

## Democracy Denied

### Washington, DC's Lack of U.S. Senators Hurts Urban America Too

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#### Abstract

The D.C. Fair and Equal House Voting Rights Act (H.R. 328 2007) would grant the residents of our nation's capital an historic voting member in the United States House of Representatives. While a critical step toward giving a voice to District of Columbia residents H.R. 328, however, does not address the problem of the District's lack of representation in the U.S. Senate. Beyond addressing a serious injustice to Washingtonians, U.S. Senate representation for the District would benefit urban residents around the nation. This is because (1) no U.S. Senator currently represents a majority urban state, as defined as people living in major cities, (2) there is a paucity of past experience with urban governance in the present U.S. Senate and (3) two U.S. Senators can be enough to change a legislative outcome.

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## Introduction

The D.C. Fair and Equal House Voting Rights Act (H.R. 328 2007) would grant the residents of our nation's capital an historic voting member in the United States House of Representatives. While a critical step toward giving a voice to District of Columbia residents H.R. 328, however, does not address the problem of the District's lack of representation in the U.S. Senate. Beyond addressing a serious injustice to Washingtonians, U.S. Senate representation for the District would benefit urban residents around the nation. This is because (1) no U.S. Senator currently represents a majority urban state, as defined as people living in major cities, (2) there is a paucity of past experience with urban governance in the present U.S. Senate and (3) two U.S. Senators can be enough to change a legislative outcome.

This paper addresses each argument in turn:

**Section 1. Toward Equal Democratic Citizenship:** Background on District of Columbia voting rights and the history of gradually expanding the franchise for District residents.

**Section 2. What's Good for D.C. is Good for the U.S.A.:** Research that ranks the 50 states plus Washington, D.C. in descending order of their urban population thereby demonstrating the lack of a majority urban constituency throughout the states.

**Section 3. Present Under-representation of Urban Interests:** A profile of the career experience of all U.S. Senators and those on key committees, to highlight the limited urban governance experience within the body.

**Section 4. The Importance of Representation: Real-world Scenarios:** A look at some close U.S. Senate votes and other recent examples where District Senators would have been able to influence the legislative outcome.

*Note: Each section begins with a short description of the methodology used within. Throughout, the paper assumes a delegate model of representation whereby the U.S. Senator is a proxy for the will of his or her constituents.<sup>1</sup>*

## Toward Equal Democratic Citizenship

### Section 1. Background on District of Columbia Voting Rights

One argument, perhaps the most intuitive, for U.S. Senate representation for the nation's capital is about equal democratic citizenship. American citizens live in the District, work jobs, pay taxes,

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<sup>1</sup> Edmund Burke's delegate model of representation, whereby a Senator is a proxy for the will of his or her constituency, stands in opposition to his trustee model of representation whereby a U.S. Senator, by virtue of his or her expert knowledge and access to deliberation, enjoys the autonomy to legislate in the national interest. In reality, legislators are both at the same time, negotiating when to be delegate and when to be trustee, "deferr[ing] to districts on economic issues, such as public works, social needs, military projects, and farm programs." In short, on those matters where laws most directly everyday life, the legislator will act as a delegate. The distinction is important to the discussion because of one potential counterargument: D.C. Senators could feel entrenched enough to vote however they wanted. See: Roger H. Davidson and Walter J. Oleszek, *Congress and Its Members*, 2<sup>nd</sup> ed., (Washington, D.C.: CQ Press, 1985), 122-124.

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raise families and so forth. Laws passed by Congress affect the lives of District residents no less than in other places around the nation. Yet, every other American citizen influences the content of the law through two elected Senators. But the current injustice faced by Washingtonians was not always the case.

Before there was the District of Columbia, there was the city of Washington, comprised of land ceded by Maryland and Virginia. Washingtonians on either side of the Potomac sent Representatives and Senators to Congress via their respective state delegations in Maryland and Virginia for about a decade. That power ended in 1801 with ratification of the Organic Act, which gave Congress jurisdiction over District governance, while eliminating Congressional representation for District residents.

For the next century and a half, District residents cycled through various forms of city government, but they had no way to influence federal policy through the democratic process. This changed in 1961, when the 23<sup>rd</sup> Amendment extended exactly three presidential electors to the city. There was some concern about District under-representation in the Electoral College due to malapportionment and the permanently fixed number of District electors (the District had only 3 electors, short of what it would have had if it were a full-fledged state of equal population), but the federal franchise had come to Washington – at least in presidential elections.

By an act of Congress, District residents won a non-voting Representative in the U.S. House.<sup>2</sup> He or she could not vote on the floor but did wield the individual influence Representatives enjoy through committee membership and voting rights. Additionally, by adoption of a 1993 House rule change, the District Representative, along with the non-voting delegates from the U.S. territories, were granted a vote in the committee of the whole – influencing bill amendments prior to a final vote. The one caveat was that the votes of the District and territories' representatives could not be decisive. Though this rule has since been rescinded, there is talk of a revival in the 110<sup>th</sup> Congress. Lastly, since 1982, the District also has elected shadow Senators, but beyond oratory and franking privileges, they do not have any direct legislative influence whatsoever.<sup>3</sup>

## **What's Good for D.C. is Good for the U.S.A.**

### **Section 2. D.C. as a Proxy for National Urban Representation**

The District of Columbia and America's urban populations share a characteristic; they are severely under-represented in the Senate. No sitting U.S. Senator can claim to have a majority of constituents from urban areas. Adding two voting seats for the District would go some way toward redressing the problem, as Senators from Washington, D.C. would be the only two representing majority urban jurisdictions.

### **Methodology**

The 50 states are ranked according to the percentage of the population living within an urban

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<sup>2</sup> DC Vote, *A History of Democracy Denied*, 2006.

<<http://www.dcvote.org/trellis/denial/dcvotingrightshistoricaltimeline.cfm>>

<sup>3</sup> Lori Montgomery and Elissa Silverman, "D.C. Votes' Stars are Aligning, Davis Says," *Washington Post*, May 12, 2006, A1.

area. Urban can be defined in a number of ways, and while there is some arbitrariness to any definition, for the purposes of this analysis, two different definitions of urban are used: incorporated municipal entities of at least 100,000 people and entities of at least 250,000 people. The chosen absolute thresholds for ‘urbaness’ used in this report make for useful units of comparison with the District of Columbia (i.e. about a fifth of the D.C. population, about a half) and tend to select municipalities that exhibit characteristics typically associated with the concept “urban interest”: class stratification, occupational diversity, dense populations relative to surrounding areas (smaller cities in rural regions versus metropolises amidst dense suburbs)<sup>4</sup>, and uniquely urban issues such as crime, mass transportation, affordable housing, homelessness, and educational inequality.

### D.C. versus the Top Ten ‘Most Urban’ States

Central to the delegate model of representation is the concept of constituency. For purposes of Senate representation, the district or constituency is the state. If we treat the District of Columbia as a state in the 100,000-threshold analysis, it joins Arizona as one of the only two majority-urban constituencies in the country. Neither Arizona Senator serves on any of the four key committees highlighted in the final section. Restricting analysis to cities of 250,000 or more, the District is alone as the only majority-urban constituency, and no Senator today represents such a state.<sup>5</sup>

## Present Under-representation of Urban Interests

### Section 3. Urban Political Resumes in the U.S. Senate

We can tell from the analysis above that, at best, only two of 100 voting Senators represent majority-urban constituencies. By a conservative analysis, none do.

Another indicator of the level of urban-interest representation is related to the past political experience of today’s Senators; how many have served cities in municipal-level offices? The following section looks at both the outgoing 109<sup>th</sup> and incoming 110<sup>th</sup> Congresses. Committee assignments for the 110<sup>th</sup> Congress are omitted from that analysis because, as of publication, they are not finalized.

Table 1: Urban population rankings by state for cities of 100,000 or more.

State	% Population in Cities
District of Columbia	100.0
Arizona	62.0
Nevada	47.5
New York	46.7
California	45.9
Texas	43.3
Alaska	41.5
Colorado	40.9
Nebraska	36.0
Hawaii	30.7

Table 2: Urban population rankings by state for cities of 250,000 or more

State	% Population in Cities
District of Columbia	100.0
New York	43.7
Arizona	43.0
Alaska	41.5
Texas	31.9
Hawaii	30.7
Colorado	27.7
California	27.2
Oklahoma	26.1
New Mexico	27.4

<sup>4</sup> In 1970, four of America’s 100 largest cities by population had population densities of well under 1,000.

Source: U.S. Census Bureau, *Population of the 100 Largest Urban Places: 1970*, accessed October 4, 2006.

<<http://www.census.gov/population/documentation/twps0027/tab20.txt>>

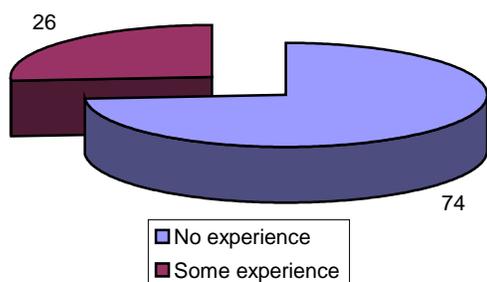
<sup>5</sup> 2000 U.S. Census. Original research from FairVote, *Outside Looking In: How Shutting Washington, D.C. Out of the Presidential Primary Process Hurts Black and Urban America* (Takoma Park, MD: FairVote, 2006), 6.

## Methodology

This paper considers a U.S. Senator as having served a major city in a municipal office if that city appears on the census' decennially issued lists of the 100 most populous municipalities. The most recent prior census is used unless a term in office straddles decades. In this case, the most recent census occurring during that term is used. In all, the 1970, 1980, 1990 and 2000 censuses were needed. Assuming the majority of cities experienced population growth from decade to decade, this line of inquiry provides a generous estimate of this indicator. In any of these census years, the smallest 100<sup>th</sup> ranked city was Evansville, Indiana with a population of 138,764.

### Urban Majority, Senate Minority: The 109<sup>th</sup> Congress<sup>6</sup>

Figure 1: How many Senators have served at the municipal level?



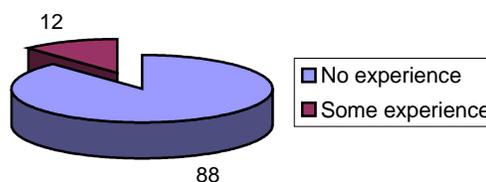
While the majority of Americans reside in urban areas by Census Bureau definitions, almost three-quarters of Senators in the 109<sup>th</sup> Congress have never served in any municipal office *regardless of the municipality's population*. Within this 26% of the U.S. Senate, isolating the analysis even further to America's 100 largest communities, the number of Senators who have served drops to only 12.

Barely a tenth of the U.S. Senate, then, has held a municipal office in a major city. Moreover, of these 12 Senators, three served as district attorney, public school teacher or

district court judge. Only nine were involved in the making and/or executive administration of public policy, one as a member of a chamber of commerce. Only five were mayors, one of which was *ex officio* as City Commissioner.

The meager 26% who have served in a municipal office of any sort generously includes those who have served in small towns and even in roles not directly related to the making or executive administration of public policy, such as: public school teacher, board of voter registration member, county prosecutor, district attorney, district court judge and judge

Figure 2: How many Senators have served America's 100 largest communities at the municipal level?



<sup>6</sup> U.S. Census Bureau, *Population of the 100 Largest Cities and Other Urban Places in the United States*, accessed October 2, 2006.

<<http://www.census.gov/population/www/documentation/twps0027.html>>

Also: U.S. Census Bureau, *Population Estimates for Places over 100,000: 2000 to 2005*, accessed October 2, 2006.

<<http://www.census.gov/popest/cities/SUB-EST2005.html>>

Also: online autobiographies of U.S. Senators from [www.senate.gov](http://www.senate.gov) and Michael Barone, Richard E. Cohen, and Grant Ujifusa, *The Almanac of American Politics*, 2006 edition, (Washington, D.C.: National Journal Group, 2006).

executive.

This cursory analysis of prior offices and occupations held does not necessarily measure how much priority a given Senator places on urban issues, nor does it measure actual aptitude with municipal policy or experience serving a city. It does, however, indicate a general lack of practical experience among Senators with the workings of municipal government in any form, at any scale. Additionally, it highlights that at least during most of each U.S. Senator’s career, their political powerbase was not comprised of a majority of urban voters.

### What About Committees: The 109<sup>th</sup> Congress<sup>7</sup>

We have heard about U.S. Senators fighting for bridges going nowhere in Alaska or Senators ensuring that interstate highways often pass through West Virginia. We know that individual Senators can filibuster legislation and put “holds” on judicial and executive branch nominees they don’t like. We know certain Senators can add “pet” projects to bills not because of their vote, but because of their leadership positions or influence in committees. Representation isn’t just about pork, though; it’s also about policy. Thanks to the unique rules of the Senate, any individual member, even the most junior, can influence national policy. Much of this is due to the fact that significant business is done in relatively small committees. Committee chairs wield obvious power, but even regular members can influence outcomes. This is because a vote matters more in a smaller body and, as such, is a more useful bargaining instrument here.

The following analysis examines key committee memberships for the outgoing 109<sup>th</sup> Congress using some of the same criteria from the preceding analysis. This paper looks at four U.S. Senate committees or subcommittees for their connection to District of Columbia and urban interests more generally:

- 1) the Banking, Housing and Urban Affairs Committee for its connection to urban policy in America;
- 2) the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia;
- 3) the District of Columbia Appropriations Subcommittee;
- 4) and the Subcommittee on

Table 3: Municipal experience of Senators on selected committees

Committee	Total members	# with municipal experience	# with municipal experience in 100 largest urban areas
Banking, Housing and Urban Affairs	20	0	0
Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia	14	7	5
District of Columbia Appropriations Subcommittee	13	6	4
Subcommittee on Transportation, Treasury, the Judiciary, Housing and Urban Development	21	6	3

<sup>7</sup> Ibid.

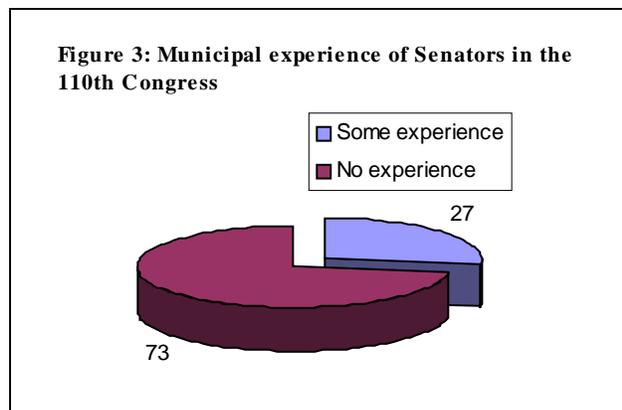
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Transportation, Treasury, the Judiciary, Housing and Urban Development, and related agencies for its connection to urban policy.

From the perspective of urban-friendly public policy, the picture here is somewhat better but far from rosy.

Three of the four key committees have at least some members who served in large-city municipal office. Nevertheless, no key committee's membership includes a majority of Senators with prior experience in municipal government

If the District had two voting Senators, it would border on the unthinkable that one would not serve on at least one of the D.C.-related committees. In either case, present committee assignments and composition of the Senate being equal, that could be a decisive majority vote on the two directly related to Washington alone, and perhaps on a third whose purview includes urban development.



### Looking Ahead: The 110<sup>th</sup> Congress<sup>8</sup>

The Senate in 2007 will see only one more member with municipal government experience than in the 109<sup>th</sup> Congress. Not much has changed, even with a tide of voter opinion giving the opposition Democrats a 54% popular vote majority at the 2006 midterm elections. Only eleven of 27 U.S. Senators will have served one of the 100 most populous cities. Six of them will have been mayors.

## How Two Senators Could (Have) Changed History

### Section 4. The Importance of Representation: Real-world Scenarios

With so few U.S. Senators representing urban jurisdictions (one or none, depending on the yardstick) and so few having served America's cities, how can adding only two members from D.C. swing the direction of policy-making toward the District and urban America?

Senators wield much individual influence. Part of that comes from staggered, six-year terms that insulate them from tidal waves of voter opinion and concomitant pressures from leadership. Former Republican House Speaker Newt Gingrich learned that in his attempt to establish party discipline in the 104<sup>th</sup> Congress; he was generally successful in the House and among Senate freshmen, but longer-serving U.S. Senators would not permit the far-reaching rules amendments that stripped individual members of their power on the House side.

The small size of the Senate and need for supermajorities on cloture and confirmation votes means individual Senators, relatively insulated from leadership pressures, derive much bargaining power from their votes. This effect is magnified in committees, which decide whether bills even get to the floor.

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<sup>8</sup> Ibid.

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Even in floor votes, Senators have considerable bargaining power – especially when the Senate is fairly evenly split between Republicans and Democrats. Between the beginning of the George W. Bush presidency and 2005, Vice President Cheney broke seven tied floor votes, highlighting the potential for each Senator to make or break legislation.<sup>9</sup> The situation is unlikely to change, as the Democrats’ majority currently consists only of one vote.

There are a number of instances in which having two Senators from the District of Columbia could have secured a legislative outcome other than one that ran contrary to the interests of the District’s residents and urban America.

## **Methodology**

This section looks at a number of Senate votes where District Senators might have made the difference. Votes are sampled to present a variety of scenarios, including ones where simply having a voice and room to bargain may have helped up to where having two votes could have negated the need for a vice-presidential tie-breaker. Votes are drawn from four sources in combination: the *Washington Post’s* database of all votes in either chamber of Congress, the Senate’s running record of tied votes, the Library of Congress’ THOMAS online database and phone interviews with members of the urban policy community. Respondents are interviewed through a combination of purposive and snowball selection methods. We began by identifying people likely to have an interest in the District’s Senate representation and requesting that they provide further contacts. In some cases, respondents requested to remain anonymous.

## **Helms Amendment No. 3118: Other People’s Money**

*Date: September 22, 1992*

*Bill: HR 5504*

*Outcome: Rejected 49-49*

*Description: “To prevent the use of tax dollars to support efforts by charitable organizations to compel the Boy Scouts of America to accept, as members or leaders, homosexuals, or other individuals who reject the Boy Scout’s oath of allegiance to God and country.”<sup>10</sup>*

One key District constituency is the legion of federal workers inside the beltway. The Combined Federal Campaign is an annual drive whereby this group pools money for donation to charitable organizations. Early in the 1990s, the Boy Scouts of America (BSA) prohibited any homosexuals from becoming adult leaders in the organization, citing “duty to God,” one of three broad member obligations.<sup>11</sup> The Helms Amendment was an attempt to shore up BSA coffers after major organizations, including

***“It’s the principle of the thing; it’s on the license plates. [‘Taxation without representation.’] We can’t decide at all where our money is going.”***

***- Frank, activist***

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<sup>9</sup> Senate Historical Office, “Occasions When Vice Presidents Have Voted to Break Tie Votes in the Senate.” 21 December, 2005.

<<http://www.senate.gov/artandhistory/history/resources/pdf/VPTies.pdf>>

<sup>10</sup> “Vote 227,” *U.S. Congress Votes Database*, accessed August, 2006.

<<http://projects.washingtonpost.com/congress/102/senate/2/votes/227>>

<sup>11</sup> The other two are “duty to self” and “duty to country.”

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several local United Way groups, withdrew funding in response to the decision.<sup>12</sup> With the amendment, D.C. federal workers lost control of their money. Many likely saw it go to groups they would have preferred not receive it, yet Washingtonians, who make up one of the largest blocs of federal employees, had no ability to directly influence these provisions.

### **Gramm Amendment No. 2615: Teen Pregnancy**

*Date: September 15, 1995*

*Bill: HR 4*

*Outcome: Rejected 49-49*

***“Members have their pet causes. They want to be able to go home to their districts and say, ‘See, I did something about X issue; I helped repeal this horrible law in D.C.’”***

***- Frank, activist***

*Description: “To establish a national clearinghouse on teenage pregnancy, set aside national goals for the reduction of out-of-wedlock and teenage pregnancies, require States to establish a set-aside for teenage pregnancy prevention activities, and for other purposes.”*

Teenage pregnancy has been a major concern across America and of special concern to the District of Columbia. As of 2000, the District pregnancy rate for females aged 15 to 19 was 128 in every 1,000. The

national average was 84 in every 1,000.<sup>13</sup>

Welfare reforms figured prominently in the debate. Many Democrats held that young mothers in particular should be welfare-eligible<sup>14</sup>, while many Republicans wanted to cut funding for payments to young mothers as a disincentive to become pregnant at early ages. They voted to table the motion. The vote broke evenly, and one Senator would have made the difference.

### **District of Columbia Appropriations Bill 2000: Democracy Denied?<sup>15</sup>**

*Date: September 16, 1999*

*Bill: HR 2587*

*Outcome: Conference report agreed to 52-39*

*Description: A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2000, and for other purposes.*

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<sup>12</sup> Ontario Consultants on Religious Tolerance, “The BSA and its funding sources,” July 12, 2004.  
<[http://www.religioustolerance.org/bsa\\_4.htm](http://www.religioustolerance.org/bsa_4.htm)>

<sup>13</sup> National Campaign to Prevent Teen Pregnancy, “Teen Pregnancy Rate,” *District of Columbia* and “National Pregnancy Rates for Teens Aged 15-19,” accessed August, 2006.  
<<http://www.teenpregnancy.org/america/>>

<sup>14</sup> “Clinton Aides: ‘Something’ Better Than Nothing,” *Washington Post*, 21 September, 1995.

<sup>15</sup> U.S. Senate, “Vote 279,” *Roll Call Votes: 106<sup>th</sup> Congress*.  
<<http://www.senate.gov>>

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In 1998, the District of Columbia held referenda on whether to allow for medicinal use of marijuana and public distribution of clean needles to intravenous drug users. Originating in the House of Representatives, the Tiahrt Amendment to the D.C. Appropriations Bill for fiscal year 2000 overturned the will of District voters by barring the District from using federal dollars to fund its own needle exchange program.<sup>16</sup> Congress effectively sealed referenda results, however, by refusing to appropriate funds for either vote count.<sup>17</sup> By agreeing to the conference report, the Senate effectively ratified decisions by the House of Representatives to squash potential social initiatives in the District.

Nine Senators abstained from the vote: Breaux (D-LA), Chafee, J. (R-RI), Crapo (R-ID), Daschle (D-SD), Inouye (D-HI), Kennedy (D-MA), Kerry (D-MA), McCain (R-AZ) and Wellstone (D-MN). Two D.C. Senators may have been able to amass support among these non-voters. Respondents agreed that, using committee positions and bargaining power, they may even have sent the bill back.

***“Two D.C. Senators would’ve presumably had a large say regarding the interests of their constituents in D.C. appropriations.”***

***- Jen, People for the American Way***

### **Deficit Reduction Act of 2005: One Vote Away<sup>18</sup>**

*Date: December 21, 2005*

*Bill: S 1932*

*Outcome: Passed 50-50 with tiebreaker*

*Description: An original bill to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95).*

Also known as the Work, Marriage, and Family Promotion Reconciliation Act of 2005, the Deficit Reduction Act cut about \$40 billion in entitlements over the course of five years. Some of the most significant cuts were to programs and areas popular among urban and District residents, such as student loans and Medicare for the disabled and welfare. Vice President Dick Cheney broke the tie in the Senate. It was his seventh tiebreaker since taking office in 2001. Albert Gore’s tenure saw four tiebreaker votes, and George H.W. Bush, as Vice President, himself broke seven ties.

### **District of Columbia Appropriations Act 2006: Nobody On the Committee<sup>19</sup>**

*Date: July 13, 2005*

*Bill: HR 3058*

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<sup>16</sup> American Civil Liberties Union, “Letter to the House on D.C. Appropriations Debate.” 27 July, 1999. <<http://www.aclu.org/votingrights/gen/13035leg19990727.html>>

<sup>17</sup> Interview with Frank, anonymous voting rights and needle exchange activist. 15 December, 2006. See also: Goldstein, David, “D.C. marijuana referendum is in limbo,” *Kansas City Star*, 18 April, 1999. <<http://www.marijuana.org/KCStar4-18-99.htm>>, and:

“Senate nixes needles, pot in District budget,” *Human Events*, 1 October, 1999.

<sup>18</sup> U.S. Senate, “Vote 363,” *Roll Call Votes: 106<sup>th</sup> Congress*. <<http://www.senate.gov>>

<sup>19</sup> Library of Congress, “HR 3058,” *THOMAS*. Accessed December 2006. <<http://thomas.loc.gov>>

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*Outcome: Passed Senate Appropriations Committee and later became law*

*Description: An original bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 2006, and for other purposes.*

Among its many provisions, one effect of this bill was to expand the District of Columbia's school voucher program, over the opposition of many city councilmembers and District residents, alongside members of the urban policy community. According to the advocacy group, People for the American Way, Senate Appropriations Committee members placed the bill on the Senate calendar on the pretext that it would create more case studies for a fuller evaluation of school voucher programs' effects.<sup>20</sup> Adding insult to injury, the bill also explicitly acknowledged and simultaneously quashed the aforementioned 1998 medicinal marijuana referendum: "Provides that the Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District on November 3, 1998, shall not take effect."

***"D.C. vouchers was expanded because there was no one there in the full committee with a vote who truly represented D.C.'s interests. This [also] holds true fo the initial passage of D.C. vouchers on the Senate floor."***

***- Jen, People for the American Way***

## **Conclusion**

When the District of Columbia has no U.S. Senators, it is all of urban America that loses out. One Senator can accomplish a great deal, whether in a close floor vote or on a small subcommittee. Yet, by a generous analysis of what constitutes a city, only two U.S. Senators in the 109<sup>th</sup> Congress represent a constituency that is majority-urban. Neither of them serves on any of four committees key to the lives of District of Columbia residents or urban America in general.

Nevertheless, the road to reform contains a great number of institutional and partisan hurdles. One problem relates to the self-interest of all members. Adding two more Senators would reduce each individual Senator's influence slightly: from one out of 100 to one out of 102. This concern becomes more realistic as we take into account the situations of other Americans who are affected by federal laws, but who cannot in turn affect those making the laws: residents of Guam and Puerto Rico, for example. Would routinely extending representation to disenfranchised Americans on sovereign U.S. territory set a precedent? Moreover, there are a growing number of *sui generis* calls for increasing the size of Congress irrespective of unrepresented territories.<sup>21</sup> Nevertheless, history would suggest this obstacle is not insurmountable: the U.S. House voted to increase its size every decade but one up until 1910, and the U.S. Senate repeatedly voted to accept new states and Senators throughout America's history.

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<sup>20</sup> People for the American Way, "Senate Appropriations Committee Expands DC School Voucher Program," 13 July, 2006.

<<http://www.pfaw.org/pfaw/general/default.aspx?oid=21745>>

<sup>21</sup> Matthew S. Shugart, "Reform the Senate, but don't take away the filibuster: It protects the majority," *Daily Herald*, May 5, 2005.

<<http://old.heraldextra.com/modules.php?op=modload&name=News&file=article&sid=54300>>

Then there is the more obvious question of partisanship in a Senate. Adding voting Senators from the District of Columbia likely would result in two Democratic members for the foreseeable future. The current *D.C. Fair and Equal House Voting Rights Act* seeks to extend voting rights to D.C.'s House member, and concerns about partisan balance were addressed by creating a new, presumably Republican seat in Utah, a state next in line to receive another member following the 2010 Census. Senate apportionment, however, is fixed at two seats per state. No similar, partisan balancing act is feasible without establishing another new state expected to vote Republican.

Nevertheless, the long march toward a constitutional amendment should be kept on the table, as the injustice facing Washingtonians is grave indeed. Senate representation for the District could benefit every other urban center in the United States. As political forces look to extend full franchise to D.C. residents in the House of Representatives, they should not forget that another chamber must assent to the same legislation, that its rules create special opportunities for individual members to make positive marks, and that the case for voting rights should be made to a wider audience of potential beneficiaries.

## Appendix: Senators' Municipal Resumes

State	Party	Senator	Office Held	Top 100 city	Pop'n at time
MN	D	Mark Dayton	Schoolteacher 1969-71	Yes	7,894,862
PA	R	Arlen Specter	District Attorney 1965-73	Yes	1,948,609
MI	D	Carl Levin	City Council 1969-77, Chief Defender 1967-69	Yes	1,511,482
TX	R	John Cornyn	District Court Judge 1984-90	Yes	935,933
MD	D	Barbara Mikulski	City Council 1971-76, Social Services 1965-70	Yes	905,759
AZ	R	Jon Kyl	Chamber of Commerce 1984-85	Yes	789,704
IN	R	Richard Lugar	School Commissioner 1964-67, Mayor 1968-75	Yes	744,624
CA	D	Dianne Feinstein	Board of Supervisors 1970-78, Mayor 1978-88	Yes	678,974
OH	R	George Voinovich	County Auditor 1971-78, Mayor 1979-89	Yes	573,822
OK	R	James M. Inhofe	Mayor 1978-84	Yes	360,919
MN	R	Norm Coleman	Mayor 1993-2001	Yes	287,151
NM	R	Peter Domenici	City Commissioner 1966-70, Mayor 1967-70	Yes	243,751
NJ	D	Robert Menendez	Board of Education 1974, Mayor 1986-92	No	
WA	D	Patty Murray	Board of Education 1985-89	No	
HI	D	Daniel Akaka	School administrator 1953-71	No	
FL	R	Mel Martinez	County Council Chair 1998-2001	No	
DE	D	Joe Biden	City Council 1970-72	No	
TN	R	Bob Corker	Mayor 2001-05	No	
VT	I	Bernie Sanders	Mayor 1981-89	No	
CA	D	Barbara Boxer	Board of Supervisors 1976-82	No	
CO	R	Wayne Allard	City Health Officer 1970-78	No	
KY	R	Mitch McConnell	County Judge Executive 1977-84	No	
MO	D	Claire McCaskill	County Legislature 1990-92	No	
MI	D	Debbie Stabenow	County Commission 1975-78	No	
WY	R	Michael Enzi	Mayor 1975-82	No	
KY	R	Jim Bunning	City Council 1977-79	No	
ME	R	Olympia Snowe	Board of Voter Registration 1971-73	No	



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FairVote is a non-partisan electoral reform organization seeking fair elections with meaningful choices. Our vision of "the way democracy will be" includes an equally protected right to vote, instant runoff voting for executive elections and proportional voting for legislative elections.

FairVote's **Policy Perspective** series provides elected officials, reform advocates and the media with analysis of elections and electoral reform issues at every level of government.