DC STATEHOOD FAQS: BACKGROUND AND HISTORY

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WHY SHOULD DC BECOME A STATE?

Washington, DC’s license plates read “Taxation Without Representation.” This is because the 700,000 Americans who call DC home pay federal taxes and serve on jury duty and in the military but have no voting representation in Congress. In addition:

- Congress can, and does, nullify local laws passed by our city council and limit what we do with our locally raised taxes. For example, Congress has challenged many of our local laws, including our efforts to control gun violence, and has refused to let our DC government use our own tax dollars to support needle exchange programs aimed at reducing the spread of HIV/AIDS, abortion access for low-income women, and other local laws. The Supreme Court has overturned Roe v. Wade and left

The Biden Administration supports DC statehood and Statehood bills have passed twice in the House and are now before the Senate.

DC Residents Pay Federal Taxes But Do Not Have Voting Representation In Congress. Yet, Residents Of Every Other National Capital In Democratic Countries Throughout The World Have Full Representation In Their National Legislature.
abortion rights to the states. But DC is NOT a state. If Republicans take control of Congress they could ban abortion here.

- DC is “large enough” to be a state. Our population of 700,000 is larger than the populations of Vermont and Wyoming and only a little smaller than Alaska, Delaware, and North and South Dakota. Many of DC’s residents have lived here for generations and have helped build a vibrant community with residential neighborhoods, schools, libraries, theaters, independent businesses, sports facilities, restaurants, bookstores, and parks.
- More than 60% of DC’s population is African-American, Hispanic or Latino, Asian, or other ethnicities. Thus, our lack of representation is a clear case of voter suppression and racial injustice.
- DC is the only Democratic nation where capital city residents do not have full voting rights.

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

<table>
<thead>
<tr>
<th>Residents’ Roles</th>
<th>50 States</th>
<th>DC</th>
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<tbody>
<tr>
<td>Pay Federal Taxes</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Serve in the Military</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>Serve on Jury Duty</td>
<td>✔</td>
<td>✔</td>
</tr>
<tr>
<td>Work and Help Grow the Economy</td>
<td>✔</td>
<td>✔</td>
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<tr>
<td>Live in a Diverse, Vibrant Community</td>
<td>Varies</td>
<td>✔</td>
</tr>
<tr>
<td>Have Voting Representation in Congress</td>
<td>✔</td>
<td>✖</td>
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<tr>
<td>Locally-passed Policies Become Law</td>
<td>✔</td>
<td>✖</td>
</tr>
<tr>
<td>Control Local Budgets</td>
<td>✔</td>
<td>✖</td>
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<tr>
<td>Control Use of Tax Revenues</td>
<td>✔</td>
<td>✖</td>
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<tr>
<td>Choose own Judges</td>
<td>✔</td>
<td>✖</td>
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<tr>
<td>Authority Over the “State” National Guard</td>
<td>✔</td>
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WHY NOW?

The people of Washington, DC have been fighting for full representation in Congress and control over our own laws for nearly 250 years. Today’s political climate makes it very likely
that if Republicans take control of Congress in 2022, they will seek to overturn our gun regulations, our laws permitting abortion, and many other local laws that DC voters support overwhelmingly. Making DC our 51st state is a piece of our American democracy that is long overdue.

We have begun the process of becoming a state and now is the time to complete it. 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, 2021 and now has 46 co-sponsors. The Senate Homeland Security and Governmental Affairs Committee held a hearing on the bill on June 22, 2021. HR 1, For the People Act of 2021, also provides support for DC Statehood.

WHY SHOULD NON-DC RESIDENTS CARE ABOUT STATEHOOD?

Even if you don’t live in the District of Columbia, it should matter to all Americans that 700,000 citizens do not share the same rights as their fellow citizens. It should matter that over 250 years after fighting a war to end taxation without representation, there are still Americans who have no representation in Congress.

These should be reason enough. But there are other reasons as well.

If you care about issues such as reproductive rights for women - especially since the Supreme Court has overturned Roe v. Wade - more effective gun control measures, health care access, and climate action, the new Senators and Congressmember DC will gain as the 51st state will be a gain for the Democratic party as a whole. Not only is Statehood the right thing to do, it will help us change the direction this country has been heading. Which is backwards. Now is the time to make a course correction. And DC Statehood can help us get there.

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:

<table>
<thead>
<tr>
<th>Steps in Becoming a State</th>
<th>DC’s Progress</th>
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<tbody>
<tr>
<td>DC residents vote in support of Statehood</td>
<td>✔️ More than 86% of DC residents approved a resolution in support of Statehood in 2016.</td>
</tr>
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</table>
### DC drafts and approves a state constitution

✔ DC approved its state constitution in 2016.

### Congress enacts Statehood legislation, which cannot be repealed

In Progress. 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 (we now have 46 co-sponsors, the largest number ever for a bill granting statehood to D.C.). 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

Waiting for Congressional Legislation.

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Other states have been admitted with a simple majority vote in Congress but because of the filibuster, 60 Senate votes are now needed to pass most bills. However, the Senate has 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 be enough to finally end taxation without representation in this country by making DC the 51st state.

**WHAT WILL THE NEW STATE LOOK LIKE?**

Some opponents of DC Statehood worry that making DC a state will mean that there will no longer be a federal district to visit. As seen from the map, the Mall, Capitol, White House and most federal

![Map of Washington, Douglass Commonwealth (DC)](image-url)
buildings will be separate from the new state.

**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, 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.

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 House Representative Jamie Raskin and Prof. Viet Dinh, Professor of Law at Georgetown University and Chief Legal and Policy Officer of Fox Corporation.

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.

**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 DC residents in prison for committing felonies in the District of Columbia. The District receives 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.
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. For example, in 2008 a bill was introduced to give DC residents one Congressional Representative (but not full self-rule) and Utah an additional Representative. The bill came close to passing but at the last minute the Senate adopted an amendment that would have severely restricted DC’s gun control laws, and the bill did not pass. Criticisms of legislative remedies 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 in 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).

HOW DID WE GET HERE?

In 1791, the city of Washington was carved out of VA and MD to be the new Federal District, and residents (i.e., White landholding men) in VA and MD continued to vote in their respective states. However, in 1801, Congress passed the Organic Act, which decided how DC should be governed. The Act was hastily put together and it failed to provide a mechanism for DC residents to vote in federal elections, effectively stripping them of that right. So, just like that, White landholding men living in the new federal district lost their right to vote.

As slavery became a more divisive issue, Abolitionists pressured Congress to abolish the slave trade in DC, maintaining that the seat of the country which professed liberty for all,
should not permit slave trade from the shores of the Potomac in DC. Congress abolished the slave trade (but not slavery) in 1850, and DC became a magnet for free Blacks.

After the Civil War, in 1862, Congress abolished slavery in the District and soon after that, Black men gained the right to vote in local elections. DC voters followed in the footsteps of the new Black male voters in many states during Reconstruction and began to elect Black leaders to represent them. The rising influence of Black leaders, along with the financial “missteps” of Alexander "Boss" Shepherd, a White man appointed by President Grant to improve the local infrastructure in DC, led to the abolishment of the local government of the District of Columbia. This was one of many points in DC’s history when our lack of representation was a clear case of voter suppression and racial injustice.

In 1878, Congress established a new form of DC government where Congress served as the District’s legislature and DC was governed by three Presidential-appointed commissioners: two civilian commissioners and a commissioner from the military Corps of Engineers. This government lasted for 89 years until August 1967, when the commissioner form of government was replaced by a Presidentially appointed mayor-commissioner and a nine-member city council.

In 1961, pressure from the Civil Rights Movement led to the passage of the 23rd Amendment, giving District residents the right to cast their ballots for President and Vice President.

In 1970, The U.S. House of Representatives restored the position of non-voting Delegate from the District of Columbia (DC briefly had a delegate to Congress from 1871-1875). Walter E. Faunteroy held this position from 1971 until January 1991, when Eleanor Holmes Norton was elected. After almost 100 years of being governed by three Presidential appointed commissioners, the "Home Rule Act," signed into law in December 1973, granting District residents a locally elected mayor and city council. But, as noted above, Congress approves all of our legislation and can, and does, nullify our local laws and limit what we do with our locally raised taxes. Only Statehood will finally give DC residents full representation and rights.

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.

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 Home Rule. This is a brief summary of how DC’s home rule works, and the history leading up to the “District of Columbia Home Rule Act of 1973.”

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.

District Of Columbia Voting Rights, Wikipedia. Yes, It's From Wikipedia - but It provides a comprehensive discussion of the issues related to DC voting rights.

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. This Atlantic article explores the timing for statehood, given issues such as the filibuster and upcoming midterm elections.

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 (non-voting) 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.