

TO PROHIBIT INDIVIDUALS WHO ARE NOT CITIZENS OF
 THE UNITED STATES FROM VOTING IN ELECTIONS IN
 THE DISTRICT OF COLUMBIA

—————
 JULY 18, 2023.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed
 —————

Mr. COMER, from the Committee on Oversight and Accountability,
 submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 192]

[Including cost estimate of the Congressional Budget Office]

The Committee on Oversight and Accountability, to whom was referred the bill (H.R. 192) to prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

CONTENTS

| | Page |
|--|------|
| Summary and Purpose of Legislation | 2 |
| Background and Need for Legislation | 2 |
| Section-by-Section Analysis | 3 |
| Legislative History | 3 |
| Committee Consideration | 3 |
| Roll Call Votes | 3 |
| List of Related Committee Hearings | 5 |
| Statement of Oversight Findings and Recommendations of the Committee | 5 |
| Statement of General Performance Goals and Objectives | 5 |
| Application of Law to the Legislative Branch | 5 |
| Duplication of Federal Programs | 6 |
| Disclosure of Directed Rule Makings | 6 |
| Federal Advisory Committee Act Statement | 6 |
| Unfunded Mandates Reform Act Statement | 6 |

| | |
|--|----|
| Earmark Identification | 6 |
| Committee Cost Estimate | 6 |
| New Budget Authority and Congressional Budget Office Cost Estimate | 6 |
| Changes in Existing Law Made by the Bill, as Reported | 7 |
| Minority Views | 10 |

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. PROHIBITING VOTING BY NONCITIZENS IN DISTRICT OF COLUMBIA ELECTIONS.

An individual who is not a citizen of the United States may not vote in an election for public office in the District of Columbia or in any ballot initiative or referendum in the District of Columbia.

SEC. 2. REPEAL OF LOCAL RESIDENT VOTING RIGHTS AMENDMENT ACT OF 2022.

The Local Resident Voting Rights Amendment Act of 2022 (D.C. Law 24–242) is repealed, and any provision of law amended or repealed by such Act shall be restored or revived as if such Act had not been enacted into law.

Amend the title so as to read:

A bill to prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia and to repeal the Local Resident Voting Rights Amendment Act of 2022.

SUMMARY AND PURPOSE OF LEGISLATION

H.R. 192 prohibits noncitizens from voting in D.C. local elections and repeals the Local Resident Voting Rights Amendment Act (D.C. Law 24–0242).

BACKGROUND AND NEED FOR LEGISLATION

On November 21, 2022, the District government enacted the Local Resident Voting Rights Amendment Act (D.C. Law 24–0242), which allows noncitizens, including illegal immigrants, to vote in D.C. local elections. The Act makes no exception for foreign diplomats or agents voting in the District. These individuals often have interests separate from, or opposed to, the interests of Americans. This D.C. Act dilutes the votes of American citizens and could have a ripple effect across other large U.S. cities.

Backlash to the D.C. Act was swift, including among Democratic policymakers. Mayor Bowser expressed opposition by withholding her signature on the Act—something she has done only a handful of times over the course of her tenure. Even The Washington Post editorial board opposed the bill, writing that “voting is a foundational right of citizenship.”¹ On February 9, 2023, 260 Members in the House voted in favor of Chairman James Comer’s resolution of disapproval (H.J. Res. 24) to block enactment of the D.C. Act. The resolution received bipartisan support, with 42 Democratic Members voting with Republicans. However, this bipartisan resolution has not been voted on in the Senate, and D.C.’s noncitizen voting law has gone into effect.

The House Committee on Oversight and Accountability has a constitutional duty to oversee the District of Columbia and has held three full Committee hearings so far this year where the D.C. Mayor, City Council members, and law enforcement officials have testified on behalf of their policies. On June 7th, the Committee held a joint hearing with the Committee on House Administration

¹D.C. is considering legislation to let noncitizens vote. *That’s a bad idea*, The Wash. Post (Oct 17, 2022), <https://www.washingtonpost.com/opinions/2022/10/17/dc-voting-noncitizens-legislation>.

entitled “American Confidence in Elections: The Path to Election Integrity in the District of Columbia” where members heard from the Executive Director of the D.C. Board of Elections. Three witnesses—Mr. Weiser, Mr. Spies, and Mr. Cuccinelli—echoed Congressional Republicans’ concerns that foreign actors may attempt to meddle in local elections under the newly enacted D.C. law.

H.R. 192 represents the exact role Congress should take in regard to matters of the District’s governance. Under the U.S. Constitution Congress is granted “exclusive Legislation in all Cases whatsoever” over the District and, under the Home Rule Act, Congress maintains a critical role to scrutinize and approve of District legislation.² Free and fair elections are a prerequisite for a healthy republic, and the American people deserve confidence in the safety and security of their election system.

SECTION-BY-SECTION ANALYSIS

Section 1. Prohibiting voting by noncitizens in District of Columbia elections

Prohibits noncitizens from voting in D.C. local elections for public office, including any ballot initiative or D.C. referendum.

Sec. 2. Prohibition on Federal employee censorship

Repeals the Local Resident Voting Rights Amendment Act (D.C. Law 24–0242).

LEGISLATIVE HISTORY

H.R. 192, To prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia, was introduced on January 9, 2023, by Representative August Pfluger, along with Representatives Jake Ellzey, Paul Gosar, Brian Babin, and Marjorie Taylor Greene. The bill was referred solely to the Committee on Oversight and Accountability. The Committee held a legislative hearing on June 7, 2023. The Committee considered H.R. 192 at a business meeting on July 12, 2023, and ordered the bill as amended favorably reported by a recorded vote.

COMMITTEE CONSIDERATION

On July 12, 2023, the Committee met in open session and ordered the bill, H.R. 192, favorably reported with an amendment in the nature of a substitute, by a roll call vote of 23 to 19, a quorum being present.

ROLL CALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the following roll call vote occurred during the Committee’s consideration of H.R. 192.

The roll call vote was on final passage of H.R. 192. The bill was agreed to in a recorded vote of 23–19.

²U.S. Const. amend. I, §8; District of Columbia Home Rule Act, §1–204.01–1–204.115, (1973).

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY
118TH CONGRESS
RATIO 26-20
ROLL CALL

Vote on: Final Passage on H.R. 192
Date: 07/12/2023

VOTE #: 8

| Republicans | Aye | No | Present | Democrats | Aye | No | Present |
|-------------------------------------|-----|----|---------|--|-----|----|---------|
| MR. COMER (KY) <i>(Chairman)</i> | X | | | MR. RASKIN (MD) <i>(Ranking Member)</i> | | X | |
| MR. JORDAN (OH) | | | | MS. NORTON (DC) | | X | |
| MR. TURNER (OH) | X | | | MR. LYNCH (MA) | | X | |
| MR. GOSAR (AZ) | X | | | MR. CONNOLLY (VA) | | X | |
| MS. FOXX (NC) | X | | | MR. KRISHNAMOORTHY (IL) | | X | |
| MR. GROTHMAN (WI) | X | | | MR. KHANNA (CA) | | X | |
| MR. PALMER (AL) | X | | | MR. MFUME (MD) | | X | |
| MR. HIGGINS (LA) | | | | MS. OCASIO-CORTEZ (NY) | | X | |
| MR. SESSIONS (TX) | X | | | MS. PORTER (CA) | | X | |
| MR. BIGGS (AZ) | X | | | MS. BUSH (MO) | | X | |
| MS. MACE (SC) | X | | | MR. GOMEZ (CA) | | X | |
| MR. LATURNER (KS) | X | | | MS. BROWN (OH) | | X | |
| MR. FALLON (TX) | X | | | MS. STANSBURY (NM) | | X | |
| MR. DONALDS (FL) | | | | MR. GARCIA (CA) | | X | |
| MR. ARMSTRONG (ND) | X | | | MR. FROST (FL) | | X | |
| MR. PERRY (PA) | X | | | MS. LEE of PENNSYLVANIA (PA) | | X | |
| MR. TIMMONS (SC) | X | | | MR. CASAR (TX) | | X | |
| MR. BURCHETT (TN) | X | | | MS. CROCKETT (TX) | | X | |
| MS. GREENE OF GEORGIA (GA) | X | | | MR. GOLDMAN (NY) | | X | |
| MRS. MCCLAIN (MI) | X | | | MR. MOSKOWITZ (FL) | | | |
| MRS. BOEBERT (CO) | X | | | VACANCY | | | |
| MR. FRY (SC) | X | | | | | | |
| MRS. LUNA (FL) | X | | | | | | |
| MR. EDWARDS (NC) | X | | | | | | |
| MR. LANGWORTHY (NY) | X | | | | | | |
| MR. BURLISON (MO) | X | | | | | | |

Roll Call Totals: Ayes: 23 Nays: 19 Present:

Passed: X Failed: _____

EXPLANATION OF AMENDMENTS

During Committee consideration of the bill, Representative James Comer (R-KY), Chairman of the Committee, offered an amendment in the nature of a substitute that adds a new section that would repeal D.C. Law 24–0242, the Local Resident Voting Rights Amendment Act. The amendment in the nature of a substitute passed by voice vote.

LIST OF RELATED COMMITTEE HEARINGS

In accordance with House rule XIII, clause 3(c)(6), (1) The following hearing was used to develop or consider H.R. 192:

On June 7, 2023, the Committee held a hearing titled “American Confidence in Elections: The Path to Election Integrity in the District of Columbia” with The Honorable Ken Cuccinelli, Chairman, Election Transparency Initiative; Mr. Charles Spies, Member, Dickinson Wright, PLLC; Ms. Monica Evans, Executive Director, DC Board of Elections; and Ms. Wendy R. Weiser, Vice President, Democracy, Brennan Center for Justice.

(2) The following related hearings were held:

On March 29, 2023, the Committee held a hearing titled “Overdue Oversight of the Capital City: Part I” with Mr. Phil Mendelson, Chairman, D.C. Council; Mr. Charles Allen, Councilmember, D.C. Council; Mr. Glen Lee, Chief Financial Officer, Washington, D.C.; and Mr. Gregory Pemberton, Chairman, D.C. Police Union.

On March 16, 2023, the Committee held a hearing titled “Overdue Oversight of the Capital City: Part II” with the Honorable Muriel Bowser, Mayor, District of Columbia; Matthew M. Graves, U.S. Attorney, U.S. Attorney’s Office for the District of Columbia; Mr. Robert Contee, Policy Chief, D.C. Metropolitan Police; and Mr. Kevin Donahue, City Administrator, District of Columbia.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause (2)(b)(1) of rule X of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in the Background and Need for Legislation section above.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee’s performance goals or objectives of this bill are to prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch where the bill relates to the terms and conditions of employment or access to public services and accommodations. This bill does not relate to employment or access to public services and accommodations in the legislative branch.

DUPLICATION OF FEDERAL PROGRAMS

In accordance with clause 3(c)(5) of rule XIII no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

This bill does not direct the completion of any specific rule makings within the meaning of section 551 of title 5, U.S.C.

FEDERAL ADVISORY COMMITTEE ACT STATEMENT

The Committee finds that this legislation does not direct the establishment of advisory committees within the definition of Section 5(b) of the appendix to title 5, U.S.C.

UNFUNDED MANDATES REFORM ACT STATEMENT

Pursuant to section 423 of the *Congressional Budget Act of 1974* the Committee has included a letter received from the Congressional Budget Office below.

EARMARK IDENTIFICATION

This bill does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the House of Representatives.

COMMITTEE COST ESTIMATE

Pursuant to clause 3(d) of rule XIII of the Rules of the House of Representatives, the Committee includes below a cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act of 1974*.

NEW BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 402 of the *Congressional Budget Act of 1974* is as follows:

| H.R. 192, a bill to prohibit individuals who are not citizens of the United States from voting in elections in the District of Columbia and to repeal the Local Voting Rights Amendment Act of 2022 | | | |
|--|------|--|----------------------|
| As ordered reported by the House Committee on Oversight and Accountability on July 12, 2023 | | | |
| By Fiscal Year, Millions of Dollars | 2023 | 2023-2028 | 2023-2033 |
| Direct Spending (Outlays) | 0 | 0 | 0 |
| Revenues | 0 | 0 | 0 |
| Increase or Decrease (-) in the Deficit | 0 | 0 | 0 |
| Spending Subject to Appropriation (Outlays) | 0 | 0 | not estimated |
| Increase <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034? | No | Statutory pay-as-you-go procedures apply? No | |
| | | Mandate Effects | |
| Increase <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034? | No | Contains intergovernmental mandate? | Yes, Under Threshold |
| | | Contains private-sector mandate? | Yes, Under Threshold |

H.R. 192 would disapprove the District of Columbia Council's enactment of the Local Resident Voting Rights Amendment Act of 2022 (D.C. Law 24–242), which allows noncitizen residents the right to vote in local, but not federal, elections. Because enacting the bill would not affect the federal budget, CBO estimates that implementing H.R. 192 would have no cost to the federal government.

H.R. 192 would impose an intergovernmental mandate as defined in the Unfunded Mandates Reform Act (UMRA) by disapproving D.C. Law 24–242. The bill also would impose a private-sector mandate by prohibiting noncitizen permanent residents from voting in D.C. elections and ballot initiatives. CBO estimates that the cost of the mandates would not exceed the intergovernmental or private-sector threshold established in UMRA (\$99 million and \$198 million, respectively, adjusted annually for inflation).

The CBO staff contacts for this estimate are Matthew Pickford (for federal costs) and Andrew Laughlin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

With respect to the requirement of clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omit-

ted is enclosed in black brackets and existing law in which no change is proposed is shown in roman):

LOCAL RESIDENT VOTING RIGHTS AMENDMENT ACT OF 2022

Be it enacted by the Council of the District of Columbia, [That this act may be cited as the “Local Resident Voting Rights Amendment Act of 2022”.

[SEC. 2. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 stat. 699; D.C. Official Code § 1–1001.01 et seq.), is amended as follows:

[(a) Section 2 (D.C. Official Code § 1–1001.02) is amended as follows:

[(1) Paragraph (2) is amended as follows:

[(A) Subparagraph (B) is amended to read as follows:

[(“B) Is a citizen of the United States; except, that this subparagraph shall not apply in a local election;”

[(B) Subparagraph (C) is amended by striking the phrase “any state or territory” and inserting the phrase “any state, territory, or country” in its place.

[(2) A new paragraph (34) is added to read as follows:

[(“34) The term ‘local election’ means:

[(“A) An election for:

[(“i) Mayor;

[(“ii) Chairman or member of the Council;

[(“iii) Attorney General;

[(“iv) Member of the State Board of Education; or

[(“v) Advisory Neighborhood Commissioner; or

[(“B) An initiative, referendum, recall, or charter amendment measure on a District ballot.”

[(b) Section 7 (D.C. Official Code § 1–1001.07) is amended as follows:

[(1) The lead-in language of subsection (c)(1)(D) is amended by striking the phrase “this paragraph and stated that the applicant is a citizen of the United States,” and inserting the phrase “this paragraph,” in its place.

[(2) Subsection (d)(14)(C) is amended by striking the phrase “that citizens” and inserting the phrase “that residents” in its place.

[SEC. 3. APPLICABILITY.

[(a) This act shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.

[(b) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

[(c)(1) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

[(2) The date of publication of the notice of the certification shall not affect the applicability of this act.

[SEC. 4. FISCAL IMPACT STATEMENT.

[The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 4a

of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

【SEC. 5. EFFECTIVE DATE.

【This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.】

MINORITY VIEWS

Committee Democrats strongly oppose H.R. 192, which would repeal the District of Columbia’s Local Resident Voting Rights Amendment Act of 2022 and prohibit individuals who are not citizens of the United States from voting in local D.C. elections. This legislation undermines home rule for D.C. and the basic American principle of political self-determination, which we cannot condone.

DEMOCRACY AND D.C. AUTONOMY

The Merriam-Webster dictionary defines democracy as “government by the people” and “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.”¹ By definition, the United States is a democracy, but its capital is not.

The principles of no taxation without representation and consent of the governed helped launch the American Revolution and are enshrined in the Declaration of Independence. Yet, D.C. residents, who pay federal taxes, have no voting representation in Congress, and Congress has plenary authority over D.C.²

Committee Republicans claim Congress has a constitutional duty to legislate on local D.C. matters. That is false. Republicans choose to legislate on local D.C. matters only when they think it can score political points.

Despite giving Congress plenary authority over D.C., the Framers expected Congress to establish a local government for D.C.³ Indeed, Congress has established various forms of local government for D.C. since 1802.⁴ The U.S. Supreme Court has held that “there is no constitutional barrier to the delegation by Congress to the District of Columbia of full legislative power.”⁵

In 1973, Congress passed the D.C. Home Rule Act, which established an elected chief executive (the D.C. Mayor) and an elected legislature (the D.C. Council) for D.C.⁶ The intent of the D.C. Home Rule Act is to, among other things, “grant to the inhabitants of the District of Columbia powers of local self-government” and “relieve Congress of the burden of legislating upon essentially local District

¹Merriam-Webster, Definition of “Democracy” (online at <https://merriam-webster.com/dictionary/democracy>) (accessed July 12, 2023).

²U.S. Const. art. I, Sec. 8, cl. 17.

³ “[A] municipal legislature for local purposes, derived from their own suffrages, will of course be allowed them.” The Federalist No. 43, at 240–241 (James Madison) (Clinton Rossiter ed., 1961).

⁴House Committee on the District of Columbia, *Governance of the Nation’s Capital: A Summary History of the Forms and Powers of Local Government for the District of Columbia, 1790 to 1973*, 101st Cong. (1990).

⁵*District of Columbia v. John R. Thompson Co., Inc.*, 346 U.S. 100, 109 (1953).

⁶Pub. L. No. 93–198 (1973).

matters.”⁷ H.R. 192 contravenes the intent of the D.C. Home Rule Act.

The D.C. Council passed the Local Resident Voting Rights Amendment Act of 2022 twice, as required by the D.C. Home Rule Act, by votes of 12 to 1 and 12 to 0.⁸

The D.C. Council has 13 members, who are elected by, and accountable to, D.C. residents. Congress has 535 voting members, none of whom are elected by, or accountable to, D.C. residents. Congress should not act as a super-legislature for D.C.

Instead of undemocratically interfering in local D.C. matters, Congress should pass the D.C. statehood bill, H.R. 51, the Washington, D.C. Admission Act. The bill would admit the State of Washington, Douglass Commonwealth into the Union and reduce the size of D.C., or the federal district.⁹

The Admissions Clause of the Constitution gives Congress the authority to admit new states.¹⁰ Congress has admitted all 37 new states by simple legislation.¹¹ The District Clause of the Constitution gives Congress plenary authority over the federal district and establishes a maximum size of the federal district (100 square miles).¹² Congress has the authority to reduce the size of the federal district, as it has previously done.¹³

The Constitution does not establish any prerequisites for new states, but Congress has generally considered three criteria in evaluating new states: (1) commitment to democracy; (2) support for statehood; and (3) sufficient population and resources.¹⁴ D.C. meets all three criteria.

D.C. residents have been petitioning for voting representation in Congress and local self-government for more than 200 years.¹⁵ On November 8, 2016, D.C. residents approved a referendum advising the D.C. Council to petition Congress for statehood by a vote of 244,134 to 40,779.¹⁶

D.C. has a larger population than two states.¹⁷ D.C. pays more federal taxes than 19 states and pays more per capita federal taxes than any state.¹⁸ D.C. has a higher per capita personal income

⁷*Id.*

⁸D.C. Law 24–242 (online at https://lms.dccouncil.gov/downloads/LIMS/47374/Signed_Act/B24-0300-Signed_Act.pdf).

⁹The State would consist of 66 of the 68 square miles of the current federal district, and the federal district would consist of two square miles, including the White House, the Capitol complex, the Supreme Court, the principal federal monuments, and the federal buildings adjacent to the National Mall.

¹⁰U.S. Const. art. IV, Sec. 3, cl. 1.

¹¹Congressional Research Service, *DC Statehood: Constitutional Considerations for Proposed Legislation* (May 12, 2022) (online at <https://crsreports.congress.gov/product/pdf/R/R47101>).

¹²U.S. Const. art. I, Sec. 8, cl. 17.

¹³Congressional Research Service, *DC Statehood: Constitutional Considerations for Proposed Legislation* (May 12, 2022) (online at <https://crsreports.congress.gov/product/pdf/R/R47101>).

¹⁴Government Accountability Office, *Experiences of Past Territories Can Assist Puerto Rico Status Deliberations* (Mar. 7, 1980) (online at <https://gao.gov/assets/130/128964.pdf>).

¹⁵House Committee on the District of Columbia, *New Columbia Admission Act*, 102nd Cong. (1992) (H. Rept. 102–909).

¹⁶District of Columbia Board of Elections, *General Election 2016—Certified Results* (Nov. 8, 2016) (online at https://electionresults.dcboc.org/election_results/2016-General-Election).

¹⁷Census Bureau, *2020 Population and Housing State Data* (online at <https://census.gov/library/visualizations/interactive/2020-population-and-housing-state-data.html>) (accessed July 12, 2023).

¹⁸Internal Revenue Service, *Internal Revenue Service Data Book*, 2022 (online at <https://irs.gov/pub/irs-pdf/p55b.pdf>) (accessed July 12, 2023).

than any state.¹⁹ D.C. has a larger gross domestic product than 16 states and a higher per capita gross domestic product than any state.²⁰ D.C.'s general obligation bonds have the highest rating (Aaa) from Moody's Investors Service.²¹ Federal funds are a smaller percentage of D.C.'s revenue than federal funds are of total state revenue.²²

There can be no question that D.C. meets the historical qualifications for statehood. Congress should honor the will of D.C. residents and admit D.C. as the 51st state in the Union.

HISTORY OF PERMITTING NONCITIZENS TO VOTE IN THE UNITED STATES

The United States has a long history of permitting noncitizens to vote in local, state, territorial, and federal elections, dating back to at least 1704, prior to the country's founding.²³ Congress did not prohibit noncitizens from voting in federal elections until 1996.²⁴ At various points, Congress and 40 states have permitted noncitizens to vote, including every state represented by the Majority, except for one.²⁵ Today, more than a dozen municipalities permit noncitizens to vote in local elections.²⁶

CONCLUSION

We strongly oppose H.R. 192 and any other effort to undermine the will of D.C. residents and their locally elected representatives. D.C. residents want statehood for D.C., and Congress should heed their calls instead of violating the basic American principle of political self-determination.

JAMIE RASKIN,
Ranking Member.



¹⁹ Federal Reserve Bank of St. Louis, *Release Tables: Per Capita Personal Income by State, Annual* (online at <https://fred.stlouisfed.org/release/tables?eid=257197&rid=110>) (accessed July 12, 2023).

²⁰ Bureau of Economic Analysis, *Gross Domestic Product by State and Personal Income by State, 3rd Quarter 2022* (Dec. 23, 2022) (online at <https://bea.gov/sites/default/files/2022-12/stgdppi3q22.pdf>).

²¹ District of Columbia, *Resilience: Annual Comprehensive Financial Report 2022* (Jan. 24, 2023) (online at <https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/FY%202022%20DC%20ACFR.pdf>).

²² The Pew Charitable Trusts, *Pandemic Drives Federal Share of State Revenue to Record High* (Nov. 4, 2022) (online at www.pewtrusts.org/en/research-and-analysis/articles/2022/10/18/pandemic-drives-federal-share-of-state-revenue-to-record-high); District of Columbia, *FY 2020 Approved Budget and Financial Plan* (July 25, 2019) (online at https://cfo.dc.gov/sites/default/files/dc/sites/ocfo/publication/attachments/DC_OCFO_2020_Budget_Vol_1_0.pdf).

²³ Alan Kennedy-Shaffer, *Voters in a Foreign Land: Alien Suffrage and Citizenship in the United States, 1704–1926* (2009) (online at <https://scholarworks.wm.edu/cgi/viewcontent.cgi?article=5978&context=etd#page=10>).

²⁴ 18 U.S.C. § 611.

²⁵ Alan Kennedy-Shaffer, *Voters in a Foreign Land: Alien Suffrage and Citizenship in the United States 1704–1926* (2009) (online at <https://scholarworks.wm.edu/cgi/viewcontent.cgi?article=5978&context=etd#page=10>); Ron Hayduk, *Democracy for All: Restoring Immigrant Voting Rights in the United States* (2006).

²⁶ Ballotpedia, *Laws Permitting Noncitizens to Vote in the United States* (online at https://ballotpedia.org/Laws_permitting_noncitizens_to_vote_in_the_United_States) (accessed July 12, 2023).