

To: The House Government Operations Committee
From: Falko Schilling, Advocacy Director ACLU of Vermont
Re: J.R.H. 4 Joint resolution urging Congress to admit Washington, D.C. into the union as a state of the United States of America
Date: 4/20/21

I write today to express the ACLU of Vermont's support for J.R.H. 4 a Joint resolution urging Congress to admit Washington, D.C. into the union as a state of the United States of America.



Washington, D.C. is the only national capital in the democratic world whose citizens do not have equal voting and representation rights. People who live in Washington, D.C. are just like citizens of any state in the nation. They are veterans, nurses, grocery store clerks, teachers, family members, neighbors, and volunteers. They deserve the same full voting rights as every other American.

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The ongoing denial of full voting rights to the 712,000 residents of D.C., most of whom are Black and Brown, is an egregious example of ongoing voter suppression happening in our country today.

James Duff Lyall
Executive Director

This isn't a coincidence. The hard truth is that the denial of statehood to D.C. residents for more than 200 years is rooted in racism. In 1867, right after the Civil War, President Andrew Johnson vetoed a bill that would grant citizens of the District--including Black men--the right to vote. Congress overrode the veto, briefly granting notable and historic political influence to Black Washingtonians. But just as Black voters started to exercise their political power in D.C., Congress quickly replaced D.C.'s local government with federally appointed commissioners, blocking the heavily Black region from having full voting rights or control over its own local government.

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Advocacy Director

Congress made it clear that their goal was to disempower an increasingly politically active Black community. In 1890, Senator John Tyler Morgan of Alabama stated, after "the negroes came into this district," it became necessary to "deny the right of suffrage entirely to every human being." Senator Morgan explained his rationale, shamefully saying that Congress had to "burn down the barn to get rid of the rats." It is long past time for our country to correct this heinous and ugly historical wrong and grant full voting rights to all D.C. residents.

D.C. statehood is constitutional. Under the U.S. Constitution, Congress has the authority to admit new states, so making D.C. a state would not require any new constitutional amendments. In fact, Founding Fathers James Madison, Alexander Hamilton, and John Jay always envisioned full voting rights for D.C. residents, writing in the Federalist Papers that D.C. residents "will have had their voice in the election of the government which is to exercise authority over them."

Fast forward to today: there is already a solution on the table that would allow D.C. to move forward with statehood. The Washington, D.C. Admission Act would create a state from the residential areas of D.C. and carve out federal land -- including the U.S. Capitol, the White House, and other federal buildings -- as the federal district. The federal district would be two-square miles and called the Capital. The 51st

state, called the State of Washington, Douglass Commonwealth, would have no jurisdiction over the Capital. We know for certain Congress has the constitutional power to reduce the size of the Capital because it has already done so. In 1848, Congress returned most of Arlington and Alexandria from D.C. to the state of Virginia. Even before that, in 1791, just four years after the Constitution was signed, Congress changed the District's configuration.

Denying D.C. statehood means denying D.C. residents autonomy. D.C. doesn't have control over its own laws or even full control over its own criminal justice system. Unlike every other state, D.C. cannot pass its own laws without "congressional review," something Congress has repeatedly used to block the will of the people in D.C. Congress is also able to create its own laws for D.C. residents, without any input from D.C. residents themselves -- something Congress does frequently through forced "riders" on D.C.'s budget every year. Some of the many examples of how Congress has stepped in to block the will of the people in D.C. include:

- In 1998, Congress blocked D.C. from using its own funds to pay for an HIV/Needle Exchange Programs, stalling the program by nearly a decade and costing D.C. residents' lives and money.
- In 1989, Congress introduced the Dornan Amendment, which to this day still blocks D.C. from using its own local tax dollars to provide abortion coverage for individuals enrolled in Medicaid--something that all other states are free to do.
- In 1992, the D.C. Council legalized same-sex domestic partnerships in the Health Benefits Expansion Act, but Congress refused to allow D.C to fund the measure until 2002, delaying benefits of the act for a decade.
- In 1981, the D.C. Council repealed the District's death penalty. In 1992, Congress ordered a referendum in D.C. in an attempt to reinstate the death penalty in the District.
- In 1981, Congress overturned legislation to decriminalize same sex activity in D.C., stalling D.C.'s effort to remove a discriminatory law against L.G.T.B.Q people by more than a decade.

It is wrong and outright anti-democratic for Congress to overrule the will of D.C. residents to determine local laws. It's not just a political issue, it's a health and safety issue for everyone who calls D.C. home.

According to the 2020 census, 712,816 people live in D.C. That's more than the populations of both Vermont and Wyoming, and it's comparable to the populations of Alaska, North Dakota, South Dakota, and Delaware. Among D.C.'s voting population today are more than 11,000 active-duty service members and more than 30,000 veterans, all of whom are being denied their full voting rights simply because they live in D.C. These service members risk their lives to protect the rights of Americans, yet they are denied their own full rights at home.

D.C. already operates with the responsibilities of statehood--just without the same representation or rights afforded all other states. D.C. residents pay the highest per-capita federal income taxes in the U.S. In total, D.C. residents pay more in federal income tax than residents of 22 other states, but they have no say over how those federal tax dollars are spent by Congress. D.C. receives less federal funding than five states, and about the same as three other states. In fact, D.C. has a greater



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gross domestic product than many states. and has balanced its budget every year for at least 20 years. D.C. has a AAA bond rating, a rating higher than 35 states.

It is long past time for D.C. to be granted statehood. Making D.C. a state is not a partisan issue, it is a campaign for equal civil rights. It is a democratic effort to re-enfranchise more than 712,000 Americans who have been wrongly denied their full voting rights for more than 200 years. Every member of our state legislature, every member of the U.S. Congress, and every person who believes in our Democracy and equal rights should support D.C. statehood.

Thank you for your consideration, and we respectfully ask the committee to approve JRH 4 to demonstrate this legislature's support for D.C. statehood.

Thank you.

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