

Union Calendar No. 206

103D CONGRESS
1ST SESSION

H. R. 51

[Report No. 103-371]

A BILL

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

NOVEMBER 17, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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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.

NOVEMBER 17, 1993

Additional sponsors: Mr. ABERCROMBIE, Mr. ANDREWS of Maine, Mr. BISHOP, Mr. BLACKWELL, Mr. BONIOR, Ms. BROWN of Florida, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Miss COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. DELLUMS, Mr. DE LUGO, Mr. DIXON, Mr. EDWARDS of California, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FAZIO, Mr. FIELDS of Louisiana, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FRANK of Massachusetts, Mr. GEPHARDT, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HAMBURG, Mr. HASTINGS, Ms. HARMAN, Mr. HILLIARD, Mr. HINCHEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFERSON, Mr. KENNEDY, Mrs. KENNELLY, Mr. LAFALCE, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. MARKEY, Mr. McDERMOTT, Ms. MCKINNEY, Mrs. MEEK, Mr. MFUME, Mr. MINETA, Mrs. MINK, Mr. NADLER, Mr. OWENS, Mr. PASTOR, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. RANGEL, Mr. REYNOLDS, Mr. ROMERO-BARCELÓ, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SANDERS, Ms. SCHENK, Mrs. SCHROEDER, Mr. SCOTT, Mr. SERRANO, Ms. SLAUGHTER, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. THOMPSON of Mississippi, Mr. TORRES, Mr. TOWNS, Mr. TRAFICANT, Mr. TUCKER, Mr. UNDERWOOD, Mrs. UNSOELD, Ms. VELÁZQUEZ, Mr. VENTO, Mr. WASHINGTON, Ms. WATERS, Mr. WATT, Mr. WHEAT, Ms. WOOLSEY, and Mr. WYNN

NOVEMBER 17, 1993

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]
 [For text of introduced bill, see copy of bill as introduced on January 5, 1993]

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; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “New*
 5 *Columbia Admission Act”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 7 *Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—STATE OF NEW COLUMBIA

Subtitle A—Procedures for Admission

Sec. 101. Admission into the union.

Sec. 102. Process for admission.

Sec. 103. Election of officials of State.

Sec. 104. Issuance of presidential proclamation.

Subtitle B—Description of New Columbia Territory

Sec. 111. Territories and boundaries of New Columbia.

Sec. 112. Description of District of Columbia after admission of State.

Sec. 113. Continuation of title to lands and property.

Subtitle C—General Provisions Relating to Laws of New Columbia

Sec. 121. Limitation on authority of State to tax Federal property.

Sec. 122. Effect of admission of State on current laws.

Sec. 123. Continuation of judicial proceedings.

Sec. 124. United States nationality.

TITLE II—RESPONSIBILITIES AND INTERESTS OF FEDERAL
GOVERNMENT

- Sec. 201. Continuation of revised District of Columbia as seat of Federal government.*
- Sec. 202. Treatment of military lands.*
- Sec. 203. Payment to State in lieu of tax.*
- Sec. 204. Waiver of claims to Federal lands and property.*
- Sec. 205. Preservation of scenic vistas.*
- Sec. 206. Permitting individuals residing in new seat of government to vote in Federal elections in State of most recent domicile.*
- Sec. 207. Repeal of law providing for participation of District of Columbia in election of President and Vice-President.*
- Sec. 208. Expedited consideration of constitutional amendment.*

TITLE III—GENERAL PROVISIONS

- Sec. 301. General definitions.*
- Sec. 302. Certification of enactment by president.*
- Sec. 303. Statehood Transition Commission.*

1 **TITLE I—STATE OF NEW**
2 **COLUMBIA**
3 **Subtitle A—Procedures for**
4 **Admission**

5 **SEC. 101. ADMISSION INTO THE UNION.**

6 (a) *IN GENERAL.*—Subject to the provisions of this
7 Act, upon issuance of the proclamation required by section
8 104(b), the State of New Columbia is declared to be a State
9 of the United States of America, and is declared admitted
10 into the Union on an equal footing with the other States
11 in all respects whatever.

12 (b) *CONSTITUTION OF STATE.*—The State Constitution
13 shall always be republican in form and shall not be repug-
14 nant to the Constitution of the United States and the prin-
15 ciples of the Declaration of Independence.

1 **SEC. 102. PROCESS FOR ADMISSION.**

2 (a) *APPROVAL OF ADMISSION BY VOTERS OF DISTRICT*
3 *OF COLUMBIA.*—

4 (1) *ELECTION PROCEDURES.*—*At an election des-*
5 *ignated by proclamation of the Mayor, which may be*
6 *the primary or the general election held pursuant to*
7 *section 103(a), a general election, or a special elec-*
8 *tion, there shall be submitted to the electors qualified*
9 *to vote in such election the following propositions for*
10 *adoption or rejection:*

11 “(A) *New Columbia shall immediately be*
12 *admitted into the Union as a State.*

13 “(B) *The proposed Constitution for the*
14 *State of New Columbia, as adopted by the Coun-*
15 *cil of the District of Columbia pursuant to the*
16 *Constitution for the State of New Columbia Ap-*
17 *proval Act of 1987 (D.C. Law 7–8), shall be*
18 *deemed ratified and shall replace the Constitu-*
19 *tion for the State of New Columbia ratified on*
20 *November 2, 1982.*

21 “(C) *The boundaries of the State of New Co-*
22 *lumbia shall be as prescribed in the New Colum-*
23 *bia Admission Act.*

24 “(D) *All provisions of the New Columbia*
25 *Admission Act, including provisions reserving*
26 *rights or powers to the United States and provi-*

1 *sions prescribing the terms or conditions of the*
2 *grants of lands or other property made to the*
3 *State of New Columbia, are consented to fully by*
4 *the State and its people.”.*

5 (2) *RESPONSIBILITIES OF MAYOR.*—*The Mayor*
6 *of the District of Columbia is authorized and directed*
7 *to take such action as may be necessary or appro-*
8 *priate to ensure the submission of such propositions*
9 *to the people. The return of the votes cast on such*
10 *propositions shall be made by the election officers di-*
11 *rectly to the Board of Elections of the District of Co-*
12 *lumbia, which shall certify the results of the submis-*
13 *sion to the Mayor. The Mayor shall certify the results*
14 *of such submission to the President of the United*
15 *States.*

16 (b) *EFFECT OF VOTE.*—

17 (1) *ADOPTION OF PROPOSITIONS.*—*In the event*
18 *the propositions described in subsection (a) are adopt-*
19 *ed in an election under such subsection by a majority*
20 *of the legal votes cast on such submission—*

21 (A) *the State Constitution shall be deemed*
22 *ratified; and*

23 (B) *the President shall issue a proclamation*
24 *pursuant to section 104.*

1 (2) *REJECTION OF PROPOSITION.*—*In the event*
2 *any one of the propositions described in subsection (a)*
3 *is not adopted in an election under such subsection by*
4 *a majority of the legal votes cast on such submission,*
5 *the provisions of this Act shall cease to be effective.*

6 **SEC. 103. ELECTION OF OFFICIALS OF STATE.**

7 (a) *ISSUANCE OF PROCLAMATION.*—

8 (1) *IN GENERAL.*—*Not more than 30 days after*
9 *receiving certification of the enactment of this Act*
10 *from the President pursuant to section 302, the*
11 *Mayor of the District of Columbia shall issue a proc-*
12 *lamation for the first elections, subject to the provi-*
13 *sions of this section, for two Senators and one Rep-*
14 *resentative in Congress.*

15 (2) *SPECIAL RULE FOR ELECTION OF SEN-*
16 *ATORS.*—*In the election of Senators from the State*
17 *pursuant to paragraph (1), the 2 Senate offices shall*
18 *be separately identified and designated, and no per-*
19 *son may be a candidate for both offices. No such iden-*
20 *tification or designation of either of the offices shall*
21 *refer to or be taken to refer to the terms of such of-*
22 *fices, or in any way impair the privilege of the Sen-*
23 *ate to determine the class to which each of the Sen-*
24 *ators elected shall be assigned.*

25 (b) *RULES FOR CONDUCTING ELECTION.*—

1 (1) *IN GENERAL.*—*The proclamation of the*
2 *Mayor issued under subsection (a) shall provide for*
3 *the holding of a primary election and a general elec-*
4 *tion and at such elections the officers required to be*
5 *elected as provided in subsection (a) shall be chosen*
6 *by the qualified electors of the District of Columbia*
7 *in the manner required by law.*

8 (2) *CERTIFICATION OF RETURNS.*—*Election re-*
9 *turns shall be made and certified in the manner re-*
10 *quired by law, except that the Mayor shall also certify*
11 *the results of such elections to the President of the*
12 *United States.*

13 (c) *ASSUMPTION OF DUTIES.*—*Upon the admission of*
14 *the State into the Union, the Senators and Representative*
15 *elected at the election described in subsection (a) shall be*
16 *entitled to be admitted to seats in Congress and to all the*
17 *rights and privileges of Senators and Representatives of*
18 *other States in the Congress of the United States.*

19 (d) *TRANSFER OF OFFICES OF MAYOR AND MEMBERS*
20 *AND CHAIR OF COUNCIL.*—*Upon the admission of the State*
21 *into the Union, the Mayor, members of the Council, and*
22 *the Chair of the Council at the time of admission shall be*
23 *deemed the Governor, members of the House of Delegates,*
24 *and the President of the House of Delegates of the State,*

1 *respectively, as provided by the State Constitution and the*
2 *laws of the State.*

3 *(e) CONTINUATION OF AUTHORITY AND DUTIES AND*
4 *JUDICIAL AND EXECUTIVE OFFICERS.—Upon the admis-*
5 *sion of the State into the Union, members of executive and*
6 *judicial offices of the District of Columbia shall be deemed*
7 *members of the respective executive and judicial offices of*
8 *the State, as provided by the State Constitution and the*
9 *laws of the State.*

10 *(f) SPECIAL RULE FOR HOUSE OF REPRESENTATIVES*
11 *MEMBERSHIP.—The State upon its admission into the*
12 *Union shall be entitled to one Representative until the tak-*
13 *ing effect of the next reapportionment, and such Representa-*
14 *tive shall be in addition to the membership of the House*
15 *of Representatives as now prescribed by law, except that*
16 *such temporary increase in the membership shall not oper-*
17 *ate to either increase or decrease the permanent membership*
18 *of the House of Representatives or affect the basis of appor-*
19 *tionment for the Congress.*

20 **SEC. 104. ISSUANCE OF PRESIDENTIAL PROCLAMATION.**

21 *(a) IN GENERAL.—If the President finds that the prop-*
22 *ositions set forth in section 102(a) have been duly adopted*
23 *by the people of the State, the President, upon certification*
24 *of the returns of the election of the officers required to be*
25 *elected as provided in section 103(a), shall, not later than*

1 90 days after receiving such certification, issue a proclama-
2 tion announcing the results of such elections as so
3 ascertained.

4 (b) *ADMISSION OF STATE UPON ISSUANCE OF PROCLA-*
5 *MATION.*—Upon the issuance of the proclamation by the
6 President under subsection (a), the State shall be deemed
7 admitted into the Union as provided in section 101.

8 ***Subtitle B—Description of New***
9 ***Columbia Territory***

10 ***SEC. 111. TERRITORIES AND BOUNDARIES OF NEW COLUM-***
11 ***BIA.***

12 (a) *IN GENERAL.*—Except as provided in subsection
13 (b), the State shall consist of all of the territory of the Dis-
14 trict of Columbia as of the date of the enactment of this
15 Act, subject to the results of the technical survey conducted
16 under subsection (c).

17 (b) *EXCLUSION OF PORTION OF DISTRICT OF COLUM-*
18 *BIA REMAINING AS NATIONAL CAPITAL.*—The territory of
19 the State shall not include the area described in section 112,
20 which shall remain as the District of Columbia for purposes
21 of serving as the seat of the government of the United States.

22 (c) *TECHNICAL SURVEY.*—Not later than 6 months
23 after the date of the enactment of this Act, the President
24 (in consultation with the Chair of the National Capital
25 Planning Commission) shall conduct a technical survey of

1 *the metes and bounds of the District of Columbia and of*
2 *the territory described in section 112(b).*

3 **SEC. 112. DESCRIPTION OF DISTRICT OF COLUMBIA AFTER**
4 **ADMISSION OF STATE.**

5 (a) *IN GENERAL.*—Subject to the succeeding provisions
6 of this section, after the admission of the State into the
7 Union, the District of Columbia shall consist of the property
8 described in subsection (b) and shall include the principal
9 Federal monuments, the White House, the Capitol Building,
10 the United States Supreme Court Building, and the Federal
11 executive, legislative, and judicial office buildings located
12 adjacent to the Mall and the Capitol Building.

13 (b) *SPECIFIC DESCRIPTION OF METES AND*
14 *BOUNDS.*—After the admission of the State into the Union,
15 the specific metes and bounds of the District of Columbia
16 shall be as follows:

17 *Beginning at the point on the present Virginia-*
18 *District of Columbia boundary due west of the north-*
19 *ernmost point of Theodore Roosevelt Island and run-*
20 *ning due east of the eastern shore of the Potomac*
21 *River;*

22 *thence generally south along the shore at the*
23 *mean high water mark to the northwest corner of the*
24 *Kennedy Center;*

1 *thence east along the north side of the Kennedy*
2 *Center to a point where it reaches the E Street Ex-*
3 *pressway;*

4 *thence east on the expressway to E Street North-*
5 *west and thence east on E Street Northwest to Eight-*
6 *eenth Street Northwest;*

7 *thence south on Eighteenth Street Northwest to*
8 *Constitution Avenue Northwest;*

9 *thence east on Constitution Avenue to Seven-*
10 *teenth Street Northwest;*

11 *thence north on Seventeenth Street Northwest to*
12 *Pennsylvania Avenue Northwest;*

13 *thence east on Pennsylvania Avenue to Jackson*
14 *Place Northwest;*

15 *thence north on Jackson Place to H Street*
16 *Northwest;*

17 *thence east on H Street Northwest to Madison*
18 *Place Northwest;*

19 *thence south on Madison Place Northwest to*
20 *Pennsylvania Avenue Northwest;*

21 *thence east on Pennsylvania Avenue Northwest*
22 *to Fifteenth Street Northwest;*

23 *thence south on Fifteenth Street Northwest to*
24 *Pennsylvania Avenue Northwest;*

1 *thence southeast on Pennsylvania Avenue North-*
2 *west to John Marshall Place Northwest;*

3 *thence north on John Marshall Place Northwest*
4 *to C Street Northwest;*

5 *thence east on C Street Northwest to Third Street*
6 *Northwest;*

7 *thence north on Third Street Northwest to D*
8 *Street Northwest;*

9 *thence east on D Street Northwest to Second*
10 *Street Northwest;*

11 *thence south on Second Street Northwest to the*
12 *intersection of Constitution Avenue Northwest and*
13 *Louisiana Avenue Northwest;*

14 *thence northeast on Louisiana Avenue Northwest*
15 *to North Capitol Street;*

16 *thence north on North Capitol Street to Massa-*
17 *chusetts Avenue Northwest;*

18 *thence southeast on Massachusetts Avenue North-*
19 *west so as to encompass Union Square;*

20 *thence following Union Square to F Street*
21 *Northeast;*

22 *thence east on F Street Northeast to Second*
23 *Street Northeast;*

24 *thence south on Second Street Northeast to D*
25 *Street Northeast;*

1 *thence west on D Street Northeast to First Street*
2 *Northeast;*

3 *thence south on First Street Northeast to Mary-*
4 *land Avenue Northeast;*

5 *thence generally north and east on Maryland Av-*
6 *enue to Second Street Northeast;*

7 *thence south on Second Street Northeast to C*
8 *Street Southeast;*

9 *thence west on C Street Southeast to New Jersey*
10 *Avenue Southeast;*

11 *thence south on New Jersey Avenue Southeast to*
12 *D Street Southeast;*

13 *thence west on D Street Southeast to Washington*
14 *Avenue Southwest;*

15 *thence southeast on Washington Avenue South-*
16 *west to E Street Southeast;*

17 *thence west on E Street Southeast to the intersec-*
18 *tion of Washington Avenue Southwest and South*
19 *Capitol Street;*

20 *thence northwest on Washington Avenue South-*
21 *west to Second Street Southwest;*

22 *thence south on Second Street Southwest to Vir-*
23 *ginia Avenue Southwest;*

24 *thence generally west on Virginia Avenue to*
25 *Third Street Southwest;*

1 *thence north on Third Street Southwest to C*
2 *Street Southwest;*

3 *thence west on C Street Southwest to Sixth*
4 *Street Southwest;*

5 *thence north on Sixth Street Southwest to Inde-*
6 *pendence Avenue;*

7 *thence west on Independence Avenue to Twelfth*
8 *Street Southwest;*

9 *thence south on Twelfth Street Southwest to D*
10 *Street Southwest;*

11 *thence west on D Street Southwest to Fourteenth*
12 *Street Southwest;*

13 *thence south on Fourteenth Street Southwest to*
14 *the middle of the Washington Channel;*

15 *thence generally south and east along the*
16 *midchannel of the Washington Channel to a point due*
17 *west of the northern boundary line of Fort Lesley*
18 *McNair;*

19 *thence due east to the side of the Washington*
20 *Channel;*

21 *thence following generally south and east along*
22 *the side of the Washington Channel at the mean high*
23 *water mark, to the point of confluence with the Ana-*
24 *costia River, and along the northern shore at the*

1 *mean high water mark to the northernmost point of*
2 *the Eleventh Street Bridge;*

3 *thence generally south and east along the north-*
4 *ern side of the Eleventh Street Bridge to the eastern*
5 *shore of the Anacostia River;*

6 *thence generally south and west along such shore*
7 *at the mean high water mark to the point of con-*
8 *fluence of the Anacostia and Potomac Rivers;*

9 *thence generally south along the eastern shore at*
10 *the mean high water mark of the Potomac River to*
11 *the point where it meets the present southeastern*
12 *boundary line of the District of Columbia;*

13 *thence south and west along such southeastern*
14 *boundary line to the point where it meets the present*
15 *Virginia-District of Columbia boundary; and*

16 *thence generally north and west up the Potomac*
17 *River along the present Virginia-District of Columbia*
18 *boundary to the point of beginning.*

19 *(c) TREATMENT OF CERTAIN PROPERTY.—*

20 *(1) STREETS AND SIDEWALKS BOUNDING*
21 *AREA.—After the admission of the State into the*
22 *Union, the District of Columbia shall be deemed to*
23 *include any street (together with any sidewalk there-*
24 *of) bounding the District of Columbia.*

1 (2) *EXCLUSION OF DISTRICT BUILDING.*—Not-
2 withstanding any other provision of this section, the
3 District of Columbia shall not be considered to in-
4 clude the District Building after the admission of the
5 State into the Union.

6 (3) *INCLUSION OF CERTAIN MILITARY PROP-*
7 *ERTY.*—After the admission of the State into the
8 Union, the District of Columbia shall be deemed to
9 include Fort Lesley McNair, the Washington Navy
10 Yard, the Anacostia Naval Annex, the United States
11 Naval Station, Bolling Air Force Base, and the Naval
12 Research Laboratory.

13 **SEC. 113. CONTINUATION OF TITLE TO LANDS AND PROP-**
14 **ERTY.**

15 (a) *CONTINUATION OF TITLE TO LANDS OF DISTRICT*
16 *OF COLUMBIA.*—

17 (1) *IN GENERAL.*—The State and its political
18 subdivisions shall have and retain title or jurisdiction
19 for purposes of administration and maintenance to
20 all property, real and personal, with respect to which
21 title or jurisdiction for purposes of administration
22 and maintenance is held by the territory of the Dis-
23 trict of Columbia on the day before the State is ad-
24 mitted into the Union.

1 (2) *CONVEYANCE OF INTEREST IN CERTAIN*
2 *BRIDGES AND TUNNELS.*—*On the day before the State*
3 *is admitted into the Union, the District of Columbia*
4 *shall convey to the United States any and all interest*
5 *of the District of Columbia in any bridge or tunnel*
6 *that will connect the Commonwealth of Virginia with*
7 *the District of Columbia after the admission of the*
8 *State into the Union.*

9 (b) *CONTINUATION OF FEDERAL TITLE TO PROPERTY*
10 *IN STATE.*—*The United States shall have and retain title*
11 *or jurisdiction for purposes of administration and mainte-*
12 *nance to all property in the State with respect to which*
13 *the United States holds title or jurisdiction on the day be-*
14 *fore the State is admitted into the Union, including the sce-*
15 *nic easement taken by the Secretary of the Interior under*
16 *section 205.*

17 ***Subtitle C—General Provisions***
18 ***Relating to Laws of New Columbia***

19 ***SEC. 121. LIMITATION ON AUTHORITY OF STATE TO TAX***
20 ***FEDERAL PROPERTY.***

21 *The State may not impose any taxes upon any lands*
22 *or other property owned or acquired by the United States,*
23 *except to the extent as Congress may permit.*

1 **SEC. 122. EFFECT OF ADMISSION OF STATE ON CURRENT**
2 **LAWS.**

3 (a) *IN GENERAL.*—*The admission of the State into the*
4 *Union shall not be construed to affect the applicability to*
5 *the State of any laws in effect in the District of Columbia*
6 *as of the date of admission, except as modified or changed*
7 *by this Act or by the State Constitution.*

8 (b) *TREATMENT OF FEDERAL LAWS.*—*All of the laws*
9 *of the United States shall have the same force and effect*
10 *within the State as elsewhere in the United States, except*
11 *as such laws may otherwise provide.*

12 **SEC. 123. CONTINUATION OF JUDICIAL PROCEEDINGS.**

13 (a) *PENDING PROCEEDINGS.*—

14 (1) *IN GENERAL.*—*No writ, action, indictment,*
15 *cause, or proceeding pending in any court of the Dis-*
16 *trict of Columbia or in the United States District*
17 *Court for the District of Columbia shall abate by rea-*
18 *son of the admission of the State into the Union, but*
19 *shall be transferred and shall proceed within such ap-*
20 *propriate State courts as shall be established under*
21 *the State Constitution, or shall continue in the*
22 *United States District Court for the District of Co-*
23 *lumbia, as the nature of the case may require.*

24 (2) *SUCCESSION OF COURTS.*—*The appropriate*
25 *courts of the State shall be the successors of the courts*
26 *of the District of Columbia as to all cases arising*

1 *within the limits embraced within the jurisdiction of*
2 *such courts, with full power to proceed with such*
3 *cases, and award mesne or final process therein, and*
4 *all files, records, indictments, and proceedings relat-*
5 *ing to any such writ, action, indictment, cause, or*
6 *proceeding shall be transferred to such appropriate*
7 *State courts and shall be proceeded with therein in*
8 *due course of law.*

9 *(b) UNFILED PROCEEDINGS BASED ON ACTIONS*
10 *PRIOR TO ADMISSION.—All civil causes of action and all*
11 *criminal offenses which shall have arisen or been committed*
12 *prior to the admission of the State into the Union, but as*
13 *to which no writ, action, indictment, or proceeding shall*
14 *be pending at the date of such admission, shall be subject*
15 *to prosecution in the appropriate State courts or in the*
16 *United States District Court for the District of Columbia*
17 *in like manner, to the same extent, and with like right of*
18 *appellate review, as if the State had been admitted and such*
19 *State courts had been established prior to the accrual of*
20 *such causes of action or the commission of such offenses.*

21 *(c) MAINTENANCE OF RIGHTS TO AND JURISDICTION*
22 *OVER APPEALS.—*

23 *(1) CASES DECIDED PRIOR TO ADMISSION.—Par-*
24 *ties shall have the same rights of appeal from and ap-*
25 *pellate review of final decisions of the United States*

1 *District Court for the District of Columbia or the Dis-*
2 *trict of Columbia Court of Appeals in any case fi-*
3 *nally decided prior to the admission of the State into*
4 *the Union, whether or not an appeal therefrom shall*
5 *have been perfected prior to such admission. The*
6 *United States Court of Appeals for the District of Co-*
7 *lumbia Circuit and the Supreme Court of the United*
8 *States shall have the same jurisdiction in such cases*
9 *as by law provided prior to the admission of the State*
10 *into the Union.*

11 (2) *CASES DECIDED AFTER ADMISSION.—Parties*
12 *shall have the same rights of appeal from and appel-*
13 *late review of all orders, judgments, and decrees of the*
14 *United States District Court for the District of Co-*
15 *lumbia and of the highest court of the State, as suc-*
16 *cessor to the District of Columbia Court of Appeals,*
17 *in any case pending at the time of admission of the*
18 *State into the Union, and the United States Court of*
19 *Appeals for the District of Columbia Circuit and the*
20 *Supreme Court of the United States shall have the*
21 *same jurisdiction therein, as by law provided in any*
22 *case arising subsequent to the admission of the State*
23 *into the Union.*

24 (3) *ISSUANCE OF SUBSEQUENT MANDATES.—Any*
25 *mandate issued subsequent to the admission of the*

1 *State shall be to the United States District Court for*
2 *the District of Columbia or a court of the State, as*
3 *appropriate.*

4 *(d) CONFORMING AMENDMENTS RELATING TO FED-*
5 *ERAL COURTS.—Effective upon the admission of the State*
6 *into the Union—*

7 *(1) section 41 of title 28, United States Code, is*
8 *amended in the second column by inserting “, New*
9 *Columbia” after “District of Columbia”; and*

10 *(2) the first paragraph of section 88 of title 28,*
11 *United States Code, is amended to read as follows:*

12 *“The District of Columbia and the State of New*
13 *Columbia comprise one judicial district.”.*

14 **SEC. 124. UNITED STATES NATIONALITY.**

15 *No provision of this Act shall operate to confer United*
16 *States nationality, to terminate nationality lawfully ac-*
17 *quired, or to restore nationality terminated or lost under*
18 *any law of the United States or under any treaty to which*
19 *the United States is or was a party.*

1 **TITLE II—RESPONSIBILITIES**
2 **AND INTERESTS OF FEDERAL**
3 **GOVERNMENT**

4 **SEC. 201. CONTINUATION OF REVISED DISTRICT OF COLUM-**
5 **BIA AS SEAT OF FEDERAL GOVERNMENT.**

6 *After the admission of the State into the Union, the*
7 *seat of the Government of the United States shall be the*
8 *District of Columbia as described in section 112 (also*
9 *known as “Washington, D.C.”).*

10 **SEC. 202. TREATMENT OF MILITARY LANDS.**

11 *(a) RESERVATION OF FEDERAL AUTHORITY.—*

12 *(1) IN GENERAL.—Subject to paragraph (2) and*
13 *subsection (b) and notwithstanding the admission of*
14 *the State into the Union, authority is reserved in the*
15 *United States for the exercise by Congress of the*
16 *power of exclusive legislation in all cases whatsoever*
17 *over such tracts or parcels of land located within the*
18 *State that, immediately prior to the admission of the*
19 *State, are controlled or owned by the United States*
20 *and held for defense or Coast Guard purposes.*

21 *(2) LIMITATION ON AUTHORITY.—The power of*
22 *exclusive legislation described in paragraph (1) shall*
23 *vest and remain in the United States only so long as*
24 *the particular tract or parcel of land involved is con-*

1 *trolled or owned by the United States and used for de-*
2 *fense or Coast Guard purposes.*

3 *(b) AUTHORITY OF STATE.—*

4 *(1) IN GENERAL.—The reservation of authority*
5 *in the United States for the exercise by the Congress*
6 *of the United States of the power of exclusive legisla-*
7 *tion over military lands under subsection (a) shall*
8 *not operate to prevent such lands from being a part*
9 *of the State, or to prevent the State from exercising*
10 *over or upon such lands, concurrently with the United*
11 *States, any jurisdiction which it would have in the*
12 *absence of such reservation of authority and which is*
13 *consistent with the laws hereafter enacted by Congress*
14 *pursuant to such reservation of authority.*

15 *(2) SERVICE OF PROCESS.—The State shall have*
16 *the right to serve civil or criminal process within*
17 *such tracts or parcels of land in which the authority*
18 *of the United States is reserved under subsection (a)*
19 *in suits or prosecutions for or on account of rights ac-*
20 *quired, obligations incurred, or crimes committed*
21 *within the State but outside of such tracts or parcels*
22 *of land.*

23 **SEC. 203. PAYMENT TO STATE IN LIEU OF TAX.**

24 *In order to compensate the State for unavailable tax*
25 *revenues and other effects on the revenues of the State result-*

1 *ing from the significant presence of the Federal Government*
2 *within and nearby the State, the United States shall make*
3 *a payment to the State for each fiscal year in such amount*
4 *and under such schedule as Congress may determine (taking*
5 *into account the recommendations of the Statehood Transi-*
6 *tion Commission under section 303).*

7 **SEC. 204. WAIVER OF CLAIMS TO FEDERAL LANDS AND**
8 **PROPERTY.**

9 (a) *IN GENERAL.*—*As a compact with the United*
10 *States, the State and its people disclaim all right and title*
11 *to any lands or other property not granted or confirmed*
12 *to the State or its political subdivisions by or under the*
13 *authority of this Act, the right or title to which is held by*
14 *the United States or subject to disposition by the United*
15 *States.*

16 (b) *EFFECT ON CLAIMS AGAINST UNITED STATES.*—

17 (1) *IN GENERAL.*—*Nothing contained in this Act*
18 *shall recognize, deny, enlarge, impair, or otherwise af-*
19 *fect any claim against the United States, and any*
20 *such claim shall be governed by applicable laws of the*
21 *United States.*

22 (2) *RULE OF CONSTRUCTION.*—*Nothing in this*
23 *Act is intended or shall be construed as a finding, in-*
24 *terpretation, or construction by the Congress that any*
25 *applicable law authorizes, establishes, recognizes, or*

1 *confirms the validity or invalidity of any claim re-*
2 *ferred to in paragraph (1), and the determination of*
3 *the applicability or effect of any law to any such*
4 *claim shall be unaffected by anything in this Act.*

5 **SEC. 205. PRESERVATION OF SCENIC VISTAS.**

6 (a) *SCENIC EASEMENT.*—*The Secretary of the Interior*
7 *shall take a scenic easement in the space above all lots with-*
8 *in the State (in accordance with such terms and procedures*
9 *as the Secretary of the Interior may establish, including*
10 *terms and procedures relating to the payment of compensa-*
11 *tion towards the value of the easement taken), and such sce-*
12 *nic easement shall be reserved by the United States. The*
13 *scenic easement is described as follows:*

14 (1) *GENERAL RULE.*—*Except as otherwise pro-*
15 *vided in this subsection, the scenic easement shall be*
16 *in all space above a lot beginning at a height equal*
17 *to the sum of—*

18 (A) *the width of the street, avenue, or high-*
19 *way in front of the lot; and*

20 (B) *20 feet.*

21 (2) *PROPERTY ON COMMERCIAL STREET.*—*With*
22 *respect to a lot on a business street, avenue, or high-*
23 *way, the scenic easement shall be in all space above*
24 *the lot beginning at a height equal to 130 feet above*
25 *the sidewalk of the street, avenue, or highway (or, in*

1 *the case of property on the north side of Pennsylvania*
2 *Avenue between 1st and 15th Streets Northwest, be-*
3 *ginning 160 feet above the sidewalk).*

4 (3) *PROPERTY ON RESIDENTIAL STREET.—With*
5 *respect to a lot on a residential street, avenue, or*
6 *highway, the scenic easement shall be in all space*
7 *above the lot beginning—*

8 (A) *in the case of a lot on a street, avenue,*
9 *or highway 60 feet wide or less, at a height equal*
10 *to the width of the street, avenue, or highway;*

11 (B) *in the case of a lot on a street, avenue,*
12 *or highway more than 60 feet but less than 65*
13 *feet wide, at a height equal to 60 feet; and*

14 (C) *in the case of a lot on any other street,*
15 *avenue, or highway, at a height equal to the*
16 *lower of—*

17 (i) *the width of the street, avenue, or*
18 *highway reduced by 10 feet, or*

19 (ii) *90 feet.*

20 (4) *TREATMENT OF SPACE OVER CHURCHES.—*
21 *With respect to any lot on a residence street, avenue,*
22 *or highway upon which a church is located (other*
23 *than a church whose construction had not been under-*
24 *taken prior to June 1, 1910), the scenic easement*
25 *shall be in all space above the lot beginning at a*

1 *height equal to 95 feet above the level of the adjacent*
2 *curb.*

3 (5) *TREATMENT OF PLAZA OF UNION STATION.—*

4 *With respect to any portion of any lot affronting or*
5 *abutting the plaza in front of Union Station upon*
6 *which a building is located (other than a building*
7 *erected prior to June 1, 1910), the scenic easement*
8 *shall be in all space above the lot beginning at a*
9 *height equal to 80 feet above the plaza.*

10 (b) *EFFECT OF SCENIC EASEMENT.—*

11 (1) *NO PHYSICAL STRUCTURES PERMITTED.—*

12 *Except as provided in paragraph (2), no person may*
13 *encroach upon any space in which the United States*
14 *has reserved a scenic easement pursuant to subsection*
15 *(a) with a physical structure.*

16 (2) *PERMISSIBLE ENCROACHMENT BY CERTAIN*
17 *STRUCTURES.—Notwithstanding paragraph (1), a*
18 *person may encroach upon a space in which the*
19 *United States has reserved a scenic easement pursu-*
20 *ant to subsection (a) with any of the following:*

21 (A) *A physical structure in existence on the*
22 *date on which the Secretary of the Interior takes*
23 *the easement.*

24 (B) *A spire, tower, dome, minaret, or pin-*
25 *nacle serving as an architectural embellishment.*

1 (C) A penthouse over an elevator shaft, ven-
2 tilation shaft, chimney, smokestack, or fire sprin-
3 kler tank, but only if—

4 (i) the structure is not used for human
5 occupancy; and

6 (ii) the structure is set back from the
7 exterior walls of the building upon which it
8 is located at a distance equal to its height
9 above the building's roof.

10 (D) An antenna.

11 (E) Construction equipment.

12 (F) A flagpole.

13 (c) *RULES FOR INTERPRETING HEIGHTS.*—In deter-
14 mining the point at which a scenic easement in a lot begins
15 for purposes of subsection (a), the following rules shall
16 apply:

17 (1) Height shall be measured from the level of the
18 sidewalk opposite the middle of the front of the lot.

19 (2) Any height otherwise determined under such
20 subsection to be not greater than 60 feet may be in-
21 creased by the distance between the highest point of
22 any building located on the lot and the portion of any
23 parapet wall or balustrade of the building that ex-
24 tends over such highest point, but in no case may any

1 *height be increased pursuant to this paragraph by*
2 *more than 4 feet.*

3 (3) *If a lot (including a corner lot) fronts an*
4 *intersection of 2 or more streets, avenues, or high-*
5 *ways, a height shall be determined by using the width*
6 *of the widest street, avenue, or highway involved.*

7 (4) *In the case of a lot on a street less than 90*
8 *feet wide on which building lines have been estab-*
9 *lished, the width of the street shall be deemed to be the*
10 *distance between the lines.*

11 (d) *AUTHORITY OF STATE TO DESIGNATE STREETS.—*
12 *Nothing in this section shall be construed to affect the au-*
13 *thority of the State to designate streets, avenues, or high-*
14 *ways as commercial or residential.*

15 (e) *EFFECTIVE DATE.—The Secretary of the Interior*
16 *shall take the scenic easement described in this section on*
17 *the day before the State is admitted into the Union. The*
18 *scenic easement shall be reserved by the United States on*
19 *the date on which the State is admitted into the Union.*

20 **SEC. 206. PERMITTING INDIVIDUALS RESIDING IN NEW**
21 **SEAT OF GOVERNMENT TO VOTE IN FEDERAL**
22 **ELECTIONS IN STATE OF MOST RECENT**
23 **DOMICILE.**

24 (a) *REQUIREMENT FOR STATES TO PERMIT INDIVID-*
25 *UALS TO VOTE BY ABSENTEE BALLOT.—*

1 (1) *IN GENERAL.*—*Each State shall—*

2 (A) *permit absent District of Columbia vot-*
3 *ers to use absentee registration procedures and to*
4 *vote by absentee ballot in general, special, pri-*
5 *mary, and runoff elections for Federal office; and*

6 (B) *accept and process, with respect to any*
7 *general, special, primary, or runoff election for*
8 *Federal office, any otherwise valid voter registra-*
9 *tion application from an absent District of Co-*
10 *lumbia voter, if the application is received by the*
11 *appropriate State election official not less than*
12 *30 days before the election.*

13 (2) *ABSENT DISTRICT OF COLUMBIA VOTER DE-*
14 *FINED.*—*In this section, the term “absent District of*
15 *Columbia voter” means, with respect to a State—*

16 (A) *a person who resides in the District of*
17 *Columbia after the admission of the State into*
18 *the Union and is qualified to vote in the State,*
19 *but only if the State is the last place in which*
20 *the person was domiciled before residing in the*
21 *District of Columbia; or*

22 (B) *a person who resides in the District of*
23 *Columbia after the admission of the State into*
24 *the Union and (but for such residence) would be*
25 *qualified to vote in the State, but only if the*

1 *State is the last place in which the person was*
2 *domiciled before residing in the District of*
3 *Columbia.*

4 (3) *STATE DEFINED.*—*In this section, the term*
5 *“State” means each of the several States, including*
6 *the State of New Columbia.*

7 (b) *RECOMMENDATIONS TO STATES TO MAXIMIZE AC-*
8 *CESS TO POLLS BY ABSENT DISTRICT OF COLUMBIA VOT-*
9 *ERS.*—*To afford maximum access to the polls by absent Dis-*
10 *trict of Columbia voters, it is recommended that the*
11 *States—*

12 (1) *waive registration requirements for absent*
13 *District of Columbia voters who, by reason of resi-*
14 *dence in the District of Columbia, do not have an op-*
15 *portunity to register;*

16 (2) *expedite processing of balloting materials*
17 *with respect to such individuals; and*

18 (3) *assure that absentee ballots are mailed to*
19 *such individuals at the earliest opportunity.*

20 (c) *ENFORCEMENT.*—*The Attorney General may bring*
21 *a civil action in appropriate district court for such declara-*
22 *tory or injunctive relief as may be necessary to carry out*
23 *this section.*

24 (d) *EFFECT ON CERTAIN OTHER LAWS.*—*The exercise*
25 *of any right under this section shall not affect, for purposes*

1 *of any Federal, State, or local tax, the residence or domicile*
2 *of a person exercising such right.*

3 *(e) EFFECTIVE DATE.—This section shall take effect*
4 *upon the date of the admission of the State into the Union,*
5 *and shall apply with respect to elections for Federal office*
6 *taking place on or after such date.*

7 **SEC. 207. REPEAL OF LAW PROVIDING FOR PARTICIPATION**
8 **OF DISTRICT OF COLUMBIA IN ELECTION OF**
9 **PRESIDENT AND VICE-PRESIDENT.**

10 *(a) IN GENERAL.—Title 3, United States Code, is*
11 *amended by striking section 21.*

12 *(b) EFFECTIVE DATE.—The amendment made by sub-*
13 *section (a) shall take effect upon the date of the admission*
14 *of the State into the Union, and shall apply to any election*
15 *of the President and Vice-President of the United States*
16 *taking place on or after such date.*

17 **SEC. 208. EXPEDITED CONSIDERATION OF CONSTITU-**
18 **TIONAL AMENDMENT.**

19 *(a) EXERCISE OF RULEMAKING AUTHORITY.—This*
20 *section is enacted by Congress—*

21 *(1) as an exercise of the rulemaking power of the*
22 *Senate and the House of Representatives, respectively,*
23 *and as such these provisions are deemed a part of the*
24 *rule of each House, respectively, but applicable only*
25 *with respect to the procedure to be followed in that*

1 *House in the case of a joint resolution described in*
2 *subsection (b), and they supersede other rules only to*
3 *the extent that they are inconsistent therewith; and*

4 *(2) with full recognition of the constitutional*
5 *right of either House to change the rule (so far as re-*
6 *lating to the procedure of that House) at any time,*
7 *in the same manner and to the same extent as in the*
8 *case of any other rule of that House.*

9 *(b) EXPEDITED CONSIDERATION OF REPEAL OF 23RD*
10 *AMENDMENT.—*

11 *(1) MOTION MADE IN ORDER.—At any time after*
12 *the date of the enactment of this Act, it shall be in*
13 *order in either the House of Representatives or the*
14 *Senate to offer a motion to proceed to the consider-*
15 *ation of a joint resolution proposing an amendment*
16 *to the Constitution of the United States repealing the*
17 *23rd article of amendment to the Constitution.*

18 *(2) PROCEDURES RELATING TO MOTION.—With*
19 *respect to the motion described in paragraph (1), the*
20 *following rules shall apply:*

21 *(A) The motion is highly privileged and is*
22 *not debatable.*

23 *(B) An amendment to the motion is not in*
24 *order, and it is not in order to move to recon-*

1 sider the vote by which the motion is agreed to
2 or disagreed to.

3 (C) A motion to postpone shall be decided
4 without debate.

5 **TITLE III—GENERAL**
6 **PROVISIONS**

7 **SEC. 301. GENERAL DEFINITIONS.**

8 *In this Act, the following definitions shall apply:*

9 (1) The term “Commission” means the Statehood
10 Transition Commission established under section 303.

11 (2) The term “Council” means the Council of the
12 District of Columbia.

13 (3) The term “Governor” means the Governor of
14 the State of New Columbia.

15 (4) The term “Mayor” means the Mayor of the
16 District of Columbia.

17 (5) The term “State Constitution” means the
18 constitution of the State of New Columbia, as adopted
19 by the Council of the District of Columbia in the Con-
20 stitution for the State of New Columbia Approval Act
21 of 1987 (D.C. Law 7-8).

22 (6) The term “State” means the State of New
23 Columbia.

1 **SEC. 302. CERTIFICATION OF ENACTMENT BY PRESIDENT.**

2 *Not more than 60 days after the date of enactment of*
3 *this Act, the President shall certify such enactment to the*
4 *Mayor of the District of Columbia.*

5 **SEC. 303. STATEHOOD TRANSITION COMMISSION.**

6 (a) *ESTABLISHMENT.*—*There is hereby established a*
7 *Statehood Transition Commission.*

8 (b) *COMPOSITION.*—*The Commission shall be composed*
9 *of 17 members appointed as follows:*

10 (1) *3 members appointed by the President.*

11 (2) *2 members appointed by the Speaker of the*
12 *House.*

13 (3) *2 members appointed by the Minority Leader*
14 *of the House of Representatives.*

15 (4) *2 members appointed by the President Pro*
16 *Tempore of the Senate.*

17 (5) *2 members appointed by the Minority Leader*
18 *of the Senate.*

19 (6) *3 members appointed by the Mayor of the*
20 *District of Columbia.*

21 (7) *3 members appointed by the Council of the*
22 *District of Columbia.*

23 (c) *DUTIES.*—

24 (1) *IN GENERAL.*—*The Commission shall advise*
25 *the President, the Congress, the Mayor (or, upon the*
26 *admission of the State into the Union, the Governor),*

1 *and the Council (or, upon the admission of the State*
2 *into the Union, the House of Delegates for the State*
3 *of New Columbia) concerning necessary procedures to*
4 *effect an orderly transition to statehood for the Dis-*
5 *trict of Columbia and other matters relating to the*
6 *assumption of the property, functions, and activities*
7 *of the District of Columbia by the State during the*
8 *first 2 years of the State's existence.*

9 (2) *RECOMMENDATIONS REGARDING APPLICABIL-*
10 *ITY OF LAWS TO NEW SEAT OF GOVERNMENT.—In*
11 *carrying out its duties under paragraph (1), the*
12 *Commission shall analyze the laws of the United*
13 *States that will apply to the District of Columbia*
14 *after the admission of the State into the Union, and*
15 *shall make recommendations to Congress regarding*
16 *whether any of these laws should continue to apply to*
17 *the District of Columbia after the admission of the*
18 *State.*

19 (3) *RECOMMENDATIONS REGARDING ANNUAL*
20 *PAYMENT IN LIEU OF TAX.—In addition to any of its*
21 *other duties under paragraph (1), not later than 1*
22 *year after the date of the enactment of this Act, the*
23 *Commission shall develop and recommend to Congress*
24 *a methodology for determining the amount of and*
25 *schedule for the annual payment to the State required*

1 *under section 203, and shall base such methodology*
2 *upon the methodologies used to determine the amount*
3 *of other payments in lieu of taxes made by the United*
4 *States to States and units of local government as*
5 *compensation for the presence of Federal property*
6 *which may not be taxed by such States and units of*
7 *local government.*

8 (4) *RECOMMENDATIONS REGARDING LORTON*
9 *CORRECTIONAL COMPLEX.—In addition to any of its*
10 *other duties under paragraph (1), not later than 2*
11 *years after the date of the enactment of this Act, the*
12 *Commission shall identify and recommend options to*
13 *Congress, the Mayor of the District of Columbia (or,*
14 *if the options are recommended after the admission of*
15 *the State into the Union, the Governor of the State),*
16 *and the Governor of Virginia regarding the incarcer-*
17 *ation of individuals convicted of crimes in the State,*
18 *including options relating to—*

19 (A) *the construction of additional prison fa-*
20 *cilities within the State;*

21 (B) *agreements between the State and the*
22 *Commonwealth of Virginia with respect to the*
23 *Lorton Correctional Complex, or agreements*
24 *with other jurisdictions under which such indi-*

1 *viduals may be incarcerated at facilities located*
2 *in such other jurisdictions; and*

3 *(C) the development of a comprehensive*
4 *plan for closing the Lorton Correctional Complex*
5 *by 2010 and relocating inmates to other*
6 *facilities.*

7 *(d) REPORTS.—The Commission shall submit such re-*
8 *ports as the Commission considers appropriate or as may*
9 *be requested.*

10 *(e) TERMINATION.—The Commission shall cease to*
11 *exist 2 years after the date of the admission of the State*
12 *into the Union.*

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