

Fixing the Hole in Our Democracy



League of Women Voters, District of
Columbia

DC Inequality Deep Hole in US Democracy

This presentation will—

- Provide history of Washington, DC—its origins and governance.
- Describe who lives in DC and what DC citizens experience.
- Show how we've attempted to solve problems.
- Demonstrate why statehood is necessary.



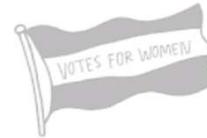
DC's Quest for Equality & Fairness

- ▶ Nearly 700,000 residents lack rights.
- ▶ Need a national network to advocate statehood.
- ▶ Other paths have failed.
- ▶ League of Women Voters powerful network.
- ▶ Toolkit designed to provide information can be used to educate decision makers.
- ▶ Right now need feedback, later help.



League Support Through the Years

- ▶ 1938—League of Women Voters for self-government
- ▶ 1970—call for non-voting Congressional representative
- ▶ 1973—support for Home Rule
- ▶ 1978—Equal Representation Amendment
- ▶ 1993—support for statehood
- ▶ 1998—founding DC Vote
- ▶ 2005—advocated representation in Congress
- ▶ 2016—resolution strongly supporting statehood.
- ▶ 2016—grant from DC for US-wide statehood education.



Background Paper:

<http://forum.lwv.org/member-resources/article/league-women-voters-efforts-achieve-full-voting-rights-dc-citizens>

We are DC—We are America ★ ★

- ▶ We work—just like US citizens elsewhere.
- ▶ We pay taxes. On 4/15/17 we paid an average of \$37,000 each in total federal taxes—the most.
- ▶ We defend our country—10,000 now active duty.
- ▶ We fill our neighborhoods with gardens, playgrounds, civic associations, Scout activities.
- ▶ We worship—nearly every faith tradition is here.
- ▶ We educate—123 public schools, 25 public libraries, several universities including UDC.

Background Paper:

<http://www.lwvdc.org/we-are-dc>



4th of July in a DC Neighborhood





DC, not Philadelphia, Seat of Government Thanks to Hamilton

- ▶ Seat of the US Government on the banks of Potomac—Compromise of 1790.
- ▶ Brokered by Alexander Hamilton, Thomas Jefferson, and James Madison.
- ▶ Hamilton, supportive of financial institutions in the north; Jefferson & Madison Southerners.
- ▶ Musical Hamilton hip hop on founding of DC



1790-1800 Building Washington

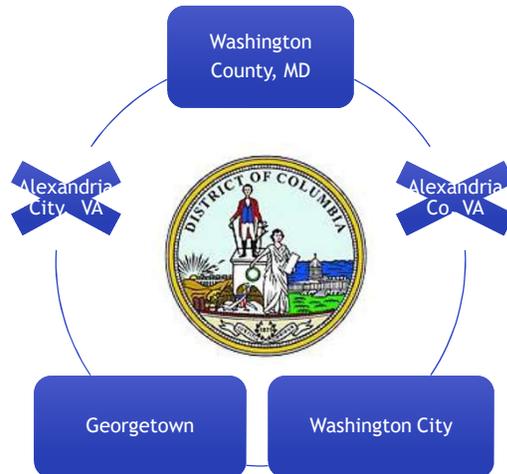
- ▶ Washington chose site on the Potomac.
- ▶ Maryland and Virginia ceded land for 10 x 10 square mile district, separate from states.
- ▶ Capital stayed in Philadelphia until 1800.
- ▶ L'Enfant designed with Capitol at center of a grid.
- ▶ Congress moved in November 17, 1800.
- ▶ Congress today still serves as DC's unelected state legislature.



District Composition in 1802



Congress reduced the District by nearly 40 square miles in 1846.



Changing Face of DC Governance

- ▶ Loss of Congressional representation in 1801.
- ▶ From beginning, founders expected future representation.
- ▶ Over 70+ years gradually extended more franchise; 1871-1874 elected lower house.
- ▶ Then in 1874 Congress abolished government.
- ▶ For nearly 100 years DC governed by 3 appointed commissioners, 2 civilian, 1 Army.

Background Paper:

<http://forum.lwv.org/member-resources/article/changing-face-dc-governance-over-time>

Incremental Changes in 20th Century



- ▶ 23rd amendment ratified in 1961 allowed DC residents to vote for a president for the first time in 1964.
- ▶ 1973 Limited Home Rule: elect a mayor and 13-member Council. Congress retains authority over legislation & budget.

On surface, DC Government looks like a state government with 3 branches.

Legislative—13-member council, 4 at-large, 8 wards, 1 chair

Executive—Mayor functions like Governor—approves or vetoes bills, manages agencies.

Judiciary—2 courts—DC Superior Court and DC Court of Appeals

Dig in—and the view is different.

- ▶ How many legislators do you have?
- ▶ Who approves their legislation?
- ▶ How are your state judges appointed?
- ▶ We operate under different rules.



(Background Paper

http://forum.lwv.org/sites/default/files/how_the_district_of_columbia_is_governed_in_2016.pdf)

And DC residents have no voting representation in Congress—one non-voting Delegate and no Senators.

Imagine this scenario.



- You worked with a coalition to advocate strengthening public schools.
- You were successful in persuading your legislature.
- Then Congress overturned the legislation and expanded vouchers for private schools.

Or maybe this happening. . .

- ▶ HIV/AIDS and drug addiction were severe problems in parts of your state.
- ▶ Conservatives and liberals alike worked to develop a needle-exchange program that has been proven to reduce HIV/AIDS.
- ▶ Then Congress put a stop to it.
- ▶ This is what DC lives with.



A Few Examples of Other Congressional Meddling in DC

- ▶ 1973 Home Rule prohibits 1) commuter tax; 2) changes to federally mandated height limits; 3) changes in composition or jurisdiction of local courts; and more.
- ▶ 1998 Barr Amendment overruled DC's Medical Marijuana bill.
- ▶ 2011 Prohibited DC from using local taxes to pay for abortion services for poor women in DC.
- ▶ 2013 Exempted military from DC gun safety laws—only DC.
- ▶ 2016 Bill to repeal DC's Local Budget Autonomy Act
- ▶ 2017 Rubio bill to overturn DC's gun laws; No Taxpayer Funding for Abortion—only DC.

Why should citizens in states care about rights for DC Citizens?

- ▶ As human beings should be concerned about civil rights and human rights for all.
- ▶ If rights in one jurisdiction are abrogated, their rights could also be in danger.
- ▶ Democracy for all does not work with ~700,000 citizens without rights.
- ▶ Other urban areas also suffer from under-representation—California population 39.25 million & 55 representatives for 718,182 ratio; Wyoming 585,501 & 3 representatives with 195,167 ratio. (DC 681,170 & 0 representatives.)

World Bodies call DC disenfranchisement violation of Human Rights.

- ▶ Organization of American States Inter-American Commission on Human Rights in 2003
- ▶ Organization for Security & Cooperation in Europe in 2005
- ▶ United Nations Human Rights Committee in 2006
- ▶ All called for a change.

Background Paper:

<http://www.lwvdc.org/dc-statehood-world-view>

The League supports and fights for enfranchisement for all, including DC.

- ▶ Post U.S. Supreme Court *Shelby vs. Holder*, 30 states enacted legislation suppressing voting.
- ▶ July 2016 LWV won major case reinstating rights for North Carolina voters.
- ▶ September 2016 major win with *League of Women Voters vs. Newby*: AL, GA, KS no proof of citizenship.
- ▶ Discriminatory laws overturned in TX, MI, and NC.
- ▶ We fight voter suppression everywhere, including DC.

Background Paper:

<http://forum.lwv.org/member-resources/article/league-women-voters-efforts-achieve-full-voting-rights-dc-citizens>

But District residents, nearly 700,000 of them, remain disenfranchised. They have no voting representation in Congress, and Congress controls their laws.



Statehood Only Answer—Other Routes Failed Over Time

★ Taxation without representation—in *Green vs. DC* in 1966 the DC Court of Appeals found that Congress has the power to levy taxes on DC residents. Bills introduced in 2002 and 2005 to rectify situation both died.

★ Full representation in Congress—1978 Constitutional Amendment passed Congress resoundingly, but only 16 states ratified by 1985 deadline.

★ Tom Davis in 2004 and 2005 introduced Fair Voting bill—would give DC one voting representative and add one to Utah—failed because rider overturning DC gun laws added.

How does becoming a state work?

1. Territory residents declare a desire for statehood, approve a constitution and boundaries, and agree to a representative form of government.
2. They petition Congress.
3. A statehood admission bill gets introduced and passed in both houses.
4. The president signs the bill.
5. The former territory is now irrevocably a state.

Where are we in the process?

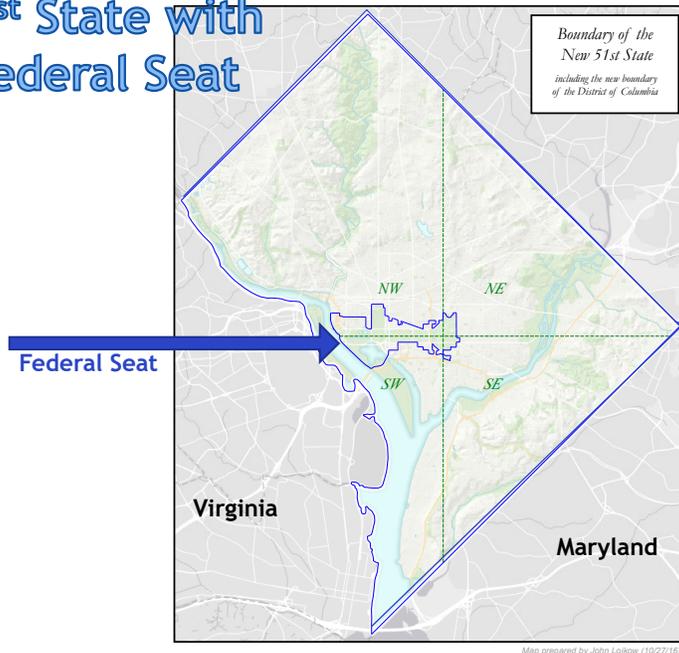


- ▶ Between 1985 and 2011 6 bills introduced.
- ▶ Admission Acts introduced in the last three Congresses, and sponsorship has grown each year.
- ▶ H.R. 1291 was introduced March 2, 2017, and S.1278 was introduced May 25, 2017. The House bill has 136 co-sponsors, and the Senate bill now has 19 co-sponsors.
- ▶ DC residents voted November 8, 2016 to petition for statehood with a new constitution and boundaries.

Wouldn't DC statehood require a Constitutional Amendment?

- ▶ No. Two articles in the Constitution pertain:
 1. Article 1, Section 8 (Legislative Branch/Powers of Congress). 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. (Only maximum size noted.)

51st State with Federal Seat



Article 4, Section 3 (New States)

- ▶ Congress can admit new states into the Union.
- ▶ A single state cannot create a new state within its borders.
- ▶ Not all lands owned or controlled by the US are states; some are territories, and Congress can sell off or regulate them. This gives Congress the power to set rules for national parks and forests, for example.
- ▶ Congress has always granted new states rights equal to those of existing ones.
- ▶ All but the original 13 of now 50 states were admitted to the Union by a majority vote of Congress & signature of the sitting President.

So, why hasn't statehood passed?

- ▶ DC residents are not constituents; Congress focuses on getting re-elected—spending time on DC seems nonproductive to them.
- ▶ Democrats held sway for more than half the 20th century—but racism had an ugly influence when DC was a majority black city.
- ▶ Republicans feared 2 more Democratic Senators from a jurisdiction where 76% are registered Democrats.
- ▶ Both parties use DC to make points at home on issues that don't affect their constituents.

Statehood should be a bi-partisan issue

- ▶ Dwight Eisenhower was a persistent advocate for voting rights for DC citizens.
- ▶ Richard Nixon was also a supporter, as were John F. Kennedy and Lyndon B. Johnson who made major changes in 1967.
- ▶ There have been Republican cosponsors on statehood bills from the first one in 1988.
- ▶ Party should not be an issue in civil rights concerns.

States should welcome us as equals.

- ▶ DC is a model for a growing, vibrant urban economy.
- ▶ We have had a balanced budget 22 years in a row.
- ▶ The job market is booming—153,000 jobs in August 2017.
- ▶ We are a diverse, but cohesive community—we watch out for each other, and crime is low.



- ▶ Already larger than the populations of Vermont and Wyoming, we're growing rapidly with about a thousand new residents each month.

Background Paper:

<http://www.lwvdc.org/dc-statehood-faqs>