council does not adopt a resolution within the 30-day period, the nomination shall be
144 deemed approved upon the expiration of the review period.

145 (4) The Mayor shall also appoint an alternate for each Board member, in the same
146 manner as set forth for Board members in paragraph (2) of this subsection, who may attend all
147 Board meetings but who may act only in the absence of the Board member for whom he or she
148 has been appointed the alternate.

149 (b) Any Board member or alternate who is an employee of the District government
150 including an elected official, shall be removed from the Board upon leaving the employment of
151 the District government or elected office.

152 (c) Board members and alternates shall serve 4-year terms. Of the 9 Board members and
153 alternates initially appointed to the Board, 4 members shall serve 4-year terms, 3 members shall
154 serve 3-year terms, and 2 members shall serve 2-year terms.

155 (d) Any person appointed to fill a vacancy on the Board shall be appointed only for the
156 unexpired term of the Board member whose vacancy is being filled. If any Board member or
157 alternate is appointed to fill an unexpired term with more than 2 years remaining in the term,
158 upon expiration of the term, that Board member or alternate shall be deemed to have served a full
159 4-year term. At the end of a term, a Board member or alternate shall continue to serve until a
160 successor is appointed.

161 (e) The Mayor shall appoint a chairperson of the Board from among the 9 members,
162 provided that a District government employee or elected official may not serve as chairperson.

163 (f) The Mayor shall remove any Board member or alternate from office for misconduct or
164 neglect of duty, as defined by the Board in its By-laws, or for other good cause, after notice to
165 the Board member and the Council.

166 (g) Should a Board member or alternate be indicted for the commission of a felony, the
167 Board member or alternate shall automatically be suspended from serving on the Board. Upon a
168 final determination of guilt, the term of the Board member or alternate shall be automatically
169 terminated. Upon a final determination of innocence or dismissal of the felony, the Mayor may
170 reinstate the Board member or alternate.

171 (h) All Board meetings shall be subject to the provisions of section 742 of the Self-
172 Government Act (D.C. Code § 1-1504).

173 (i) Before any meeting of the Board, Board members shall be notified of the meeting.
174 Five Board members shall constitute a quorum for the transaction of business. The existence of
175 a quorum and an affirmative vote of a majority of the members present, who are permitted to
176 participate in the matter under consideration, shall be required to approve any Board action;
177 except, that 6 affirmative votes shall be required for the approval of the Authority's budget and
178 the selection of the Chief Executive Officer. No vacancy in membership shall impair the right of
179 a quorum to exercise all rights and perform all duties of the Board.

180 (j) A Board member not otherwise compensated by the District shall be entitled to
181 compensation by the Authority at the rate of \$50 per meeting, not to exceed \$4,000 per year.

182 Sec. 204. Duties of the Board

183 (a) The Board shall have the following general duties:

184 (1) Adopt and publish internal operating rules for the conduct of Board meetings;

185 (2) Develop policies to invest in, provide equity, provide access to infrastructure, provide
186 access to hardware, provide assistance with raising capital, provide operating space, consult, and
187 mentor qualified high technology companies;

188 (3) Develop and establish a personnel system with rules and regulations setting forth
189 minimum standards for all employees including pay, contract terms, vacations, leave, retirement,
190 residency requirements, health and life insurance, employee disability and death benefits. The
191 personnel rules and regulations shall require that no employee shall engage in outside
192 employment or private business activity or have any direct or indirect financial interest that
193 conflicts, or would appear to conflict, with the fair, impartial, and objective performance of the
194 employee's assigned duties and responsibilities;

195 (5) Select, employ, and fix the compensation for the Chief Executive Officer, and for the
196 staff of the Board, as it deems necessary. All staff shall serve at the pleasure of the Board; and

197 (6) Delegate to the Chief Executive Officer by a majority vote of the Board, any authority
198 granted to the Board under this subsection.

199 (b) The Board shall prepare and submit to the Mayor an operating budget and a request
200 for funds to be used as investments for each fiscal year on the date that other District
201 departments and agencies are required to submit their budgets to the Mayor. For the purposes of
202 this subsection, the term "operating budget" shall include only funds for personnel, facilities,
203 equipment, travel, development, marketing service contracts, and Board expenses.

204 (c) The Board shall include with its operating budget submission the following
205 information:

206 (1) A list of any memoranda, agreements, and contracts in excess of \$25,000;

207 (2) A financing plan for at least the next 5 years showing the following:

208 (A) Projected income by source;

209 (B) Projected operating expenditures by object class and program;

210 (C) Capital expenditures and financing;

211 (D) Balances and changes in reserves; and
212 (E) Debt service coverage.

213 (3) A list of all investments made and terms of any such investments.

214 (d) The Board shall submit, within 120 days after the end of each District government
215 fiscal year, to the Mayor, the Council, and the Auditor of the District of Columbia, a detailed
216 annual report setting forth a description of the Authority's operations and accomplishments
217 during the year, including an objective evaluation of the degree of success attained, including:

218 (1) An analysis of qualified high technology firms in the District;
219 (2) Income and expenditures of the Authority during the year in accordance with sources
220 and object classes established by the financial management system, budgeted, and audited actual;
221 (3) Audited actual capital expenditures and financing;
222 (4) Audited asset, liability, and fund equity balances at the end of the fiscal year;
223 (5) An analysis of work force;
224 (6) Recommendations as to the future management and operation of Authority; and
225 (7) Other information as shall be deemed pertinent by the Mayor, the Council, and the
226 Auditor of the District of Columbia.

227 (e) The Board shall contract with the independent certified public accountant who
228 annually audits the books and accounts of the District of Columbia to audit the books and
229 accounts of the Authority and transmit the audit to the Mayor, the Council, and the Auditor of
230 the District of Columbia within 120 days of the end of the District government fiscal year.

231 (f) The Board shall annually develop and adopt a multiyear financial plan no less than 90
232 days prior to the beginning of each fiscal year. The Board shall transmit the multiyear financial

233 plan to the Mayor and Council within 10 days of its adoption. Each multiyear financial plan shall
234 contain the following:

235 (1) A description of the Authority's revenues, expenditures, reserves, debt service, cash
236 resources and uses, and capital-improvements expenditures and financing for at least the next 5
237 years;

238 (2) If the budget of the Authority for the upcoming fiscal year is not balanced, a
239 statement of the means by which it will be brought into balance.

240 Sec. 205. Appointment of Chief Executive Officer.

241 (a) The Board, by majority vote, shall employ a Chief Executive Officer to run the day-
242 to-day affairs of the High Technology Investment Authority. The Chief Executive Officer shall
243 be a resident of the District and shall remain a District resident for the duration of his or her
244 employment by the Authority. Failure to maintain District residency shall result in a forfeiture of
245 the position.

246 (b) The Chief Executive Officer shall perform the following duties and responsibilities:

247 (1) Assist in the preparation of the budgets and annual reports;

248 (2) Administer all operating policies, rules, and regulations adopted by the Board;

249 (3) Employ personnel;

250 (4) Perform such other duties as may be authorized by the Board for the effective and
251 efficient management of the Authority and its facilities.

252 (c) The termination of the Chief Executive Officer shall require the concurrence of a
253 majority of the Board.

254 Sec. 206. High Technology Authority Fund.

255 (a) There is established as a non-lapsing fund the High Technology Investment Fund, to
256 be maintained by the Authority.

257 (b) (1) There shall be deposited into the High Technology Investment Fund all monies,
258 all revenues of the Authority derived from investments in qualified high technology companies,
259 all revenues of the Authority derived from other activities of the Authority, all interest earned on
260 money in the Fund, and all other monies deposited pursuant to the laws of the District.

261 (2) All funds deposited into the Fund, and any interest earned on those funds, shall not
262 revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end
263 of a fiscal year, or at any other time, but shall be continually available for the uses and purposes
264 set forth in subsection (c) of this section without regard to fiscal year limitation, subject to the
265 authorization by Congress.

266 (c) Monies in the High Technology Investment Authority Fund shall be used to pay for
267 the operating expenses of the Authority, including expenses for infrastructure, operating space,
268 those incurred through contracts, and for investments in qualified high technology companies in
269 the District.

270 Sec. 207. Delegation of Council Authority to Issue Bonds.

271 The Council delegates to the Authority the power of the Council under § 1-204.90, as
272 amended by section 11508 of the National Capital Revitalization and Self-Government
273 Improvement Act of 1997, approved August 5, 1997 (P.L. 105-33; 111 Stat. 773), to issue
274 revenue bonds, notes, and other obligations to finance, refinance, or assist in the financing or
275 refinancing of any undertakings of the High Technology Investment Authority.

276 Sec. 208. Power of the Authority to Issue Bonds.

277 (a) The Authority may at any time, and from time to time, issue bonds and notes or other
278 obligations, by resolution, in 1 or more series to finance projects related to its activities. The
279 resolution shall name the Chief Financial Officer of the District as the authorized delegate to
280 execute all documents related to the bond financings or refinancings. In addition, the Authority
281 may issue notes to renew notes and bonds to pay notes, including the interest thereon. Whenever
282 expedient, the Authority may refund bonds by the issuance of new bonds.

283 (b) Bonds of the Authority are obligations payable from revenues of the Authority from
284 whatever source derived, including certain designated taxes, lease payments, earnings on certain
285 funds or investments, and any other funds available to the Authority which may lawfully be used
286 for these purposes.

287 (c) Regardless of their form or character, bonds of the Authority are negotiable
288 instruments for all purposes of Title 28, subject only to the provisions of the bonds and notes for
289 registration.

290 (d) No official, employee, or agent of the Authority shall be held personally liable solely
291 because a bond or note is issued.

292 (e) The issuance and performance of bonds, notes, and other obligations by the Authority
293 as contemplated in this chapter and the adoption of resolutions authorizing such bonds, notes,
294 and other obligations shall be done in compliance with the requirements of this chapter, but shall
295 not be subject to Chapter 5 of Title 2.

296 (f) The Authority shall have the power to borrow money and to issue revenue bonds
297 regardless of whether or not the interest payable by the Authority incident to such loans or
298 revenue bonds or the income derived by the holders of the evidence of such indebtedness or
299 revenue bonds is, for the purposes of federal taxation, includable in the taxable income of the

300 recipients of these payments or is otherwise not exempt from the imposition of taxation on the
301 recipients.

302 (g) The Authority shall have the power to contract with the holders of its notes or bonds
303 as to the custody, collection, securing, investment, and payment of any monies of the Authority
304 and of any monies held in trust or otherwise for the payment of notes or bonds.

305 Sec. 209. Terms for sale of bonds; additional bond and note provisions

306 (a) The Authority may stipulate by resolution the terms for sale of its bonds in
307 accordance with this chapter, including the following:

308 (1) The date a note or bond bears;

309 (2) The date a bond or note matures, provided that notes shall not mature later than 10
310 years from the date of original issuance and bonds shall not mature later than 34 years from the
311 date of original issuance;

312 (3) Whether bonds are issued as serial bonds, as term bonds, or a combination of the two;

313 (4) The denomination;

314 (5) Any interest rate or rates, or variable rate or rates changing from time to time, or
315 premium or discount applicable;

316 (6) The registration privileges;

317 (7) The medium and method for payment; and

318 (8) The terms of redemption.

319 (b) The Authority may sell its bonds at public or private sale and may determine the price
320 for sale.

321 (c) A resolution authorizing the sale of bonds may contain any of the following
322 provisions, in which case these provisions shall be made part of the contract with holders of the
323 bonds:

324 (1) The custody, security, expenditure, or application of proceeds of the sale of bonds or
325 notes of the Authority ("proceeds"), a pledge of the proceeds to secure payment, and the rank or
326 priority of the pledge, subject to preexisting agreements with holders of the bonds;

327 (2) A pledge of Authority revenues to secure payment and the rank or priority of the
328 pledge, subject to preexisting agreements with holders of the bonds;

329 (3) A pledge of assets of the Authority, including mortgages and obligations securing
330 mortgages, to secure payment, and the rank or priority of the pledge, subject to preexisting
331 agreements with holders of the bonds;

332 (4) The proposed use of gross income from any mortgages owned by the Authority and
333 payment of principal of mortgages owned by the Authority;

334 (5) The proposed use of reserves or sinking funds;

335 (6) The proposed use of proceeds from the sale of bonds or notes and a pledge of
336 proceeds to secure payment;

337 (7) Any limitations on the issuance of bonds or notes, including terms of issuance and
338 security, and the refunding of outstanding or other bonds;

339 (8) Procedures for amendment or abrogation of a contract with holders of the bonds, the
340 amount of bonds or notes, the holders of which must consent to the amendment, and the manner
341 in which consent may be given;

342 (9) Any vesting in a trustee property, power and duties, which may include the power and
343 duties of a trustee appointed by holders of the bonds;

344 (10) Limitations or abrogations of the right of holders of the bonds to appoint a trustee;

345 (11) A defining of the nature of default in the obligations of the Authority to the holders
346 of the bonds and providing the rights and remedies of holders of the bonds in the event of
347 default, including the right to the appointment of a receiver, in accordance with the general laws
348 of the District and this chapter; and

349 (12) Any other provisions of like or different character which affect the security of
350 holders of the bonds.

351 (d) A pledge of the Authority is binding from the time it is made. Any funds, or property
352 pledged, are subject to the lien of a pledge without physical delivery. The lien of a pledge is
353 binding as against parties having any tort, contract, or other claim against the Authority
354 regardless of notice. Neither the resolution nor any other instrument creating a pledge need be
355 recorded.

356 (e) The signature of any officer of the Authority which appears on a bond remains valid if
357 that person ceases to hold office.

358 (f) The Authority may secure bonds by a trust indenture between the Authority and a
359 corporate trustee which has trust company powers within the District.

360 (g) A trust indenture of the Authority may contain provisions for protecting and enforcing
361 the rights and remedies of holders of the bonds in accordance with the provisions of the
362 resolution authorizing the sale of bonds.

363 (h) Subject to preexisting agreements with the holders of the bonds or notes, the
364 Authority may purchase its own bonds which may then be cancelled. The price the Authority
365 pays in purchasing its own bonds cannot exceed the following limits:

366 (1) If the bonds are redeemable, the price cannot exceed the redemption price then
367 applicable plus accrued interest to the next interest payment; or

368 (2) If the bonds are not redeemable, the price cannot exceed the redemption price
369 applicable on the first date after the purchase upon which the bonds or notes become subject to
370 redemption plus accrued interest to that date.

371 (i) The Authority may establish special or reserve funds in furtherance of its authority
372 under this chapter. Notwithstanding other applicable District law, and subject to agreements with
373 holders of the bonds, the Authority shall manage its own funds, and may invest funds not
374 required for disbursement in a manner the Authority determines to be prudent.

375 (j) The bonds of the Authority are legal instruments in which public officers and public
376 bodies of the District, insurance companies, insurance company associations, and other persons
377 carrying on an insurance business, banks, bankers, banking institutions including savings and
378 loan associations, building and loan associations, trust companies, savings banks, savings
379 associations, investment companies, and other persons carrying on a banking business,
380 administrators, guardians, executors, trustees, and other fiduciaries, and other persons authorized
381 to invest in bonds or in other obligations of the District, may legally invest funds, including
382 capital, in their control. The bonds are also securities which legally may be deposited with and
383 received by public officers and public bodies of the District or any agency of the District for any
384 purpose for which the deposit of bonds or other obligations of the District is authorized by law.

385 (k) Obligations issued under the provisions of this chapter do not constitute an obligation
386 of the District, but are payable solely from the revenues or assets of the Authority. Each
387 obligation issued under this chapter must contain on its face a statement that the Authority is not
388 obligated to pay principal or interest except from the revenues or assets pledged and that neither

389 the faith and credit nor the taxing power of the District is pledged to the payment of the principal
390 or interest on an obligation.

391 (l) All property, assets, and income of the Authority shall be exempt from District
392 taxation and from any special assessments imposed by the District.

393 (m) Bonds issued by the Authority, their transfer, and the interest on the bonds shall be
394 exempt from District taxation, except for estate, inheritance, and gift taxation.

395 Sec. 210. Merit personnel system inapplicable.

396 Chapter 6 of Title 1 shall not apply to employees of the Authority; except, that
397 subchapters V and XVII of Chapter 6 of Title 1 shall apply.

398 TITLE III. GENERAL PROVISIONS

399 Sec. 301. Fiscal Impact Statement.

400 The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal
401 impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act,
402 approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

403 Sec. 302. Effective Date.

404 This act shall take effect following approval by the Mayor (or in the event of veto by the
405 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
406 provided in section 602(c)(I) of the District of Columbia Home Rule Act, approved December
407 24, 1973 (87 Stat. 813; D.C. Official Code§ 1-206.02(c)(I)), and publication in the District of
408 Columbia Register.