

119TH CONGRESS
2D SESSION

H. R. 7167

To require a citizenship question on the decennial census, to require reporting on certain census statistics, to modify apportionment of Representatives to be based on United States citizens instead of all persons, to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2026

Mr. BARRETT introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, 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 require a citizenship question on the decennial census, to require reporting on certain census statistics, to modify apportionment of Representatives to be based on United States citizens instead of all persons, to prohibit States from carrying out more than one Congressional redistricting after a decennial census and apportionment, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Make It Count Act”.

3 **SEC. 2. CITIZENSHIP STATUS ON DECENNIAL CENSUS.**

4 (a) IN GENERAL.—Section 141 of title 13, United
5 States Code, is amended—

6 (1) by redesignating subsection (g) as sub-
7 section (h); and

8 (2) by inserting after subsection (f) the fol-
9 lowing:

10 “(g)(1) In conducting the 2030 decennial census and
11 each decennial census thereafter, the Secretary shall in-
12 clude in any questionnaire distributed or otherwise used
13 for the purpose of determining the total population by
14 States a checkbox or other similar option for the respond-
15 ent to indicate, for the respondent and for each of the
16 members of the household of the respondent, whether that
17 individual is—

18 “(A) a citizen of the United States;

19 “(B) a national of the United States but
20 not a citizen of the United States;

21 “(C) an alien lawfully residing in the
22 United States; or

23 “(D) an alien unlawfully residing in the
24 United States.

25 “(2) Not later than 120 days after completion of a
26 decennial census of the population under subsection (a),

1 the Secretary shall make publicly available the number of
 2 persons per State, disaggregated by each of the 4 cat-
 3 egories described in subparagraphs (A) through (D) of
 4 paragraph (1), as tabulated in accordance with this sec-
 5 tion.”.

6 **SEC. 3. EXCLUSION OF NONCITIZENS FROM NUMBER OF**
 7 **PERSONS USED TO DETERMINE APPORTION-**
 8 **MENT OF REPRESENTATIVES AND NUMBER**
 9 **OF ELECTORAL VOTES.**

10 (a) EXCLUSION.—Section 22(a) of the Act entitled
 11 “An Act to provide for the fifteenth and subsequent decen-
 12 nial censuses and to provide for an apportionment of Rep-
 13 resentatives in Congress”, approved June 18, 1929 (2
 14 U.S.C. 2a(a)), is amended by inserting after “not taxed”
 15 the following: “and individuals who are not citizens of the
 16 United States”.

17 (b) EFFECTIVE DATE.—The amendment made by
 18 subsection (a) shall apply with respect to the appor-
 19 tionment of Representatives carried out pursuant to the de-
 20 cennial census conducted during 2030 and any succeeding
 21 decennial census.

22 **SEC. 4. LIMIT ON CONGRESSIONAL REDISTRICTING AFTER**
 23 **AN APPORTIONMENT.**

24 (a) IN GENERAL.—The Act entitled “An Act for the
 25 relief of Doctor Ricardo Vallejo Samala and to provide for

1 congressional redistricting”, approved December 14, 1967
2 (2 U.S.C. 2c), is amended by adding at the end the fol-
3 lowing: “A State which has been redistricted in the man-
4 ner provided by law after an apportionment under section
5 22(a) of the Act entitled ‘An Act to provide for the fif-
6 teenth and subsequent decennial censuses and to provide
7 for an apportionment of Representatives in Congress’, ap-
8 proved June 18, 1929 (2 U.S.C. 2a), may not be redis-
9 tricted again until after the next apportionment of Rep-
10 resentatives under such section, unless a court requires
11 the State to conduct such subsequent redistricting to com-
12 ply with the Constitution or to enforce the Voting Rights
13 Act of 1965 (42 U.S.C. 1973 et seq.).”.

14 (b) NO EFFECT ON ELECTIONS FOR STATE AND
15 LOCAL OFFICE.—Nothing in this section or in any amend-
16 ment made by this section may be construed to affect the
17 manner in which a State carries out elections for State
18 or local office, including the process by which a State es-
19 tablishes the districts used in such elections.

20 (c) EFFECTIVE DATE.—This section and the amend-
21 ment made by this section shall apply with respect to any
22 Congressional redistricting which occurs after the Novem-
23 ber 2024 election.

1 **SEC. 5. SEVERABILITY CLAUSE.**

2 If any provision of this Act or amendment made by
3 this Act, or the application thereof to any person or cir-
4 cumstance, is held to be unconstitutional, the remainder
5 of the provisions of this Act and amendments made by
6 this Act, and the application of the provision or amend-
7 ment to any other person or circumstance, shall not be
8 affected.

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