

HJR

69

ALASKA STATE LEGISLATURE

Office of Majority Whip

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COMMUNITY AND
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CHAIR
CHILDREN'S CAUCUS

REPRESENTATIVE BETTYE DAVIS

DISTRICT 14 SEAT B • EAST ANCHORAGE • MULDOON

S P O N S O R S T A T E M E N T

I appreciate the committee members hearing CSHJR 69. CSHJR 69 urges Congress to grant statehood to the District of Columbia.

Washington D.C., with a population of 607,00, has more people than Alaska, Wyoming or Vermont. But its elected officials have no real power and the city is denied a voting representative in Congress. The Federal Government treats the District as a colony, controlling local policy on issues ranging from sanitation to abortion and undermining the city's ability to raise revenues.

I believe Washingtonians deserve self-government no less than other Americans. Two bills pending in Congress, H.R. 4718 and S.2023, would admit Washington to the union as New Columbia, the 51st state. The House District of Columbia Committee voted out H.R. 4718 on April 2, setting up a plan to transform most of the District into the state of New Columbia while maintaining a small independent enclave as the seat of national government. These bills are worthy of attention and a vote of approval. Even if statehood fails, debate could suggest intermediate solutions.

Washingtonians have suffered long under second-class citizenship. They were first allowed to vote in Presidential elections in 1964. Permission to elect local officials followed slowly; in 1968, the school board; in 1971, a non-voting delegate to the House of Representatives; and in 1973, the mayor and the city council.

The Home Rule Act of 1973, which granted limited self-rule, contained dictatorial restrictions. The city cannot so much as reschedule garbage collection without asking Congress, for permission, which has 30 days in which to disapprove. Nor can the city determine its own budget or set independent policies.

The Federal presence harms the city fiscally. The District is forbidden to tax nonresidents, many of them Federal workers, who comprise about 60 percent of the work force. Federal properties are also exempt from real estate taxes. The city calculates that

all taxing restrictions combines cost it \$1.9 billion a year in revenues.

Those who oppose statehood often claim that the Constitution forbids creation of a state in the District. That claim is without merit. The Constitution says only that Congress will exercise exclusive legislative control over a seat of Government that does not exceed 10 miles square. A state could be created that would reduce the size of the Federal enclave but not eliminate it.

How can the United States champion democracy abroad while it disenfranchises District citizens who die in wars and pay taxes the same way other Americans do? There is every reason for Congress to convene hearings and then bring the issue to the floor.

On April 4, 1992 Jesse Jackson organized "Hands Around the Capitol in Washington D.C. where over 2,000 rallied their support for statehood.

Please help me send the message back to President Bush and our Congressional leaders that we want to see H.R. 2482 or S. 2023 passed this year.

Thanks.

FISCAL NOTE

No. 1
 Bill Version CSHJR 69 (STA)
 (H) Publish Date: 3-20-92

STATE OF ALASKA
 1992 LEGISLATIVE SESSION

Revision Date: _____ Department Affected: Legislative Affairs Agency
 Title: STATEHOOD FOR WASHINGTON, D.C. BRU: _____
 Component: _____

Sponsor: Rep. B. Davis
 Requestor: House State Affairs Committee COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	0	0	0	0	0	0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL	0	0	0	0	0	0
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REVENUE						
FUND SOURCE:						

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
FUND SOURCE:						
TOTAL	0	0	0	0	0	0

POSITIONS: N/A

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year impact: 0

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: House State Affairs Committee Phone: 465-4859
 Division: _____ Date: 3/12/92
 Approved by Commissioner: Representative Gene Kubina, Chairman
 Agency: House State Affairs Committee Date: 3/12/92

Congresswoman

ELEANOR HOLMES

NORTON

District of Columbia



**OPENING STATEMENT OF ELEANOR HOLMES NORTON
HOUSE DISTRICT OF COLUMBIA COMMITTEE**

H.R. 2482

April 2, 1992

Mr. Chairman, when my great grandfather, Richard Holmes, a fugitive slave from Virginia, crossed the District line before the Civil War, Washington, D.C. represented freedom. Today, for Richard's great-great grandchildren, John Holmes Norton and Katherine Felicia Norton, Washington is the place in our country where there is the least freedom. Less freedom than the 50 states, to be sure, but also less freedom than the territories, none of which have ever petitioned for statehood. Guam, Puerto Rico, the Virgin Islands, and American Samoa do not have voting representation in the Congress, but at least the Congress does not undermine its own professed democratic principles by reviewing and overturning the official enactments of their democratically elected local representatives.

I am grateful, therefore, Mr. Chairman, for your extraordinary leadership for 21 years to right this wrong. Yours has been a service not to Washingtonians alone, but to your country, for in bringing us to this historic day, you have moved to wipe away a conspicuous blemish on American democracy. From your first year in the Congress, you have worked for full and undiluted democracy for the District and have been an architect who has perfected and protected the home rule we have achieved. For all your rank and importance in the Congress, you will surely be remembered by history for your unique work in making American democracy more perfect.

In the same way, the Subcommittee Chairman, Mr. Mervyn Dymally, who, against our protestations, has announced that he will retire at the conclusion of this session, will go with the applause, yes and with the cheers of all who felt or watched his years of outstanding service on this Committee and to the District. His principled, patient and eloquent leadership was especially important in guiding the New Columbia Statehood Act through Subcommittee.

While my good friends of the minority will almost surely vote against us today, each and every one of them has approached my bill with the dignity and seriousness its subject matter deserves. Their criticisms have always been thoughtful and have even led to improvements in the bill itself. Mr. Bliley, the Ranking Minority Member of the full Committee and Mr. Lowery the Ranking Minority Member of the Subcommittee, have led their side with comments that were always substantive and never pejorative or deprecating of the District or its people.

Nevertheless, the careful consideration given H.R. 2482 has presumably not altered the party line vote that will probably result today. Thus has it always been. Whenever a state has sought admission to the Union, the political considerations of the moment have always been the deciding factor -- whether the state was slave or free before the Civil War, whether its residents are Democrats or Republicans today.

Opposition to D.C. Statehood has been couched in two major ways: first, and perhaps most prominently, in constitutional

terms and then in economic terms, up to and including questions of viability.

The constitutional issues raise matters of first impression because the District itself is unique. Yet precedent is surely on the side of statehood. Congress reduced the size of the District to meet the request of the people of Virginia for return of their land over a matter of slavery. It can do so to meet the request of the people of the District for statehood. Article 4, Section 3 of the Constitution cannot be interpreted to require the United States of America to receive permission from the state of Maryland to reduce the size of federally owned land. Maryland gave the land in absolute fee simple to the United States, retaining no claims. It is too late in the century and too many years after countless interpretations of the supremacy clause to argue that the sovereign government of the United States of America cannot do as it pleases with the land on which its capital is located and over which it has now had sovereign and solitary control for 201 years.

Constitutional lawyers, of course, disagree among themselves about the constitutional issues. Where no definitive constitutional answer is available, Congress must err on the side of democracy. No harm can be done by granting statehood. Rank, palpable injustice will be done by denying it.

Arguments concerning the financial viability of the District are far easier to rebut because they are manifestly groundless. District residents, who pay higher taxes than all but two states, must wonder whether to laugh or cry when they hear the economic viability of the District questioned.

First, most of the discussion of viability that we have heard would hold the District to a higher standard than other states which have gained admission to the union. Many entered with little population and scant development. One of the most recent examples was Alaska, but the House committee report used as the test of viability that a state have "sufficient population and resources to support a state government and to provide its share of the cost of the Federal government." The District far surpasses this standard.

The District raises most of its own \$3.8 billion dollar budget, and, as with most states, it does so through income, property and sales taxes, in that order. Looking only at locally raised revenues, discounting federal funds altogether, the District raised more revenue than 11 states in the fiscal years 1989-90. They were Delaware, Idaho, Maine, Montana, Nevada, New Hampshire, North Dakota, Rhode Island, South Dakota, Vermont and Wyoming.

The D.C. economy would surely be the envy of most states today. Until recently, the District was described as recession-proof, and even now its diverse white collar employment base gives it more protection from cyclical episodes than most states. The District's per capita income is the third highest in the nation and our per capita contribution to the federal treasury is likewise third in rank. In average income, our workers earn \$32,106, 42% above the national average (1989). The District is counted among the leading states in just those upscale areas where most states seek to lead their economies -- business services, where we outrank 30 states; communications, where we outrank 25 states; finance, insurance and real estate, where we outrank 14 states; hotels and lodging, where we outrank 27 states; and legal services, where we outrank 41 states. Moreover, Mr. Chairman, the great majority of our work force -- almost 70% -- is employed in the non-governmental sector.

It is difficult to believe that any state came into the Union with greater financial viability than the District. Indeed, statehood would make the District more viable. Today, 55% of D.C. land is exempted from taxation. Statehood would place much of the federal land in the National Capital Service

Area, and New Columbia would then have only 30% of its land exempted from taxation.

Mr. Chairman, Washingtonians have always tried to make up for their disabilities, whether of citizenship, economics or race, by working harder. We have the largest middle class of any large city in the country and the largest proportionate black middle class in the world. No state or major city has a population that equals ours in years of college education.

But what we in the District are most proud of is our record of self governance. No state has had to earn statehood, and yet we have earned it. We have earned it through 1800 enactments since Home Rule, only three of which have been overturned by the Congress. We have earned it by paying our own way and subsidizing less wealthy jurisdictions with an unusually high contribution in federal taxes, without representation in Congress, and with only limited democracy at home. We earned it with immediate desegregation of our schools when I was in high school without "massive resistance" or other forms of resistance of Southern jurisdictions like ourselves. We continue to earn it with a highly responsible government and local officials who have faced up to the hard issues which in recent years have left crippling problems throughout the United States, including our neighboring states and cities.

The District has tried the other alternatives and is left with none but statehood. Only 16 states ratified the Voting Rights Amendment, and if all 50 had, the District's local governance would still have been left under the undemocratic control of Congress. Retrocession is impossible because neither jurisdiction desires it, and thus retrocession itself would be undemocratic and unconstitutional. After 200 years, the District has acquired a distinctive culture and demography. To ask the District to retrocede to Maryland is like asking West Virginia to return to Virginia.

Mr. Chairman, my great grandfather found a better life and greater democracy in the District than he had known. His great-great grandchildren want to continue on the route he started when he walked away from slavery. Katherine Felicia and John Holmes, who trace our family back generations before their great-great grandfather, want to be full American citizens. This is the time. Statehood is the only way.

102D CONGRESS
2D SESSION

H. R. 4718

IN THE HOUSE OF REPRESENTATIVES

Ms. NORTON introduced the following bill; which was referred to the
Committee on _____

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.

7 Subject to the provisions of this Act, and upon issu-
8 ance of the proclamation required by section 7(d)(1) of
9 this Act, the State of New Columbia (hereinafter referred

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1 to as "the State") is declared to be a State of the United
2 States of America, is declared admitted into the Union
3 on an equal footing with the other States in all respects
4 whatever, and the constitution adopted by the Council of
5 the District of Columbia in the Constitution for the State
6 of New Columbia Approval Act of 1987 (D.C. Law 7-8),
7 subject to ratification by a majority of the registered quali-
8 fied electors of the District of Columbia, is found to be
9 republican in form and in conformity with the Con-
10 stitution of the United States and the principles of the
11 Declaration of Independence and is accepted, ratified, and
12 confirmed.

13 **SEC. 3. CONSTITUTION.**

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

18 **SEC. 4. TERRITORIES AND BOUNDARIES.**

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

1 Columbia shall consist of the National Capital Service
2 Area.

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

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

12 SEC. 5. COMPACT WITH UNITED STATES; CLAIMS TO FED-
13 ERAL LANDS AND PROPERTY.

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

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

24 (2) Nothing in this Act is intended or shall be con-
25 strued as a finding, interpretation, or construction by the

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

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

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

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

23 (A) services rendered to the Federal Govern-
24 ment and services rendered because of the State's

1 proximity to the seat of the Federal Government,
2 and the cost to the State of providing such services;

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

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

13 (3) At the time the Governor submits the report de-
14 scribed in paragraph (2) to Congress, the Governor shall
15 submit copies of the report to the Directors of the Con-
16 gressional Budget Office and the Office of Management
17 and Budget, who shall submit reports to Congress analyz-
18 ing the Governor's report not later than 30 days after re-
19 ceiving copies of the report.

20 (e) The State may not change any provision of its
21 Constitution concerning height limitations on buildings
22 without the consent of Congress.

23 (f) Nothing in this Act or the Constitution or laws
24 of the State may be construed to permit the State to
25 refuse to allow an individual to serve as a qualified reg-

1 istered elector of the State solely because the individual
2 resides in the National Capital Service Area.

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

4 (a) The State of New Columbia and its political sub-
5 divisions shall have and retain title or jurisdiction for pur-
6 poses of administration and maintenance to all property,
7 real and personal, with respect to which title or jurisdic-
8 tion for purposes of administration and maintenance is
9 held by the territory of the District of Columbia as of the
10 date of the enactment of this Act.

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

18 **SEC. 7. ELECTIONS.**

19 (a)(1) Not more than sixty days after the date of en-
20 actment of this Act, the President of the United States
21 shall certify such enactment to the Mayor of the District
22 of Columbia. Not more than thirty days after such cer-
23 tification the Mayor of the District of Columbia shall issue
24 a proclamation for the elections, subject to the provisions
25 of this Act, for officers of all State elective offices provided

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1 for by the constitution of the proposed State of New Co-
2 lumbia and for two Senators and one Representative in
3 Congress.

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

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

1 (c)(1) At an election designated by proclamation of
2 the Mayor of the District of Columbia, which may be the
3 primary or the general election held pursuant to sub-
4 section (b), a territorial general election, or a special elec-
5 tion, there shall be submitted to the electors qualified to
6 vote in such election, for adoption or rejection, the fol-
7 lowing propositions:

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

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

16 (C) All provisions of the New Columbia Admis-
17 sion Act, including provisions reserving rights or
18 powers to the United States and provisions prescrib-
19 ing the terms or conditions of the grants of lands or
20 other property made to the State of New Columbia,
21 are consented to fully by the State and its people.

22 (2) In the event the propositions under paragraph (1)
23 are adopted in such election by a majority of the legal
24 votes cast on such submission, the proposed constitution
25 of the proposed State of New Columbia, adopted by the

1 Council of the District of Columbia in the Constitution
2 for the State of New Columbia Approval Act of 1987
3 (D.C. Law. 7-8), shall be deemed amended accordingly.

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

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

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

1 admitted into the Union as provided in section 2 of this
2 Act.

3 (2) Until the State of New Columbia is admitted into
4 the Union, individuals holding legislative, executive, and
5 judicial offices of the District of Columbia, including the
6 Delegate in Congress from the District of Columbia, shall
7 continue to discharge the duties of their respective offices.
8 Upon the issuance of such proclamation by the President
9 of the United States and the admission of the State of
10 New Columbia into the Union, the officers elected at such
11 election, and qualified under the provisions of the con-
12 stitution and laws of such State, shall proceed to exercise
13 all the functions pertaining to their offices in, under, or
14 by authority of the government of such State, and offices
15 not required to be elected at such initial election shall be
16 selected or continued in office as provided by the con-
17 stitution and laws of such State. The Governor of such
18 State shall certify the election of the Senators and Rep-
19 resentative in the manner required by law, and the Sen-
20 ators and Representative shall be entitled to be admitted
21 to seats in Congress and to all the rights and privileges
22 of Senators and Representatives of other States in the
23 Congress of the United States.

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1 SEC. 8. HOUSE OF REPRESENTATIVES MEMBERSHIP.

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

11 SEC. 9. LAWS IN EFFECT.

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

21 SEC. 10. CONTINUATION OF SUITS.

22 (a) No writ, action, indictment, cause, or proceeding
23 pending in any court of the District of Columbia or in
24 the United States District Court for the District of Colum-
25 bia shall abate by reason of the admission of the State
26 of New Columbia into the Union, but shall be transferred

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1 and shall proceed within such appropriate State courts as
2 shall be established under the constitution of the State,
3 or shall continue in the United States District Court for
4 the District of Columbia, as the nature of the case may
5 require. And no writ, action, indictment, cause, or pro-
6 ceeding shall abate by reason of any change in the courts,
7 but shall proceed within the State or United States courts
8 according to the laws thereof, respectively. The appro-
9 priate State courts shall be the successors of the courts
10 of the District of Columbia as to all cases arising within
11 the limits embraced within the jurisdiction of such courts,
12 respectively, with full power to proceed with such cases,
13 and award mesne or final process therein, and all files,
14 records, indictments, and proceedings relating to any such
15 writ, action, indictment, cause, or proceeding shall be
16 transferred to such appropriate State courts and shall be
17 proceeded with therein in due course of law.

18 (b) All civil causes of action and all criminal offenses
19 which shall have arisen or been committed prior to the
20 admission of the State, but as to which no writ, action,
21 indictment, or proceeding shall be pending at the date of
22 such admission, shall be subject to prosecution in the ap-
23 propriate State courts or in the United States District
24 Court for the District of Columbia in like manner, to the
25 same extent, and with like right of appellate review, as

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

14 **SEC. 11. APPEALS.**

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

1 issued subsequent to the admission of the State shall be
2 to the United States District Court for the District of Co-
3 lumbia or a court of the State, as appropriate. Parties
4 shall have the same rights of appeal from and appellate
5 review of all orders, judgments, and decrees of the United
6 States District Court for the District of Columbia and of
7 the highest court of the State of New Columbia, as succes-
8 sor to the District of Columbia Court of Appeals, in any
9 case pending at the time of admission of the State into
10 the Union, and the United States Court of Appeals for
11 the District of Columbia Circuit and the Supreme Court
12 of the United States shall have the same jurisdiction
13 therein, as by law provided in any case arising subsequent
14 to the admission of the State into the Union.

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

16 Effective upon the admission of New Columbia into
17 the Union—

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

21 (2) The first paragraph of section 88 of title
22 28, United States Code, is amended to read as fol-
23 lows:

24 “The District of Columbia and the State of New Co-
25 lumbia comprise one judicial district.”

15

1 SEC. 18. MILITARY LANDS.

2 (a) Subject to subsection (b) and notwithstanding the
3 admission of the State of New Columbia into the Union,
4 authority is reserved in the United States for the exercise
5 by the Congress of the United States of the power of ex-
6 clusive legislation, as provided by article I, section 8,
7 clause 17, of the Constitution of the United States, in all
8 cases whatsoever over such tracts or parcels of land lo-
9 cated within the State of New Columbia that, immediately
10 prior to the admission of the State, are controlled or
11 owned by the United States and held for defense or Coast
12 Guard purposes.

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

19 (2) The reservation of authority in the United States
20 for the exercise by the Congress of the United States of
21 the power of exclusive legislation over such lands shall not
22 operate to prevent such lands from being a part of the
23 State of New Columbia, or to prevent the State from exer-
24 cising over or upon such lands, concurrently with the Unit-
25 ed States, any jurisdiction which it would have in the ab-
26 sence of such reservation of authority and which is consist-

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1 ent with the laws hereafter enacted by the Congress pursu-
2 ant to such reservation of authority.

3 (3) The power of exclusive legislation shall vest and
4 remain in the United States only so long as the particular
5 tract or parcel of land involved is controlled or owned by
6 the United States and used for defense or Coast Guard
7 purposes, except that the United States shall continue to
8 have sole and exclusive jurisdiction over such military in-
9 stallations as have been or may be determined to be criti-
10 cal areas as delineated by the President of the United
11 States or the Secretary of Defense.

12 **SEC. 14. UNITED STATES NATIONALITY.**

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

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

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

1 SEC. 16. NATIONAL CAPITAL SERVICE AREA.

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

4 Beginning at the point on the present Virginia-
5 District of Columbia boundary due west of the
6 northernmost point of Theodore Roosevelt Island
7 and running due east of the eastern shore of the Po-
8 tomac River;

9 thence generally south along the shore at the
10 mean high water mark to the northwest corner of
11 the Kennedy Center;

12 thence east along the north side of the Kennedy
13 Center to a point where it reaches the E Street Ex-
14 pressway;

15 thence east on the expressway to E Street
16 Northwest and thence east on E Street Northwest to
17 Eighteenth Street Northwest;

18 thence south on Eighteenth Street Northwest to
19 Constitution Avenue Northwest;

20 thence east on Constitution Avenue to Seven-
21 teenth Street Northwest;

22 thence north on Seventeenth Street Northwest
23 to Pennsylvania Avenue Northwest;

24 thence east on Pennsylvania Avenue to Jackson
25 Place Northwest;

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

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1 thence north on North Capitol Street to Mas-
2 sachusetts Avenue Northwest;
3 thence southeast on Massachusetts Avenue
4 Northwest so as to encompass Union Square;
5 thence following Union Square to F Street
6 Northeast;
7 thence east on F Street Northeast to Second
8 Street Northeast;
9 thence south on Second Street Northeast to D
10 Street Northeast;
11 thence west on D Street Northeast to First
12 Street Northeast;
13 thence south on First Street Northeast to
14 Maryland Avenue Northeast;
15 thence generally north and east on Maryland
16 Avenue to Second Street Northeast;
17 thence south on Second Street Northeast to C
18 Street Southeast;
19 thence west on C Street Southeast to New Jer-
20 sey Avenue Southeast;
21 thence south on New Jersey Avenue Southeast
22 to D Street Southeast;
23 thence west on D Street Southeast to Washing-
24 ton Avenue Southwest;

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- 1 thence southeast on Washington Avenue South-
- 2 west to E Street Southeast;
- 3 thence west on E Street Southeast to the inter-
- 4 section of Washington Avenue Southwest and South
- 5 Capitol Street;
- 6 thence northwest on Washington Avenue South-
- 7 west to Second Street Southwest;
- 8 thence south on Second Street Southwest to
- 9 Virginia Avenue Southwest;
- 10 thence generally west on Virginia Avenue to
- 11 Third Street Southwest;
- 12 thence north on Third Street Southwest to O
- 13 Street Southwest;
- 14 thence west on O Street Southwest to Sixth
- 15 Street Southwest;
- 16 thence north on Sixth Street Southwest to Inde-
- 17 pendence Avenue;
- 18 thence west on Independence Avenue to Twelfth
- 19 Street Southwest;
- 20 thence south on Twelfth Street Southwest to D
- 21 Street Southwest;
- 22 thence west on D Street Southwest to Four-
- 23 teenth Street Southwest;
- 24 thence south on Fourteenth Street Southwest to
- 25 the middle of the Washington Channel;

1 thence generally south and east along the
2 midchannel of the Washington Channel to a point
3 due west of the northern boundary line of Fort Les-
4 ley McNair;

5 thence due east to the side of the Washington
6 Channel;

7 thence following generally south and east along
8 the side of the Washington Channel at the mean
9 high water mark, to the point of confluence with the
10 Anacostia River, and along the northern shore at the
11 mean high water mark to the northernmost point of
12 the Eleventh Street Bridge;

13 thence generally south and east along the
14 northern side of the Eleventh Street Bridge to the
15 eastern shore of the Anacostia River;

16 thence generally south and west along such
17 shore at the mean high water mark to the point of
18 confluence of the Anacostia and Potomac Rivers;

19 thence generally south along the eastern shore
20 at the mean high water mark of the Potomac River
21 to the point where it meets the present southeastern
22 boundary line of the District of Columbia;

23 thence south and west along such southeastern
24 boundary line to the point where it meets the
25 present Virginia-District of Columbia boundary; and

1 thence generally north and west up the Poto-
2 mac River along the Virginia-District of Columbia
3 boundary to the point of beginning.

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

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

11 (2) For the purposes of paragraph (1) Federal real
12 property affronting or abutting such area described in
13 subsection (a) shall—

14 (A) be deemed to include, but not limited to,
15 Fort Lesley McNair, the Washington Navy Yard,
16 the Anacostia Naval Annex, the United States Naval
17 Station, Bolling Air Force Base, and the Naval Re-
18 search Laboratory; and

19 (B) not be construed to include any area situ-
20 ated outside of the District of Columbia boundary as
21 it existed immediately prior to the date of the enact-
22 ment of this Act, nor be construed to include any
23 portion of the Anacostia Park situated east of the
24 northern side of the Eleventh Street Bridge, or any
25 portion of the Rock Creek Park.

1 SEC. 17. STATEHOOD TRANSITION COMMISSION.

2 (a) There is established a Statehood Transition Com-
3 mission.

4 (b) The Commission shall be composed of thirteen
5 members appointed as follows:

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

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

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

11 (4) three shall be appointed by the Mayor of
12 the District of Columbia; and

13 (5) three shall be appointed by the Council of
14 the District of Columbia.

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

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- 1 (d) The Commission shall cease to exist 2 years after
- 2 the date of the admission into the Union of the State of
- 3 New Columbia.

COMMITTEE MEMBERS AND STAFF

DISTRICT OF COLUMBIA

COMMITTEE ON DISTRICT OF COLUMBIA

1310 LONGWORTH HOB (ZIP: 20515-6070) 225-4457

Ronald V. Dellums, CA, Chairman

Noted Yes

Fortney Pete Stark, CA
Mervyn M. Dymally, CA
Alan Wheat, MO
Jim McDermott, WA
Eleanor Holmes Norton, DC
Sandor M. Levin, MI
(Vacancy)

Thomas J. Bliley, Jr., VA
Larry Combast, TX
Dana Rohrabacher, CA
Bill Lowery, CA

Voted No

MAJORITY STAFF

Brewer, Robert B SR STF ASST 2136.....	62661	Mitchell, Brian C STF ASST 2136.....	62661
Cole, Michele O RCH ASST/SECY H2-693.....	67705	Nickens, Beverly E SR SECY 2130.....	62661
Davis, Donn G SR LEGIS ASSOC 1310.....	64457	Randolph, Roland T FATG CLK 1010.....	64457
Dean, Tracey SECY 1310.....	64457	Rimansnyder, Nelson F STF ASST H2-593.....	67705
Demajo, Grace M ADMIN ASST 1310.....	64457	Scott, Carlotta STF ASST 2130.....	52661
Eason, Marvin R STF ASST 1210.....	64535	Stephenson, Charles C, Jr STF ASST 2130.....	52661
Ford, Dextra L SR LEGIS ASSOC 1310.....	64457	Sylvester, Edward O, Jr STF DIR 1310.....	64457
Gras, Marguerite E RCH ASST/SECY A507.....	67556	Watkins, Elizabeth SECY 441.....	61612
Hadnot, Julie STF ASST 2136.....	62661	White, Linda ADMIN ASST FOR LEGIS 1310.....	64457
Johnson, Stephen H STF ASST 1707.....	63108	Williams, E Fayo SR STF COUN 441.....	61612
Lewis, Denise B SECY 441.....	61612	Wills, Ronald C SR STF ASSOC 1310.....	64457
MacIver, Dale SR STF COUN 1310.....	64457	Winston, Louise H RCH ASST/SR SECY 1310.....	64457
Middleton, Joan V ADMIN OFCR 1310.....	64457	Withers, George Ohl STF ASST 2136.....	52661
Miller, Richard H "Max" STF ASST 2136.....	62661		

MINORITY STAFF

Anderson, David E STF COUN 1307.....	67158	Hamm, Ron STF ASST 1307.....	67158
Betts, Elizabeth STF ASST 1807.....	67158	Peterson, Alan STF ASST 1307.....	67158
Dykema, Richard T (Rick) STF ASST 1807.....	67158	Schlegenhaut, Jeffrey STF ASST A508.....	67591
Froese, Elizabeth W STF ASST 2241.....	62818	Sindelar, Roger STF ASST 1307.....	67158
Gingras, Jean C STF ASST 2433.....	63201	Smith, Dennis G MIN STF DIR 1307.....	67158

SUBCOMMITTEE ON FISCAL AFFAIRS AND HEALTH

H1-A507 O'NEILL HOB (ZIP: 20515-6071) 226-7556

Fortney Pete Stark, CA, Chairman

Ronald V. Dellums, CA
Jim McDermott, WA
Eleanor Holmes Norton, DC
(Vacancy)

Dana Rohrabacher, CA
Thomas J. Bliley, Jr., VA
Larry Combast, TX

The New York Times

MONDAY, NOVEMBER 25, 1991

EDITORIAL

The D.C. Plantation: Freedom Soon?

The effort to grant statehood to Washington, D.C., could well become a campaign issue in 1992.

A bill that would admit the District to the Union as New Columbia, the 51st state, was introduced in the Senate on Thursday. And hearings on the House version of the bill saw a welcome burst of enthusiasm. Three Democratic Presidential candidates testified in favor of statehood and others sent messages of support.

That's as it should be. The District's treatment is a scandal, albeit one with a long history. The Federal Government runs the city like a plantation, denying it a voting representative in Congress, forbidding it even rudimentary self-rule and limiting severely its ability to raise revenue.

President Bush favors keeping the District on its knees. But Gov. Bill Clinton of Arkansas, Gov. Douglas Wilder of Virginia and Senator Tom Harkin of Iowa testified before Congress that the District deserved to become a full partner in the Union. The three were on the mark.

Washingtonians have long been denied rights that the rest of us take for granted. They weren't allowed to vote in Presidential elections until 1964. And it was not until the Home Rule Act of 1973 that they could elect a mayor and city council; both had previously been appointed.

The Home Rule Act left the Federal Government's dictatorial powers intact. Congress can overturn any law the District council passes. A powerful senator can throw some cash to friends by attaching amendments to the city's budget bill. And one meddlesome Congressman can by himself trig-

ger hearings on any law by simply raising an objection to it.

The Federal Government is not above extortion. Mr. Bush recently vetoed the city budget, forcing the District to ban the use of locally raised tax revenues to furnish abortions for impoverished women. And Congress used similar blackmail to force repeal of a law that made gun dealers and manufacturers liable for injuries from assault weapons. The citizens have reinstated the measure; gun-lobbying senators may yet thwart it. The District's non-voting representative, Eleanor Holmes Norton, spends much of her time fending off odious infringements like these.

Fiscal restrictions abound. The Federal Government's real estate is exempt from taxation; the city is forbidden to tax the earnings of commuters, most of whom are Federal employees. District officials say these restrictions cause the city to forgo \$1.9 billion in revenues per year. Last year the Federal Government paid a paltry \$430 million in return. Denied sources of revenue, the city levies some of the highest taxes in the nation.

Those who oppose statehood typically offer weak constitutional arguments against it. It seems fairly clear, however, that Republicans who oppose statehood do so because the District would send two more Democrats to the Senate.

But most Americans understand democracy well. The issue of statehood for the District raises an obvious question: How can we justify championing democracy abroad while inflicting second-class citizenship in the nation's capital? The answer is obvious, too: We can't.