



## COUNCIL OF THE DISTRICT OF COLUMBIA

THE JOHN A. WILSON BUILDING 1350  
PENNSYLVANIA AVENUE, NW  
WASHINGTON, D.C. 20004

**KENYAN R. McDUFFIE**  
Councilmember, At Large  
Chair Pro Tempore  
Chair, Committee on Business and  
Economic Development

**Committee Member**  
Executive Administration and Labor  
Housing  
Recreation and Youth Affairs

October 28, 2024

Nyasha Smith, Secretary  
Council of the District of Columbia  
1350 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Dear Secretary Smith,

Today, I am introducing the Historic African American Burial Grounds Preservation Fund Amendment Act of 2024, along with Chairman Mendelson and Councilmembers Charles Allen, Anita Bonds, Janeese Lewis George, Zachary Parker, Trayon White, Sr., Christina Henderson, Brooke Pinto, and Matthew Frumin. This legislation would establish the Paul E. Sluby, Sr. Historic African American Burial Grounds Preservation Fund. Monies in the Fund would be allocated for the preservation, protection, and maintenance of historic African American cemeteries and burial grounds in the District. The legislation is introduced in honor of Paul E. Sluby, Sr., a distinguished DC public servant and leading African American burial grounds preservationist who became the first Board-certified African American genealogist and co-founded the Afro-American Historical and Genealogical Society.

Cemeteries and other burial grounds across the nation have long been segregated by race, and African Americans had less access to the capital and other resources necessary to maintain them, whether established by individual families or communities, churches, or mutual aid societies. They also frequently became the site of public works projects or private development since African Americans had little recourse in preventing their land from being taken by eminent domain. In addition, Black mutual aid organizations were more likely to face local ordinances that threatened their survival as well as legal manipulation and financial pressures, often forcing them to sell their burial grounds.

For example, in the District, such pressures led the Columbian Harmony Society to sell the Columbian Harmony Cemetery; its approximately 37,000 graves were supposed to be relocated under a single exhumation order. The grave relocation agreement did not cover grave markers and headstones, many of which were reportedly sold as scrap. Today, the site of Columbian

Harmony Cemetery is the Rhode Island Avenue-Brentwood Metro station and a residential and shopping complex.<sup>1</sup>

Only four intact Historic African American burial grounds still exist in the District today: the Mount Zion Cemetery, the Female Union Band Society Cemetery, the Union Burial Society of Georgetown Cemetery, and Woodlawn Cemetery.<sup>2</sup> As is the case nationwide, these historic cemeteries face various states of erosion and disrepair despite the efforts of volunteers to maintain and preserve these sacred spaces. The derelict state of two historic cemeteries, the Mount Zion and Female Union Band Society Cemeteries in Georgetown, is made more evident due to its location adjacent to the “towering monuments and gleaming headstones” of Oak Hill Cemetery.<sup>3</sup>

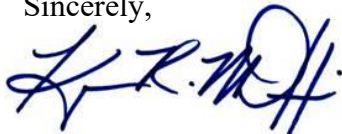
As relayed by Lisa M. Fager, Executive Director, Mt. Zion/Female Union Band Historic Memorial Park, Inc. (Black Georgetown Foundation dba) "Death reflects life, and the neglect of Black burial grounds mirrors the systemic injustices African Americans have faced throughout history. Preserving these sacred spaces is not just about honoring African American heritage, but about restoring a vital part of American history. This legislation ensures that these sites are identified, interpreted, and maintained with the dignity they deserve, reconnecting us with stories that shaped both our local and national narratives."

The Paul E. Sluby, Sr., Historic African American Burial Grounds Preservation Fund would be administered by the Deputy Mayor for Planning and Economic Development and allocate grants to:

- Preserve and restore historic African American burial grounds;
- Identify historic African American burial grounds;
- Interpret historic African American burial grounds;
- Repatriate African American human remains, particularly those from former historic African American burial grounds; or
- Research and document historic African American burial grounds, including research on burial records, locational data, and contested ownership

Please contact my Legislative Director, Doni Crawford, at [dcrawford@dccouncil.gov](mailto:dcrawford@dccouncil.gov) if you have any questions.

Sincerely,



Kenyan R. McDuffie

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<sup>1</sup> Humanities Truck, [What Lies Beneath: Documenting the History of Columbian Harmony Cemetery](#), 2024.


<sup>2</sup> DC Historic Preservation Office, [Gone But Not Forgotten: Cemeteries in the Nation's Capital](#), 2012.

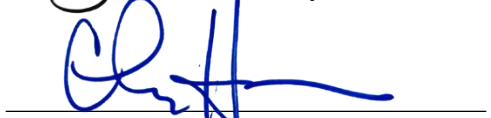
<sup>3</sup> The Georgetown, [Death of a Cemetery: Mt. Zion's Disrepair](#), March 26, 2015.


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Chairman Phil Mendelson

  
Councilmember Anita Bonds

  
Councilmember Zachary Parker

  
Councilmember Christina Henderson


  
Councilmember Matthew Frumin

  
Councilmember Kenyan R. McDuffie

  
Councilmember Charles Allen

  
Councilmember Janeese Lewis George

  
Councilmember Trayon White, Sr.

  
Councilmember Brooke Pinto

A BILL

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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To establish a Historic African American Burial Grounds Preservation Fund to identify, interpret, restore, preserve, protect, maintain, or repatriate graves, monuments, or markers at Historic African American Cemeteries or burial grounds; and to make a conforming amendment.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Historic African American Burial Grounds Preservation Fund Amendment Act of 2024”.

40 TITLE I. HISTORIC AFRICAN AMERICAN BURIAL GROUNDS PRESERVATION  
41 FUND.

42 Sec. 101. Definitions.

43 For the purposes of this title, the term:

44 (1) "Historic African American burial ground" means a cemetery or any natural or  
45 prepared physical location, whether originally below, on, or above the surface of the earth, into  
46 which human remains are deposited as a part of the death rite or ceremony of a culture, and that  
47 was established in the District of Columbia prior to January 1, 1955, for interments of African  
48 Americans and is owned by a public body or qualified charitable organization.

49 (2) "Qualified charitable organization" means a charitable corporation, charitable  
50 association, or charitable trust that has been granted tax-exempt status under § 501(c)(3) of the  
51 Internal Revenue Code and whose primary purpose is the preservation of historical cemeteries  
52 and graves or was formed for the purpose of identifying, preserving, or maintaining Historic  
53 African American burial grounds.

54 Sec. 102. Establishment of the Paul E. Sluby, Sr., Historic African American Burial  
55 Grounds Preservation Fund.

56 (a) There is established as a special fund, the Paul E. Sluby, Sr. Historic African  
57 American Burial Grounds Preservation Fund ("Fund"), which shall be administered by the  
58 Deputy Mayor for Planning and Economic Development in accordance with subsections (c) and  
59 (d) of this section, to identify, preserve, restore, protect, maintain, repatriate, or commemorate  
60 graves, monuments, or markers at Historic African American burial grounds.

61 (b) Revenue from the following sources shall be deposited into the Fund:

62 (1) Appropriated funds;

63 (2) Gifts;

64 (3) Grants; and

65 (4) Donations.

66 (c) Money in the Fund shall be used to provide grants to qualified charitable  
67 organizations for the following purposes:

68 (1) The preservation and restoration of historic African American burial grounds;

69 (2) The identification of historic African American burial grounds;

70 (3) The interpretation of historic African American burial grounds;

71 (4) The repatriation of African American human remains, particularly those from  
72 former historic African American burial grounds; or

73 (5) Related research and documentation of historic African American burial  
74 grounds including burial records, locational data, and contested ownership.

75 (d) The money deposited into the Fund but not expended in a fiscal year shall not revert  
76 to the unassigned fund balance of the General Fund of the District of Columbia at the end of a  
77 fiscal year, or at any other time.

78 (e) The money in the Fund shall not be used for any purpose other than the purposes  
79 specified in subsection (c).

80 (f) Qualified charitable organizations that seek a grant for activities at a historic African  
81 American burial ground that is located on entirely private property shall only be considered for a  
82 grant with the consent of the property owner.

83 Sec. 103. Rules.

84           The Mayor pursuant to Title I of the District of Columbia Administrative Procedure Act,  
85 approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules  
86 to implement the provisions of this act.

87           TITLE II. CONFORMING AMENDMENT.

88           Sec. 201. Section 2032(p) of the Deputy Mayor for Planning and Economic Development  
89 Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168;  
90 D.C. Official Code § 1-328.04(a)), is amended as follows:

91                   (a) Paragraph (6) is amended by striking the phrase “; and” and inserting a  
92 semicolon in its place.

93                   (b) Paragraph (7) is amended by striking the period and inserting the phrase “;  
94 and” in its place.

95                   (c) A new paragraph (8) is added to read as follows:

96                           “(8) Funds in support of Historic African American Burial Grounds pursuant to  
97 the Historic African American Burial Grounds Preservation Fund Amendment Act of 2024, as  
98 introduced on October 28, 2024 (Bill 25-\_\_\_).”.

99           TITLE III. GENERAL PROVISIONS.

100           Sec. 301. Applicability.

101                   (a) This act shall apply upon the date of inclusion of its fiscal effect in an approved  
102 budget and financial plan.

103                   (b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal  
104 effect in an approved budget and financial plan, and provide notice to the Budget Director of  
105 the Council of the certification.

106 (c)(1) The Budget Director shall cause the notice of the certification to be published  
107 in the District of Columbia Register.

108 (2) The date of publication of the notice of the certification shall not affect the  
109 applicability of this act.

110 Sec. 302. Fiscal impact statement.

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

114 Sec. 303. Effective date.

115 This act shall take effect following approval by the Mayor (or in the event of veto by the  
116 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as  
117 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
118 24, 1973 (87 Stat. 813; D.C. Code § 1-206(c)(1)), and publication in the District of Columbia  
119 Register.