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

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

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 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 2007”.

4 SEC. 2. TREATMENT OF DISTRICT OF COLUMBIA AS CONGRESSIONAL DISTRICT.

5 (a) IN GENERAL.—Notwithstanding any other provision of law, the District of Columbia shall be considered
a Congressional district for purposes of representation in the House of Representatives.

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

(1) Inclusion of single district of Columbia member 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, except that the District of Columbia may not receive more than one Member under any reapportionment of Members.”.

(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 REP-
RESENTATIVES.

(a) PERMANENT INCREASE IN NUMBER OF MEM-
BERS.—Effective with respect to the 111th Congress and
each succeeding Congress, the House of Representatives
shall be composed of 437 Members, including the Member
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 en-
titled “An Act to provide for the fifteenth and subse-
quently decennial censuses and to provide for appor-
tionment of Representatives in Congress”, approved
June 28, 1929 (2 U.S.C. 2a(a)), is amended by
striking “the then existing number of Representa-
tives” and inserting “the number of Representatives
established with respect to the 111th Congress”.

(2) EFFECTIVE DATE.—The amendment made
by paragraph (1) shall apply with respect to the reg-
ular decennial census conducted for 2010 and each
subsequent regular decennial census.
(c) Transmittal of Revised Apportionment Information by President.—

(1) 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 a revised version of 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 28, 1929 (2 U.S.C. 2a(a)), to take into account this Act and the amendments made by this Act and identifying the State of Utah as the State entitled to one additional Representative pursuant to this section.

(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 shall submit a report to the Speaker of the House of Representatives identifying the State of Utah as the State entitled to one additional Representative pursuant to this section.
SEC. 4. EFFECTIVE DATE; TIMING OF ELECTIONS.

The general election for the additional Representative to which the State of Utah is entitled for the 111th Congress and 112th Congress and the general election for the Representative from the District of Columbia for the 111th Congress and the 112th Congress shall be subject to the following requirements:

(1) The additional Representative from the State of Utah will be elected pursuant to a redistricting plan enacted by the State, such as the plan the State of Utah signed into law on December 5, 2006, which—

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

(B) remains in effect until the taking effect of the first reapportionment occurring after the regular decennial census conducted for 2010.

(2) The additional Representative from the State of Utah and the Representative from the District of Columbia shall be sworn in and seated as Members of the House of Representatives on the same date as other Members of the 111th Congress.
SEC. 5. CONFORMING AMENDMENTS.

(a) Repeal of Office of District of Columbia Delegate.—

(1) Repeal of office.—

(A) In general.—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 111th Congress.

(2) Conforming amendments to District of Columbia Elections Code of 1955.—The District of Columbia Elections Code of 1955 is amended as follows:

(A) 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 Congress.”

(B) In section 2 (sec. 1–1001.02, D.C. Official Code)—
(i) by striking paragraph (6); and

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

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

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

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

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

(i) in subsection (a)(3)(A)—

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

(II) by striking “the office of Delegate to the House of Representatives” and inserting “the office of Representative in Congress”;

(ii) in subsection (d)(1), by striking “Delegate,” each place it appears; and
(iii) 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 Congress before May 1 of the last year of the Representative’s term of office,”; and

(II) by striking subparagraph (B).


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

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

(b) REPEAL OF OFFICE OF STATEHOOD REPRESENTATIVE.—

(1) IN GENERAL.—Section 4 of the District of Columbia Statehood Constitutional Convention Ini-
tiative of 1979 (sec. 1–123, D.C. Official Code) is amended as follows:

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

(B) In subsection (d)(2)—

(i) by striking “a Representative or”;

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

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

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

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

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

(2) CONFORMING AMENDMENTS.—

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

(i) 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
(ii) in subsection (a–1)(1), by striking subparagraph (II).

(B) Authorization of Appropriations.—Section 8 of such Initiative (sec. 1–127, D.C. Official Code) is amended by striking “and House”.

(C) 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.

(D) 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”.

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(E) DISTRICT OF COLUMBIA ELECTIONS

CODE OF 1955.—The District of Columbia Elections Code of 1955 is amended—

(i) 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

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

(3) 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 111th Congress.

(c) CONFORMING AMENDMENTS REGARDING APPOINTMENTS TO SERVICE ACADEMIES.—

(1) UNITED STATES MILITARY ACADEMY.—Section 4342 of title 10, United States Code, is amended—

(A) in subsection (a), by striking paragraph (5); and

(B) in subsection (f), by striking “the District of Columbia,”.
(2) UNITED STATES NAVAL ACADEMY.—Such title is amended—

(A) in section 6954(a), by striking paragraph (5); and

(B) in section 6958(b), by striking “the 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 paragraph (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 111th Congress.

SEC. 6. 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 or any amendment made by this Act shall be treated and deemed invalid and shall have no force or effect of law.