
GOVERNMENT OF THE DISTRICT OF COLUMBIA



EXECUTIVE OFFICE OF THE MAYOR

Committee on Governmental Affairs
United States Senate

Senator Joseph I. Lieberman, Chairman
Senator Fred Thompson, Ranking Member

*"Voting Representation in Congress for
Citizens of the District of Columbia"*

Statement of
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2:30 P.M.

Good afternoon Chairman Lieberman, Senator Thompson, members of the Committee, and other distinguished guests. On behalf of the more than 570,000 residents of the District, I thank you for the opportunity to speak before this Committee.

More than 200 years ago, the founders of this country fought a revolution to end the tyranny of taxation without representation. I have no doubt that the authors of the Constitution did not intend to force almost 600,000 Americans to live under that same tyranny in the 21st century. In fact, this body was established to create and amend laws as the needs of the people required. We are here today because the need has arisen and because you are vested with the power and responsibility to make sure that all Americans can exercise their rights. **Full voting representation in Congress is a fundamental right held by every citizen of the District of Columbia.** You have acted on behalf of disenfranchised women; you have acted on behalf of disenfranchised African Americans, Latinos, Native Americans, and other groups and we now ask that you act on behalf of the disenfranchised citizens of our nation's capital and pass the "No Taxation Without Representation Act."

Myths about the District of Columbia

As Mayor of the Nation's Capital, I have had the privilege of representing our city across this country and abroad. From school children visiting the monuments to athletes participating in the Olympics; from diplomatic delegations working here in the District to state and local elected officials meeting in Washington, I have been amazed at the myths and misperceptions that are held about the power and status of the District of Columbia. I would like to share just a few:

- The federal government completely funds the DC Government;
- There are no "real people" living in Washington;
- Washington residents already have full voting rights and complete self-government;
- Washington residents all have a second address and therefore have representation in another state.

To be clear about many of these and other myths, you should know that:

The budget for the District of Columbia is funded primarily by the people who live and do business in the city. Yes, the District receives some federal funding – virtually the same amount as other cities our size receive from the federal government, but not nearly at the same level required to ensure the consistent delivery of essential services and certainly not commensurate with that provided by other nations to their capital city. Almost three-fourths of our operating budget comes from local tax revenue – property tax, income tax, and business taxes. In fact, our residents are some of the most heavily taxed people in the country.

There are 572,000 “real people” living within the 10 square miles known as the District of Columbia. These are people who attend school, work, raise families, pay taxes (both federal and local), serve in the armed forces, and in many parts of the District live on fixed incomes. And while a few of our residents come here to serve in the federal government and maintain a permanent address elsewhere, the vast majority do not. These are people who love their country and in the wake of September 11 are keenly aware of what can be demanded of them during a national crisis.

Washington residents were granted the right to vote for president in 1961, but we do not have full representation in the House or Senate. When legislation that directly affects our lives is drafted, debated, and adopted, we have virtually no voice in the process. Our residents elect a mayor and 13 members to the Council of the District of Columbia, but every local law and every local budgetary decision made by this elected body **must be approved by Congress**. No other jurisdiction in the country must submit its local budget to an outside authority elected by people from other states. No other jurisdiction must wait to invest funds in new programs while members of Congress decide what is appropriate for the District.

A Living City

Over the years, the District of Columbia evolved to a living breathing city; a city where streets needed to be paved, homes built, children educated, trash and snow removed, trees trimmed, people protected from crime and homes protected from fire. It became a city that needed to provide services to all of its residents and businesses,

including those who live at 1600 Pennsylvania Avenue and work on Capitol Hill.

I am proud of the progress the District has demonstrated in the last several years. Last week, the Labor Department reported that the District has seen job growth in the last few months while our surrounding jurisdictions have experienced a growth in unemployment. Over the past five years, we have balanced the budget, maintained a cash surplus, improved our credit rating, and met every goal set out by Congress to demonstrate the ability to self govern. The District is on the verge of achieving its full potential as the heart of this vibrant region. But to do so, we must be put on a level playing field.

Democracy in the District

Democracy is defined in *Webster's Collegiate Dictionary* as "...**a government in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections.**" I say to the committee, why are the people of the Nation's Capital excluded from this system of representation?

The lack of voting rights is an economic issue in the District of Columbia.

While Congress has the power to impose restrictions on our city and limit our ability to tax, we will never have a level playing field. More than 50 percent of our land cannot be taxed. Income earned in the city commutes to Maryland and Virginia every day. State functions such as road construction, motor vehicle administration, and special education must be funded on a city's tax base. How can we continue to grow and be fiscally responsible when the city leaders have no authority over their own finances, and no representation to negotiate with congressional members? If the District had full voting rights, our representatives could work towards greater parity for District residents on these and other issues.

The lack of voting rights is a matter of justice in the District of Columbia.

The inability of District residents to vote for voting representatives and senators in Congress violates their rights to equal protection and to a republican form of government. In the court case for full voting rights, *Alexander v. Daley*, the court did not determine

that District citizens **should not** have voting rights, it determined that the courts lacked the power under the U.S. Constitution to require Congress to grant such rights. Congress has the opportunity and the power to correct this injustice by acting now to guarantee justice by granting the citizens of the District their voting rights.

But most importantly, the lack of voting rights is a civil rights violation in the District of Columbia. African-Americans and women have fought for and died for the right to vote. Yet here, in the capital of democracy, lives one of the largest blocs of disenfranchised voters in the world. District residents fight for freedom abroad and pay more than \$2 billion a year in federal taxes at home. As the world's leading democracy, it is unacceptable that the United States does not grant voting rights to the residents of its capital city.

The issue of District Voting Rights has resonated across the country resulting in a number of local and national organizations taking actions in support of full voting rights for District of Columbia. Such organizations include the National League of Cities, the National Conference of Black Mayors, and the Executive Committee of the U.S. Conference of Mayors which have all passed resolutions or adopted policy positions in support of the District. In addition, resolutions from cities across the country supporting voting rights have been adopted by the cities of Chicago, Philadelphia, Cleveland, Baltimore, Los Angeles, New Orleans, and San Francisco and national polls indicate that 72 percent of people across the country support full voting representation for District residents. I ask that these resolutions be entered into the record.

The people of the District have been disenfranchised for almost 200 years. I do not believe the framers of our democracy intended for this to happen. This country was founded on the principles of fair and equitable treatment for all people. Our citizens (including District residents) fight in wars to protect our freedom and fundamental rights. The District of Columbia shares this responsibility, and sometimes burden, because it is a privilege to represent this free society. The District residents should have a voice in the laws we live by, and that can only be done with full voting representation. The members of this committee as well as other members of Congress have the unique opportunity to see the District of Columbia as an attractive place to live, a historic place to visit, and an

international center. How can you live, work, and enjoy this city without wondering why the District residents are not represented as the constituents you serve at home? I ask this committee to lead the charge in ensuring that the residents of the District of Columbia are no longer disenfranchised and that full voting representation in the House and Senate is provided in 2002. I ask you to pass the "No Taxation Without Representation Act."

Now.

Thank you for giving me the opportunity to testify. I would now be happy to address any questions.

DISTRICT of COLUMBIA VOTING RIGHTS HISTORICAL TIMELINE

July 13, 1787: The Office of the Delegate to Congress is created when Congress of the Confederation enacts the Northwest Ordinance of 1787.

June 21, 1788: U.S. Constitution is ratified by the states. Article I, Section 8, Clause 17 gives Congress authority ‘to exercise exclusive legislation in all cases whatsoever, over such District (not exceeding 10 miles square) as may be cession of particular States, and the acceptance of Congress, become the seat of the government of the United States...’

1789: Upon ratification of the U.S. Constitution, Congress gives full statutory effect to the Northwest Ordinance.

January 22, 1791: George Washington appoints Thomas Johnson, David Carroll, and Dr. David Stuart as “Commissioners for surveying the District Territory accepted by the said Act for the permanent seat of the Government of the United States.”

January 24, 1791: President George Washington selects a site that includes portions of Maryland and Virginia.

March 30, 1791: President Washington issues a proclamation fixing the boundaries of “the territory, of ten miles square, for the permanent seat of Government of the United States.”

December 1, 1800: Federal capital is transferred from Philadelphia to site on Potomac River now called City of Washington, in the territory of Columbia.

May 3, 1802: Congress grants the City of Washington its first municipal charter. Voters, defined as white males who pay taxes and have lived in the city for at least a year, receive the right to elect a 12-member council. The mayor is appointed by the President.

March 15, 1820: Congress amends the Charter of the City of Washington for the direct election of the mayor by resident voters.

July 9, 1846: Congress and the President approve the retrocession, to Virginia, of the portion of the District that Virginia had initially ceded to the United States.

January 8, 1867: Congress grants black males the right to vote in local elections.

June 1, 1871: The elected mayor and council are abolished by Congress and replaced by a governor and council appointed by the president. An elected House of Delegates and a non-voting Delegate to Congress are created. In this act, the jurisdiction and territorial government came to be called the District of Columbia.

June 20, 1874: Congress revokes territorial government and the position of the non-voting Delegate is abolished. Congress creates presidentially-appointed Board of Commissioners on a temporary basis.

June 11, 1878: Congress makes the Board of Commissioners permanent.

July 4, 1906: The District Building on 14th and Pennsylvania Avenue becomes the official City Hall.

March 29, 1961: The 23rd Amendment is ratified, granting District residents the right to vote in presidential elections for the first time. The District is entitled to the same number of electors as though it were a state.

September 22, 1970: The *District of Columbia Delegate Act of 1970* restores the position of Delegate to the District of Columbia.

March 23, 1971: The Rev. Dr. Walter E. Fauntroy is elected Delegate to the District of Columbia.

July 25, 1977: Representative Don Edwards introduces H.J.Res. 554 to amend the Constitution to provide for representation of the District of Columbia in the Congress.

March 2, 1978: U.S. House of Representatives passes H.J.Res. 554 by two-thirds majority.

August 22, 1978: Senate also approves the District of Columbia Voting Rights Amendment by two-thirds and sends to the States for ratification.

1985: DC Voting Rights Amendment expires without receiving the required number of states needed for ratification (38). Only sixteen states support the amendment.

November 6, 1990: Eleanor Holmes Norton succeeds Delegate Fauntroy as the second elected delegate.

June 3, 1992: Representative James Moran introduces H.J.Res. 105 to amend the Constitution to provide for representation of the District of Columbia in the Congress.

1993: The U.S. House of Representatives votes to allow the delegates from the District of Columbia, American Samoa, U.S. Virgin Islands, Guam and Resident Commissioner of Puerto Rico to vote in the Committee of the Whole and on the floor of the House.

1995: The DC delegate is terminated from the official House roster and no longer has voting privileges.

March 20, 2000: By a vote of 2-1, in the case of *Alexander v. Daley*, a 3-judge Federal District Court rejects a case brought by District residents and the D.C. government to gain full voting representation in Congress stating that the court lacks authority to grant voting representation. U.S. Supreme Court summarily affirmed the 3-judge decision without opinion.

November 4, 2000: The District adopts the new license plate, "Taxation Without Representation."

March 22, 2001: H.R. 1193, the "*No Taxation Without Representation Act of 2001*" is introduced in the U.S. House of Representatives by Delegate Norton.

March 23, 2001: Senator Joseph I. Lieberman introduces S. 603, the Senate companion bill to H.R. 1193.

2001: Election Reform Bill is introduced in the House and Senate.

May 15, 2002: District elected officials, Delegate Norton, civic organizations and residents go to Capitol Hill to lobby for voting rights for the District of Columbia.

May 23, 2003: Senate Governmental Affairs Committee convenes "*Voting Representation in Congress for Citizens of the District of Columbia*" hearing.