113TH CONGRESS
1ST SESSION

H. R. 363

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

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2013

Ms. NORTON (for herself, Mr. HONDA, Mr. FARR, Mr. RANGEL, Mrs. NAPOLITANO, Mrs. CHRISTENSEN, Mr. RUSH, Mr. PALEOMAVAEGA, Mr. CLAY, Mr. ELLISON, Mr. CONYERS, Ms. BORDALLO, Mr. COHEN, Mr. BLUMENAUER, Ms. CHU, and Mr. PIERSI) 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

A BILL

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

Be it enacted by the Senate and House of Representatives 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 2013”.

1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2. SECTION 1. SHORT TITLE.

3. This Act may be cited as the “District of Columbia House Voting Rights Act of 2013”.

4. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

5. SECTION 1. SHORT TITLE.

This Act may be cited as the “District of Columbia House Voting Rights Act of 2013”.
SEC. 2. REPRESENTATION IN HOUSE OF REPRESENTATIVES FOR DISTRICT OF COLUMBIA.

(a) Representation in House.—Notwithstanding any other provision of law, effective with respect to the One Hundred Thirteenth Congress and each succeeding Congress, the District of Columbia shall be treated as a State for purposes of representation in the House of Representatives.

(b) Conforming Amendments Relating to Apportionment of Members of House of Representatives.—

(1) Inclusion of District of Columbia in Reapportionment of Members Among States.—Section 22 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 28, 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 of-
fice,’’ 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);’’.

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

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

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

(B) in subsection (f), by striking ‘‘the Dis-
trict of Columbia,’’.

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

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

(B) in section 6958(b), by striking ‘‘the Dis-
District of Columbia,’’.

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

(A) in subsection (a), by striking para-
graph (5); and
(B) in subsection (f), by striking “the District of Columbia,”.

(4) EFFECTIVE DATE.—This subsection and the amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office for the One Hundred Thirteenth Congress.

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

(a) PERMANENT INCREASE IN NUMBER OF MEMBERS.—Effective with respect to the One Hundred Thirteenth Congress and each succeeding Congress, the House of Representatives shall be composed of 436 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 28, 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 Thirteenth Congress”.

(2) Effective Date.—The amendment made by paragraph (1) shall apply with respect to the regular decennial census conducted for 2020 and each subsequent regular decennial census.

SEC. 4. REPEAL OF OFFICE OF DISTRICT OF COLUMBIA DELEGATE.

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

(b) Effective Date.—The amendments made by this subsection shall take effect on the date on which a Representative from the District of Columbia takes office for the One Hundred Thirteenth Congress.

SEC. 5. PROVIDING FOR ELECTIONS FOR HOUSE MEMBERS FROM DISTRICT OF COLUMBIA.

(a) Application of District of Columbia Elections Code of 1955.—The District of Columbia Elections Code of 1955 is amended as follows:

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

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

(A) by striking paragraph (6); and

(B) in paragraph (13), by striking “the Delegate to Congress for the District of Columbia,” and inserting “the Representative in the Congress.”.

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

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

(B) by striking “Delegate,” each place it appears in subsections (h)(1)(A), (i)(1), and (j)(1) and inserting “Representative in the Congress.”.

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

(A) in subsection (a)(3)(A)—

(i) by striking “or section 206(d) of the District of Columbia Delegate Act”;

and

(ii) by striking “the office of Delegate to the House of Representatives” and in-
asserting “the office of Representative in the Congress”; (B) in subsection (d)(1), by striking “Delegate,” each place it appears; and (C) in subsection (d)(2)— (i) by striking “(A) In the event” and all that follows through “term of office,” and inserting “In the event that a vacancy occurs in the office of Representative in the Congress before May 1 of the last year of the Representative’s term of office,” and (ii) by striking subparagraph (B). (5) In section 11(a)(2) (sec. 1–1001.11(a)(2), D.C. Official Code), by striking “Delegate to the House of Representatives,” and inserting “Representative in the Congress,”. (6) In section 15(b) (sec. 1–1001.15(b), D.C. Official Code), by striking “Delegate,” and inserting “Representative in the Congress,”. (7) In section 17(a) (sec. 1–1001.17(a), D.C. Official Code), by striking “the Delegate to the Congress from the District of Columbia” and inserting “the Representative in the Congress.” (b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to the election of the
first Representative from the District of Columbia pursuant to this Act and each subsequent election of Representatives from the District of Columbia pursuant to this Act.

SEC. 6. REPEAL OF OFFICE OF STATEHOOD REPRESENTATIVE.

(a) In general.—Section 4 of the District of Columbia Statehood Constitutional Convention Initiative of 1979 (sec. 1–123, D.C. Official Code) is amended as follows:

(1) By striking “offices of Senator and Representative” each place it appears in subsection (d) and inserting “office of Senator”.

(2) In subsection (d)(2)—

(A) by striking “a Representative or”;

(B) by striking “the Representative or”;

and

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

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

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

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

(b) Conforming Amendments.—
(1) **STATEHOOD COMMISSION.**—Section 6 of such Initiative (sec. 1–125, D.C. Official Code) is amended—

(A) in subsection (a)—

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

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

(iii) by striking paragraph (6) and redesignating paragraph (7) as paragraph (6); and

(B) in subsection (a–1)(1), by striking subparagraph (H).

(2) **AUTHORIZATION OF APPROPRIATIONS.**—Section 8 of such Initiative (sec. 1–127, D.C. Official Code) is amended by striking “and House”.

(3) **APPLICATION OF HONORARIA LIMITATIONS.**—Section 4 of D.C. Law 8–135 (sec. 1–131, D.C. Official Code) is amended by striking “or Representative” each place it appears.

(4) **APPLICATION OF CAMPAIGN FINANCE LAWS.**—Section 3 of the Statehood Convention Procedural Amendments Act of 1982 (sec. 1–135, D.C. Official Code) is amended by striking “and United States Representative”.

• HR 363 IH
(5) District of Columbia Elections Code

of 1955.—The District of Columbia Elections Code

of 1955 is amended—

(A) in section 2(13) (sec. 1–1001.02(13),

D.C. Official Code), by striking “United States

Senator and Representative,” and inserting

“United States Senator,”; and

(B) in section 10(d) (sec. 1–1001.10(d)(3),

D.C. Official Code), by striking “United States

Representative or”.

c) Effective Date.—The amendments made by

this section shall take effect on the date on which a Rep-

resentative from the District of Columbia takes office for

the One Hundred Thirteenth Congress.

SEC. 7. EXPEDITED JUDICIAL REVIEW.

If any action is brought to challenge the constitu-

tionality 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 pur-

suant 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 Representa-
tives and the Secretary of the Senate.

(3) A final decision in the action shall be re-
viewable 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.

SEC. 8. NONSEVERABILITY OF PROVISIONS.

If any provision of section 2(a), 2(b)(1), or 3, or any amendment made by any such section, 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.