



DISTRICT OF COLUMBIA
BOARD OF ELECTIONS
WASHINGTON, D.C. 20003



May 8, 2023

Jamila White
Chairperson ANC 8A
8A05@anc.dc.gov

Dear Chair White:

This letter is a follow-up to my initial correspondence sent April 25, 2023 regarding the residency challenge of Commissioner Holly Muhammad by Tom Donohue, a registered DC voter (materials submitted to the Board are enclosed at the secure link below). Please note that since I last reached out, the Election Modernization Act has become law which now changes DC Official Code § 1- 309.06(f)(2). I've highlighted the updated language in **bold, red font** below:

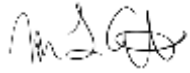
*When a vacancy occurs in an Advisory Neighborhood Commission and no letter of resignation is submitted as required by paragraph (1) of this subsection, the respective Advisory Neighborhood Commission shall petition the Board, by a resolution signed by the Chairperson and the secretary of the Advisory Neighborhood Commission, to **declare the vacancy based upon its own determination, or upon the receipt of a written allegation that a vacancy has occurred in such Advisory Neighborhood Commission; provided, that such allegation shall include any evidence in support of the allegation.** The resolution shall be considered by the Advisory Neighborhood Commission at a special Advisory Neighborhood Commission meeting called for the purpose of considering the vacancy. Prior to the special Advisory Neighborhood Commission meeting, the Advisory Neighborhood Commission shall make a good faith effort to notify, in writing, the Commissioner who is the subject of the resolution. Notice of the meeting shall be sent by certified mail, return receipt requested, to the Commissioner no later than 15 days prior to the meeting, and shall provide that the Commissioner shall have an opportunity to rebut the alleged vacancy. The resolution, accompanied by minutes of the meeting at which the resolution was adopted and a list of those attending the meeting, shall be sent to:*

- (A) The Board of Elections;*
- (B) The Council;*
- (C) The Mayor; and*
- (D) The Commissioner, whenever the vacancy is due to removal or failure to continue the qualifications for office under § 1-309.05.*

Considering the statute update, I refer this matter back to ANC 8A for deliberation at a properly noticed ANC meeting as is required by law. A resolution should be issued only if the ANC determines a vacancy exists and sent along with the meeting minutes to the proper entities.

If you have any questions, please feel free to contact me at 202-221-8570.

Sincerely,

A handwritten signature in black ink, appearing to read "Marissa Corrente".

Marissa Corrente
Registrar of Voters

Enclosure: Secure Link

<https://www.dropbox.com/scl/fo/pyiio5ohj0nkhd2nhscy2/h?dl=0&rlkey=tct4ydbhrfwrrss0lkpa8qjqo>

Note: If your browser is an older version, you may have trouble viewing our data files properly. The latest version of Chrome, Firefox, Safari, Microsoft Internet Explorer (10+) or an equivalent browser enabling TLS 1.2 is required.