

**DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS**

In Re:  
“Restoration District of Columbia’s  
Elected Officials Power Mayor Council  
Members Home Rule Voting Rights  
Under Constitutional Rights” Initiative

Administrative Hearing  
No. 03-02

Re: Rejection of Proposed  
Initiative Measure

**MEMORANDUM OPINION AND ORDER**

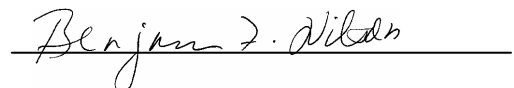
This matter came before the Board of Elections and Ethics (hereinafter “The Board”) on Wednesday, May 14, 2003, and involved a determination by the Board that the proposed initiative—““Restoration District of Columbia’s Elected Officials Power Mayor Council Members Home Rule Voting Rights Under Constitutional Rights” Initiative—could not be processed by virtue of its inconsistency with the Constitution of the United States. Article I Section 8 of the U.S. Constitution grants the U.S. Congress the power to exercise exclusive Legislation in all Cases whatsoever, over such District. This measure attempts to infringe on the Congress’s power to legislate over the District of Columbia. Accordingly, this is not a rightful subject of legislation within the District consistent with the Constitution as D.C. CODE §1-203.02 requires of all legislative measures.

The proponent of the measure, Ms. Yehanna Malone, also failed to file a verified statement of contributions with the Office of Campaign Finance. D.C. CODE §1-1001.16(b)(1)(A) cites failure to file a verified statement of contributions as grounds upon which the Board shall refuse to accept such measure.

Accordingly, it is hereby

**ORDERED**, that the “Restoration District of Columbia’s Elected Officials Power Mayor Council Members Home Rule Voting Rights Under Constitutional Rights” Initiative be rejected on the grounds that the measure is in direct contravention to the Constitution, and no verified statement of contribution has been filed.

May 15, 2003

A handwritten signature in cursive script, reading "Benjamin Wilson", is written over a horizontal line.

Benjamin Wilson  
Chairman,  
D.C. Board of Elections and Ethics

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing order was hand delivered this 15<sup>th</sup> of May, 2003 to the following party: Yehanna Malone, 1741 28<sup>th</sup> Street SE #312, Washington D.C.

A horizontal line is drawn above the name "Rudolph McGann", indicating a signature.