How the District of Columbia is Governed Today

Since enactment of the DC Home Rule Act on December 24, 1973, the District has been governed much like any state in the US. There are three separate, co-equal branches of government: legislative, executive, and judiciary, each providing checks and balances. There are, however, a few important areas in which the District government cannot operate with the same autonomy that governments in the 50 states do. States generally have the power to make and enforce laws, to create their own agencies, and to manage their affairs free from interference from the federal government. They also have voting representation in both Houses of Congress. This is not the case for DC.

**National Level Representation**

DC residents elect a delegate with limited voting rights to the US House of Representatives, as well as two shadow Senators and one shadow Representative whose task is to petition Congress for statehood.

**Lack of Autonomy:** District residents have limited voting representation in the House of Representatives. And, whereas residents in all 50 states have two voting Senators, DC residents have no representation at all in the Senate.

**DC Legislature**

The Council of the District of Columbia serves as DC’s legislature. All Council members are elected on a partisan basis, with two seats reserved for members who are not from the majority party. Of the 13 Council members, four are elected at-large, as is the Chair, and eight are elected one each from the District’s eight wards. Members serve for 4-year terms. The Council passes legislation and has the power to create, abolish, or organize any District agency. The Council essentially serves year-round, breaking for a summer recess from mid-July to mid-September, when Council members concentrate on constituent services. The body is unicameral, just as is the Nebraska Legislature. Incidentally, the Nebraska state legislature with 49 members is the smallest in the US; New Hampshire’s, with 425 members, is the largest.

District residents also elect Advisory Neighborhood Commissioners (ANCs), who represent local neighborhood concerns. The system was designed to bring the government closer to the people and allow the people to get closer to the government. Today there are 40 ANCs and almost 300 Commissioners serving “Single Member Districts.” Commissioners are elected to 2-year terms in nonpartisan elections and serve without pay. Each represents approximately 2,000 people in a Single Member District.

**Lack of Autonomy:** DC’s Home Rule Act mandates the composition of the Council in two ways. First, the number of legislators is restricted to 13 with no provision for growth based on population increases or complexity of governing. Second, no more than two of the four at-large positions can be nominated by the same party. Most importantly, all legislation enacted, including the annual budget, must be submitted to Congress. Congress has 30 legislative days (days Congress is in session) to review the legislation, 60 days in the case of certain laws related to criminal offenses.

**DC Executive**
The Chief Executive of the District is the Mayor. The mayor has the responsibility to enforce all District law; administer and coordinate District departments, including the appointment of a District Administrator and heads of the departments (subject to confirmation by the Council); to set forth policies and agendas; and to prepare and submit the DC budget to the Council at the end of each fiscal year. The mayor either approves or vetoes bills passed by the DC Council; submits drafts of legislation to the Council; and can propose federal legislation or action directly to the president and/or Congress. Mayors can draft and enact executive orders relative to the departments and officials under their jurisdiction and reorganize any entities within the executive branch (except in the case of formal disapproval by the Council). The mayor is elected to a 4-year term in the same year as federal midterm elections take place. There are no term limits in the District. If the mayor is unable to serve, the Chair of the Council of the District of Columbia acts until a new mayor is elected.

The District’s agencies mirror those in most of the 50 states. Agencies include Planning and Economic Development; Education; Health and Human Services; Public Safety and Justice, which includes the Metropolitan Police Department and the Department of Human Resources; Policy and Legislative Affairs; and General Counsel. The District also elects its Attorney General. There are also a number of independent agencies, which include the DC Public Library, the University of DC, and the Criminal Justice Coordinating Council.

**Lack of Autonomy:** Like a governor, the Mayor signs bills before they become law. Unlike a governor, she must await Congressional approval before a law takes effect.

**DC Judiciary**

The District has two courts: the Superior Court, which is the trial court for DC; and the DC Court of Appeals, which is the equivalent of state Supreme Courts. In addition, five other bodies form the Judiciary branch. The Joint Committee on Judicial Administration handles various administration and personnel issues, including audits, annual budget requests, and liaison with other court systems. The Commission on Judicial Disabilities and Tenure is the judicial disciplinary agency that has the power to censure, reprimand, or remove judges from either the DC Court of Appeals or the Superior Court. The seven-member Judicial Nomination Commission recommends to the US President candidates for judgeships. Members of the Commission are appointed by the US President, DC Mayor, DC Council, Chief Judge of the US District Court, and the DC Bar. DC’s Sentencing Commission and Criminal Code Reform Commission develop recommendations for sentencing standards and criminal code revisions; they also maintain statistics, do training, and create sentencing guidelines.

**Lack of Autonomy:** The 50 states generally use one of five different methods for selecting their judges: 1) appointment by the governor; 2) appointment by the state legislature; 3) merit selection by a legislative committee based on past performance (some states also employ “retention elections” after judges have been in place); 4) partisan elections; 5) non-partisan elections. The common thread is that judges for any state are selected by some state action. Judges in the DC Court of Appeals and DC Superior Court are appointed by the President of the United States. DC is the only jurisdiction without the power to appoint its own judges.
The DC Statehood Toolkit is designed for citizens across the country to learn more about the District of Columbia and why DC Statehood matters to the residents of our nation's capital.

The Toolkit is a joint project of the League of Women Voters Education Fund and e League of Women Voters of the District of Columbia thanks to a generous grant from the government of the District of Columbia.