



Written by [Ann Shibler](#) on February 25, 2009

## Senate Considers D.C. Voting Rights Bill

It's no secret that the D.C. seat would be a Democratic one, and the Utah seat a Republican one, this move described by some as the carrot-on-the-stick method in order to garner Republican support for the bill. The bill has much Democratic support, while a similar bill saw support in the House in 2007, so expectations are that it will pass easily — unless elected representatives can be persuaded otherwise.



While still in the Senate, President Obama cosponsored this legislation, ensuring a quick signature should the bill arrive on his desk. The bill's chief sponsor, Senator Joseph I. Lieberman (I-Conn.), told the packed chamber that D.C. citizens are "the only residents of a democratically ruled national capital in the world who have no say" in how their nation is governed. "It's time to right this injustice."

That was countered by opponent Senate Minority Whip Jon Kyl (R-Ariz.). According to the Constitution's instructions the House Representatives are to be chosen by "the people of the several states," said Kyl, noting that the District is not a state. The District does not need a representative, he contended. He also argued the goal of this amendment is "to expand the District's share of federal spending," further arguing that the District "already has representation in Congress — 100 senators and 435 House members."

D.C. does have non-voting representation in the Senate and the House currently in the persons of Senator Paul Strauss, proud Obama delegate, and House Delegate Eleanor Holmes Norton. They have a voice, entering into debates, but minus voting privileges. Strauss sees this as a "politically biased exploitation of the district by a selfish right wing coalition who does not want the voices of DC residents to be empowered on an national level." He framed a question on his website in the exact same way Lieberman did: "How can it be that the capitol city of the largest democracy in the world lacks representation for its own citizens?"

Treating the District of Columbia as a congressional district in our Republic is not in the Constitution. Besides the constitutional provision stating that members of the House shall be chosen by the people of "the several states," there are other considerations as well such as how the federally created territory and its government is set up. Congress has exclusive legislation over D.C., and appropriates money directly to the D.C. government, including costs for security and other services, with the court system operating differently from other states, too.

Because of an incident on June 21, 1783, when Continental soldiers, demanding backpay, surrounded the Hall of Congress in Philadelphia complete with muskets aimed at the windows, Congress left that



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city, and decided it would be best to protect the integrity of their deliberations by establishing a separate territory in which to meet. The Virginia delegates said of the incident: "What pernicious instruments Congress might have been made in the hands of a Lawless band of Armed Desperado's, and what fatal consequences might have ensued to the Union in General, had they [Congress] remained impotent and passive Spectators of the most outrageous Insult to the Government."

In modern times the tools of the method to achieve agenda are a little different. As Congressman Ron Paul has stated, Washington D.C., "is a vast megalopolis, every nook and cranny stuffed with lobbyists, lawyers, and a hundred thousand species of tax-eater. The sleepy old boulevards of the 1920s are now shadowed between great glittering ziggurats of glass and marble, where millions of administrative assistants to the Department of Administrative Assistance toil away at sending memos to each other."

It is indeed not a city in service to its citizens, but a fire-breathing freedom-gobbling leviathan committed to unchecked growth and expansion of the government that feeds it.

Expecting the bill might face some legal action because of its constitutional unsoundness, the sponsors have [a built-in battle plan in the text of the bill](#):

If any action is brought to challenge the constitutionality of any provision of this Act or any amendment made by this Act, the following rules shall apply:

1. The action shall be filed in the United States District Court for the District of Columbia and shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.
2. A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.
3. A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.
4. It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

The newly proposed law must be rejected on constitutional grounds, with a negative vote by those who have sworn to uphold the Constitution being the only answer. If passed, it would certainly set the stage for the creation of two new Senate seats, heavily tipping the scales in favor of Democrats.



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