

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 51, AS REPORTED
OFFERED BY MR. HICE OF GEORGIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “District of Columbia
3 Voting Rights Restoration Act of 2021”.

4 SEC. 2. FINDINGS.

5 The Congress finds the following:

6 (1) The entire territory of the current District
7 of Columbia was ceded to the United States by the
8 State of Maryland, one of the original 13 States of
9 the United States. The portion of the original Dis-
10 trict of Columbia ceded to the United States by the
11 Commonwealth of Virginia was returned to the au-
12 thority of that state in 1846, and the people who
13 now reside in that area vote as citizens of the Com-
14 monwealth of Virginia.

15 (2) Since the people who lived in the territory
16 that now makes up the District of Columbia once
17 voted in Maryland as citizens of Maryland, and Con-
18 gress by adoption of the Organic Act of 1801 sev-

1 ered the political connection between Maryland and
2 the District of Columbia by statute, Congress has
3 the power by statute to restore Maryland state citi-
4 zenship rights, including Federal electoral rights,
5 that it took away by enacting the Organic Act of
6 1801.

7 **SEC. 3. RESTORATION OF RIGHT OF DISTRICT OF COLUM-**
8 **BIA RESIDENTS TO PARTICIPATE AS MARY-**
9 **LAND RESIDENTS IN CONGRESSIONAL ELEC-**
10 **TIONS.**

11 (a) IN GENERAL.—Notwithstanding any other provi-
12 sion of law, for purposes of representation in the House
13 of Representatives and Senate, the right of the people of
14 the District of Columbia to be eligible to participate in
15 elections for the House of Representatives and Senate as
16 Maryland residents in accordance with the laws of the
17 State of Maryland, is hereby restored.

18 (b) ELIGIBILITY TO HOLD CONGRESSIONAL OF-
19 FICE.—Notwithstanding any other provision of law, for
20 purposes of determining eligibility to serve as a Member
21 of the House of Representatives or Senate, the right of
22 the residents of the District of Columbia to be considered
23 inhabitants of the State of Maryland is hereby restored.

1 (c) EFFECTIVE DATE.—This section shall apply with
2 respect to elections for Federal office occurring during
3 2022 and any succeeding year.

4 **SEC. 4. COMPOSITION OF HOUSE OF REPRESENTATIVES.**

5 (a) NUMBER AND APPORTIONMENT OF MARYLAND
6 MEMBERS.—For purposes of determining the number and
7 apportionment of the members of the House of Represent-
8 atives from the State of Maryland for the One Hundred
9 Eighteenth Congress and each succeeding Congress, the
10 population of the District of Columbia shall be added to
11 the population of Maryland under the decennial census.

12 (b) TEMPORARY INCREASE IN APPORTIONMENT.—

13 (1) IN GENERAL.—Effective January 3, 2023,
14 and until the taking effect of the first reapportion-
15 ment occurring after the regular decennial census
16 conducted for 2030—

17 (A) the membership of the House of Rep-
18 resentatives shall be increased by 1;

19 (B) the State of Maryland shall be entitled
20 to one additional Representative; and

21 (C) such Representative shall be in addi-
22 tion to the membership of the House of Rep-
23 resentatives as now prescribed by law.

24 (2) INCREASE NOT COUNTED AGAINST TOTAL
25 NUMBER OF MEMBERS.—The temporary increase in

1 the membership of the House of Representatives
2 provided under paragraph (1) shall not operate to ei-
3 ther increase or decrease the permanent membership
4 of the House of Representatives as prescribed in the
5 Act of August 8, 1911 (2 U.S.C. 2), nor shall such
6 temporary increase affect the basis of reapportion-
7 ment established by the Act of June 28, 1929, as
8 amended (2 U.S.C. 2a), for the Eighty Second Con-
9 gress and each Congress thereafter.

10 **SEC. 5. APPLICATION OF MARYLAND ELECTION LAWS.**

11 (a) IN GENERAL.—Elections for the offices of Sen-
12 ator and Representative in Congress in the District of Co-
13 lumbia shall be administered and carried out by the State
14 of Maryland, in accordance with the applicable laws of the
15 State of Maryland.

16 (b) TREATMENT OF DISTRICT AS UNIT OF LOCAL
17 GOVERNMENT.—For purposes of the laws of the State of
18 Maryland which apply to elections in the District of Co-
19 lumbia pursuant to subsection (a), the District of Colum-
20 bia shall be considered to be a unit of local government
21 within the State of Maryland with responsibility for the
22 administration of Federal elections.

23 (c) CONFORMING AMENDMENT TO HOME RULE
24 ACT.—Section 752 of the District of Columbia Home Rule
25 Act (sec. 1—207.52, D.C. Official Code) is amended by

1 striking the period at the end and inserting the following:
2 “, except to the extent required under section 5 of the
3 District of Columbia Voting Rights Restoration Act of
4 2021.”.

5 (d) EFFECTIVE DATE.—This section and the amend-
6 ments made by this section shall apply with respect to
7 elections for Federal office occurring during 2022 and any
8 succeeding year.

9 **SEC. 6. REPEAL OF OFFICE OF DISTRICT OF COLUMBIA**
10 **DELEGATE.**

11 (a) IN GENERAL.—Sections 202 and 204 of the Dis-
12 trict of Columbia Delegate Act (Public Law 91–405; sec-
13 tions 1–401 and 1–402, D.C. Official Code) are repealed,
14 and the provisions of law amended or repealed by such
15 sections are restored or revived as if such sections had
16 not been enacted.

17 (b) CONFORMING AMENDMENTS TO DISTRICT OF CO-
18 LUMBIA ELECTIONS CODE OF 1955.—The District of Co-
19 lumbia Elections Code of 1955 is amended—

20 (1) in section 1 (sec. 1–1001.01, D.C. Official
21 Code), by striking “the Delegate to the House of
22 Representatives”;

23 (2) in section 2 (sec. 1–1001.02, D.C. Official
24 Code)—

25 (A) by striking paragraph (6), and

1 (B) in paragraph (13), by striking “the
2 Delegate to Congress for the District of Colum-
3 bia”;

4 (3) in section 8 (sec. 1–1001.08, D.C. Official
5 Code)—

6 (A) by striking “Delegate” in the heading,
7 and

8 (B) by striking “Delegate,” each place it
9 appears in subsections (h)(1)(A), (i)(1), and
10 (j)(1);

11 (4) in section 10 (sec. 1–1001.10, D.C. Official
12 Code)—

13 (A) by striking subparagraph (A) of sub-
14 section (a)(3), and

15 (B) in subsection (d)—

16 (i) by striking “Delegate,” each place
17 it appears in paragraph (1), and

18 (ii) by striking paragraph (2) and re-
19 designating paragraph (3) as paragraph
20 (2);

21 (5) in section 15(b) (sec. 1–1001.15(b), D.C.
22 Official Code), by striking “Delegate,”; and

23 (6) in section 17(a) (sec. 1–1001.17(a), D.C.
24 Official Code), by striking “except the Delegate to
25 the Congress from the District of Columbia”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to elections occurring
3 during 2022 and any succeeding year.

Amend the title so as to read: “A bill to restore the
Federal electoral rights of the residents of the District of
Columbia, and for other purposes.”.

