

110TH CONGRESS  
1ST SESSION

# H. R. 328

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

JANUARY 9, 2007

Ms. NORTON (for herself and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “District of Columbia  
5 Fair and Equal House Voting Rights Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) Over half a million people living in the Dis-  
9 trict of Columbia, the capital of our democratic Na-

1 tion, lack direct voting representation in the United  
2 States Senate and House of Representatives.

3 (2) District of Columbia residents have fought  
4 and died to defend our democracy in every war since  
5 the War of Independence.

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

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

11 **SEC. 3. TREATMENT OF DISTRICT OF COLUMBIA AS CON-**  
12 **GRESSIONAL DISTRICT.**

13 (a) IN GENERAL.—Notwithstanding any other provi-  
14 sion of law, the District of Columbia shall be considered  
15 a Congressional district for purposes of representation in  
16 the House of Representatives.

17 (b) CONFORMING AMENDMENTS RELATING TO AP-  
18 PORTIONMENT OF MEMBERS OF HOUSE OF REPRESENTA-  
19 TIVES.—

20 (1) INCLUSION OF SINGLE DISTRICT OF COLUM-  
21 BIA MEMBER IN REAPPORTIONMENT OF MEMBERS  
22 AMONG STATES.—Section 22 of the Act entitled “An  
23 Act to provide for the fifteenth and subsequent de-  
24 cennial censuses and to provide for apportionment of  
25 Representatives in Congress”, approved June 28,

1       1929 (2 U.S.C. 2a), is amended by adding at the  
2       end the following new subsection:

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

8               (2) CLARIFICATION OF DETERMINATION OF  
9       NUMBER OF PRESIDENTIAL ELECTORS ON BASIS OF  
10       23RD AMENDMENT.—Section 3 of title 3, United  
11       States Code, is amended by striking “come into of-  
12       fice;” and inserting the following: “come into office  
13       (subject to the twenty-third article of amendment to  
14       the Constitution of the United States in the case of  
15       the District of Columbia);”.

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

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

24       (b) REAPPORTIONMENT OF MEMBERS RESULTING  
25       FROM INCREASE.—

1           (1) IN GENERAL.—Section 22(a) of the Act en-  
2           titled “An Act to provide for the fifteenth and subse-  
3           quent decennial censuses and to provide for appor-  
4           tionment of Representatives in Congress”, approved  
5           June 28, 1929 (2 U.S.C. 2a(a)), is amended by  
6           striking “the then existing number of Representa-  
7           tives” and inserting “the number of Representatives  
8           established with respect to the One Hundred Tenth  
9           Congress”.

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

14           (c) TRANSMITTAL OF REVISED APPORTIONMENT IN-  
15           FORMATION BY PRESIDENT.—

16           (1) STATEMENT OF APPORTIONMENT BY PRESI-  
17           DENT.—Not later than 30 days after the date of the  
18           enactment of this Act, the President shall transmit  
19           to Congress a revised version of the most recent  
20           statement of apportionment submitted under section  
21           22(a) of the Act entitled “An Act to provide for the  
22           fifteenth and subsequent decennial censuses and to  
23           provide for apportionment of Representatives in  
24           Congress”, approved June 28, 1929 (2 U.S.C.

1       2a(a)), to take into account this Act and the amend-  
2       ments made by this Act.

3           (2) REPORT BY CLERK.—Not later than 15 cal-  
4       endar days after receiving the revised version of the  
5       statement of apportionment under paragraph (1),  
6       the Clerk of the House of Representatives, in ac-  
7       cordance with section 22(b) of such Act (2 U.S.C.  
8       2a(b)), shall send to the executive of each State a  
9       certificate of the number of Representatives to which  
10      such State is entitled under section 22 of such Act,  
11      and shall submit a report to the Speaker of the  
12      House of Representatives identifying the State  
13      (other than the District of Columbia) which is enti-  
14      tled to one additional Representative pursuant to  
15      this section.

16 **SEC. 5. NONSEVERABILITY OF PROVISIONS.**

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

22 **SEC. 6. EFFECTIVE DATE; TIMING OF ELECTIONS.**

23       (a) IN GENERAL.—The general election for the addi-  
24      tional Representative to which the State identified by the  
25      Clerk of the House of Representatives in the report sub-

1 mitted under section 4(c) is entitled for the One Hundred  
2 Tenth Congress and the general election for the Rep-  
3 resentative from the District of Columbia for the One  
4 Hundred Tenth Congress shall be subject to the following  
5 requirements:

6 (1) Neither election may occur unless the Gov-  
7 ernor of that State has signed into law a redistricting  
8 plan on December 5, 2006, which—

9 (A) revises the boundaries of the Congressional  
10 districts in the State to take into account  
11 the additional Representative to which the State  
12 is entitled under section 4(c)(2); and

13 (B) remains in effect until the taking ef-  
14 fect of the first reapportionment occurring after  
15 the regular decennial census conducted for  
16 2010.

17 (2) The additional Representative from that  
18 State and the other Representatives from that State  
19 will be elected pursuant to the redistricting plan en-  
20 acted by the State in accordance with paragraph (1).

21 (3) The additional Representative from that  
22 State, the other Representatives from that State,  
23 and the Representative from the District of Colum-  
24 bia shall be sworn in and seated as Members of the  
25 House of Representatives on the same date.

1       (b) RULE OF CONSTRUCTION.—Nothing in sub-  
2 section (a)(3) shall be construed to affect the status of  
3 any individual who is eligible to be sworn in and seated  
4 as a Member of the House of Representatives on the first  
5 day of the One Hundred Tenth Congress on the basis of  
6 winning the November 2006 general election for that of-  
7 fice.

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