

110TH CONGRESS  
1ST SESSION

# S. 1257

To provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

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## IN THE SENATE OF THE UNITED STATES

MAY 1, 2007

Mr. LIEBERMAN (for himself, Mr. HATCH, and Mr. BENNETT) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

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 2007”.

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 111th Congress and  
7 each succeeding Congress, the House of Representatives  
8 shall be composed of 437 Members, including the Member  
9 representing the District of Columbia pursuant to section  
10 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 111th Congress”.

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

1 (c) TRANSMITTAL OF REVISED APPORTIONMENT IN-  
2 FORMATION BY PRESIDENT.—

3 (1) STATEMENT OF APPORTIONMENT BY PRESI-  
4 DENT.—Not later than 30 days after the date of the  
5 enactment of this Act, the President shall transmit  
6 to Congress a revised version of the most recent  
7 statement of apportionment submitted under section  
8 22(a) of the Act entitled “An Act to provide for the  
9 fifteenth and subsequent decennial censuses and to  
10 provide for apportionment of Representatives in  
11 Congress”, approved June 28, 1929 (2 U.S.C.  
12 2a(a)), to take into account this Act and the amend-  
13 ments made by this Act and identifying the State of  
14 Utah as the State entitled to one additional Rep-  
15 resentative pursuant to this section.

16 (2) REPORT BY CLERK.—Not later than 15 cal-  
17 endar days after receiving the revised version of the  
18 statement of apportionment under paragraph (1),  
19 the Clerk of the House of Representatives shall sub-  
20 mit a report to the Speaker of the House of Rep-  
21 resentatives identifying the State of Utah as the  
22 State entitled to one additional Representative pur-  
23 suant to this section.

1 **SEC. 4. EFFECTIVE DATE; TIMING OF ELECTIONS.**

2 The general election for the additional Representative  
3 to which the State of Utah is entitled for the 111th Con-  
4 gress and 112th Congress and the general election for the  
5 Representative from the District of Columbia for the  
6 111th Congress and the 112th Congress shall be subject  
7 to the following requirements:

8 (1) The additional Representative from the  
9 State of Utah will be elected pursuant to a redis-  
10 tricting plan enacted by the State, such as the plan  
11 the State of Utah signed into law on December 5,  
12 2006, which—

13 (A) revises the boundaries of Congressional  
14 districts in the State to take into account the  
15 additional Representative to which the State is  
16 entitled under section 3; and

17 (B) remains in effect until the taking ef-  
18 fect of the first reapportionment occurring after  
19 the regular decennial census conducted for  
20 2010.

21 (2) The additional Representative from the  
22 State of Utah and the Representative from the Dis-  
23 trict of Columbia shall be sworn in and seated as  
24 Members of the House of Representatives on the  
25 same date as other Members of the 111th Congress.

1 **SEC. 5. CONFORMING AMENDMENTS.**

2 (a) REPEAL OF OFFICE OF DISTRICT OF COLUMBIA  
3 DELEGATE.—

4 (1) REPEAL OF OFFICE.—

5 (A) IN GENERAL.—Sections 202 and 204  
6 of the District of Columbia Delegate Act (Pub-  
7 lic Law 91–405; sections 1–401 and 1–402,  
8 D.C. Official Code) are repealed, and the provi-  
9 sions of law amended or repealed by such sec-  
10 tions are restored or revived as if such sections  
11 had not been enacted.

12 (B) EFFECTIVE DATE.—The amendments  
13 made by this subsection shall take effect on the  
14 date on which a Representative from the Dis-  
15 trict of Columbia takes office for the 111th  
16 Congress.

17 (2) CONFORMING AMENDMENTS TO DISTRICT  
18 OF COLUMBIA ELECTIONS CODE OF 1955.—The Dis-  
19 trict of Columbia Elections Code of 1955 is amended  
20 as follows:

21 (A) In section 1 (sec. 1–1001.01, D.C. Of-  
22 ficial Code), by striking “the Delegate to the  
23 House of Representatives,” and inserting “the  
24 Representative in Congress,”.

25 (B) In section 2 (sec. 1–1001.02, D.C. Of-  
26 ficial Code)—

1 (i) by striking paragraph (6); and

2 (ii) in paragraph (13), by striking  
3 “the Delegate to Congress for the District  
4 of Columbia,” and inserting “the Rep-  
5 resentative in Congress,”.

6 (C) In section 8 (sec. 1–1001.08, D.C. Of-  
7 ficial Code)—

8 (i) in the heading, by striking “Dele-  
9 gate” and inserting “Representative”; and

10 (ii) by striking “Delegate,” each place  
11 it appears in subsections (h)(1)(A), (i)(1),  
12 and (j)(1) and inserting “Representative in  
13 Congress,”.

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

16 (i) in subsection (a)(3)(A)—

17 (I) by striking “or section 206(a)  
18 of the District of Columbia Delegate  
19 Act”; and

20 (II) by striking “the office of  
21 Delegate to the House of Representa-  
22 tives” and inserting “the office of  
23 Representative in Congress”;

24 (ii) in subsection (d)(1), by striking  
25 “Delegate,” each place it appears; and

1 (iii) in subsection (d)(2)—

2 (I) by striking “(A) In the event”  
 3 and all that follows through “term of  
 4 office,” and inserting “In the event  
 5 that a vacancy occurs in the office of  
 6 Representative in Congress before  
 7 May 1 of the last year of the Rep-  
 8 resentative’s term of office,”; and

9 (II) by striking subparagraph  
 10 (B).

11 (E) In section 11(a)(2) (sec. 1–  
 12 1001.11(a)(2), D.C. Official Code), by striking  
 13 “Delegate to the House of Representatives,”  
 14 and inserting “Representative in Congress,”.

15 (F) In section 15(b) (sec. 1–1001.15(b),  
 16 D.C. Official Code), by striking “Delegate,”  
 17 and inserting “Representative in Congress,”.

18 (G) In section 17(a) (sec. 1–1001.17(a),  
 19 D.C. Official Code), by striking “the Delegate  
 20 to Congress from the District of Columbia” and  
 21 inserting “the Representative in Congress”.

22 (b) REPEAL OF OFFICE OF STATEHOOD REPRESENT-  
 23 ATIVE.—

24 (1) IN GENERAL.—Section 4 of the District of  
 25 Columbia Statehood Constitutional Convention Ini-

1 initiative of 1979 (sec. 1–123, D.C. Official Code) is  
2 amended as follows:

3 (A) By striking “offices of Senator and  
4 Representative” each place it appears in sub-  
5 section (d) and inserting “office of Senator”.

6 (B) In subsection (d)(2)—

7 (i) by striking “a Representative or”;

8 (ii) by striking “the Representative  
9 or”; and

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

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

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

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

19 (2) CONFORMING AMENDMENTS.—

20 (A) STATEHOOD COMMISSION.—Section 6  
21 of such Initiative (sec. 1–125, D.C. Official  
22 Code) is amended—

23 (i) in subsection (a)—

1 (I) by striking “27 voting mem-  
2 bers” and inserting “26 voting mem-  
3 bers”;

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

6 (III) by striking paragraph (6)  
7 and redesignating paragraph (7) as  
8 paragraph (6); and

9 (ii) in subsection (a-1)(1), by striking  
10 subparagraph (H).

11 (B) AUTHORIZATION OF APPROPRIA-  
12 TIONS.—Section 8 of such Initiative (sec. 1-  
13 127, D.C. Official Code) is amended by striking  
14 “and House”.

15 (C) APPLICATION OF HONORARIA LIMITA-  
16 TIONS.—Section 4 of D.C. Law 8-135 (sec. 1-  
17 131, D.C. Official Code) is amended by striking  
18 “or Representative” each place it appears.

19 (D) APPLICATION OF CAMPAIGN FINANCE  
20 LAWS.—Section 3 of the Statehood Convention  
21 Procedural Amendments Act of 1982 (sec. 1-  
22 135, D.C. Official Code) is amended by striking  
23 “and United States Representative”.

1 (E) DISTRICT OF COLUMBIA ELECTIONS  
2 CODE OF 1955.—The District of Columbia Elec-  
3 tions Code of 1955 is amended—

4 (i) in section 2(13) (sec. 1–  
5 1001.02(13), D.C. Official Code), by strik-  
6 ing “United States Senator and Represent-  
7 ative,” and inserting “United States Sen-  
8 ator,”; and

9 (ii) in section 10(d) (sec. 1–  
10 1001.10(d)(3), D.C. Official Code), by  
11 striking “United States Representative  
12 or”.

13 (3) EFFECTIVE DATE.—The amendments made  
14 by this subsection shall take effect on the date on  
15 which a Representative from the District of Colum-  
16 bia takes office for the 111th Congress.

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

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

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

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

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

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

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

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

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

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

14           (4) EFFECTIVE DATE.—This subsection and the  
15 amendments made by this subsection shall take ef-  
16 fect on the date on which a Representative from the  
17 District of Columbia takes office for the 111th Con-  
18 gress.

19 **SEC. 6. NONSEVERABILITY OF PROVISIONS.**

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

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