

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL**



**ATTORNEY GENERAL
BRIAN L. SCHWALB**

The Honorable James Comer
Chairman
House Committee on Oversight and
Government Reform
2410 Rayburn House Office Building
Washington, DC 20515

The Honorable Robert Garcia
Ranking Member
House Committee on Oversight and
Government Reform
109 Cannon House Office Building
Washington, DC 20515

September 9, 2025

Dear Chairman Comer and Ranking Member Garcia:

The House Committee on Oversight and Government Reform is scheduled to markup fourteen bills tomorrow related to the operations of the District of Columbia. With the exception of H.R. 2693, the District of Columbia Electronic Transmittal Act, I write in strong opposition to these bills. They address inherently local issues and laws that were passed after careful consideration by the District's elected representatives, who are directly accountable to District residents. Members of this very Committee have long advocated for the principles of federalism on which this nation was founded. They have consistently condemned federal overreach and fought forcefully and convincingly for the uniquely American values of local control, freedom, and self-governance. These principles should apply to the more than 700,000 people who call Washington, DC home, just as they do for your constituents across the country.

I specifically want to call attention to the significant incursion on local self-governance reflected in two bills, the District of Columbia Attorney General Appointment Reform Act and the District of Columbia Judicial Nominations Reform Act. Both laws would displace the ability of District residents to have a voice in the selection of local leaders who wield significant power over local judicial matters: the judges on our local courts and the Attorney General for the District. The judges on the DC Court of Appeals and DC Superior Court rule on inherently local matters such as criminal prosecutions, landlord-tenant cases, probate proceedings, civil cases, and divorce proceedings, all of which have profoundly important impact on our community. For more than 50 years, the Judicial Nomination Commission (JNC) has successfully allowed DC residents to have a voice in judicial appointments, while also granting the President and Senate a role in confirming our judges. I urge the Committee not to overturn that well-established process.

The DC Attorney General, as the District's chief law officer, is also responsible for local legal issues, namely, protecting the District and its residents in a wide range of matters, such as enforcing child support laws, handling abuse and neglect proceedings in the child welfare system, enforcing our housing code, and defending District agencies and officers when they are sued. In no other

place in the United States are such local issues determined by a federally appointed person with no local accountability. The proposed legislation would be especially undemocratic in light of the fact that, in 2010, an overwhelming majority of District voters (76%) exercised their right to amend the District Charter to make the DC Attorney General an independent, elected office, rather than a position appointed by and subordinate to the Mayor. With that vote, District residents clearly expressed their desire that the Attorney General should be independent and accountable to them. The pending bill would displace that choice in favor of installing an Attorney General accountable not to District residents, but to the President. Given that the U.S. Attorney for the District is already appointed by the President, if passed, this bill would concentrate all criminal and civil litigation authority in the President, divesting the District and its residents of any local control over these essential functions.

No one knows or cares more about keeping DC safe than DC residents who work, live and raise their families here. Our democratically elected officials work closely with local law enforcement, policy experts, and community leadership to pass laws that are in the best interests of all Washingtonians. Substituting the will of DC voters with the whim of federal politicians is undemocratic and un-American.

I urge you to reject these measures and uphold the values Congress sought to advance more than 50 years ago when it passed the District of Columbia Home Rule Act: that District residents should enjoy the “powers of local self-government” that all other Americans enjoy. *See* DC Code § 1-201.02.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Brian L. Schwalb".

Brian L. Schwalb
Attorney General for the District of Columbia