

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the District of Columbia Home Rule Act to establish a uniform 60-day congressional review period for District of Columbia laws, to clarify the expedited procedures applicable to consideration of resolutions of disapproval of District of Columbia laws, to authority the use of resolutions of disapproval to disapprove provisions of District of Columbia laws and District of Columbia executive orders and regulations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. GOSAR introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the District of Columbia Home Rule Act to establish a uniform 60-day congressional review period for District of Columbia laws, to clarify the expedited procedures applicable to consideration of resolutions of disapproval of District of Columbia laws, to authority the use of resolutions of disapproval to disapprove provisions of District of Columbia laws and District of Columbia executive orders and regulations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “District of Columbia
3 Home Rule Improvement Act”.

4 **SEC. 2. UNIFORM 60-DAY CONGRESSIONAL REVIEW PERIOD**
5 **FOR DISTRICT OF COLUMBIA LAWS.**

6 (a) ESTABLISHMENT OF 60-DAY PERIOD; CLARI-
7 FICATION OF BEGINNING OF PERIOD AND DAYS EX-
8 CLUDED.—Section 602(c)(1) of the District of Columbia
9 Home Rule Act (sec. 1–206.02(c)(1), D.C. Official Code)
10 is amended—

11 (1) by striking “the 30-calendar-day period (ex-
12 cluding Saturdays, Sundays, and holidays, and any
13 day on which neither House is in session because of
14 an adjournment sine die, a recess of more than three
15 days, or an adjournment of more than three days)
16 beginning on the day such act is transmitted by the
17 Chairman to the Speaker of the House of Represent-
18 atives and the President of the Senate” and insert-
19 ing the following: “the 60-day period (excluding days
20 either House of Congress is adjourned for more than
21 3 days during a session of Congress) beginning on
22 the later of the day such act is transmitted by the
23 Chairman to the Speaker of the House of Represent-
24 atives or the day such act is transmitted by the
25 Chairman to the President of the Senate”; and

1 (2) by striking “such 30-day period” each place
2 it appears and inserting “such 60-day period”.

3 (b) ELIMINATION OF ALTERNATIVE PERIOD FOR
4 ACTS AFFECTING CRIMINAL LAWS.—Section 602(c) of
5 such Act (sec. 1–206.02(c), D.C. Official Code) is amend-
6 ed—

7 (1) by striking paragraph (2); and

8 (2) by redesignating paragraph (3) as para-
9 graph (2).

10 (c) SPECIAL RULE FOR ACTS DESIGNATED BY COUN-
11 CIL AS INVOLVING EMERGENCY CIRCUMSTANCES.—

12 (1) NO RENEWAL OF WAIVER OF REVIEW FOR
13 SUCCEEDING ACTS.—Section 602(c) of such Act
14 (sec. 1–206.02(c), D.C. Official Code), as amended
15 by subsection (b), is amended by adding at the end
16 the following new paragraph:

17 “(3) If an Act is exempt from the requirements of
18 paragraph (1) because of a determination by the Council
19 under section 412(a) that the Act should take effect imme-
20 diately because of emergency circumstances, an Act of the
21 Council to extend the period during which such Act is ef-
22 fective, or any Act of the Council which is substantially
23 the same as such Act, shall not be exempt from the re-
24 quirements of paragraph (1).”.

1 (2) CONFORMING AMENDMENT.—Section
2 412(a) of such Act (sec. 1–204.12(a), D.C. Official
3 Code) is amended by striking “ninety days” and in-
4 serting “ninety days, subject to section 602(c)(3)”.

5 **SEC. 3. CLARIFICATION OF EXPEDITED PROCEDURES AP-**
6 **PLICABLE TO CONSIDERATION OF RESOLU-**
7 **TIONS OF DISAPPROVAL.**

8 (a) APPLICATION OF ALL PROCEDURES TO ALL RES-
9 OLUTIONS OF DISAPPROVAL.—The third sentence of sec-
10 tion 602(c)(1) of the District of Columbia Home Rule Act
11 (sec. 1–206.02(c)(1), D.C. Official Code) is amended by
12 striking “section 604, except subsections (d), (e), and (f)
13 of such section,” and inserting “section 604”.

14 (b) CLARIFICATION OF PROCEDURES.—Section 604
15 of such Act (sec. 1–206.04, D.C. Official Code) is amend-
16 ed by striking subsections (c) through (j) and inserting
17 the following:

18 “(c) REFERRAL TO COMMITTEES.—A resolution with
19 respect to Council action shall be referred to the Com-
20 mittee on Oversight and Government Reform of the House
21 of Representatives, or the Committee on Homeland Secu-
22 rity and Governmental Affairs of the Senate, by the Presi-
23 dent of the Senate or the Speaker of the House of Rep-
24 resentatives, as the case may be.

1 “(d) PROCEDURES IN HOUSE OF REPRESENTA-
2 TIVES.—(1) In the House of Representatives, if the com-
3 mittee to which a resolution has been referred has not re-
4 ported it at the end of twenty calendar days after its intro-
5 duction, it is in order to move to discharge the committee
6 from further consideration of any other resolution with re-
7 spect to the same Council action which has been referred
8 to the committee.

9 “(2) In the House, a motion to discharge may be
10 made only by an individual favoring the resolution, is high-
11 ly privileged (except that it may not be made after the
12 committee has reported a resolution with respect to the
13 same action), and debate thereon shall be limited to not
14 more than one hour, to be divided equally between those
15 favoring and those opposing the resolution. An amend-
16 ment to the motion is not in order, and it is not in order
17 to move to reconsider the vote by which the motion is
18 agreed to or disagreed to.

19 “(3) In the House, if the motion to discharge is
20 agreed to or disagreed to, the motion may not be renewed,
21 nor may another motion to discharge the committee be
22 made with respect to any other resolution with respect to
23 the same action.

24 “(4) In the House, when the committee has reported,
25 or has been discharged from further consideration of, a

1 resolution, it is at any time thereafter in order (even
2 though a previous motion to the same effect has been dis-
3 agreed to) to move to proceed to the consideration of the
4 resolution. The motion is highly privileged and is not de-
5 batable. An amendment to the motion is not in order, and
6 it is not in order to move to reconsider the vote by which
7 the motion is agreed to or disagreed to.

8 “(5) In the House, debate on the resolution shall be
9 limited to not more than one hour, which shall be divided
10 equally between those favoring and those opposing the res-
11 olution. A motion further to limit debate is not debatable.
12 An amendment to, or motion to recommit, the resolution
13 is not in order, and it is not in order to move to reconsider
14 the vote by which the resolution is agreed to or disagreed
15 to.

16 “(6) In the House, motions to postpone made with
17 respect to the discharge from committee or the consider-
18 ation of a resolution, and motions to proceed to the consid-
19 eration of other business, shall be decided without debate.

20 “(7) In the House, appeals from the decisions of the
21 Chair relating to the application of the Rules of the House
22 of Representatives to the procedure relating to a resolu-
23 tion shall be decided without debate.

24 “(e) PROCEDURES IN SENATE.—(1) In the Senate,
25 if the committee to which is referred a resolution described

1 in subsection (b) has not reported such joint resolution
2 (or an identical joint resolution) at the end of 20 calendar
3 days after its introduction, such committee may be dis-
4 charged from further consideration of such joint resolution
5 upon a written demand by any Member of the Senate, and
6 such joint resolution shall be placed on the calendar.

7 “(2)(A) In the Senate, when the committee to which
8 a resolution is referred has reported, or when a committee
9 is discharged (under paragraph (1)) from further consid-
10 eration of a resolution described in subsection (b), it is
11 at any time thereafter in order (even though a previous
12 motion to the same effect has been disagreed to) for a
13 motion to proceed to the consideration of the resolution,
14 and all points of order against the resolution (and against
15 consideration of the resolution) are waived. The motion
16 is not subject to amendment, or to a motion to postpone,
17 or to a motion to proceed to the consideration of other
18 business. A motion to reconsider the vote by which the
19 motion is agreed to or disagreed to shall not be in order.
20 If a motion to proceed to the consideration of the resolu-
21 tion is agreed to, the resolution shall remain the unfin-
22 ished business of the Senate until disposed of.

23 “(B) In the Senate, debate on the resolution, and on
24 all debatable motions and appeals in connection therewith,
25 shall be limited to not more than 10 hours, which shall

1 be divided equally between those favoring and those oppos-
2 ing the resolution. A motion further to limit debate is in
3 order and not debatable. An amendment to, or a motion
4 to postpone, or a motion to proceed to the consideration
5 of other business, or a motion to recommit the resolution
6 is not in order.

7 “(C) In the Senate, immediately following the conclu-
8 sion of the debate on a resolution described in subsection
9 (b), and a single quorum call at the conclusion of the de-
10 bate if requested in accordance with the rules of the Sen-
11 ate, the vote on final passage of the resolution shall occur.

12 “(D) Appeals from the decisions of the Chair relating
13 to the application of the rules of the Senate to the proce-
14 dure relating to a resolution described in subsection (a)
15 shall be decided without debate.

16 “(3) In the Senate the procedure specified in para-
17 graph (1) or (2) shall not apply to the consideration of
18 a resolution after the expiration of the 60 session days
19 beginning with the date of the introduction of the joint
20 resolution.

21 “(f) COORDINATION BETWEEN HOUSES.—If, before
22 the passage by one House of a resolution of that House
23 described in subsection (b), that House receives from the
24 other House a resolution described in subsection (b), then
25 the following procedures shall apply:

1 “(1) The resolution of the other House shall
2 not be referred to a committee.

3 “(2) Any Member of that House may at any
4 time offer a motion to proceed to the consideration
5 of the resolution of the other House, and such mo-
6 tion shall be considered in accordance with para-
7 graph (4) of subsection (d) (in the case of a motion
8 in the House) or in accordance with paragraph (2)
9 of subsection (e) (in the case of a motion in the Sen-
10 ate).

11 “(3) With respect to a resolution described in
12 subsection (a) of the House receiving the resolu-
13 tion—

14 “(A) the procedure in that House shall be
15 the same as if no resolution had been received
16 from the other House; but

17 “(B) the vote on final passage shall be on
18 the resolution of the other House.”.

19 **SEC. 4. AUTHORIZING USE OF RESOLUTIONS OF DIS-**
20 **APPROVAL TO DISAPPROVE PROVISIONS OF**
21 **DISTRICT OF COLUMBIA LAWS.**

22 (a) **AUTHORIZATION.**—Section 602(c)(1) of the Dis-
23 trict of Columbia Home Rule Act (sec. 1–206.02(c)(1),
24 D.C. Official Code) is amended—

25 (1) in the second sentence—

1 (A) by striking “such act shall take effect”
2 and inserting “such act and each provision
3 thereof shall take effect”; and

4 (B) by striking “a joint resolution dis-
5 approving such act.” and inserting “a joint res-
6 olution disapproving such act or any provision
7 thereof.”;

8 (2) in the third sentence—

9 (A) by striking “disapproving such an act”
10 and inserting “disapproving such an act or any
11 provision thereof”; and

12 (B) by striking “to have repealed such
13 act” and inserting “to have repealed such act
14 or such provision (as the case may be)”; and

15 (3) in the fourth sentence, by striking “dis-
16 approving any act” and inserting “disapproving any
17 act or any provision thereof”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) APPLICATION OF EXPEDITED PROCEDURES
20 FOR CONSIDERATION OF RESOLUTIONS.—The fourth
21 sentence of section 602(c)(1) of such Act (sec. 1–
22 206.02(c)(1), D.C. Official Code) is amended by
23 striking “disapproving such act” and inserting “dis-
24 approving such act or any provision thereof”.

1 (2) CLARIFICATION OF JOINT RESOLUTION
2 DEFINITION.—Section 604(b) of such Act (sec. 1–
3 206.04(b), D.C. Official Code) is amended by strik-
4 ing “; but does not include a resolution which speci-
5 fies more than one action”.

6 (c) RULE OF CONSTRUCTION.—Section 602(c)(1) of
7 such Act (sec. 1–206.02(c)(1), D.C. Official Code) is
8 amended by adding at the end the following new sentence:
9 “The enactment of a resolution disapproving a provision
10 of an act pursuant to this paragraph may not be construed
11 to repeal any of the remaining provisions of such act or
12 prohibit the enactment of any subsequent resolution dis-
13 approving any other provision of such act pursuant to this
14 paragraph.”.

15 **SEC. 5. AUTHORIZING USE OF RESOLUTIONS OF DIS-**
16 **APPROVAL TO DISAPPROVE EXECUTIVE OR-**
17 **DERS AND REGULATIONS.**

18 (a) AUTHORIZATION.—Title VI of the District of Co-
19 lumbia Home Rule Act (sec. 1–206.01 et seq., D.C. Offi-
20 cial Code) is amended by adding at the end the following
21 new section:

22 “LIMITATIONS ON REGULATORY AUTHORITY OF MAYOR
23 “SEC. 605. (a) TRANSMISSION OF EXECUTIVE OR-
24 DERS AND REGULATIONS.—The Mayor shall transmit to
25 the Speaker of the House of Representatives and the
26 President of the Senate a copy of each executive order

1 issued by the Mayor and each regulation promulgated by
2 an officer of the executive branch of the District govern-
3 ment.

4 “(b) DELAY IN IMPLEMENTATION.—Except as pro-
5 vided in paragraph (2), an executive order or regulation
6 transmitted under subsection (a) shall take effect upon the
7 expiration of the 60-day period (excluding days either
8 House of Congress is adjourned for more than 3 days dur-
9 ing a session of Congress) beginning on the later of the
10 day such executive order or regulation is transmitted by
11 the Mayor to the Speaker of the House of Representatives
12 or the day such executive order or regulation is trans-
13 mitted by the Mayor to the President of the Senate, or
14 upon the date prescribed by such executive order or regu-
15 lation, whichever is later, unless during such 60-day pe-
16 riod, there has been enacted into law a joint resolution
17 disapproving such executive order or regulation.

18 “(c) DEEMED REPEAL.—In any case in which any
19 joint resolution described in subsection (b) disapproving
20 an executive order or regulation has, within the 60-day
21 period described in subsection (b), passed both Houses of
22 Congress and has been transmitted to the President, such
23 joint resolution, upon becoming law, subsequent to the ex-
24 piration of such 60-day period, shall be deemed to have

1 repealed such executive order or regulation, as of the date
2 such joint resolution becomes law.

3 “(d) APPLICATION OF EXPEDITED PROCEDURES FOR
4 CONSIDERATION OF RESOLUTIONS.—The provisions of
5 section 604 shall apply with respect to any joint resolution
6 disapproving any executive order or regulation pursuant
7 to this section.”.

8 (b) DESCRIPTION OF EXPEDITED PROCEDURES FOR
9 CONSIDERATION OF RESOLUTIONS.—

10 (1) IN GENERAL.—Section 604 of such Act
11 (sec. 1–206.04, D.C. Official Code), as amended by
12 section 3(b), is amended by adding at the end the
13 following new subsection:

14 “(g) CONSIDERATION OF RESOLUTIONS DIS-
15 APPROVING EXECUTIVE ORDERS AND REGULATIONS.—
16 The provisions of this section shall apply with respect to
17 the issuance of an executive order by the Mayor and the
18 promulgation of a regulation by an officer of the executive
19 branch of the District government in the same manner
20 as such provisions apply with respect to a Council action,
21 except that for purposes of subsection (b) a ‘resolution’
22 means only a joint resolution, the matter after the resolv-
23 ing clause of which is as follows: ‘That the
24 _____ approves/disapproves of the action
25 of the Mayor or an officer of the executive branch of the

1 District government described as follows:
2 _____’, with the blank spaces therein
3 being appropriately filled, and either approval or dis-
4 approval being appropriately indicated, but does not in-
5 clude a resolution which specifies more than one action.”.

6 (2) CONFORMING AMENDMENT.—Section
7 604(b) of such Act (sec. 1–206.04(b), D.C. Official
8 Code) is amended by striking “(b) For the purpose
9 of this section,” and inserting “(b) For the purpose
10 of this section with respect to a Council action,”.

11 (c) CLERICAL AMENDMENT.—The table of contents
12 of such Act is amended by adding at the end of the items
13 relating to title VI the following:

“Sec. 605. Limitations on regulatory authority of Mayor.”.

14 **SEC. 6. PROHIBITING COUNCIL FROM WITHDRAWING ACTS**
15 **ALREADY TRANSMITTED.**

16 Section 602(c) of the District of Columbia Home
17 Rule Act (sec. 1–206.02(c), D.C. Official Code), as
18 amended by section 2(c), is amended by adding at the end
19 the following new paragraph:

20 “(4) After the Council has transmitted an Act under
21 this subsection, the Council may not withdraw the Act
22 from the Speaker of the House or the President of the
23 Senate during the period described with respect to the Act
24 under paragraph (1), and the Act shall be subject to this

1 subsection without regard to any attempt by the Council
2 to withdraw the Act.”.

3 **SEC. 7. PROHIBITING TRANSMISSION OF ACTS SUBSTAN-**
4 **TIALLY THE SAME AS DISAPPROVED ACTS.**

5 (a) PROHIBITION.—Section 602 of the District of Co-
6 lumbia Home Rule Act (sec. 1–206.02, D.C. Official Code)
7 is amended by adding at the end the following new sub-
8 section:

9 “(d) PROHIBITING TRANSMISSION OF ACTS SUB-
10 STANTIALLY THE SAME AS DISAPPROVED ACTS.—If a
11 joint resolution has been enacted into law to disapprove
12 an Act transmitted by the Council under this section, the
13 Council may not transmit another Act under this section
14 which is substantially the same as the Act disapproved by
15 the joint resolution, unless the Council is specifically au-
16 thorized to transmit such an Act by a law enacted after
17 the date of the enactment of the joint resolution to dis-
18 approve the original Act.”.

19 (b) EFFECTIVE DATE.—The amendment made by
20 subsection (a) shall apply with respect to acts of the Dis-
21 trict of Columbia which are disapproved by a joint resolu-
22 tion enacted on or after the date of the enactment of this
23 Act.

1 **SEC. 8. ANNUAL HEARING AND REPORT ON STATE OF DIS-**
2 **TRICT OF COLUMBIA.**

3 Not less frequently than once every calendar year, the
4 Chair of the Council of the District of Columbia and the
5 Mayor of the District of Columbia shall appear at a hear-
6 ing of the Committee on Oversight and Government Re-
7 form of the House of Representatives and a hearing of
8 the Committee on Homeland Security and Governmental
9 Affairs of the Senate to present a report on the state of
10 the District, including recommendations for such meas-
11 ures as they deem necessary and expedient.

12 **SEC. 9. EFFECTIVE DATE.**

13 Except as provided in section 7(b), this Act, and the
14 amendments made by this Act, shall apply with respect
15 to acts of the District of Columbia which are transmitted
16 to Congress by the Council of the District of Columbia
17 under section 602(c) of the District of Columbia Home
18 Rule Act (sec. 1–206.02(c), D.C. Official Code), and with
19 respect to executive orders and regulations with are trans-
20 mitted to Congress by the Mayor under section 605 of
21 such Act, as added by section 5, on or after the date of
22 the enactment of this Act.