



District of Columbia Fairness in Representation Act

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What is the District of Columbia Fairness in Representation (DC FAIR) Act?

Representative Tom Davis reintroduced a bill, the DC FAIR Act that would add two voting members to the U.S. House of Representatives – one to represent Washington, DC and one to represent Utah. The Act establishes DC as a congressional district for the purposes of representation in the House. The Act would also provide for the temporary apportionment of an additional representative in the next eligible state, Utah. The Act would create a temporary increase in the number of members of the House from 435 to 437 until the 2010 Census when congressional districts would be re-apportioned back to 435 according to population for the following election.

Why is the DC FAIR Act needed?

Americans living in our nation's capital pay taxes, serve on juries, and defend our nation during times of war, but do not have voting representation in either chamber of Congress. The United States is the only democratic country in the world that denies voting representation to citizen of the nation's capital. A national poll conducted in January 2005 showed that 82 percent of Americans believe that Washingtonians deserve voting representation in the House and Senate. While we are attempting to export democracy abroad, it is time we provide American rights for people living in America's capital.

Why link Washington, DC, and Utah?

Nearly 600,000 people live in DC, all of whom are denied voting representation in Congress. Utah narrowly lost getting an additional congressional seat by 32 residents after the last census. Officials in Utah believe that thousands of missionaries living abroad were unfairly excluded during the 2000 census count. This bill addresses that concern and provides a "vote-neutral" option by adding two seats most likely represented by a Democrat and Republican, respectively.

Is it constitutional?

Yes. The Constitution gives Congress exclusive legislative authority over DC in Article I, Section 8, Clause 17. Legal scholars, including Kenneth Starr, Viet Dinh, and others, hold that the Congress has the authority to grant the District of Columbia full congressional voting representation by passing simple legislation.

Is a vote in the House of Representatives enough for DC residents?

A vote in the House of Representative is very important, but insufficient without representation in the Senate. Congress is a bi-cameral legislature and DC's biggest disadvantage now is that residents have absolutely no representation, whether voting or otherwise, in the Senate. That must change.

Can the DC FAIR Act be improved?

Yes. Expanding the bill to include a provision for a voting delegate in the Senate would also be "vote-neutral" and an excellent first step towards full congressional voting rights for Americans living in our nation's capital. Congress should also change the DC FAIR Act to make the temporary, fourth congressional seat an at-large position, easing any potential concerns in Utah related to redistricting.

What can you do to help?

Call or write your member of Congress and senator. Ask them to demand that the Judiciary Committees in both chambers hold hearings and pass a bill that provides for representation for DC residents in the House and Senate.