



COUNCIL OF THE DISTRICT OF COLUMBIA
THE JOHN A. WILSON BUILDING
1350 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20004

TESTIMONY OF CHAIRMAN PHIL MENDELSON
COUNCIL OF THE DISTRICT OF COLUMBIA

UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

SEPTEMBER 18, 2025

Thank you, Mr. Chairman, Ranking Member Garcia, and members of the Committee. I am Phil Mendelson and I serve as the Chairman of the Council of the District of Columbia. I welcome the opportunity to testify today about the state of the partnership between the federal government and the District of Columbia and the challenges District residents and my colleagues and I in the District government have faced in recent weeks.

When I last testified before this Committee in March 2023, I noted that the District, at the time, was facing an unprecedented level of federal intervention in our local affairs. Since then, federal attention to the District has only increased. Some of that has been positive. The Chairman, our congresswoman, Eleanor Holmes Norton, Mayor Muriel Bowser, and I were able to work together to draft and enact federal legislation to give the District long-term control over the federal property surrounding the former Robert F. Kennedy (RFK) stadium, along with authority to add housing and retail development on the site. In recent months, the Mayor, the Council, and the Washington Commanders were able to come to agreement on a deal that will deliver a world-class NFL stadium, 6,000 housing units, and nearly \$30 billion in new revenue for the District in the coming years.

Chairman Comer, thank you for your leadership on this issue and for working closely with us throughout the process.

Other attention the District has received over the past two years has been less welcome. In this Congress alone, a Continuing Resolution enacted to fund the government for the remainder of Fiscal Year 2025 inexplicably deprived the District government of \$1 billion in local funds we had already budgeted months previously. Even today, a little more than a week before the end of the fiscal year, the House has failed to act on legislation passed unanimously in the Senate to give the District back its money. In the absence of a legislative fix, the Mayor and the Council spent months taking extraordinary measures to blunt the impact of the Continuing Resolution and get District government agencies through the year without jeopardizing public safety and other priorities.

Members of the House and Senate have also filed an avalanche of legislation focused on the District. Since the start of the 118th Congress, which is not yet half over, more than 80 bills have been introduced to restrict or eliminate Home Rule or to amend or repeal local District laws. Unfortunately, this Committee just last week chose to move 13 of these bills to the House floor before even hearing testimony today from the Mayor, the Attorney General, and me. These bills—which would do serious harm to public safety and severely erode our ability to govern—did not receive a hearing. I’m unaware of any effort to solicit input on them from District residents. None of the three of us testifying today were consulted on them. In fact, all three of us registered our opposition, as did Congresswoman Norton. On top of that, the bill text was not made available until just days before the markup, and then in some cases heavily revised through amendments filed just hours before members debated and voted on them.

I recognize and respect the authority Congress is given under the Constitution and in the Home Rule Act to legislate on local District affairs. But this is not the way to do it.

My fellow Washingtonians and I also have had to deal with the implications of President Trump’s August 11 declaration of a public safety emergency in the District. I continue to believe, as my Council colleagues and I said in a statement we issued on the 11th, that the President’s actions represented a manufactured crime crisis to justify an intrusion on the District’s autonomy. At a time when violent crime is at the lowest rate we’ve seen in 30 years, there is no federal emergency that the District needs the President to address.

Public Safety in the District

That said, I acknowledge things did not look as good two years ago as they do today. Just after my last appearance before this Committee, the District did see a spike in crime. A post-COVID increase in homicides and carjackings crested and a series of high-profile incidents received significant media and congressional attention. In response to what we were seeing, the Council worked with the Mayor and the Metropolitan Police Department (MPD) to address concerns raised by MPD about policies that were having a negative impact on public safety, police morale, and officers’ ability to effectively patrol our neighborhoods.

For example, we enhanced penalties for crimes like assault and violent crimes committed on transit and in our parks and recreation centers. We increased the use of pretrial detention for individuals arrested for violent offenses and made it easier to prosecute carjacking. We authorized MPD to create temporary “Drug Free Zones” around the city, giving police new tools to prevent violence in areas experiencing significant drug activity. This summer, we worked with the Mayor to establish juvenile curfews as needed to prevent the types of large gatherings that had contributed to violence and other crimes in the past.

These interventions have paid off. Violent crime overall is down more than 50 percent compared to 2023. Carjackings are down nearly 70 percent.

We’ve also worked directly with the police. We updated a 2020 District law to keep certain information about police misconduct investigations confidential to protect officers and their families. We also modified District policies on body-worn cameras to facilitate officers’

ability to file accurate reports and protect their identities when footage is released. We also took steps to prevent frivolous misconduct allegations and ease restrictions on vehicular pursuits.

Despite this progress, I know that residents and visitors to the District do not always feel safe. As is the case in large cities across the country, crime is still at an unacceptable level and, as always, warrants continuous examination and attention. Going forward, the Council will continue to monitor crime trends and look regularly at our laws to be sure they continue to be effective in protecting public safety in the District.

Today, our focus is on hiring more police. This summer, the Council adopted a recommendation from the Mayor to increase MPD's budget by \$30 million to boost hiring and equip officers with the latest crime-fighting technology. These resources should allow MPD to bring on 300 new officers in Fiscal Year 2026. Also, just this week, the Council approved a new contract for MPD that will increase officers' pay by 13 percent, higher than the rate of inflation. In the coming weeks, we'll consider additional legislation to update the District's pension program to encourage older officers to stay on the force longer before retiring.

These actions flow from consensus across the ideological spectrum in the District government that we need more police. We have 3,200 today, down from around 3,800 pre-COVID. Projections indicate that number could dip below 3,000 if our recruitment and retention efforts fail. We cannot let that happen, but we face stiff headwinds.

Since 2020, police departments across the region and the country have faced challenges in recent years in hiring and have failed to hit their hiring targets. The District faces unique challenges given the large number of federal law enforcement agencies with significant operations in the region that compete for the same hiring pool as MPD. For example, we are now offering MPD recruits \$25,000 hiring bonuses, the Secret Service's Uniformed Division is offering \$50,000.

Given the role MPD routinely plays in partnering with federal law enforcement and performing security work at the request of federal agencies—even before the President's declaration—building capacity at the department could be an area of constructive partnership between the District and the federal government. An amendment offered at last week's business meeting by Rep. Wesley Bell (D-MO) would have funded a number of public safety initiatives in the District, including \$100 million to accelerate hiring at MPD. The amendment was unfortunately defeated on a party-line vote.

The Impact of the Presidential Declaration

Given the challenges the District has had in maintaining our desired force levels at MPD, one constructive component of the President's declaration has been the deployment of federal law enforcement personnel who MPD Chief Pamela Smith has been able to use to enhance her department's local policing work. MPD has published data indicating that this additional manpower has helped MPD to drive down the incidence of certain types of crime. Mayor Bowser has issued an order establishing a task force intended to coordinate the continuing surge of federal law enforcement in the District and ensure that the additional officers are deployed as

constructively as possible. But this surge isn't sustainable. For one, agencies like the Park Police, DEA, and FBI have their own areas of responsibility that they'll eventually need to return to. There's also the fact that District residents, frankly, don't want more federal agents policing our streets. This is due in very large part to operations undertaken by ICE and the National Guard in recent weeks.

With respect to ICE, I recognize that immigration enforcement is being ramped up around the country. Those of us in the District aren't alone in witnessing the disturbing scenes of masked, unidentified, armed men in unmarked cars grabbing people off the street without explanation. To the extent the recent federal activities here have had any positive impact at all, that impact is blunted by the fact that residents equate it with whatever ICE has decided they need to do in our neighborhoods. If ICE must continue its operations in the District, they need to change their tactics, stop hiding behind masks, discontinue racial profiling, cease detaining lawful immigrants, and afford detainees due process.

The situation with the National Guard is also troubling. Some of the more than 2,300 guardsmen deployed in the District today are from our own District of Columbia National Guard. But as I sit here today, the more than 900 D.C. National Guard on our streets are supplemented by more than 1,300 guardsmen from other states. For reasons that are unclear, some of them are armed.

Let me be blunt. We do not need the National Guard to be deployed here in the District. As I've stated, violent crime is down. There has not been a national disaster. There is no rioting or insurrection occurring here. Guardsmen receive no public safety or legal training and cannot investigate or solve crimes. According to news reports, they seem to be spending much of their time picking up trash and doing landscaping. I appreciate their help with that, but the presence of armed soldiers in our neighborhoods has mostly agitated and sown fear among residents. It is un-American to have the military patrolling our streets.

Even the Guard's own assessment of the impact their deployment has had notes that their presence in the District has been met with "alarm and agitation." Among guardsmen themselves, the deployment has apparently generated "Fatigue, confusion, and demoralization." The deployment is unnecessary, counterproductive, and illegal. It's time to pull the plug and let these men and women go back to their jobs and families.

Taken together, I fear that ICE's tactics and the National Guard's militarized presence are generating mistrust of law enforcement generally among District residents. I know that MPD works hard to build trust among the residents they serve. Community policing is a proven tactic to reduce crime. We want residents to feel like they can turn to our police when they're in trouble or they see something wrong. To the extent residents associate day-to-day MPD policing activities with the ICE arrests and National Guard presence that they see in their communities, they may be less likely to report a crime and less willing to cooperate with police investigations. We can't allow that to happen.

ICE and the National Guard are also having a negative economic impact in the District. According to data provided by the DowntownDC Business Improvement District, average daily

visits downtown by commuters declined by nearly 10 percent in the three weeks after the President's declaration compared to the six weeks prior to August 11th. Visitor traffic during the workday and in the evenings dropped even more dramatically, by nearly 25 percent. Unfortunately, these trends are continuing into September even with Congress back in session and residents and commuters home from vacations and returning to the office. Overall, daily visits downtown by both commuters and visitors in September are down nearly 7 percent compared to previous years. These trends come at a time when international tourism to the District and across the country is already significantly down, a troubling sign for an industry that had been a bright spot in the District's economy even before the dramatic reduction in crime we've achieved in recent years.

Despite claims that the President's declaration has led to a boom in residents looking to dine out in the District, the decline in foot traffic and tourism appears to have had the biggest, most concerning impact on our restaurant industry. Nearly 80 percent of restaurateurs have indicated that the President's declaration had a negative impact on their business, and 70 percent say sales are down. News reports have quoted restaurant owners comparing developments over the past month to the COVID era, with the head of the Restaurant Association of Metropolitan Washington calling the current situation "Pandemic 2.0" for his members. Restaurants have had to operate with fewer employees due to fear of ICE raids and are eliminating menu items to cut costs.

Opportunities for Future Cooperation

I mentioned earlier that federal assistance in MPD hiring would be welcome. Before I conclude my testimony, I'd like to mention several other areas where Congress, the Trump Administration, and District officials could work together:

1. Collaboration on Legislation – I mentioned at the start of my testimony how frustrating it is to see this Committee move more than a dozen bills impacting the District with very little notice, without a hearing, and without consulting the public or the District officials who would be left to deal with the outcome if any of the bills were enacted.

There are things the District needs done legislatively that only Congress can do. The Chairman's RFK bill and the legislation approved last week to authorize electronic transmittal of District laws to Congress for review are two examples of this, and in both cases Congress, the Mayor, and the Council worked together and achieved positive results.

In other areas, such as public safety, there has been disagreement between District officials and Congress about what our local policies should be. Congress, and this Committee in particular, have responded not with an offer of dialogue or a request or suggestion that certain policies should be reconsidered, but rather with hastily drafted bills that nobody who'd be charged with implementation has had a chance to weigh in on. Many of the bills would make it harder to fight crime.

Running a government is an incredibly complex undertaking. It can't be done effectively if laws are changed hastily rather than thoughtfully.

2. Law Enforcement Hiring – I repeat my support for the provision in Rep. Bell's amendment that would have helped the District hire more police officers. This assistance would have significant impact and would allow federal law enforcement currently deployed in the District to return to their normal duties.

There is also a need to staff up at the U.S. Attorney's Office for the District of Columbia. The U.S. Attorney's predecessor unfortunately fired or demoted dozens of prosecutors earlier this year for seemingly questionable reasons. Swift justice is an important element of crime prevention, and a fully staffed U.S. Attorney's Office is essential to an efficient judicial system.

3. Full Funding for MPD's Federal Work – As I've discussed at this Committee previously, MPD routinely performs work at the request of federal agencies. This includes protection for motorcades and federal property, and work related to events like the presidential inauguration and the recent parade to commemorate the U.S. Army's 250th anniversary. MPD's federal role only increased following the President's declaration. Unfortunately, Congress has routinely failed to fully reimburse MPD over the years, forcing the Department to absorb tens of millions of dollars in costs. Over the four previous fiscal years, the underfunding by Congress totaled \$85 million. The resulting burden strains MPD's ability to do all it would like to do when it comes to local policing.

I stress: these payments to MPD are not a grant, they are reimbursement. Full reimbursement is an easy way for Congress to help improve public safety in the District.

4. Filling Judicial Vacancies – It's not commonly known that the courts that handle criminal and civil cases in the District are actually quasi-federal courts with federally appropriated budgets, and with judges nominated by the President and confirmed by the Senate. There are now 15 vacancies on our Court of Appeals and Superior Court, a 20 percent vacancy rate on each court. Two more vacancies are expected in early 2026. This is an untenable situation that has led to backlogs throughout the court system. To date, the President has nominated candidates for only four vacancies on the Superior Court. No nominees have been named for the Court of Appeals, which has one vacancy that has gone unfilled since 2013. The President has been sent more than 20 recommendations from our Judicial Nomination Commission of candidates willing to fill the remaining vacancies.

Seating judges on the Superior Court and Court of Appeals is a federal responsibility, but a failure to act over a number of years is impeding local criminal cases. I urge the President to move swiftly to send nominees to the Senate, and I urge the Senate to confirm them as quickly as possible.

Going forward, it is my hope that Congress can make the process for filling District court vacancies more efficient, but not by eliminating the current non-partisan process as this Committee has proposed. In the past, Congresswoman Norton and former Senator Tom Carper have introduced legislation, the District of Columbia Courts Judicial Vacancy

Reduction Act, to speed the District judicial confirmation process while maintaining the role played by the President, the Senate, and the independent and bipartisan Judicial Nomination Commission.

It is also my hope that Congress can provide the courts with the funding they need to manage case backlogs while the current vacancies persist, with small, impactful investments in areas like language translation services and additional magistrate judges.

5. Enhanced Oversight of Federal Public Safety Agencies – As is the case with our courts, several other agencies involved with public safety in the District are federal agencies that don't report to the Mayor or answer to the Council. We don't create policies for them, we don't fund them, and we can't hold them accountable for outcomes. I respectfully suggest that this Committee and others, as appropriate, step up efforts to examine operations at the U.S. Attorney's Office for the District of Columbia, the Court Services and Offender Supervision Agency, the Pretrial Services Agency, and the Bureau of Prisons related to public safety in the District.

I also ask that this Committee consider legislation to encourage more robust coordination between federal agencies and the District agencies performing public safety work. It may be necessary, for example, for Congress to examine the impact the federal Privacy Act has on efforts to share criminal justice information between the federal government and District public safety agencies. Congresswoman Norton has put forward legislation—H.R. 806, the District of Columbia Returning Citizens Coordination Act—to require better coordination and information sharing between the Bureau of Prisons and District agencies when a District resident is being released from prison. Today, we don't know when someone is on their way home. If the Congresswoman's bill were enacted, we would know and could develop re-entry plans to offer the services necessary to prevent recidivism. I encourage the Committee to move this bill quickly.

6. Enhanced Prosecutorial Authority for the District's Attorney General – As he will testify to today, the District's independent Attorney General, Brian Schwalb, has an impressive prosecution rate when it comes to the cases assigned to his office under current law. I recommend that the Committee consider assigning the District's Attorney General the ability to prosecute any misdemeanor case in the District. This will free the U.S. Attorney to handle the most serious and complex cases while generating an opportunity for the District, through the Attorney General, to do more to break the cycle of re-offenders.
7. Assistance with a New D.C. Jail – The District needs a new jail facility, but the project will be very expensive and has yet to be fully budgeted. Our jail houses federal prisoners so it's appropriate for the federal government to help in getting a replacement built. This partnership would mirror the partnership that led to the construction of the District's forensic lab 15 years ago.

State of the District

In closing, Mr. Chairman, I'd like to share some thoughts on the state of the District.

In short, we are a beautiful city. Our public parks are well maintained. Our roads are in good condition. We have a world-class public transit system. And we're making strides in creating housing and attracting private investment. The deal with the Commanders, given final approval by the Council yesterday, is just the latest example of our efforts to diversify the District's economy beyond the federal government.

As Chairman of the Council's Committee of the Whole, which has jurisdiction over education issues, I would be remiss if I failed to mention our education system. The District is making notable advancements in education. We lead the country when it comes to school choice. At the same time, District families are showing a growing confidence in our public schools. Enrollment at our public schools has continued to grow and is up almost 15,000 students from a decade ago, reaching nearly 100,000 students. That growth is in no small part because we've invested in our schools, well above the national per-pupil average. Our investment is generating growth in academic achievement that outpaces the rest of the nation: DC has grown 9 points on NAEP reading and math since 2011 compared to the national average, which has decreased by 6 and 3 points, respectively. We continue to be a leader among large city school systems when it comes to academic growth.

And finally, Mr. Chairman, we are well managed. We adopt a balanced budget on time every year. We spend within our budget every year. We have clean audits every year. We maintain strong reserves, more than required by federal law. All of our pension programs are fully funded and we continue to maintain "AAA" and "AA+" financial ratings despite Wall Street's express and repeated concerns about the negative economic impact of federal actions, such as the potential of a government shutdown at the end of the month.

Despite the concerns about this Committee's recent legislative actions and the negative impacts the President's declaration, my colleagues and I on the Council stand ready to work with you in partnership, Mr. Chairman, to continue the progress the District has made on public safety and in all the other areas I've mentioned.

I look forward to answering your questions.