



DC Voting Rights Act: Plainly Constitutional

www.dcvote.org

June 23, 2006

Dear Member of Congress:

We urge you to work for passage of the **DC Fair and Equal House Voting Rights Act (H.R. 5388, DC Voting Rights Act)**, a bill that would give DC residents a vote in Congress for the first time ever. Legal experts agree that Congress has the constitutional power to give DC residents this right through simple legislation.

Kenneth Starr Interprets District Clause

Judge Kenneth Starr, during congressional testimony in 2004, asserted the constitutionality of Congress using the District Clause to confer voting representation:

"The use of the word 'state' [in the Constitution] cannot bar Congress from exercising its plenary authority [under the District Clause] to extend the franchise to District residents."

Viet Dinh Concludes Disenfranchisement Not Intended by Framers

Professor Viet Dinh concluded in a 2004 memorandum that the framers of the Constitution did not intend to deprive citizens of the most basic right of democracy – the right to have a voting representative in Congress:

"There are no indications, textual or otherwise, to suggest that the framers intended that Congressional authority under the District Clause, extraordinary and plenary in all other respects, would not extend also to grant District residents representation in Congress."

American Bar Association Agrees Congress Has Constitutional Authority

In a letter to the House Judiciary Committee this month, the American Bar Association concurred with the analysis of Starr and Dinh:

"Enactment of the proposed [bill] would be an exercise of this constitutional authority conferred by the 'District Clause'.... Not only is there a moral obligation for Congress to restore such rights, there is also a constitutional obligation for Congress to ensure the right of D.C. residents to the equal protection of the laws..."

These and other experts agree that Congress has the constitutional authority to grant congressional voting representation to the residents of the District of Columbia. For the complete text of these legal opinions, please visit www.dcvote.org. **We ask you to cosponsor the DC Voting Rights Act and work to end taxation without representation in Washington, DC.**

Sincerely,

Ilir Zherka
Executive Director