

GOVERNMENT  
OF  
THE DISTRICT OF COLUMBIA

+ + + + +

BOARD OF ELECTIONS

+ + + +

REGULAR BOARD MEETING

+ + + + +

WEDNESDAY

NOVEMBER 5, 2025

+ + + + +

The District of Columbia Board of Elections convened via videoconference, pursuant to notice at 10:30 a.m. EST, Gary Thompson, Chair, presiding.

BOARD OF ELECTIONS MEMBERS PRESENT:

GARY THOMPSON, Chair  
KARYN GREENFIELD, Member

BOARD OF ELECTIONS STAFF PRESENT:

MONICA HOLMAN EVANS, Executive Director  
TERRI STROUD, General Counsel  
CECILY COLLIER-MONTGOMERY, Director,  
Office of Campaign Finance  
WILLIAM SANFORD, General Counsel, Office  
of Campaign Finance  
CHRISTINE PEMBROKE, Office of the General  
Counsel

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1 P-R-O-C-E-E-D-I-N-G-S

2 10:32 a.m.

3 CHAIR THOMPSON: Good morning,  
4 everybody. Happy November. Hold on.

5 All right. Once again, good morning.  
6 Hello. My name is Gary Thompson, Chair of the  
7 D.C. Board of Elections, and with us today is my  
8 fellow Board Member Karyn Greenfield, on by  
9 Zoom.

10 Good morning, Karyn.

11 Thank you, everybody, for being here.

12 We have a quorum. And we've had a  
13 chance to look at our proposed agenda before  
14 today, which includes a number of things,  
15 including a new public initiative that's  
16 proposed.

17 With that, I would move we adopt our  
18 agenda.

19 MEMBER GREENFIELD: I second.

20 CHAIR THOMPSON: All in favor?

21 (Chorus of ayes.)

22 CHAIR THOMPSON: Also, quick

1 housekeeping. Karyn and I have both looked at  
2 the minutes that have been prepared for our  
3 October regular Board meeting. They look good  
4 to me. So at this time, I'd move we adopt those  
5 minutes.

6 MEMBER GREENFIELD: I second.

7 CHAIR THOMPSON: All in favor?

8 (Chorus of ayes.)

9 CHAIR THOMPSON: All right. Well,  
10 welcome, everybody.

11 First, we're going to hear from our  
12 Executive Director, then our General Counsel,  
13 and then, soon enough, we'll turn to the proper  
14 subject matter hearing, which is the main item  
15 for the agenda today.

16 So, with that, I'd ask our Executive  
17 Director, Monica Evans, to give us her summary.

18 MS. EVANS: Thank you. As far as  
19 October engagements, on October 8th, I  
20 participated on a panel entitled Civic  
21 Engagement, Participation and Representation in  
22 the District of Columbia. The panel was hosted

1 by the McCourt School of Public Policy at  
2 Georgetown University. Councilmember Christina  
3 Henderson and Kelsye Adams from the organizing -  
4 - who is the organizing director with DC Vote,  
5 were also on the panel.

6 In October, the Board of Elections  
7 registered 1,444 new voters and processed 6,004  
8 registration changes. In total, we prepared  
9 7,448 voter registration cards to be mailed.

10 Additionally, 830 registered voters  
11 moved out of D.C.; 235 voters cancelled their  
12 D.C. registrations and registered with other  
13 jurisdictions, and 534 voters registered in D.C.  
14 after cancelling their registrations in other  
15 states.

16 We are continuing to register voters  
17 using our website portal. Since launching the  
18 portal in January 2022, we have finally  
19 surpassed the 100,000-user threshold. To date,  
20 we have processed over 101,090 applications  
21 using the portal. These include new voter  
22 registrations and updates to existing

1 registrations.

2 Total non-citizen registration is 961.

3 In October, we registered three new non-citizen  
4 voters. Some non-citizens have been removed  
5 from the registry, due to our list maintenance  
6 efforts, and we are continuing our outreach in  
7 D.C. communities to share information.

8 2026 election cycle planning. In  
9 October, we implemented the Automatic Voter  
10 Register Expansion Act that was passed by the  
11 D.C. Council in 2022. Individuals who are  
12 eligible to register to vote would no longer be  
13 able to completely decline registration at the  
14 Department of Motor Vehicles.

15 The names of individuals who decline  
16 will be forwarded to the Board of Elections.  
17 These individuals will be placed into a pending  
18 voter registration status. We will contact  
19 these individuals and they may have their names  
20 removed from the pending list; they may register  
21 to vote, or they may do nothing at all.

22 If they do nothing, they will receive a

1 mail ballot for two General Election cycles.  
2 The mail ballots will allow them to register and  
3 vote at the same time. We are now maintaining a  
4 list of pending voters, and we have begun  
5 sending mailers to individuals on the pending  
6 voter list.

7           As previously reported, we are  
8 continuing to monitor legislation and  
9 information on the federal level. Legislation  
10 to repeal the Local Resident Voting Rights  
11 Amendment Act has passed the House. Senator  
12 Britt introduced Senate Bill 2636 that prohibits  
13 individuals who are not citizens of the United  
14 States from voting in elections in the District  
15 of Columbia and to repeal the Local Resident  
16 Voting Rights Amendment Act of 2022. There has  
17 been no further action in the Senate.

18           During the 2026 election cycle, we are  
19 scheduled to implement ranked-choice voting. We  
20 have been meeting with other jurisdictions and  
21 resource entities to gather information and  
22 prepare. We have visited Arlington County Board

1 of Elections and we have developed a Statement  
2 of Work for implementation services.

3 The Board has signed a Memorandum of  
4 Understanding with the Department of Motor  
5 Vehicles and continues to collaborate with other  
6 partners to finalize agreements for FY26.

7 Over the past several months, BOE has  
8 been engaging with the Department of Health  
9 Vital Records to update the MOU and is currently  
10 awaiting the revised agreement to support STEVE  
11 reporting. The Department of Health has  
12 confirmed that there will be no interruptions to  
13 the STEVE death records data currently provided  
14 to BOE while the extension and updated agreement  
15 are being completed. BOE will continue to  
16 monitor the status of the MOU.

17 We are actively engaged in list  
18 maintenance to ensure the accuracy and integrity  
19 of the voter registration database. This  
20 ongoing effort is critical to keeping the voter  
21 registration database accurate and includes  
22 identifying and updating records for voters who



1 have moved out of the District of Columbia,  
2 voters who have changed addresses within D.C.,  
3 duplicate registrations, and deceased  
4 individuals.

5           As part of our biennial canvass, we  
6 sent two rounds of mailers to make sure the  
7 voter registration records are accurate. During  
8 the first canvass mailer, a total of 153,407  
9 non-forwardable mailers were sent to voters who  
10 did not participate in the 2024 General  
11 Election. The current responses include 2,815  
12 voters who confirmed their addresses by mail,  
13 2,874 voters who reported moving within D.C.,  
14 7,626 voters who moved out of D.C., 2,016 voters  
15 identified as deceased, 3,664 mailers labeled  
16 return to sender, and 12,030 mailers returned as  
17 undeliverable.

18           The second canvass mailer was sent to  
19 21,983 voters who did not respond to the initial  
20 mailing. To date, the returned mailers include  
21 445 address confirmations by mail, 37 voters who  
22 moved within D.C., 124 voters who moved out of

1 D.C., 32 voters identified as deceased, 1,662  
2 mailers labeled return To sender, and 4,725  
3 mailers returned as undeliverable.

4 October was National Cybersecurity  
5 Awareness Month. The focus was to highlight the  
6 importance of protecting critical systems and  
7 sensitive data. During this period, BOE  
8 continued to strengthen its cybersecurity  
9 posture. There were no cybersecurity incidents  
10 reported during October. All systems remain  
11 secure, operational, and fully monitored for  
12 potential threats.

13 We are actively working with ERIC  
14 member states to review cases and identify any  
15 potential instances of voters casting multiple  
16 ballots in D.C., in D.C. and another  
17 jurisdiction, or on behalf of a deceased  
18 individual during the 2024 General Election.  
19 This review is part of our ongoing efforts to  
20 safeguard election integrity and ensure that all  
21 votes cast are valid. We are currently reviewing  
22 144 flagged cases. Of these, approximately 19

1 cases across six states have been referred to  
2 the General Counsel for further investigation.

3           During the month of October, the Voter  
4 Education and Outreach Division participated in  
5 21 outreach events on behalf of the agency.  
6 Events included participation in the American  
7 Cancer Society Making Strides Against Breast  
8 Cancer Walk and Fair and the College Career and  
9 Military Fair at Ballou High School.

10           The Election Worker Division is  
11 processing all election worker applications that  
12 have been received through our website or from  
13 outreach events, and is preparing for the 2026  
14 election cycle.

15           Specifically, the Division is updating  
16 the registration clerk scenarios for all  
17 training classes to include the new procedures  
18 for ranked-choice voting and the Automatic Voter  
19 Registration Expansion Act, working on updates  
20 for online training modules, to include new  
21 modules for early voting procedures and Election  
22 Day opening and closing procedures; updating the

1 2026 Vote Center Operations Manual; working on  
2 enhancements for our EWP portal, and making  
3 modifications for ranked-choice voting as it  
4 relates to education and election worker  
5 training for the Vote Center Operations Manual.

6 We currently have 17 active ANC  
7 vacancies for the 2025-2026 term. These  
8 positions are in different stages of being  
9 filled. After candidate filing requirements are  
10 met, an open vote of registered voters of the  
11 affected SMD will be held during regularly  
12 scheduled ANC meetings. BOE will begin  
13 attending ANC elections to oversee the  
14 calculation process.

15 And that concludes my report.

16 CHAIR THOMPSON: All right. Thank you  
17 very much.

18 Now turning to the General Counsel's  
19 report from Terri Stroud.

20 MS. STROUD: Okay. The first item on  
21 my agenda is the proper subject hearing for an  
22 initiative that was filed titled, The

1 Prohibiting Force Feeding of Birds Act. At this  
2 meeting, the Board will conduct a hearing to  
3 determine whether it presents a proper subject.

4 And by way of background with respect  
5 to the statutory parameters, as well as the  
6 specific measure, here in the District, voters  
7 are permitted to participate directly in the  
8 legislative process via the right of initiative.

9 It is the process by which voters may propose  
10 laws, except for laws appropriating funds, and  
11 present such proposed laws directly to the  
12 voters of the District for their approval and  
13 disapproval.

14 The Board is a gatekeeper of sorts for  
15 proposed initiative measures, in that it must  
16 refuse to accept a measure if it determines that  
17 the measure conflicts with the District Charter  
18 found in Title IV of the D.C. Home Rule Act; the  
19 measure conflicts with the U.S. Constitution;  
20 the measure has not been properly filed, the  
21 verified Statement of Contributions has not been  
22 filed with the Office of Campaign Finance. And

1 that statement consists of the committee's  
2 statement of organization and the first reported  
3 receipts and expenditures.

4 The measure would authorize  
5 discrimination in violation of the D.C. Human  
6 Rights Act. It would negate or limit a  
7 budgetary act of the Council, or the measure  
8 would impermissibly appropriate funds under  
9 applicable D.C. Court of Appeals rulings.

10 And so the Board is not commenting on  
11 or concerned with the merits of the measure,  
12 but, rather, whether or not it meets those  
13 criteria.

14 So with respect to the measure itself,  
15 on October 2nd, 2025, Cady Witt, a registered  
16 voter in D.C., submitted the measure to the  
17 Board and it was accepted as properly filed.

18 As that was the case, the Board  
19 submitted the measure to the Office of the  
20 Attorney General and the General Counsel for the  
21 D.C. Council to request from them advisory  
22 opinions regarding whether or not the measure

1 met proper such requirements.

2 It also placed the notice, a notice of  
3 a proper subject hearing regarding the measure,  
4 on its website and caused it to be placed in the  
5 D.C. Register on October 24th.

6 On October 27th, both the Attorney  
7 General and the General Counsel for the Council  
8 provided advisory opinions with respect to the  
9 measure.

10 Concerning the Office of the Attorney  
11 General, that opinion stated that, while the  
12 measure implicated three proper subject  
13 requirements, including the prohibition against  
14 laws appropriating funds, it did not violate  
15 those requirements, and therefore, the measure  
16 constituted a proper subject for initiative.

17 The counsel for the General Counsel  
18 provided an opinion that said that she was  
19 unable to reach a conclusion as to whether or  
20 not the measure was a proper subject, in the  
21 absence of a fiscal impact statement from the  
22 Office of the Chief Financial Officer.

1           That measure, as did the other measure,  
2 indicated that -- the other advisory opinion  
3 received indicated that the measure conformed --  
4 was otherwise proper and that it conformed with  
5 both the District Charter and the U.S.  
6 Constitution, and did not authorize or have the  
7 effect of authorizing any form of  
8 discrimination.

9           And so both of these advisory opinions,  
10 at the Board's pleasure, will be submitted for  
11 the record.

12           And with that, I guess we will ask  
13 whether or not the proposer -- I see Ms. Cady  
14 Witt is present. And if she could be -- okay.

15           CHAIR THOMPSON: Yes, before we do that,  
16 or while we're waiting, yeah, I just want to  
17 acknowledge that we've accepted into the record  
18 the two opinions from the Office of General  
19 Counsel of the Council as well as the OAG.  
20 Those are in the record.

21           I just wanted to make sure, is there  
22 anybody here from either of those offices who



1 wanted to comment or add to their written  
2 opinions?

3 MS. STROUD: And if they can raise  
4 their hands via Zoom?

5 CHAIR THOMPSON: Yeah, you have to  
6 raise your Zoom hand.

7 Usually, they're not here, but just in  
8 case.

9 MS. STROUD: Yeah.

10 And so, Mr. Chair, if it's your  
11 pleasure, then how we can proceed is we'll hear  
12 from, first, any opponents of the measure.

13 We did ask that any individuals who  
14 wanted to speak with respect to the -- one  
15 second, Ms. Witt. We did ask that individuals  
16 or organizations who wanted to speak regarding  
17 the propriety of the subject matter submit  
18 written testimony on that limited question by  
19 3:00 p.m. on Monday, and we did receive several  
20 pieces of written testimony.

21 So I think how we will proceed, or  
22 should proceed, is that we would hear from,

1 first, any opponents, then any supporters of the  
2 measure. Then, we would hear from the proposer  
3 of the measure, and then, present the General  
4 Counsel's recommendation in light of the  
5 materials presented.

6 CHAIR THOMPSON: Okay. Yeah, we'll  
7 start with any opponents.

8 And just as an overview, as General  
9 Counsel Stroud mentioned, we're not here to  
10 comment on the merits of the proposed  
11 initiative. We don't have any view of any kind  
12 being whether for or against it. And nothing we  
13 say today -- we don't mean to imply we have any,  
14 any such views or opinions.

15 We're literally only dealing with  
16 whether this is a proper subject matter for a  
17 voter initiative. If it's not, it doesn't go to  
18 the ballot or it doesn't go to the issuance of  
19 petitions. If it is and it survives any  
20 appeals, then we issue -- we create the  
21 language, and then issue the sheets for  
22 signatures to be gathered, and, you know, and

1 onward through the process as to whether it  
2 makes the ballot or not.

3           But it's a pretty narrow focus on  
4 proper subject matter, and having read the two  
5 opinions, I think, obviously, the sort of key  
6 issue to discuss, if they would like, is whether  
7 this requires appropriations, specifically, with  
8 respect to the Act's effect, that an  
9 administrative agency create a database, and  
10 such. Does that rise to the level of requiring  
11 appropriations, such that it would not be a  
12 proper subject matter? That's what's on my  
13 mind, anyway.

14           And it looks like we have 18 written  
15 comments, anyway. I don't know how many people  
16 are here today to speak. But because it might  
17 be a lot, we are going to limit speakers to  
18 three minutes each. And I'm just going to keep  
19 a little time clock and I'll give you a little  
20 wave when you've got one minute, and then, I'm  
21 going to have to cut folks off at three minutes,  
22 just to keep our clock moving along. So I

1 appreciate that.

2 MS. STROUD: Yeah, I have the list.

3 CHAIR THOMPSON: And with that, we're  
4 starting with opponents.

5 MS. STROUD: Yes. And if you could  
6 raise your hand if you wish to speak in  
7 opposition? And I don't any hands raised, but I  
8 do have the list of individuals who timely  
9 submitted testimony.

10 And so we'll begin with George Cooper,  
11 if he is present. Okay, I see him. Mr. Cooper,  
12 you have the floor.

13 MR. COOPER: Hello. Can you hear me?

14 CHAIR THOMPSON: Do you want everyone  
15 to state their address?

16 MS. STROUD: Oh, yes, if you could  
17 state your name and address for the record?

18 MR. COOPER: Yes. Hello. My name is  
19 George Cooper, and my address is 3900 Cathedral  
20 Avenue Northwest, Apartment 603A, Washington,  
21 D.C. 20016.

22 CHAIR THOMPSON: Please proceed.

1           MR. COOPER: Yes. I am a resident of  
2 Ward 3. Thank you for the opportunity to  
3 testify about this important initiative, which,  
4 effectively, protects animal welfare in a way  
5 that is consistent with the U.S. Constitution.

6           This initiative is substantially  
7 similar to California's law banning foie gras,  
8 which has been repeatedly upheld by the courts.

9           Specifically, the Ninth Circuit Court of  
10 Appeals affirmed that the law is consistent with  
11 both the Due Process and Commerce Clauses of the  
12 Constitution.

13           In affirming its consistency with the  
14 Due Process Clause, they noted that California's  
15 law clearly defines the prohibited conduct and  
16 products. The D.C. initiative defines its  
17 prohibitions in even more detail than  
18 California's law, for example, specifying that  
19 forced-feeding involves forcing a tube down a  
20 bird's throat.

21           In affirming its consistency with the  
22 Commerce Clause, they noted that the state has a

1 strong interest in preventing animal cruelty;  
2 that the law, effectively, furthers this  
3 interest, and that this interest clearly  
4 outweighs any burdens the law may impose on  
5 interstate commerce.

6           As a city with a proud history of  
7 legislation protecting animals, such as bans on  
8 ivory sales and animal fighting, D.C. clearly  
9 shares this interest. This initiative  
10 effectively furthers this interest by outlawing  
11 the cruel practice of force-feeding birds, which  
12 has been documented to cause them immense  
13 stress, damage their esophagus, and make it  
14 difficult for them to breathe. As a result,  
15 force-fed birds die before slaughter at a rate  
16 of over 10 times that of birds who are not  
17 force-fed.

18           The legislative intent section of the  
19 initiative clarifies that it promotes two  
20 additional interests which courts have long held  
21 that the state is justified in pursuing:  
22 protecting the environment and public health.

1 CHAIR THOMPSON: One minute.

2 MR. COOPER: The environmental harms  
3 and zoonotic disease respect no borders. So we  
4 should all be deeply concerned by the 800  
5 environmental law violations that Hudson Valley  
6 Foie Gras was charged with, as well as the  
7 outbreak of bird flu that was reported just this  
8 week on a foie gras farm in Hungary.

9 As with California's law, the burdens  
10 on interstate commerce for D.C.'s foie gras ban  
11 do not outweigh their local benefits, since the  
12 measure applies equally to the products of  
13 force-feeding both within and outside the  
14 District.

15 For all these reasons, the initiative  
16 is clearly constitutional, and I urge the Board  
17 to certify it as proper subject matter. Thank  
18 you.

19 CHAIR THOMPSON: Thanks very much.

20 In that California case, did the court  
21 address the dormant commerce as well?

22 MR. COOPER: Yes, I do remember that

1 they did, but I don't remember the details of  
2 that particular aspect of the argument.

3 CHAIR THOMPSON: All right. I think  
4 the OAG mentioned that. I had to ask the  
5 question because I wrote an article on the  
6 Dormant Commerce Clause once, and I was just  
7 sort of geeking out. And I don't think it  
8 violates the Dormant Commerce Clause.

9 But, oh, well, thank you so much, Mr.  
10 Cooper.

11 MR. COOPER: Thank you.

12 MS. STROUD: And next we have Hilary  
13 Gibson.

14 Okay.

15 CHAIR THOMPSON: You can raise your  
16 Zoom hand if you're here, Ms. Gibson.

17 And by the way, we received everybody's  
18 written comments. I read them all, including  
19 Ms. Gibson's. And if you submitted written  
20 comments, you don't have to speak.

21 MS. STROUD: Okay. It appears that Ms.  
22 Gibson is not here.



1                   And so we will move to Sage Max.

2                   And I see a phone number, but I'm not  
3                   sure.

4                   Okay. We will now move to Sneha  
5                   Swaroop. I hope I'm not mispronouncing your  
6                   name.

7                   Okay, we see your hand raised. And if  
8                   you could just state your name and address for  
9                   the record, and then proceed with your  
10                  testimony.

11                  MS. SWAROOP: Yes. My name is Sneha  
12                  Swaroop, and my address is 1111 Belle Pre Way,  
13                  Alexandria, Virginia. And, yeah, I also just  
14                  wanted to thank you for the opportunity to  
15                  testify.

16                  Firstly, I just want to emphasize that  
17                  this initiative does fall under proper subject  
18                  because it regulates product sales solely within  
19                  the District, and it does not involve interstate  
20                  commerce or federal issues. And it sticks to  
21                  D.C.'s long record of using local law to align  
22                  our marketplace with our values, such as

1 promoting humane, safe, and sustainable commerce  
2 while protecting vulnerable communities.

3           Additionally, prohibiting foie gras  
4 could mean protecting our public health. The  
5 product itself is made from the diseased liver  
6 of a duck or goose whose organ has been  
7 intentionally enlarged through forced-feeding.  
8 Consuming such a product is not only unethical,  
9 it's unhealthy.

10           The production process also fosters  
11 conditions in broader public safety. For  
12 example, the highly pathogenic avian influenza,  
13 commonly known as bird flu, has surged globally  
14 and nationally in recent years. Since 2022, the  
15 U.S. has confirmed outbreaks in over 168 million  
16 birds across all 50 states. Wild ducks and  
17 geese are now recognized as major carriers,  
18 transmitting the virus between wild and domestic  
19 populations.

20           These force-feeding operations confine  
21 stressed, sick birds in unsanitary barns,  
22 creating ideal breeding grounds for these

1 viruses that can spill over to humans and other  
2 animals. These factory farm environments cause  
3 stress, overcrowding, and waste buildup that  
4 weaken animals' immune systems and amplify  
5 biosecurity risks. These are exactly the types  
6 of environments public health experts warn about  
7 when it comes to the next potential outbreak.

8 By restricting the sale of foie gras,  
9 D.C. can take a stand for public health,  
10 environmental protection, and humane values --  
11 all entirely within its local authority. For  
12 these reasons, I respectfully urge the Council  
13 to support this initiative. Thank you.

14 CHAIR THOMPSON: All right. Thank you.

15 MS. STROUD: And next we have Melanie  
16 Miles.

17 Okay. It doesn't appear that Ms. Miles  
18 is present.

19 River Mansuetty?

20 Is Ranjan Shangpani present?

21 Deena Greenspan?

22 I do see Anjali Baliga, and if you

1 could say your name and address for the record,  
2 and then proceed with your testimony.

3 MS. BALIGA: Yes. Good morning. My  
4 name is Anjali Baliga. My address is 5901  
5 Woodfield Estates Drive, Alexandria, Virginia.

6 Good morning and thank you for having  
7 me today. I'm a resident of Alexandria, and I  
8 work in Washington, D.C. in Ward 2.

9 I am here today to express my opinion  
10 about the proposed measure. The Prohibiting  
11 Force Feeding of Birds Act is a proper subject  
12 matter for initiative at the Board's meeting  
13 today.

14 Pursuant to D.C. Code Section 1-  
15 1001.16, the Board shall refuse to accept a  
16 measure if it finds that it is not a proper  
17 subject of initiative under particular  
18 circumstances. I believe that the proposed  
19 measure does not violate any of the requirements  
20 for proper subject matter. However, today I  
21 will focus on only a few key points to support  
22 this belief.

1           First, the measure does not conflict  
2 with or amend Title IV of the D.C. Home Rule  
3 Act, which outlines the framework for D.C.'s  
4 limited self-governance, including the structure  
5 of the local government, election of officials,  
6 and the authority of the D.C. Council. To the  
7 contrary, the measure seeks to exercise D.C.'s  
8 self-governance powers to ensure that its law  
9 reflect the city's values of compassion and  
10 decency, which includes the humane treatment of  
11 animals.

12           The creation of foie gras is anything  
13 but humane, as it involves force-feeding ducks  
14 and geese using metal or plastic tubes until  
15 their livers swell to 10 times their natural  
16 size. This process denies the ducks their  
17 bodily autonomy and causes immense pain and  
18 suffering over their lifetimes.

19           Banning the sale of foie gras in D.C.  
20 would signal to other cities across the country  
21 that D.C. residents will proudly exercise their  
22 right to participate in the lawmaking process

1 and that D.C. does not tolerate the inhumane  
2 treatment of animals.

3           Second, the measure does not violate  
4 the D.C. Human Rights Act. Section 2-1401.01 of  
5 the Act states that the Act's purpose is to  
6 secure an end in the District of Columbia to  
7 discrimination for any reason other than that of  
8 individual merit, including, but not limited to,  
9 discrimination by reason of race, color,  
10 religion, national origin, sex, age, marital  
11 status, personal appearance, and other  
12 characteristics.

13           This measure does not engender  
14 discrimination within the District, but, rather,  
15 it seeks to extend the very principles upon  
16 which the Human Rights Act is founded. By  
17 ending the sale of foie gras in D.C., D.C. takes  
18 a step towards ensuring that no form of  
19 discrimination, including species-based  
20 discrimination, is justified, and that the  
21 ideals of equality and bodily autonomy for all  
22 remain guiding principles by which the District

1 governs.

2 Thank you.

3 CHAIR THOMPSON: Thank you.

4 MS. STROUD: Okay. Next, we have  
5 Rebecca Rogers. I see -- yeah.

6 MS. ROGERS: All right. Can you hear  
7 me?

8 MS. STROUD: Yes. And if you could  
9 state your name and address for the record, and  
10 then proceed with your testimony.

11 MS. ROGERS: Sounds good. My name is  
12 Rebecca Rogers, and my address is 1375 Kenyon  
13 Street Northwest, Unit 305, Washington, D.C.  
14 20010.

15 Okay. So I live in Ward 1 in Columbia  
16 Heights, D.C. And I'm here to affirm that The  
17 Prohibiting Force Feeding of Birds Act is,  
18 indeed, a proper subject for a ballot initiative  
19 under D.C. law and it should be placed before  
20 voters.

21 This bill is precise, and it's well  
22 within the scope of local control. It restricts

1 the sale of products derived from force-feeding  
2 birds within District borders, and it does not  
3 amend the D.C. Charter, incur any public costs,  
4 involve Congress, or affect court functions.  
5 Importantly, it also does not impose any  
6 production standards outside the District or  
7 burden interstate commerce. It simply gives  
8 residents like myself the chance to decide  
9 whether this product aligns with our community's  
10 values and belongs in our local marketplace.

11 Now, proponents of force-fed products  
12 might argue that the ballot initiative process  
13 shouldn't be used to regulate specific  
14 commercial products, but, in reality, that is  
15 precisely what ballot initiatives are for. When  
16 a product raises legitimate ethical,  
17 environmental, and public accountability  
18 concerns, and elected bodies haven't addressed  
19 them, the public has the right to weigh-in.

20 Voters in California, Massachusetts,  
21 and other jurisdictions have used the same  
22 process to regulate animal cruelty,



1 environmental harms, or unsafe practices in  
2 commerce. Courts have upheld those measures  
3 repeatedly.

4           And here in D.C., we've exercised that  
5 same authority before. We don't permit goods  
6 made with child labor. We regulate single-use  
7 plastics, and we've set standards around  
8 products that affect public welfare. So this  
9 proposal fits firmly within that tradition.

10           Local democracy is not about how widely  
11 a product is consumed. It's about whether it  
12 reflects our values. And if D.C. residents  
13 believe that products made through force-feeding  
14 birds have no place in our stores or on our  
15 menus, then we should be able to decide that.

16           This measure is constitutional. It's  
17 grounded in precedent, and it is well within  
18 home rule. So urge the Board to allow this  
19 initiative to move forward to the ballot, where  
20 this decision belongs, with the people of D.C.

21           And finally, as someone whose mother is  
22 from Paris, France, I understand that products

1 from force-fed birds can be a part of culinary  
2 traditions, but even in places like France,  
3 people are rethinking whether force-feeding fits  
4 within consumer values. So that shows me that  
5 traditions can evolve and laws can, too.

6           Regulating these products at the local  
7 level is not extreme, it's just good governance.

8 Thank you.

9           CHAIR THOMPSON: Okay. Merci.

10           MS. STROUD: Next, we'll hear from Mike  
11 Accardi.

12           And again, if you could state your name  
13 and address for the record, and proceed with  
14 your testimony.

15           MR. ACCARDI: Hi. My name -- one  
16 second.

17           Can you hear me?

18           CHAIR THOMPSON: We can.

19           MR. ACCARDI: Hi. My name is Mike  
20 Accardi. I live at 1375 Kenyon Street  
21 Northwest, Apartment 414, in Ward 1. Good  
22 morning and thank you for the opportunity to

1 speak.

2           This initiative clearly is a proper  
3 subject for District legislation. It doesn't  
4 appropriate funds, affect the courts, or  
5 interfere with federal operations. It simply  
6 regulates which products may be sold and served  
7 within D.C., something the District has long had  
8 the power to do.

9           Under both the Home Rule Act and  
10 established constitutional principles, local  
11 governments are entitled to regulate commerce  
12 within their own borders to protect health,  
13 safety, and welfare -- exactly what this measure  
14 does.

15           Foie gras raises legitimate public  
16 health and safety concerns. The process of  
17 force-feeding birds under unsanitary, high-  
18 stress conditions has been linked to  
19 contamination risk and disease spread, including  
20 avian influenza. It is true that there are no  
21 foie gras farms in D.C., but as COVID-19 taught  
22 us, pandemics don't care about borders.

1           The product itself is exceptionally  
2 high in cholesterol and fat. Protecting  
3 residents from unsafe or harmful products is one  
4 of the most basic and constitutionally sound  
5 exercises of local authority.

6           The bill also addresses D.C.'s  
7 environmental responsibilities. Foie gras  
8 production generates significant waste and  
9 greenhouse gas emissions, contributing to  
10 pollution and climate change.

11           Local governments across the country  
12 have enacted similar sustainability measures,  
13 and courts have consistently recognized their  
14 right to do so. Ensuring that our marketplace  
15 aligns with our climate goals is a legitimate  
16 local interest fully supported by precedent.

17           There is also legal and ethical  
18 dimension to this initiative. The law is not  
19 just about what is permissible, it's about what  
20 we as a community choose to endorse. D.C. has  
21 long used its local authority to align policy  
22 and public values, whether in animal protection,

1 consumer safety, or environmental stewardship.  
2 This initiative fits squarely within the  
3 tradition of lawful value space governance.

4           And finally, the economic impact of  
5 this measure is minimal. Foie gras is a niche  
6 luxury item with virtually no effect on the  
7 local economy. Businesses can easily adapt and  
8 many will benefit from meeting growing demand  
9 for ethical and sustainable dining. This  
10 further underscores that the initiative is  
11 reasonable and proportionate use of D.C.'s local  
12 power, not an overreach.

13           In sum, this is not a question of D.C.  
14 exceeding its authority. It's an example of  
15 D.C. using its authority to be responsible. The  
16 Constitution and Home Rule Act give this  
17 community the right to decide what kind of  
18 marketplace we want to maintain -- one that  
19 protects health, supports sustainability, and  
20 reflects the values of our residents.

21           Thank you.

22           CHAIR THOMPSON: Thank you.

1 MS. STROUD: Next, we have Raphaelle  
2 Martinez. If you could state your name and  
3 address for the record and proceed with your  
4 testimony.

5 MS. MARTINEZ: Were you able to hear me  
6 until now? Okay. Okay.

7 Thank you and good morning. My name is  
8 Raphaelle Martinez. I'm a French citizen living  
9 and working in Ward 1 of D.C., 1775 Kenyon  
10 Street Northwest, Apartment 305.

11 I'm proud to now be able to call this  
12 home and to be part of a city where civic  
13 participation matters, and where residents  
14 genuinely care about the values that shape our  
15 community.

16 Forced-feeding is not practiced in the  
17 District. However, foie gras, the direct result  
18 of force-feeding, is distributed and sold here,  
19 mostly in high-end restaurants.

20 Foie gras is part of French gastronomic  
21 heritage, and yet many of the most respected  
22 chefs in France today reject force-feeding

1 entirely and most chefs here in D.C. do as well.

2           It is reasonable for D.C. residents to  
3 decide whether this controversial and  
4 increasingly rejected practice reflects the  
5 value of this city.

6           This measure does not target people.  
7 It frustrates a practice. It regulates conduct,  
8 not identity or protected classes. We routinely  
9 prohibit certain foods when they pose real harm  
10 or involve extreme cruelty. That has long been  
11 part of whole communities upholding human  
12 standards and public welfare.

13           It does not implicate discrimination  
14 under the D.C. Human Rights Act and fits  
15 squarely within the bounds of this initiative's  
16 presence. This initiative falls squarely within  
17 the District's authority. It does not amend the  
18 Charter or the Constitution. It does not  
19 implicate budgetary powers, and it regulates a  
20 practice the District is fully empowered to  
21 prohibit under its police power to set food  
22 safety and human treatment standards.

1           There is also no meaningful fiscal  
2 impact. And because force-feeding does not  
3 occur locally, the Act requires no new program  
4 and no appropriation of funds, or enforcement  
5 simply for routine food safety inspection  
6 authority, as with many other product  
7 restrictions in the District.

8           Measures of comparable structure  
9 regulating the sale of specific products have  
10 repeatedly been recognized as proper subjects.  
11 Jurisdictions around the country have enacted  
12 restrictions on items such as shark fins, fur,  
13 foie gras, and certain tobacco products. These  
14 are routine exercises of regulatory authority,  
15 not budgetary acts.

16           This proposal does not conflict with  
17 the Constitution, does not attack government  
18 structure, does not appropriate funds, and does  
19 not attack any protected class or community. It  
20 simply asks whether D.C. should join  
21 jurisdictions around the world that have chosen  
22 not to support forced-feeding.



1           For these reasons, District residents  
2 should be allowed to exercise their right to  
3 vote on this matter, and I respectfully request  
4 that the Board determine that this measure is a  
5 proper subject. Thank you.

6           CHAIR THOMPSON: Okay. Merci beaucoup.

7           MS. STROUD: Next, we have Mason  
8 McGill, and I see the hand raised.

9           And if you could state your name and  
10 address for the record, and proceed with your  
11 testimony.

12           MR. MCGILL: Great. Hi. My name is  
13 Mason McGill. I live at 3275 Washington  
14 Boulevard in Arlington. So I'm an Arlington  
15 resident, a neuroscientist, and a supporter of  
16 this measure.

17           People living in every community on  
18 earth have a natural desire for agency over  
19 their environment. This includes the physical  
20 environment, like preventing companies from  
21 dumping toxic waste into a river, but also the  
22 moral environment, like deciding whether to

1 condone prostitution or dog fighting.

2           It's universal to want to have a say in  
3 what our children see as tolerated and  
4 untolerated behavior by adults. When our  
5 children ask us questions like, where does  
6 electricity come from? or why is that police  
7 officer kicking that tired man off the bench? We  
8 want to be able to give them answers that we're  
9 proud of.

10           Many previous ballot initiatives fell  
11 into this category, including Initiatives 2 and  
12 6 concerning gambling, 17, concerning a right to  
13 shelter, 43, concerning the death penalty, and  
14 59, 71, and 81, concerning psychoactive plants  
15 and fungi.

16           There's also precedent for an  
17 initiative restricting an activity involving  
18 animals. Initiative 31 would have banned horse-  
19 drawn carriages from operating on D.C. streets.  
20 This history can inform our understanding of  
21 whether a proposed measure is eligible to be  
22 included on the ballot.

1 Force-feeding birds is not  
2 constitutionally protected expression, by the  
3 same logic that operating a horse-drawn carriage  
4 is not constitutionally protected expression.  
5 Foie gras chefs are not a protected class, just  
6 as gamblers are not a protected class.

7 And modifying the legality of practices  
8 involving animals does not require appropriating  
9 funds, just as modifying the legality of  
10 practices involving plants or fungi does not  
11 require appropriating funds.

12 Like gambling, shelter, and the death  
13 penalty, the practice of force-feeding, which  
14 perverts possibly the sole pleasure available to  
15 a bird spending its life in a dark, crowded  
16 factory farm into an experience of terror and  
17 agony, is an issue of the moral health of our  
18 community, in which the Constitution and the  
19 District Charter allow voters to have a say.

20 CHAIR THOMPSON: Just one minute.

21 MR. MCGILL: At a time when day-to-day  
22 life in Washington, D.C., so often involves

1 feeling subjected to the values of strangers  
2 living thousands of miles away, from troops on  
3 the street to helicopters in the sky, it's more  
4 important than ever to uphold our fundamental  
5 right to determine democratically the kind of  
6 city we want to be.

7 CHAIR THOMPSON: Well, thank you so  
8 much.

9 MS. STROUD: We next have Faith Mackey.  
10 I see a hand raised.

11 MS. MACKEY: Hello? Okay.

12 Good morning, Members of the Council --  
13 Board of Elections. My name is Faith Mackey,  
14 and my address is 3700 Massachusetts Avenue  
15 Northwest, Apartment 135, 20016. I live in  
16 Washington, D.C. in Ward 3.

17 Thank you for the opportunity to speak  
18 in strong support of the Act prohibiting the  
19 force-feeding of birds. This is a common-sense,  
20 humane, and democratic measure that reflects the  
21 values and priorities of the District of  
22 Columbia.

1 I'm going to speak to three reasons as  
2 to why this Act is proper subject matter.

3 This bill is proper subject matter for  
4 the Council because local governments have a  
5 clear right to regulate the sale of cruel or  
6 unsafe products in their jurisdictions. D.C.  
7 already restricts products that harm public  
8 health or involve animal cruelty.

9 Prohibiting foie gras, which is  
10 produced through the force-feeding of birds,  
11 fits squarely within this authority. There is a  
12 strong precedent for local bans on animal-  
13 derived products and practices that conflict  
14 with community standards. Similar prohibitions  
15 have been enacted and upheld in California, and  
16 while not enacted, was initially passed in New  
17 York City. These actions have been recognized  
18 as legitimate exercises of local power to  
19 protect animal welfare and public morals. This  
20 Act will also not appropriate public funds.

21 Finally, this bill is proper because it  
22 aligns with the express values of D.C.

1 residents. A clear majority of our community  
2 opposes the force-feeding of birds. This  
3 legislation honors the District's right to  
4 ensure that our local commerce reflects humane,  
5 ethical, and democratic principles. We should  
6 not normalize an extreme act of cruelty within  
7 our city limits.

8 Force-feeding birds to enlarge their  
9 livers 10 times its normal size is an inherently  
10 cruel process that causes pain, injury, and  
11 great distress. It is my opinion that there is  
12 absolutely no way to produce foie gras humanely.  
13 Ending its sale in D.C. sends a clear message  
14 that we reject unnecessary cruelty for the sake  
15 of luxury consumption.

16 Foie gras is extremely high in  
17 cholesterol and saturated fat. Nutritionally,  
18 it is one of the least healthiest foods  
19 available on any given restaurant menu.  
20 Reducing its availability is consistent with  
21 D.C.'s border public health goals and helps  
22 discourage the consumption of unhealthy

1 products.

2 This bill reflects the will of D.C.  
3 residents, stands on firm legal ground, and  
4 promotes humane values and public health. The  
5 force-feeding of birds is an act of cruelty. We  
6 know it and our community absolutely rejects it.

7 The District has the right and responsibility  
8 to ensure our laws align with compassion and  
9 good conscience. I urge you to support this.  
10 Thank you very much.

11 CHAIR THOMPSON: Thank you.

12 MS. STROUD: Next, we have Dina  
13 Tamburino. I see a hand raised.

14 Ms. Tamburino, if you could state your  
15 name and address for the record and proceed.

16 CHAIR THOMPSON: I think you have to  
17 allow.

18 MS. TAMBURINO: Can you hear me?

19 MS. STROUD: Yes, we can hear you now.

20 MS. TAMBURINO: Okay. Sorry about  
21 that. Thank you.

22 My name is Dina Tamburino. I live at

1 800 Fourth Street Southwest, Unit N625, in  
2 Washington, D.C.

3 Thank you to the Board for calling this  
4 public hearing and allowing the public to  
5 provide testimony on the proposed measure  
6 Prohibiting Force Feeding of Birds Act.

7 My name is Dina Tamburino, as stated.  
8 I'm a long-term resident of Ward 6 in  
9 Washington, D.C., home to the iconic and elision  
10 Duck Pond.

11 Today, I present testimony that the  
12 proposed measure is a proper subject matter and  
13 that it does not conflict with or seek to amend  
14 the Title IV of the D.C. Home Rule Act, nor does  
15 it conflict in any way with the U.S.  
16 Constitution.

17 The measure would in no way authorize  
18 discrimination in violation of the D.C. Human  
19 Rights Act. It would also not negate or limit  
20 any budgetary act of the D.C. Council, nor  
21 appropriate funds.

22 What this bill would do is bring our



1 city one step closer to the kind society that we  
2 are striving to create. As a D.C. substitute  
3 schoolteacher, I attest that, throughout D.C.'s  
4 Public Schools, the emphasis is on teaching D.C.  
5 children how to be kind and that kindness  
6 matters. In order to create a peaceful society,  
7 we must learn to be kind to each other, and that  
8 includes ducks and geese.

9           Forced-feeding of ducks and geese for  
10 the production of foie gras is a violent act  
11 that causes great pain and trauma to ducks and  
12 geese. Forced-feeding of birds is a violent act  
13 that we must not in any way support. If we  
14 learn to be violent towards animals, we will  
15 learn to be violent towards each other. If we  
16 learn to be kind towards animals, we will learn  
17 to be kind towards each other.

18           Ducks and geese deserve our kindness.  
19 At D.C. Southwest Duck Pond, you can bask in the  
20 awe of watching ducks and geese frolic  
21 idyllically in the pond. The D.C. Duck Pond is  
22 an iconic pond for local residents and tourists

1 who visit the wharf. The pond and the ringed  
2 denizens are a source of great inspiration and  
3 delight to D.C. residents, especially children.

4 Come to the pond and fall in love with our  
5 ducks and geese, and know that they and this  
6 bill are a proper subject matter.

7 A small poem in conclusion.

8 They have a duck, a goose, and a  
9 gosling, too. Wouldn't you want someone to save  
10 you?

11 Thank you.

12 CHAIR THOMPSON: Thank you.

13 MS. STROUD: Next, we have Jennifer  
14 Worth. If you could state your name and address  
15 for the record and then proceed.

16 MS. WORTH: Can you hear me?

17 MS. STROUD: Yes.

18 MS. WORTH: Thank you. My name is  
19 Jennifer Worth, and I live at 1375 Kenyon Street  
20 Northwest, Apartment 306, Washington, D.C.  
21 20010. I currently live in Ward 1 and have also  
22 lived in both Ward 4 and Ward 3 over the past

1 few years.

2           The Prohibiting Force Feeding of Birds  
3 Act is a proper subject matter, as the Act has  
4 been properly filed, does not impede on the  
5 budgetary act of D.C. Council, will not  
6 appropriate funds, will not amend D.C. Home  
7 Rule, and will not conflict with the U.S.  
8 Constitution.

9           I'll use my time today to speak in more  
10 detail about the last prong, that the  
11 Prohibiting Force Feeding of Birds Act does not  
12 conflict with the U.S. Constitution. And I'll  
13 try my best to not repeat some of the amazing  
14 testimony that George gave earlier.

15           Washington, D.C., as you heard, is not  
16 the first place to put forward an act like this  
17 one. In 2004, California lawmakers passed  
18 Senate Bill 1520, which prohibited the force-  
19 feeding of birds for the purpose of enlarging  
20 the bird's liver beyond normal size. The  
21 California law has been active and in effect  
22 since 2012, and there have been challenges to

1 the California law, including on the grounds  
2 that it could conflict with the U.S.  
3 Constitution, but those cases have been declined  
4 for review by the U.S. Supreme Court twice, even  
5 as recently as 2023. The courts have maintained  
6 the law's constitutionality for more than two  
7 decades now.

8 D.C.'s Prohibiting Force-Feeding of  
9 Birds Act seeks a similar goal to California's  
10 law. Because of the extreme force-feeding of  
11 birds, the Prohibiting Force Feeding of Birds  
12 Act, like the California law, looks to prohibit  
13 this practice. Given the upholding of the  
14 constitutionality of a similar law in  
15 California, we have reason to believe that the  
16 Prohibiting Force Feeding of Birds Act, if it  
17 gets passed, would also be upheld.

18 Washington, D.C. would also not be the  
19 first city to consider an act like the  
20 Prohibiting Force Feeding of Birds Act. In  
21 December 2023, Pittsburgh City Council in  
22 Pennsylvania voted to ban the sale of force-fed

1 animal products. Under this legislation, any  
2 establishment violating the ordinance would be  
3 fined \$500 per violation.

4 Just like D.C., laws passed in the  
5 Pittsburgh City Council must meet the standard  
6 of not conflicting with the U.S. Constitution,  
7 and a challenge to this law has not yet been  
8 successful, upholding its constitutionality.

9 I think that the D.C. Board of  
10 Elections should consider the Prohibiting Force  
11 Feeding of Birds Act as a proper subject matter  
12 for its obvious adherence to the required prongs  
13 and historical upholding of similar legislation  
14 as constitutional.

15 The D.C. community deserves to have  
16 their standards for the treatment of animals  
17 reflected in their laws, and this Act would  
18 allow them to do so without presenting any  
19 challenges to proper subject matter. Thank you.

20 CHAIR THOMPSON: Thank you.

21 MS. STROUD: Our last witness before we  
22 hear from the proposer will be Conrad Listman.

1           And if you could state your name and  
2 address for the record, and then proceed with  
3 your testimony.

4           MR. LISTMAN: Thank you. My name is  
5 Conrad Listman. I live at 449 Nelson Drive,  
6 Vienna, Virginia 22180.

7           Yeah, thank you for this opportunity to  
8 speak. I'll be quick.

9           Proper subject is about what the  
10 proposed measure does not do. It does not  
11 attempt to discriminate against people in a way  
12 that would violate the Human Rights Act. It  
13 does not attempt to, for example, house soldiers  
14 in civilian homes in a way that would violate  
15 the Constitution, or something else that would  
16 violate the Constitution. It does not attempt  
17 to inhibit the D.C. Council from any budgetary  
18 act.

19           What this bill does do, or what this  
20 proposed measure does do, is prevent the sale of  
21 products that are made by shoving a metal pipe  
22 down a duck's throat and force-feeding them

1 until their livers grow to 10 times their normal  
2 size.

3 Not only do the people of the D.C.  
4 clearly have the right to vote on this issue,  
5 but D.C. has the duty to put an end to this  
6 cruel and disgusting practice which tortures  
7 ducks and geese totally unnecessarily.

8 Thank you. I cede the rest of my time.

9 CHAIR THOMPSON: Thank you very much.

10 MS. STROUD: And now we will hear from  
11 the proposer, Cady Witt.

12 MS. WITT: Hello. Can you all hear me  
13 okay?

14 CHAIR THOMPSON: Yeah. Good morning,  
15 Ms. Witt.

16 MS. WITT: Good morning. Thank you all  
17 so much for having us here today. We're all so  
18 excited to be here.

19 And I want to let you guys know our  
20 lawyer Hannah is here. If you guys have any  
21 questions for her, she's happy to answer.

22 So, yeah, I'll jump right in with my

1 testimony.

2 Oh, and my address is, like a few  
3 others, 1375 Kenyon Street Northwest, Apartment  
4 414.

5 Good morning and thank you for the  
6 opportunity to speak today. My name is Cady  
7 Witt. I'm a Ward 1 resident, and I'm the D.C.  
8 Campaign Director for Pro-Animal Future.

9 I'm here to express support for  
10 allowing the foie gras ballot initiative to move  
11 forward as a proper subject, a proper subject  
12 under District law.

13 I understand that today's discussion  
14 isn't about whether foie gras is right or wrong,  
15 but whether this measure qualifies legally for  
16 the ballot. From our view, it clearly does.

17 This proposal does not amend the Home  
18 Rule Act, does not affect the D.C. budget, and  
19 does not authorize discrimination. It operates  
20 entirely within the District's established  
21 authority to regulate the sale of products that  
22 conflict with public values or health standards.



1           Similar measures have been found proper  
2 in other jurisdictions when they addressed  
3 ethical or environmental concerns through local  
4 regulation.

5           Importantly, this measure does not  
6 appropriate funds. If businesses follow the  
7 law, there is no cost to enforcement. It does  
8 not require any additional inspection or  
9 investigation by any government agency.

10           If violations occur, the measure allows  
11 members of the public to file a complaint and  
12 authorizes the Department of Energy and  
13 Environment to assess fines, which would more  
14 than cover any additional staff time associated  
15 with enforcement.

16           The fines set by this measure are  
17 significant enough that businesses would not  
18 view them as routine cost of doing business,  
19 which further incentivizes compliance and  
20 minimizes the likelihood of enforcement action  
21 being necessary.

22           While I recognize the Board's focus

1 today is limited to proper subject criteria,  
2 it's worth noting that this initiative also  
3 reflects the values of many District residents,  
4 values centered on compassion, transparency, and  
5 responsible commerce. The measure aligns with  
6 the District's long tradition of leadership in  
7 humane and forward-thinking policy without  
8 imposing any new budgetary or constitutional  
9 conflicts.

10 Because the initiative satisfies all  
11 statutory requirements for a proper subject, I  
12 respectfully urge the Board to find that it  
13 qualifies to move forward in the process.

14 Thank you so much for your time and  
15 consideration.

16 Oh, really quickly, our friend Meghan  
17 wants to speak. She hasn't spoken yet. I  
18 wonder if she's in the line-up.

19 CHAIR THOMPSON: You know, we see her  
20 hand raised, but I do have a question for you or  
21 maybe your counsel, who you said is present.

22 MS. WITT: Yes, yes. Hannah, Hannah

1 Truxell is our counsel. She's present.

2 CHAIR THOMPSON: I would ask your  
3 counsel to speak.

4 My question focuses on the two opinions  
5 that we received, the first one from the GC to  
6 the D.C. Council, states that it's unclear  
7 whether the CFO will determine whether there's a  
8 fiscal impact. We just don't know yet.

9 Unfortunately, we don't receive that  
10 statement in the midst of this process. So, you  
11 know, we can sometimes only speculate as to  
12 whether something will have a fiscal impact. In  
13 that case, anyway, the GC will opine, but I  
14 don't know, but if there is a fiscal impact,  
15 then it would be improper.

16 Whereas, the OAG, it sort of says the  
17 same thing, but it adds, however, if there does  
18 turn out to be a fiscal impact, then I think the  
19 possible driver of a fiscal impact would be the  
20 part of the proposed Act that says the agency  
21 shall maintain a database.

22 Then, a technical amendment can be

1 added that would make it subject to  
2 appropriations, and that would cure that aspect  
3 of a proper subject problem. And I'm just sort  
4 of -- I guess I'm -- my question is -- and then,  
5 we refer to that as a technical amendment that  
6 can be made.

7 My question is, I assume you would  
8 accept such a technical amendment to your  
9 proposed Act, to allow it to be subject to  
10 appropriations, if, indeed, the CFO -- if the  
11 CFO opines that it has a fiscal impact. That's  
12 my question for you or your counsel.

13 MS. TRUXELL: Hi. Are you able to hear  
14 me?

15 CHAIR THOMPSON: Yeah. Hello.  
16 Welcome.

17 MS. TRUXELL: Okay. Hi. Good morning.  
18 My name is Hannah Truxell. I'm the Senior  
19 Policy Counsel with the Humane League, and I am  
20 here on behalf of the proponent.

21 I want to disclose, first, that I am  
22 barred in Kentucky. I'm not barred in D.C. So

1 I wanted to ensure that you all would permit me  
2 to be here on behalf of Cady and that you'd  
3 authorize me to represent her in that capacity.  
4 Is that okay?

5 CHAIR THOMPSON: Yes.

6 MS. TRUXELL: Okay.

7 CHAIR THOMPSON: And, yeah, thank you  
8 for appearing. You are admitted pro hac for the  
9 limited purpose of speaking to us today. Thanks  
10 for being here.

11 MS. TRUXELL: Okay, excellent, thank  
12 you. Absolutely, Cady is fine with that, and we  
13 agree with the Attorney General's opinion that  
14 by adding that technical language, it sort of  
15 overcomes this hurdle, if you will, around  
16 fiscal impact. And Cady and the other  
17 proponents would be fine with that additional  
18 language added.

19 CHAIR THOMPSON: All right, well yeah,  
20 thank you so much for that. I mean, in my mind,  
21 that addresses that aspect of the test.  
22 Anything else you want to let us know about?

1 MS. TRUXELL: Not at this time. I  
2 think I would just reiterate, based on, you  
3 know, the Attorney General's opinion and the  
4 case law, that the D.C. Court of Appeals has  
5 really stressed that the initiative power is to  
6 be construed liberally. And by adding that  
7 technical language, it can hopefully allow this  
8 initiative to move forward.

9 CHAIR THOMPSON: Yeah, thank you for  
10 that thought, which I share. It's like a  
11 candidate trying to be on the ballot. In  
12 general, we favor ballot access for candidates  
13 or initiatives. That's the sort of default  
14 standard in my mind.

15 So with that, I think there was  
16 somebody named Meghan who wanted to also speak,  
17 and I think you did indicate in advance you  
18 wanted to talk. So we'll recognize you as well.

19 If you could state your full name and address.

20 MS. ABREGO: Hello there. Can you guys  
21 hear me okay?

22 CHAIR THOMPSON: Yes.

1 MS. ABREGO: Okay, perfect. My name's  
2 Meghan Abrego, and my address is 55 Maddingly  
3 Avenue, Indian Head, Maryland 20640. And good  
4 morning and thank you all for having me testify  
5 today.

6 I am here today with my therapy duck,  
7 Olivia Gray, as you can probably see and hear in  
8 the background. She is three years old, and  
9 although she is not a D.C. resident, we do take  
10 pride in living in Maryland.

11 We enjoy having the opportunity to  
12 speak and meet with you today regarding her dear  
13 duck friends that continue being force-fed and  
14 treated poorly in awful living conditions  
15 through the process of foie gras.

16 Before I begin, I'd like to acknowledge  
17 that today's hearing is about determining  
18 whether this proposed measure is a proper  
19 subject for a ballot initiative under District  
20 law.

21 I believe it clearly meets those  
22 requirements. This measure does not amend or

1 conflict with the D.C. Home Rule charter. It  
2 does not appropriate funds, and it does not  
3 authorize any form of discrimination.

4 It simply seeks to prohibit the sale of  
5 force-fed products in the District, an act that  
6 falls well within the voters' legislative  
7 authority to protect animals and ensure human  
8 standards in commerce.

9 Olivia Gray considers herself an  
10 advocate for these friends of hers, and  
11 continues to make waves here in Washington,  
12 D.C., one of which is becoming a known duck  
13 friend directly to Mayor Bowser's office here in  
14 the District.

15 Olivia Gray also has plans to meet with  
16 Senator Kennedy to join his fight against the  
17 campaign from Wildlife and Fisheries to kill the  
18 spotted owl.

19 Though a predator towards her in the  
20 animal kingdom world, Olivia Gray and I are  
21 still speaking for the animals that deserve a  
22 better chance at stability and survival.



1           This goes hand in hand with all animals  
2 in the kingdom. That being said, Olivia Gray  
3 has also joined Pro Animal D.C.

4           Though it has just been a few short  
5 months since we've joined, she is making quite  
6 the impact by joining these wonderful people at  
7 Pro Animal D.C., and we are happy to be a part  
8 of it.

9           Please consider meeting our demands for  
10 this pivotal moment. Thank you so much for  
11 taking the time.

12           CHAIR THOMPSON: Well, thank you so  
13 much for being here. Anything else from the  
14 proposer?

15           Ms. Witt, I didn't mean to cut you off  
16 earlier. I threw my question out and your  
17 counsel handled it. Just want to make sure you  
18 didn't have any final comments as the proposer?

19           MS. WITT: I think that's all we've  
20 got. What do you guys think?

21           CHAIR THOMPSON: Well thank you, just  
22 give us a sec. And thank you to everybody who

1 spoke. Thank you for all your written comments.

2 All right, so we'll have a  
3 recommendation from the General Counsel at this  
4 time.

5 MS. STROUD: Yes, so the General  
6 Counsel's office has reviewed the measure, and  
7 we appreciate the Chair's questions to the  
8 proposer regarding the advisory opinion  
9 submitted by the Office of the Attorney General,  
10 and the General Counsel to the Council.

11 And, yes, both entities did indicate  
12 that it is not clear whether or not there would  
13 be a fiscal impact state, a fiscal impact in  
14 light of the fact that we do not have as part of  
15 the record before us, a fiscal impact statement.

16 And that is because of the way that the  
17 initiative law reads. The fiscal impact  
18 statement is not issued until after a proper  
19 subject determination has been made.

20 And while the Office of the Attorney  
21 General has indicated that you could read or add  
22 that subject to appropriations language into the

1 legislative text, it is not clear to me that the  
2 statute that the OAG relies upon applies outside  
3 of the context of Council enacted legislation.  
4 Such that it would also include initiates.

5           So I do not agree that we could read  
6 that language into it or add that language,  
7 because we're not supposed to be amending the  
8 text until it's found to be a proper subject.

9           That said, I think that the fact there  
10 is nothing in the record before us that  
11 indicates that the measure would absolutely  
12 appropriate funds, we should accept the measure  
13 as a proper subject.

14           And based on the information we have,  
15 that would be my recommendation, that the  
16 measure be accepted as a proper subject, based  
17 on the information we have before us.

18           We've said before that -- or the Board  
19 has said that we can't reject initiative based  
20 on a speculative impact. And we've also said  
21 that we do not feel that we could have that  
22 subject to appropriation language added as a

1 technical amendment.

2 But again, notwithstanding that, I  
3 think that we, the Board, should, and I so  
4 recommend that the Board accept it as a proper  
5 subject.

6 CHAIR THOMPSON: All right.

7 MS. STROUD: And that would be my  
8 recommendation, that the Board accept it as it  
9 meets all proper subject criteria, including law  
10 appropriating funds.

11 CHAIR THOMPSON: Okay, so thank you so  
12 much. At this time, I'll make a motion --

13 MEMBER GREENFIELD: I have a question.  
14 This is Karyn.

15 CHAIR THOMPSON: Karyn, please go  
16 ahead.

17 MEMBER GREENFIELD: Yes, a question for  
18 counsel. In the event -- I understand what  
19 you're saying we don't make those decisions  
20 based on speculative nature.

21 But in the event it goes to the review  
22 and there is a cost, what happens then to the

1 initiative?

2 MS. STROUD: So if we proceed --

3 MEMBER GREENFIELD: If we proceed with  
4 -- if we proceed and go ahead and say it has  
5 subject matter, what happens when they do that  
6 financial review and they say there will be a  
7 cost impact?

8 MS. STROUD: Then I suspect it will be  
9 challenged.

10 MEMBER GREENFIELD: Okay.

11 MS. STROUD: That would lead to the  
12 determination of whether or not it should be or  
13 should have been accepted as a proper subject.  
14 And that really is just with respect to the  
15 nature of the process. That's a byproduct of  
16 the process as it exists, I believe.

17 CHAIR THOMPSON: Just one possibility  
18 is there could be some severance. The sort of  
19 core of the act which prohibits force-feeding.

20 MEMBER GREENFIELD: Uh-huh.

21 CHAIR THOMPSON: Clearly doesn't have  
22 an impact. But --

1 MS. STROUD: Yes, I would agree.

2 CHAIR THOMPSON: -- it would require a  
3 database to be created to make (audio  
4 interference), and if that's the culprit, is  
5 that something that would be severable at that  
6 time, or does the whole thing sort of sink or  
7 swim based on?

8 MS. STROUD: I think that is a question  
9 that the court would answer. It's not clear to  
10 me that they could.

11 CHAIR THOMPSON: Well, we can only  
12 speculate. I mean to me, at its core, the  
13 proposed act doesn't require appropriations. It  
14 doesn't require appropriations to prohibit  
15 something.

16 MS. STROUD: Yes.

17 CHAIR THOMPSON: And I suppose anything  
18 you prohibit would have the indirect consequence  
19 of possible enforcement activity, so I don't  
20 think that's a disqualifier.

21 But I do take well General Counsel's  
22 point that from the OGC letter, that if every

1 proposed letter initiative could be cured with a  
2 technical amendment that makes it subject to  
3 appropriations, then I guess anything could be  
4 made to (audio interference).

5 But that did worry me. I was sort of  
6 focused on that.

7 MEMBER GREENFIELD: Yes, that was what  
8 was worrying me. I kind of thought on when we  
9 had this conversation before and the situation  
10 may have been different circumstances on this,  
11 about subject to appropriations.

12 But then I thought, well then, what's  
13 the reason for the appropriations language if we  
14 just make everything subject every time as a way  
15 to get around it.

16 But my own concern is if it gets  
17 through and it gets passed and then there are  
18 funds that it needs, what happens? Meaning, if  
19 it is not challenged, what happens, how does it  
20 get enacted?

21 Or does the part that generates the  
22 means and funds drop off and the rest -- because

1 I agree, the prohibition doesn't generate  
2 appropriation of funds.

3 CHAIR THOMPSON: Well, I guess with  
4 that for the reasons that General Counsel  
5 stated, I make a motion at this time that we  
6 approve the proposed act that would prohibit  
7 force-feeding of birds as a proper subject for  
8 an initiative.

9 MEMBER GREENFIELD: Okay, I'll second.

10 MS. STROUD: And I'll take a roll call  
11 vote. With respect to the motion, Mr. Chair?

12 CHAIR THOMPSON: Chair votes aye.

13 MS. STROUD: Madam Greenfield, Member  
14 Greenfield?

15 MEMBER GREENFIELD: Aye.

16 MS. STROUD: Okay and with that, the  
17 ayes have it and the measure is accepted as a  
18 proper subject, and a written order will soon  
19 issue.

20 CHAIR THOMPSON: Okay, and do you want  
21 to explain to everybody what -- then what  
22 happens in the process?



1 MS. STROUD: So it's bound to be a  
2 proper subject, so what will happen next is we  
3 will undertake to prepare the formulations for  
4 the measure.

5 And, yes, so we will issue an order.  
6 We will undertake to prepare the formulation.  
7 There will be a public meeting to adopt the  
8 formulations, which are the Board's formulations  
9 that the Board creates with respect to the  
10 language.

11 And then that will be posted in the  
12 D.C. Register for a challenge period. And if  
13 there is no challenge or if any challenge is  
14 unsuccessful, then the Board will proceed to  
15 issue a petition.

16 And then circulators will have 180 days  
17 to circulate the petition. And if it is found,  
18 if such submitted petition is found to be  
19 legally sufficient, then it will be placed on  
20 the ballot.

21 CHAIR THOMPSON: Okay. All right, so  
22 that means that Ms. Witt and others, we'll hear

1 from you again I'm sure, soon enough on the  
2 proposed language for the ballot.

3 But that concludes our business today  
4 on this particular matter.

5 MS. STROUD: Yes.

6 CHAIR THOMPSON: So thank you again,  
7 everyone, for being here. You're welcome to  
8 stick around and listen to proposed rulemaking  
9 and other exciting topics.

10 Yes, go ahead, Ms. Witt.

11 MS. WITT: Yay, thank you so much.  
12 We're so excited. Thank you so, so much.  
13 Awesome, that's all I wanted to say.

14 Thank you all so much for your time.  
15 We appreciate you. We're so excited to move  
16 forward, you won't regret it.

17 That's all I wanted to say, thank you.

18 CHAIR THOMPSON: Thank you.

19 MS. STROUD: Okay, the next matter on  
20 my agenda is an enforcement proceeding in the  
21 matter of Antonio Watkins, and I'll have our  
22 staff attorney, Ms. Christine Pembroke, come

1     forth to discuss the matter.

2                   MS. PEMBROKE:   Good morning.   This is,  
3     as General Counsel said, an enforcement matter.

4     It came to our attention in connection with a  
5     voter participation project report issued by the  
6     Election Registration Information Center, or  
7     ERIC.

8                   And as a result of that report, we've  
9     found evidence of ballots that were cast in the  
10    same voter's name in the D.C. 2024 general  
11    election and in the 2024 general election in  
12    Georgia.

13                   Based on the ERIC report findings, the  
14    Board staff checked the ballot return envelope  
15    for the ballot that had been cast by mail in  
16    D.C., and saw that the signature on the envelope  
17    was reasonably decipherable as a name that was  
18    different from the printed name shown just below  
19    the signature line for the voter to whom the  
20    ballot was issued.

21                   In response to this information, the  
22    Office of General Counsel launched an

1 investigation into the 2024 D.C. general  
2 election ballot that was cast by someone other  
3 than the voter to whom it was issued.

4 The Office of General Counsel was able  
5 to ascertain that the signature on the ballot  
6 return envelope was for Antonio Watkins, and  
7 sent him a notice of a pre-hearing conference in  
8 the matter.

9 Mr. Watkins responded to the Office of  
10 General Counsel's efforts to reach him, and he  
11 cooperated fully in the investigation.

12 He appeared at a September 9th, 2025,  
13 pre-hearing conference, and explained that the  
14 individual to whom the ballot was issued had  
15 resided in his apartment for a time prior to the  
16 2024 general election, when Mr. Watkins was  
17 assisting that individual with getting back on  
18 his feet.

19 OGC's investigation confirmed that the  
20 voter whose D.C. 2024 general election ballot  
21 was cast by Mr. Watkins had registered to vote  
22 in D.C. in 2018, and had identified as his voter

1 registration address the same address that was  
2 being used by Mr. Watkins.

3 That individual had not cancelled their  
4 D.C. voter registration when they voted in the  
5 2024 general election in Georgia.

6 Following discussions at the pre-  
7 hearing conference, Mr. Watkins was sent a  
8 stipulated agreement in the matter, and he later  
9 executed that agreement.

10 By that stipulation, Mr. Watkins  
11 acknowledged that he had voted in the D.C. 2024  
12 general election with a mail ballot that was  
13 issued to another voter.

14 And that, in addition, he also had  
15 voted his own D.C. 2024 general election mail  
16 ballot, and that the ballot return envelope that  
17 he had signed with respect to each ballot  
18 instructed that the only person -- to whom only  
19 the person to whom the ballot was issued should  
20 vote the ballot and provided for the voter to  
21 attest that they would not vote more than once.

22 Mr. Watkins agreed in the stipulation

1 that he, without wrongful intent, voted in  
2 addition to his own ballot, a D.C. 2024 general  
3 election ballot that was issued to another  
4 voter.

5 He admitted that he had failed to  
6 exercise care and caution in completing and  
7 returning the other voter's ballot to the Board.

8 We have provided the Board previously  
9 with the stipulated agreement. I would ask the  
10 Board at this time to accept the stipulation  
11 into the record.

12 CHAIR THOMPSON: Yes, so accepted.  
13 Thank you.

14 MS. PEMBROKE: Mr. Watkins did tell me  
15 yesterday he was planning to be here. I don't  
16 know if he is. I haven't seen his name on the  
17 list so far, but there are a lot of  
18 participants.

19 He either uses Watkins or he might be  
20 under the name Mr. Be, spelled B-E.

21 CHAIR THOMPSON: Yes, Mr. Watkins, if  
22 you're here, just raise your Zoom hand.

1 (Pause.)

2 CHAIR THOMPSON: Apparently he's  
3 logging on as we speak. Mr. Watkins have  
4 counsel?

5 MS. PEMBROKE: No, he does not.

6 CHAIR THOMPSON: Okay. But he's agreed  
7 to the stipulation?

8 MS. PEMBROKE: Yes, he has. And if you  
9 recall, we continued this matter from the last  
10 Board hearing because he couldn't attend. So  
11 hopefully he can log in.

12 He does have all the information.

13 CHAIR THOMPSON: Apologies, everyone,  
14 while we wait. We'll just give it another  
15 minute. We can -- I guess.

16 We could also table this and come back  
17 to it.

18 MS. PEMBROKE: We have extended it once  
19 for him already.

20 CHAIR THOMPSON: No, I mean today.  
21 Like, just for 10 minutes if he needs some time.

22 MS. PEMBROKE: I would just say also,

1 Mr. Chair, for the record, that our notices to  
2 all participants in enforcement matters are  
3 warned in writing in the notice that if they do  
4 not appear at either a pre-hearing or the Board  
5 hearing, the Board is authorized to proceed in  
6 their absence.

7 CHAIR THOMPSON: Okay.

8 CHAIR THOMPSON: We heard from Mr.  
9 Watkins, we're just going to table this for 20  
10 minutes or so. He's going to dial in during this  
11 meeting. So we'll just temporarily table this.

12 MS. STROUD: If we could just proceed  
13 with the rulemaking and then come back to --

14 CHAIR THOMPSON: Yes.

15 MS. STROUD: -- right.

16 CHAIR THOMPSON: So we'll go ahead and  
17 proceed with the proposed rulemaking, and then  
18 come back to this.

19 MS. STROUD: Yes, so the next item on my  
20 agenda is a rulemaking from the Office of  
21 Campaign Finance, an emergency and proposed  
22 rulemaking. And I will defer to the director of



1 the Office of Campaign Finance with respect to  
2 this rulemaking.

3 MS. COLLIER-MONTGOMERY: Yes, and I  
4 would ask Mr. SanFord to provide the information  
5 for the Office of Campaign Finance.

6 MR. SANFORD: Thank you. Good morning,  
7 Mr. Chairman and distinguished Board Member  
8 Greenfield.

9 The proposed regulations will amend  
10 chapters 30, 33, 37, 42, and 43 of Title III of  
11 the District of Columbia Municipal Regulations.

12 Specifically, sub-section 3000.30  
13 requires statements of organizations or  
14 political committees, political action  
15 committees, and independent expenditure  
16 committees to include a primary email address.

17 Sub-section 3001.2 provides an option  
18 of an in-person or online training for  
19 candidates and treasurers of committees.

20 Sub-section 3001.6 requires candidates  
21 and treasurers of committees to sign an ELF or  
22 affirmation indicating their commitment to

1 comply with D.C. campaign finance laws.

2           Sub-section 3002.2 requires candidates,  
3 with the exception of Advisory Neighborhood  
4 Commissioner candidate, to indicate whether they  
5 are a \$500 exemption candidate, principal  
6 campaign committee candidate, or a Free  
7 Elections Program candidate at the time of  
8 registration, and provide a primary email  
9 address.

10           Sub-section 3002.7 requires Advisory  
11 Neighborhood Commissioner candidates to provide  
12 a principal email address to accept for receipt  
13 of electronic notices.

14           Sub-section 3015.6 requires candidates  
15 to disburse surplus funds within 6 months of  
16 election, defeat, or withdrawal.

17           Sub-section 3305.8 provides that  
18 director of office of the Office of Campaign  
19 Finance may provide an expedited response to a  
20 request where the advice in writing to the  
21 requestor within 15 days.

22           Sub-section 3709.4, 3709.8, and 3709.10

1 provide that respondent may be served by both  
2 regular and electronic mail.

3 Sub-section 3711.2(s) provides that the  
4 maximum fine that may be imposed against  
5 Advisory Neighborhood Commission candidates who  
6 fail to timely file summary financial statement  
7 is \$150.

8 Sub-section 3711.1(1) specifies the  
9 period of 90 days after the expiration of the  
10 period provided to pay a fine as the timeframe  
11 in which the Office of Campaign Finance may  
12 submit petitions for enforcement to the Board of  
13 Elections.

14 Sub-section 4201.12 allows the director  
15 of the Office of Campaign Finance to suspend the  
16 Free Election Program registration of candidates  
17 until all outstanding fines are paid in full.

18 Sub-section 4202.5 provides an option  
19 for candidates and treasurers to complete  
20 mandatory training in person or online or online  
21 only during the period of a public health  
22 emergency in the District of Columbia.

1           Sub-section 4207.12 provides that  
2 distribution of Free Election Program funds will  
3 not begin prior to July 31st of the calendar  
4 year preceding the primary election.

5           Sub-section 4211.9 allows candidates to  
6 collect contributions that will not be matched  
7 by Free Elections funds for 60 days after the  
8 election for the purpose of retiring debt.

9           And finally, sub-section 4308 requires  
10 the audit process to certify Free Election  
11 Program candidates to commence within 90 days of  
12 the certification of the general election by the  
13 Board of Election, and describes the procedure  
14 that should be followed.

15           And those are summaries of the content  
16 of the proposed emergency regulation.

17           CHAIR THOMPSON: All right, well thank  
18 you, I appreciate that. I want you to know I've  
19 read it carefully.

20           And for people listening out there, I  
21 think just to give you some context, we have  
22 campaign finance laws here in D.C., but these

1 are the regulations that are adopted for our  
2 Office of Campaign Finance to implement those  
3 laws.

4 And in practice in the field, every so  
5 often, it becomes clear that there needs to be  
6 some technical clarifications and changes made.

7 So this sounds pretty technical, but  
8 it's really important detail to inform  
9 candidates and members of the public what are  
10 the rules of campaign finance.

11 So this requires a lot of attention,  
12 and it reflects a lot of experience from the  
13 OCF, and once again, I just want to express my  
14 appreciation to the OCF and all of its staff who  
15 are working so hard on detail like this.

16 MS. STROUD: Okay, so with that, I just  
17 want to explain that this is an emergency and  
18 proposed rulemaking.

19 And as a result, once we adopt these  
20 regulations and submit them to the D.C.  
21 Register, they will remain in effect for 120  
22 days from the adoption unless they are

1 superseded by a publication of final rulemaking  
2 in the D.C. Register.

3 So they will remain in effect until  
4 Thursday, March 5th, 2026.

5 And we will, at the Board's pleasure, I  
6 recommend that we submit this rulemaking to the  
7 D.C. Register for publication.

8 And they should be published in the  
9 Friday, November 14th version of the -- or  
10 edition of the D.C. Register. And so --

11 CHAIR THOMPSON: The Chair so moves  
12 that we publish this proposed rulemaking.

13 MS. STROUD: Okay, and second?

14 MEMBER GREENFIELD: I second.

15 MS. STROUD: And I'll take a roll call  
16 vote. With respect to the motion, Mr. Chair?

17 CHAIR THOMPSON: Aye.

18 MS. STROUD: Madam Greenfield?

19 MEMBER GREENFIELD: Aye.

20 MS. STROUD: And with that, the  
21 emergency proposed rulemaking submitted by the  
22 Office of Campaign Finance will be submitted to

1 the D.C. Register for publication.

2 And I see that Mr. Watkins has logged  
3 on, and so I will ask him to state his name and  
4 address for the record.

5 MR. WATKINS: Antonio Watkins, 201 I  
6 Street SW, Apartment 731, Washington, D.C.  
7 20024.

8 MS. STROUD: And for your benefit, Mr.  
9 Watkins, I'll have the staff attorney just  
10 summarize.

11 She had previously read into the record  
12 the information regarding this matter, but I'll  
13 have her just do a brief summary for your  
14 benefit.

15 Although you are aware, having signed  
16 the stipulation agreement -- the stipulated  
17 agreement between my office and yourself, but.

18 MS. PEMBROKE: Yes. So, Mr. Watkins, I  
19 just previously explained to the Board that we  
20 became aware that a ballot was cast by a D.C.  
21 voter in the 2024 general election in both D.C.  
22 and in Georgia as a result of a report issued by

1 ERIC. And that we were able to ascertain that  
2 the cause of that flag of double voting was  
3 because you had signed a ballot that had been  
4 issued to that other voter.

5 And that we were able to contact you  
6 and you cooperated with our investigation and  
7 entered into a stipulation acknowledging that  
8 you, without wrongful intent, voted both that  
9 other individual's ballot and your own ballot in  
10 the 2024 general election. And I had asked the  
11 Board to accept the stipulated agreement into  
12 the record, and they have done so.

13 MR. WATKINS: Thank you.

14 CHAIR THOMPSON: Yes, Mr. Watkins, do  
15 you accept the stipulation? I see you signed  
16 it, correct?

17 MR. WATKINS: Yes.

18 CHAIR THOMPSON: Okay, is there  
19 anything else you want to add?

20 MR. WATKINS: No, not at this moment.

21 CHAIR THOMPSON: Okay.

22 MS. PEMBROKE: I guess at this point,



1 then, if the Board wishes to hear the  
2 recommendation of General Counsel in the matter?

3 CHAIR THOMPSON: Yes, please, yes.

4 MS. STROUD: I recommend that the Board  
5 accept the stipulated agreement entered into by  
6 the Office of General Counsel and Mr. Watkins  
7 with respect to the fine that was stipulated to,  
8 and which indicates that he would have to pay --

9 MS. PEMBROKE: 150.

10 MS. STROUD: -- the amount.

11 MS. PEMBROKE: I believe the amount was  
12 \$150 in this case.

13 MS. STROUD: Yes. An order will issue  
14 that reflects the stipulated agreement, and I  
15 believe it was \$150.

16 And so I move that -- I recommend that  
17 the Board accept a motion that the stipulated  
18 agreement be adopted, and both parties adhere to  
19 the terms indicated.

20 CHAIR THOMPSON: Yes, the Chair so  
21 moves, yes.

22 MS. STROUD: Madam Greenfield?

1 MEMBER GREENFIELD: Yes.

2 MS. STROUD: Okay, and I'll take a roll  
3 call vote. Mr. Chair?

4 CHAIR THOMPSON: (No audible response.)

5 MS. STROUD: Madam Greenfield?

6 MEMBER GREENFIELD: Aye.

7 MS. STROUD: And with that, the ayes  
8 have it, and the Board accepts and adopts the  
9 stipulated agreement entered into by the Office  
10 of the General Counsel and Mr. Watkins with  
11 respect to the fine imposed. And an order will  
12 issue shortly with respect to this matter.

13 And the next item on my agenda is the  
14 litigation status. The first matter is Stacia  
15 Hall versus the Board. That's in the U.S. Court  
16 of Appeals for the D.C. Circuit.

17 This is an appeal from the U.S.  
18 District Court's denial of a challenge to  
19 legislation allowing non-citizens to vote in  
20 local elections on the basis of standing.

21 On September 26th, a renewed motion to  
22 dismiss the complaint was filed, following a

1 grant of a subsequent consent motion for  
2 additional time.

3 Plaintiff's response deadline was  
4 extended to November 21st, 2025, and the  
5 defendant has until December 19th, 2025, to  
6 reply.

7 The next matter is Charles Wilson  
8 versus Muriel Bowser. That's in the D.C.  
9 Superior Court.

10 It is a remand from the D.C. Court of  
11 Appeals of a challenge to both the Board's  
12 finding that Initiative Measure Number 83 met  
13 proper subject requirements and its formulation  
14 of the measure.

15 On September 16th, the Board filed an  
16 answer to the complaint. The intervener  
17 subsequently also filed an answer.

18 On September 23rd, the Board filed a  
19 motion for judgment on the pleadings, and a  
20 motion to take judicial notice of the agency  
21 record.

22 At a status hearing on September 26th,

1 the Board set -- the court set October 13th as  
2 the deadline for plaintiffs to file a motion for  
3 discovery, granted defendant until October 29th  
4 to respond.

5           Deferred action on the Board's motion  
6 for judgment on the pleadings, and set a status  
7 hearing for March 13th, 2026.

8           On October 17th, the plaintiffs  
9 untimely filed a motion for a 60-day discovery  
10 period. The Board and interveners filed  
11 oppositions to that motion.

12           And on October 22nd, the interveners  
13 filed a motion for summary judgment. On October  
14 29th, the court took judicial notice of the  
15 agency record.

16           The next matter is Jason Long versus  
17 the Board. That's in D.C. Superior Court. This  
18 case was brought back from the U.S. District  
19 Court to the D.C. Superior Court.

20           It is a case that plaintiff Long  
21 resubmitted in the D.C. Superior Court after it  
22 was previously dismissed without prejudice.

1           Mr. Long seeks \$10,000 in damages for  
2 an overdraft fee caused by a stop payment on a  
3 \$500 check issued for his service as an election  
4 worker.

5           There has been no docketed activity in  
6 this matter since the court ordered that the  
7 case be remanded to the Superior Court on  
8 February 3rd.

9           The next matter is Sobin versus the  
10 Board. That's in the U.S. District Court for  
11 D.C.

12           This matter concerns a complaint in  
13 which the plaintiff alleges that the Board's  
14 petition circulation process requiring  
15 candidates to gather signatures violates the  
16 Americans with Disabilities Act, and that an  
17 Advisory Neighborhood Commission election held  
18 in his single-member district was illegal.

19           On June 11th, the OAG filed a motion to  
20 dismiss. On June 16th, the court directed the  
21 plaintiff to respond by June 30th.

22           On June 23rd, the plaintiff filed an

1 opposition to the motion to dismiss, and on June  
2 30th, the defendants replied to the opposition.

3 There has been no action yet by the  
4 court on the motion to dismiss.

5 The final matter is Lee versus the  
6 Board of Elections. That's in the D.C. Superior  
7 Court.

8 On November 3rd, a challenge was filed  
9 against the Board's formulations with respect to  
10 Referendum 9, the referendum on the Tipped  
11 Minimum Wage Timeline Amendment Act of 2025.

12 The complaint essentially alleges that  
13 the Board's processing of the measure was  
14 invalid for reasons of notice, that the  
15 formulations are improper, and that the measure  
16 does not present a proper subject for  
17 referendum.

18 And that concludes the litigation  
19 status and my report in its entirety.

20 CHAIR THOMPSON: All right, thank you  
21 so much. All right, moving on to our campaign  
22 finance report from Director Collier-Montgomery.

1 MS. COLLIER-MONTGOMERY: Yes, good  
2 afternoon. For the record, the full report of  
3 the agency will be posted at our website this  
4 afternoon.

5 And our website address is  
6 www.ocf.dc.gov. I just will, at this time,  
7 point out a few matters of interest for the  
8 members of the public.

9 First, in our Fair Elections Program  
10 Division for the 2026 election cycle, as of this  
11 date, there are six participating candidates who  
12 have been certified in the program and eligible  
13 to receive public funds for their campaign  
14 operations.

15 During the month of October 2025, the  
16 OCF certified five participating candidates in  
17 the FEP for the 2026 election cycle and  
18 authorized disbursements from the elections fund  
19 as follows.

20 First, Brian Footer for D.C. Principal  
21 Campaign Committee, matching payment in the  
22 amount of \$26,875 was authorized for

1 disbursement on October the 21st, 2025.

2 Two, Frumin Ward 3, 2026 Principal  
3 Campaign Committee. Matthew Frumin was  
4 certified on October the 21st, 2025, as a  
5 participating candidate in the Fair Elections  
6 Program for the Office of Ward 3 Member of the  
7 Council in the June 16th, 2026 primary election.

8 Matching payment in the amount of  
9 \$82,075 was authorized for disbursement also on  
10 October the 21st.

11 Three, Brian for D.C. 2026 Principal  
12 Campaign Committee. Brian L. Schwalb was  
13 certified on October the 21st, 2025, as a  
14 participating candidate in the Fair Elections  
15 Program for the Office of Attorney General in  
16 the June 16th, 2026 primary election.

17 The first half base amount in the  
18 payment of \$20,000 and matching payment in the  
19 amount of \$495,130.25 were authorized for  
20 disbursement on October the 21st, 2025.

21 And I would just indicate, for the  
22 information of the public, that the base amount



1 was authorized for the candidate because the  
2 race for the Office of Attorney General is  
3 contested.

4           Number four, Brian for D.C. 2026  
5 Principal Campaign Committee. Matching payment  
6 in the amount of four -- I'm sorry, of \$6,000  
7 was authorized for disbursement on October the  
8 31st, 2025.

9           Aparna for D.C. Principal Campaign  
10 Committee. Aparna Raj was certified on October  
11 the 31st, 2025, as a participating candidate in  
12 the Fair Elections Program for the Office of  
13 Ward 1 Member of the Council, in the June 16th,  
14 2026 primary election.

15           The first half base amount in the  
16 amount of \$20,000 and matching payment in the  
17 amount of \$145,375 were authorized for  
18 disbursement on October 31st.

19           Again, because the race in Ward 1 is  
20 contested, the candidate was authorized the  
21 first half of the matching, of the base amount  
22 payments.

1 Team Oye Principal Campaign Committee.

2 Adeoye Ibrahim Yakubu-Owolewa was certified on  
3 October the 31st as a participating candidate in  
4 the Fair Elections Program for the Office of At-  
5 Large Member of the Council. Again, in the June  
6 16th, 2026 primary election.

7 The first half base amount in the  
8 payment of \$20,000 and matching payment in the  
9 amount of \$111,115 were authorized for  
10 disbursement on October the 31st.

11 Again, this is a contested election, so  
12 the candidate was authorized the first half  
13 payment of the base amount.

14 Terry Lynch for D.C. Principal Campaign  
15 Committee. Terrence Lynch was certified on  
16 October the 31st as a participating candidate in  
17 the Fair Elections Program for the Office of  
18 Ward 1 Member of the Council.

19 Again, in the June 16th, 2026 primary  
20 election.

21 The first half base amount payment in  
22 the amount of \$20,000 and a matching payment in

1 the amount of \$28,115 were authorized also for  
2 disbursement to the candidate on October the  
3 31st.

4           With respect to desk reviews that were  
5 conducted in the Fair Elections Division, the  
6 Division conducted 42 desk reviews of reports  
7 received and expenditures that have been filed,  
8 and issued 14 requests for additional  
9 information based on the review of those  
10 reports.

11           With the ongoing federal Fair Elections  
12 Program Post-Election Full Field Audits, there  
13 were no preliminary audit standing reports and  
14 final audit reports, which were issued during  
15 the month of October 2025 for the 2020, 2022,  
16 and 2024 election cycles.

17           The status of the audits for those  
18 election cycles is reported in the OCF report,  
19 which will, again, be posted today at our  
20 website.

21           With the ongoing 2025 post-election  
22 audits for the special election, which was

1 conducted during 2025, the Fair Elections  
2 Program Division issued post-election special  
3 cycle audit letters during the month of October  
4 to the three candidates who are certified to  
5 participate in the Fair Elections Program during  
6 the special election.

7 Namely, Mike for Ward 8, the audit  
8 letter was sent on October the 8th. Sheila Bunn  
9 for Ward 8 2025, the audit letter was sent on  
10 October the 8th. And friends of Salim Adofo  
11 2025, the audit letter was sent on October the  
12 8th.

13 All final audit reports which are  
14 issued by the Division are available at the OCF  
15 website for review by the public.

16 Excuse me. In our Public Information  
17 and Records Management Division, I report that  
18 there were due dates for the filing of reports  
19 of receipts and expenditures by the constituent  
20 service and Senator representative Statehood  
21 Fund Program, excuse me, on October the 1st,  
22 2025.

1           And the FEP committees, the political  
2 action committees, and the independent  
3 expenditure committees, on October the 10th,  
4 2025.

5           Imagines of the financial reports that  
6 are filed with the agency are available at the  
7 website for review by the public.

8           Excuse me. Our new candidates'  
9 committees for the 2026 election cycle. In the  
10 traditional program, there were three new  
11 candidate registrations during the month of  
12 October 2025.

13           The first one was Michael Murphy for  
14 Ward 6 Member of the Council. He registered on  
15 October the 22nd.

16           Sylvia Randolph for Member of the State  
17 Board of Education for Ward 6 registered on  
18 October the 6th.

19           Brian Ready registered on October the  
20 8th for the Office of U.S. Representative.

21           In our Fair Elections Program, there  
22 were four new candidate registrations during the

1 month of October.

2           The first was for Ward 1 council  
3 member. The candidates who registered were  
4 Rashida Brown on October the 14th, and Jakeline  
5 Reyes Yanes on October the 14th.

6           For Ward 5 member of the council,  
7 Jeffrey Kihien-Palza registered on October the  
8 20th.

9           For Council At-Large Member Candace  
10 Tiana Nelson, registered on October the 27th.

11           There were no new committee  
12 registrations during the month of October. And  
13 there were also referrals to the Office of the  
14 General Counsel for failure to timely file the  
15 October the 1st report of receipts and  
16 expenditures.

17           And the names of the committees are  
18 listed in our report. There were also  
19 candidates and treasurers who completed our OCF  
20 entrance conference during the month of October.

21           And they were Matthew Frumin, Frumin  
22 2026 candidate; Heather Lee Turekian, Frumin

1 2026 treasurer; and Adeoye Ibrahim Yakubu-  
2 Owolewa, Team Oye candidate.

3 In our Reports Analysis and Audit  
4 Division, which is our traditional campaign  
5 finance program during the month of October, the  
6 Audit Branch conducted 459 desk reviews of  
7 reports of receipts and expenditures which have  
8 been filed, as well as for the summary financial  
9 statements, which have been filed by candidates  
10 for the Office of Advisory Neighborhood  
11 Commission member.

12 They also issued 14 requests for  
13 additional information, and conducted one  
14 candidate consultation.

15 I would also note that the Audit Branch  
16 issued one compliance final audit, and that was  
17 issued on October the 27th, and that was in the  
18 matter of Re-elect Eboni-Rose, Ward.

19 That was as a full field audit, which  
20 was conducted of the candidate, who was a  
21 candidate in a traditional campaign finance  
22 program during the 2024 election cycle.

1           There are also five ongoing audits in  
2 the traditional program. The first is in the  
3 Fair Elections Program. This is a post-2024  
4 election audit of the Committee to Elect Eboni-  
5 Rose Thompson. In the traditional program for  
6 the post-2025 election audits, the audit is of  
7 the campaign operation of Trayon White 2025.

8           In the traditional program post-2024  
9 election audit, the audits of the campaign  
10 operations include the Re-elect Trayon White  
11 2024 Principal Campaign Committee, the Jacque  
12 for D.C. 2024 Principal Campaign Committee, and  
13 the T. Michelle Colson Principal Campaign  
14 Committee for the State Board of Education from  
15 Ward 4.

16           The status of all of those audits is  
17 included in the report of the Office of Campaign  
18 Finance, again, which will be posted at our  
19 website.

20           I would now ask Mr. SanFord, who is the  
21 General Counsel for the agency, to provide the  
22 report for the legal division.



1 MR. SANFORD: Thank you, Madam Director,  
2 and good afternoon. October 2025, the Office of  
3 the General Counsel received two referrals,  
4 completed eight informal hearings, and issued  
5 eight orders in which no fines were imposed.

6 During the month of October, the Office  
7 of Campaign Finance maintained one open  
8 investigation, that investigation was OCF  
9 FI2025-001.

10 Complainant was Sean Metcalf, managing  
11 director of the Universal Media, Limited. It  
12 was docketed, the complaint was docketed on  
13 August 5th, 2025.

14 The respondents, Tracey Lucas and the  
15 Tracey Lucas for Mayor of D.C. Principal  
16 Campaign Committee.

17 The allegation was that the committee  
18 had filed false campaign reports.

19 The order in this matter was issued on  
20 October 31st, and that order is available at the  
21 Office of Campaign Finance website.

22 In the month of November 2025, there

1 were no requests for interpretive opinions. No  
2 show cause proceedings were conducted.

3 The entire report of the General  
4 Counsel will be published at the Office of  
5 Campaign Finance website by close of business on  
6 today's date under the reports and data section.

7 And that report will be posted on  
8 today's date, the 5th of November, 2025, Guy  
9 Fawkes Day.

10 CHAIR THOMPSON: Guy Fawkes Day, nice.

11 All right, well thank you so much. Does that --

12 MS. COLLIER-MONTGOMERY: Yes, that  
13 concludes our report, thank you.

14 CHAIR THOMPSON: All right, that  
15 concludes OCF's report, and so now at the end  
16 here, we've got some time for public comment.

17 It's running kind of late. Earlier, we  
18 did impose a three-minute limit, so I'm going to  
19 time as well anyone who wants to give us their  
20 comment. And everybody is welcome to comment.

21 I'll just state at the outset that we  
22 do have some pending litigation including, most

1 recently, this case Lee v. the BOE.

2 So I don't think it's appropriate, at  
3 least from counsel in that case, to ask  
4 questions about it. And I don't think we're  
5 going to comment on pending litigation.

6 With that said, we especially like to  
7 hear from our D.C. residents about things that  
8 are of concern to them.

9 So for you D.C. residents out there,  
10 just raise your Zoom hand and we'll hear from  
11 you. And you could start by telling us your  
12 name and your address.

13 MS. BRIZILL: Mr. Chairman?

14 CHAIR THOMPSON: We had one hand, and  
15 Ms. Girard at 1327. If you could state your  
16 name and address for the record, please?

17 MS. BRIZILL: This is Dorothy Brizill of  
18 D.C. Watch, 1327 Girard Street Northwest.

19 I would like to ask a couple of  
20 questions and get a couple of points of  
21 clarification.

22 In your remarks regarding the

1 initiative measure, Mr. Chairman, you indicated  
2 that a technical amendment could be made to  
3 allow the initiative to be approved.

4 Namely, addressing the issue of whether  
5 or not it was a proper subject because of its  
6 draw down on D.C. funds.

7 Is it your recommendation that the  
8 Board of Elections is going to move to approve  
9 the initiative, even though both the Office of  
10 the Attorney General and the General Counsel for  
11 the Council has raised the issue of the  
12 initiative measure appropriating funds as a  
13 result?

14 The second matter I would like to raise  
15 is I'd like to get a clarification of where did  
16 all these proposed new rules come from?

17 It would amend chapter 30, chapter 33,  
18 chapter 37, chapter 42, and 43. In the notice  
19 for today's hearing, there is a reference to at  
20 least three separate bills or acts that were  
21 adopted by the Council.

22 Am I to understand that these proposed

1 rules draw upon the Campaign Finance Reform and  
2 Conflict of Interest Public Disclosure Amendment  
3 Act of 2011?

4 The BEGA Establishment and  
5 Comprehensive Ethics Reform Amendment Act of  
6 2011 and the COVID-19 Response Supplemental  
7 Emergency Amendment Act of 2020.

8 And finally, I would like Ms. Girard to  
9 clarify. What is the distinction between an  
10 emergency measure, emergency rulemaking, and a  
11 standard rulemaking that is done and approved by  
12 the Board?

13 I'd appreciate your detailed response  
14 to those concerns.

15 CHAIR THOMPSON: All right, thanks so  
16 much for your comment. With respect to the  
17 proposed initiative on the Force-Feeding of  
18 Birds Act, I just ruled that it is a proper  
19 subject matter and I think the record speaks for  
20 itself in that regard.

21 With regard to the OCF, I don't know if  
22 anyone would like to comment on that, I mean,

1 where do proposed regulations come from, and  
2 these in particular? If you'd like to comment,  
3 that would be fine.

4 MR. SANFORD: As I'm sure Ms. Brizill  
5 is aware, these are existing regulations, and  
6 from time to time, we have found a need to  
7 update the regulations or to revise and amend  
8 them based upon conditions that exist currently  
9 that did not exist when the regulations were  
10 initially implemented. And that is the  
11 justification.

12 And this is not the first time the  
13 Office of Campaign Finance has amended  
14 regulations in those chapters.

15 So I would hope that Ms. Brizill would  
16 be aware of that. I'm sure she is, she has been  
17 engaged in this process for many years.

18 So it should not be surprising that the  
19 Office of Campaign Finance has, on its own  
20 initiative, decided to amend and update a  
21 regulation.

22 CHAIR THOMPSON: All right, thank you.

1 MS. STROUD: And with the respect to  
2 the proposed rulemaking versus an emergency  
3 proposed rulemaking, that distinction can be  
4 found, or derives, from the Administrative  
5 Procedure Act, which is found in chapter 5 of  
6 the Code, section 2-505, outlines what the  
7 differences are between the various types of  
8 rulemaking.

9 For proposed rulemaking, you put it in  
10 the D.C. Register for a notice and comment  
11 period of 30 days. And then comments are  
12 received.

13 But with an emergency proposed  
14 rulemaking, you are saying that such an  
15 emergency exists which requires that this  
16 rulemaking take effect immediately, and they  
17 become effective for 120 days after adoption.

18 So that is the distinction and that's  
19 found in the statute between an emergency  
20 rulemaking and a proposed rulemaking.

21 CHAIR THOMPSON: Okay, I see Nikolas  
22 Schiller has his hand raised. If you could tell

1 us your name and address for the record, and  
2 then please give us your comment.

3 MR. SCHILLER: Nikolas Schiller, 2448  
4 Massachusetts Avenue NW, Washington, D.C. 20008.

5 My question is concerning the subject  
6 matter determination. I believe there was a  
7 mention that, in the AG's opinion, that a  
8 subject to appropriations clause, or the  
9 applicability clause is a technical conforming  
10 change.

11 And that it can be done during the  
12 formulation hearing. And I heard some pushback  
13 from Ms. Stroud concerning that that is a  
14 substantial change.

15 And, I mean, I'm asking this because  
16 for Initiative 83, that legislation, or that  
17 ballot initiative, was withdrawn and resubmitted  
18 over the same exact grounds. Whereas the -- it  
19 was seen that it was going to cost money to do  
20 the ballots.

21 And there is that part of the question  
22 is like is it simply a technical change, or --



1 because I mean all, nearly all laws cost some  
2 money to implement.

3 And the question is, with the fiscal  
4 impact statement, it's like does the law itself  
5 request the appropriations of funds, or is it  
6 sort of an after-the-fact, like, it's going to  
7 cost money to implement this law.

8 I'll give an example. For Initiative  
9 71, the first draft of that ballot initiative  
10 was rejected because we required youth that were  
11 found to be in possession of cannabis to take a  
12 drug treatment class.

13 And the AG at the time, Irv Nathan,  
14 said hey, you can't have this because it's going  
15 to -- someone has to spend money to do that  
16 class. That money has to be appropriated  
17 somewhere.

18 So we withdrew it and resubmitted that  
19 without that section. And then they came back  
20 and said well actually, this is still not proper  
21 subject matter because the government takes  
22 money for the arrests.

1           And it was ultimately seen that, well,  
2 there's also a savings side that, if they're not  
3 having to put people through the system, then  
4 the initiative actually can save money.

5           While at the same time, police officers  
6 had to be trained on how to not arrest people  
7 for cannabis.

8           So it's sort of sometimes a push and a  
9 pull with respect to the money that it costs to  
10 implement a law versus a ballot initiative  
11 saying we demand that this law spend money.

12           And if it's always just a technical  
13 conforming component at the end of a ballot  
14 initiative, the applicability clause, then do  
15 all ballot initiatives need to have  
16 applicability clauses going forward?

17           Or is it only, like, well if it's found  
18 to be requiring of funds, then we're going to  
19 add it as a conforming amendment?

20           Thank you for your time.

21           CHAIR THOMPSON: I don't know if we can  
22 opine on that. Seems like that's a question

1 maybe for the OAG to clarify their opinion. But  
2 it's more of a hypothetical.

3 MS. STROUD: Right, I mean, and I think  
4 that what we've said, and we have said before  
5 today, is that we cannot amend the language.

6 The language that they're relying on,  
7 or that the OAG relied upon, is language that we  
8 don't necessarily think applies in this context.

9 And so it's also our position that  
10 unless a measure is found to be a proper  
11 subject, we cannot amend it. And then the  
12 language.

13 So there were are. And I think the  
14 Board issued and will issue an order they ruled  
15 with respect to this current measure, and a  
16 written order will issue.

17 So I'm not sure if I?

18 MR. SCHILLER: I feel like you made an  
19 exception for this ballot initiative, then.  
20 Because you -- that if the fiscal impact  
21 statement says that it's going to require money,  
22 then a technical conforming amendment is going

1 to have to be added in the formalization  
2 process?

3 CHAIR THOMPSON: No, I don't think  
4 that's a fair characterization, but let's leave  
5 it at that.

6 MR. SCHILLER: Okay, thank you.

7 CHAIR THOMPSON: And not seeing any new  
8 hands raised, I, at this time, I think we've had  
9 a good, productive meeting.

10 Thank you everybody for attending.  
11 We're lucky to have some beautiful weather  
12 today, and maybe just a few more days before it  
13 turns to winter. So try to enjoy it.

14 And with that, I would move that we  
15 adjourn.

16 MEMBER GREENFIELD: I second.

17 CHAIR THOMPSON: All in favor?

18 (Chorus of aye.)

19 CHAIR THOMPSON: Thank you.

20 (Whereupon, the above-entitled matter  
21 went off the record at 12:35 p.m.)  
22

## 1 C E R T I F I C A T E

2 This is to certify that the foregoing transcript  
3 was duly recorded and accurately transcribed  
4 under my direction; further, that said  
5 transcript is a true and accurate record of the  
6 proceedings; and that I am neither counsel for,  
7 related to, nor employed by any of the parties  
8 to this action in which this matter was taken;  
9 and further that I am not a relative nor an  
10 employee of any of the parties nor counsel  
11 employed by the parties, and I am not  
12 financially or otherwise interested in the  
13 outcome of the action.

14

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20 Michael Morris

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22

	<b>14</b> 99:8 103:12	<b>2022</b> 5:18 6:11 7:16 26:14 99:15
<hr/> <b>\$</b> <hr/>	<b>144</b> 10:22	<b>2023</b> 52:5,21
<b>\$10,000</b> 93:1	<b>14th</b> 86:9 102:4,5	<b>2024</b> 9:10 10:18 75:10,11 76:1, 16,20 77:5,11,15 78:2 87:21 88:10 99:16 103:22 104:11,12
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