

SENATE CONCURRENT RESOLUTION NO. 4009

Introduced by

Senators Mathern, Braunberger

1 A concurrent resolution urging Congress to support admitting Washington, D.C. into the Union
2 as a state of the United States.

3 **WHEREAS**, since the ratification of the Constitution of the United States on June 21, 1788,
4 the Congress of the United States has had the power "To exercise exclusive Legislation in all
5 Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of
6 particular States, and the Acceptance of Congress, become the Seat of the Government of the
7 United States;" and

8 **WHEREAS**, the seat of the government of the United States was accepted by the Congress
9 of the United States on July 16, 1790, and transferred from the Commonwealth of Pennsylvania
10 to the District on December 1, 1800, in accordance with the Residence Act of 1790, and was
11 organized into the District of Columbia under the entire control of the Congress of the United
12 States for every purpose of government on February 27, 1801, in accordance with the District of
13 Columbia Organic Act of 1801, through which the residents ceased to be considered citizens of
14 a state, no longer entitled to all the rights, guaranties, and immunities of the Constitution of the
15 United States, including the right to appoint at least three electors in the Electoral College for
16 President and Vice President of the United States, the right to elect two Senators and at least
17 one Representative in the Congress of the United States, and the right to self-govern and ratify
18 proposed amendments to the Constitution of the United States, despite continuing to pay
19 federal taxes, serve in the military, and share all other responsibilities of citizenship of the
20 United States; and

21 **WHEREAS**, the 23rd Amendment to the Constitution of the United States was proposed by
22 the Congress of the United States on June 16, 1960, and ratified by a sufficient number of
23 states on March 29, 1961, granting "The District constituting the seat of Government of the
24 United States" the right to appoint "A number of electors of President and Vice President equal

1 to the whole number of Senators and Representatives in Congress to which the District would
2 be entitled if it were a State, but in no event more than the least populous State;" and

3 **WHEREAS**, the Congress of the United States granted a Delegate to the House of
4 Representatives from the District of Columbia, who "shall have a seat in the House of
5 Representatives, with the right of debate, but not of voting," on September 22, 1970, in
6 accordance with the District of Columbia Delegate Act, after previously establishing the position
7 on February 21, 1871, and repealing the position on June 20, 1874; and

8 **WHEREAS**, enactment of the District of Columbia Home Rule Act by the Congress of the
9 United States on December 24, 1973, and ratification of the Charter Referendum by a majority
10 of the voters of the District of Columbia on May 7, 1974, reorganized the District of Columbia by
11 granting limited powers of local self-government to an elected 13-member Council of the District
12 of Columbia and an elected Mayor of the District of Columbia to "relieve Congress of the burden
13 of legislating upon essentially local District matters;" however, the Congress of the United
14 States granted no local control over the judiciary and reserved "the right, at any time, to
15 exercise its constitutional authority as legislature for the District, by enacting legislation for the
16 District on any subject, whether within or without the scope of legislative power granted to the
17 Council... including legislation to amend or repeal any law in force in the District;" and

18 **WHEREAS**, on multiple occasions, a majority of the voters of the District of Columbia have
19 approved initiatives and referendums expressing their desire for statehood, most recently on
20 November 8, 2016, through which 85.69 percent of voters agreed the District should be
21 admitted to the Union as the State of Washington, D.C., approved the Constitution of the State
22 of Washington, D.C., approved the proposed boundaries between the State of Washington,
23 D.C. and the federal enclave, and agreed the State of Washington, D.C. shall guarantee an
24 elected representative form of government; and

25 **WHEREAS**, other state and territorial legislatures have introduced, debated, and passed
26 resolutions that support admitting Washington, D.C. into the Union as a state of the United
27 States of America; and

28 **WHEREAS**, despite the Constitution of the United States establishing that "New States may
29 be admitted by the Congress into this Union," and despite the United States House of
30 Representatives passing the Washington, D.C. Admission Act on June 26, 2020, and again on
31 April 22, 2021, which would declare Washington, D.C. to be "a State of the United States of

1 America, and is declared admitted into the Union on an equal footing with the other States in all
2 respects whatever," the Congress of the United States has yet to grant full statehood to the
3 approximately 700,000 people of Washington, D.C.;

4 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
5 **HOUSE CONCURRING THEREIN:**

6 That the Sixty-ninth Legislative Assembly supports admitting Washington, D.C. into the
7 Union as a state of the United States of America; and

8 **BE IT FURTHER RESOLVED**, that the Sixty-ninth Legislative Assembly opposes efforts by
9 the Congress of the United States and the President of the United States that interfere with
10 local self-government and home rule, including federal laws disapproving, amending, and
11 repealing actions of the Council of the District of Columbia and the Mayor of the District of
12 Columbia as well as federal budget riders that control and limit the use of locally raised tax
13 revenue, and calls on the Congress of the United States and the President of the United States
14 to enact federal legislation granting statehood to the people of Washington, D.C.; and

15 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
16 to the President of the United States, the Vice President of the United States as President of the
17 United States Senate, the Speaker of the United States House of Representatives, and the
18 members of the North Dakota Congressional Delegation.