



SENATE JOINT RESOLUTION L

March 16, 1995, Introduced by Senator VAUGHN and referred to the Committee on Government Operations.

A joint resolution ratifying the proposed amendment to the constitution of the United States relating to the admission of the state of New Columbia into the Union.

Resolved by the Senate and the House of Representatives of the state of Michigan, That whereas the one-hundred third Congress of the United States of America, at its session, in both houses, by a constitutional majority of two-thirds of both houses has made the following proposition to amend the constitution of the United States:

JOINT RESOLUTION

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "New Columbia Admission Act".

3 SEC. 2. ADMISSION INTO THE UNION.

4 Subject to the provisions of this Act, and upon issuance of
5 the proclamation required by section 7(d)(1) of this Act, the
6 State of New Columbia (hereinafter referred to as "the State") is
7 declared to be a State of the United States of America, is
8 declared admitted into the Union on an equal footing with the
9 other States in all respects whatever, and the constitution
10 adopted by the Council of the District of Columbia in the
11 Constitution for the State of New Columbia Approval Act of 1987
12 (D.C. Bill 7-154), subject to ratification by a majority of the
13 registered qualified electors of the District of Columbia, is
14 found to be republican in form and in conformity with the
15 Constitution of the United States and the principles of the
16 Declaration of Independence and is accepted, ratified, and
17 confirmed.

18 SEC. 3. CONSTITUTION.

19 The constitution of the State of New Columbia shall always
20 be republican in form and shall not be repugnant to the
21 Constitution of the United States and the principles of the
22 Declaration of Independence.

23 SEC. 4. TERRITORIES AND BOUNDARIES.

24 (a) Subject to the provisions of this section, the State of
25 New Columbia shall consist of all of the territory, together with
26 the territorial waters, of the District of Columbia. The State
27 of New Columbia shall not include the National Capital Service

1 Area of the District of Columbia, which is described in
2 subsection (b). As of the date of admission of New Columbia into
3 the Union, the District of Columbia shall consist of the National
4 Capital Service Area.

5 (b) The National Capital Service Area, subject to the provi-
6 sions of section 16, is comprised of the principal Federal monu-
7 ments, the White House, the Capital Building, the United States
8 Supreme Court Building, and the Federal executive, legislative,
9 and judicial office buildings located adjacent to the Mall and
10 the Capital Building.

11 (c) Notwithstanding any other provision of this section or
12 of section 16, the boundaries of the State of New Columbia shall
13 include the District Building.

14 **SEC. 5. COMPACT WITH UNITED STATES; CLAIMS TO FEDERAL**
15 **LANDS AND PROPERTY.**

16 (a) As a compact with the United States, the State and its
17 people disclaim all right and title to any lands or other prop-
18 erty not granted or confirmed to the State or its political sub-
19 divisions by or under the authority of this Act, the right of
20 title to which is held by the United States or subject to dispo-
21 sition by the United States.

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

26 (2) Nothing in this Act is intended or shall be construed as
27 a finding, interpretation, or construction by the Congress that

1 any applicable law authorizes, establishes, recognizes, or
2 confirms the validity or invalidity of any such claim, and the
3 determination of the applicability or effect of any law to any
4 such claim shall be unaffected by anything in this Act.

5 (c) No taxes shall be imposed by the State upon any lands or
6 other property now owned or hereafter acquired by the United
7 States.

8 (d)(1) Subject to paragraph (2), notwithstanding any other
9 provision of law, the annual Federal payment authorized to be
10 appropriated to the District of Columbia pursuant to section 502
11 of the District of Columbia Self-Government and Governmental
12 Reorganization Act (D.C. Code, sec. 47-3406) shall be authorized
13 to be appropriated to the State of New Columbia.

14 (2) The Governor shall submit the Governor's request, with
15 respect to the amount of an annual Federal payment, to the
16 Congress not less than seven months before the beginning of a
17 fiscal year for which a request is made. As part of such
18 request, the Governor shall report on the following items:

19 (A) Services rendered to the Federal Government and the cost
20 to the State of New Columbia for providing such services.

21 (B) Potential revenues lost because of certain factors
22 brought on by the presence of the Federal Government within the
23 State, including height restrictions on buildings located within
24 the State and revenues not obtainable because of lack of taxable
25 property and business income within the State.

26 (C) Potential revenues gained because of the presence of the
27 Federal Government within the State.

1 The Governor shall submit copies of the request to the
2 Congressional Budget Office and to the Office of Management and
3 Budget upon submission of the request to the Congress. Each such
4 office shall report to the Congress, within 30 days after receipt
5 of the copy of the request, concerning the office's analysis of
6 the Federal payment requested and of the items reported by the
7 Governor.

8 **SEC. 6. STATE TITLE TO LANDS AND PROPERTY.**

9 (a) The State of New Columbia and its political subdivisions
10 shall have and retain title or jurisdiction for purposes of
11 administration and maintenance to all property, real and person-
12 al, with respect to which title or jurisdiction for purposes of
13 administration and maintenance is held by the territory of the
14 District of Columbia as of the date of the enactment of this
15 Act.

16 (b) All laws of the United States reserving to the United
17 States the free use or enjoyment of property which vests in or is
18 conveyed to the State of New Columbia or its political subdivi-
19 sions pursuant to this section or reserving the right to alter,
20 amend, or repeal laws relating thereto shall cease to be effec-
21 tive upon the admission of the State of New Columbia into the
22 Union.

23 **SEC. 7. ELECTIONS.**

24 (a)(1) Not more than sixty days after the date of enactment
25 of this Act, the President of the United States shall certify
26 such enactment to the Mayor of the District of Columbia. Not
27 more than thirty days after such certification the Mayor of the

1 District of Columbia shall issue a proclamation for the
2 elections, subject to the provisions of this Act, for officers of
3 all State elective offices provided for by the constitution of
4 the proposed State of New Columbia and for two Senators and one
5 Representative in Congress.

6 (2) In the first election of Senators from the State
7 (pursuant to paragraph (1)) the two senatorial offices shall be
8 separately identified and designated, and no person may be a can-
9 didate for both offices. No such identification or designation
10 of either of the two senatorial offices shall refer to or be
11 taken to refer to the terms of such offices, or in any way impair
12 the privilege of the Senate to determine the class to which each
13 of the Senators elected shall be assigned.

14 (b) The proclamation of the Mayor of the District of
15 Columbia required by subsection (a) shall provide for the holding
16 of a primary election and a general election and at such elec-
17 tions the officers required to be elected as provided in subsec-
18 tion (a) shall be chosen by the people. Such elections shall be
19 held, and the qualifications of voters shall be, as prescribed by
20 the constitution of the proposed State of New Columbia for the
21 election of members of the proposed State legislature. Election
22 returns shall be made and certified in such manner as the consti-
23 tution of the proposed State of New Columbia may prescribe. The
24 Mayor of the District of Columbia shall certify the results of
25 such elections to the President of the United States.

26 (c)(1) At an election designated by proclamation of the
27 Mayor of the District of Columbia, which may be the primary or

1 the general election held pursuant to subsection (b), a
2 territorial general election, or a special election, there shall
3 be submitted to the electors qualified to vote in such election,
4 for adoption or rejection, the following propositions:

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

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

12 (C) All provisions of the New Columbia Admission Act,
13 including provisions reserving rights or powers to the United
14 States and provisions prescribing the terms or conditions of the
15 grants of lands or other property made to the State of New
16 Columbia, are consented to fully by the State and its people.

17 (2) In the event the propositions under paragraph (1) are
18 adopted in such election by a majority of the legal votes cast on
19 such submission, the proposed constitution of the proposed State
20 of New Columbia, adopted by the Council of the District of
21 Columbia in the Constitution for the State of New Columbia
22 Approval Act of 1987 (D.C. Bill 7-154), shall be deemed amended
23 accordingly.

24 (3) In the event any one of the propositions under paragraph
25 (1) is not adopted at such election by a majority of the legal
26 votes cast on such submission, the provisions of this Act shall
27 cease to be effective.

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

9 (d)(1) If the President finds that the propositions set
10 forth in subsection (c)(1) have been duly adopted by the people
11 of New Columbia, the President, upon certification of the returns
12 of the election of the officers required to be elected as pro-
13 vided in subsection (a), shall issue a proclamation announcing
14 the results of such election as so ascertained. Upon the issu-
15 ance of such proclamation by the President, the State of New
16 Columbia shall be deemed admitted into the Union as provided in
17 section 2 of this Act.

18 (2) Until the State of New Columbia is admitted into the
19 Union, individuals holding legislative, executive, and judicial
20 offices of the District of Columbia, including the Delegate in
21 Congress from the District of Columbia, shall continue to dis-
22 charge the duties of their respective offices. Upon the issuance
23 of such proclamation by the President of the United States and
24 the admission of the State of new Columbia into the Union, the
25 officers elected at such election, and qualified under the provi-
26 sions of the constitution and laws of such State, shall proceed
27 to exercise all the functions pertaining to their offices in,

1 under, or by authority of the government of such State, and
2 offices not required to be elected at such initial election shall
3 be selected or continued in office as provided by the constitu-
4 tion and laws of such State. The Governor of such State shall
5 certify the election of the Senators and Representative in the
6 manner required by law, and the Senators and Representative shall
7 be entitled to be admitted to seats in Congress and to all the
8 rights and privileges of Senators and Representatives of other
9 States in the Congress of the United States.

10 **SEC. 8. HOUSE OF REPRESENTATIVES MEMBERSHIP.**

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

19 **SEC. 9. LAWS IN EFFECT.**

20 Upon admission of the State of New Columbia into the Union,
21 all of the territorial laws then in force in the Territory of the
22 District of Columbia shall be and continue in force and effect
23 throughout the State, except as modified or changed by this Act,
24 or by the Constitution of the State, or as thereafter modified or
25 changed by the legislature of the State. All of the laws of the
26 United States shall have the same force and effect within the
27 State as elsewhere in the United States.

1 SEC. 10. CONTINUATION OF SUITS.

2 (a) No writ, action, indictment, cause, or proceeding pend-
3 ing in any court of the District of Columbia or in the United
4 States District Court for the District of Columbia shall abate by
5 reason of the admission of the State of New Columbia into the
6 Union, but shall be transferred and shall proceed within such
7 appropriate State courts as shall be established under the con-
8 stitution of the State, or shall continue in the United States
9 District Court for the District of Columbia, as the nature of the
10 case may require. And no writ, action, indictment, cause, or
11 proceeding shall abate by reason of any change in the courts, but
12 shall proceed within the State or the United States courts
13 according to the laws thereof, respectively. The appropriate
14 State courts shall be the successors of the courts of the
15 District of Columbia as to all cases arising within the limits
16 embraced within the jurisdiction of such courts, respectively,
17 with full power to proceed with such cases, and award mesne or
18 final process therein, and all files, records, indictments, and
19 proceedings relating to any such writ, action, indictment, cause,
20 or proceeding shall be transferred to such appropriate State
21 courts and shall be proceeded with therein in due course of law.

22 (b) All civil causes of action and all criminal offenses
23 which shall have arisen or been committed prior to the admission
24 of the State, but as to which no writ, action, indictment, or
25 proceeding shall be pending at the date of such admission, shall
26 be subject to prosecution in the appropriate State courts or in
27 th United States District Court for the District of Columbia in

1 like manner, to the same extent, and with like right of appellate
2 review, as if such State had been created and such State courts
3 had been established prior to the accrual of such causes of
4 action or the commission of such offenses. The admission of the
5 State shall effect no change in the substantive or criminal law
6 governing causes of action and criminal offenses which shall have
7 arisen or been committed, and any such criminal offenses as shall
8 have been committed against the laws of the District of Columbia
9 shall be tried and punished by the appropriate courts of the
10 State, and any such criminal offense as shall have been committed
11 against the laws of the United States shall be tried and punished
12 in the United States District Court for the District of
13 Columbia.

14 **SEC. 11. APPEALS.**

15 Parties shall have the same rights of appeal from and appel-
16 late review of final decisions of the United States District
17 Court for the District of Columbia or the District of Columbia
18 Court of Appeals in any case finally decided prior to the admis-
19 sion of the State of New Columbia into the Union, whether or not
20 an appeal therefrom shall have been perfected prior to such
21 admission. The United States Court of Appeals for the District
22 of Columbia circuit and the Supreme Court of the United States
23 shall have the same jurisdiction in such cases as by law provided
24 prior to the admission of the State into the Union. Any mandate
25 issued subsequent to the admission of the State shall be to the
26 United States District Court for the District of Columbia or a
27 court of the State, as appropriate. Parties shall have the same

1 rights of appeal from and appellate review of all orders,
2 judgments, and decrees of the United States District Court for
3 the District of Columbia and of the Supreme Court of the State of
4 New Columbia, as successor to the District of Columbia Court of
5 Appeals, in any case pending at the time of admission of the
6 State into the Union, and the United States Court of Appeals for
7 the District of Columbia Circuit and the Supreme Court of the
8 United States shall have the same jurisdiction therein, as by law
9 provided in any case arising subsequent to the admission of the
10 State into the Union.

11 **SEC. 12. JUDICIAL AND CRIMINAL PROVISIONS.**

12 Effective upon the admission of New Columbia into the Union
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14 (1) Section 41 of title 28, United States Code is amended in
15 the second column by inserting ", New Columbia" after "District
16 of Columbia".

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

19 "The District of Columbia and the State of New Columbia com-
20 prise one judicial district."

21 **SEC. 13. MILITARY LANDS.**

22 (a) Subject to subsection (b) and notwithstanding the admis-
23 sion of the State of New Columbia into the Union, authority is
24 reserved in the United States for the exercise by the Congress of
25 the United States of the power of exclusive legislation, as pro-
26 vided by article I, section 8, clause 17, of the Constitution of
27 the United States, in all cases whatsoever over such tracts or

1 parcels of land as, immediately prior to the admission of the
2 State, are controlled or owned by the United States and held for
3 defense or Coast Guard purposes.

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

9 (2) The reservation of authority in the United States for
10 the exercise by the Congress of the United States of the power of
11 exclusive legislation over such lands shall not operate to pre-
12 vent such lands from being a part of the State of New Columbia,
13 or to prevent the State from exercising over or upon such lands,
14 concurrently with the States, any jurisdiction which it would
15 have in the absence of such reservation of authority and which is
16 consistent with the laws hereafter enacted by the Congress pursu-
17 ant to such reservation of authority.

18 (3) The power of exclusive legislation shall vest and remain
19 in the United States only so long as the particular tract or
20 parcel of land involved is controlled or owned by the United
21 States and used for defense or Coast Guard purposes, except that
22 the United States shall continue to have sole and exclusive
23 jurisdiction over such military installations as have been or may
24 be determined to be critical areas as delineated by the President
25 of the United States or the Secretary of Defense.

26 **SEC. 14. UNITED STATES NATIONALITY.**

1 No provision of this Act shall operate to confer United
2 States nationality, to terminate nationality lawfully acquired,
3 or to restore nationality terminated or lost under any law of the
4 United States or under any treaty to which the United States is
5 or was a party.

6 **SEC. 15. RELATIONSHIP TO OTHER LAWS.**

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

12 **SEC. 16. NATIONAL CAPITAL SERVICE AREA.**

13 (a) The National Capital Service Area referred to in section
14 4 is more particularly described as follows:

15 Beginning at the point on the present Virginia-District of
16 Columbia boundary due west of the northernmost point of Theodore
17 Roosevelt Island and running due east of the eastern shore of the
18 Potomac River;

19 thence generally south along the shore at the mean high
20 water mark to the northwest corner of the Kennedy Center;

21 thence east along the north side of the Kennedy Center to a
22 point where it reaches the E Street Expressway;

23 thence east on the expressway to E Street Northwest and
24 thence east on E Street Northwest to Eighteenth Street Northwest;

25 thence south on Eighteenth Street Northwest to Constitution
26 Avenue Northwest;

1 thence east on Constitution Avenue to Seventeenth Street
2 Northwest;
3 thence north on Seventeenth Street Northwest to Pennsylvania
4 Avenue Northwest;
5 thence east on Pennsylvania Avenue to Jackson Place
6 Northwest;
7 thence north on Jackson Place to H Street Northwest;
8 thence east on H Street Northwest to Madison Place
9 Northwest;
10 thence south on Madison Place Northwest to Pennsylvania
11 Avenue Northwest;
12 thence east on Pennsylvania Avenue Northwest to Fifteenth
13 Street Northwest;
14 thence south on Fifteenth Street Northwest to Pennsylvania
15 Avenue Northwest;
16 thence southeast on Pennsylvania Avenue Northwest to John
17 Marshall Place Northwest;
18 thence north on John Marshall Place Northwest to C Street
19 Northwest;
20 thence east on C Street Northwest to Third Street Northwest;
21 thence north on Third Street Northwest to D Street
22 Northwest;
23 thence on D Street Northwest to Second Street Northwest;
24 thence on south on Second Street Northwest to the intersec-
25 tion of Constitution Avenue Northwest and Louisiana Avenue
26 Northwest;

1 thence northeast on Louisiana Avenue Northwest to North
2 Capitol Street;
3 thence north on North Capitol Street to Massachusetts Avenue
4 Northwest;
5 thence southeast on Massachusetts Avenue Northwest so as to
6 encompass Union Square;
7 thence following Union Square to F Street Northeast;
8 thence east on F Street Northeast to Second Street
9 Northeast;
10 thence south on Second Street Northeast to D Street
11 Northeast;
12 thence west on D Street Northeast to First Street Northeast;
13 thence south on First Street Northeast to Maryland Avenue
14 Northeast;
15 thence generally north and east on Maryland Avenue to Second
16 Street Northeast;
17 thence south on Second Street Northeast to C Street
18 Southeast;
19 thence west on C Street Southeast to New Jersey Avenue
20 Southeast;
21 thence south on New Jersey Avenue Southeast to D Street
22 Southeast;
23 thence west on D Street Southeast to Canal Street Parkway;
24 thence southeast on Canal Street Parkway to E Street
25 Southeast;
26 thence west on E Street Southeast to the intersection of
27 Canal Street Southwest and South Capital Street;

1 thence northwest on Canal Street Southwest to Second Street
2 Southwest;
3 thence south on Second Street Southwest to Virginia Avenue
4 Southwest;
5 thence generally west on Virginia Avenue to Third Street
6 Southwest;
7 thence north on Third Street Southwest to C Street
8 Southwest;
9 thence west on C Street Southwest to Sixth Street Southwest;
10 thence north on Sixth Street Southwest to Independence
11 Avenue;
12 thence west on Independence Avenue to Twelfth Street
13 Southwest;
14 thence south on Twelfth Street Southwest to D Street
15 Southwest;
16 thence west on D Street Southwest to Fourteenth Street
17 Southwest;
18 thence south on fourteenth Street Southwest to the middle of
19 the Washington Channel;
20 thence generally south and east along the midchannel of the
21 Washington Channel to a point due west of northern boundary line
22 of Fort Lesley McNair;
23 thence due east to the side of the Washington Channel;
24 thence following generally south and east along the side of
25 the Washington Channel at the mean high water mark, to the point
26 of confluence with the Anacostia River, and along the northern

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

3 thence generally south and west along such shore at the mean
4 high water mark to the point of confluence of the Anacostia and
5 Potomac Rivers;

6 thence generally south and east along the northern side of
7 the Eleventh Street Bridge to the eastern shore of the Anacostia
8 River;

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

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

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

19 (b) Where the area in subsection (a) is bounded by any
20 street, such street, and any sidewalk thereof, shall be included
21 within such area.

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

25 (2) For the purposes of paragraph (1) Federal real property
26 affronting or abutting such area described in subsection (a)
27 shall --

1 (A) be deemed to include, but not limited to, Fort Lesley
2 McNair, the Washington Navy Yard, the Anacostia Naval Annex, the
3 United States Naval Station, Bolling Air Force Base, and the
4 Naval Research Laboratory; and

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

11 **SEC. 17. STATEHOOD TRANSITION COMMISSION.**

12 (a) There is established a Statehood Transition Commission.

13 (b) The Commission shall be composed of thirteen members
14 appointed as follows:

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

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

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

18 (4) three shall be appointed by the Mayor of the District of
19 Columbia; and

20 (5) three shall be appointed by the Council of the District
21 of Columbia.

22 (c) The Commission shall advise the President, the Congress,
23 the Mayor, the Council, and the Governor and House of Delegates
24 for the State of New Columbia, as appropriate, concerning neces-
25 sary procedures to effect an orderly transition to statehood for
26 the District of Columbia. The Commission shall submit such

1 reports as the Commission considers appropriate or as may be
2 requested.

3 (d) The Commission shall cease to exist 180 days after the
4 date of the admission into the Union of the State of New
5 Columbia.".

6 Therefore, in the name of, and on behalf of, the people of
7 the state of Michigan, we ratify, approve, and assent to the pro-
8 posed amendment to the constitution of the United States.

9 Resolved further, That certified copies of this joint reso-
10 lution be transmitted by the governor of the state of Michigan,
11 to the president of the United States, the archivist of the
12 United States, the president of the Senate of the United States,
13 and the speaker of the House of Representatives of the United
14 States.