



Councilmember Brooke Pinto

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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1 To amend, on an emergency basis, due to congressional review, section 205 of the Clemency  
2 Board Establishment Act of 2018 to authorize the Clemency Board to, for applicants  
3 seeking a pardon, grant a waiver of the 5-year waiting period.  
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5 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
6 act may be cited as the “Clemency Board Waiver Authority Second Congressional Review  
7 Emergency Amendment Act of 2026”.

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

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

14 “(1) The Board shall only grant a waiver under this subsection where the Board is  
15 in receipt of notice from the Office of the Pardon Attorney that the Pardon Attorney or the  
16 President of the United States has provided the applicant with a waiver of the 5-year requirement  
17 pursuant to § 9-140.112 of the Department of Justice Manual;

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

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

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

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

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

30                   Sec. 3. Fiscal impact statement.

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

34                   Sec. 4. Effective date.

35                   This act shall take effect following approval by the Mayor (or in the event of veto by the  
36 Mayor, action by the Council to override the veto), and shall remain in effect for no longer than  
37 90 days, as provided for emergency acts of the Council of the District of Columbia in section

38 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788;

39 D.C. Official Code § 1-204.12(a)).