

COMMITTEE ON GOVERNMENT OPERATIONS, VETERANS
AFFAIRS AND CONSUMER PROTECTION

BILL NO. 35-0279

Thirty- Fifth Legislature of the Virgin Islands

May 31, 2024

A Resolution proclaiming that the territory of the Virgin Islands supports admitting Washington, District of Columbia. into the Union as a state of the United States of America

PROPOSED BY: Senator Marise C. James

WHEREAS, since the ratification of the Constitution of the United States on June 21, 1788, the Congress of the United States has had 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 the Government of the United States”; and

WHEREAS, the Seat of the Government of the United States was accepted by the Congress of the United States on July 16, 1790, and transferred from the Commonwealth of Pennsylvania to the District on December 1, 1800, in accordance with the *Residence Act of 1790*, and was organized into the District of Columbia under the entire control of the Congress of the United States for every purpose of Government on February 27, 1801, in accordance with the *District of Columbia Organic Act of 1801*, through which the residents ceased to be considered citizens of a state, no longer entitled to all the rights, guaranties, and immunities of the Constitution of the United States including, but not limited to: the right to appoint at least

1 three Electors in the Electoral College for President and Vice President of the United States,
2 the right to elect two Senators and at least one Representative in the Congress of the United
3 States, and the right to self- govern and ratify proposed amendments to the Constitution of the
4 United States, despite continuing to pay federal taxes, serve in the military, and share all other
5 responsibilities of citizenship of the United States; and

6 **WHEREAS**, a Twenty-Third Amendment to the Constitution of the United States was
7 proposed by the Congress of the United States on June 16, 1960, and ratified by a sufficient
8 number of states on March 29, 1961, granting the District constituting the seat of Government
9 of the United States the right to appoint a number of electors of President and Vice President
10 equal to the whole number of Senators and Representatives in Congress to which the District
11 would be entitled if it were a State, but in no event more than the least populous State; and

12 **WHEREAS**, on September 22, 1970, the Congress of the United States granted a
13 Delegate to the House of Representatives from the District of Columbia, who shall have a seat
14 in the House of Representatives, with the right of debate, but not of voting, in accordance with
15 the *District of Columbia Delegate Act*, (after previously establishing the position on February
16 21, 1871, and repealing the position on June 20, 1874); and

17 **WHEREAS**, the enactment of the *District of Columbia Home Rule Act* by the Congress
18 of the United States on December 24, 1973, and ratification of the *Charter Referendum* by a
19 majority of the voters of the District of Columbia on May 7, 1974, re-organized the District of
20 Columbia by granting limited powers of local self-government to an elected thirteen-member
21 Council of the District of Columbia and an elected Mayor of the District of Columbia to relieve
22 Congress of the burden of legislating upon essentially local District matters; however, the
23 Congress of the United States granted no local control over the judiciary and reserved “the
24 right, at any time, to exercise its constitutional authority as legislature for the District, by
25 enacting legislation for the District on any subject, whether within or without the scope of

1 legislative power granted to the Council [...] including legislation to amend or repeal any law
2 in force in the District [...].”; and

3 **WHEREAS**, historically the Congress of the United States and the President of the
4 United States have interfered with the District of Columbia’s local self-government and Home
5 Rule by enacting resolutions disapproving, amending, and repealing actions of the Council of
6 the District of Columbia and the Mayor of the District of Columbia — including cases
7 concerning the location of chanceries on December 20, 1979, sexual assault reform on October
8 1, 1981, schedule of heights on March 12, 1991, and a revised criminal code on March 20,
9 2023 — and by imposing budget riders that control and limit the use of locally-raised tax
10 revenue, including cases concerning reproductive health services, cannabis use, and statehood
11 advocacy; and

12 **WHEREAS**, on multiple occasions, a majority of the voters of the District of Columbia
13 have approved initiatives and referendums expressing their desire for statehood, most recently
14 on November 8, 2016, in which 85.69% of voters: (1) agreed that the District should be
15 admitted to the union as the State of Washington, D.C.; (2) approved the Constitution of the
16 State of Washington, D.C.; (3) approved the proposed boundaries between the State of
17 Washington, D.C. and the federal enclave; and (4) agreed that the State of Washington, D.C.
18 shall guarantee an elected representative form of government; and

19 **WHEREAS**, the Legislatures of other states and territories in the United States have
20 introduced, debated, and passed resolutions that support admitting Washington, D.C. into the
21 Union as a state of the United States of America; and

22 **WHEREAS**, despite the Constitution of the United States establishing that New States
23 may be admitted by the Congress into this Union, and despite the United States House of
24 Representatives passing the *Washington, D.C. Admission Act* on June 26, 2020, and again on
25 April 22, 2021, which would declare Washington, D.C. to be a “State of the United States of
26 America, and is declared admitted into the Union on an equal footing with the other States in

all respects whatever,” the Congress of the United States has yet to grant full statehood to the approximately 700,000 people of Washington, D.C.; Now, Therefore,

Be it resolved by the Legislature of the Virgin Islands:

SECTION 1. The territory of the Virgin Islands supports admitting the District of Columbia into the Union as a state of the United States of America.

SECTION 2. The territory of the Virgin Islands opposes efforts by the Congress of the United States and the President of the United States that interfere with local self-government and Home Rule — including federal laws disapproving, amending, and repealing actions of the Council of the District of Columbia and the Mayor of the District of Columbia as well as federal budget riders that control and limit the use of locally raised tax revenue — and calls on the Congress and the President of the United States to enact federal legislation granting statehood to the people of Washington, D.C..

SECTION 3. Copies of this Resolution must be sent to the President of the United States, the Vice President of the United States in her capacity as President of the United States Senate, the Speaker of the United States House of Representatives, and the Delegate to the United States House of Representatives for the Virgin Islands.

BILL SUMMARY

This bill proclaims support from the territory of the Virgin Islands for the admission of Washington, D.C. into the esteemed Union as a full-fledged state of the United States of America, enjoying all the rights, privileges, and responsibilities accorded to its fellow states.

BR24-1083/April 9, 2024/KEH