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.

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

SECTION 1. SHORT TITLE.

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

SEC. 2. TREATMENT OF DISTRICT OF COLUMBIA AS CON-
GRESSIONAL DISTRICT.

(a) In General.—Notwithstanding any other provi-
sion of law, the District of Columbia shall be considered
a Congressional district for purposes of representation in
the House of Representatives in the One Hundred Twelfth
Congress and each succeeding Congress.

(b) Conforming Amendments Relating to Apportion-
ment of Members of House of Representa-
tives.—

(1) Inclusion of Single District of Colum-
bia Member in Reapportionment of Members
Among States.—Section 22 of the Act entitled “An
Act to provide for the fifteenth and subsequent decen-
nial censuses and to provide for apportionment of
Representatives in Congress”, approved June 18,
1929 (2 U.S.C. 2a), is amended by adding at the end
the following new subsection:
“(d) This section shall apply with respect to the District of Columbia in the same manner as this section applies to a State.”.

(2) Clarification of Determination of Number of Presidential Electors on Basis of 23rd Amendment.—Section 3 of title 3, United States Code, is amended by striking “come into office;” and inserting the following: “come into office (subject to the twenty-third article of amendment to the Constitution of the United States in the case of the District of Columbia);”.

SEC. 3. INCREASE IN MEMBERSHIP OF HOUSE OF REPRESENTATIVES.

(a) Permanent Increase in Number of Members.—Effective with respect to the One Hundred Twelfth Congress and each succeeding Congress, the House of Representatives shall be composed of 437 Members, including any Members representing the District of Columbia pursuant to section 2(a).

(b) Reapportionment of Members Resulting From Increase.—

(1) In General.—Section 22(a) of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved
June 18, 1929 (2 U.S.C. 2a(a)), is amended by striking “the then existing number of Representatives” and inserting “the number of Representatives established with respect to the One Hundred Twelfth Congress”.

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

(c) SPECIAL RULES FOR PERIOD PRIOR TO 2012 REAPPORTIONMENT.—

(1) TRANSMITTAL OF REVISED STATEMENT OF APPORTIONMENT BY PRESIDENT.—Not later than 30 days after the date of the enactment of this Act, the President shall transmit to Congress the most recent statement of apportionment submitted under section 22(a) of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress”, approved June 18, 1929 (2 U.S.C. 2a(a)), revised to take into account this Act and the amendments made by this Act.

(2) REPORT BY CLERK.—Not later than 15 calendar days after receiving the revised version of the statement of apportionment under paragraph (1), the
Clerk of the House of Representatives, in accordance with section 22(b) of such Act (2 U.S.C. 2a(b)), shall send to the executive of each State a certificate of the number of Representatives to which such State is entitled under section 22 of such Act, and shall submit a report to the Speaker of the House of Representatives identifying the State (other than the District of Columbia) which is entitled to one additional Representative pursuant to this section.

(3) **Requirements for Election of Additional Member.**—During the One Hundred Twelfth Congress—

(A) notwithstanding the final undesigned paragraph of the Act entitled “An Act for the relief of Doctor Ricardo Vallejo Samala and to provide for congressional redistricting”, approved December 14, 1967 (2 U.S.C. 2c), the additional Representative to which the State identified by the Clerk of the House of Representatives in the report submitted under paragraph (2) is entitled shall be elected from the State at large; and

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

SEC. 4. NONSEVERABILITY OF PROVISIONS.

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

SEC. 5. EXPEDITED JUDICIAL REVIEW.

If any action is brought to challenge the constitutionality of any provision of this Act or any amendment made by this Act, the following rules shall apply:

1. The action shall be filed in the United States District Court for the District of Columbia and shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

2. A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

3. A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.
(4) It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.
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.

March 2, 2009

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed.

[Report No. 111-22]

H.R. 157

Union Calendar No. 8