THE D.C. STATEHOOD PROPOSAL IS UNCONSTITUTIONAL AND IRRESPONSIBLE

HOUSE COMMITTEE ON OVERSIGHT & REFORM, MINORITY

TOPLINE SUMMARY OF H.R. 51:

The push to create a fifty-first state out of the District of Columbia and carve out a tiny enclave to serve as the federal district represents exactly what the Founding Fathers sought to guard against: one state controlling the seat of the national government. The partisan proposal by the Democrats seeks to create a new state – Washington, Douglass Commonwealth – and figure out the details later. The proposal is unconstitutional and ignores a simple truth: D.C. (or any city) cannot shoulder the responsibilities of statehood.

House Republicans should reject this proposal because:

<u>The Founding Fathers never intended for D.C. to become a state, and carefully crafted the Constitution so the seat of the federal government would *not* be within a state.</u>

- The Founders knew the federal District could become a densely populated city, but they believed representation in either house of Congress was reserved for representatives/senators from states.
- Alexander Hamilton introduced an amendment that would have given the District representation in the House, but the amendment was rejected.
- The representation Democrats claim statehood would give residents could be achieved by ceding the land that was once Maryland's back to the state (as was done with Virginia), avoiding creating the smallest state in the Union from a city.
- The federal enclave would be surrounded by the new state. The federal government and nearly every foreign embassy would be dependent upon the new state for services such as electrical power, water, sewers, snow removal, police, and fire protection.

<u>The admission of D.C. as a state requires a constitutional amendment. The 23rd Amendment would need to be repealed (by another amendment) to prevent the presidential family from having three electoral college votes. The constitution does not distinguish between the seat of the federal government and the District where the government is seated.</u>

- A constitutional amendment is a much higher hurdle to clear than the simple majority requirement to pass this bill (requiring 2/3 majority votes in both the House and the Senate and then state ratification).
- The 23rd Amendment gives the District three electoral college votes in presidential elections. If all citizens besides the presidential family are removed from the District, they would have undue influence in presidential elections. Repealing a constitutional amendment requires the passage of a constitutional amendment.
- The Constitution allows for the admission of new states from federal territories or by carving out territory from existing states. The district is neither a territory nor a state. There is no provision regarding the creation of a state from the only federal district, and this would need to be amended to allow D.C. to become a state.

A majority of Americans do not support D.C. statehood. District statehood is not synonymous with voting rights for D.C. residents since D.C. residents already have the right to vote in federal and District elections.

- In response to a Gallup poll conducted from June 19-30, 2019, sixty-four percent of Americans responded that they oppose District statehood.
- District residents already have the right to vote in federal and District elections. District residents have voted in presidential elections since 1964 (following the ratification of the 23rd Amendment in 1961).
- The citizens of the District have adequate representation in the federal government. They get three electoral votes and their own Delegate in the House of Representatives. No other city in America gets this level of representation in Congress.

The District still relies heavily upon the federal government to ensure its solvency. The D.C. government and taxpayers are unprepared to pay the price of statehood. The last time D.C. had full responsibility over its budget, the federal government had to step in to rescue the District from financial ruin.

- The federal government provides hundreds of millions of dollars to fund the District's judicial branch. Neither the District nor the bill's supporters have offered a proposal for how the new state will come up with the lost revenue from the federal government.
- The Revitalization Act switched the responsibility for funding the pensions of District police officers, firefighters, judges, and teachers to the federal government. As drafted, H.R. 51 would require the federal government to continue funding the District's pension fund bailout which Congress previously enacted to rescue the District from its financial crisis.
- The District's budget does not adequately reflect federal funding for other state-like functions—including Medicaid. If the District became a state and lost its special treatment, the federal match could drop from seventy percent to fifty percent and leave the District with a significant funding gap.