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Referendum Approach to D.C. Budget Autonomy Hailed

By Tom Howell, *The Washington Times*, November 11, 2012

Eighteen months ago, Rep. Darrell Issa dangled the prospect of letting the District spend its local dollars without waiting on federal spending plans from Congress.

Since then, prominent Republicans like Virginia Gov. Bob McDonnell and House Majority Leader Eric Cantor have jumped on board with the plan, known as D.C. budget autonomy, in part because ripples in city operations during an uncertain fiscal climate on Capitol Hill could affect the large number of Virginians who commute to the nation's capital.

Yet while the District's push for financial freedom has widespread support from leading conservatives, nothing seems to happen, former Rep. Thomas M. Davis III, a Republican from Virginia, told D.C. Council members at a hearing Friday.

Mr. Davis joined the chorus of well-known figures who support the District's efforts by touting a novel way to gain budget autonomy, an amendment to the D.C. charter by a popular vote. The referendum idea, which is supported by every member of the council, would allow city residents to weigh in on their fiscal destiny during a special election this spring instead of waiting for a deadlocked Congress to act. If passed at the ballot box, lawmakers on Capitol Hill would be forced to either accept local budget autonomy or to actively pass a bill preventing it from taking effect.

Council Chairman Phil Mendelson, a Democrat, introduced legislation on Oct. 2 to authorize the referendum as a two-track approach to achieving budget autonomy. He said the measure is not designed to overshadow efforts by Delegate Eleanor Holmes Norton, the District's non-voting member of Congress, to work with allies like Mr. Issa, California Republican, in passing a clean bill on the Hill.

He said he wants the council to consider the referendum bill by its first meeting in December, while retaining an air of respect for efforts in Congress.

Look, this is hardly an act of defiance, Mr. Davis advised him. This is not a stick in the Congress' eye. •

With more financial clashes looming in Congress, the issue is especially pressing to the District.

Because its budget is tied to the federal appropriations process, even talk of a shutdown prompts concerns that city libraries will have to close, the Department of Motor Vehicles will need to suspend service and trash collection will be halted during political standoffs about national spending priorities.

But legislative efforts to establish D.C. budget autonomy, which would sever the city's local

funds from the federal appropriations process and allow the city to set its own fiscal year, are caught up in the dysfunction on Capitol Hill, Mr. Davis said.

A D.C. budget autonomy bill from Mr. Issa, California Republican and chairman of the Committee on Oversight and Government Reform, suffered a false start last year when members tried to permanently ban the use of local funds for abortions in the District.

Mr. Davis also doubts Congress will find a way to overturn this in any meaningful way. •

Testimony was lopsided in favor of the referendum plan, yet **D.C. Shadow Sen. Michael D. Brown**, who won re-election on Tuesday, offered dissent. The measure, he said, is fraught with peril and could result in legal challenges. He is also afraid the city will focus energy on an effort that will lead nowhere, wasting time on an incremental approach to D.C. rights when it should push for full statehood.

Rosa Parks didn't say it's OK to sit in the middle of the bus, he told the committee.

Political considerations are at play, as well, as Mrs. Norton and D.C. Mayor Vincent C. Gray try to foster a collegial relationship with Mr. Issa, a powerful member of Congress who has hinted that he is open to considering changes to the Height Act of 1910 that restricts the city's real estate base and a D.C. commuter tax on Maryland and Virginia residents who work in the nation's capital.

Mr. Gray said he has misgivings over the council-driven referendum to fast-track the city's efforts on budget autonomy. A legal opinion that outlines those concerns has not been released, and no one from his administration testified at Friday's hearing.

The mayor's spokesman, Pedro Ribeiro, said Friday they plan to submit comments on the bill for the record.

D.C. Chief Financial Officer Natwar M. Gandhi, who was unable to appear in person, submitted testimony Friday in support of the bill because the city has improved its financial management and deserves flexibility in how it spends its own dollars.

The council's lawyer, V. David Zvenyach, testified the measure is legally sound for consideration because it allows the District to use its funds when federal lawmakers take no action, yet Congress will retain its ultimate authority over the District.

The city's budget would be submitted (to Congress) like any other bill, Mr. Mendelson said, referring to a 30-day congressional review period of any bills from the District.

Walter Smith, executive director of D.C. Appleseed and a primary backer of the proposal, also argued there is nothing in the law that prohibits the District from altering the way it appropriates local dollars.

We need to find a way to move forward, he said.