DC STATEHOOD FAQS:
BACKGROUND AND HISTORY

The process for DC to become a state is the same one used by many states in the past: an act of Congress signed by the President. Nevertheless, there is considerable confusion and misunderstanding about how and why DC should become the 51st state.

Scroll down for answers to the following questions:

- Why Should DC Become a State?
- Why Now?
- Can DC Afford to Become a State?
- How Will DC Achieve Statehood?
- Does Statehood Require a Constitutional Amendment?
- What’s Been Tried in the Past...And Failed?
- Where Can I Read More?
- Who is Working on DC Statehood?

WHY SHOULD DC BECOME A STATE?

Washington, DC’s license plates say “Taxation Without Representation.” As those of us who live in DC know, this is because DC residents pay federal taxes and serve in the military but do not have voting representation in Congress. In addition, Congress approves all legislation passed by our city council, which means that Congress can and does nullify our local laws and limit what we do with our locally raised taxes. For example, Congress has refused to let our DC government use our tax dollars for local legislation for:

- Needle exchange programs
- Funding abortions for low-income women using city tax revenue
- Banning handguns.
With 700,000 residents, DC’s population is larger than the populations of Vermont and Wyoming and only a little smaller than Alaska, Delaware, and North and South Dakota. More than 60% of our population is African-American, Hispanic or Latino, Asian, or other ethnicities.

Our lack of representation is a clear case of voter suppression and racial injustice.

Enacting the Washington, D.C. Admission Act will at last give us representation in Congress and control over our state and local government.

WHY NOW?

DC Statehood is a Biden Administration priority. Eleanor Holmes Norton introduced HR 51, the DC Statehood bill on the first day of the 117th Congress and on April 22, 2021, the House passed the bill with all Democrats voting in favor. This is only the second time in history that a DC Statehood bill has passed the House. The Senate equivalent was introduced on January 27 and has 46 co-sponsors. The Senate Homeland Security and Governmental Affairs Committee held a hearing on the bill on June 22. HR 1, For the People Act of 2021, also provides support for DC Statehood.

Here is why DC Statehood is a real possibility in 2021:

- Momentum for DC Statehood has been building over the past four years, thanks in part to support from the new progressive Representatives elected during the 2018 midterm elections and to the work of DC’s Statehood activists (see the Washington Post article, *Is DC Finally on the Brink of Statehood*).
- The need for DC Statehood became more visible to people across the U.S. during last year’s Black Lives Matter protests when Trump called in heavily armed federal troops to put down the peaceful rally. If DC were a state, Trump could not have called in those troops without the agreement of the governor.
- The January 6 attack on the Capitol again proved that DC should be a state. Because DC isn't a state and doesn't have a governor, it cannot activate its own National Guard. So we waited hours for the federal government to act, resulting in one of the darkest days of American democracy.
- Raphael Warnock and Jon Ossoff won their January 5 Georgia Senate races, giving Democrats control of the Senate.

CAN DC AFFORD TO BE A STATE?

Yes. DC now operates as if it were a state with the exception of federal control over our courts and people in prison for committing felonies in the District of Columbia. The District receives between 25-30% of its budget from the federal government; as a percentage, this is less than
five states and is on a par with three others. Statehood would allow the District to tap other potential revenue sources that Congress presently prevents.

**HOW WILL DC ACHIEVE STATEHOOD?**

DC will become a state in the same way that all other states (with the exception of our original 13 colonies) have become part of the U.S.: by an act of Congress (passed by a majority) signed by the President. Here’s how it works:

- *The people vote in support of Statehood* (more than 86% of DC residents) approved a resolution in support of Statehood in 2016.)
- *DC drafts and approves a state constitution* (DC approved its state constitution in 2016.)
- *Congress enacts Statehood legislation, which cannot be repealed.* (Eleanor Holmes Norton introduced HR 51, the DC Statehood bill, on the first day of the 117th Congress with a record 202 co-sponsors. Senator Tom Carper (D-Del) introduced the Washington, DC Admission Act to the Senate on January 27 with 39 co-sponsors. The House passed HR 51 on April 22, 2021 and the Senate Homeland Security and Governmental Affairs Committee held a hearing on DC Statehood on June 22, 2021.)
- *The President signs the legislation.*

For the admission of other states, statehood legislation passed with a simple majority vote. Because of the filibuster, 60 Senate votes are now needed to pass most bills. However, the Senate voted to bypass the filibuster rule for approval of Supreme Court justices, executive branch positions, and federal judgeships. If a simple majority is enough to approve Supreme Court justices and to grant statehood in the past, it should also be enough to end taxation without representation by making DC the 51st state.

**Some history:**

The model described above that DC is using in our quest for statehood is known as the “Tennessee Model,” named for the way that Tennessee became a state. In 1785, residents of the territory of northwest Tennessee failed to gain statehood when they could not get the support of two-thirds of Congress. In 1787, they took a different approach – they called a constitutional convention in their territory, drafted a state constitution, and created a state government (including two senators). After 12 years of attempting to gain the attention of Congress 600 miles away, Tennessee’s two elected senators traveled to Congress to demand statehood. A month of bitter debate ensued between the Federalists and Anti-Federalists, with the former holding sway in the House of Representatives and the latter in the Senate. The Anti-Federalists favored Tennessee’s admittance, while the Federalists were opposed (the Federalists believed that Tennessee’s citizens, who would be added to voter rolls once statehood was attained, would swell anti-Federalist ranks and alter the balance of power – sound familiar?). Congress finally granted Tennessee statehood, and six territories followed suit using this method of forming a state, electing representatives and then demanding
statehood by showing up in the halls of Congress. DC is now using this model in our quest for statehood.

**DOES STATEHOOD REQUIRE A CONSTITUTIONAL AMENDMENT?**

**NO!** The power to grant statehood is given to Congress under **Article IV, Section 3, Clause 1 of the Constitution**. Further, **Article 1, Section 8, Clause 17** of the Constitution sets only a maximum size, “ten miles square,” for the federal district that is the “Seat of the Government of the United States.” Congress has the authority to redefine the borders of the federal district and shrink its size (to 68.34 square miles or a little over 8 miles square), as it did in 1846, when the portion west of the Potomac was returned to Virginia.

Creating Washington, Douglass Commonwealth (DC) will require a simple reduction in the size of the federal district to an unpopulated area, which includes the Capitol, the Mall and the Smithsonian museums, the White House, some federal office buildings, the Supreme Court, the military installations along the Anacostia River, and some key national parks and monuments.

Here are the sections of the Constitution that relate to the District and to statehood:

**Article I Section 8:** To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;

**Article IV Section 3:** New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.
For a succinct explanation of why the Republicans’ claims that DC Statehood would require a Constitutional amendment are completely specious, read this article by Steve Vladeck, who holds the Charles Alan Wright Chair in Federal Courts at the University of Texas School of Law and is a nationally recognized expert on the federal courts, constitutional law, national security law, and military justice. His assessment that DC Statehood does not require a Constitutional amendment is shared by Constitutional law experts such as Prof. Viet Dinh, Founding Partner Bancroft PLLC and Professorial Lecturer In Law Distinguished Lecturer In Government Georgetown University and House Representative Jamie Raskin.

In May 2021, 39 constitutional experts (including Laurence Tribe of Harvard Law, Erwin Chemerinsky of UC Berkeley Law, Larry Sabato of the University of Virginia, and Leah Litman of the University of Michigan Law School) sent a letter to Congressional leaders telling them that they have the authority to make DC the 51st state. The authors evaluated the three primary constitutional clauses at play in the Statehood debate — the Admissions Clause, the District Clause, and the Twenty-Third Amendment — and determined that there are no constitutional barriers to the passage of the Washington, D.C. Admission Act and DC Statehood.

WHAT’S BEEN TRIED IN THE PAST…and failed?

- **Legislation.** Several bills have been introduced in Congress to provide DC voting rights in the House of Representatives and/or Senate without making DC a state. Criticisms of this approach include that Congress might not have the authority to do so and that any law allowing voter representation could be reversed in the future.

- **Retrocession.** Originally part of Maryland and Virginia, DC became the federal capital in December 1800. Virginia’s portion of DC was returned to the state in 1846. Under retrocession proposals, Congress and Maryland would agree to return DC to Maryland, with the possible exclusion of the land immediately surrounding the Capitol, the White House, and the Supreme Court. One of several problems with this approach is that neither Maryland nor DC want it to happen. It would drastically change the political make-up of Maryland, diluting its traditional power bases (especially Baltimore). Additionally, both the Prince Georges and Montgomery County Councils have adopted a resolution in support of DC Statehood. These are the two MD counties adjacent to DC. The resolutions expressed support for the commercial and residential portions of the District to become the 51st State.

- **Constitutional Amendment.** As described above, Constitutional scholars have determined that a Constitutional Amendment is not required for DC to become a state. However, In 1978, Congress proposed the District of Columbia Voting Rights Amendment, which would have treated DC “as though it were a state” by providing congressional representation. The amendment was ratified by only 16 states (ratification by 75% or 38 states is required).
WHERE CAN I LEARN MORE?

Videos and Podcasts

51st from What’s With Washington. This WAMU Podcast examines the question: “Could D.C. ever be the 51st state?” It traces how racism, party politics, and even an attempted mutiny in Pennsylvania have stood in the way of the city’s path to full representation. It also tries to figure out if DC has a real shot at achieving statehood today.

DC Statehood: Students For DC Statehood. This short video presents a concise and compelling case for Statehood.

ELECTING TO DRINK PODCAST: EP-006 Taxation Without Representation. An interview with Bo Shuff of DC Vote provides an extremely informative podcast about why we need DC Statehood.

Justice For DC. This YouTube video by the DC Statehood Coalition provides a compelling argument for why DC should be a state. Three DC residents describe how they personally have been cheated and abused by not living in a state.

Articles, Op-eds, & FAQs

DC Vote - Historical Library and Washington DC - Historical Timeline of the Nation’s Capital. An in-depth history of Washington, DC, compiled by DC Vote.


Neighbors United for DC Statehood: FAQs. These comprehensive FAQs will provide answers to many of your questions.

Maine Voices: Will Maine Senators Let my Mom Vote? This op-ed from the Portland (Maine) Press Herald explains in clear terms why democracy must be brought to our nation’s capital at long last. It encourages Maine residents to urge Sens. King and Collins to sign on as co-sponsors of the DC Statehood bill.

Photos: DC has 51 New Statehood Murals and 51 Murals for DC Statehood. Check out some of the DC Statehood murals that were painted in June 2019.

The Window for D.C. Statehood Won’t be Open Forever.

Interesting Articles on Tennessee’s Quest for Statehood

- Opinion: As Statehood Day Approaches, Remember how Tennessee Set Model for Nation.
- Statehood Day: Celebrating Tennessee’s Original New Idea.
WHO IS WORKING ON DC STATEHOOD?

These groups are all involved in working for DC Statehood. They offer many resources on statehood and upcoming actions.

**Congresswoman Eleanor Homes Norton** - Our Congresswoman’s website for DC Statehood.

**Mayor Bowser - DC Statehood Page** - Learn about the State of Washington, DC (Douglas Commonwealth), read our state constitution, and more.

**51 for 51** - is pushing to achieve DC Statehood with a vote of 51 Senators, bypassing the filibuster rule that requires 60 votes.

**DC for Democracy (DC4D)** began as DC for Dean – a grassroots organization supporting the Howard Dean campaign in 2004.

**DC Statehood Coalition** - A coalition of national and local organizations that support statehood for the people of Washington, DC.

**D.C. Statehood Green Party** has fought on behalf of District residents for self-determination and the same basic rights of democratic self-governance since the party was founded in 1970 as the D.C. Statehood Party.

**D.C. Statehood - Yes We Can!** is a loose coalition of Statehood activists who came together in November 2008 to reignite the Statehood movement. The website provides a fairly comprehensive library of Statehood materials and history.

**DC Vote** - DC Vote is a national citizen engagement and advocacy organization dedicated to strengthening democracy and securing equality for all in the District of Columbia.

**League of Women Voters** - The National League endorsed statehood for DC on June 19, 2016 at their national convention in Washington, DC. They send their **LWV DC Statehood Toolkit** to every LWV chapter in the U.S. and to all DCPS history/civics teachers.

**Neighbors United for DC Statehood** - A group of District citizens who believe that grassroots community organizing and strategic congressional outreach can be the foundation and driving force behind the DC Statehood movement. Their strategy is to work neighborhood by neighborhood to educate and organize small groups at a time to build a sustainable movement for statehood.
**Stand UP! For Democracy in DC (Free DC)** - This group’s mission is to obtain full democracy for all residents of DC with equal rights under the U.S. Constitution and human rights consistent with international law, and to promote good governance for the welfare of all people.

**Students for D.C. Statehood** - A non-profit organization dedicated to educating and mobilizing students and young adults to advocate for equal voting rights and statehood for the people of the District of Columbia.