

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5451

To prevent congressional reapportionment distortions.

---

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2006

Mrs. MILLER of Michigan (for herself and Mr. REHBERG) introduced the following bill; which was referred to the Committee on Government Reform

---

## A BILL

To prevent congressional reapportionment distortions.

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 “Fair and Accurate  
5       Representation Act of 2006”.

6       **SEC. 2. PREVENTION OF CONGRESSIONAL REAPPORTION-**  
7                               **MENT DISTORTIONS.**

8       (a) FINDINGS.—Congress finds that—

9               (1) in recent years, millions of aliens have en-  
10       tered the United States in violation of immigration  
11       laws and are now residing illegally in the United  
12       States and are subject to deportation;

1           (2) the established policy of the Bureau of the  
2           Census is to make a concerted effort to count the  
3           foreign born population within the United States  
4           without making a separate computation for illegal  
5           aliens; and

6           (3) by including the millions of illegal aliens in  
7           the reapportionment base for the House of Rep-  
8           resentatives, many States will lose congressional rep-  
9           resentation which such States would not have other-  
10          wise lost, thereby violating the constitutional prin-  
11          ciple of “one man, one vote”.

12          (b) ADJUSTMENTS TO PREVENT DISTORTIONS.—  
13          Section 141 of title 13, United States Code, is amended—

14                 (1) by redesignating subsection (g) as sub-  
15                 section (h); and

16                 (2) by inserting after subsection (f) the fol-  
17                 lowing:

18                 “(g) The Secretary shall make such adjustments in  
19                 total population figures as may be necessary, using such  
20                 methods and procedures as the Secretary determines fea-  
21                 sible and appropriate, in order that aliens who are in the  
22                 United States in violation of the immigration laws of the  
23                 United States are not counted in tabulating total popu-  
24                 lation by States under subsection (a) for purposes of ap-  
25                 portionment of Representatives in Congress among the

1 several States. Nothing in this subsection shall be con-  
2 strued to supersede section 195.”.

3 (c) CONFORMING AMENDMENT.—Section 22(a) of  
4 the Act entitled “An Act to provide for the fifteenth and  
5 subsequent decennial censuses and to provide for appor-  
6 tionment of Representatives in Congress”, approved June  
7 18, 1929 (2 U.S.C. 2a(a)) is amended by striking “as  
8 ascertained under the seventeenth and each subsequent  
9 decennial census of the population” and inserting “as  
10 ascertained and reported under section 141 of title 13,  
11 United States Code, for each decennial census of popu-  
12 lation”.

○