

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 151**  
**OFFERED BY MR. COMER OF KENTUCKY**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Equal Representation  
3 Act of 2025”.

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

5       Section 141 of title 13, United States Code, is  
6 amended—

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

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

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

1           “(2) Not later than 120 days after completion  
2           of a decennial census of the population under sub-  
3           section (a), the Secretary shall make publicly avail-  
4           able the number of individuals per State,  
5           disaggregated by citizens of the United States and  
6           noncitizens, as tabulated in accordance with this sec-  
7           tion.”.

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

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

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

1 **SEC. 4. 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.

