

109TH CONGRESS
2D SESSION

H. R. 5410

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

IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2006

Ms. NORTON introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on 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 Senate, 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 “No Taxation Without
5 Representation Act of 2006”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The residents of the District of Columbia
2 are the only Americans who pay Federal income
3 taxes and who have fought and died in every Amer-
4 ican war but are denied voting representation in the
5 House of Representatives and the Senate.

6 (2) The residents of the District of Columbia
7 suffer the very injustice against which our Founding
8 Fathers fought, because they do not have voting rep-
9 resentation as other taxpaying Americans do and are
10 nevertheless required to pay Federal income taxes
11 unlike the Americans who live in the territories.

12 (3) The principle of one person, one vote re-
13 quires that residents of the District of Columbia are
14 afforded full voting representation in the House and
15 the Senate.

16 (4) Despite the denial of voting representation,
17 Americans in the Nation's Capital are third among
18 residents of all States in per capita income taxes
19 paid to the Federal Government.

20 (5) Unequal voting representation in our rep-
21 resentative democracy is inconsistent with the found-
22 ing principles of the Nation and the strongly held
23 principles of the American people today.

1 **SEC. 3. REPRESENTATION IN CONGRESS FOR DISTRICT OF**
2 **COLUMBIA.**

3 Notwithstanding any other provision of law, the Dis-
4 trict of Columbia shall be treated as a State for the pur-
5 poses of representation in the House of Representatives
6 and the Senate.

7 **SEC. 4. ELECTIONS.**

8 (a) **FIRST ELECTIONS.**—

9 (1) **PROCLAMATION.**—Not later than 30 days
10 after the date of enactment of this Act, the Mayor
11 of the District of Columbia shall issue a proclama-
12 tion for elections to be held to fill the 2 Senate seats
13 and the seat in the House of Representatives to rep-
14 resent the District of Columbia in Congress.

15 (2) **MANNER OF ELECTIONS.**—The proclama-
16 tion of the Mayor of the District of Columbia re-
17 quired by paragraph (1) shall provide for the holding
18 of a primary election and a general election and at
19 such elections the officers to be elected shall be cho-
20 sen by a popular vote of the residents of the District
21 of Columbia. The manner in which such elections
22 shall be held and the qualification of voters shall be
23 the same as those for local elections, as prescribed
24 by the District of Columbia.

25 (3) **CLASSIFICATION OF SENATORS.**—In the
26 first election of Senators from the District of Colum-

1 bia, the 2 senatorial offices shall be separately iden-
2 tified and designated, and no person may be a can-
3 didate for both offices. No such identification or des-
4 ignation of either of the 2 senatorial offices shall
5 refer to or be taken to refer to the terms of such
6 offices, or in any way impair the privilege of the
7 Senate to determine the class to which each of the
8 Senators elected shall be assigned.

9 (b) CERTIFICATION OF ELECTION.—The results of
10 an election for the Senators and Representative from the
11 District of Columbia shall be certified by the Mayor of
12 the District of Columbia in the manner required by law
13 and the Senators and Representative shall be entitled to
14 be admitted to seats in Congress and to all the rights and
15 privileges of Senators and Representatives of the States
16 in the Congress of the United States.

17 **SEC. 5. HOUSE OF REPRESENTATIVES MEMBERSHIP.**

18 (a) IN GENERAL.—Upon the date of enactment of
19 this Act, the District of Columbia shall be entitled to 1
20 Representative until the taking effect of the next reappor-
21 tionment. Such Representative shall be in addition to the
22 membership of the House of Representatives as now pre-
23 scribed by law.

24 (b) INCREASE IN MEMBERSHIP OF HOUSE OF REP-
25 RESENTATIVES.—Upon the date of enactment of this Act,

1 the permanent membership of the House of Representa-
 2 tives shall increase by 1 seat for the purpose of future
 3 reapportionment of Representatives.

4 (c) REAPPORTIONMENT.—Upon reapportionment,
 5 the District of Columbia shall be entitled to as many seats
 6 in the House of Representatives as a similarly populous
 7 State would be entitled to under the law.

8 **SEC. 6. PROVIDING FOR ELECTIONS FOR HOUSE MEMBERS**
 9 **AND SENATORS FROM DISTRICT OF COLUM-**
 10 **BIA.**

11 (a) APPLICATION OF DISTRICT OF COLUMBIA ELEC-
 12 TIONS CODE OF 1955.—The District of Columbia Elec-
 13 tions Code of 1955 is amended as follows:

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

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

20 (A) by striking paragraph (6); and

21 (B) in paragraph (13), by striking “the
 22 Delegate to Congress for the District of Colum-
 23 bia, United States Senator and Representa-
 24 tive,” and inserting “the Representative in the
 25 Congress, Senator,”.

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

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

5 (B) by striking “Delegate,” each place it
6 appears in subsections (h)(1)(A), (i)(1), and
7 (j)(1) and inserting “Representative in the Con-
8 gress, Senator,”.

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

11 (A) in subsection (a)(3)(A)—

12 (i) by striking “or section 206(d) of
13 the District of Columbia Delegate Act”,
14 and

15 (ii) by striking “the office of Delegate
16 to the House of Representatives” and in-
17 serting “the office of Representative in the
18 Congress”;

19 (B) in subsection (d)(1), by striking “Dele-
20 gate,” each place it appears;

21 (C) in subsection (d)(2)—

22 (i) by striking “(A) In the event” and
23 all that follows through “term of office,”
24 and inserting “In the event that a vacancy
25 occurs in the office of Representative in

1 the Congress before May 1 of the last year
 2 of the Representative's term of office," and
 3 (ii) by striking subparagraph (B); and
 4 (D) by amending subsection (d)(3) to read
 5 as follows:

6 "(3) In the event of a vacancy in the office of Sen-
 7 ator, the Mayor shall appoint a successor to complete the
 8 remainder of the term of office."

9 (5) In section 11(a)(2) (sec. 1-1001.11(a)(2),
 10 D.C. Official Code), by striking "Delegate to the
 11 House of Representatives," and inserting "Rep-
 12 resentative in the Congress, Senator,".

13 (6) In section 15(b) (sec. 1-1001.15(b), D.C.
 14 Official Code), by striking "Delegate," and inserting
 15 "Representative in the Congress, Senator,".

16 (7) In section 17(a) (sec. 1-1001.17(a), D.C.
 17 Official Code), by striking "the Delegate to the Con-
 18 gress from the District of Columbia" and inserting
 19 "the Representative in the Congress and Senator".

20 (b) TREATMENT OF DISTRICT OF COLUMBIA DELE-
 21 GATE.—

22 (1) CONTINUATION OF SERVICE.—Until the
 23 first Representative from the District of Columbia is
 24 seated in the House of Representatives, the Delegate

1 in Congress from the District of Columbia shall con-
2 tinue to discharge the duties of his or her office.

3 (2) REPEAL OF OFFICE UPON ELECTION OF
4 FIRST REPRESENTATIVE.—Sections 202 and 204 of
5 the District of Columbia Delegate Act (Public Law
6 91–405; sections 1–401 and 1–402, D.C. Official
7 Code) are repealed, and the provisions of law
8 amended or repealed by such sections are restored or
9 revived as if such sections had not been enacted.

10 (c) EFFECTIVE DATE.—Except as provided in section
11 4(a), the amendments made by this section shall apply
12 with respect to the election of the first Representative and
13 Senators from the District of Columbia pursuant to this
14 Act and each subsequent election of Representatives and
15 Senators from the District of Columbia pursuant to this
16 Act.

17 **SEC. 7. REPEAL OF OFFICES OF STATEHOOD REPRESENTA-**
18 **TIVE AND SENATOR.**

19 (a) IN GENERAL.—Section 4 of the District of Co-
20 lumbia Statehood Constitutional Convention Initiative of
21 1979 (sec. 1–123, D.C. Official Code) is amended by strik-
22 ing subsections (d), (e), (f), and (g).

23 (b) CONFORMING AMENDMENTS.—

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

4 (A) in subsection (a)—

5 (i) by striking “27 voting members”
6 and inserting “24 voting members”;

7 (ii) by adding “and” at the end of
8 paragraph (4); and

9 (iii) by striking paragraphs (5) and
10 (6) and redesignating paragraph (7) as
11 paragraph (5); and

12 (B) in subsection (a–1)(1), by striking sub-
13 paragraphs (F), (G), and (H).

14 (2) AUTHORIZATION OF APPROPRIATIONS.—
15 Section 8 of such Initiative (sec. 1–127, D.C. Offi-
16 cial Code) is repealed.

17 (3) APPLICATION OF HONORARIA LIMITA-
18 TIONS.—Section 4 of D.C. Law 8–135 (sec. 1–131,
19 D.C. Official Code) is repealed.

20 (4) APPLICATION OF CAMPAIGN FINANCE
21 LAWS.—Section 3 of the Statehood Convention Pro-
22 cedural Amendments Act of 1982 (sec. 1–135, D.C.
23 Official Code) is repealed.

24 (5) DISTRICT OF COLUMBIA ELECTIONS CODE
25 OF 1955.—Section 2(13) of the District of Columbia

1 Elections Code of 1955 (sec. 1–1001.02(13), D.C.
2 Official Code) is amended by striking “United States
3 Senator and Representative,”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect upon the taking office of the
6 first Representative and Senators from the District of Co-
7 lumbia pursuant to this Act.

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