Good morning Chairman Mendelson and members of the Committee. Thank you for this opportunity to testify on the performance of the New Columbia Statehood Commission (Commission).

I am Walter Smith, Executive Director of DC Appleseed. DC Appleseed and its pro bono partners (including Arent Fox, Latham & Watkins, Perkins Coie, Goldblatt Martin Pozen, Uber, Sidley Austin, Harris, Wiltshire, & Grannis, Jenner & Block, and Hunton Andrews Kurth) have been working together for over 17 years to address the lack of federal voting rights in the District. This is part of our overarching D.C. Democracy focus, under which we helped lead advocacy and litigation efforts for the budget autonomy referendum and the elected Attorney General, and worked closely with the Commission concerning the referendum and Constitution for the ongoing statehood effort.

We have advised the members of the Commission and believe they are supportive of three current projects we and our pro bono partners are pursuing to further D.C. voting rights: 1) a lawsuit, Castañon v. United States, 2) the Delegate Voting Rights Amendment Act, and 3) Initiative 80.

Castañon v. United States
DC Appleseed and its pro bono partner Harris, Wiltshire & Grannis, filed a lawsuit last November in federal court on behalf of residents from across the District. Prior to filing, we informed members of the Commission of our strategy and gained support. The lawsuit contends that D.C. residents are constitutionally entitled to full voting presentation in both the U.S. House and Senate. A three-judge court has been convened to hear the case, and briefing will occur in the spring. We expect the Department of Justice to oppose this suit on behalf of some of the federal defendants but believe there is a possibility that the House of Representatives will be supportive. We also expect a number of amicus briefs from historians, law professors, voting rights groups, and bar associations to be filed in our support.

Delegate Voting Rights Amendment Act
Councilmember Mary Cheh recently reintroduced her bill in the D.C. Council that would give the District full voting representation in the U.S. House of Representatives on all issues that apply exclusively to the District. The Delegate Voting Rights Amendment Act of 2019, which we worked on with the Council, would amend a law passed by Congress that established a nonvoting delegate for the city. Under the Home Rule Act, the Council has the authority to amend this earlier law, provided that the amendment applies only to issues applicable to the District. Councilmember Cheh's bill has nine members signed on and we are
hopeful it will move forward later this year. If it passes the Council, it can be overturned only if both the U.S. House and Senate disapprove it within 30 days. This seems unlikely, given the current makeup of the House and support of DC Statehood by a record number of its members. We will continue to advocate with the Commission and the Council to move this bill forward.

**Initiative 80**
While we continue to support the Delegate Voting Rights Amendment Act, we have also filed an initiative *with identical language* to give D.C. residents the opportunity to help push this issue forward if the Council does not. The Board of Elections issued an order which holds that the Delegate Voting Rights Amendment is proper subject matter for an initiative, and further agreed to hold the process in abeyance until closer to the next citywide election in 2020.

We will continue to advise and seek support from the Commission on our voting rights efforts, and to support other efforts such as Congresswoman Norton’s statehood bill, the *Washington, D.C. Admission Act (H.R. 51)*, which has a record number of co-sponsors and the support of the House leadership.

Thank you for the opportunity to testify. I look forward to any questions that you may have.