



6 questions about Washington, DC, statehood you were too disenfranchised to ask

By [German Lopez](#)
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Before [marijuana legalization](#) takes effect in [the District of Columbia](#), the voter-approved measure must go through a 30-day congressional review. But the measures passed on the same day in [Alaska](#) and [Oregon](#) don't require the same congressional approval — they'll just become law in [a few months](#).

The reason for the difference: DC isn't a state. It's a federal jurisdiction, so it falls under Congress's rule.

DC's lack of statehood doesn't just impact its marijuana policy. It affects every single law, even the budget, passed by DC Council and voters. It also means the roughly 650,000 people living in DC — more than the population of Vermont or Wyoming — don't have full congressional representation, since only states get voting representatives in the US House and Senate.

There's an ongoing push to change DC's status. Here's a primer on the issue.

1) What is statehood, and how would statehood affect Washington, DC?

Statehood for Washington, DC, means carving most of the current city out of what's considered the federal District of Columbia and turning the area into a new state.

The current plan embraced by advocates for statehood, called [New Columbia](#), would leave the US Capitol, White House, Supreme Court, National Mall, and nearby national parks and monuments as the federal District of Columbia. The rest of the current district would be fashioned as a new state, known as New Columbia. It would look something like this, with the red space representing the new state and the white space representing the new District of Columbia:

This scheme would grant New Columbia residents full congressional representation and eliminate the need for a congressional review of local laws.

2) What's the case for DC statehood?

Statehood would give DC residents full representation, which they currently lack, in Congress. It would also prevent Congress from interfering in local laws that don't typically fall under congressional jurisdiction in any other US city or state.

DC currently appoints some delegates to Congress, but the representatives are largely symbolic figures with no voting rights in the legislative chambers. But DC residents still have to, for example, pay federal taxes, even as they have no voice in the legislative body that sets those tax rates. (Statehood advocates have criticized this with the motto "taxation without representation," which appears on DC license plates and is a twist of [the revolution-era rallying call](#) against the British Empire.)

DC residents also have limited say in who will be in the president's cabinet, head any federal agency, or serve on any federal court, because it's ultimately up to the Senate, where DC delegates have no voting power, to approve those appointments.

Statehood would also remove what many advocates characterize as Congress's needless meddling in DC's local affairs. Statehood advocates want DC, like any other city or state in the country, to be able to set its own laws and budgets without getting any form of congressional approval. They point to numerous examples, fleshed out later in this explainer, in which Congress held up local laws for [marijuana decriminalization](#), [medical marijuana](#), [gun control](#), and even combating [HIV/AIDS](#).

"We want to be treated just like any other state," said Eleanor Norton, the district's nonvoting delegate in the House. "To understand statehood, you have to understand what it means to be unequal in your own country."

3) What's the case against DC statehood?

Opponents of statehood argue the Founding Fathers always intended Washington, DC, to remain under federal control. Article I of the Constitution states, "The Congress shall have Power ... To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States."

"It's a company town, and the company is government," Roger Pilon of the libertarian Cato Institute [told](#) the Washington Post. "That's not a state."

James Madison, one of the Founders, [argued](#) in the Federalist Papers that the federal government needs control of the nation's capital so it can maintain policies that fit federal lawmakers' needs. Madison was particularly concerned that a single state could impose control over Congress by managing its security needs and other accommodations.

Opponents [claim](#) DC is very reliant on federal funds, so the federal government should have a larger say over the district's local affairs. (But [21 states](#) relied on more federal funding as a percent of their state budgets in 2013.)

Opponents also [argue](#) that many of the issues addressed by statehood could be fixed if, alternatively, a bulk of the nation's capital was absorbed into neighboring Maryland. That would give Washington, DC, residents congressional representation through Maryland, and it would stop congressional intervention into local laws.

There are also various political arguments against statehood. Statehood would very likely net Democrats two senators and one representative in Congress, because the District of Columbia is a Democratic stronghold. Since which party holds the majority in the Senate can often be decided by one or two senators, DC statehood is a politically risky endeavor for Republicans. (Some of this has racial connotations, since DC is dominated by Democrats largely due to its majority-black makeup.)

But there's a simple mathematical reason for all sitting representatives and senators, even Democrats, to oppose statehood. If another state was allowed into the union, it would dilute the vote of currently serving federal lawmakers — and therefore make it slightly more difficult for these lawmakers to pass laws that favor the states they represent. Under the current set-up, each senator makes up 1 percent of the Senate. If another state joined the US, that would tick down to slightly less than 1 percent.

4) What is the Home Rule Act?

Washington, DC, currently has a sitting local government, composed of a council, mayor, and other local agencies. But this has only been the case for slightly more than four decades — since Congress passed the Home Rule Act of 1973.

Prior to the Home Rule Act, Congress set DC's laws. The Home Rule Act made it so the local government could approve its own laws, although only after 30 or 60 days of congressional review depending on the type of policy. Congress can also block DC's laws through budgetary requirements.

"Congress can intervene at any time in the district's business," Norton explained. "The worst part of that is intervening in our budget affairs when they're local only."

5) What are some examples of congressional intervention in DC?

1. Congress used the District to test out what would become [war on drugs](#) policies such as [mandatory minimum sentences](#), [no-knock raids](#), and [methadone clinics](#), according to historian Kathleen Frydl's [The Drug Wars in America, 1940-1973](#). After these programs were piloted in DC in the mid-20th century, they would later be tied to federal drug prohibition laws.
2. For nearly 12 years, Congress stopped DC from establishing medical marijuana dispensaries. There's now an effort underway to block DC's newly approved [marijuana legalization initiative](#).
3. Congress has repeatedly blocked DC from using local tax dollars to fund [abortion services](#).

4. From 1998 to 2007, Congress [banned](#) a clean needle exchange program, meant to reduce the risk of spreading HIV or hepatitis with dirty needles.

6) Is statehood really going to happen?

Probably not. Statehood would [need](#) to get majority approval from both chambers of Congress, and Republicans, who are largely opposed to the concept for political reasons, will control the House and Senate for the next two years. (Some critics, like Pilon of the Cato Institute, [argue](#) statehood would also require a constitutional amendment since, among other reasons, DC is mentioned in [the 23rd Amendment](#).)

When President Barack Obama and a Democrat-controlled Congress took office in 2009, advocates were hopeful that statehood could become reality. But the issue never garnered much support in the politically tense environments of the time, and the opportunity slipped by after Republicans took over the House of Representatives in 2011.

But advocates remain hopeful. In September, the Senate held [a panel](#) discussing the merits and prospects of statehood. While the chances of a statehood bill advancing further in the Senate are unlikely, supporters [argued](#) it was important that the issue got a hearing at all — the first such hearing since Congress voted down a statehood bill in 1993.

"We actually think that this sense of greater local autonomy for DC and less federal interference is now part of the GOP brand," said Kim Perry, executive director of pro-statehood [Vote DC](#). "Using the big government to go after DC runs counter to their message."