

Opening Statement of Senator Tom Coburn
“Equality for the District of Columbia: Discussing the Implications of
S. 132, the New Columbia Admission Act of 2013”
September 15, 2014

Today we’re debating an issue that has been thoroughly debated by Congress for hundreds of years.

Since 1888, there have been hundreds of bills and amendments proposed to address DC representation. Since 1964, Congress has held no less than 10 hearings on it.

The House debated statehood in 1992. They heard from over a dozen witnesses and got another twenty opinions from every segment of the government.

Witnesses identified numerous problems, from constitutional to financial to administrative. The 1992 minority staff report does an excellent job of laying them out.

Yet here we are again debating this issue, even though it has no chance of success in this chamber, and is dead on arrival in the House.

This bill makes a state out of the neutral land that houses the Federal government. It’s unprecedented.

Yet little effort was made to hold a hearing that seriously debates this bill.

More than half the witnesses are DC politicians, all with the same agenda and voicing the same interests.

With the exception of a witness I invited, none of the witnesses here provide an alternate opinion.

You can learn a lot about the seriousness of this hearing by looking at who is not here.

Where is the Department of Justice?

Every Department of Justice that has issued a report or testified about legislated DC statehood – (Kennedy, Carter, Reagan, Bush, Sr.) has concluded it is unconstitutional and would come with other extremely complex legal challenges.

Where is CBO, OMB, the Interior, Transportation, State, Defense, the General Services Administration, and Treasury?

DC statehood would significantly affect the Federal government's operations including: use and access to water and sewer services, utilities, police and fire services, infrastructure, communication networks, DC National Guard, DC's unfunded liabilities and other benefits, and ability to control the aesthetics and condition of our nation's capital.

DC statehood would also come at an unknown cost to the U.S.

Who is representing the interests of other states?

DC statehood would significantly affect the sovereignty of other states, becoming the first among equals.

Nothing in the bill prevents New Columbia from still getting the special funding DC gets, approximately \$674 million each year just by virtue of being the nation's capital.

DC residents got more than eight times the national average of federal aid per capita, and more than two times the next highest state.

Who is here to represent Virginia and Maryland?

There is a serious question as to whether Maryland's consent would be necessary to create a new state, since it gave the land to be the Capital.

The bill even gives New Columbia control over certain land in Virginia and Maryland, a serious affront to their sovereignty.

DC residents suffer an injustice by not having a vote, but Congress can't bypass the constitutional amendment process simply because it's inconvenient.

The framers designed the district to be an autonomous federal area, separate from any state's influence and different from all other federal land. It is patently false to say the framers could not have predicted the city would thrive: the District was envisioned prior to 1800 as a large, powerful city with 800,000 people - more than DC has now, and more than even Paris had at the time.

President Kennedy's Attorney General said Congress can't reduce the district's size any more than it can remove a state from the Union.

Attorney General Kennedy said a small enclave "clearly does not meet the concept of the 'permanent seat of government' which the framers held."

President Reagan's Attorney General said he would recommend the President veto any bill providing statehood without a constitutional amendment.

Lee Casey, who wrote that report, could not testify today, but sent a letter with an original copy and reiterating its findings. It's the last report an administration has issued on this. (*I ask unanimous consent to enter in record*)

The bill largely ignores the 23rd Amendment, which recognized DC and gave its residents 3 electoral votes.

Granting statehood without first repealing the 23rd amendment creates a legal and political absurdity, allowing a few residents, including the White House occupants, to be the decisive votes in a close Presidential race.

Howard Law Professor Adam Kurland says as much in a law review article. (*I ask unanimous consent to enter in record*)

GW Law Professor Jonathan Turley also could not be here to testify today but wrote an informative article about the political and constitutional implications of the bill. (*I ask unanimous consent to enter in record*)

I'll close with a quote from one of our witnesses today, Dr. Alice Rivlin, in 2009:

“I think statehood is so unlikely to happen in the foreseeable future that pursuing it is a serious distraction from more important and feasible policies that could improve both the autonomy and fiscal health of the District.” I agree.