

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 2.
GOVERNMENT ADMINISTRATION.

CHAPTER 13A.
OFFICE ON ASIAN AND PACIFIC ISLANDER
AFFAIRS.

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DISTRICT OF COLUMBIA OFFICIAL CODE
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ISLANDER AFFAIRS.

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CHAPTER 13A. OFFICE ON ASIAN AND PACIFIC ISLANDER AFFAIRS.

§ 2-1371. FINDINGS.

The Council finds that:

(1) On September 26, 1995, pursuant to Mayor's Order 95-119, the District of Columbia Commission on Asian and Pacific Islander Affairs ("Commission") was established to advise the Mayor and advocate for the interests of the Asian and Pacific Islander communities.

(2) The Commission has worked to:

(A) Improve the delivery of human services;

(B) Increase the number of Asians and Pacific Islanders serving on District of Columbia boards and commissions and working for the District of Columbia government;

(C) Promote positive relations between Asian and Pacific Islanders and other ethnic groups;

(D) Encourage and support economic development and the historical preservation of Chinatown; and

(E) Provide assistance and support to Asian small businesses.

(3) Since 1986, these communities have grown to include more than 17,000 Asians and Pacific Islanders.

(4) The growth of these communities gives rise to the need for a statutorily established office and commission to:

(A) Advise and assist the District of Columbia government in the development of governmental programs and initiatives to respond to the developing needs of these communities;

(B) Advocate for the needs of these communities;

(C) Serve as an official liaison between the District of Columbia government and these communities; and

(D) Ensure that the residents of these communities have access to necessary public services and facilities.

(Oct. 3, 2001, D.C. Law 14-28, § 302, 48 DCR 6981.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition of section, see § 302 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

Legislative History of Laws

Law 14-28, the "Fiscal Year 2002 Budget Support Act of 2001", was introduced in Council and assigned Bill No. 14-144, which was referred to the Committee Of the Whole. The Bill was adopted on first and second readings on May 1, 2001, and June 5, 2001, respectively. Signed by the Mayor on June 29, 2001, it was assigned Act No. 14-85 and transmitted to both Houses of Congress for its review. D.C. Law 14-28 became effective on October 3, 2001.

§ 2-1372. DEFINITIONS.

For the purposes of this chapter, the term:

(1) "Asian" or "Pacific Islander" means a person whose ancestry is of Asian or Pacific Islander heritage and who resides in the District of Columbia.

(2) "Commission" means the Commission on Asian and Pacific Islander Community Development established by § 2-1374.

(3) "Director" means the Executive Director of the Office on Asian and Pacific Islander Affairs.

(4) "Office" means the Office on Asian and Pacific Islander Affairs established by § 2-1373.

(5) "Services to the Asian and Pacific Islander Communities" means those services designed to provide assistance, including educational programs, health, financial and business assistance, employment and housing programs, public safety, recreational opportunities, community information, transportation services, and referral and counseling services.

(Oct. 3, 2001, D.C. Law 14-28, § 303, 48 DCR 6981.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition of section, see § 303 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

Legislative History of Laws

For Law 14-28, see notes following § 2-1371.

§ 2-1373. ESTABLISHMENT OF THE OFFICE ON ASIAN AND PACIFIC ISLANDER AFFAIRS.

(a) There is established an Office on Asian and Pacific Islander Affairs ("Office"). The Office shall:

(1) Ensure that a full range of health, education, employment, and social services are available to the Asian and Pacific Islander communities in the District of Columbia; and

(2) Monitor service delivery and make recommendations to the Mayor and the Commission to promote the welfare of the Asian and Pacific Islander communities.

(b) The Office shall be headed by an Executive Director ("Director"), who shall be appointed by the Mayor with the advice and consent of the Council pursuant to § 1-523.01(f). The Director shall be a full-time position, for which annual compensation shall be fixed in accordance with subchapter X-A of Chapter 6 of Title 1. The Director shall have such staff as is approved in the District of Columbia appropriations and federal or private grants, and any temporary staff approved by the Office of Budget and Management Systems.

(c) To carry out the purpose of this chapter, the Director shall:

(1) Serve as an advocate for the Asian and Pacific Islander communities;

(2) Assist community organizations and the Commission in developing and submitting grant applications;

(3) Provide information and technical assistance on programs and services to the Asian and Pacific Islander communities to the Mayor, the Commission, the Council, other District agencies and departments and the community;

(4) Respond to recommendations and policy statements from the Commission;

(5) File an annual report on the operation of the Office with the Mayor, the Council, and the Commission;

(6) Identify areas of need for service or service improvement and bring these areas to the attention of the Mayor and the Commission, with suggestions for meeting these needs, including conducting or funding research and demonstration projects to test the recommendations;

(7) Carry out the responsibility for assuring necessary control, evaluation, audit, and reporting on programs funded through the Office;

(8) Apply for, receive and expend any gifts or grants of money to carry out the duties and responsibilities of the Office in accordance with an act of Congress; and

(9) Issue grants to organizations that provide services to Asian and Pacific Islander residents of the District in furtherance of the mission of the Office or the purposes of this chapter.

(Oct. 3, 2001, D.C. Law 14-28, § 304, 48 DCR 6981; Sept. 14, 2011, D.C. Law 19-21, § 5012, 58 DCR 6226.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 19-21 deleted "and" from the end of par. (7), substituted "; and" for a period the end of par. (8), and

added par. (9).

Emergency Act Amendments

For temporary (90 day) addition of section, see § 304 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

Legislative History of Laws

For Law 14-28, see notes following § 2-1371.

For history of Law 19-21, see notes under § 2-308.15.

Miscellaneous Notes

Short title: Section 5011 of D.C. Law 19-21 provided that subtitle B of title V of the act may be cited as "Office of Asian and Pacific Islander Affairs Grant-Making Authority Amendment Act of 2011".

§ 2-1374. ESTABLISHMENT OF THE COMMISSION ON ASIAN AND PACIFIC ISLANDER COMMUNITY DEVELOPMENT.

(a) There is hereby established a Commission on Asian and Pacific Islander Community Development ("Commission") to advise the Mayor, the Council, the Director of the Office on Asian and Pacific Islander Affairs, and the public on the views and needs of the Asian and Pacific Islander communities in the District of Columbia.

(b) The Commission shall consist of 15 public voting members appointed by the Mayor, with the advice and consent of the Council, pursuant to § 1- 523.01(f). There shall also be 11 *ex-officio* non-voting members, including the following Directors or their designees:

- (1) Department of Employment Services;
- (2) Department of Human Services;
- (3) Department of Health;
- (4) Department of Housing and Community Development;
- (5) Department of Public Works;
- (6) Department of Consumer and Regulatory Affairs;
- (7) Homeland Security and Emergency Management Agency;
- (8) Department of Parks and Recreation;
- (9) Superintendent of the Schools of the District of Columbia;
- (10) Chief of the Metropolitan Police Department; and
- (11) Chief of the Fire and Emergency Medical Services Department.

(c) The *ex-officio* members or their designees shall develop and implement policies and programs in their agencies that ensure that the purposes of this chapter are fulfilled. The *ex-officio* members or their designees shall meet with the Director quarterly, or more as needed, to assist the Director in coordinating plans and policies which are beneficial to the Asian and Pacific Islander communities of the District of Columbia.

(d) Voting members shall be appointed with due consideration for representation from established public, nonprofit, and volunteer community organizations concerned with the Asian and Pacific Islander communities and members of the general public who have given evidence of particular dedication to, and knowledge of the needs of the Asian and Pacific Islander communities.

(e)(1) Voting members of the Commission shall serve terms of 3 years except, that, of the initial members, 5 shall be appointed for a term of 3 years, 5 for a term of 2 years, and 5 for a term of one year. Members may be reappointed but may serve no more than 2 consecutive full terms.

(2) Terms for the initial Commission members shall begin on April 17, 2008, which shall become the anniversary date for all subsequent appointments.

(f) When a vacancy develops on the Commission, the Mayor shall appoint, with the advice and consent of the Council, a successor to fill the unexpired portion of the term, in accordance with § 1-523.01(f).

(g) The Mayor shall appoint the chairperson of the Commission.

(h) All members of the Commission shall serve without compensation. Expenses incurred by the Commission or by its individual members, when duly authorized by the Chairperson, shall become an obligation against appropriated District of Columbia and federal funds designated for that purpose.

(i) The Commission shall develop its own rules of procedure.

(j) The Commission shall meet at least every other month. The meetings shall be held in the District of Columbia and shall be open to the public. A quorum to transact business shall consist of a majority plus one of the voting members.

(k) The Commission shall:

- (1) Serve as an advocate for Asian and Pacific Islander persons in the District of Columbia;
- (2) Review and submit to the Mayor, the Council, the Office on Asian and Pacific Islander Affairs and make available to the public an annual report that includes an analysis of the needs of the Asian and Pacific Islander communities in the District of Columbia;
- (3) Cooperate with federal, state and private agencies concerned with activities pertaining to the Asian and Pacific Islander communities;
- (4) Conduct or participate in public hearings and other forums to determine views of the Asian and Pacific Islander communities and other members of the public on matters affecting health, safety and welfare of the Asian and Pacific Islander communities in the District of Columbia;
- (5) Bring to the attention of the Mayor and the Office cases of neglect, abuse and incidents of bias against members of the Asian and Pacific Islander communities in the administration of the laws of the District of Columbia;
- (6) Review and comment on proposed District and federal legislation, regulations, policies and programs and make policy recommendations on issues affecting the health, safety, and welfare of the Asian and Pacific Islander communities;
- (7) Develop policy and provide continuing review of the planning undertaken by the Office; and
- (8) Make reasonable requests for information necessary to aid the Commission in the discharge of its responsibilities.

(Oct. 3, 2001, D.C. Law 14-28, § 305, 48 DCR 6981; Mar. 14, 2007, D.C. Law 16-262, § 403, 54 DCR 794; Mar. 25, 2009, D.C. Law 17-353, § 312(a), 56 DCR 1117.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-262, in subsec. (b), par. (7), substituted "Homeland Security and Emergency Management Agency" for "Emergency Management Agency".

D.C. Law 17-353, in subsec. (e)(2), substituted "April 17, 2008" for "the date a majority of the members are sworn in".

Emergency Act Amendments

For temporary (90 day) addition of section, see § 305 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

Legislative History of Laws

For Law 14-28, see notes following § 2-1371.

For Law 16-262, see notes following § 2-904.

For Law 17-353, see notes following § 2-218.42.

§ 2-1375. TRANSLATIONS OF DISTRICT PUBLICATIONS RELATING TO HEALTH, SAFETY AND WELFARE IN CHINESE, VIETNAMESE, AND KOREAN.

(a) The Mayor shall make available to persons whose primary language of communication is Chinese, Vietnamese, or Korean, a text version translated into these languages of any District of Columbia government published application, informational brochure or pamphlet which is essential to obtain services relating to the health, safety, and welfare of Asian or Pacific Islander residents of the District of Columbia. The Mayor shall by regulation designate, in consultation with the Commission, not later than 60 days after October 3, 2001, the applications, brochures, and pamphlets which shall be translated.

(b) The Mayor shall maintain a statistical record of the distribution and use of the materials that are distributed pursuant to subsection (a) of this section.

(c) The Mayor may issue regulations to implement subsection (a) of this section in accordance with the provisions of subchapter I of Chapter 5 of Title 2.

(Oct. 3, 2001, D.C. Law 14-28, § 306, 48 DCR 6981.)

HISTORICAL AND STATUTORY NOTES

Emergency Act Amendments

For temporary (90 day) addition of section, see § 306 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

Legislative History of Laws

For Law 14-28, see notes following § 2-1371.

§ 2-1376. TRANSITION PROVISIONS.

(a) The Commission shall commence operations, and the Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119 shall be abolished, on April 17, 2008. The members of the Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119 shall hold over as members of the Commission until new members are appointed pursuant to § 2-1374.

(b) All records and functions of the Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119 shall be transferred to the Commission on April 17, 2008.

(Oct. 3, 2001, D.C. Law 14-28, § 307, 48 DCR 6981; Mar. 25, 2009, D.C. Law 17-353, § 312(b), 56 DCR 1117.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 17-353 rewrote the section, which had read as follows:

"(a) The Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119, shall be abolished the later of the date of the:

"(1) Confirmation of the 15th public member; or

"(2) Convening of the 2001 Mayor's Town Hall Meeting with the Asian and Pacific Islander communities.

"(b) All records, and functions of the Commission on Asian and Pacific Islander Affairs established pursuant to Mayor's Order 95-119, shall be transferred to the Commission on Asian and Pacific Islander Community Development established pursuant to § 2-1374, upon the later of:

"(1) The confirmation of the 15th public member; or

"(2) The convening of the 2001 Mayor's Town Hall Meeting with the Asian and Pacific Islander communities."

Emergency Act Amendments

For temporary (90 day) addition of section, see § 307 of Fiscal Year 2002 Budget Support Emergency Act of 2001 (D.C. Act 14-124, August 3, 2001, 48 DCR 7861).

Legislative History of Laws

For Law 14-28, see notes following § 2-1371.

For Law 17-353, see notes following § 2-218.42.