



Will DC become the 51st state? Advocates to make their case in Congress with boost from Elizabeth Warren

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WASHINGTON – New legislation under consideration in the House of Representatives could make Washington, D.C., the 51st state if it's passed into law.

The bill, aptly named "H.R. 51," is being debated on Thursday morning before the House Committee on Oversight and Reform, in the first House hearing on statehood since 1993.

The District's single nonvoting member of Congress, Del. Eleanor Holmes Norton, a Democrat, is the bill's sponsor, which has the backing of most House Democrats, including House Speaker Nancy Pelosi.

Sen. Elizabeth Warren, D-Mass., also a Democratic presidential candidate, tweeted in support of the statehood push.

"Washington D.C. residents deserve an equal voice in our government – they deserve statehood now," she wrote.

Sen. Cory Booker, D-N.J. and businessman Tom Steyer also offered support for statehood.

The push for D.C. statehood comes as other U.S. territories like Guam and Puerto Rico have voiced their concerns about greater representation in Congress.

Democrats plan to call on statehood advocates like D.C. Mayor Muriel Bowser and City Council Chairman Phil Mendelson, while Roger Pilon of the libertarian Cato Institute plans to speak in opposition.

Statehood has been a longstanding goal of advocates, who say the district's current status amounts to the "voter suppression" of a majority-minority city.

Opponents, on the other hand, say that D.C. statehood would pose practical and constitutional challenges.

How would this work?

The bill would lay the groundwork for the admission of a new state called Washington, Douglass Commonwealth, which would be represented by two senators and one member of Congress.

Its territory would encompass all of D.C.'s current land, except for exclusions around monuments and federal buildings like the White House and Capitol building.

The bill does not give many details about the separation of city services and funding from the federal government, something sure to pose logistical challenges in the future.

The Constitution gives Congress the ability to set its own conditions for admitting a state. Under the Admission Clause, "New States may be admitted by the Congress into this Union."

An ACLU analysis of the bill found it "constitutionally permissible" based on existing constitutional interpretations. "It complies with the District and Federal Enclaves Clause, the Admission Clause, and the Twenty-Third Amendment," the ACLU concluded.

Why isn't D.C. already a state?

The Constitution is vague on the subject of Washington, D.C. Article I, Section 8 of the Constitution allows Congress to create a "District (not exceeding ten miles square)" to become the seat of government.

Initially, Congress was given complete control over the district's legislation out of fears that a single state could wield too much power over the federal government. Later acts of Congress granted greater self-rule to the District, and the 23rd Amendment gave the District three electoral votes.

James Madison wrote in the Federalist No. 43 that the federal government needed to have supreme authority at the seat of government and warned of the accumulation of too much power in a single state:

A dependence of the members of the general government on the State comprehending the seat of the government, for protection in the exercise of their duty, might bring on the national councils an imputation of awe or influence, equally dishonorable to the government and dissatisfactory to the other members of the Confederacy.

Pilon, who plans to testify today, told local television station WUSA9 on Wednesday, "the Constitution is very clear" on statehood and argued that a constitutional amendment to repeal the 23rd Amendment was needed to achieve statehood.

"If the vote matters that much to you, you're going to have to move to a real state," he said.

The possibility of the statehood bill passing into law also seems slim.

Senate Majority Leader Mitch McConnell told Fox News in June that D.C. statehood would give Democrats an advantage in the Senate and allow them to expand the Supreme Court.

"They plan to make the District of Columbia a state – that would give them two new Democratic senators – Puerto Rico a state, that would give them two more new Democratic senators, and as a former Supreme Court clerk yourself, you've surely noticed that they plan to expand the Supreme Court," he said to Laura Ingraham.

The District's admission as a state would give greater power in the Senate to Democrats. The District's voters opted for Hillary Clinton by overwhelming margins in 2016, and it is likely that the District would elect Democratic members of Congress.

The Senate is currently split 53-47, with Republicans holding the majority. D.C.'s admission would make that a 53-49 split, and if Puerto Rico ever became a state and elected two Democrats, it would make the Senate a 53-51 split.

Why do advocates want D.C. to become a state?

D.C. Mayor Muriel Bowser says the "denial of democracy in Washington, DC is voter suppression," as well as a "civil rights injustice."

Census Bureau data shows that D.C. is a majority-minority city. 46.4% of the population is African-American, 11.3% is Hispanic or Latino, and 4.4% is Asian.

The District's population is larger than Wyoming and Vermont, too.

Del. Eleanor Holmes Norton cites District residents' federal tax contributions and participation in every U.S. war.

"We pay the most per capita in federal taxes. Our residents have fought and died in every US war. But we have the least in representation and self-government," she wrote on Twitter.

Advocates also point to Congress' ability to overrule D.C.'s laws, which puts the generally progressive local government at odds with the federal government.

For example, the District has attempted to legalize marijuana, but a provision in the federal budget prevents it from spending federal money or the District's own money to implement laws relating to marijuana.

Then-President Barack Obama said in 2014 that he was for D.C. statehood at a local forum, citing the need for political representation if city residents paid federal taxes. He also put the District's "Taxation Without Representation" license plates on the presidential limousine.

President Donald Trump, for his part, told the Washington Post editorial board in March 2016 that "I don't see statehood for D.C."