### 103D CONGRESS 1ST SESSION H.R.51

To provide for the admission of the State of New Columbia into the Union.

#### IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993 Ms. NORTON introduced the following bill; which was referred to the Committee on the District of Columbia

## A BILL

To provide for the admission of the State of New Columbia into the Union.

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 "New Columbia Admis-5 sion Act".

6 SEC. 2. ADMISSION INTO THE UNION.

Subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(d)(1) of
this Act, the State of New Columbia (hereinafter referred
to as "the State") is declared to be a State of the United
States of America, is declared admitted into the Union

on an equal footing with the other States in all respects 1 whatever, and the constitution adopted by the Council of 2 the District of Columbia in the Constitution for the State 3 of New Columbia Approval Act of 1987 (D.C. Law 7-8), 4 5 subject to ratification by a majority of the registered qualified electors of the District of Columbia, is found to be 6 7 republican in form and in conformity with the Constitution of the United States and the principles of the Dec-8 9 laration of Independence and is accepted, ratified, and confirmed. 10

#### 11 SEC. 3. CONSTITUTION.

12 The constitution of the State of New Columbia shall 13 always be republican in form and shall not be repugnant 14 to the Constitution of the United States and the principles 15 of the Declaration of Independence.

#### 16 SEC. 4. TERRITORIES AND BOUNDARIES.

17 (a) Subject to the provisions of this section, the State of New Columbia shall consist of all of the territory, to-18 gether with the territorial waters, of the District of Colum-19 bia. The State of New Columbia shall not include the Na-20 tional Capital Service Area of the District of Columbia, 21 22 which is described in subsection (b). As of the date of ad-23 mission of New Columbia into the Union, the District of 24 Columbia shall consist of the National Capital Service 25 Area.

1 (b) The National Capital Service Area, subject to the 2 provisions of section 16, is comprised of the principal Fed-3 eral monuments, the White House, the Capitol Building, 4 the United States Supreme Court Building, and the Fed-5 eral executive, legislative, and judicial office buildings lo-6 cated adjacent to the Mall and the Capitol Building.

7 (c) Notwithstanding any other provision of this sec8 tion or of section 16, the boundaries of the State of New
9 Columbia shall include the District Building.

# 10sec. 5. compact with united states; claims to fed-11eral lands and property.

(a) As a compact with the United States, the State
and its people disclaim all right and title to any lands or
other property not granted or confirmed to the State or
its political subdivisions by or under the authority of this
Act, the right or title to which is held by the United States
or subject to disposition by the United States.

(b) (1) Nothing contained in this Act shall recognize,
deny, enlarge, impair, or otherwise affect any claim
against the United States, and any such claim shall be
governed by applicable laws of the United States.

(2) Nothing in this Act is intended or shall be construed as a finding, interpretation, or construction by the
Congress that any applicable law authorizes, establishes,
recognizes, or confirms the validity or invalidity of any

such claim, and the determination of the applicability or
 effect of any law to any such claim shall be unaffected
 by anything in this Act.

4 (c) No taxes shall be imposed by the State upon any
5 lands or other property now owned or hereafter acquired
6 by the United States, except to the extent as Congress
7 may permit.

8 (d)(1) Upon the admission of the State of New Co-9 lumbia into the Union, the annual Federal payment au-10 thorized to be appropriated to the District of Columbia 11 shall be authorized to be appropriated to the State of New 12 Columbia. Nothing in this Act is intended to alter the 13 basis for the Federal payment to the District of Columbia 14 or the State of New Columbia.

15 (2) Not later than 7 months before the beginning of 16 each fiscal year, the Governor shall submit a report to 17 Congress on the effects of the presence of the seat of the 18 Federal Government within or adjacent to the State on 19 the revenues and expenditures of the State, and shall in-20 clude in the report information relating to—

(A) services rendered to the Federal Government and services rendered because of the State's
proximity to the seat of the Federal Government,
and the cost to the State of providing such services;

1 (B) potential revenues lost because of the pres-2 ence of the Federal Government within or adjacent 3 to the State, including Federally-imposed height or 4 other restrictions on buildings located within the 5 State and revenues not obtainable because of a lack 6 of taxable property and business income within the 7 State; and

8 (C) potential revenues gained because of the 9 presence of the Federal Government within or adja-10 cent to the State.

(3) At the time the Governor submits the report described in paragraph (2) to Congress, the Governor shall submit copies of the report to the Directors of the Congressional Budget Office and the Office of Management and Budget, who shall submit reports to Congress analyzing the Governor's report not later than 30 days after receiving copies of the report.

(e) The State may not change any provision of itsConstitution concerning height limitations on buildingswithout the consent of Congress.

(f) Nothing in this Act or the Constitution or laws
of the State may be construed to permit the State to
refuse to allow an individual to serve as a qualified registered elector of the State solely because the individual
resides in the National Capital Service Area.

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#### **1** SEC. 6. STATE TITLE TO LANDS AND PROPERTY.

(a) The State of New Columbia and its political subdivisions shall have and retain title or jurisdiction for purposes of administration and maintenance to all property,
real and personal, with respect to which title or jurisdiction for purposes of administration and maintenance is
held by the territory of the District of Columbia as of the
date of the enactment of this Act.

9 (b) All laws of the United States reserving to the 10 United States the free use or enjoyment of property which 11 vests in or is conveyed to the State of New Columbia or 12 its political subdivisions pursuant to this section or reserv-13 ing the right to alter, amend, or repeal laws relating there-14 to shall cease to be effective upon the admission of the 15 State of New Columbia into the Union.

16 SEC. 7. ELECTIONS.

17 (a) (1) Not more than sixty days after the date of enactment of this Act, the President of the United States 18 19 shall certify such enactment to the Mayor of the District of Columbia. Not more than thirty days after such certifi-20 cation the Mayor of the District of Columbia shall issue 21 22 a proclamation for the elections, subject to the provisions 23 of this Act, for officers of all State elective offices provided 24 for by the constitution of the proposed State of New Columbia and for two Senators and one Representative in 25 Congress. 26

(2) In the first election of Senators from the State 1 2 (pursuant to paragraph (1)) the two senatorial offices shall be separately identified and designated, and no per-3 4 son may be a candidate for both offices. No such identification or designation of either of the two senatorial of-5 fices shall refer to or be taken to refer to the terms of 6 such offices, or in any way impair the privilege of the Sen-7 8 ate to determine the class to which each of the Senators elected shall be assigned. 9

(b) The proclamation of the Mayor of the District of 10 Columbia required by subsection (a) shall provide for the 11 holding of a primary election and a general election and 12 at such elections the officers required to be elected as pro-13 vided in subsection (a) shall be chosen by the people. Such 14 elections shall be held, and the qualifications of voters 15 shall be, as prescribed by the constitution of the proposed 16 State of New Columbia for the election of members of the 17 proposed State legislature. Election returns shall be made 18 and certified in such manner as the constitution of the 19 proposed State of New Columbia may prescribe. The 20 Mayor of the District of Columbia shall certify the results 21 22 of such elections to the President of the United States. (c)(1) At an election designated by proclamation of 23 the Mayor of the District of Columbia, which may be the 24

primary or the general election held pursuant to sub-

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section (b), a territorial general election, or a special elec tion, there shall be submitted to the electors qualified to
 vote in such election, for adoption or rejection, the follow ing propositions:

5 (A) New Columbia shall immediately be admit-6 ted into the Union as a State.

7 (B) The boundaries of the State of New Colum-8 bia shall be as prescribed in the New Columbia Ad-9 mission Act and all claims of the State to any areas 10 of land or sea outside the boundaries so prescribed 11 are hereby irrevocably relinquished to the United 12 States.

(C) All provisions of the New Columbia Admis-13 14 sion Act, including provisions reserving rights or 15 powers to the United States and provisions prescrib-16 ing the terms or conditions of the grants of lands or 17 other property made to the State of New Columbia, 18 are consented to fully by the State and its people. 19 (2) In the event the propositions under paragraph (1) are adopted in such election by a majority of the legal 20 votes cast on such submission, the proposed constitution 21 22 of the proposed State of New Columbia, adopted by the 23 Council of the District of Columbia in the Constitution for the State of New Columbia Approval Act of 1987 24 (D.C. Law 7-8), shall be deemed amended accordingly. 25

(3) In the event any one of the propositions under
 paragraph (1) is not adopted at such election by a major ity of the legal votes cast on such submission, the provi sions of this Act shall cease to be effective.

5 (4) The Mayor of the District of Columbia is authorized and directed to take such action as may be necessary 6 7 or appropriate to ensure the submission of such propositions to the people. The return of the votes cast on such 8 propositions shall be made by the election officers directly 9 to the Board of Elections of the District of Columbia, 10 which shall certify the results of the submission to the 11 Mayor. The Mayor shall certify the results of such submis-12 sion to the President of the United States. 13

14 (d)(1) If the President finds that the propositions set 15 forth in subsection (c)(1) have been duly adopted by the people of New Columbia, the President, upon certification 16 of the returns of the election of the officers required to 17 be elected as provided in subsection (a), shall issue a proc-18 lamation announcing the results of such election as so 19 ascertained. Upon the issuance of such proclamation by 2021 the President, the State of New Columbia shall be deemed 22 admitted into the Union as provided in section 2 of this 23 Act.

(2) Until the State of New Columbia is admitted intothe Union, individuals holding legislative, executive, and

judicial offices of the District of Columbia, including the 1 Delegate in Congress from the District of Columbia, shall 2 continue to discharge the duties of their respective offices. 3 Upon the issuance of such proclamation by the President 4 5 of the United States and the admission of the State of New Columbia into the Union, the officers elected at such 6 7 election, and qualified under the provisions of the constitution and laws of such State, shall proceed to exercise all 8 9 the functions pertaining to their offices in, under, or by 10 authority of the government of such State, and offices not required to be elected at such initial election shall be se-11 lected or continued in office as provided by the constitu-12 tion and laws of such State. The Governor of such State 13 shall certify the election of the Senators and Representa-14 tive in the manner required by law, and the Senators and 15 Representative shall be entitled to be admitted to seats 16 17 in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the 18 United States. 19

#### 20 SEC. 8. HOUSE OF REPRESENTATIVES MEMBERSHIP.

The State of New Columbia upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law, except that such temporary increase in the membership shall not
 operate to either increase or decrease the permanent mem bership of the House of Representatives or affect the basis
 of apportionment for the Congress.

#### 5 SEC. 9. LAWS IN EFFECT.

6 Upon admission of the State of New Columbia into 7 the Union, all of the territorial laws then in force in the Territory of the District of Columbia shall be and continue 8 9 in force and effect throughout the State, except as modi-10 fied or changed by this Act, or by the Constitution of the State, or as thereafter modified or changed by the legisla-11 ture of the State. All of the laws of the United States 12 shall have the same force and effect within the State as 13 elsewhere in the United States. 14

#### 15 SEC. 10. CONTINUATION OF SUITS.

16 (a) No writ, action, indictment, cause, or proceeding pending in any court of the District of Columbia or in 17 the United States District Court for the District of Colum-18 bia shall abate by reason of the admission of the State 19 of New Columbia into the Union, but shall be transferred 20 21 and shall proceed within such appropriate State courts as 22 shall be established under the constitution of the State, 23 or shall continue in the United States District Court for 24 the District of Columbia, as the nature of the case may 25 require. And no writ, action, indictment, cause, or pro-

ceeding shall abate by reason of any change in the courts, 1 but shall proceed within the State or United States courts 2 3 according to the laws thereof, respectively. The appro-4 priate State courts shall be the successors of the courts of the District of Columbia as to all cases arising within 5 the limits embraced within the jurisdiction of such courts, 6 respectively, with full power to proceed with such cases, 7 and award mesne or final process therein, and all files, 8 9 records, indictments, and proceedings relating to any such 10 writ, action, indictment, cause, or proceeding shall be transferred to such appropriate State courts and shall be 11 proceeded with therein in due course of law. 12

13 (b) All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the 14 15 admission of the State, but as to which no writ, action, indictment, or proceeding shall be pending at the date of 16 such admission, shall be subject to prosecution in the ap-17 propriate State courts or in the United States District 18 Court for the District of Columbia in like manner, to the 19 same extent, and with like right of appellate review, as 20 21 if such State had been created and such State courts had 22 been established prior to the accrual of such causes of ac-23 tion or the commission of such offenses. The admission 24 of the State shall effect no change in the substantive or criminal law governing causes of action and criminal of-25

fenses which shall have arisen or been committed, and any 1 such criminal offenses as shall have been committed 2 against the laws of the District of Columbia shall be tried 3 4 and punished by the appropriate courts of the State, and any such criminal offenses as shall have been committed 5 against the laws of the United States shall be tried and 6 7 punished in the United States District Court for the District of Columbia. 8

#### 9 SEC. 11. APPEALS.

Parties shall have the same rights of appeal from and 10 appellate review of final decisions of the United States 11 District Court for the District of Columbia or the District 12 of Columbia Court of Appeals in any case finally decided 13 prior to the admission of the State of New Columbia into 14 the Union, whether or not an appeal therefrom shall have 15 been perfected prior to such admission. The United States 16 Court of Appeals for the District of Columbia Circuit and 17 the Supreme Court of the United States shall have the 18 same jurisdiction in such cases as by law provided prior 19 to the admission of the State into the Union. Any mandate 20 issued subsequent to the admission of the State shall be 21 22 to the United States District Court for the District of Columbia or a court of the State, as appropriate. Parties 23 24 shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United 25

States District Court for the District of Columbia and of 1 the highest court of the State of New Columbia, as succes-2 sor to the District of Columbia Court of Appeals, in any 3 4 case pending at the time of admission of the State into 5 the Union, and the United States Court of Appeals for the District of Columbia Circuit and the Supreme Court 6 7 of the United States shall have the same jurisdiction 8 therein, as by law provided in any case arising subsequent to the admission of the State into the Union. 9

#### 10 SEC. 12. JUDICIAL AND CRIMINAL PROVISIONS.

11 Effective upon the admission of New Columbia into12 the Union—

(1) Section 41 of title 28, United States Code
is amended in the second column by inserting ",
New Columbia" after "District of Columbia".

16 (2) The first paragraph of section 88 of title
17 28, United States Code, is amended to read as fol18 lows:

19 "The District of Columbia and the State of New Co-20 lumbia comprise one judicial district.".

#### 21 SEC. 13. MILITARY LANDS.

(a) Subject to subsection (b) and notwithstanding the
admission of the State of New Columbia into the Union,
authority is reserved in the United States for the exercise
by the Congress of the United States of the power of ex-

clusive legislation, as provided by article I, section 8,
 clause 17, of the Constitution of the United States, in all
 cases whatsoever over such tracts or parcels of land lo cated within the State of New Columbia that, immediately
 prior to the admission of the State, are controlled or
 owned by the United States and held for defense or Coast
 Guard purposes.

8 (b)(1) The State of New Columbia shall always have 9 the right to serve civil or criminal process within such 10 tracts or parcels of land in suits or prosecutions for or 11 on account of rights acquired, obligations incurred, or 12 crimes committed within the State but outside of such 13 tracts or parcels of land.

14 (2) The reservation of authority in the United States for the exercise by the Congress of the United States of 15 the power of exclusive legislation over such lands shall not 16 operate to prevent such lands from being a part of the 17 State of New Columbia, or to prevent the State from exer-18 19 cising over or upon such lands, concurrently with the Unit-20 ed States, any jurisdiction which it would have in the absence of such reservation of authority and which is consist-21 22 ent with the laws hereafter enacted by the Congress pursuant to such reservation of authority. 23

(3) The power of exclusive legislation shall vest andremain in the United States only so long as the particular

1 tract or parcel of land involved is controlled or owned by 2 the United States and used for defense or Coast Guard 3 purposes, except that the United States shall continue to 4 have sole and exclusive jurisdiction over such military in-5 stallations as have been or may be determined to be criti-6 cal areas as delineated by the President of the United 7 States or the Secretary of Defense.

#### 8 SEC. 14. UNITED STATES NATIONALITY.

9 No provision of this Act shall operate to confer Unit-10 ed States nationality, to terminate nationality lawfully ac-11 quired, or to restore nationality terminated or lost under 12 any law of the United States or under any treaty to which 13 the United States is or was a party.

#### 14 SEC. 15. RELATIONSHIP TO OTHER LAWS.

No law or regulation which is in force on the effective date of this Act shall be deemed amended or repealed by this Act except to the extent specifically provided herein or to the extent that such law or regulation is inconsistent with this Act.

#### 20 SEC. 16. NATIONAL CAPITAL SERVICE AREA.

(a) The National Capital Service Area referred to insection 4 is more particularly described as follows:

Beginning at the point on the present VirginiaDistrict of Columbia boundary due west of the
northernmost point of Theodore Roosevelt Island

1	and running due east of the eastern shore of the Po-
2	tomac River;
3	thence generally south along the shore at the
4	mean high water mark to the northwest corner of
5	the Kennedy Center;
6	thence east along the north side of the Kennedy
7	Center to a point where it reaches the E Street Ex-
8	pressway;
9	thence east on the expressway to E Street
10	Northwest and thence east on E Street Northwest to
11	Eighteenth Street Northwest;
12	thence south on Eighteenth Street Northwest to
13	Constitution Avenue Northwest;
14	thence east on Constitution Avenue to Seven-
15	teenth Street Northwest;
16	thence north on Seventeenth Street Northwest
17	to Pennsylvania Avenue Northwest;
18	thence east on Pennsylvania Avenue to Jackson
19	Place Northwest;
20	thence north on Jackson Place to H Street
21	Northwest;
22	thence east on H Street Northwest to Madison
23	Place Northwest;
24	thence south on Madison Place Northwest to
25	Pennsylvania Avenue Northwest;

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1	thence east on Pennsylvania Avenue Northwest
2	to Fifteenth Street Northwest;
3	thence south on Fifteenth Street Northwest to
4	Pennsylvania Avenue Northwest;
5	thence southeast on Pennsylvania Avenue
6	Northwest to John Marshall Place Northwest;
7	thence north on John Marshall Place Northwest
8	to C Street Northwest;
9	thence east on C Street Northwest to Third
10	Street Northwest;
11	thence north on Third Street Northwest to D
12	Street Northwest;
13	thence east on D Street Northwest to Second
14	Street Northwest;
15	thence south on Second Street Northwest to the
16	intersection of Constitution Avenue Northwest and
17	Louisiana Avenue Northwest;
18	thence northeast on Louisiana Avenue North-
19	west to North Capitol Street;
20	thence north on North Capitol Street to Massa-
21	chusetts Avenue Northwest;
22	thence southeast on Massachusetts Avenue
23	Northwest so as to encompass Union Square;
24	thence following Union Square to F Street
25	Northeast;

1	thence east on F Street Northeast to Second
2	Street Northeast;
3	thence south on Second Street Northeast to D
4	Street Northeast;
5	thence west on D Street Northeast to First
6	Street Northeast;
7	thence south on First Street Northeast to
8	Maryland Avenue Northeast;
9	thence generally north and east on Maryland
10	Avenue to Second Street Northeast;
11	thence south on Second Street Northeast to C
12	Street Southeast;
13	thence west on C Street Southeast to New Jer-
14	sey Avenue Southeast;
15	thence south on New Jersey Avenue Southeast
16	to D Street Southeast;
17	thence west on D Street Southeast to Washing-
18	ton Avenue Southwest;
19	thence southeast on Washington Avenue South-
20	west to E Street Southeast;
21	thence west on E Street Southeast to the inter-
22	section of Washington Avenue Southwest and South
23	Capitol Street;
24	thence northwest on Washington Avenue South-
25	west to Second Street Southwest;

1	thence south on Second Street Southwest to
2	Virginia Avenue Southwest;
3	thence generally west on Virginia Avenue to
4	Third Street Southwest;
5	thence north on Third Street Southwest to C
6	Street Southwest;
7	thence west on C Street Southwest to Sixth
8	Street Southwest;
9	thence north on Sixth Street Southwest to Inde-
10	pendence Avenue;
11	thence west on Independence Avenue to Twelfth
12	Street Southwest;
13	thence south on Twelfth Street Southwest to D
14	Street Southwest;
15	thence west on D Street Southwest to Four-
16	teenth Street Southwest;
17	thence south on Fourteenth Street Southwest to
18	the middle of the Washington Channel;
19	thence generally south and east along the
20	midchannel of the Washington Channel to a point
21	due west of the northern boundary line of Fort Les-
22	ley McNair;
23	thence due east to the side of the Washington
24	Channel;

thence following generally south and east along 1 2 the side of the Washington Channel at the mean high water mark, to the point of confluence with the 3 Anacostia River, and along the northern shore at the 4 mean high water mark to the northernmost point of 5 the Eleventh Street Bridge; 6 thence generally south and east along the 7 northern side of the Eleventh Street Bridge to the 8 9 eastern shore of the Anacostia River; thence generally south and west along such 10 11 shore at the mean high water mark to the point of 12 confluence of the Anacostia and Potomac Rivers; thence generally south along the eastern shore 13 14 at the mean high water mark of the Potomac River 15 to the point where it meets the present southeastern boundary line of the District of Columbia; 16 17 thence south and west along such southeastern 18 boundary line to the point where it meets the 19 present Virginia-District of Columbia boundary; and 20 thence generally north and west up the Potomac River along the Virginia-District of Columbia 21 22 boundary to the point of beginning. 23 (b) Where the area in subsection (a) is bounded by 24 any street, such street, and any sidewalk thereof, shall be included within such area. 25

(c)(1) Any Federal real property affronting or abut ting, as of the date of the enactment of this Act, the area
 described in subsection (a) shall be deemed to be within
 such area.

5 (2) For the purposes of paragraph (1) Federal real
6 property affronting or abutting such area described in
7 subsection (a) shall—

8 (A) be deemed to include, but not limited to, 9 Fort Lesley McNair, the Washington Navy Yard, 10 the Anacostia Naval Annex, the United States Naval 11 Station, Bolling Air Force Base, and the Naval Re-12 search Laboratory; and

(B) not be construed to include any area situated outside of the District of Columbia boundary as
it existed immediately prior to the date of the enactment of this Act, nor be construed to include any
portion of the Anacostia Park situated east of the
northern side of the Eleventh Street Bridge, or any
portion of the Rock Creek Park.

#### 20 SEC. 17. STATEHOOD TRANSITION COMMISSION.

21 (a) There is established a Statehood Transition Com-22 mission.

(b) The Commission shall be composed of thirteenmembers appointed as follows:

25 (1) three shall be appointed by the President;

1 (2) two shall be appointed by the Speaker of 2 the House;

3 (3) two shall be appointed by the President of4 the Senate;

5 (4) three shall be appointed by the Mayor of6 the District of Columbia; and

7 (5) three shall be appointed by the Council of8 the District of Columbia.

(c) The Commission shall advise the President, the 9 Congress, the Mayor, the Council, and the Governor and 10 House of Delegates for the State of New Columbia, as 11 appropriate, concerning necessary procedures to effect an 12 orderly transition to statehood for the District of Colum-13 bia and other matters relating to the assumption of the 14 property, functions, and activities of the District of Co-15 lumbia by the State of New Columbia during the first 2 16 years of the existence of the State of New Columbia. The 17 Commission shall submit such reports as the Commission 18 considers appropriate or as may be requested. 19

20 (d) The Commission shall cease to exist 2 years after21 the date of the admission into the Union of the State of22 New Columbia.

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HR 51 IH——2