

111TH CONGRESS
1ST SESSION

H. R. 157

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Ms. NORTON introduced the following bill; which was referred to the Committee on the Judiciary

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “District of Columbia
5 House Voting Rights Act of 2009”.

6 **SEC. 2. TREATMENT OF DISTRICT OF COLUMBIA AS CON-**
7 **GRESSIONAL DISTRICT.**

8 (a) IN GENERAL.—Notwithstanding any other provi-
9 sion of law, the District of Columbia shall be considered

1 a Congressional district for purposes of representation in
2 the House of Representatives.

3 (b) CONFORMING AMENDMENTS RELATING TO AP-
4 PORTIONMENT OF MEMBERS OF HOUSE OF REPRESENTA-
5 TIVES.—

6 (1) INCLUSION OF SINGLE DISTRICT OF COLUM-
7 BIA MEMBER IN REAPPORTIONMENT OF MEMBERS
8 AMONG STATES.—Section 22 of the Act entitled “An
9 Act to provide for the fifteenth and subsequent de-
10 cennial censuses and to provide for apportionment of
11 Representatives in Congress”, approved June 28,
12 1929 (2 U.S.C. 2a), is amended by adding at the
13 end the following new subsection:

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

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

1 the Constitution of the United States in the case of
2 the District of Columbia);”.

3 **SEC. 3. INCREASE IN MEMBERSHIP OF HOUSE OF REP-**
4 **RESENTATIVES.**

5 (a) PERMANENT INCREASE IN NUMBER OF MEM-
6 BERS.—Effective with respect to the One Hundred Elev-
7 enth Congress and each succeeding Congress, the House
8 of Representatives shall be composed of 437 Members, in-
9 cluding any Members representing the District of Colum-
10 bia pursuant to section 2(a).

11 (b) REAPPORTIONMENT OF MEMBERS RESULTING
12 FROM INCREASE.—

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

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

1 (c) SPECIAL RULES FOR PERIOD PRIOR TO 2012 RE-
2 APPORTIONMENT.—

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

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

1 tled to one additional Representative pursuant to
2 this section.

3 (3) REQUIREMENTS FOR ELECTION OF ADDI-
4 TIONAL MEMBER.—During the One Hundred Elev-
5 enth Congress and the One Hundred Twelfth Con-
6 gress—

7 (A) notwithstanding the final undesignated
8 paragraph of the Act entitled “An Act for the
9 relief of Doctor Ricardo Vallejo Samala and to
10 provide for congressional redistricting”, ap-
11 proved December 14, 1967 (2 U.S.C. 2c), the
12 additional Representative to which the State
13 identified by the Clerk of the House of Rep-
14 resentatives in the report submitted under para-
15 graph (2) is entitled shall be elected from the
16 State at large; and

17 (B) the other Representatives to which
18 such State is entitled shall be elected on the
19 basis of the Congressional districts in effect in
20 the State for the One Hundred Tenth Congress.

21 **SEC. 4. NONSEVERABILITY OF PROVISIONS.**

22 If any provision of this Act, or any amendment made
23 by this Act, is declared or held invalid or unenforceable,
24 the remaining provisions of this Act and any amendment

- 1 made by this Act shall be treated and deemed invalid and
- 2 shall have no force or effect of law.

