



New hearing on D.C. statehood, same old partisan lines

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The first House hearing on D.C. statehood in nearly 26 years revealed old battle lines over giving the District of Columbia's 702,000 residents full representation in Congress. House Oversight Committee Democrats applauded statehood as a long-overdue correction of an anomaly, while Republicans said corruption made D.C. unfit for full voting rights and claimed the whole thing was unconstitutional anyway.

Thursday's hearing grappled with HR 51, a bill that would admit the State of Washington, Douglass Commonwealth, into the Union as the country's 51st state, and provide it one House representative and two senators in Congress. The District is currently represented by a nonvoting delegate, [Eleanor Holmes Norton](#), a Democrat who introduced the bill.

The bill would establish D.C. territory and exclude certain federal buildings, such as the Capitol complex. That federal enclave would have complete authority over the reduced federal footprint within the District of Columbia.

The line to enter the packed Rayburn Office Building hearing room was long, filled with proponents of D.C. statehood who were dressed in red and white clothing and donned the three-star D.C. flag.

Step-by-step, D.C. Mayor Muriel Bowser addressed the arguments against statehood, including the notion that it is unconstitutional and that the city is poorly governed.

"I was born in Washington, D.C., and generations of my family — through no choice of our own — have been denied the fundamental right promised to all Americans: the right to full representation in the Congress guaranteed by statehood," Bowser said.

Ranking member [Jim Jordan](#) pounced on Bowser's arguments in his opening statement. The Ohio Republican took issue with the absence of D.C. Council Member Jack Evans.

Evans — embroiled in a corruption scandal and under federal criminal investigation — was rejected as a minority witness by Chairman [Elijah E. Cummings](#), D-Md. The committee had already invited the Cato Institute's Roger Pilon as a minority witness, and Cummings disagreed with Jordan's effort to link Evans' scandal to the D.C. statehood issue.

"Sadly, the allegations against Mr. Evans are just the latest in a series of local D.C. political scandals," said Jordan, who requested that the committee subpoena Evans.

Constitutional Argument

Jordan and other Republicans said the D.C. statehood effort — which has garnered 219 cosponsors, none of whom is Republican — needs to accomplish that goal through a constitutional amendment instead of the bill before them.

“Of course I support voting rights, but let’s be clear: HR 51, even if signed into law, could not turn Washington, D.C. into a state,” Jordan said. “In order for the District to become the 51st state, Congress needs to pass and the states need to ratify an amendment to the Constitution.”

D.C. is an overwhelmingly Democratic city. If granted statehood, the District would likely provide the Democratic Party with a boost in both chambers.

“This is a constitutional malfeasance if it’s done,” said Rep. Ralph Norman, R-S.C.

Kenneth Thomas, a legislative attorney at the Congressional Research Service who testified at the hearing, noted that Congress’ methods for admitting states into the Union “have varied dramatically.”

Six states — Tennessee, Michigan, Iowa, Oregon, Kansas and Alaska — became states through the “Tennessee Plan,” wherein the territories drafted a constitution and elected senators and representatives without any authorization from Congress. Statehood was then affirmed by congressional vote, according to the Congressional Research Service.

The bill could pass the House, but if it makes its way to the Republican-controlled Senate, it is very unlikely that it would even reach the floor for a vote, a political context which Pilon presented in his testimony. The constitutionality of D.C. statehood is an issue that would be settled at the Supreme Court, he said.

“On that constitutional question, I fully grant that there is a credible case on either side of the question,” Pilon said. “Although, obviously I’m of the view that the better argument is that it will take a constitutional amendment to turn the District of Columbia into our 51st state.”

D.C. statehood raises new constitutional questions, according to Thomas.

“Whether Congress can create a state from the District of Columbia raises novel constitutional questions, and there is little case law directly on point,” he said in his written testimony.

Trayon White Sr., a D.C. Council member from Ward 8, said residents in the city are living without the rights afforded to all other Americans.

“The reality is that we’re all second-class citizens who don’t have the rights that every other American has in the United States, and it’s imperative that other members all across the United States see our plight and fight with us,” White said.

The bill will likely be marked up in committee and then could head to the floor for a vote.