



**National
Urban League**

*Empowering Communities.
Changing Lives.*

**Testimony of Marc Morial
President and CEO, National Urban League**

U.S. Senate Committee on Homeland Security & Governmental Affairs

“Examining D.C. Statehood”

June 22, 2021

Introduction

Chairman Peters, Ranking Member Portman and Members of the Senate Homeland Security and Governmental Affairs Committee, thank you for the opportunity to testify on the *Washington, D.C. Admission Act*. My name is Marc Morial, and I am the President and CEO of the National Urban League.

Mr. Chairman, on behalf of our entire Urban League movement across the country -- including our Washington Bureau staff who live in Washington, D.C. and the staff and constituents of our Greater Washington Urban League, led by President and CEO, George H. Lambert -- we are urging the Senate to pass this legislation to remedy the disenfranchisement of nearly 700,000 Americans.

Founded in 1910, the National Urban League was established as a nonpartisan, nonprofit civil rights organization dedicated to the empowerment of African Americans and other underserved populations. We conduct our work through a network of 91 Affiliates across 36 states and the District of Columbia by proudly providing direct services to two million constituents each year. We have served the District of Columbia through the Greater Washington Urban League since 1938 and our Washington, D.C. Bureau since 1962.

Marc Morial Leadership on Voting Rights

Throughout my career as a voting rights activist and civil rights lawyer, I have had a deep intellectual interest in constitutional law and a long-standing passion in the D.C. Statehood movement. This passion arose early in my career while working as an advocate in college and law school. While in law school in Washington, D.C., I grew to know and love this community and made this city my second home.

This connection continued, and I served on the D.C. Statehood Commission from 2006 to 2010 and in this position, I pushed for D.C. statehood and statutory representation.

As the former Mayor of New Orleans, I have deep experience in running a busy and thriving city with a diverse population. Residents of these cities, like Americans across the country, need representation in Congress to meet their needs and protect their rights.

History of the Battle for Voting Rights in this Country

The National Urban League has long supported the cause of equality for the District's citizens, including full representation, democracy, and equality through statehood, since it was founded in 1910. Central to the Urban League's mission is its work to advance civil rights, social justice, and economic parity. In our experience, the number one way to achieve these goals is by exercising the right to vote.

In this country, the fight against disenfranchisement has existed for the past 200 years. In 1870 under the leadership of President Ulysses S. Grant, the Republican-controlled Congress passed the 15th Amendment, which states that citizens could not be denied the right to vote based on the color of their skin. After the 15th Amendment was put in place, former Confederate states used numerous tactics to create barriers to voting for Black citizens, from intimidation tactics to voter suppression laws requiring poll taxes and discriminatory literacy exams.

The battle against disenfranchisement continued with the passage of the 19th Amendment (1920), which states that voting rights could not be denied based on sex. Despite this progress, Black citizens of this country continued to experience oppression and the denial of their constitutional right to vote. The advocacy of the Civil Rights Movement in response to this marginalization led to the passage of the *Civil Rights Act of 1964* and the *Voting Rights Act of 1965*, which were intended to prevent and eliminate laws and policies that would restrict the voting rights that these amendments were intended to protect. This path forward continued with the 26th amendment (1971), which states that this right could not be denied based on age for those over 18 years old.

Despite this progress and our unrelenting push to achieve full voting rights in this country, and despite the fact that the District of Columbia slaves were the "first freed" nine months before the *Emancipation Proclamation*, D.C. residents have been pushed to the sidelines as spectators and continue to be deprived of full representation.¹ The right to vote is ultimately meaningless if

¹ *District of Columbia Compensated Emancipation Act*, ch. 54, 12 Stat. 376 (1862); *See also* Fabrikant, *supra* note 12, at 337 ("The D.C. Emancipation Act was the first federal law which granted immediate and unconditional freedom to any slave.").

those attempting to exercise this right are unable to put representatives with full voting status in office. As a result of this inability, the majority-black residents are ultimately given second-class citizenship in our society.

The international community agrees with this sentiment. The United Nations Human Rights Committee, Organization of American States, and Organization for Security and Cooperation in Europe have all recognized the disenfranchisement of D.C.'s residents.²

Our position on voting rights compromises our position in promoting democracy globally. The denial of all rights of American citizenship to residents of the District of Columbia that are enjoyed by every citizen who resides outside the District can no longer be tolerated and defended by a nation that advances democracy around the world.

Impact of Disenfranchisement Due to Not Having Congressional Voting Rights

The fight for full equality for District citizens is not about politics, partisanship, or race; it is a fight for democracy. One of the foundations of American democracy is the right to vote. As I previously mentioned, this key right was forged from the blood of our ancestors who fought for their birthright as citizens of this country. The disenfranchisement of hundreds of thousands of Americans undermines the very values our country espouses.

Nearly 700,000 people live in the District of Columbia and suffer under the daily injustice of "Taxation without Representation." Americans living in our nation's capital pay the highest per capita federal income taxes in the country, serve on juries, and fight and die in wars, yet they are denied full democratic rights. They are unable to bring grievances to influential federal officials, reap the benefits available to other congressional constituents, or have a say in the important issues of war and peace that confront this nation.

As a civil rights and human services organization, we are in a unique position to see how this lack of representation directly impacts the populations we serve. The broader civil rights implications have become especially evident in the past year. The pandemic disproportionately impacted communities of color. Black and brown communities experienced higher rates of infections, deaths, and unemployment due to Covid-19. The pandemic also exacerbated racial inequities in education, housing, employment, health care, and the racial wealth gap.

² Inter-American Commission on Human Rights, *Statehood Solidarity Committee/United States*, Report No. 98/03, Case 11.204 (Dec. 29, 2003); OSCE Parliamentary Authority, Washington, D.C. *Declaration and Resolutions Adopted at the Fourteenth Annual Session* (July 1-5, 2005); OSCE, International Election Observation Mission: United States of America –General Elections, 8 November 2016, Preliminary Conclusions, p. 5, at <https://www.osce.org/files/f/documents/a/2/280331.pdf>.

No where have we witnessed the acute impact of the pandemic than right here in the District of Columbia. D.C. residents, including essential workers and small business owners, were in dire need of the relief afforded under the *CARES Act*. However, unlike the rest of the country, it did not have congressional representation that could offer amendments to or vote on the final *CARES Act* package. Because it was considered a territory and not a state, D.C. was originally denied \$755 million in critical funding that it needed to provide direct relief to its residents.³

Last summer, when our nation reached a turning point in its tolerance of racially-motivated police violence, D.C. residents took to the streets to exercise their First Amendment rights to peacefully protest the killing of George Floyd, Breonna Taylor, Ahmaud Arbery, and many others. In response to this peaceful uprising, the previous administration gave orders to both the National Guard and to federal law enforcement to carry out a disproportionate and inappropriate response in the interest of a photo op.

Despite receiving urgent requests from D.C. Mayor Bowser, that same administration refused to call in the National Guard in response to a violent attack on the U.S. Capitol on January 6 until much of the damage had already been done. In both of these cases, D.C. officials were unable to adequately respond to critical events that were happening in this city, and the risk they posed to its residents, because the District did not have statehood and the critical safety mechanisms it provides.

Despite all of these actions that directly impacted and harmed them, D.C. residents are not able to hold elected representatives accountable for these harms. Unfortunately, there was no D.C.-elected Congressional representative who could vote on the legislation that would establish the independent January 6 Commission to investigate the attack on our U.S. Capitol on the House floor. There was no D.C. representative that could vote on the George Floyd Justice in Policing Act, which would put in place critical policing reform and reimagine public safety.

Conclusion

We are at a unique time in our nation's history where we are taking a closer look on how we can create laws to truly ensure that the fundamental right to vote is able to be exercised by all of America's citizens. It is crucial that we do not let this moment pass without passing and enacting the *For the People Act*, the *John Lewis Voting Rights Act*, and the *Washington, D.C. Admission Act*.

³ 42 USC 801. (Mar. 27, 2020); See Meagan Flynn, *D.C. was denied \$755 million in coronavirus relief last year. Now it may get that money*, WASH. POST (Feb. 12, 2021 3:59 PM), https://www.washingtonpost.com/local/dc-politics/district-covid-relief-maryland-virginia/2021/02/12/c2e051cc-6cad-11eb-9ead-673168d5b874_story.html.

I thank Senator Carper for calling national attention to the second-class status of the citizens of the District of Columbia by introducing the *Washington, D.C. Admission Act* in the Senate, the focus of this important hearing on equality for District citizens. I also applaud the longstanding and strong leadership on this issue by D.C. Congresswoman Eleanor Holmes Norton who authored the first statehood bill in 1991 when first coming to Congress and has remained a steady soldier in the fight for equality for the District's citizens.

Black Americans have fought and died for the right to vote in this country for centuries - this right has been given and taken away by those in power at the expense of its citizens. The Supreme Court's decision in the landmark case *Wesberry v. Sanders* says it best, "[n]o right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined."⁴ We cannot allow this denial of constitutional rights to continue right outside of Congress's front door. The goals of our civil rights movement will not be realized until D.C. statehood is achieved.

Thank you for inviting me to testify before you today and I look forward to this discussion and your questions.

⁴ 376 U.S. 1 (1964).