

110TH CONGRESS  
1ST SESSION

# H. R. 1433

[Report No. 110-]

To provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2007

Ms. NORTON (for herself, Mr. TOM DAVIS of Virginia, Mr. CONYERS, Mr. PLATTS, Mr. WAXMAN, Mr. SHAYS, Mr. HOYER, Mr. ISSA, Mr. NADLER, Mr. PORTER, and Mr. MATHESON) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MARCH 16, 2007

Reported from the Committee on the Judiciary

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## A BILL

To provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “District of Columbia  
3 House Voting Rights Act of 2007”.

4 **SEC. 2. FINDINGS.**

5 Congress finds as follows:

6 (1) Over half a million people living in the Dis-  
7 trict of Columbia, the capital of our democratic Na-  
8 tion, lack direct voting representation in the United  
9 States Senate and House of Representatives.

10 (2) District of Columbia residents have fought  
11 and died to defend our democracy in every war since  
12 the War of Independence.

13 (3) District of Columbia residents pay billions  
14 of dollars in Federal taxes each year.

15 (4) Our Nation is founded on the principles of  
16 “one person, one vote” and “government by the con-  
17 sent of the governed”.

18 **SEC. 3. TREATMENT OF DISTRICT OF COLUMBIA AS CON-  
19 GRESSIONAL DISTRICT.**

20 (a) IN GENERAL.—Notwithstanding any other provi-  
21 sion of law, the District of Columbia shall be considered  
22 a Congressional district for purposes of representation in  
23 the House of Representatives.

24 (b) CONFORMING AMENDMENTS RELATING TO AP-  
25 PORTIONMENT OF MEMBERS OF HOUSE OF REPRESENTA-  
26 TIVES.—

1           (1) INCLUSION OF SINGLE DISTRICT OF COLUM-  
2           BIA MEMBER IN REAPPORTIONMENT OF MEMBERS  
3           AMONG STATES.—Section 22 of the Act entitled “An  
4           Act to provide for the fifteenth and subsequent de-  
5           cennial censuses and to provide for apportionment of  
6           Representatives in Congress”, approved June 28,  
7           1929 (2 U.S.C. 2a), is amended by adding at the  
8           end the following new subsection:

9           “(d) This section shall apply with respect to the Dis-  
10          trict of Columbia in the same manner as this section ap-  
11          plies to a State, except that the District of Columbia may  
12          not receive more than one Member under any reapportion-  
13          ment of Members.”.

14          (2) CLARIFICATION OF DETERMINATION OF  
15          NUMBER OF PRESIDENTIAL ELECTORS ON BASIS OF  
16          23RD AMENDMENT.—Section 3 of title 3, United  
17          States Code, is amended by striking “come into of-  
18          fice;” and inserting the following: “come into office  
19          (subject to the twenty-third article of amendment to  
20          the Constitution of the United States in the case of  
21          the District of Columbia);”.

22          (c) CONFORMING AMENDMENTS REGARDING AP-  
23          POINTMENTS TO SERVICE ACADEMIES.—

1           (1) UNITED STATES MILITARY ACADEMY.—Sec-  
2           tion 4342 of title 10, United States Code, is amend-  
3           ed—

4                   (A) in subsection (a), by striking para-  
5           graph (5); and

6                   (B) in subsection (f), by striking “the Dis-  
7           trict of Columbia,”.

8           (2) UNITED STATES NAVAL ACADEMY.—Such  
9           title is amended—

10                   (A) in section 6954(a), by striking para-  
11           graph (5); and

12                   (B) in section 6958(b), by striking “the  
13           District of Columbia,”.

14           (3) UNITED STATES AIR FORCE ACADEMY.—  
15           Section 9342 of title 10, United States Code, is  
16           amended—

17                   (A) in subsection (a), by striking para-  
18           graph (5); and

19                   (B) in subsection (f), by striking “the Dis-  
20           trict of Columbia,”.

21           (4) EFFECTIVE DATE.—This subsection and the  
22           amendments made by this subsection shall take ef-  
23           fect on the date on which a Representative from the  
24           District of Columbia takes office for the One Hun-  
25           dred Tenth Congress.

1 **SEC. 4. INCREASE IN MEMBERSHIP OF HOUSE OF REP-**  
2 **RESENTATIVES.**

3 (a) PERMANENT INCREASE IN NUMBER OF MEM-  
4 BERS.—Effective with respect to the One Hundred Tenth  
5 Congress and each succeeding Congress, the House of  
6 Representatives shall be composed of 437 Members, in-  
7 cluding any Members representing the District of Colum-  
8 bia pursuant to section 3(a).

9 (b) REAPPORTIONMENT OF MEMBERS RESULTING  
10 FROM INCREASE.—

11 (1) IN GENERAL.—Section 22(a) of the Act en-  
12 titled “An Act to provide for the fifteenth and subse-  
13 quent decennial censuses and to provide for appor-  
14 tionment of Representatives in Congress”, approved  
15 June 28, 1929 (2 U.S.C. 2a(a)), is amended by  
16 striking “the then existing number of Representa-  
17 tives” and inserting “the number of Representatives  
18 established with respect to the One Hundred Tenth  
19 Congress”.

20 (2) EFFECTIVE DATE.—The amendment made  
21 by paragraph (1) shall apply with respect to the reg-  
22 ular decennial census conducted for 2010 and each  
23 subsequent regular decennial census.

24 (c) SPECIAL RULES FOR PERIOD PRIOR TO 2012 RE-  
25 APPORTIONMENT.—

1           (1) TRANSMITTAL OF REVISED STATEMENT OF  
2           APPORTIONMENT BY PRESIDENT.—Not later than  
3           30 days after the date of the enactment of this Act,  
4           the President shall transmit to Congress a revised  
5           version of the most recent statement of appor-  
6           tionment submitted under section 22(a) of the Act enti-  
7           tled “An Act to provide for the fifteenth and subse-  
8           quent decennial censuses and to provide for appor-  
9           tionment of Representatives in Congress”, approved  
10          June 28, 1929 (2 U.S.C. 2a(a)), to take into ac-  
11          count this Act and the amendments made by this  
12          Act.

13          (2) REPORT BY CLERK.—Not later than 15 cal-  
14          endar days after receiving the revised version of the  
15          statement of apporportionment under paragraph (1),  
16          the Clerk of the House of Representatives, in ac-  
17          cordance with section 22(b) of such Act (2 U.S.C.  
18          2a(b)), shall send to the executive of each State a  
19          certificate of the number of Representatives to which  
20          such State is entitled under section 22 of such Act,  
21          and shall submit a report to the Speaker of the  
22          House of Representatives identifying the State  
23          (other than the District of Columbia) which is enti-  
24          tled to one additional Representative pursuant to  
25          this section.

1           (3) REQUIREMENTS FOR ELECTION OF ADDI-  
2           TIONAL MEMBER.—During the One Hundred Tenth  
3           Congress, the One Hundred Eleventh Congress, and  
4           the One Hundred Twelfth Congress—

5                   (A) notwithstanding the Act entitled “An  
6           Act for the relief of Doctor Ricardo Vallejo  
7           Samala and to provide for congressional redis-  
8           tricting”, approved December 14, 1967 (2  
9           U.S.C. 2e), the additional Representative to  
10          which the State identified by the Clerk of the  
11          House of Representatives in the report sub-  
12          mitted under paragraph (2) is entitled shall be  
13          elected from the State at large; and

14                   (B) the other Representatives to which  
15          such State is entitled shall be elected on the  
16          basis of the Congressional districts in effect in  
17          the State for the One Hundred Ninth Congress.

18          (d) SEATING OF NEW MEMBERS.—The first Rep-  
19          resentative from the District of Columbia and the first ad-  
20          ditional Representative to which the State identified by the  
21          Clerk of the House of Representatives in the report sub-  
22          mitted under subsection (c) is entitled shall each be sworn  
23          in and seated as Members of the House of Representatives  
24          on the same date.

1 **SEC. 5. REPEAL OF OFFICE OF DISTRICT OF COLUMBIA**  
2 **DELEGATE.**

3 (a) REPEAL OF OFFICE.—

4 (1) IN GENERAL.—Sections 202 and 204 of the  
5 District of Columbia Delegate Act (Public Law 91–  
6 405; sections 1–401 and 1–402, D.C. Official Code)  
7 are repealed, and the provisions of law amended or  
8 repealed by such sections are restored or revived as  
9 if such sections had not been enacted.

10 (2) EFFECTIVE DATE.—The amendments made  
11 by this subsection shall take effect on the date on  
12 which a Representative from the District of Colum-  
13 bia takes office for the One Hundred Tenth Con-  
14 gress.

15 (b) CONFORMING AMENDMENTS TO DISTRICT OF CO-  
16 LUMBIA ELECTIONS CODE OF 1955.—The District of Co-  
17 lumbia Elections Code of 1955 is amended as follows:

18 (1) In section 1 (sec. 1–1001.01, D.C. Official  
19 Code), by striking “the Delegate to the House of  
20 Representatives,” and inserting “the Representative  
21 in the Congress,”.

22 (2) In section 2 (sec. 1–1001.02, D.C. Official  
23 Code)—

24 (A) by striking paragraph (6); and

25 (B) in paragraph (13), by striking “the  
26 Delegate to Congress for the District of Colum-

1           bia,” and inserting “the Representative in the  
2           Congress,”.

3           (3) In section 8 (sec. 1–1001.08, D.C. Official  
4       Code)—

5           (A) in the heading, by striking “Delegate”  
6           and inserting “Representative”; and

7           (B) by striking “Delegate,” each place it  
8           appears in subsections (h)(1)(A), (i)(1), and  
9           (j)(1) and inserting “Representative in the Con-  
10          gress,”.

11          (4) In section 10 (sec. 1–1001.10, D.C. Official  
12       Code)—

13           (A) in subsection (a)(3)(A)—

14           (i) by striking “or section 206(d) of  
15           the District of Columbia Delegate Act”,  
16           and

17           (ii) by striking “the office of Delegate  
18           to the House of Representatives” and in-  
19           serting “the office of Representative in the  
20           Congress”;

21           (B) in subsection (d)(1), by striking “Dele-  
22           gate,” each place it appears; and

23           (C) in subsection (d)(2)—

24           (i) by striking “(A) In the event” and  
25           all that follows through “term of office,”

1 and inserting “In the event that a vacancy  
2 occurs in the office of Representative in  
3 the Congress before May 1 of the last year  
4 of the Representative’s term of office,” and  
5 (ii) by striking subparagraph (B).

6 (5) In section 11(a)(2) (sec. 1–1001.11(a)(2),  
7 D.C. Official Code), by striking “Delegate to the  
8 House of Representatives,” and inserting “Rep-  
9 resentative in the Congress,”.

10 (6) In section 15(b) (sec. 1–1001.15(b), D.C.  
11 Official Code), by striking “Delegate,” and inserting  
12 “Representative in the Congress,”.

13 (7) In section 17(a) (sec. 1–1001.17(a), D.C.  
14 Official Code), by striking “the Delegate to the Con-  
15 gress from the District of Columbia” and inserting  
16 “the Representative in the Congress”.

17 **SEC. 6. REPEAL OF OFFICE OF STATEHOOD REPRESENTA-**  
18 **TIVE.**

19 (a) IN GENERAL.—Section 4 of the District of Co-  
20 lumbia Statehood Constitutional Convention Initiative of  
21 1979 (sec. 1–123, D.C. Official Code) is amended as fol-  
22 lows:

23 (1) By striking “offices of Senator and Rep-  
24 resentative” each place it appears in subsection (d)  
25 and inserting “office of Senator”.

1 (2) In subsection (d)(2)—

2 (A) by striking “a Representative or”;

3 (B) by striking “the Representative or”;

4 and

5 (C) by striking “Representative shall be  
6 elected for a 2-year term and each”.

7 (3) In subsection (d)(3)(A), by striking “and 1  
8 United States Representative”.

9 (4) By striking “Representative or” each place  
10 it appears in subsections (e), (f), (g), and (h).

11 (5) By striking “Representative’s or” each  
12 place it appears in subsections (g) and (h).

13 (b) CONFORMING AMENDMENTS.—

14 (1) STATEHOOD COMMISSION.—Section 6 of  
15 such Initiative (sec. 1–125, D.C. Official Code) is  
16 amended—

17 (A) in subsection (a)—

18 (i) by striking “27 voting members”  
19 and inserting “26 voting members”;

20 (ii) by adding “and” at the end of  
21 paragraph (5); and

22 (iii) by striking paragraph (6) and re-  
23 designating paragraph (7) as paragraph  
24 (6); and

1 (B) in subsection (a-1)(1), by striking sub-  
2 paragraph (H).

3 (2) AUTHORIZATION OF APPROPRIATIONS.—  
4 Section 8 of such Initiative (sec. 1-127, D.C. Offi-  
5 cial Code) is amended by striking “and House”.

6 (3) APPLICATION OF HONORARIA LIMITA-  
7 TIONS.—Section 4 of D.C. Law 8-135 (sec. 1-131,  
8 D.C. Official Code) is amended by striking “or Rep-  
9 resentative” each place it appears.

10 (4) APPLICATION OF CAMPAIGN FINANCE  
11 LAWS.—Section 3 of the Statehood Convention Pro-  
12 cedural Amendments Act of 1982 (sec. 1-135, D.C.  
13 Official Code) is amended by striking “and United  
14 States Representative”.

15 (5) DISTRICT OF COLUMBIA ELECTIONS CODE  
16 OF 1955.—The District of Columbia Elections Code  
17 of 1955 is amended—

18 (A) in section 2(13) (sec. 1-1001.02(13),  
19 D.C. Official Code), by striking “United States  
20 Senator and Representative,” and inserting  
21 “United States Senator,”; and

22 (B) in section 10(d) (sec. 1-1001.10(d)(3),  
23 D.C. Official Code), by striking “United States  
24 Representative or”.

1           (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on the date on which a Rep-  
3 resentative from the District of Columbia takes office for  
4 the One Hundred Tenth Congress.

5 **SEC. 7. NONSEVERABILITY OF PROVISIONS.**

6           If any provision of this Act, or any amendment made  
7 by this Act, is declared or held invalid or unenforceable,  
8 the remaining provisions of this Act and any amendment  
9 made by this Act shall be treated and deemed invalid and  
10 shall have no force or effect of law.