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District of Columbia Local Lawmaking and Congressional Authority

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Legislative Authority for the District of Columbia

The U.S. Constitution provides Congress with plenary legislative authority over the District of Columbia (the District) as the federal capital.¹ In accordance with this power, Congress grants limited home rule authority to the District, and enables District residents to elect a mayor and city council, pursuant to the District of Columbia Self-Government Reorganization Act of 1973, P.L. 93-198 (the Home Rule Act).

The act authorized the District government to pass local laws on “all rightful subjects of legislation within the District,” provided the legislation is “consistent with the Constitution of the United States” and with relevant Home Rule Act provisions limiting such local authority.²

Retention of Congressional Authority

Pursuant to Section 601 of the Home Rule Act, Congress “reserves the right, at any time, to exercise its constitutional authority as legislature for the District.”³ The act also established a process by which Congress may review and disapprove (i.e., block) most types of local legislation before it takes effect.⁴

Congress has exercised its authority over District laws and actions through three primary approaches:

1. congressional disapproval of acts passed by the District government;
2. enactment of authorizing acts; and
3. general provisions in appropriations legislation.

Regular Local Lawmaking Process

Section 404 of the Home Rule Act vests the District’s delegated legislative power with the Council of the District of Columbia (council). The Home Rule Act also enumerates the local lawmaking roles and requirements for the council, the mayor, and Congress.⁵ In addition, the Code of the District of Columbia sets forth a process by which laws may be enacted or repealed through citizen-sponsored ballot initiatives or referenda.⁶

Council

Through its vested legislative authority, the council adopts procedural rules and develops local laws.⁷ Members of the council have exclusive authority to introduce bills in the body. However,

¹ U.S. Constitution, Article I, Section 8, clause 17.

² 87 Stat. 784.

³ 87 Stat. 813.

⁴ The length of the congressional review period varies by type of legislation. Local emergency acts and resolutions are not subject to the statutory mechanism for a formal congressional joint resolution of disapproval.

⁵ See 87 Stat. 787, 87 Stat. 788, 87 Stat. 813, and 87 Stat. 814.

⁶ Code of the District of Columbia, §1-1001.16, <https://code.dccouncil.gov/us/dc/council/code/sections/1-1001.16>.

⁷ For an example of such rules, see Council of the District of Columbia, *Rules of Organization and Procedure for the Council of District of Columbia* (hereinafter, *Rules of Organization*), Council Period 26, December 31, 2024, pp. 59-71, <https://dccouncil.gov/wp-content/uploads/2025/01/CP-26-Council-Rules-FINAL-12-31-24.pdf>.

the mayor, the Uniform Law Commission,⁸ and independent District agencies can transmit proposed legislation to the council for introduction by the council chair.⁹ Upon introduction, a bill is referred to the relevant committee or committees by the council chair.¹⁰ When considering legislation, a committee may hold hearings, propose amendments, and vote to report the bill for council consideration. The bill is then reported to the Committee of the Whole in the council, where it is reviewed and prepared for regular session.¹¹

To enroll and transmit a measure to the mayor, the council must consider the measure on two separate occasions. During the first reading of a bill, the council may consider amendments and pass the bill by majority vote. After at least 13 intervening days from the first reading, the council must consider and pass the bill a second time, typically without substantial amendments, before it may be submitted to the mayor.¹²

Mayor

If passed by the council upon second reading, a bill is transmitted to the mayor for a 10-day review period. As the head of the District's executive branch, the mayor reviews and can approve or disapprove local legislation. The bill is considered approved if signed by the mayor, or if the mayor takes no action on it within the 10-day period following transmission.¹³ The mayor may disapprove legislation by veto, which the council can override with a two-thirds supermajority vote.¹⁴

Congress

Upon local approval, a bill becomes an act and is transmitted to Congress for review. This transmission may occur when the law is enacted or at a later point. The act will take effect upon the expiration of a specified review or layover period following the date it was transmitted to Congress, unless it is first overturned by the enactment of a joint resolution of disapproval.¹⁵

The length of the congressional layover period for District acts differs based on the subject of the act, which determines where it is codified. Laws codified in Title 22 (Criminal Offenses and Penalties), Title 23 (Criminal Procedure), or Title 24 (Prisoners and Their Treatment) of the District of Columbia Code must “lie over” for 60 calendar days before going into force.¹⁶ Other District laws become effective after a layover period of 30 calendar days or upon the date prescribed by the act itself, whichever is later. In calculating the layover period, Saturdays,

⁸ The District of Columbia Uniform Law Commission is codified in the Code of the District of Columbia, §§3–1431 et seq., <https://code.dccouncil.gov/us/dc/council/code/titles/3/chapters/14A>.

⁹ Council of the District of Columbia, *Rules of Organization*, Council Period 26, December 31, 2024, pp. 59-71, <https://dccouncil.gov/wp-content/uploads/2025/01/CP-26-Council-Rules-FINAL-12-31-24.pdf>.

¹⁰ Council of the District of Columbia, *Rules of Organization*, p. 63, <https://dccouncil.gov/wp-content/uploads/2025/01/CP-26-Council-Rules-FINAL-12-31-24.pdf>.

¹¹ Council of the District of Columbia, *How a Bill Becomes a Law*, <https://dccouncil.gov/how-a-bill-becomes-a-law/>.

¹² Code of the District of Columbia, §1–204.12, <https://code.dccouncil.gov/us/dc/council/code/sections/1-204.12>.

¹³ Council of the District of Columbia, *How a Bill Becomes a Law*, <https://dccouncil.gov/how-a-bill-becomes-a-law/>.

¹⁴ 87 Stat. 787.

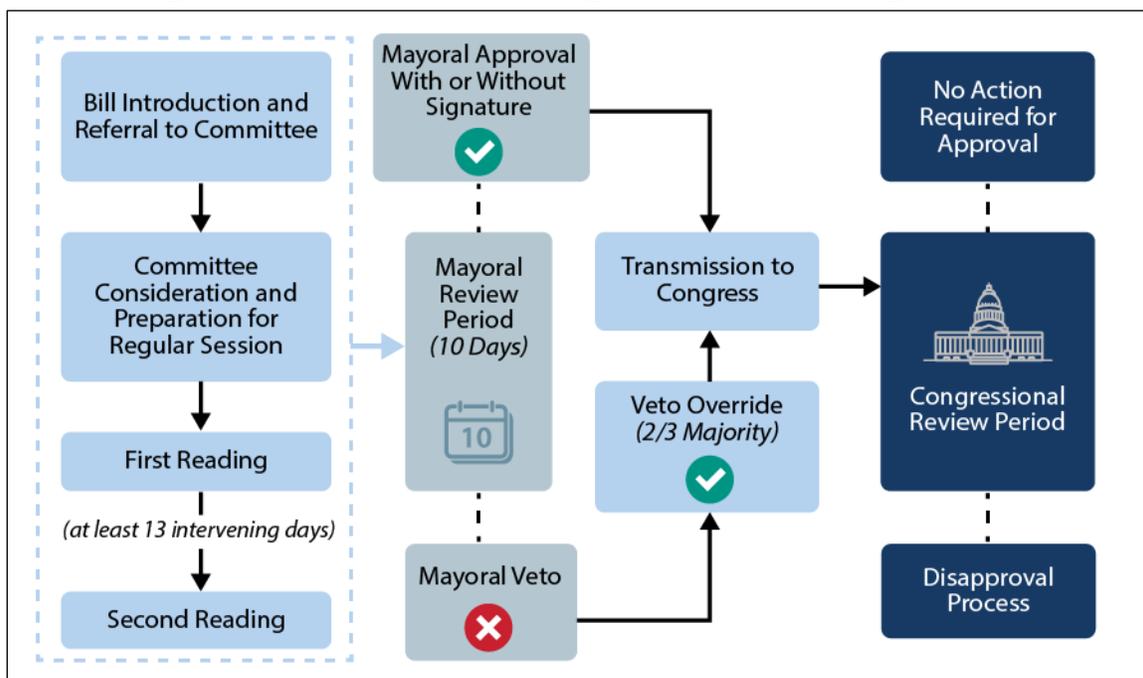
¹⁵ For more information on this process, see the “Congressional Disapproval Process” section of this report.

¹⁶ See Council of the District of Columbia, *Code of the District of Columbia*, <https://code.dccouncil.gov/us/dc/council/code>.

Sundays, federal holidays, and days on which *neither* the House nor the Senate is in session because of an adjournment *sine die* or pursuant to an adjournment resolution are excluded.¹⁷

Figure 1 provides an overview of the development and approval process for most permanent forms of local legislation in the District.

Figure 1. District of Columbia Regular Local Lawmaking Process



Source: CRS Graphic adapted from Council of the District of Columbia, *How a Bill Becomes a Law*, <https://dccouncil.gov/how-a-bill-becomes-a-law/>; Code of the District of Columbia, §1–204.12; and the District of Columbia Self-Government and Governmental Reorganization Act of 1973, as amended.

Notes: Preparation for regular session includes a review by the Committee of the Whole in the District Council. A joint resolution of disapproval would invalidate a District law if the resolution were adopted by both chambers of Congress and signed by the President, enacted over his veto, or with no action taken by the President, within the specified congressional review period.

Special Legislation

Some special forms of local District legislative measures are approved through different processes.

The Home Rule Act enables the council to enact emergency legislation, which may remain in effect for up to 90 days, pertaining to time-sensitive matters.¹⁸ Emergency legislation goes through an abbreviated period of consideration by the council that includes one reading, and mayoral review. For example, in 2023, the council enacted emergency legislation allowing the

¹⁷ 87 Stat. 814; for background on adjournment *sine die*, see CRS Report R42977, *Sessions, Adjournments, and Recesses of Congress*, by Valerie Heitshusen.

¹⁸ 87 Stat. 788.

Commission on the Arts and Humanities to appoint an acting executive director when the position was vacant.¹⁹

Council rules also allow for the adoption of “temporary legislation,” substantially similar to an emergency act, which may remain in effect for up to 225 days.²⁰ These laws provide additional time for the council to carry out the process of enacting regular “permanent legislation,” which can take more than the 90 days that emergency legislation affords.²¹ Like emergency legislation, temporary legislation does not require review by committee or the Committee of the Whole in the council. The process for adopting temporary legislation does, however, require two readings, mayoral review, and congressional review. In a recent example in 2023, the council enacted temporary legislation to resolve an issue with local funding for improvements to parks and trails on federal land in the Buzzard Point neighborhood.²²

Resolutions, which do not become law, may be adopted upon agreement by the council. For example, in 2023, the council adopted a ceremonial resolution to “recognize and honor the Mount Zion-Female Union Band Society Cemeteries as sacred sites of national significance as they celebrate their 215th anniversary.”²³

Congressional Disapproval Process²⁴

The Home Rule Act includes provisions that establish a special parliamentary mechanism by which Congress can disapprove laws enacted by the District government during the respective layover periods described above.²⁵ Specifically, Section 604 of the Home Rule Act establishes “fast track” procedures that the House and Senate may use to consider a joint resolution disapproving a District law.²⁶ These provisions of the Home Rule Act pertaining to both the House and Senate are considered rules of the House and Senate, respectively.²⁷

Under Section 602(c) of the Home Rule Act, as amended, with few exceptions (e.g., emergency legislation), the chair of the council must transmit a copy of each act passed by the council and

¹⁹ Council of the District of Columbia, *Legislation Detail: B25-0157—Commission on the Arts and Humanities Acting Executive Director Emergency Amendment Act of 2023*, Legislative Information Management System, <https://lims.dccouncil.gov/Legislation/B25-0157>.

²⁰ Council of the District of Columbia, *Rules of Organization*, Council Period 26, December 31, 2024, p. 64, <https://dccouncil.gov/wp-content/uploads/2025/01/CP-26-Council-Rules-FINAL-12-31-24.pdf>.

²¹ Council of the District of Columbia, *How a Bill Becomes a Law*, <https://dccouncil.gov/how-a-bill-becomes-a-law/>.

²² Council of the District of Columbia, *Legislation Detail: B25-0453—Buzzard Point Park and Trails National Park Service Grant Temporary Amendment Act of 2023*, December 18, 2023, <https://lims.dccouncil.gov/Legislation/B25-0453>.

²³ Council of the District of Columbia, *Legislation Detail: CER25-0011 - The Mount Zion-Female Union Band Cemeteries Ceremonial Resolution of 2023*, Legislative Information Management System, February 7, 2023, <https://lims.dccouncil.gov/Legislation/CER25-0011>.

²⁴ For additional CRS analysis on the congressional disapproval process, see CRS Insight IN12119, *Congressional Disapproval of District of Columbia Laws Under the Home Rule Act*, by Christopher M. Davis; and CRS Insight IN12122, *Congressional Disapproval of District of Columbia Acts: Overview of Selected Resolutions*, by Joseph V. Jaroscak, Ben Leubsdorf, and Christopher M. Davis.

²⁵ The Home Rule Act establishes a similar (but not identical) disapproval mechanism that might be used to invalidate amendments to the District of Columbia Charter.

²⁶ Code of the District of Columbia, § 1-206.04, <https://code.dccouncil.gov/us/dc/council/code/sections/1-206.04>.

²⁷ U.S. Congress, Senate, *Senate Manual*, 118th Cong., 2nd sess., S.Doc. 118-1 (Washington: GPO, 2024), §428, p. 532; U.S. Congress, House, *Constitution, Jefferson’s Manual, and Rules of the House of Representatives*, 118th Cong., 2nd sess., H.Doc. 118-187 (Washington: GPO, 2025), §1130(5), p. 1175 [hereinafter *House Manual*]; See also CRS Report RL30599, *Expedited Procedures in the House: Variations Enacted into Law*, by Christopher M. Davis.

signed by the mayor to the Speaker of the House of Representatives and the President of the Senate.²⁸ This requirement also applies to enactments resulting from ballot initiatives or referenda.

Introduction and Referral of a Joint Resolution of Disapproval

Under the Home Rule Act, any Member of the House or Senate may introduce a joint resolution disapproving a District law at any time after the law has been submitted to Congress and before the expiration of the layover periods described above.²⁹ There is no limit on the number of resolutions that may be introduced. Section 604(b) stipulates that a qualifying joint resolution must state the following after its resolving clause:

‘That the _____ approves/disapproves of the action of the District of Columbia Council described as follows: _____’, the blank spaces therein being appropriately filled, and either approval or disapproval being appropriately indicated; but does not include a resolution which specifies more than one action.³⁰

These joint resolutions, when introduced, are referred to the Committee on Oversight and Government Reform in the House or the Committee on Homeland Security and Governmental Affairs in the Senate pursuant to Section 604(c).³¹

Committee Report or Discharge

Once a joint disapproval resolution is referred, a committee may, but is not required to, hold a markup meeting. However, during this meeting, committees do not consider amendments to the resolution.³²

A committee that is referred a joint resolution aimed at District criminal laws (Titles 22, 23, and 24 of District of Columbia Code) may be subject to a discharge mechanism. If the committee does not report the joint resolution within 20 calendar days after its introduction, a privileged motion to discharge the committee from further consideration of it or any joint resolution targeting the same District law is in order.

The motion to discharge is debatable for one hour, equally divided between proponents and opponents, and can be made only by an individual favoring the legislation. The motion to discharge cannot be repeated once disposed of and is no longer available after the committee has reported a disapproval resolution with respect to the same District act.³³ The privileged motion to discharge is not available for joint resolutions aimed at non-criminal code District enactments. Presumably, such joint resolutions would have to be reported by the committee to qualify for the privileged floor procedures of the Home Rule Act.

²⁸ Code of the District of Columbia, §1-206.02, <https://code.dccouncil.gov/us/dc/council/code/sections/1-206.02>.

²⁹ While the Home Rule Act states that the periods for congressional review begin on the day on which an act has been “transmitted” to Congress, in practice, the House and Senate appear to consider the review periods to commence only after a District enactment has been received and referred to committee, and notice of each chamber’s referral has appeared in the *Congressional Record*.

³⁰ Code of the District of Columbia, §1-206.04, <https://code.dccouncil.gov/us/dc/council/code/sections/1-206.04>.

³¹ *Ibid*.

³² The text of the Home Rule Act procedure does not explicitly bar the offering of amendments in legislative committee markup. Because the consideration of amendments is explicitly barred on the House and Senate floors, however, any amendments reported by a committee would presumably likewise be ineligible for floor consideration.

³³ Code of the District of Columbia, §1-206.04, <https://code.dccouncil.gov/us/dc/council/code/sections/1-206.04>.

Calling Up the Joint Resolution

In both the House and Senate, once a committee has reported or (within the limits described above) been discharged from further consideration of a joint resolution, a nondebatable motion to proceed to consider the measure is in order and may be made by any Member or Senator. This motion to proceed may be made even if a previous motion to the same effect has been defeated. The motion to proceed may not be amended, nor may a vote on it be reconsidered.³⁴ Adopting the motion to proceed in either chamber requires a majority vote.

Considering the Joint Resolution

Should the House or Senate agree to consider the joint resolution of disapproval, the measure would be pending before the respective chamber and debatable for up to 10 hours, equally divided between supporters and opponents. A nondebatable motion to limit debate below 10 hours is in order. The joint disapproval resolution may not be amended or recommitted (sent back) to committee, and a vote thereon may not be reconsidered. All appeals from decisions of the chair made during consideration of the joint resolution are to be decided without debate. Adoption of a joint resolution occurs by majority vote.³⁵

The passage of a joint resolution of disapproval and its presentment to the President must occur, it appears, before the expiration of the congressional review period in order to successfully invalidate that District law. The “fast track” parliamentary procedures, however, may remain available in the Senate even after the expiration of the congressional review period.³⁶

Subsequent Parliamentary Action

The Home Rule Act mechanism was originally structured to permit either a one- or two-chamber legislative veto. Thus, it does not include separate parliamentary provisions addressing the legislative process in the second chamber after the joint resolution’s adoption in its chamber of origin.

Following the U.S. Supreme Court’s 1983 ruling that single-chamber legislative vetoes were unconstitutional,³⁷ Congress amended the Home Rule Act to adopt the current form of a joint resolution. Although the act still contains no explicit parliamentary provisions governing second chamber action, in practice, the second-acting chamber has chosen to afford privileged status to a properly submitted joint resolution adopted and sent to it by the other body.

When the House and Senate adopt a joint resolution of approval or disapproval, it is then submitted to the President. If vetoed, any attempt to override the veto takes place under normal House and Senate procedures. In the Senate, veto messages are privileged for consideration (as they are in the House) but are fully debatable and thus potentially subject to a filibuster and a time-consuming cloture process.³⁸

Since enactment of the Home Rule Act in 1973, a total of 12 resolutions of disapproval have received floor consideration under this procedure. See **Table 1** for an accounting of congressional

³⁴ Ibid.

³⁵ *House Manual*, §1130(5).

³⁶ U.S. Congress, Senate, *Riddick’s Senate Procedure: Precedents and Practices*, 101st Cong., 2nd sess., S.Doc. 101-28, p. 500.

³⁷ *INS v. Chadha*, 462 U.S. 919 (1983).

³⁸ For more information, see CRS Report 98-425, *Invoking Cloture in the Senate*, by Christopher M. Davis.

resolutions to disapprove District of Columbia enactments that received floor consideration in the House, Senate, or both chambers.

Table I. Disapproval Resolutions of District Acts Receiving Floor Consideration
Through Home Rule Act Disapproval Process

| Resolution Number | Congress | Resolution Title | Latest Action |
|-------------------|--|--|--|
| H.J.Res. 142 | 119 th Congress (2025-2026) | Disapproving the action of the District of Columbia Council in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025 | Signed by the President on February 18, 2026. ^a |
| H.J.Res. 24 | 118 th Congress (2023-2024) | Disapproving the action of the District of Columbia Council in approving the Local Resident Voting Rights Amendment Act of 2022 | Agreed to in House |
| H.J.Res. 26 | 118 th Congress (2023-2024) | Disapproving the action of the District of Columbia Council in approving the Revised Criminal Code Act of 2022 | Enacted into law, nullifying the District of Columbia act |
| H.J.Res. 42 | 118 th Congress (2023-2024) | Disapproving the action of the District of Columbia Council in approving the Comprehensive Policing and Justice Reform Amendment Act of 2022 | Failed to pass over presidential veto |
| H.J.Res. 43 | 114 th Congress (2015-2016) | Disapproving the action of the District of Columbia Council in approving the Reproductive Health Non-Discrimination Amendment Act of 2014 | Agreed to in House |
| S.J.Res. 84 | 102 nd Congress (1991-1992) | A joint resolution disapproving the action of the District of Columbia Council in approving the Schedule of Heights Amendment Act of 1990 | Enacted into law, nullifying the District of Columbia act |
| H.J.Res. 158 | 102 nd Congress (1991-1992) | Disapproving the action of the District of Columbia Council in approving the Schedule of Heights Amendment Act of 1990 | Agreed to in House |

| Resolution Number | Congress | Resolution Title | Latest Action |
|-------------------|--|--|--|
| H.J.Res. 341 | 100 th Congress (1987-1988) | A joint resolution disapproving the action of the District of Columbia Council in approving the Prison Overcrowding Emergency Powers Act of 1987 | Motion to discharge from committee tabled in House |
| H.Res. 208 | 97 th Congress (1981-1982) | A resolution disapproving the action of the District of Columbia Council in approving the District of Columbia Sexual Assault Reform Act of 1981 | Adopted, nullifying the District of Columbia act |
| S.Con.Res. 63 | 96 th Congress (1979-1980) | A concurrent resolution to disapprove the Location of Chanceries Amendment Act of 1979 passed by the City Council of the District of Columbia | Adopted, nullifying the District of Columbia act |
| H.Con.Res. 228 | 96 th Congress (1979-1980) | A bill to disapprove the Location of Chanceries Amendment Act of 1979 passed by the Council of the District of Columbia | Agreed to in House |
| S.Con.Res. 78 | 94 th Congress (1975-1976) | Concurrent resolution disapproving proposed bond issue by the Government of the District of Columbia | Agreed to in Senate |

Source: Congress.gov.

Notes: H.Res. 208 and S.Con.Res. 63 were adopted as legislative vetoes prior to the U.S. Supreme Court’s 1983 ruling that single-chamber legislative vetoes were unconstitutional. S.J.Res. 84 was adopted in lieu of H.J.Res. 158 and was enacted, invalidating the Schedule of Heights Amendment Act of 1990. S.Con.Res. 63 was agreed to in lieu of H.Con.Res. 228, invalidating the Location of Chanceries Amendment Act of 1979.

a. For more information on actions related to H.J.Res. 142, see “Selected Legislation in the 119th Congress.”

The Home Rule Act disapproval procedure is one parliamentary method that Congress might use to invalidate a proposed District law. It is not, however, the only way Congress might influence actions of the District government. More frequently, Congress has done so through the regular lawmaking process, including appropriations.

Authorizing Legislation

Pursuant to Section 601 of the Home Rule Act, Congress retains its constitutional authority to enact “legislation for the District on any subject, whether within or without the scope of legislative power granted to the Council by this Act.”³⁹ The Home Rule Act further clarifies that the congressional authority over District legislation includes the repeal of, or amendment to, “any law in force in the District prior to or after enactment of this Act and any act passed by the

³⁹ 87 Stat. 813.

Council.”⁴⁰ Congress has used this authority in the regular lawmaking process through the introduction of authorizing acts as stand-alone measures or attached to other legislation.

District of Columbia Government Administration

Some enacted laws have amended the Home Rule Act by expanding, limiting, prohibiting, or otherwise modifying District of Columbia government authorities and/or processes.

For example, the District of Columbia Water and Sewer Authority Act of 1996 (P.L. 104-184) amended the Home Rule Act by enabling the council to authorize revenue bond issuance for certain water and sewer facilities. Title I of the 2005 District of Columbia Omnibus Authorization Act (P.L. 109-356) included various provisions related to District of Columbia governance. One provision amended the Home Rule Act to allow an increase of local funds in the District budget under certain conditions. The act also prohibited the use of such an increase to fund any District agencies “operating under court-ordered receivership.”⁴¹

Other acts have modified Home Rule Act requirements for a range of local government-related activities, including congressional oversight report submission deadlines (P.L. 106-449) and the timing of District of Columbia special elections (P.L. 112-145).

Congress also enacted measures to address a fiscal and management crisis facing the District of Columbia in the 1990s.⁴² Enacted in 1995, the District of Columbia Financial Responsibility and Management Assistance Act (P.L. 104-8) created a financial control board and the Office of the Chief Financial Officer (OCFO) and charged them with returning the District to financial solvency. The National Capital Revitalization and Self-Government Act of 1997 (Title XI of P.L. 105-33) continued congressional efforts to improve the District’s finances by transferring a number of state-related functions to the federal government, including prisons, court operations, and offender services.

District of Columbia Public Policy Issues

In some cases, Congress has enacted legislation on District policy issues of a distinctly local nature. For example, Congress enacted legislation in 2014 to amend building height restrictions in the District of Columbia Code (P.L. 113-103). In another example, Title I of the 2005 District of Columbia Omnibus Authorization Act (P.L. 109-356) included a provision mandating that licensed taxicabs in the District utilize a fare meter system, unless exempted by executive order of the mayor.⁴³

Congress has also enacted legislation on issues related to broader national policy debates. For example, regarding education reform, the District of Columbia School Reform Act of 1995 established the District of Columbia Public School Charter Board and authorized a public charter school petition process.⁴⁴

⁴⁰ Ibid.

⁴¹ P.L. 109-356, Title I, Section 101.

⁴² For background information on the District of Columbia fiscal crisis, see U.S. Government Accountability Office, *District of Columbia Financial Crisis*, GAO/T-AIMD-95-88, February 22, 1995, <https://www.gao.gov/assets/t-aimd-95-88.pdf>; and U.S. Government Accountability Office, *District of Columbia Fiscal Structural Balance Issues*, GAO-02-1001, September 2002, <https://www.gao.gov/assets/gao-02-1001.pdf>.

⁴³ P.L. 109-356, Title I, Section 105.

⁴⁴ P.L. 104-134, Title II.

General Provisions in Appropriations Acts

Congress has also exercised its legislative authority over the District through the annual appropriations process. In addition to providing federal payments for a variety of programs and services in the District, appropriations acts typically include general provisions—known as limitations or riders—to prevent the District government from expending funds on certain activities.⁴⁵

These provisions can be grouped into several distinct but overlapping categories, with the most predominant being related to fiscal and budgetary directives and controls. Other provisions include administrative directives and controls, limitations on lobbying, congressional oversight, and/or congressionally imposed restrictions and prohibitions related to social policy. Typically, these general provisions remain in effect during the fiscal year for which they are enacted, unless they are renewed in a subsequent appropriations act.

Some previously enacted provisions have restricted or prohibited the use of federal and/or local funds for particular local social policy initiatives in the District, such as

- abortion services;
- lobbying for voting representation in Congress, or statehood for the District;
- needle exchange programs; and
- legalization of Schedule I substances such as marijuana.⁴⁶

For example, local voters in 1998 approved an initiative allowing the medical use of marijuana, with 69% casting ballots in favor.⁴⁷ However, ahead of Election Day, Congress barred the District from spending any money to conduct the initiative in Section 171 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (P.L. 105-277).⁴⁸ In 1999, after a federal judge allowed the vote count to be released,⁴⁹ Section 167 of the Consolidated Appropriations Act, 2000 (P.L. 106-113) overturned the initiative by stating that it “shall not take effect.” In December 2009, Congress lifted the rider, and the city enacted a medical-marijuana law in 2010.⁵⁰

Selected Legislation in the 119th Congress

Disapproval Resolution

On December 20, 2025, the council passed the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025, to decouple parts of the District’s local tax code

⁴⁵ For more information on general policy provisions in appropriations acts, see CRS Report R41634, *Limitations in Appropriations Measures: An Overview of Procedural Issues*, by James V. Saturno.

⁴⁶ For examples of general policy provisions for the District of Columbia, see P.L. 117-328, Division E, Title VIII.

⁴⁷ District of Columbia Board of Elections, *Election Year 1998—November 13 General Election—Initiative Measure #59*, <https://dcboe.org/elections/election-results-archives/november-13-general-election/initiative-measure-59>.

⁴⁸ For additional historical context, see CRS Report RL33211, *Medical Marijuana: Review and Analysis of Federal and State Policies*, by Mark Eddy.

⁴⁹ Bill Miller and Spencer S. Hsu, “Results Are Out: Marijuana Initiative Passes,” *Washington Post*, September 21, 1999, p. A1, <https://www.washingtonpost.com/wp-srv/local/daily/sept99/marijuana21.htm>.

⁵⁰ Ashley Southall, “Washington, D.C., Approves Medical Use of Marijuana,” *New York Times*, May 4, 2010, <https://www.nytimes.com/2010/05/05/us/05marijuana.html>.

from certain provisions in the FY2025 Reconciliation Law (P.L. 119-21).⁵¹ The local bill was enacted without the mayor's signature.⁵² The council transmitted the act to Congress for review on December 30, 2025. The temporary act was preceded by enactment of an emergency act with the same changes to the local tax code, on December 3, 2025, as is typical with such acts. Officially, the emergency act remained in effect until March 3, 2026.⁵³ Congress did not take legislative action to modify or nullify the emergency act.⁵⁴

Pursuant to Section 604 of the Home Rule Act, on February 4, 2026, H.J.Res. 142, a joint resolution disapproving the action of the District of Columbia Council in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025, was agreed to in the House by a vote of 215-210.⁵⁵ On the same day, the Senate Committee on Homeland Security and Government Affairs held a markup on the joint resolution and its companion bill, S.J.Res. 102.⁵⁶ On February 12, H.J.Res. 142 was agreed to in the Senate without amendment, by a vote of 49-47.⁵⁷ On the same day, the bill was presented to the President. The President signed H.J.Res. 142 on February 18, and it was designated P.L. 119-78.⁵⁸

District of Columbia Government Response

Some District of Columbia officials indicated they believed congressional action may have come too late. On February 12, 2026, the council chair posted a notice interpreting the congressional layover period for the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025 as having concluded. In the notice, the chair designated the act as D.C. Law 26-89.⁵⁹ On February 24, District of Columbia Attorney General Brian L. Schwalb submitted a legal opinion to the OCFO that also suggested Congress did not pass the disapproval resolution within the allotted layover period, among additional legal arguments in support of the following conclusion:

⁵¹ Decoupling refers to the practice of a state choosing not to incorporate certain provisions or changes of the federal tax code to its tax code.

⁵² D.C. Act 26-217, https://lims.dccouncil.gov/downloads/LIMS/60659/Signed_Act/B26-0458-Signed_Act.pdf?Id=230015.

⁵³ Council of the District of Columbia, *Legislation Detail: B26-0457—D.C. Income and Franchise Tax Conformity and Revision Emergency Amendment Act of 2025*, Legislative Information Management System, <https://lims.dccouncil.gov/Legislation/B26-0457>.

⁵⁴ The Home Rule Act does not provide “fast track” procedures for congressional disapproval and nullification of a District emergency act. However, as noted above, Congress does retain plenary authority over legislative issues in the District.

⁵⁵ Clerk of the House of Representatives, *Final Vote Results for Roll Call 56*, H.J.Res. 142, February 4, 2026, <https://clerk.house.gov/evs/2026/roll056.xml>.

⁵⁶ U.S. Congress, Senate Homeland Security and Governmental Affairs Committee, *Business meeting to consider S.J.Res. 102, disapproving the action of the District of Columbia in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025, and H.J.Res. 142, disapproving the action of the District of Columbia Council in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025*, 119th Cong., 2nd sess., February 4, 2026, <https://www.congress.gov/event/119th-congress/senate-event/337948?s=2&r=7>.

⁵⁷ U.S. Congress, Senate, *Roll Call Vote on the Joint Resolution H.J.Res. 142*, 119th Cong., 2nd sess., February 12, https://www.senate.gov/legislative/LIS/roll_call_votes/vote1192/vote_119_2_00037.htm.

⁵⁸ White House, *Congressional Bills H.J.Res. 142 and S. 3705 Signed into Law*, February 18, 2026, <https://www.whitehouse.gov/briefings-statements/2026/02/congressional-bills-h-j-res-142-and-s-3705-signed-into-law>.

⁵⁹ Council of the District of Columbia, *Notice: D.C. Law 26-89 D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025*, February 12, 2026, https://lims.dccouncil.gov/downloads/LIMS/60659/Other/B26-0458-SIGNED_LAW_CHRON_26-89.pdf?Id=232198.

the changes to the tax laws made by the Emergency Conformity Act and the Temporary Conformity Act continue to govern tax liabilities for taxpayers whose tax year ended December 31, 2025, and the Temporary Conformity Act remains in effect and, absent further legislative action, will expire on September 25, 2026.⁶⁰

On February 27, 2026, the DC chief financial officer submitted the OCFO's February 2026 Revenue Estimates. Regarding the status of the local tax laws, the chief financial officer noted the following:

The revenue estimate does not include the impact of the District's tax decoupling legislation, the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025, due to the uncertainty of the associated revenue as a result of Joint Resolution 142. As a result, an additional \$180 million that was estimated to be collected from the decoupling provisions in FY 2026 is not included in this estimate.⁶¹

On the same day, the mayor responded by letter, stating that exclusion of the estimated revenues from the local temporary tax act, without changing the filing deadline for 2025 local taxes, "raises a critical issue requiring your prompt clarification." Specifically, the mayor requested clarification from the OCFO by March 3, regarding "how you will apply District law to the collection of Calendar Year 2025 taxes." The mayor also stated, "My Administration cannot propose a responsible, balanced budget to the Council without a revenue estimate that accounts for all the revenue, including taxes being collected."⁶²

On March 4, the chief financial officer submitted a letter to the mayor and chair of the council, noting that the OCFO would continue to collect 2025 local taxes as outlined in the District's local emergency law, in accordance with the Attorney General's analysis. Regarding the exclusion of these revenues in the OCFO 2026 projections, the chief financial officer stated the following:

There is considerable risk and uncertainty, from litigation or other actions, to the revenues associated with the District's decoupling legislation. Consistent with the OCFO's ongoing practice related to uncertain revenue collections, the OCFO will continue to defer including decoupling revenues from the revenue estimates.⁶³

Authorizing Legislation

Separate from the parliamentary disapproval process under the Home Rule Act, in the 119th Congress, the House has passed nine standalone bills currently awaiting Senate action that would repeal and/or reform portions of the District of Columbia Code:

1. H.R. 5214, the District of Columbia Cash Bail Reform Act of 2025 would amend the District of Columbia Code to adjust requirements pertaining to pretrial and

⁶⁰ Letter from Brian L. Schwalb, District of Columbia Attorney General, to Glen Lee, Chief Financial Officer for the District of Columbia (hereinafter, Letter from Brian L. Schwalb), February 24, 2026, p. 8, <https://s3.documentcloud.org/documents/27359381/ag-opinion-tax-bill-decoupling.pdf>.

⁶¹ Letter from Glen M. Lee, Chief Financial Officer, District of Columbia, to Muriel Bowser, Mayor of the District of Columbia, and Phil Mendelson, Chair of the Council of the District of Columbia, February 27, 2026, https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/release_content/attachments/Revenue%20Estimate%20Letter_FINAL-FEB%202026_02%2027%202026.pdf.

⁶² Letter from Muriel Bowser, Mayor of the District of Columbia, to Glen Lee, Chief Financial Officer, District of Columbia, February 27, 2026, https://x.com/Meagan_Flynn/status/2027553597957734778/photo/1.

⁶³ Letter from Glen M. Lee, Chief Financial Officer, District of Columbia, to Muriel Bowser, Mayor of the District of Columbia, and Phil Mendelson, Chair of the Council of the District of Columbia, March 4, 2026, https://x.com/meagan_flynn/status/2029255372490396081?s=46&t=tPJbjOEF_bFxzIFzUueVTg.

- post-conviction detention, as well as cash bail, for certain criminal offenses. The bill was agreed to in the House by a vote of 237-179.
2. H.R. 5107, the Common-Sense Law Enforcement and Accountability Now in DC Act of 2025 would repeal the District of Columbia Comprehensive Policing and Justice Reform Amendment Act of 2022.⁶⁴ The bill was agreed to in the House by a vote of 233-190. The companion bill in the Senate, S. 2687, was read twice and referred to the Committee on Homeland Security and Governmental Affairs.
 3. H.R. 5143, the District of Columbia Policing Protection Act of 2025 would amend the local Comprehensive Policing and Justice Reform Amendment Act of 2022 by repealing and replacing requirements pertaining to vehicular pursuit by local law enforcement officers. The bill was agreed to in the House by a vote of 245-182.
 4. H.R. 5125, the District of Columbia Judicial Nominations Reform Act of 2025 would terminate the District of Columbia Judicial Nomination Commission. The bill was agreed to in the House by a vote of 218-211. The companion bill in the Senate, S. 2854, was read twice and referred to the Committee on Homeland Security and Governmental Affairs.
 5. H.R. 5140, A bill to lower the age at which a minor may be tried as an adult for certain criminal offences in the District of Columbia to 14 years of age was agreed to in the House by a vote of 225-203.
 6. H.R. 4922, the D.C. Criminal Reforms to Immediately Make Everyone Safe Act of 2025 (DC CRIMES Act of 2025) would amend portions of the District of Columbia Code pertaining to the juvenile criminal justice system in the District. The bill was agreed to in the House by a vote of 240-179.
 7. H.R. 2056, the District of Columbia Federal Immigration Compliance Act of 2025 would prohibit the District of Columbia government from limiting cooperation with federal immigration enforcement activities. The bill was agreed to in the House by a vote of 224-194. The companion bill in the Senate, S. 1522, was read twice and referred to the Committee on Homeland Security and Governmental Affairs.
 8. H.R. 2096, the Protecting Our Nation’s Capital Emergency Act would repeal provisions enacted under the local Comprehensive Policing and Justice Reform Amendment Act of 2022, pertaining to discipline of local law enforcement officers. The bill was agreed to in the House by a vote of 235-178.
 9. H.R. 884, A bill to prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia and to repeal the Local Resident Voting Rights Amendment Act of 2022 was agreed to in the House by a vote of 266-148. The companion bill in the Senate, S. 2636, was read twice and referred to the Committee on Homeland Security and Governmental Affairs.

FY2026 Appropriations

On February 3, 2026, the President signed the Consolidated Appropriations Act, 2026, P.L. 119-75, into law. Division E, Title IV appropriated federal payments for certain specified activities in the District of Columbia, and formally approved the District’s local budget. Title VIII of Division E included 21 general provisions pertaining to local financial, administrative, and policy matters

⁶⁴ D.C. Law 24-345, <https://lims.dccouncil.gov/Legislation/B24-0320>.

for the District. For example, the act continued funding restrictions on abortion services; lobbying for voting representation in Congress, or statehood for the District; needle exchange programs; and legalization of Schedule I substances such as marijuana.

Home Rule Reform Proposals

Several Members in the 119th Congress have also sought to modify the home rule structure as it pertains to legislative authority for local matters in the District. For example, the District of Columbia Home Rule Improvement Act, H.R. 5183, would amend and expand the Home Rule Act process for review and nullification of District of Columbia acts through resolutions of disapproval. Specifically, the bill would establish “a uniform 60-day period for Congress to review laws of the District of Columbia before such laws may take effect.” The bill would also clarify the expedited procedures for disapproval resolution consideration, modify the process to allow for nullification of particular provisions within a local act, and expand congressional authority under this process to include nullification of executive orders and regulations issued by the local executive branch. Additionally, the bill would prohibit the council from withdrawing acts already transmitted to Congress, as well as the transmission of substantially similar acts that were previously disapproved. H.R. 5183 was reported by the House Committee on Oversight and Government Reform on January 27, 2026.⁶⁵

Also introduced in the 119th Congress, the District of Columbia Legislative Home Rule Act, H.R. 214, would amend the Home Rule Act by eliminating the congressional review and disapproval process for acts of the District council. Two other bills, both entitled the Bringing Oversight to Washington and Safety to Every Resident Act, H.R. 1089 and S. 440, would repeal the Home Rule Act entirely.⁶⁶

Political Status Reform Proposals

Other proposed bills related to the District’s political status would also change the role of Congress in local lawmaking processes and policy decisions. For example, the Washington, D.C. Admission Act, H.R. 51 and S. 51, would provide for the admission of parts of the District into the Union as a state. Another bill, the Washington, D.C. Residents Voting Act, H.R. 3877, would retrocede parts of the District to the State of Maryland.⁶⁷

⁶⁵ U.S. Congress, House Committee on Oversight and Government Reform, *District of Columbia Home Rule Improvement Act of 2025*, 119th Cong., 2nd sess., January 27, 2026, H.Rept. 119-463 (Washington: GPO, 2026).

⁶⁶ For past examples of District of Columbia government structures, see CRS In Focus IF12577, *Governing the District of Columbia: Overview and Timeline*, by Joseph V. Jaroscak and Ben Leubsdorf.

⁶⁷ For related CRS legal analysis, see CRS Report R47101, *DC Statehood: Constitutional Considerations for Proposed Legislation*, by Mainon A. Schwartz.

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