

Government of the District of Columbia  
Office of the Chief Financial Officer



Natwar M. Gandhi  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Vincent C. Gray  
Chairman, Council of the District of Columbia

**FROM:** Natwar M. Gandhi  
Chief Financial Officer 

**DATE:** November 17, 2009

**SUBJECT:** Fiscal Impact Statement – “Disclosure of Information to the Council Amendment Act of 2009”

**REFERENCE:** Bill Number 18-491 – As Introduced

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**Conclusion**

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the proposed legislation. The proposed legislation does not have an impact on the District’s budget and financial plan.

**Background**

The proposed legislation would amend the Council of the District of Columbia Independence Act of 1982<sup>1</sup> to clarify that notwithstanding any other provision of law restricting or prohibiting disclosure to the general public or within the District government, an agency is required to provide information to the Council, its committees, and the Office of the Auditor upon request to ensure that they are able to fulfill their oversight responsibilities. Such information obtained would remain subject to the underlying statutory restrictions and would not be disclosed to the public or any third party unless permitted by that statute. The proposed legislation would also amend the Freedom of information Act of 1976<sup>2</sup> to clarify that the disclosure of records by a District of Columbia government agency, official, or employee to the Council, its committees, and the Office of the Auditor should not to be treated as disclosure to a third party and such communications should maintain any privileges or exemptions that would otherwise apply.

**Financial Plan Impact**

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the proposed legislation. The proposed legislation does not have an impact on the District’s budget and financial plan.

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<sup>1</sup> By adding a new section 2a to the D.C. Law 4-127, D.C. Official Code § 1-301.44, *et seq.* (effective July 24, 1982)

<sup>2</sup> By adding a new paragraph 2 to the D.C. Law 1-96, D.C. Official Code § 2-531, *et seq.* (effective March 25, 1977)