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Councilmember Brooke Pinto

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend, on an emergency basis, due to congressional review, section 205 of the Clemency Board Establishment Act of 2018 to authorize the Clemency Board of the District of Columbia to, for applicants seeking a pardon, grant a waiver of the five-year waiting period.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Clemency Board Waiver Authority Congressional Review Emergency Amendment Act of 2025”.

Sec. 2. Section 205 of the Clemency Board Establishment Act of 2018, effective December 13, 2018 (D.C. Law 22-197; D.C. Official Code § 24-481.05), is amended by adding a new subsection (f) to read as follows:

“(f) The Board may, upon written request of the applicant, grant a waiver of the requirements of subsection ( c )(1) of this section; provided, that:

“(1) The Board shall only grant a waiver under this subsection where the Board is in receipt of notice from the Office of the Pardon Attorney that the Pardon Attorney or the President of the United States has provided the applicant with a waiver of the five-year requirement pursuant to § 9-140.112 of the Department of Justice Manual;

“(2) The Board may decline to grant a waiver under this subsection even when the Board is in receipt of the notice described in paragraph (1) of this subsection;

34                   “(3) The Board shall not grant a waiver under this subsection when the applicant  
35 is on probation, parole, or supervised release;

36                   “(4) The Board may request additional information from the applicant to support  
37 their request for a waiver of subsection (c)(1) of this section, which may include a request to  
38 meet with the applicant to discuss their waiver request;

39                   “(5) The Board shall provide the applicant with written notice of the Board’s  
40 decision to grant or deny a waiver request pursuant to this subsection; and

41                   “(6) Prior to the Board making a determination whether to grant a request for a  
42 waiver pursuant to this subsection, the applicant’s application shall be deferred until a  
43 determination is made.”

44                   Sec. 3. Fiscal impact statement.

45                   The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact  
46 statement required by section 4a of the General Legislative Procedures Act of 1975, approved  
47 October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

48                   Sec. 4. Effective date.

49                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
50 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
51 90 days, as provided for emergency acts of the Council of the District of Columbia in section  
52 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;  
53 D.C. Official Code § 1-204.12(a)).