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May 15, 2023

The Hon. Brian L. Schwalb, Esq.
Attorney General, District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004

RE: Senate Consideration of D.C. Law 25-345

Dear Attorney General Schwalb:

I write to request a formal opinion of the Attorney General. The issue is the possible consideration by the United States Senate of Bill 24-320, which is now D.C. Law 24-345, the *Comprehensive Policing and Justice Reform Amendment Act of 2022*. According to the Secretary to the Council, this bill became Law following a 60-day period of congressional review on April 21, 2023. Nevertheless, Saturday's *Washington Post* reported that Senator J.D. Vance has introduced a resolution to disapprove the measure. The news article also reported that the Senate parliamentarian has advised that consideration of Senator Vance's resolution would be order. I do not know if the parliamentarian's guidance merely concerns whether consideration would be in order, or whether disapproval of our law would have legal effect.

I ask a formal opinion regarding this matter. I leave it to you as to how to frame the question(s) to be answered. But I believe there are two questions: first, how are the 60 days to be counted for congressional review? Second, what would be the legal effect on the validity of D.C. Law 25-345 if the Senate were to disapprove it at this late date and (which I doubt) the President were to sign the disapproval resolution or not veto it?

These questions are fundamental to how laws are to be made in the District of Columbia under the Home Rule Act. Given that Senate consideration may occur as early as tomorrow, I hope you can act on this request expeditiously.

Sincerely,



Phil Mendelson

PM/ms
cc: Nicole Streeter, Esq.