

The Washington, D.C. Admission Act

Summary

The nearly 700,000 residents of the District of Columbia currently pay federal taxes and regularly fulfill other obligations of U.S. citizenship yet have no voting representation in Congress. On November 8, 2016, District of Columbia residents voted overwhelmingly to petition the federal government to end this unjust situation by granting it statehood. The referendum also approved a name, constitution, and boundaries for what would be the 51st state, called Washington, Douglass Commonwealth. S. 1278 would admit the new state to the union and establish a process for the election of two U.S. Senators and one member of the House of Representatives to represent it in Congress.

The process set forth for D.C. statehood in S. 1278 mirrors that used by other states, starting with Tennessee in 1796. The bill also conforms to the requirements in Article I, Section 8 of the U.S. Constitution that Congress maintain exclusive legislative jurisdiction over a “District” reserved as the seat of the federal government through provisions in Section 112 and Section 201 establishing such a district within the boundaries of the new state.

Section by Section

Title I – State of Washington, D.C.

Subtitle A – Procedures for Admission

Section 101- Admission into the Union

This section would admit the State of Washington, Douglass Commonwealth (Washington, D.C.) as a State of the United States of America upon issuance of the presidential proclamation described in section 103. The section would also require that the constitution of the new state be “republican in form” and consistent with the U.S. Constitution and the Declaration of Independence.

Section 102 – Election of Officials of State

This section would establish the process for the election of two U.S. Senators and one member of the House of Representatives to represent Washington, D.C. in Congress, which the D.C. Mayor must schedule within 30 days of enactment.

This section would also designate the D.C. Mayor, the D.C. City Council, and the Chair of the D.C. City Council as the Governor, Legislative Assembly, and Speaker of the Legislative Assembly of the new state.

Finally, this section would establish existing judicial authorities in D.C. as the judicial authorities for the new state.

Section 103 – Issuance of Presidential Proclamation

This section would require the President to issue a proclamation admitting Washington, D.C. to the union no later than 90 days after the certification of the elections provided for in section 102.

Subtitle B – Description of Washington, D.C. Territory

Section 111 – Territories and Boundaries of Washington, D.C.

This section states that the territory of Washington, D.C. would consist of all of the territory of the District of Columbia as of the date of enactment with the exception of the area described in Section 112, which would be reserved as the seat of the U.S. government and inherit the name District of Columbia.

Section 112 – Description of District of Columbia after Admission of State

This section details the boundaries of the new District of Columbia, which would not be a part of or governed by the new State of Washington, D.C. The new District of Columbia would include “the principal Federal monuments, the White House, the Capitol Building, the United States Supreme Court Building, and the Federal executive, legislative and judicial office buildings located adjacent to the Mall and the Capitol Building.”

Section 113 – Continuation of Titles to Lands and Property

This section would transfer all property under the control of the current District of Columbia on the date of enactment to the new State of Washington, D.C., with the exception of any interest it owns in the bridges or tunnels connecting it to Virginia. The District’s interests in the bridges and tunnels would transfer to the federal government, which would also maintain all property it owns within the boundaries of the new state on the date of enactment.

Subtitle C – General Provisions Relating to Laws of Washington, D.C.

Section 121 – Limitation on Authority of State to Tax Federal Property

This section would prohibit Washington, D.C. from taxing any federal property in the state unless permitted to by Congress.

Section 122 – Effect of Admission on Current Laws

This section would establish the legislative authority of Washington, D.C. as the same as that of any other state and ensure that federal law has the same force and effect within the new state as it does elsewhere.

Section 123 – Continuation of Judicial Proceedings

This section provides for the continuation of all proceedings pending in the current District of Columbia courts and the U.S. District Court for the District of Columbia.

Section 124 – United States Nationality

This section states that enactment of this Act would not confer, terminate, or restore U.S. nationality to any individual.

Title II – Responsibilities and Interests of Federal Government

Section 201 – Continuation of Revised District of Columbia as Seat of Federal Government

This section would establish the new District of Columbia described in section 112 as the seat of the federal government.

Section 202 – Treatment of Military Lands

This section would provide Congress with exclusive legislative jurisdiction over all federal land within the state used for “defense or Coast Guard purposes” immediately prior to Washington, D.C.’s admission to the union.

Section 203 – Waiver of Claims to Federal Lands and Property

This section would prevent any claims by Washington, D.C. to any federal land or property not granted to it in this Act.

Section 204 – Permitting Individuals Residing in New Seat of Government to Vote in Federal Elections in State of Most Recent Domicile

This section would allow individuals who live in the seat of government established in section 201 to vote in federal elections in the state where they lived most recently.

Section 205 – Repeal of Law Providing for Participation of District of Columbia in Election of President and Vice President

This section would repeal the provisions in current law that allow resident of the current District of Columbia to vote in presidential elections.

Section 206 – Expedited Procedures for Consideration of Constitutional Amendment Repealing 23rd Amendment

This section provides for the repeal of the 23rd Amendment to the U.S. Constitution, which granted the current District of Columbia votes in the Electoral College and would no longer be necessary after Washington, D.C. joins the union and is treated like the other 50 states under federal law.

Title III – General Provisions

Section 301 – General Definitions

This section would define a number of terms related to the governance of Washington, D.C.

Section 302 – Certification of Enactment by President

This section would require the President to notify the D.C. Mayor of the enactment of this Act within 60 days.