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A Voting Plan Called Retrocession Lite . . .

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The recent proposal by Rep. Tom Davis (R-Va.) to give the District a seat in the House of Representatives paired with a new member for Utah serves as a valuable discussion platform. If enacted, however, it would be a setback for the cause of full federal representation for D.C. residents.

Granting the District full voting rights in the House without a voice in the Senate would give Washingtonians almost no new power while depleting any political capital that exists for true federal representation.

Look at the states that have a single member in the House -- Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont and Wyoming. No matter how able or senior their House member, these states derive their federal power from their senators.

Short of a constitutional amendment, the choices are limited for the District to obtain full federal representation. Retrocession to Maryland seems to be a nonstarter in both the District and Maryland. Likewise, statehood seems unlikely in the foreseeable future, given the partisan implications of that action. But a compromise solution is possible.

You could call it "retrocession lite," but it really would constitute a down payment on statehood. The compromise could take the form of a simple bill:

"Unless and until the District constituting the seat of government of the United States is admitted as a new state into the Union, the residents of said district shall be considered residents of Maryland solely for the purpose of electing members of the U.S. House of Representatives and the U.S. Senate."

Under this approach, D.C. residents would vote for a member of Congress (9th District of Maryland) and for two members of the Senate (Maryland's senators). They would not be subject to Maryland laws or vote in Maryland state elections for governor or other officials. This would give the District full representation without upsetting the partisan mix in the Senate and without taking away Washington's unique territorial identity. If giving an extra seat to Utah and adjusting the electoral college to give Utah and Maryland or the District an extra elector were necessary to enact this proposal, then so be it.

The beauty of this approach is that it has a chance to become law, unlike either retrocession or full statehood. For example, in an appearance on the Dec. 30, 2001, edition of "Meet the Press," Republican Sen. Don Nickles (Okla.) said that he would support D.C. voters being able to cast ballots for Maryland senators but that he would not support statehood. This approach also would improve chances for full statehood, because two real senators could push the

option.

It is time for those in the District who want full representation to support an incremental step that recognizes that real politics require fashioning something that appeals to the Republican congressional majorities.

As a legal matter, this approach is consistent with the Supreme Court's 5 to 4 decision in *Oregon v. Mitchell*, which validated the authority of Congress to grant 18-year-olds the right to vote in federal elections under an amendment to the Voting Rights Act. That case was made moot by the passage of the 26th Amendment, which was necessary to confer the vote on 18-year-olds for state elections.

But the principle remains. The day after *Oregon v. Mitchell* was decided but before the passage of the 26th Amendment, voters between 18 and 21 years old in Oregon could vote for president, U.S. senator and representative but not for governor or other local or state officials. That situation was deemed constitutional, and that is the situation that would exist for D.C. residents if the language proposed here were enacted.

Davis has opened the door to a real debate about full representation for the District, but Washingtonians should not be too eager to go through it. Instead, they should work with Davis toward fuller federal representation.

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