



**TESTIMONY OF MURIEL BOWSER,
MAYOR OF WASHINGTON, DC**

**Before the Committee on Homeland Security and
Government Accountability
U.S. Senate**

**Gary Peters, Chairman
Rob Portman, Ranking Member**

S. 51, Washington, D.C. Admission Act

June 22, 2021

Chairman Peters, Ranking Member Portman, and members of this esteemed Committee, thank you for convening this hearing on S. 51, the Washington, D.C. Admission Act which provides the 700,000 residents of the District of Columbia full democracy.

I am Muriel Bowser, Mayor of Washington, DC, and I am honored to come before this committee with a simple but powerful request: Senators, right the wrong that occurred some 220 years ago when the residents of the District of Columbia were stripped of their full congressional representation and do it now. The Constitution left the issue of democracy for the residents of the District of Columbia to the Congress. The House of Representatives has passed the Washington, DC Admission Act twice, and the White House has indicated its support for the bill through a Statement of Administration Policy. Our democracy is truly in the hands of this Senate. It is time for the U.S. Senate to support our petition for DC Statehood.

My testimony today echos many of the arguments that I made before the House Committee on Oversight and Reform in March of 2021 and in September of 2019; and many of the same arguments made by my predecessor, Mayor Vincent Gray, in 2014 at the last DC Statehood hearing held by this chamber.

Then, as now, the District's call for full democracy has been drowned out by arguments that ignore the fact that the second-class status of District residents is clearly an anomaly of the U.S. Constitution, not a feature of it.

Over the decades, arguments against DC Statehood have ranged from preposterous assertions to inaccurate legal claims. Just to cite a couple: in 2019, we were asked about what would happen to the parking spots for congressional staff if the District becomes a state. We were at a loss to see the correlation between full democracy for 700,000 American citizens and a few parking spaces. This past March, I was confronted with concerns that the District could not be a state because it does not have a car

dealership – even though it does. Statements like these not only discount the civil rights of District residents, they also demonstrate a true lack of understanding of the rapidly growing and thriving businesses, communities, and culture that surround the small Federal presence. It is for those neighborhoods, Michigan Park, Congress Park and Mount Pleasant, Columbia Heights and Hillcrest among them—that make up 99% of the District—and the people who live in them and who come to DC for school, government service, or other work that I appear today to petition for full equality.

There is no legal or constitutional barrier to DC Statehood; the prevailing constitutional issue is the civil rights violation of 700,000 DC residents who fulfill all obligations of U.S. citizenship but are denied any representation in this body. I can say unequivocally that the bill before you today, S. 51, the Washington, D.C. Admission Act is constitutional. Dozens of America’s most recognized constitutional experts have

testified before Congress and penned letters to that effect.¹ Scholars and experts have opined that it is fully within Congress' power, under the Constitution, to make DC a state through passage of S. 51:

- The Constitution's Admissions Clause (Article IV, Section 3) grants Congress authority to admit states into the union, including DC. Following the 13 colonies, all 37 states were admitted by Congress through this constitutional authority. States were not added solely because of a particular industry, or the size of its land mass—states were added to include the people.
- The Constitution's District Clause (Article I, Section 8, Clause 17) poses no barrier to admitting DC as a new state. The District Clause sets a maximum size of 10 square miles for the federal district, not a minimum size. S. 51 retains a Federal District, as required by the Constitution; it encompasses the unpopulated areas that make up the

¹ [Letter to Congressional Leaders on Constitutionality of Statehood for Washington D.C. May 22 2021.pdf](#)

federal presence – the House and Senate Office Buildings, the White House, the Capitol, the monuments and museums on the National Mall, and other federal buildings and land (see attached map).

- The 23rd Amendment to the Constitution, which granted DC residents a vote for President in 1961, does not pose a constitutional barrier to statehood either. The bill addresses it head on by repealing statutory language that enables the appointment of electors and including expedited procedures for consideration of the repeal of the unnecessary constitutional amendment, thus virtually ensuring quick and certain ratification by the states to ensure no ambiguity about electoral votes for an unpopulated federal enclave. S.51 outlines a clear path forward on how to address the 23rd Amendment. Any concerns about the ramifications of the amendment can be addressed post-DC Statehood.

It is particularly contradictory that the 23rd Amendment, which was passed to expand democracy to taxpaying DC residents, is now

being held up as the main barrier to further expanding constitutional rights in the District. This flies in the face of the amendment's intent.

- Retrocession to Maryland is not required by the Constitution, nor is it addressed in the Constitution. Maryland has no claim to the land it ceded to the federal government when the District was founded. Would this body argue that Maine should retrocede to Massachusetts? Or that West Virginia should return to Virginia? Of course not.

To be clear, DC's current status is due to generations of inactivity by lawmakers, including the Founding Fathers themselves, failing to address the contradiction that residents of the U.S. capital are treated as second-class citizens.

With no constitutional underpinning, the disenfranchisement of Washingtonians is the most glaring civil rights and voting rights issue of our time. In fact, we are the only capital city among the world's

democracies without voting rights in the national legislature. In two weeks, the country will celebrate Independence Day and the establishment of the United States as a sovereign nation, free from taxation without representation. Yet the 700,000 predominately Black and Brown Americans living in our nation's capital have continued to pay taxes without representation for over 200 years.

As we celebrate our nationhood, I appeal to this Senate to end the ongoing systemic injustice faced by the growing population of District residents and vote for DC Statehood in the 117th Congress. I am calling on you to swiftly grant full democracy to the residents of the District of Columbia.

I cannot emphasize enough: the civil rights and full democracy of DC residents are in your hands.

- We are 700,000 people; some born here, others from all 50 states and the many nations of the world.
- We Washingtonians serve proudly in our military and fight for our country – yet have no representation or voice in this Senate.

- We Washingtonians have served as front line and essential workers during the pandemic - doctors, nurses, firefighters, schoolteachers - yet had no say in this Senate when the District was shortchanged in the CARES Act funding in 2020.
- We Washingtonians heroically defended our nation's capital during the January 6th insurrection by answering the call to support our federal partners – despite not having a voice in this Senate.
- We Washingtonians have no say when this Senate considers presidential nominations, Supreme Court justices, and large investments like the American Jobs Plan.

I ask you today to treat District residents the same as all other taxpaying American citizens. Your inaction could doom yet another generation of young native Washingtonians to being locked out of their constitutionally-given political power and human rights. Will this body perpetuate this civil rights and voting rights wrong by parroting false arguments? By what authority would this body have Washingtonians continue to pay federal

income taxes without a voice? Today, I am asking this U.S. Senate to usher in a new age of fairness and equality for 700,000 District residents.

Our fate is not in the hands of the Founding Fathers; they left this decision for later generations. It is not in the hands of the courts either. The courts have been clear that this is a political issue, and by its very nature, is within the domain of Congress. It is not in the hands of the U.S. House of Representatives, as they have passed the bill twice. And it is not in the hands of the President of the United States, as he has pledged to sign the bill into law once it reaches his desk. The 700,000 residents that I represent are looking to the 100 members of this Senate for immediate action to rectify this longstanding injustice.

I promise you: DC residents have been at this for nearly 220 years. We will not quit until we achieve full democracy – and our two senators are seated here with you. DC residents are not standing alone. Over the years we have garnered the support of Americans of all stripes and beliefs: the bi-partisan United States Conference of Mayors, representing millions of

Americans in big cities and small towns; the non-partisan League of Women Voters who for 100 years have fought to defend our democracy; the NAACP; the Human Rights Campaign; and the Leadership Conference on Civil and Human Rights – who recognize DC Statehood for the civil and human rights contradiction that it is; to your former colleague and Independent Senator Joe Lieberman whose focus on justice and fairness makes plain why partisan considerations have absolutely nothing to do with the quest of DC citizens for full democracy and absolutely no place in ensuring that S.51 moves forward in the 117th Congress.

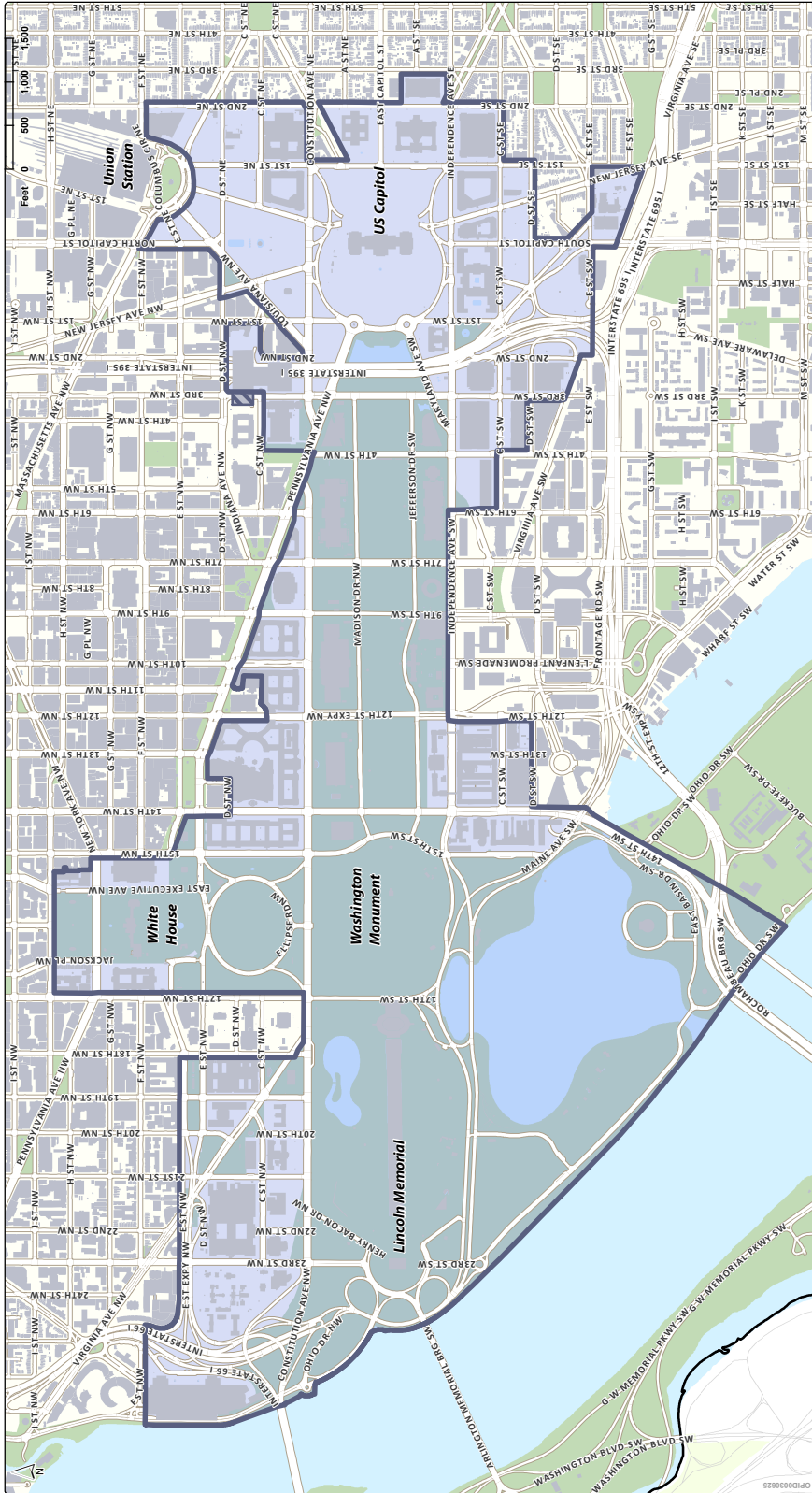
Together, with leaders from across America, we will keep pushing until DC's tragic disenfranchisement is rectified. You have the power to make two things happen that I see so clearly in my mind's eye and feel so deeply in my heart and soul true: 1) With your courageous, clear-eyed focus on fairness and perfecting our union today, this session, this Congress, you will vote to admit DC into our great American union and 2) prayerfully, I will be the last DC mayor who needs to sit here demanding what is our

birthright, and what is owed to us as taxpayers—full citizenship and full democracy.

Thank you in advance for your thoughtful consideration.

Your fellow American,

Muriel Bowser on behalf of residents of the District of Columbia



Proposed Federal District

- Federal District
- Clarification of Treatment for Frances Perkins Building

Office of Planning
 Government of the District of Columbia

This map was created for planning purposes from a variety of sources. It is neither a guarantee nor a warranty of accuracy. Data provided by other agencies should be verified with them where appropriate.