

D.C. Delegate Appointment - Evidence Card 1

Tag Line

Congress lacks constitutional authority to grant D.C. voting representation; only states can have voting members of Congress

Verbal Citation

Andrew Grossman, Senior Legal Policy Analyst at The Heritage Foundation, in his 2009 report "Voting Representation for the District of Columbia: Violating the Framers' Vision and Constitutional Commands," states that "Congress lacks the constitutional authority to simply grant the District a voting representative by fiat, as S. 160 would do. The Constitution limits such representation to states alone. Even if Congress wishes to alter the means by which District concerns are raised in the national legislature, it still has the responsibility to reject proposals that violate the Constitution."

What the evidence says in context

Grossman explains that the Constitution's District Clause places D.C. under Congress's exclusive legislative authority, and the explicit text limits congressional representation to "states alone." He argues that legislative attempts to grant D.C. voting representation are "fundamentally flawed on a constitutional level" because they would require setting aside clear constitutional provisions without a ratified amendment.

Impact

This evidence establishes that any proposal to appoint a voting delegate for D.C. would be unconstitutional and subject to legal challenges, forcing Congress to choose between violating their oath to support the Constitution or pursuing proper constitutional amendment procedures that are unlikely to succeed.

Webpage or Book Title

Voting Representation for the District of Columbia: Violating the Framers' Vision and Constitutional Commands

URL or page number

<https://www.heritage.org/the-constitution/report/voting-representation-the-district-columbia-violating-the-framers-vision>

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