ONE-MONTH DAILY CURRICULUM FOR D.C. STATEHOOD CAMPAIGN

New Columbia 51st State

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NATIONAL RAINBOW COALITION STATEHOOD CAMPAIGN

"Statehood for the disenfranchised citizens of the District of Columbia is morally right, rationally sound, economically feasible, legally possible and constitutionally permitted."

-Senator
Jesse L. Jackson
LINKING THE CHAINS OF CHANGE...

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Founder, Statehood Party

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Founding Chair, DC Statehood Commission

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Founding Chair, DC Statehood Compact Commission

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Delegate Eleanor Holmes Norton
Delegate for DC 1991 -

Senator Jesse L. Jackson
Statehood Senator for DC

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Statehood Senator for DC

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Statehood Representative for DC
ONE-MONTH DAILY CURRICULUM FOR D.C. STATEHOOD CAMPAIGN

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NATIONAL RAINBOW COALITION STATEHOOD CAMPAIGN

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Jesse L. Jackson
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ONE MONTH CURRICULUM ON D.C. STATEHOOD

PREFACE

The march from Selma to Montgomery ended prematurely. It should have continued to the nation's capital. The march from Selma to Montgomery, Alabama was a march for the right to vote -- a march to expand democracy. Logically, it should have led us to Washington, DC, where nearly 650,000 people do not have the same democratic rights as all other American citizens.

We have no right to be represented or to participate in policy-making at the center of power in our democracy -- the United States Congress. At its core, the situation in the District of Columbia, while not exactly parallel, is not unlike the situation in Soweto or in the bantustans of South Africa. In Soweto and the bantustans they have puppet officials -- a mayor, police and the fire chief -- who are extensions of the apartheid government. They administer laws and funds on behalf of the apartheid government, but they do not possess power or truly govern. The African National Congress has always rejected those elections because of the pretense of democracy associated with them.

Unlike South Africa, the people of DC can freely, fairly and legitimately elect the Mayor and District Council of our choice, appoint our own police and fire chief, and administer funds from Congress. But like South Africa, we have no voice and no vote in Congress when it comes to policy, laws or budgets. Congress and the President have the final word over all of our laws and budgets. Ours is not a democratic government of, by and for the people. The Senate in South Africa looks just like the Senate of the United States. It does not reflect or represent all of the people.

One of the most important dynamics of our democratic form of government is the concept of "checks and balances." Yet, in DC, the amount of protection we receive from this dynamic is limited to the judicial action available to us when wrongs have been perpetrated against us. In the Dred Scott case of 1857, the issue was race, and the Court said that an African American had no right a white was bound to respect. In the nation's capital, the issue is representation, and our national legislative and executive branches say District citizens have virtually no rights that Congress and the President are bound to respect.

This is undemocratic, un-American and morally wrong. We appeal to Congress and to the President to fix this crack in the Liberty Bell. Democracy, like charity, begins at home. We have a right to be included in the "New World Order." We have a right to expect the American people and their elected representatives to stand for sound principles such as self-determination, democracy, and representation at home as well as abroad.

Thus, we appeal to you to support us as we struggle to expand our democracy in the cradle and capital of democracy -- the land of the free and the home of the brave -- Washington, DC. Our democracy must include all of the American people. We must act upon the sound principles of democracy, and practice them first by applying them at home. Democratic expansion and inclusion -- that is what the state of New Columbia will represent.

—Senator Jesse L. Jackson

Preface
FOREWORD

This month-long "lesson plan" on statehood for the District of Columbia is designed as an introductory course on the subject. It attempts to reach a mass audience with simple, yet substantive, information. In our struggle for statehood, we at the National Rainbow Coalition have found that whether people agree or disagree on the subject, they are largely uninformed. In these 31 daily lessons on statehood we attempt to inform and educate. The highest praise we could receive would be for you to say, "I didn't know that!"

We organized the curriculum by first putting the quest for statehood in a variety of historical perspectives. We then argue that DC Statehood is morally right, rationally sound, economically feasible, legally possible and constitutionally permitted. Two lessons on the substantive and political arguments against statehood follow. Finally, we allow you to test yourself and your knowledge on the issues surrounding DC Statehood.

How and by whom would we like to see these lessons used? They are written for mass consumption and to be studied for one month on a daily basis by:

**EDUCATORS & STUDENTS**

We hope educators will use these lessons in school—in grade schools, junior high schools, high schools, colleges and universities. The core curriculum presented here may need to be adapted to the various levels for grade schoolers, and enhanced or expanded with supplementary materials by colleges and universities. This curriculum, however, contains the core issues. We encourage educators to be as creative as possible in adapting and utilizing this material.

**INDIVIDUALS, FAMILIES & COMMUNITIES**

We urge individuals, families and communities to take just 10 minutes per day — e.g., over the breakfast or dinner table at home, while riding public transportation to work, during a work break or over lunch—to study each lesson daily.

**LABOR & POLITICAL**

We urge labor and political activists to share this information with their members and friends at meetings, and find other creative ways to inform workers and allies about DC Statehood.

**RELIGIOUS**

We urge religious communities to distribute this material to their members and the broader community, and to consider highlighting statehood during their regular services in a manner they deem appropriate (e.g., sermons, brief lessons, inserts in bulletins).

**MEDIA**

We urge television, radio and the print media to determine creative ways of using this material to inform and educate their readers, listeners and viewers. Reprinting the lessons, creating PSA's, doing shows, raising questions for listener response, running editorials and dispensing the information in other productive ways would all serve to educate your audiences.
New Columbia 51st State

PROLOGUE

Reverend Jesse L. Jackson Makes a Moral Appeal to President George Bush
May 1, 1991

The Honorable George Bush  
President of the United States  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

I trust this letter finds you well. Thank you very much for receiving me at the White House Tuesday, March 26. I found our meeting to be very positive. I hope you agree.

I wanted to follow up on our conversation regarding statehood for the District of Columbia with a substantive letter and a moral appeal.

I believe our case is strong and irrefutable. If the statehood petition for the District of Columbia is considered on its merits and the substantive arguments, DC statehood cannot be denied.

The case for DC statehood can be summarized in ten words. It is morally right, rationally sound, economically feasible, legally possible and constitutionally permitted. Let me expand upon each premise:

1) DC statehood is morally right.

The American Revolution was ultimately declared citing the principle, “taxation without representation is tyranny.” There are nearly 650,000 taxpaying American citizens in the District of Columbia that have no federal voting representation in Congress. We have enough people, pay enough taxes; and, in the times of war, bleed and die enough. DC residents have fought and died in every war since the War for Independence. During the Vietnam War, DC had more casualties than ten states, and more killed per capita than 47 states.

The District of Columbia had more total reservists in the Persian Gulf than 19 states (including Puerto Rico), and more per capita than all but four—Mississippi, Louisiana, Georgia and West Virginia. We believe that these honorable young men and women should return home to enjoy the same right of self-determination that they risked their lives for during Operation Desert Storm to restore the Kuwaiti monarchy. We also believe that since they assumed the obligation to serve their country in the military and fought for their country in a time of war, they should return home to a democratic society with the same rights and privileges as all other Americans who served their country in a similar way.
Mr. President, you have been an avid and unswerving supporter of Puerto Rican statehood. Your letter to members of the Senate Energy and Natural Resources Committee on February 28, the same day you declared a cease-fire in the Middle East, profoundly stated that, “If we do not act now to resolve this question (Puerto Rico’s status), it will call into question whether we truly believe in self-determination for 3.6 million of our fellow citizens.” You reminded the committee members that young men and women from Puerto Rico were fighting in the Persian Gulf. I applaud your convictions and the democratic principles you expound in your support for self-determination for the residents of Puerto Rico.

The New World Order that you envision must be based upon sound principles that are applied consistently everywhere, certainly beginning at home. I support the principle of self-determination in Kuwait, Puerto Rico and D.C. After considering the case for DC Statehood, I hope that you will revisit your prior reluctance to accept the District of Columbia’s petition for admission to the Union.

2) DC statehood is rationally sound.

While the U.S. Constitution does not define specific conditions for statehood, Congress, over the years, has developed certain standards and procedures for the admission of new states. Historically, statehood has been granted when three criteria were met: (1) the people, through some democratic process, express their desire to become a state (DC passed a referendum); (2) the people accept the republican form of government required by the Constitution and practiced in the United States; and (3) there are sufficient people and economic resources to support a state. The District of Columbia passes all three of the traditional tests for statehood.

3) DC statehood is economically feasible.

DC residents pay over a billion dollars annually in federal taxes—more total federal taxes than eight states. The per capita tax payment for DC is $500 above the national average—a payment higher than 49 states.

One misconception which has been traditionally embraced by statehood opponents is that the federal government pays most of the District’s operating costs. In reality, the opposite is true. The federal government does not subsidize us. We subsidize the federal government and the adjoining states. You will find as you read this letter that we pay more, and, in fact, a disproportionate share of federal income taxes. In reality, we are cheated out of billions of dollars by the federal government, Maryland and Virginia.

Can we afford statehood? You strongly favor statehood for Puerto Rico. The per capita income in Puerto Rico is $6,000, for the nation, $19,000, and for the District $24,000. It is estimated by some experts that adding Puerto Rico to the Union on an “Equal Footing” with all other states will cost the federal government an additional $17 billion. I support their choice, their right to
self-determination. If their financial status is no barrier to your supporting statehood for them, then certainly the District’s positive financial resources should only bolster our case for admission to the Union.

The District has been exploited economically. “Financing the Nation’s Capital,” also known as the (Alice) Rivlin Report, was a study commissioned to analyze and make recommendations relative to the financial crisis facing the nation’s capital. Its findings of just how unfairly Congress and its neighboring states have treated the District are revealing.

The Congress has imposed special costs on the District because it is the nation’s capital. While restricting the District’s ability to raise revenues to meet those costs, Congress has failed to provide adequate compensation through a fair federal payment.

Approximately fifty percent of the District’s real estate is exempt from taxation because it belongs to the federal government, diplomatic missions or other tax-exempt organizations. In addition, while we understand and support the limitation on the height of buildings in the District (restricted to 130 feet), in purely economic terms, it reduces the income we can collect from property taxes. Furthermore, approximately half of all sales in the District are to the federal government or other tax-exempt organizations, producing no revenue to the District government.

Most importantly, the District is prohibited by law from taxing incomes of non-residents at their source, which results in 60 PERCENT of all income earned in the District being exempt from District taxes. Estimated cost to the District? $1.2 billion. No state has such restrictions. In fact, people who work in New York, but live in New Jersey, pay taxes where they work (at the source of the income earned) and get a tax adjustment where they live. All states have the same right. Congress has prohibited the District government from negotiating a similar reciprocal taxing agreement with Maryland and Virginia.

The federal government has also imposed three other major financial obligations on the District. First, the federal government established pension plans for police officers and fire fighters (1916), teachers (1920) and judges (1970). The federal government’s “pay-as-you-go” plan, however, was inadequate for workers FUTURE security. When limited self-rule was granted in 1974, Congress assumed only 25 percent of the costs, while imposing on the District 75 percent of the liability they created. This clearly represented an unfair District/Federal formula. By the year 2004, it is estimated that this unfunded pension liability will have grown to $8 billion.

Second, upon granting the District Home Rule, the federal government forced the District to assume a $378 million accumulated operating deficit that Congress, not the District, created.

Third, the federal government transferred St. Elizabeths Hospital to the District government in 1985, and authorized $31.5 million (with no provision for inflation) for certain capital improvements to meet safety standards. The federal government never appropriated the funds, and now the same work is estimated to cost $88 million.
Finally, the federal payment—a payment partially in lieu of taxes, but primarily for services rendered to the federal government, not welfare or a special subsidy—has steadily declined as a percentage of the District’s budget since Home Rule. It has declined from 25 percent to 13 percent of the District’s current $3.6 billion budget. The federal payment has been frozen at $430.5 million since 1985. Taxes FOREGONE increased over 50 percent from 1985 to 1990, to $1.8 billion, while the federal payment remained constant.

The $100 million that Congress granted to Mayor Dixon reflects well on her lobbying efforts, but does not reflect well on what Congress owes the District. Yesterday a House committee voted in favor of legislation which would, for the first time, establish a funding formula upon which to base the federal payment. If it becomes law, this will remove the arbitrary nature of the payment and help stabilize the budget process in the District. The percentage, however, may not totally reflect fairness in terms of compensation for services rendered and taxes foregone because of the federal presence. This is, however, a step in the right direction.

4) **DC statehood is legally possible.**

Statehood for the District does not require a constitutional amendment and ratification by the states. It only requires a simple majority vote in the House and Senate and the President’s signature. Every other state admission has been accomplished through congressional legislation. DC does not require, and should not be made, an exception. No entity applying for admission to the Union has ever been turned down by Congress. Again, since we meet all of the constitutional and historic criteria, we should not be the first.

5) **DC statehood is constitutionally permitted.**

The District of Columbia is the federal seat of government required by the Constitution. Our legislative proposal for creating the state of New Columbia out of newly-structured non-federal parts of the current District, means that New Columbia and the federal seat of government would constitutionally coexist and live harmoniously together.

In summary, let me raise and answer the basic constitutional questions involved.

**DOES ARTICLE I, SECTION 8, CLAUSE 17 OF THE U.S. CONSTITUTION PROHIBIT CONGRESS, THROUGH LEGISLATION, FROM FORMING A NEW STATE FROM PART OF THE LAND THAT CURRENTLY COMPRIZES THE DISTRICT OF COLUMBIA? No.**

This “District Clause” grants Congress exclusive legislative authority over the federal seat of government [DC], which is not to exceed 10 miles square (i.e., 100 square miles). No minimum size is required.

Thus, if Congress has “exclusive legislative authority” over the District, it can dispose of some land in order to create the state of New Columbia, while preserving the federal seat of
government. Congress reduced the original size of the District in 1846 by returning to Virginia the land originally given by them. The current “federal seat of government” is comprised of land contributed by Maryland.

The constitutionally-required “federal seat of government” would be preserved by maintaining the District of Columbia in the form of a “National Capital Service Area.” It would be comprised of key federal buildings and agencies (e.g., White House, Congress, Supreme Court, Mall, Monuments, etc.) and allow the federal government to conduct its functions in safety and security—the original purpose of creating the “federal seat.” The Constitution, therefore, does not force a choice between “seathood” and “statehood.”

DOES DC STATEHOOD REQUIRE A CONSTITUTIONAL AMENDMENT? No.

DC statehood requires a simple majority vote in the House and Senate and the President’s signature. Since the original 13 states, it is the way ALL territories have become states.

The Constitution does not define specific conditions for the admission of new states. But DC meets the three traditional statehood tests imposed by Congress: (1) the people, through some democratic process, express their desire to become a state (DC voted for statehood in a 1980 referendum); (2) acceptance of a republican form of government; and (3) enough people and economic resources to support a state.

An amendment is not required to terminate Congress’ control over the District because once New Columbia is admitted to the Union, Congress permanently relinquishes its power to legislate over it. Congress retains its jurisdiction over the federal seat of government as mandated by the Constitution.

IS MARYLAND’S CONSENT REQUIRED BEFORE CONGRESS CAN ADMIT NEW COLUMBIA INTO THE UNION? No.

Maryland’s formal consent is not a constitutional prerequisite to statehood. Article IV, section 3, clause 1 of the Constitution, requiring consent of affected states to admission of a new state, does not apply in this case because Maryland no longer has power over the land that it ceded to the federal government 200 years ago.

Maryland’s consent is not required because Maryland, in its 1791 cession of land to the federal government, expressed its clear intent to “forever cede and relinquish . . . in full and absolute right and exclusive jurisdiction. . . .” the land to the federal government.

If so intended, state law required that Maryland explicitly state that it expected the land to be returned after the federal government finished using it. The language used by Maryland in its cession of the land to create DC stated just the opposite. Maryland’s clear intent was to permanently and unconditionally relinquish its sovereignty over the territory.
DOES GRANTING STATEHOOD TO NEW COLUMBIA REQUIRE THE REPEAL OF THE TWENTY-THIRD AMENDMENT TO THE CONSTITUTION, WHICH GRANTED DISTRICT RESIDENTS REPRESENTATION IN THE ELECTORAL COLLEGE AND THUS THE RIGHT TO VOTE FOR PRESIDENTIAL CANDIDATES? No.

The 23rd Amendment will not serve to bar DC statehood. The Amendment granted participation in the electoral college to the residents of the federal seat of government. Once admitted to the Union, the lands constituting the state of New Columbia would no longer be a part of the federal seat of government, thus, the 23rd Amendment would not apply.

The purpose of the 23rd Amendment — to give DC residents the right to vote in presidential elections — would be fulfilled. Residents still living in DC, the federal seat of government, would vote in New Columbia, just as citizens of all other federal enclaves (e.g., federal military bases) vote in the elections of those respective states.

Congress could enact clarifying legislation granting federal enclave residents the right to vote in New Columbia, just as it did when it provided for Americans overseas to participate in state elections at home.

The admission of New Columbia may render the 23rd Amendment moot. This result is neither unprecedented nor unconstitutional. Rather, the Amendment would join other obsolete yet unrepealed provisions of the Constitution. For example, Article I, section 9, limiting the tax imposed on imported slaves to $10, remains on the books.

Thus, Mr. President, if DC statehood is moral, rational, economically feasible, legal and constitutional, why not support it?

The form and structure of our relationship to Congress is similar and comparable to that of Soweto and Pretoria, South Africa. In Soweto, the people can vote for a Mayor and City Council, who then appoint a police and fire chief; and they administer some funds from Pretoria. The people of Soweto, however, cannot vote on policy in Pretoria.

In DC, we elect our own Mayor and District Council, who appoint a police and fire chief; and we administer some funds from Congress. However, we cannot vote on policy in Congress. The Senate in South Africa looks just like the United States Senate. It does not reflect or represent all of the people.

In your administration, you advocate the laudable goal of empowerment. Your education and housing programs are built on the premise of empowering parents and tenants. There could be no clearer case for empowerment, than of empowering the nearly 650,000 politically disenfranchised citizens of the nation’s capital through statehood.
Of the 115 nations in the world with elected legislatures, including Moscow and Beijing, we stand alone in denying the capital city’s residents the right to participate and be represented in their national legislative body.

Last year, Congressmen Ralph Regula and Stan Parris introduced two different pieces of legislation. Both, in their own way, would have had the effect of politically retroceding the citizens of the District of Columbia to Maryland. It is true that both of their solutions would have eliminated the moral wrong and undemocratic practice of inflicting “taxation without representation” upon District residents. In a democracy, however, “taxation without representation” is one, not the only or primary, issue involved.

Inherent in democracy is the right of self-determination, subject only to extenuating circumstances or other prohibitive factors—factors which do not exist in the District. People living in a democracy have the right to be governed “with the consent of the governed.” DC and Maryland residents overwhelmingly rejected both of these proposals.

Congress does not have a moral or democratic right to impose a solution upon the District against the will of the people. In a democracy, the means and ends must be consistent. Statehood is the choice of the people in the District of Columbia.

Finally, Mr. President, one of the most important ideas in our democratic form of government is the concept of “checks and balances.” Yet, in DC, we have none. In the Dred Scott case of 1857, the issue was race, and the Court said blacks had no rights which a white was bound to respect. In DC, in 1991, the issue is representation, and our national legislative and executive branches say DC citizens have no rights which they must respect.

This formula runs counter to the democratic foundations and traditions of this great country. We appeal to you, Mr. President, to help fix this crack in the Liberty Bell. We appeal to you, in your quest to establish a New World Order, to stand for sound principles such as self-determination, representation and democracy at home as well as in foreign lands.

We appeal to you to expand democracy in the cradle and capital of democracy, Washington, DC, to include all of the American people. If you do so, you will go down in history as a great president, as a president who acted on principle, and practiced those principles by applying them at home as well as abroad.

Mr. President, this is our plight and our plea. We hope you will reconsider our just case. Thank you for hearing our appeal.

Sincerely,
Reverend Jesse L. Jackson
One Month Curriculum on D.C. Statehood

Daily Lessons

One Month Curriculum on D.C. Statehood
LESSON

THE ORIGIN AND ADMISSION OF STATES TO THE UNION

The 13 colonies that seceded from Great Britain and fought the War of Independence (the American Revolution) became the original 13 states. They were: Delaware, Pennsylvania, New Jersey, Georgia, Connecticut, Massachusetts, Maryland, South Carolina, New Hampshire, Virginia, New York, North Carolina and Rhode Island.

The original 13 states were never first legal territories. In 1776, the Continental Congress recommended that governments be established in the 13 states. By April, 1777, all 13 states had adopted similar constitutions. A decade later, between 1787 (Delaware) and 1790 (Rhode Island), each of the 13 states had ratified the U.S. Constitution, which became effective when the ninth state, New Hampshire, ratified it. The original 13 were considered admitted in the order that they ratified the Constitution.

Article IV of the U.S. Constitution addresses the specific legal framework invoked when adding other states to the Union.

Section 1 provides the basis for the legal doctrine of "Equal Footing." Equal footing means that once statehood is granted, all states must have equal standing with all other states. Thus, New Columbia, as the new state will be called, will be equal in every respect to all other states.

Section 2 grants to each citizen of all states all of the privileges and immunities belonging to citizens of all other states. It also requires fugitives in one state who are found in another state to be returned to the state where the crime was committed.

Section 3 grants to Congress the power to admit new states, but does not allow it to admit new states formed from parts of or the combination of two or more states without approval from the state legislatures involved and the Congress.

Section 4 requires that every state have a republican (representative) form of government, and guarantees that the federal government will protect each state from invasion and, upon request of the state legislature or chief executive, against domestic violence.

Congress has broad discretion in admitting new states into the Union. No two states have entered the Union in exactly the same way. Since the original thirteen, 37 states have been admitted -- from Vermont (March 4, 1791) to Hawaii (August 21, 1959).

NOTE: No political entity petitioning Congress for admission has ever been turned down.

Daily Lessons
Lesson

How and Why the District of Columbia Came to Be

History reveals that minor incidents can sometimes dramatically change or create major events. The creation of the District of Columbia as the federal seat of government was one such event.

In the early days of the Republic, Congress made several cities its home. In June of 1783, the Continental Congress was meeting in Philadelphia. A band of drunk and mutinous soldiers, dissatisfied with Congress' failure to pay them for their service in the military, surrounded the Congress, hemmed up the legislators in their meeting hall, and refused to allow them to come out until they received their back pay.

Congress requested that the Governor of Pennsylvania send in the state militia to protect them. He refused, and the legislators remained under siege as hostages for two days. Congress was outraged, and swore never again to rely on a "host" state to provide protection and security for them while in session.

Four years later, in 1787, and as a direct result of this incident, Congress resolved that, "The Congress shall have power . . . to exercise legislation in all cases whatsoever over such District (not exceeding ten miles square) as may by the cession of particular states, and the acceptance of Congress, become the seat of government of the United States" (Article I, Section 8, clause 17).

After Congress resolved the issue of who should control the capital, the question of where to locate this new permanent federal seat of government remained. Rivalries were intense. Sectional jealousies, fear that one section of the country might gain economically or politically over the other, and the question of slavery, were all influential factors. After various compromises, Congress voted 32 to 20 on July 16, 1790 to authorize George Washington to select the present site upon which to build the new capitol.

Maryland and Virginia ceded to the federal government a 10-mile-square (100 square miles) sparsely populated (ca. 5,000 people) piece of land along the Potomac River. Between 1790 and 1801, residents of this territory voted in Maryland and Virginia respectively. Congress intended to deal with the political details of DC at some future time. However, Congress never got around to addressing the question of political representation. On December 1, 1800, Congress moved the government from Philadelphia to DC. On February 27, 1801, Congress assumed legal jurisdiction over DC.
LESSON

DIFFERENT FORMS OF DISTRICT GOVERNMENTS FROM 1800 TO 1991

On February 27, 1801, Congress assumed jurisdiction over the Federal District. DC was then comprised of one county each in Maryland and Virginia, and three cities -- Washington, Georgetown and Alexandria.

Congress created the first government for the City of Washington on May 3, 1802, consisting of a mayor and 12 city council members. Georgetown and Alexandria operated as autonomous cities with their own charters.

On May 4, 1812, Congress created an eight-member Board of Aldermen and a twelve-member Board of Common Council who, in turn, elected the mayor. On May 15, 1820, Congress changed the law to allow the voters to elect the mayor directly. This form of government prevailed until the 1870s.

As of the mid-1800s, the federal government had not yet used Virginia's land. Also, controversy persisted around the 1820 Missouri Compromise regarding the admission of slave and free states. Alexandria, with its thriving slave trade, feared the federal government would outlaw slavery in DC. Additionally, Alexandria residents contested their continued political disenfranchisement. Thus, at Virginia's request, on September 7, 1846, Congress retroceded Alexandria County to Virginia, reducing the District to the present-day 67 square miles.

In 1871, Congress granted DC a non-voting Delegate in the House. Local autonomy was exercised by a presidentially-appointed Governor and elected legislative assembly. An ambitious new government improved DC's infrastructure and services. Their well-intentioned efforts, however, resulted in a huge deficit. On June 20, 1874, a disapproving Congress replaced this government with a three-member presidentially-appointed commission, reserving for Congress final approval of all local laws and budgets—a right retained to this day.

Congress passed the legislation in 1960, and by April 3, 1961, enough states had ratified the 23rd Amendment to the Constitution to give DC residents three electors in the Electoral College and, thus, the right to vote for President. Congress authorized an elected school board in 1968.

In 1971, District residents again elected a non-voting Delegate to Congress. In 1973, Congress enacted the present form of limited self-government, with primary legislative authority vested in a Mayor and District Council. Congress retained its power to overturn, amend or repeal all local legislation. DC residents passed a statehood referendum November 2, 1980. November 3, 1982, DC residents held a convention and approved a constitution. On November 6, 1990, DC residents elected a statehood delegation to lobby Congress for admission to the Union. Tomorrow, we will discuss the historical approach adopted by DC to attain this new and final form of government.

Daily Lessons
The Tennessee Plan for Achieving Statehood, Part 1

As you know, no two states have entered the Union in exactly the same way since the original thirteen. The territory's geography, population, composition, relationship to other states and the federal government have all played a role in the admission of states.

Seven states -- Tennessee (1796), Michigan (1835), Iowa (1846), California (1849), Oregon (1856), Kansas (1861) and Alaska (1956) -- elected "senators" and/or "representatives" to come to Washington to "shadow" or "lobby" Congress for their territory to be admitted as a state. Minnesota elected senators and representatives after the passage of an enabling act and the framing of a constitution, but before an act of admission. These elected senators and representatives were never seated in Congress until after admission, but some were seated immediately after admission without ever having to stand for an additional (initial) election.

Tennessee originally constituted the western part of North Carolina. In 1789, North Carolina ceded the area to the federal government. Sentiment for statehood in the "Southwest Territory", as it came to be known, was strong from the outset. Delegates convened January 11, 1796 and finished drafting their constitution on February 6. Only the delegates, not the voters, approved the constitution. They then sent a letter to the national administration indicating that Tennessee anticipated early admission.

The new legislative assembly convened under the authority of the new constitution March 28, 1796. It appointed two senators and two representatives. Less than two weeks later, President Washington submitted the new Tennessee Constitution to Congress, without his personal recommendation, but with his implied approval.

On May 6, a "Jeffersonian" (anti-federal) House adopted a resolution to admit Tennessee. Eight days later, a "Federalist" Senate employed delaying tactics. Congress forced Tennessee to wait nearly a month before acquiring statehood. On May 23, both Tennessee "senators," William Blount and William Cocke, wrote a letter to the Senate suggesting that they were legally entitled to seats. The Senate disagreed, and ordered them received as "spectators" -- with chairs, but without a voice or vote on the Senate floor until admission. An Aaron Burr compromise, reducing Tennessee's representatives in the House from 2 to 1, finally paved the way for Tennessee's admission as the 16th state of the Union June 1, 1796. Because of the success of the "Tennessee Plan," other territories, including DC, have modeled their efforts at acquiring statehood after Tennessee's.
LESSON

THE TENNESSEE PLAN FOR ACHIEVING STATEHOOD, PART 2

In a referendum, November 4, 1980, DC residents followed Tennessee's course and voted for "Initiative 3," the statehood proposal, which called for both a constitutional convention and the election of two statehood senators and a representative to lobby Congress for admission to the Union. A constitutional convention was held and the voters approved the constitution on November 2, 1982. The District Council submitted an alternative constitution in 1987, which ultimately must be approved by District voters.

The District Council postponed the election of two senators and a representative several times. On March 27, 1990, the District Council finally approved such elections for November 6, 1990. Jesse L. Jackson and Florence H. Pendleton were elected DC "Senators" and Charles J. Moreland was elected DC "Representative." These are local, not federal offices.

Previous territories provided funding for their statehood advocates. The District Council provides no expenses and, in fact, the House of Representatives attached a rider to an appropriations bill which prohibits the use of any public monies for "salaries, expenses or other costs associated with [the elected statehood delegation]." A letter from the General Counsel of the Government Accounting Office (GAO) on April 17, 1990, even prohibits raising and spending private funds for this purpose.

The functions of the District's two senators and representative are:

- To inform the Congress and individual Members of Congress that the District of Columbia and its residents meet the standards traditionally required by Congress for the admission of a state to the Union.

- To monitor the status of the petition for admission of New Columbia to the Union pending before Congress, and report this legislative progress to the residents of the District of Columbia.

- To advise the District of Columbia on matters of public policy that are relevant to the achievement of statehood.

The DC "senators" and "representative" are local elected officials with no official standing in Congress. They are advocates for DC Statehood. The elected Delegate to Congress, Eleanor Holmes Norton, is a federally-recognized and funded official who has all of the rights and privileges of her colleagues, including a vote in committee. Most importantly, however, Delegate Norton cannot cast a vote on the floor of Congress.

Daily Lessons
LESSON

THE ABSENCE OF STATEHOOD DENIES THE DISTRICT FIVE THINGS

The District experiences disadvantages because it is not a state. What do states have that DC does not? Statehood would provide us with five basic and fundamental rights that we are presently denied because we are not a state. They are:

1. **Representation in Congress.** We have a non-voting Delegate in Congress, but no voting representation. Statehood would give us sovereignty -- two voting senators and one voting representative. Statehood would give us political self-determination and empowerment.

2. **Budgetary Autonomy.** Even though 87 percent of DC's budget comes from local residents, and only 13 percent from the federal government, Congress and the President control 100 percent of how we spend our revenues. The President vetoed our budget because we wanted to spend our own tax money to provide health care for poor women. Congress opposed our gun control legislation passed by the DC Council and forced the Council to overturn legislation to curb murder and violence in the District. Perhaps most absurd of all, Congress attached a rider to a 1975 appropriations bill that said, "The Woodrow Wilson High School swimming pool cannot be used after 9 PM." Statehood would give us economic and legislative autonomy.

3. **Control of Our Courts.** Federal judges and prosecutors are appointed by the President and confirmed by the Senate. DC has no senator who participates in that process. During the Reagan years, President Reagan appointed 14 white male Republicans (out of 23 federal judges in DC) in a district that is 67 percent African American and 90 percent Democratic. Two of the Reagan appointees were rejected by senators representing states of other circuits. Unlike states, counties or municipalities, DC cannot appoint or elect its local judges or prosecutor. They are wholly unaccountable to the citizens of DC. The President appoints local judges, while the U.S. Attorney's Office prosecutes both federal and local crimes. DC has a two-tiered criminal justice system. Law-enforcement (the police force and prisons) is locally controlled, while the judiciary is federally controlled. DC has no control over what crimes the federal "local" prosecutor prosecutes or what kind of sentences are imposed, but DC is then left to deal with the serious problem of overcrowded prisons. Statehood would provide control over our judicial system.

4. **A Fair Funding Formula.** The Washington Post says the District is being cheated out of $1.8 billion because of an unfair federal payment and the lack of a fair funding formula. District residents have no one in Congress who can protect their interests.

5. **The Ability to Negotiate Fair and Reciprocal Taxes.** The District is losing $1.2 billion because, by law and unlike all states, it is prohibited from negotiating a fair and reciprocal taxing relationship with its neighbors. Statehood would give us the same right as all other states to enter into such agreements.

Daily Lessons
LESSON

STATEHOOD FOR THE DISTRICT OF COLUMBIA IS MORALLY RIGHT

An issue may be politically acceptable, but morally wrong. Slavery and segregation, legacies which plague our nation's history even today, exemplify this political reality. Many people involved in American politics continue the struggle for racial justice.

On the other hand, an issue may be morally right, but not currently politically acceptable. If an issue is morally right, however, it will eventually become a political reality. Statehood for the District is morally right and, therefore, will soon become politically acceptable.

If the 1776 revolution that was declared in the name of "taxation without representation" was right, then statehood for the District of Columbia is right. If democracy means government with the consent of the governed, then DC Statehood is right. If self-determination is a sound and recognized American principle to be applied around the world, we should apply it in the center of world democracy, Washington, DC.

DC has nearly as many or more people (639,000) than six states. DC has more than three states -- Wyoming (456,000), Alaska (552,000) and Vermont (565,000), and just fewer than three states -- North Dakota (641,000), Delaware (669,000) and South Dakota (699,000).

DC residents pay nearly $1.5 billion annually in federal taxes, more total federal taxes than eight states. The per capita tax payment for DC residents is $500 above the national average -- a payment higher than 49 states.

DC residents have fought and died in every war since the War for Independence. During the Vietnam War, DC had more casualties than ten states, and more killed per capita than 47 states. During the Iraq- Kuwait crisis, there were more soldiers in the Persian Gulf from DC than 19 states and more per capita than all but four -- Mississippi, Louisiana, Georgia and West Virginia. The federal government sent DC soldiers to the Middle East to defend the right of self-determination and to restore statehood (even if undemocratic) to Kuwait. When they returned home to a democratic society, they did not have the same right of self-determination which they were sent to fight and possibly die for in Kuwait.

Of the 115 nations with elected national legislatures, only the United States denies representation in its national legislature to citizens of its capital. The citizens of Moscow and Beijing are represented in their national legislatures. It is undeniable that DC Statehood is morally right.
Lesson

Statehood for the District of Columbia is Rationally Sound

Congress has broad discretion in admitting new states into the Union. Since 1791, Congress has admitted 37 political entities as states, never voting to reject or deny admission to any entity petitioning for statehood. No two admissions have been accomplished in exactly the same way.

The U.S. Constitution does not set forth any specific procedures for admitting new states into the Union. It does say that Congress may admit new states; that it must have a republican (i.e., representative) form of government; that if a new state is formed from another or parts of another state, the legislature(s) and Congress must consent; and that a new state enters the Union with the same rights and powers of sovereignty as those held by the original thirteen (the "Equal Footing Doctrine").

Historically, Congress has imposed its own tests. The three basic criteria for determining whether a state is ready for admission to the Union are:

1. When the inhabitants of the proposed state agree to accept the constitutionally-required republican (i.e., representative) form of government. DC has.
2. When a majority of the electorate of the proposed state express their desire to become a state through some democratic process. DC held a referendum in 1980 and voted for statehood by a three-to-two majority.
3. When it is determined that the proposed state has sufficient people and economic resources to sustain a state, as well as pay its fair share of the cost of operating the federal government. DC’s per capita income exceeds the national average by $5,000. We pay more total federal taxes than eight states and more per capita than 49 states.

The District of Columbia passes all three tests.

We meet both the constitutional provisions and principles, and the three historic congressional criteria listed above. The case for DC Statehood is, therefore, irrefutable.

Statehood for the District of Columbia is rationally sound.
ECONOMIC FACTS YOU SHOULD KNOW ABOUT THE DISTRICT

There are 639,000 American citizens residing in the District of Columbia. We pay federal taxes and share the same burdens and responsibilities of citizenship as all other Americans. We are different from all other Americans in only one respect — we have no voting political representation in Congress. We have one non-voting Delegate in the House of Representatives.

This imperfection and blight on our democracy exists despite the fact that:

- Residents of the District of Columbia pay nearly $1.5 billion annually in taxes to the federal government — more total federal taxes than eight states.

- The per capita tax payment for District of Columbia residents is $500 above the national average and higher than 49 states.

- Seventy percent of the working residents of DC work in the private sector, not for the local or federal government. There is a growing and diverse private economy in the District. This includes firms in the industries of tourism, communications, education, law, accounting and consulting.

Can the District of Columbia afford statehood? President Bush is an advocate for Puerto Rican statehood. The per capita income in Puerto Rico is $6,000, for the nation is $19,000, and for the District of Columbia is $24,000. It is estimated that the cost of adding Puerto Rico to the Union on an “Equal Footing” with all other states (as constitutionally-required) would cost the federal government an additional $17 billion.

We support Puerto Rico’s right to self-determination. We support Puerto Rico’s choice, whether their choice of status is statehood, independence or enhanced commonwealth. So far, however, they have not voted to apply for admission as a state. Additionally, they pay no federal taxes.

By contrast, District of Columbia residents have voted for statehood and do pay federal taxes. If the financial status of Puerto Rico is no barrier to President Bush’s support of their statehood, then certainly the District’s payment of federal taxes and other positive financial resources should only bolster our case for admission to the Union.

Daily Lessons
The special economic relationship between DC and the federal government has evolved over the years in response to changing times and conditions. Virtually since the establishment of the District, the federal government has debated its obligation to support the local government in DC.

Between 1800 and 1871, the unique presence of the federal seat of government required District residents to repeatedly appeal to Congress for relief from operating and maintenance costs it required in excess of the local means to pay for them.

Congress did not enact a fixed system of determining the amount of federal support for the District until 1879, though federal payments to support local government operations were made in 12 of the years between 1790 and 1822, and every year between 1823 and 1876. A tabulation prepared in 1878 showed that the federal government provided almost 40 percent of all of the local government’s costs from 1790 through 1878.

Congress reorganized DC in 1878, and agreed to pay annually 50 percent of local government expenditures. From 1921 to 1924, Congress paid 40 percent of the local budget. The arbitrary congressionally-determined lump-sum “negotiated” payment method (versus a fair federal payment based on a rational funding formula) was introduced in 1925 and still exists. Today, the federal government contributes about 13 percent of the overall operating costs of the District, while local residents pay 87 percent. Congress still controls 100 percent of how DC spends its locally-raised revenue.

Federal money provided to the DC government is called the “Federal Payment.” It is not welfare, a grant or a special subsidy to the citizens of DC. It is primarily a payment for services rendered to the federal government. The remainder is payment in lieu of taxes that the DC government is denied because 50 percent of the land is occupied by the federal government, foreign embassies or other tax-exempt entities; and losses due to legal restrictions imposed by Congress upon the District’s ability to generate revenue.

With the grant of limited Home Rule in 1974, the federal government transferred responsibility for the government’s finances to the newly-elected local government. Unfortunately, the federal government did not give the new government an opportunity to start operations with a “clean slate.” Tomorrow we will learn how Congress passed along to the new District government certain financial liabilities that Congress created.
Lesson

The Unfair Treatment of the District by Congress

The federal government has treated DC unfairly. In 1974, Congress passed on a $378 million deficit to the District when it created the current limited Home Rule system. Presently, the federal government imposes special costs on DC while severely restricting its revenue-raising capacity. This unfair treatment is short-sighted, because the entire country has a stake in DC being able to provide good public services for visitors and residents alike.

The presence of the federal government imposes special costs on DC. Personnel for crowd control, materials for road construction and maintenance for access to federal facilities, and clean-up associated with demonstrations, are but a few of the federally-created needs which require DC’s services. The federal presence also restricts DC’s revenue-raising capacity.

- Fifty-five percent of real property is exempt from taxation because it belongs to the federal government, diplomatic missions, or other tax exempt organizations. About half of all sales in the District are to the federal government or other tax exempt organizations. These produce no revenue for the District government.

- We support the 130-foot height restriction for buildings imposed upon DC by Congress because it helps to preserve the aesthetic beauty of the nation’s capital. This restriction, however, reduces the property tax base by limiting commercial building construction. Thus, in purely economic terms, the limitation restricts DC’s revenues.

- All states have the right to tax income earned in their jurisdictions by residents and nonresidents alike. Unlike states, however, the District is specifically prohibited by federal law from taxing incomes of nonresidents. The result? Sixty percent of the income earned in DC is exempt from District income taxes. This amounts to an estimated loss of $1.2 billion annually. Other taxes forgone because of the federal presence are estimated to be about $600 million.

Statehood would give the District the authority to engage in reciprocal taxation agreements like all other states. New Jersey residents employed in New York pay taxes where they work, and make an adjustment where they live. DC is barred from taxing the income earned by residents of Virginia and Maryland who work in DC. Additionally, with voting members in Congress, we could also negotiate a fair federal payment based on a rational funding formula (versus the whims of Congress), not subject to rescission or sequestration.

Daily Lessons
LESSON

ECONOMIC BURDENS CONGRESS PASSED ON TO THE DISTRICT

Not only does the federal government currently treat the District unfairly, but the federal government has burdened District taxpayers with at least three past financial obligations that Congress, not DC, created prior to the 1974 grant of limited Home Rule.

1. **Accumulated Operating Deficit.** Prior to Home Rule in 1974, the federal government had accumulated an operating deficit. Rather than paying its bills, and allowing the new District government to start with a clean slate, the federal government passed on a $378 million deficit to the District government.

2. **St. Elizabeths Hospital.** The federal government transferred St. Elizabeths Hospital to the District government in 1985, and authorized $31.5 million (with no provision for inflation) for certain capital improvements to meet safety standards. The federal government, though, failed to appropriate the funds for these improvements. In 1991, the same work is estimated to cost $88 million.

3. **Unfunded Pension Liability.** In granting the District Home Rule, the federal government assigned to the DC government the responsibility for administering and funding three federally-created pension plans for District employees. Congress instituted these plans to cover police and fire fighters (1916), teachers (1920) and judges (1970). These plans were administered by the federal government on a “pay-as-you-go” basis.

At the time Home Rule was granted, the unfunded liability for pension benefits was actuarially-estimated at $1.8 billion. Acknowledging that it had allowed the unfunded benefits to accumulate, Congress recognized that it had an obligation for this liability. As a result, Congress passed the Retirement Reform Act in 1979. By this time, the unfunded liability had grown to $2.65 billion.

The Act, however, required the federal government to pay only 25 percent of the unfunded liability, while forcing the District to incur 75 percent of the liability. Today, the unfunded pension liability is estimated to be $5.4 billion and growing. By 2004, it is estimated that the unfunded pension liability will total $8 billion. Congress’ failure to sufficiently fund the pension plans jeopardizes both the future financial security of thousands of District employees, as well as the long-term solvency of the District government. This is the most serious financial burden facing the District.
Dear Senator __________________: Date __________

The issue of statehood for the District of Columbia is morally right, rationally sound, economically feasible, legally possible and constitutionally permitted. DC meets the three historic criteria established by Congress for the admission of states to the Union: 1) enough people and resources; 2) a republican (representative) form of government; and 3) the expressed desire of the people to become a state. As a constituent of yours, I urge you to “do the right thing” and vote for legislation to create the state of New Columbia out of the non-federal parts of DC.

Signed: ________________________________________

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Dear Senator __________________: Date __________

The issue of statehood for the District of Columbia is morally right, rationally sound, economically feasible, legally possible and constitutionally permitted. DC meets the three historic criteria established by Congress for the admission of states to the Union: 1) enough people and resources; 2) a republican (representative) form of government; and 3) the expressed desire of the people to become a state. As a constituent of yours, I urge you to “do the right thing” and vote for legislation to create the state of New Columbia out of the non-federal parts of DC.

Signed: ________________________________________

Please find postcards ready to send to the President and your Representatives. Please tear off, fill out, sign, put on a stamp and send to your elected officials.
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The Honorable
United States Senate
Washington, DC 20510

The Honorable
United States Senate
Washington, DC 20510
Dear Mr. President: 

The issue of statehood for the District of Columbia is morally right, rationally sound, economically feasible, legally possible and constitutionally permitted. DC meets the three historic criteria established by Congress for the admission of states to the Union: 1) enough people and resources; 2) a republican (representative) form of government; and 3) the expressed desire of the people to become a state. As an American citizen, I urge you to "do the right thing" and support the legislation which creates the state of New Columbia out of the non-federal parts of DC.

Signed: __________________________

Dear Representative: __________________________: 

The issue of statehood for the District of Columbia is morally right, rationally sound, economically feasible, legally possible and constitutionally permitted. DC meets the three historic criteria established by Congress for the admission of states to the Union: 1) enough people and resources; 2) a republican (representative) form of government; and 3) the expressed desire of the people to become a state. As a constituent of yours, I urge you to "do the right thing" and vote for legislation to create the state of New Columbia out of the non-federal parts of DC.

Signed: __________________________

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The President of the United States
The White House
Washington, DC 20500

The Honorable __________________________
United States House of Representatives
Washington, DC 20515
The “Federal Payment” -- a payment primarily for services rendered to the federal government, and partially for losses incurred because congressional restrictions limit the District’s ability to raise revenue -- has not kept pace with the many costs resulting from the District’s unique relationship to the federal government. From 1985 to 1990, the federal payment remained frozen at $430.5 million. In real dollars, the payment rose little from the beginning of Home Rule. The payment declined not only in terms of purchasing power, but also as a proportion of District revenues. Congress agreed to “give” DC an additional $100 million towards its $300 million-plus deficit for fiscal 1991.

For purposes of annual budget preparation, the Home Rule Act provides some guidance regarding how the federal payment should be calculated. It provides that, to the degree possible, the Mayor should factor in: lost revenues due to the lack of taxable commercial and industrial property; the lack of taxable business income; lost revenues due to the lack of ability to tax income at its source; recurring and nonrecurring costs of unreimbursed services to the federal government; the relative tax burden of District residents compared to that of residents in this and other comparable metropolitan jurisdictions; and other factors. Congress did not, however, specify a fair and rational formula as to how the above information relates to the federal payment.*

This lack of a fair federal payment and funding formula introduces an unpredictable element into the District’s planning process, making it difficult for the District to develop realistic long-range financial plans. This uncertain payment affects the city’s long-term general obligation bond rating (i.e., it costs us more to borrow money). In four years (to fiscal 1990), DC’s operating budget grew 24 percent in response to rising costs and increased service needs. However, there was no corresponding increase in the federal payment. The District taxpayer bore the entire burden of increased costs during this period.

The District calculates and includes in its budget each year an estimate of the taxes forgone because of the federal and diplomatic property tax exemptions, prohibition on taxing non-resident income and the income of presidential appointees and congressional employees, and taxes lost due to the presence of the diplomatic community and the military. Taxes foregone increased over 50 percent from 1985-to-1990, to $1.8 billion. The federal payment remained relatively constant.

*At date of publication, Congress, for the first time in history, passed legislation which would establish a funding formula (based on 24% of the local budget) for the federal payment. The President has indicated that he will sign it into law.
LESSON

RECOMMENDATIONS TO RESTORE DC'S ECONOMIC STABILITY

The Commission on Budget and Financial Priorities of the District of Columbia ("The Rivlin Commission") made several recommendations on how the federal government can restore fairness and justice to the District government and taxpayers. Recognizing that the District has an obligation to run an efficient government and to spend taxpayers dollars wisely, it recommended the following:

1. **Grant the District the Authority to Tax Income at Its Source.** This limitation imposes a tremendous burden on DC’s revenue-raising abilities ($1.2 billion lost annually). Congress should rescind the prohibition on taxing income earned by nonresidents in the District.

2. **Implement a Formula-Based Federal Payment That Adequately Compensates the District for the Costs and Revenue-Raising Restrictions Imposed Upon It By Virtue of Being the Nation's Capital.** The declining federal payment has forced unfair and high taxes upon DC residents. Forty-percent of the people in DC pay for 87 percent of the total budget. The federal government’s share constitutes only 13 percent. Sixty percent of the income earned in DC is non-taxable. The bordering states benefit unfairly from taxes paid to them on wages earned in the District. The increased federal payment should be based on a fair formula that insures predictability to DC’s financial planning.

3. **Eliminate the Accumulated Operating "Deficit" By Obtaining a Supplement to the Federal Payment and By Dedicating a Specific Revenue Stream.** The federal government should include an additional amount in the federal payment to the District specifically to compensate for the $378 million operating deficit it created and imposed upon the District.

4. **Place the District Pension Plans on a Sound Funding Basis, Including Amortization of the Unfunded Liability.** The unfunded liability of DC’s pension plans is the largest single accrued obligation in the District’s financial statements. The District must devise and implement a sound funding policy now. The federal government must assist the District in reducing the financial burden it created.

5. **Obtain Federal Funding for Completion of the Capital Improvements and Campus Consolidation of St. Elizabeths Hospital as Envisioned By the Transfer Agreement Between Congress and DC.**
LEsson

How Will Statehood Affect the District’s Federal Payment?

After we become the state of New Columbia will we still receive the federal payment? The underlying reasons for Congress providing the federal payment to the District in the first place (i.e., for services rendered and revenues foregone because of the federal presence) will continue to exist after statehood is achieved.

Since the earliest days of the nation, Congress recognized that the presence of the federal government is as much a burden as it is a benefit. That is why Congress has felt some responsibility to share the burden by providing a direct federal payment to the District government.

It makes no sense for the federal government to establish its own power system, sewer system, telephone system, water system, public transportation system, fire department, a police system beyond what it already has, etc. It would continue to use these and other services from the state of New Columbia. Federal properties, diplomatic embassies and not-for-profit entities would continue to be tax exempt.

Furthermore, Congress recognizes that the federal payment benefits not only District residents and the federal government, but also the residents of suburban Maryland, northern Virginia and the nation’s visitors. The economy and the quality of life of the whole metropolitan region are related to the federal payment.

Many Maryland and Virginia residents work in the District, and visitors from all across the nation and around the world benefit from the services and protection provided by the District government. If the federal government did not provide the federal payment, either the District would have to find an alternate source of funding or the services for metropolitan residents and tourists alike would decline. The achievement of statehood would not alter any of these considerations. The federal payment to the District is not unique. The Advisory Commission on Intergovernmental Relations once listed 54 programs by which the federal government made some contribution to a state or local government for the tax-exempt federal presence within their borders. Although the federal presence was immune from taxation, Congress recognized a special responsibility to the governments to compensate them for its activities.

New Columbia will continue to provide services and be denied revenues because of the benefits and burdens of the federal presence. Thus, the federal payment, as just compensation, will necessarily continue.
DAY 16

ONE MONTH CURRICULUM ON D.C. STATEHOOD

LESSON

WOULD NEW COLUMBIA BE ECONOMICALLY FEASIBLE AS A STATE?

Will the state of New Columbia be a viable economic entity? The short answer is yes. Despite several federally-imposed limitations, the District has already proven itself to be a viable economic entity, with a resilient and unique economy, and the capacity to support the District and federal governments.

Nothing in the U.S. Constitution requires a new state to meet any economic standards. Congress, however, in its broad discretion over the admission of new states, traditionally requires a new state to exhibit some degree of economic viability.

As stated in the House committee report on the Alaskan admission bill, economic viability depends on whether the new state has “sufficient population and resources to support a state government and to provide its share of the cost of the federal government.”

We pay more total federal taxes than eight states. We subsidize the federal government, Maryland and Virginia — which is why we pay more taxes per capita than 49 states. We pay 87 percent of our local government’s budget. The federal government, through the federal payment, provides only 13 percent. While the national per capita income is $19,000, the District’s is $24,000.

DC is cheated out of billions of dollars because of an unfair federal payment that does not adequately compensate us for services rendered and taxes foregone. With the right to negotiate a reciprocal tax agreement with Maryland and Virginia, and negotiate a fair federal funding formula, New Columbia would be an economically viable entity.

Dr. Andrew Brimmer, an economist and former member of the Federal Reserve Board, described the District’s economy as unique. He said it is predominantly service-oriented, and linked heavily to the service needs of the area’s federal operations. The District is a national leader in earnings in a number of fields: communications, law, finance, business services, insurance, real estate, hotels and lodging. In light of the national trend favoring growth in the service industries, DC’s service-oriented economy is well-positioned to become even stronger.

The District has sufficient population now to form a tax base and assure a steady source of revenue. As a state, we would probably gain in population. While unique, the District’s economy is both sufficient and stable enough to sustain the state of New Columbia.
Lesson

Will Statehood Affect District Taxing and Spending?

How will DC’s taxing and spending authority change under statehood? As a state, New Columbia will have the authority to exercise all of the taxing and spending powers of a state, without the prohibitions and restrictions currently imposed upon DC by Congress.

Statehood for New Columbia will not diminish its taxing and spending authority, but it will expand that authority to the extent shared by all other states. The District levies most of the same kinds of taxes that other states impose — property, income, sales — and already has in place the governmental apparatus to assess and collect such taxes. However, under the current arrangement, the District is subject to several restrictions on its powers of taxation.

Federally-owned properties, foreign embassies and chanceries would enjoy the same tax-exempt status after statehood that they enjoy today. However, those properties granted special exemption by Congress because of their nonprofit institutional nature (e.g., certain national tax-exempt organizations based in DC—National Geographic Society) will become subject to real property taxation by New Columbia, just as they are subject to property taxes in other states.

Statehood would also affect a unique restriction on DC’s taxing powers. Currently, Congress prohibits the District from taxing income earned in the District by nonresidents, a power that all states have the right to employ. Since 60 percent of all income earned in DC is earned by nonresidents, the loss of those taxes is no small matter. It is estimated that the inability to tax the earned income of nonresidents at the source of the income costs the District about $1.2 billion annually.

As a state, New Columbia will have the full power to tax all proper subjects within its jurisdiction. This includes the income of nonresidents. Congress could not constitutionally continue to prohibit such taxation after statehood is granted because it would no longer control New Columbia’s local affairs. New Columbia would have all the rights and privileges of all other states as it enters the Union on an equal footing.

With regard to DC’s spending authority, statehood will remove the controls that Congress currently exercises over DC’s budget. Congress has final approval over the District’s budget, as it has final approval over all laws passed in the District. Statehood will give New Columbia complete control over its own budgetary and legislative processes.
The 1978 District of Columbia Voting Rights Amendment

Some believe that statehood for the District of Columbia cannot be achieved by passing simple congressional legislation but, instead, requires an amendment to the U.S. Constitution and ratification by three-fourths of the states. This is one of the myths about achieving statehood.

This myth developed, in part, because Congress passed a proposed constitutional amendment in 1978. That constitutional amendment would have provided the District of Columbia with two U.S. Senators and a member in the House of Representatives. It was called the District of Columbia Voting Rights Amendment. Even though it would have given us voting representation in Congress, it was not a statehood amendment.

The Voting Rights Amendment required ratification by three-fourths of the state legislatures. By 1985, the end of the seven-year period allowed for ratification of a constitutional amendment, only 16 of the required 38 states had ratified it. Thus, the amendment died in 1985.

Article I, Section 8, Clause 17 of the U.S. Constitution ("The District Clause"), provides that Congress shall have the 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 government of the United States."

Exclusive legislative authority includes the right to use land, to dispose of land and to carve out whatever configurations are deemed appropriate. Anything less is not exclusive, and a contrary interpretation would conflict with the plain meaning of the constitutional provision.

In addition, the District clause clearly sets a maximum limit on the size of the District of Columbia, to ten miles square (or 100 square miles). The provision does not establish a minimum limit. Therefore, in accordance with the Constitution, the seat of government can be as large as 100 square miles or as small as Congress deems appropriate.

In fact, Congress returned 33 square miles of land to Virginia in 1846, which was upheld by the Supreme Court in 1876. Simple legislation, not a constitutional amendment, is all that is required for DC Statehood.
Lesson

Enabling and Admission Legislation for Statehood

Of the 37 states admitted into the Union after the original 13, no two admissions have been accomplished in exactly the same way. The actual admission legislation differed for each new state. Each new admission depended on the particular circumstances of its case. Differing factors included the status of the proposed state, the governing structures already in place, and the relationship of the proposed state to other states and to the federal government.

For example, Texas was an independent republic ten years before its admission. It became a state through an annexation resolution in 1845, entirely different from the admission of any other state. During the Civil War, statehood leaders in western Virginia who were loyal to the Northern cause, declared the secession of Virginia "void" and organized a separate state government. Despite the objections of Virginia and others, Congress legitimized the separation by admitting West Virginia in 1863 as the 35th state.

Congress admits new states through the ordinary legislative process. Both houses pass admission legislation by a simple majority and present the act to the President for approval. For most states Congress has used two types of legislation: the enabling act and the admission act.

Congress can begin the process by passing enabling legislation. It establishes procedures for drafting and ratifying a proposed state constitution. The enabling legislation also contains conditions which the constitution must satisfy (e.g., the guarantee of a republican form of government). A statehood applicant can, on its own initiative, draft a constitution without enabling legislation. In fact, 17 of the 37 states admitted were created by admission acts alone. The proposed legislation for DC Statehood is such an admission act.

After the constitution is drafted, Congress can respond in several ways. It can conclude that the petitioner has met all the tests and approve by passing an act of admission. Congress can also delegate the matter to the President, and upon determining that the petitioner has met all the tests, admit the state by proclamation.

Courts have held admission decisions to be essentially political. Congress has considerable discretion in all phases of the process, subject only to the limitations established by the Constitution. Congress has never refused a statehood application.
As it became clear that the constitutional amendment granting voting rights would not gain approval from enough states, the movement for achieving statehood through congressional legislation began to gain momentum. A statehood referendum was held on November 2, 1980 and DC residents voted for statehood by nearly a 3-to-2 majority. In 1982, a convention was held and voters approved the drafted constitution.

A petition for admission of the State of New Columbia was transmitted by Mayor Marion Barry to Congress on September 12, 1983. On January 3, 1985, Delegate Walter Fauntroy introduced legislation (HR-325) to provide for the admission of the State of New Columbia into the Union.

On January 6, 1987, Delegate Walter Fauntroy reintroduced a statehood bill, HR-51, in the 100th Congress. On March 26, 1987, Senator Edward Kennedy introduced a companion bill, S-863, into the Senate. Hearings on HR-51 were held by the House DC Subcommittee on Fiscal Affairs and Health in March and April of 1987.

HR-51 was considered and marked up on April 30, 1987. The bill was amended and forwarded to the full committee on May 5, 1987. The House District of Columbia Committee considered and marked up HR-51, reporting out an amended version, by a vote of 6-to-5, on June 3, 1987. The New Columbia Admission Act was ordered printed on September 17, 1987. No further action was taken on these bills during the 100th Congress.

Efforts to obtain statehood for DC garnered some support in the 101st Congress. In sum, four bills regarding DC representation were introduced. Two bills provided for statehood: Walter Fauntroy [D-DC], January 3, 1989, in the House, HR-51; and Edward Kennedy [D-MA], May 17, 1990, a companion bill in the Senate, S-2647. One bill supported retrocession of the District to Maryland: Ralph Regula [R-OH], March 6, 1990, in the House, HR-4195. A fourth bill would have allowed DC residents to vote in Maryland: Stan Parris [R-VA], March 6, 1990, in the House, HR-4193. No hearings were held on any of these bills.

DC Statehood bills will be introduced in both houses of the 102nd Congress and, if necessary, each succeeding Congress. On May 29, 1991, Delegate Eleanor Holmes Norton [D-DC] introduced a DC Statehood bill in the House, HR-2482. The National Rainbow Coalition expects that subcommittee and committee hearings will be held, and that a vote will be taken in both houses during the 102nd Congress. If you favor statehood, you should write or call your local and national political representatives to urge them to vote for statehood. You can mail the detachable postcards provided in this book.
LESSON

LEGISLATIVE ALTERNATIVES TO STATEHOOD FOR THE DISTRICT

While most people concede that it is not right that the 639,000-plus citizens in the District of Columbia are politically disenfranchised, not everyone agrees that statehood is the best way to solve this problem. There are those who want to grant the District political representation, but not statehood.

On March 6, 1990, Representative Ralph Regula (R-OH) introduced HR-4195, a bill to retrocede the District of Columbia to the State of Maryland. The legislation would have continued federal control over the federal seat of government ("The National Capital Service Area"), but would return to Maryland all other remaining parts in the original grant. The bill assumed the repeal of the 23rd Amendment to the Constitution, which gives DC residents the right to vote for the President in both the popular vote and Electoral College.

On March 6, 1990, Representative Stan Parris (R-VA) introduced HR-4193, which would have given District of Columbia residents voting representation in both the House and Senate, but not statehood. In essence, it would have turned DC into a congressional district of Maryland. It also would have allowed our vote to count in the election of the two U.S. Senators from Maryland. We would have been treated as Maryland residents for purposes of federal elections and apportionment. Thus, we would no longer have been subject to "taxation without representation."

No hearings were held on either of these bills in the 101st Congress.

It is true that both of these solutions would have eliminated the moral wrong and undemocratic practice of inflicting "taxation without representation" upon DC. In a democracy, however, "taxation without representation" is one, not the only or primary, issue involved.

Inherent in democracy is the right of self-determination, subject only to extenuating circumstances or other prohibitive factors—circumstances and factors not applicable to DC. People living in a democracy have the right to be governed "with the consent of the governed." DC and Maryland residents overwhelmingly rejected both of these proposals.

The Congress does not have a moral or democratic right to impose a solution upon the District, against the will of the people. In a democracy, the means and ends must be consistent. Statehood is the choice of the people in the District of Columbia.

Daily Lessons
Lesson

The Constitution: Article I, Section 8, Clause 17


This provision, known as the “District Clause”, grants Congress exclusive legislative authority over the federal seat of government [DC], which is not to exceed 10 miles square. This grant of authority gives Congress the right to dispose of land and carve out any configuration. Article IV, Section 3, Clause 2 of the Constitution authorizes Congress to dispose of federal property as it deems appropriate. Congress can dispose of some land in order to create the state of New Columbia, while preserving the federal seat of government.

The District Clause also sets a maximum geographic limit of ten miles square, but does not set a minimum size requirement. Congress can, therefore, reduce the District to consist of only the federal parts -- the “National Capital Service Area” -- while admitting the remaining non-federal parts of the current District of Columbia to the Union as the State of New Columbia.

Congress has already used its power to reduce the size of the federal seat of government. In 1846, Congress reduced the original size of the District by returning to Virginia the land originally given by them. The Supreme Court, in 1876, upheld this act of Congress. The current “federal seat of government” is solely comprised of land contributed by Maryland.

Congress’ authority to reduce the size of the federal district and carve out the state of New Columbia is supported both by the exact language used in the constitution and by the expressed intent of Congress.

The constitutionally-required “federal seat of government” is preserved by maintaining the District of Columbia in the form of a “National Capital Service Area.” When Congress implemented limited Home Rule for the District in 1974, it carved out an area needed by the federal government to fulfill its functions. This area is comprised of key federal buildings and agencies (e.g., White House, Congress, Supreme Court, Mall, Monuments, etc.) and allows the federal government to conduct its functions in safety and security — the original purpose of creating the “federal seat.”

The Constitution, therefore, does not force a choice between “seathood” and “statehood.”
Lesson
THE CONSTITUTION: IS A CONSTITUTIONAL AMENDMENT NEEDED?

Does DC Statehood Require a Constitutional Amendment?  No.

Congress passed a voting rights constitutional amendment in 1978. If enough states had approved the amendment, it would have granted to District residents full voting rights for two U.S. senators and a congressperson. The amendment required the ratification of 38 state legislatures. Only sixteen state legislatures ratified it. Following the expiration of the seven-year ratification deadline for constitutional amendments, the amendment died in 1985 without the votes of the necessary 38 states.

All that is required to achieve statehood for the District of Columbia, however, is a simple majority vote in the House and Senate, and the President’s signature. Since the admission of the original 13 states, it is the way ALL territories have become states. No two states have come into the Union in exactly the same way due to the differing circumstances surrounding each individual case. The admission of a new state to the Union has never required ratification by other states. Every political entity that has sought admission to the Union as a state has been admitted by simple legislation. No application has ever been denied!

The Constitution does not define specific conditions for the admission of new states. However, DC meets the three traditional statehood tests imposed by Congress: (1) the people, through some democratic process, express their desire to become a state (DC voted for statehood in a 1980 referendum); (2) the people agree to accept the republican form of government required by the U.S. Constitution; and (3) there are enough people and economic resources to support a state and pay federal taxes.

An amendment is not required to terminate congressional control over DC. Once New Columbia is admitted to the Union, Congress has no power to expel or revoke its admission as a state. Congress, therefore, permanently relinquishes its power to legislate over land which previously constituted the federal district.

Once the land of New Columbia is carved out of the former District, that land no longer constitutes the federal seat of government. Thus, it is no longer subject to the District Clause of the Constitution. Congress retains its jurisdiction over the federal seat of government (“the National Capital Service Area”) as mandated by the Constitution.

Daily Lessons
Lesson

The Constitution: Must Maryland Approve DC Statehood?

Is Maryland's Consent Required Before Congress Can Admit New Columbia Into the Union?  No.

Maryland's formal consent is not a constitutional prerequisite to statehood. Article IV, section 3, clause 1 of the Constitution ("the Admission Clause") provides: "New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State, nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the State concerned as well of the Congress."

To admit a new state, the Admission Clause requires the consent of Congress and the approval of the legislature(s) of all affected states. This constitutional provision does not apply in the case of DC Statehood, however, because Maryland no longer has power over the land that it ceded to the federal government 200 years ago.

Maryland's consent is not required because Maryland, in its 1791 cession of land to the federal government, expressed its clear intent to "forever cede and relinquish ... in full and absolute right and exclusive jurisdiction..." the land to the federal government. If Maryland had wanted the federal government to return its land to Maryland after the federal government finished using the land as the federal seat of government, state law required that Maryland explicitly express its intent. It did not. Instead, the language used by Maryland in its cession of the land to create the District stated just the opposite. Maryland made clear its intent to permanently and unconditionally relinquish its sovereignty over the territory.

Statehood opponents often propose a variation of this -- that retroceding a portion of the District to Maryland would resolve the problem of disenfranchisement for District residents. This "solution" fails on three bases: (1) on principle, (2) on constitutional grounds, and (3) related political grounds. First, as a matter of principle, unless there are prohibitive circumstances -- which there are not -- Americans residing in DC have the same right to self-determination as all other Americans. The citizens of the District of Columbia have voted for statehood. Maryland has no legal jurisdiction over DC (as explained above) and, in a democracy, government exists "with the consent of the governed."

Second, the constitutional question arises from the Admission Clause which requires that both Congress and the Maryland State Legislature approve such an act of retrocession. Third, this constitutional requirement leads one to a direct practical obstacle -- i.e., retrocession is unworkable politically and, therefore, legally. Ninety-one of 189 Maryland legislators responded to a recent survey. Only 7 were willing to take the District back. Thus, both DC and Maryland reject retrocession. Morally, constitutionally or politically, the retrocession "solution" cannot be imposed on Maryland and District residents.
The 23rd Amendment will not serve to bar DC Statehood. The Amendment granted participation in the popular vote and the electoral college to the residents of the federal seat of government. Once admitted to the Union, the lands constituting the state of New Columbia would no longer be a part of the federal seat of government, thus, the 23rd Amendment would not apply.

The purpose of the 23rd Amendment — to give DC residents the right to vote in presidential elections — would be fulfilled. Once the non-federal parts are carved away from the federal enclave, few people are expected to reside and, therefore, be eligible to vote in the seat of government. Residents still living in DC, the federal seat of government, would vote in New Columbia, just as citizens of all other federal enclaves (e.g., federal military bases) vote in the elections of their respective states.

Congress could enact clarifying legislation granting federal enclave residents the right to vote in New Columbia, just as it did when it provided for Americans overseas to participate in their state elections at home.

The admission of New Columbia may simply render the 23rd Amendment moot. This result is neither unprecedented nor unconstitutional. At least six sections of the Constitution have not been repealed despite the fact that subsequent legislative initiatives either superseded or negated these provisions. Thus, this Amendment would join other obsolete, yet unrepealed, provisions of the Constitution. For example, Article I, Section 9, limiting the tax imposed on imported slaves to $10, remains on the books. Also, Article I, Section 2 of the Constitution decreed that African Americans brought here as slaves were to be counted as three-fifths of a person. But when the 13th Amendment passed, thereby emancipating all of the slaves of the United States, these sections were not expressly repealed. They remain in the Constitution today. They simply have become moot.
Some people try to oppose statehood on substantive grounds. Their arguments or objections are usually one of the following:

1. Granting statehood to the nation’s capital is inconsistent with the Constitution’s District Clause, which designates a Capital or federal seat of government outside the boundaries of any state. The language of the Constitution grants Congress exclusive authority over the District that became the seat of government, not merely over the seat of government. (What about the retrocession to Virginia in 1846?)

2. If DC were granted statehood, the specific terms of Maryland’s cession of 1791 would be violated. Maryland ceded land to fulfill the land requirements of the District, serving as the federal seat of government as required by the Constitution, and not for any other purpose. Furthermore, the language of Article IV, section 3, clause 1 of the Constitution, which provides that “no new State shall be formed or erected within the Jurisdiction of any other State...” would imply that the consent of Maryland, as one of the original ceding States, would be necessary before DC could become a State. (See Day #24)

3. It is not necessary to create a new State in order to give residents of the District of Columbia voting representation in Congress. Rather, statehood opponents have proposed to retrocede a good portion of the current District to Maryland. This would allow DC residents a full and equal voice in national affairs and would preserve the constitutional mandate that the seat of government remain under the exclusive jurisdiction of Congress. (See Days #21 and #24)

4. The 23rd Amendment is an impediment to DC Statehood. This argument says that statehood would require this Amendment to be repealed or amended prior to admitting New Columbia as a state. Opponents argue that failure to do so would allow the few remaining residents of DC to control three electoral votes. (See Day #25)

5. DC’s economy and geographic area are not large or diverse enough to support a state. DC has not demonstrated that it can generate enough taxes to support both a local and the federal government. (See Lessons 9-17)

6. DC’s interests are represented by congressional committee members who oversee District affairs. Thus, DC needs no further representation. (Would this type of representation be sufficient for other Americans who pay taxes and fight in wars?)
Lesson

The Arguments Against DC Statehood—Political

Some people try to discredit DC Statehood on substantive grounds. Failing that, they often shift their opposition from substantive to political rationales. These arguments are generally referred to as “the five too’s”: too liberal, too urban, too small, too Democratic and too Black. Sometimes, more individual and personalized arguments are also advanced.

1. Too Liberal. Some political conservatives argue that New Columbia would produce two liberal senators and a liberal member of the House. Therefore, these conservatives oppose it for ideological reasons.

2. Too Urban. Members of Congress from rural states and districts argue that because DC is completely urban, New Columbia would elect members to Congress who would be hostile to rural concerns. Few are aware that the Congressional Black Caucus, which is largely urban-based, has the best voting record for family farmers of any voting bloc in the House.

3. Too Small. The Constitution has no geographic size requirement for states. The only congressional size requirement refers to population, not geography. Members of Congress represent people, not land, and DC has nearly as many or more people than six states. As states, Rhode Island is comparable to Alaska and California on the basis of population, not geographic size. If land were a factor, Alaska would be greatly underrepresented. DC meets all historical and constitutional requirements for statehood.

4. Too Democratic. Republicans argue that granting statehood to New Columbia would add two more Democrats to the Senate and one to the House. Some Republicans, therefore, oppose DC Statehood for partisan reasons. It should be noted, however, that when the last two states were brought into the Union it was thought that Alaska would be Democratic and Hawaii Republican. Just the opposite resulted. At the time of admission it was thought Oregon would be Democratic. Oregon actually helped elect Abraham Lincoln President.

5. Too Black. While the quest for political representation began long before DC was majority Black, there are some who contend that the obstacle to statehood is DC’s 67 percent African American population. There have only been three African American senators ever in Congress, only one this century, Edward Brooke (R-MA). Currently, there are 96 white males, two Asian American males, and two white females in the Senate. While no one can say for sure, New Columbia quite likely would help the Senate to more fully reflect and represent our nation.

6. Good Behavior. This argument was highlighted when Mayor Marion Barry’s personal problems led to his criminal prosecution. Congress, however, should never use the personal problems of an individual politician to justify mass persecution or deny basic civil rights to any American citizen. Some argue that DC should not be granted statehood until the waste, fraud, abuse and inefficiency in the local government are eliminated. Obviously, if those problems exist, they should be corrected. Yet, when limited Home Rule was granted in 1974, Congress passed on to the District government a $378 million debt accumulated because of Congress’ mismanagement.
 Yesterday we studied some of the political arguments against DC Statehood. Can you list and explain the five political arguments often used against statehood? Can you give some of the counter arguments?

LESSON

CHRONOLOGY, HISTORY AND HIGHLIGHTS: DISTRICT OF COLUMBIA

June, 1783: A group of drunk and disgruntled soldiers held the Continental Congress hostage in Philadelphia for two days because they had not been paid for military service rendered during the American revolution. This event led Congress to later create a federal seat of government that it controlled. Congress vowed never again to be dependent upon a "host state" to protect its ability to perform its functions.

July 16, 1790: Congress authorized a permanent seat of government along the Potomac River on neutral land donated by the states of Maryland and Virginia. Approximately five thousand people populated the District.

Mar. 4, 1791: Vermont is admitted to the Union, the first state after the original 13.

Mar. 28, 1796: Tennessee became the first of seven states to elect a "congressional delegation" to lobby Congress for statehood prior to its admission.

Dec. 1, 1800: Congress moved from Philadelphia to the District of Columbia, which became the nation’s new capital, assuming legal jurisdiction on February 27, 1801.

Sept. 7, 1846: Congress returned the Virginia portion of the original District of Columbia site (Alexandria County) to Virginia at its request.

April 16, 1862: Slavery in the District was legally abolished.

Aug. 21, 1959: Hawaii was the most recent state to join the Union.

April 3, 1961: Three-fourths of the states ratified the 23rd Amendment to the Constitution, allowing DC residents the right to vote in presidential elections.

Sept. 2, 1970: Congress authorized the election of a non-voting Delegate to the House of Representatives to represent DC residents. A Delegate was seated in 1971.


Nov. 4, 1980: DC residents voted for statehood in a referendum by a 3-2 majority.

Nov. 6, 1990: Statehood Senators Jesse L. Jackson and Florence H. Pendleton, and Representative Charles J. Moreland, were elected to lobby Congress for statehood legislation for New Columbia. The District is the eighth state to use the "Tennessee Plan" to achieve statehood.

SOON: New Columbia is admitted to the Union as the 51st state!
TEST YOURSELF—TRUE AND FALSE (15 QUESTIONS)

1. It is a myth that statehood for the District of Columbia requires a constitutional amendment. T F

2. By creating the state of New Columbia, Congress would eliminate the federal seat of government, Washington, D.C. T F

3. In the transition to limited Home Rule in 1974, the federal government passed a debt of $378 million to the District government. T F

4. The District will be the first entity to elect a statehood delegation to lobby Congress for admission to the Union. T F

5. All states, including the original 13, have been admitted to the Union through congressional legislation. T F

6. Congress has denied admission to the Union to only one political entity in the entire history of our nation. T F

7. All budgets and legislation passed by the District Government must be approved by both Houses of Congress and signed by the President. T F

8. The federal government pays the District government a "Federal Payment" for services rendered and taxes denied. T F

9. Congress, by law, prohibits the District from entering into a reciprocal taxing relationship with Maryland and Virginia, which costs the District government about $1.2 billion annually. T F

10. The statehood delegation, elected on November 6, 1990 to lobby Congress for statehood, are federal officials. T F

11. New Columbia would have all the rights of other states. T F

12. In the war with Iraq in 1991, there were more total reservists in the Persian Gulf from DC than 19 states and more per capita than all but four — Mississippi, Louisiana, Georgia and West Virginia. T F

13. An expressed desire for statehood, a republican form of government, enough people and resources, and the approval of two-thirds of the other states, are the four criteria Congress has set for admission of new states. T F

14. President Bush said he will veto statehood legislation for Puerto Rico and the District of Columbia. T F

15. DC is too small to be a state. T F
LESSON
"TEST YOURSELF—MULTIPLE CHOICE " (12 QUESTIONS)

1. More or nearly as many people live in the District of Columbia as live in: (a) 2 states; (b) 4 states; (c) 6 states; (d) all states have more people than DC.

2. Which of the following states was the last to use the “Tennessee Plan” to lobby Congress for statehood? (a) Hawaii; (b) Tennessee; (c) Alaska; (d) Vermont.

3. How many states have successfully used the “Tennessee Plan” to gain admission to the Union? (a) 4; (b) 6; (c) 9; (d) none of these.

4. The District of Columbia was originally comprised of three cities. Which city was not included in the early make-up of the nation’s capital? (a) Georgetown; (b) Alexandria; (c) Arlington; (d) Washington.

5. Which of the following gave the residents of the District of Columbia the right to vote for President? (a) the Home Rule Act; (b) the 23rd Amendment; (c) the Rivlin Commission; (d) the “District Clause.”

6. Virginia took back its portion of land originally ceded to the federal government for the purpose of establishing the nation’s capital in: (a) 1845; (b) 1846; (c) 1856; (d) 1857; (e) none of these.

7. Which of the following would not be part of the “National Capital Service Area?” (a) the White House; (b) the Capital; (c) the Supreme Court; (d) the Smithsonian; (e) all of these would be part of it.

8. The Constitution mandates that the federal seat of government be no larger than 10 miles square. Virginia took its land back. The District is now approximately: (a) 60; (b) 63; (c) 67; (d) 75 square miles.

9. Which of the following is not one of the functions to be performed by the elected statehood representatives? (a) inform and educate Congress; (b) monitor statehood legislation; (c) advise DC residents on financial matters before the District Council; (d) keep DC residents informed about progress on statehood.

10. Which of the following is not part of the present political structure in DC? (a) a voting congressional Delegate; (b) a non-voting congressional Delegate; (c) a Mayor; (d) a 13-member District Council; (e) all of these.

11. Which of the following political entities have voted for statehood? (a) Puerto Rico; (b) Virgin Islands; (c) District of Columbia; (d) American Samoa; (e) none of these.

12. Currently, New Columbia would have: (a) 1; (b) 2; (c) 3; (d) 4 votes in Congress?
LESSON

TEST YOURSELF—FILL IN THE BLANKS (40 BLANKS)

1. Seven states have successfully used the method of electing “representatives” to lobby Congress for admission into the Union. This is sometimes referred to as the “__________ ________.”

2. The original 13 states were admitted to the Union in the order in which they __________ the U.S. ________________.

3. By tradition, Congress has established three criteria for admitting states: (a) ___________________ (b) ___________________ (c) ___________________.

4. Article ____, section ____, clause ____ gives Congress exclusive authority over the federal seat of government.

5. The per capita income in Puerto Rico is $__________, for the nation it is $__________, and in the District of Columbia it is $__________.

6. District residents pay more total taxes than _____ states, and more taxes per capita than _____ states.

7. There are approximately __________ residents in DC?

8. DC Statehood is sometimes opposed on political grounds, referred to often as the five too’s. Name them: (a) too ____________; (b) too ____________; (c) too ____________; (d) too ____________; and (e) too ____________.

9. All states that are admitted to the Union are admitted under the legal doctrine of “__________ ________________.”

10. There are two types of legislation for the admission of states. Name them: (a) ___________________; and (b) ___________________.

11. All that is required for DC to achieve statehood is: (a) a simple majority vote in the ________ and __________, and (b) the ____________ ________________.

12. After the state of New Columbia is created, the federal enclave, Washington, D.C., will then be comprised of the “__________ ________________ ____________________.”

13. DC residents are deprived of several basic rights that every other American enjoys. Among these are the right to ___________; “__________ with ____________”; and the right to vote in ____________.

14. Financial burdens imposed upon DC by Congress include: (a) a _____-foot limit on the height of buildings; (b) a $______ million debt created by Congress before Home Rule; and (c) an unfunded _________ liability.

Daily Lessons
FACTS YOU SHOULD KNOW ABOUT THE DISTRICT OF COLUMBIA

- No political entity petitioning Congress for admission to the Union as a state has ever been denied.
- Congress moved from Philadelphia to the District on December 1, 1800, and assumed (legal) jurisdiction over the District on February 27, 1801.
- In 1801, Congress suspended all voting rights in the District. Since then, for over 190 years, the two major issues of voting rights and statehood have been alive in the District.
- Slavery in the District was abolished on April 16, 1862.
- In 1921, the issue of statehood was discussed during House Judiciary and Senate District Committee hearings.
- The name of the new state will be New Columbia.
- **ALL LOCAL LAWS AND BUDGETS** passed by the District Council must be approved by both Houses of Congress and signed by the President. District residents have virtually no rights that Congress is bound to respect.
- Currently, the District is denied representation in Congress, budgetary autonomy, control over its judicial system, a fair funding formula for services rendered to the federal government, and the ability to negotiate a reciprocal taxing relationship with other states.
- DC has nearly as many or more people than six states. We pay more total federal taxes than eight states, and more per capita than 49.
- Of the 115 nations with elected national legislatures (including Moscow and Beijing), only the U.S. denies representation in its national legislature to citizens of its capital.
- Every new state admitted to the Union, after the original 13, was added through congressional legislation. No state has ever required a constitutional amendment or ratification by other states for admission.
- The three historic criteria for the admission of states have been: (1) the desire to become a state; (2) enough people and resources; and (3) a republican (representative) form of government. DC passes all three tests.
- Under the current arrangement, DC subsidizes the federal government, Maryland and Virginia. Statehood would allow District residents to lower their taxes, increase their services, and control their destiny.
- New Columbia would have the same rights as all other states.
### Dates of Admission of Other States

The original 13 states -- the 13 colonies that seceded from Great Britain and fought the War of Independence (American Revolution) became the original states. The order of admission for the original states is the order in which they ratified the U.S. Constitution.

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<tr>
<th>Order</th>
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<td>Delaware</td>
<td>Dec. 7, 1789</td>
<td>Dover</td>
</tr>
<tr>
<td>2</td>
<td>Pennsylvania</td>
<td>Dec. 12, 1787</td>
<td>Harrisburg</td>
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<tr>
<td>3</td>
<td>New Jersey</td>
<td>Dec. 18, 1787</td>
<td>Trenton</td>
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<td>4</td>
<td>Georgia</td>
<td>Jan. 2, 1788</td>
<td>Atlanta</td>
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<td>5</td>
<td>Connecticut</td>
<td>Jan. 9, 1788</td>
<td>Hartford</td>
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<tr>
<td>6</td>
<td>Massachusetts</td>
<td>Feb. 6, 1788</td>
<td>Boston</td>
</tr>
<tr>
<td>7</td>
<td>Maryland</td>
<td>April 28, 1788</td>
<td>Annapolis</td>
</tr>
<tr>
<td>8</td>
<td>South Carolina</td>
<td>May 23, 1788</td>
<td>Columbia</td>
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<td>9</td>
<td>New Hampshire</td>
<td>June 21, 1788</td>
<td>Concord</td>
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<td>10</td>
<td>Virginia</td>
<td>June 25, 1788</td>
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<td>11</td>
<td>New York</td>
<td>July 26, 1788</td>
<td>Albany</td>
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<td>12</td>
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<td>Nov. 21, 1788</td>
<td>Raleigh</td>
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<td>13</td>
<td>Rhode Island</td>
<td>May 29, 1790</td>
<td>Providence</td>
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<td>14</td>
<td>Vermont</td>
<td>March 4, 1791</td>
<td>Montpelier</td>
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<td>Kentucky</td>
<td>June 1, 1792</td>
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<td>June 1, 1796</td>
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<td>17</td>
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<td>March 1, 1803</td>
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<td>18</td>
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<td>April 30, 1812</td>
<td>Baton Rouge</td>
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<td>19</td>
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<td>Dec. 11, 1816</td>
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<td>Dec. 10, 1817</td>
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<td>Dec. 3, 1818</td>
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<td>Dec. 14, 1819</td>
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<td>March 15, 1820</td>
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<td>Dec. 29, 1845</td>
<td>Austin</td>
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<td>29</td>
<td>Iowa</td>
<td>Dec. 28, 1846</td>
<td>Des Moines</td>
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<tr>
<td>30</td>
<td>Wisconsin</td>
<td>May 29, 1848</td>
<td>Madison</td>
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<tr>
<td>31</td>
<td>California</td>
<td>Sept. 9, 1850</td>
<td>Sacramento</td>
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<tr>
<td>32</td>
<td>Minnesota</td>
<td>May 11, 1858</td>
<td>St. Paul</td>
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<tr>
<td>33</td>
<td>Oregon</td>
<td>Feb. 14, 1859</td>
<td>Salem</td>
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<td>34</td>
<td>Kansas</td>
<td>Jan. 29, 1861</td>
<td>Topeka</td>
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<td>35</td>
<td>West Virginia</td>
<td>June 20, 1863</td>
<td>Charleston</td>
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<td>36</td>
<td>Nevada</td>
<td>Oct. 31, 1864</td>
<td>Carson City</td>
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<td>37</td>
<td>Nebraska</td>
<td>March 1, 1867</td>
<td>Lincoln</td>
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<td>38</td>
<td>Colorado</td>
<td>Aug. 1, 1876</td>
<td>Denver</td>
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<td>39</td>
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<td>Nov. 2, 1889</td>
<td>Bismarck</td>
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<td>40</td>
<td>South Dakota</td>
<td>Nov. 2, 1889</td>
<td>Pierre</td>
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<td>41</td>
<td>Montana</td>
<td>Nov. 8, 1889</td>
<td>Helena</td>
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<td>42</td>
<td>Washington</td>
<td>Nov. 11, 1889</td>
<td>Olympia</td>
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<td>43</td>
<td>Idaho</td>
<td>July 3, 1890</td>
<td>Boise</td>
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<tr>
<td>44</td>
<td>Wyoming</td>
<td>July 10, 1890</td>
<td>Cheyenne</td>
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<td>45</td>
<td>Utah</td>
<td>Jan. 4, 1896</td>
<td>Salt Lake City</td>
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<td>46</td>
<td>Oklahoma</td>
<td>Nov. 16, 1907</td>
<td>Oklahoma City</td>
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<td>47</td>
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<td>Jan. 6, 1912</td>
<td>Arizona</td>
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<td>48</td>
<td>Arizona</td>
<td>Feb. 14, 1912</td>
<td>Phoenix</td>
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<td>49</td>
<td>Alaska</td>
<td>Jan. 3, 1959</td>
<td>Juneau</td>
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<td>50</td>
<td>Hawaii</td>
<td>Aug. 21, 1959</td>
<td>Honolulu</td>
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<tr>
<td>51</td>
<td>New Columbia</td>
<td>???????????</td>
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"Test Yourself" Answers

Day #29 = 1 (T), 2 (F), 3 (T), 4 (F), 5 (F), 6 (F), 7 (T), 8 (T), 9 (T), 10 (F), 11 (T), 12 (T), 13 (F), 14 (F), 15 (F).

Day #30 = 1 (c), 2 (c), 3 (d), 4 (c), 5 (b), 6 (b), 7 (c), 8 (c), 9 (c), 10 (a), 11 (c), 12 (c).

Day #31 = 1 (Tennessee Plan), 2 (ratified, Constitution), 3 (desire to become a state, enough people and financial resources, republican form of government), 4 (I, 8, 17), 5 (6,000, 19,000, 24,000) 6 (8, 49), 7 (639,000), 8 (liberal, urban, small, Democratic, black), 9 (Equal Footing), 10 (Enabling, Admission), 11 (House, Senate, President’s signature), 12 (National Capital Service Area), 13 (self-determination, taxation, representation Congress), 14 (130, 378, pension).

Selected Answers to Daily Reviews:

**Day 1** Morally right, rationally sound, economically feasible, legally possible, constitutionally permitted

**Day 2** None

**Day 3** No

**Day 4** Congressional control of the District, no vote in Congress

**Day 5** Tennessee, Michigan, California, Iowa, Oregon, Kansas, Alaska; Minnesota

**Day 6** Local lobbyists vs. federal non-voting member of Congress; read Day 5

**Day 7** Representation in Congress; Budgetary Autonomy, Control of Courts, Fair Funding Formula, Negotiation of Fair and Reciprocal Taxes

**Day 8** Taxation without Representation, more people, pay more taxes, fight and die in wars, other capital’s citizens represented in their national legislatures

**Day 9** People accept republican gov’t; people express desire to be state through democratic process (DC’s referendum); sufficient people and economic resources

**Day 10** Pay more federal taxes than eight states, more per capita than 49, 70 percent of workers in DC work in private economy, PR $6,000, Nation $19,000, DC $24,000, PR has not voted for statehood and pays no federal taxes, DC voted for statehood and does pay federal taxes.

**Day 11** Federal payment is for services rendered & taxes denied.

**Day 12** DC personnel & services, tax-exempt real estate & sales, 130 foot height limit, no reciprocal taxing powers.

**Day 13** Read Day 12

**Day 14** $1.8 billion

**Day 15** Read Day 14

**Day 16** Yes, services rendered and taxes denied.

**Day 17** Read Day 16

**Day 18** Read Day 17

**Day 19** Ratification by 3/4 states’ legislatures, no, yes

**Day 20** Enabling, admission; yes, no

**Day 21** Read Day 20

**Day 22** DC’s self-determination

**Day 23** Read Day 22

**Day 24** Legislation passed by Congress & signed by President

**Day 25** Land is no longer MD’s

**Day 26** Purpose of 23rd Amendment will be fulfilled and, therefore, moot. DC residents will vote in New Columbia

**Day 27** Read Day 26

**Day 28** Read Day 27

**Days 29, 30, 31** See answers at top of this page.
REFERENCES AND FURTHER RESEARCH

THE FOLLOWING WERE USED IN THE PREPARATION OF THIS CURRICULUM


Georgetown University Law Center’s Harrison Institute for Public Law [for the DC Statehood/Compact Commissions]. The Briefing Book on DC Statehood, 1987.


FOR FURTHER READING:


NATIONAL RAINBOW COALITION’S ACTION PLAN

1 FOR RESIDENTS OF STATES

Here’s what you can do in your state to help the National Rainbow Coalition achieve statehood for the District of Columbia:

Washington Senate Offices
The Honorable
United States Senate
Washington, DC 20510
(202) 224-3121

Washington House Offices
The Honorable
United States House of Representatives
Washington, DC 20515
(202) 225-3121

✓ Launch a DC Statehood petition drive [Petitions available at the Rainbow Coalition].
✓ Launch a letter writing campaign to your two senators and your one congressperson.
✓ Visit your congressional delegation’s local district office personally and urge them to vote for DC Statehood.
✓ Launch a telephone campaign at your congressional delegation’s Washington and district offices urging them to vote for statehood.
✓ Raise the issue of DC Statehood with all federal candidates running for office when they come to your state or district.
✓ Pass DC Statehood resolutions and obtain formal endorsements from your associations (e.g. bar associations, religious organizations, community groups).

2 FOR RESIDENTS OF THE DISTRICT OF COLUMBIA

The District’s Non-Voting Delegate
The Honorable
United States House of Representatives
Washington, DC 20515
(202) 225-8050

District Council Members
The Honorable
1350 Pennsylvania Avenue, NW
Washington, DC 20004
(202) 724-8000

✓ Launch a DC Statehood petition drive [Petitions available at the Rainbow Coalition].
✓ Write letters or make telephone calls to your DC Council representative and non-voting Delegate to give them the support they will need as they meet with members of Congress to urge passage of the DC Statehood legislation.
✓ You can educate yourself and others about DC Statehood through reading this month-long daily curriculum on DC Statehood, which is available from the Rainbow Coalition.
✓ Pass DC Statehood resolutions and obtain formal endorsements from your associations (e.g. bar associations, religious organizations, community groups).
NOTES

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D.C. STATEHOOD USE THE
ORDER FORM ON THE BACK OF THIS PAGE.
This publication is a 31-day "lesson plan" on statehood for the District of Columbia. It is designed as an introductory course on the subject with simple, yet substantive, information. In our struggle for statehood, we at the National Rainbow Coalition have found that whether people agree or disagree on the subject, they are largely uninformed. In these lessons on statehood we attempt to inform and educate. The highest praise we could receive would be for you to say, "I didn't know that!"

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</table>

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YES! I would like to learn how statehood for the District of Columbia will solve the problem of political disenfranchisement of the 650,000 residents of the nation's capital.

Send me ____ copies of the One-Month Daily Curriculum on D.C. Statehood. I am enclosing a check for $______

NAME ____________________________

ADDRESS ____________________________

CITY / STATE / ZIP ____________________________

PHONE (Daytime Number) ____________________________
Free the Government's Plantation

Washington, D.C., with a population of 607,000, has more people than Alaska, Wyoming or Vermont. But its elected officials have no real power and the city is denied a voting representative in Congress. The Federal Government treats the District as a colony, controlling local policy on issues ranging from sanitation to abortion and undermining the city's ability to raise revenues.

Washingtonians deserve self-government no less than other Americans. A bill pending in Congress, H.R. 2482, would admit Washington to the union as New Columbia, the 51st state. The bill deserves attention and a vote of approval in the House. But that won't happen until languid Democrats schedule hearings. The legislators need to provide more than the lip service they've given to statehood in recent years. Even if statehood fails, debate could suggest intermediate solutions. The current arrangement is more suited to a dictatorship than a democracy.

Washingtonians have suffered long under second-class citizenship. They were first allowed to vote in Presidential elections in 1964. Permission to elect local officials followed slowly: in 1968, the school board; in 1971, a nonvoting delegate to the House of Representatives; and in 1973, the mayor and the city council.

The Home Rule Act of 1973, which granted limited self-rule, contained dictatorial restrictions. The city cannot so much as reschedule garbage collection without groveling before Congress, which has 30 days in which to disapprove. Nor can the city determine its own budget or set independent policies. President George Bush recently forced the District to disallow the use of local tax revenues to furnish abortions for impoverished women. His weapon: vetoing the city budget. Impoverished victims of rape and incest will be denied a choice available to American women elsewhere.

The Federal presence harms the city fiscally. The District is forbidden to tax nonresidents, many of them Federal workers, who comprise about 60 percent of the work force. Federal properties are also exempt from real estate taxes. The city calculates that all taxing restrictions combined cost it $1.9 billion a year in revenues.

An ill-informed Mr. Bush said last year that he opposed statehood because the city's funds "come almost exclusively from the Government." That's wrong. The Federal contribution at that time was about 14 percent of the city budget; the Government gave a paltry $430 million in lieu of lost tax revenues. The cost of municipal services provided to the Government is difficult to calculate but potentially worrisome.

Those who oppose statehood often claim that the Constitution forbids creation of a state in the District. That claim is without merit. The Constitution says only that Congress will exercise exclusive legislative control over a seat of Government that does not exceed 10 miles square. A state could be created that would reduce the size of the Federal enclave but not eliminate it.

The real objections to statehood are political. When Mr. Bush opposes statehood, he is opposing the creation of two additional Democratic Senators, one of whom would surely be Jesse Jackson, now an unpaid lobbyist, or "shadow senator," who represents Washington in the Senate. The Democrats also have acted spinelessly, giving statehood little more than token support.

How can the United States champion democracy abroad while it disenfranchises District citizens who die in wars and pay taxes the same way other Americans do? There is every reason for Democrats to gather courage, convene hearings and then bring the issue to the floor. Sooner or later, Congress will realize it has more important tasks than overseeing schedules for garbage collection.
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