

United for America

Recommendations to the Presidential Transition Team

November 2020



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A strong democracy has, at its core, a civil service that is revered for its excellence and commitment to the public good.

Achieving such a high standard is only possible when the service is built on merit, given the resources it needs to carry out its missions and treated with the respect and dignity it deserves.

A new administration is an opportunity to repair and strengthen those building blocks. With them, the federal government and its workforce can lead the United States through crisis, expand the economy and improve the lives of every American.

To that end, the National Treasury Employees Union — representing nearly 150,000 federal workers around the country — respectfully offers our suggestions for restoring the relationship between federal agencies and their employees on the front lines, thereby ensuring that the taxpayers are ably served by the best and brightest public servants in the world.

Sincerely,

A handwritten signature in black ink that reads "Anthony M. Reardon". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Anthony M. Reardon
National President

Table of Contents

INTRODUCTION..... iii

RECOMMENDED EXECUTIVE ACTIONS – DAY 1.....1

Executive Orders and Corrective Actions1

 Rescind Executive Orders 13836, 13837 & 13839 and Direct Corrective Actions.....1

 Issue Executive Order Restoring Labor Management Partnerships and Making Unions “Full Partners” in Civil Service Discussions2

 Rescind Executive Order 13957 Creating Schedule F in the Excepted Service and Related Memorandum and Guidance2

 Rescind or Overturn Adverse Proposed and Finalized OPM Regulations3

 Rescind Presidential Memorandum Delegating FSIP Removal Authority to the FLRA.....3

 Rescind Presidential Memorandum Delegating 7103(b) Authority to Secretary of Defense.....4

 Rescind Executive Order 13950 and Related Memoranda4

Appointments5

 Remove FSIP Members and Replace with Qualified Neutrals with Federal Sector Experience.....5

 Re-nominate FLRA Member Ernest DuBester and Designate as Chair5

 Replace FLRA Member James Abbott.....6

 Nominate MSPB Members6

 Nominate FLRA General Counsel.....6

 Nominate OMB Director and Deputy Director for Management.....7

 Nominate OPM Director7

RECOMMENDED EXECUTIVE AND LEGISLATIVE ACTIONS – FIRST 100 DAYS8

Executive Actions8

 Provide Agencies Appropriate Funding to Meet their Missions8

 Protect Federal Employee Pay and Benefits9

 Stop the Trump Administration’s Plan to Reorganize the Office of Personnel Management..... 11

 Ensure Fair Federal Contracting by Continuing the Ban on A-76 Competitions 12

Legislative Actions..... 13

 Expand Paid Family Leave to Taking Care of Family Members and Personal Serious Health Conditions 13

 Cease Private Tax Collections..... 13

 Protect Scientific Integrity..... 13

 Protect Federal Employees in Sensitive Positions 14

 D.C. Statehood 14

LIST OF ATTACHMENTS

 APPENDIX A - Modified Executive Order 12871 15

 APPENDIX B - List of FLRA Decisions 18

 APPENDIX C - Scientific Integrity Act (H.R. 1709/ S. 775) 20

 APPENDIX D - Amendment to Title 5 to Clarify Certain Due Process Rights (H.R. 5560)..... 35

 APPENDIX E - Washington D.C. Admission Act (H.R. 51)..... 37

Introduction

A successful administration is one that harnesses the awesome power of the civil service to not only meet the historic challenges of the moment but also to build a better world for generations to come.

Federal employees are at the heart of it all: securing the nation, protecting public health, growing the economy.

However, these skilled, dedicated public servants require the proper tools to do the job, and the damage done over the last four years has been profound. The result is a federal workforce that is, in many cases, understaffed, under-resourced and unsupported by agency leaders who are hostile to their mission.

This is untenable to the federal employees who have committed their professional lives to serving the public, and it is a disservice to the taxpayers who rely on them and their work.

At the National Treasury Employees Union, we see a new administration as an opportunity to collaborate on repairing the missions and restoring the executive branch agencies to the standards that the American people deserve and expect.

NTEU represents tens of thousands of federal employees in 33 federal agencies and departments, including the Internal Revenue Service, Customs and Border Protection, Food and Drug Administration, Securities and Exchange Commission, Consumer Financial Protection Bureau, and many others.

Our union's recommendations to the next administration are based on the following principles:

1. Collective bargaining in the federal sector is in the public interest.
2. Productivity improves when managers and employees work in partnership and collaboration.
3. Adequate resources and authority are essential in achieving agency missions.
4. Efficiency in federal agencies can be improved by driving resources to the frontlines.
5. The expertise of career civil servants must be respected by political appointees who understand and support the missions of federal agencies.
6. Civil service changes should be guided by hard evidence of improving government operations, not corporate buzzwords like flexibility and modernity.
7. Inefficient contracts should be ended, and the work returned to federal agencies, saving taxpayer dollars and increasing accountability.

The administrative and legislative recommendations provided in this document are designed to foster a federal workplace where employees are better able to accomplish their agencies' missions and enact the changes envisioned by a Biden-Harris administration.

About NTEU

Founded in 1938, NTEU is the largest independent union for federal employees and represents 150,000 workers in 33 agencies and departments across the federal government. NTEU has always been driven by the principle that every federal employee should be treated with dignity and respect and that federal workers should have a strong, effective and persistent advocate speaking in every forum where decisions are being made about the work of our country. NTEU has built a reputation in federal circles as a highly-focused, smart, tough organization that is well-respected for its knowledge of federal employee issues.

NTEU is led by National President Anthony M. Reardon. He leads NTEU's efforts to ensure dignity and respect for all federal workers. Reardon believes strongly that federal employees deserve fair pay and a secure retirement and has fought to give them the tools and resources they need to do their jobs. He was elected as National President in 2015 and re-elected in 2019.

For more information on NTEU, visit www.nteu.org.

Recommended Executive Actions for “Day 1”

EXECUTIVE ORDERS AND CORRECTIVE ACTIONS

Rescind Executive Orders 13836, 13837 & 13839 and Direct Corrective Actions

We strongly urge President Biden to immediately rescind these May 25, 2018 Executive Orders to start the process of restoring balance in federal sector labor-management relations. The Executive Orders, many provisions of which are illegal, are designed to and have the effect of eviscerating the collective bargaining and other basic rights of federal unions and the employees they represent. Indeed, as part of the Trump Administration’s overall strategy to weaken organized labor and workers’ rights, the Orders are aimed at decimating federal unions’ ability to effectively represent employees through collective bargaining — an objective President Trump has further effected through his anti-union, anti-employee appointees to the Federal Labor Relations Authority (FLRA) and Federal Service Impasses Panel (FSIP).¹

All Office of Personnel Management (OPM) guidance and regulations implementing the Executive Orders should also be rescinded. This includes the following: (a) Oct. 4, 2019 Memorandum (“Updated Guidance on Implementation of Executive Orders 13836, 13837, 13839”), (b) July 15, 2018 Memoranda (“Guidance of Implementation of Executive Orders 13836, 13837 & 13839”), and (c) 85 Fed. Reg. 65,940 (Oct. 16, 2020) (“Probation on Initial Appointment to a Competitive Position, Performance-Based Reduction in Grade and Removal Actions and Adverse Actions”).

Since the injunction for the Executive Orders was lifted, federal agencies have relied upon the Orders to engage in “take it or leave it” surface bargaining with unions over any and all provisions involving Executive Order subjects; agencies, moreover, often race to the Trump-appointed FSIP to have anti-employee provisions imposed by administrative fiat, instead of engaging in the good faith bargaining required by law. It has resulted in the very difficult climate for unions and employees that President Trump clearly hoped to create with their issuance, a climate that is not in the public interest.

To recalibrate federal sector collective bargaining to meet the well-established legal requirements and policy objectives of the Federal Service Labor-Management Relations Statute, President Biden, in his capacity as Chief Executive, should direct all Executive Branch agency heads to enter into good faith settlement discussions with unions concerning any pending litigation (still open as of January 20, 2021) regarding the bargaining and/or implementation of any collective bargaining agreement.

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¹ See, e.g., “White House Advisor Sought Legal Opinion to Allow Trump to Fire Anyone In Government,” June 25, 2020, at www.govexec.com/management/2020/06/white-house-advisor-sought-legal-opinion-trump-can-fire-anyone-government/166445/ (describing the infamous James Sherk memo providing a roadmap for implementing many of the anti-union, anti-employee policies of the Trump Administration).

Issue Executive Order Restoring Labor Management Partnerships and Making Unions “Full Partners” in Civil Service Discussions

NTEU urges a return to the basic framework of President Clinton’s Executive Order 12871, which established the National Partnership Council, legitimized the institutional role of unions in achieving agency missions, expanded the scope of collective bargaining, and mandated union involvement in pre-decisional agency operations.

In October 2017, President Trump issued an Executive Order dismantling the National Council on Federal Labor-Management Relations. That Order overrides (a) Executive Order 13522, issued by President Obama in December 2009, re-establishing Clinton-era agency labor/management forums, and (b) Executive Order 13708, issued in September 2015, extending the authority for the National Council on Federal Labor-Management Relations. The National Council played an important role as a model for labor-management collaboration; agency labor-management forums provided an opportunity for meaningful labor-management relationships and consultation.

Only by sitting across the table, and by establishing personal working relationships, can productive labor-management workplace solutions emerge. NTEU urges President Biden to issue a new executive order early in his administration to reestablish a process that has been successful in promoting labor-management collaboration and harnessing the ideas of frontline employees to advance the missions of their agencies. *See APPENDIX A* (draft Executive Order).



NTEU urges President Biden to issue a new executive order early in his administration to reestablish a process that has been successful in promoting labor-management collaboration

Rescind Executive Order 13957 Creating Schedule F in the Excepted Service and Related Memorandum and Guidance

NTEU urges President Biden to rescind the October 21, 2020 Executive Order “Creating Schedule F in the Excepted Service”, which is intended to strip civil service and due process protections from a large number of employees whose work affects policy making. This would make it easier to hire and fire such employees at will. The Order would create a new category of federal employees in the excepted service by making political loyalty — not merit or skill — a prerequisite of the job. As a result, qualified career employees could be removed from office with little recourse, depleting the institutional knowledge and expertise of agencies, ultimately harming their ability to serve the American people. This unprecedented effort to politicize the federal government and remove due process protections for an as-yet unknown number of career employees undermines the non-partisan, career civil service and jeopardizes the ability of agencies to meet their missions.

Rescind or Overturn Adverse Proposed and Finalized OPM Regulations

NTEU calls on the Biden Administration to address the adverse regulations OPM has issued by either rescinding them or taking action to overturn them. One example is the final rule issued by OPM on October 16, 2020, titled “Probation on Initial Appointment to a Competitive Position, Performance-Based Reduction in Grade and Removal Actions and Adverse Actions,” 85 Fed. Reg. 65,940 (“Removal Final Rule”). The Removal Final Rule was issued pursuant to President Trump’s Executive Order 13839, which is designed to make it easier to fire federal employees by eliminating longstanding due process rights (see also: “Rescind Executive Orders 13836, 13837 & 13839 and Direct Corrective Actions”). The intent in issuing the Removal Final Rule is to cement into regulation some of the worst aspects of Executive Order 13839 in the event a subsequent President rescinds that Order.

A second example concerns OPM’s proposal to overturn almost four decades of precedent to make two substantial changes to how the Back Pay Act (BPA) is interpreted and will be applied. See 85 Fed. Reg. 63,218 (Oct. 7, 2020) (“Office of Personnel Management’s Proposed Rule on Attorney Fees and Personnel Action Coverage Under the Back Pay Act”). First, OPM proposes to curtail drastically the kinds of wrongful agency actions that can lead to back pay recovery. This ill-conceived change would inevitably have the effect of disincentivizing agencies from engaging in such wrongful actions. Second, OPM proposes to specifically exclude union representatives from being able to recover attorney fees when they have successfully helped employees in back pay disputes. Consistent with much of what we have seen with the Trump Administration, this change singles out unions with the aim of weakening their ability to represent employees and hold agencies accountable for wrongful actions.

The Removal Final Rule, which has been finalized, may be challenged in court. If the proposed Back Pay Act regulation is ultimately finalized, it may also be challenged. In instances where regulations have not been challenged via litigation, OPM would need to issue new regulations — at the direction of the Biden Administration — and go through the comment-and-notice period. Finally, if the Back Pay Act regulation has not yet been finalized by Inauguration Day, we ask that the Biden Administration order OPM to rescind its proposal.

Rescind Presidential Memorandum Delegating FSIP Removal Authority to the FLRA

NTEU urges President Biden to rescind the November 12, 2019 delegation memo. In the face of growing lawsuits challenging the President’s authority to appoint Federal Service Impasses Panel (FSIP) members without Senate confirmation, President Trump issued a memo in November 2019, delegating removal authority over the FSIP to the Federal Labor Relations Authority (FLRA). The memo provides that, in exercising this removal authority, the FLRA “shall consider the extent to which decisions of members of the FSIP are consistent... with the requirement of an effective and efficient Government.” That latter phrase was the underpinning of the Trump Administration’s May 2018 Executive Orders aimed at destroying federal sector labor unions. If not rescinded, an unfriendly FLRA could remove the President’s selection of Panel members for its own hostile reasons. Notwithstanding the delegation memo, Panel members serve at the President’s pleasure; this memo should be rescinded immediately.

Rescind Presidential Memorandum Delegating 7103(b) Authority to Secretary of Defense

We urge President Biden to rescind the January 29, 2020 delegation memorandum. President Trump delegated his authority under 5 U.S.C. § 7103(b)(1) & (2) to the Secretary of Defense, to exclude Department of Defense agencies or subdivisions from Federal Service Labor-Management Relations Statute (FSLMRS) coverage. *See* 85 Fed. Reg. 10033. This authority properly resides with the President and should not be delegated.


The decision to remove an entire agency's workforce from statutory coverage is one which Congress expressly reserved to the President, to be exercised only in limited cases. Indeed, Congress included Section 7103(b) for the rare occasion in which the President, in balancing vital national security needs with the FSLMRS's findings that federal sector collective bargaining is in the public interest, determines it is necessary. It should not be delegated to unelected agency heads who might be tempted to remove agencies and employees out of convenience.

Rescind Executive Order 13950 and Related Memoranda

We urge President Biden to rescind Executive Order 13950, titled "Combating Race and Sex Stereotyping," and to order the Office of Management and Budget (OMB) and Office of Personnel Management (OPM) to withdraw related memoranda. This Order bans diversity and inclusion training in federal agencies, at companies that receive federal government contracts, and within organizations that are awarded federal grants or other awards. In an extraordinary step, the Order further instructs OPM to issue regulations requiring supervisors to take disciplinary action against federal employees who authorize or approve diversity training.

The federal government must be a leader in ensuring a diverse and inclusive workforce that reflects the public it serves. A diverse workforce brings together different talents, experiences, and skills to come up with creative and inventive solutions. It is better able to understand and anticipate the impact of federal action on various segments of the population. And training to assist agencies in diversity and inclusion helps to identify and correct unconscious biases that affect important policy and personnel decisions.

Further, a diverse and inclusive workforce is critical to the government's ability to compete against the private sector and to recruit and retain a skilled workforce. An inclusive workplace fosters increased productivity and employee satisfaction where employees feel that their contribution is of value. Diversity and inclusion training allows for a deeper understanding of each other and a recognition of the value of every employee. It is essential that all employees feel welcomed, included and valued in the workplace.



The federal government must be a leader in ensuring a diverse and inclusive workforce that reflects the public it serves.

APPOINTMENTS

Remove FSIP Members and Replace with Qualified Neutrals with Federal Sector Experience

NTEU urges President Biden to immediately terminate the appointments of all current Federal Service Impasses Panel (FSIP) members and replace them with well-qualified, objective members. Federal sector unions would be better served with all Panel positions vacant until labor relations professionals, who meet the 5 U.S.C. § 7119(c)(2) qualifications requirements and who will fairly resolve bargaining impasses, are appointed.


Although Section 7119(c)(2) requires that Panel members be appointed from “among individuals who are familiar with Government operations and knowledgeable in labor-management relations,” only one of the current members has a background in labor-management relations. Moreover, the current FSIP has brought with them a decidedly hostile attitude toward the role unions play in federal government operations, which is reflected in the fact that the overwhelming majority of their rulings favor agency management, frequently without any evidentiary support in the record. Indeed, one current member is a director at the Freedom Foundation, whose stated purpose is to “reverse the stranglehold” of government unions. Another recently appointed member was president and general counsel of the Fairness Center, a firm providing legal representation to “those hurt by public-sector union officials.” As currently constituted, the Panel is not the neutral mediator that Congress designed to facilitate resolution of bargaining disputes.

While President Trump issued a memo in November 2019 attempting to delegate his authority to remove the members of the FSIP, panel members continue to serve at the President’s pleasure.

Re-Nominate FLRA Member Ernest DuBester and Designate as Chair

We urge President Biden to re-nominate Member Ernest DuBester for another term and to designate him as Chair of the Federal Labor Relations Authority. Member DuBester has served admirably at the FLRA for more than eleven years—including two stints as its Chair—and has been nominated by Presidents of both parties and confirmed by Senates controlled by both parties. He has over forty years of labor-management relations experience and has been a fair arbiter of cases coming before the Authority, applying the law faithfully and appropriately balancing the parties’ interests as called for by the Federal Service Labor-Management Relations Statute.

Member DuBester’s term expired on July 1, 2019. He is in holdover status until July 1, 2021.



The current FSIP has brought with them a decidedly hostile attitude toward the role unions play in federal government operations

Replace FLRA Member James Abbott

We urge President Biden to replace Member James Abbott by nominating a fair-minded individual who will faithfully adhere to the FSLMRS. In contrast to Member DuBester, Member Abbott has revealed himself to be a partisan actor who bases his decisions not on the text of the federal labor statute, but on his own ideology that public sector bargaining is not in the public interest. Based on this view, in his three years with the FLRA, Member Abbott has authored many opinions reversing decades of Authority precedent. *See APPENDIX B* (list of decisions).

Member Abbott's term expired on July 1, 2020. He is in holdover status until July 1, 2022. We urge President Biden to swiftly nominate an individual who recognizes that Congress declared collective bargaining to be "in the public interest" because it "contributes to the effective conduct of public business" and "facilitates and encourages the amicable settlements of disputes between employees and their employers involving conditions of employment." 5 U.S.C. § 7101(a)(1). NTEU stands ready to assist in this endeavor by suggesting viable nominees. With a new member, the FLRA should then prioritize overturning the adverse decisions issued by Member Abbott.

Nominate MSPB Members

We call on the Biden Administration to expeditiously nominate to the Merit Systems Protection Board (MSPB) three qualified members who understand the role the Board plays in serving as the guardian of federal merit systems and in protecting against due process violations and prohibited personnel practices. These members should be fair-minded individuals who possess a keen intellect, a judicial temperament, and who have expertise in federal personnel law. The MSPB has been without a quorum (i.e., at least two members) for over three years, and without any members since March 2019. This has resulted in a backlog of almost 3,000 pending cases. Behind each case is a federal employee — a whistleblower, an individual unfairly removed from her job, a retiree who believes that his retirement benefits have been improperly calculated — each waiting for his or her case to be heard. It is therefore imperative that President Biden swiftly make nominations to the MSPB and that they quickly receive a confirmation vote. We welcome a discussion regarding potential candidates for the nominations.

Nominate FLRA General Counsel

NTEU implores President Biden to nominate a qualified General Counsel for the FLRA at the earliest opportunity. The FLRA has been without a General Counsel — confirmed or acting — for nearly three years. Because of this vacancy, the Authority cannot by statute issue unfair labor practice (ULP) complaints or prosecute those complaints before an Administrative Law Judge. This has resulted in a backlog of hundreds of pending cases where an FLRA Regional Office has determined a complaint has merit, but nonetheless cannot move forward with issuing that complaint and bringing the matter to resolution until a General Counsel is in place. We believe the right nominee for this position would be a fair-minded individual who has extensive experience in federal sector labor law. NTEU offers its assistance in identifying a qualified nominee.

Nominate OMB Director and Deputy Director for Management


We urge President Biden to nominate individuals who have a history of working with employee representatives as the Director of the Office of Management and Budget (OMB) and the Deputy Director for Management (DDM) at OMB. The main function of the OMB Director is the development and execution of the President's Budget. This has a significant impact on the ability of agencies to hire sufficient staff as well as on overall federal employee pay and benefits. The OMB DDM is charged with developing and executing a government-wide management agenda that includes information technology, financial management, procurement, performance and human resources. As such, the DDM is typically in charge of the President's Management Agenda and, in previous administrations, has led plans for agency reorganizations and relocations, hiring reforms, and efforts affecting employee pay, benefits and protections.

Given the Trump Administration's efforts to significantly cut agency budgets and to undermine employee rights, it is critical that President Biden nominate individuals to OMB who not only have extensive management experience, but who also understand and can relate to the challenges facing federal employees. It is especially important that these roles are filled by individuals who understand the concerns of federal employees during a pandemic and beyond, seek to provide clear advice to agencies to protect employee safety, and have a history of working with employees and their representatives.

Nominate OPM Director

Because the Office of Personnel Management serves as the chief human resources agency for the federal government, it is imperative that an OPM Director be swiftly nominated and confirmed. There have been four permanent or acting OPM Directors during the Trump Administration. This persistent change in leadership has left OPM rudderless. OPM employees — indeed, all federal employees — deserve an OPM Director who is superbly qualified and who understands the importance of agencies needing to value their most important assets: their employees.

NTEU urges President Biden to nominate for OPM Director an individual who will change the culture of OPM's regulation-heavy approach to one in which OPM provides more guidance and support to agency-employers. This would allow parties room to negotiate terms of conditions of employment better tailored to agencies' specific missions. Specifically, the OPM Director should act decisively to roll back regulations imposing the Trump Administration's May 2018 Executive Orders. Moreover, once selected, the OPM Director should be given a seat at the table in Cabinet-level discussions to provide feedback on matters concerning how policies will affect and be carried out by the federal workforce. NTEU welcomes the opportunity to work with the Biden Administration in vetting qualified nominees.



The OPM Director should act decisively to roll back regulations imposing the Trump Administration's May 2018 Executive Orders.

Recommended Executive and Legislative Actions for First 100 Days

EXECUTIVE ACTIONS

Provide Agencies Appropriate Funding to Meet their Missions

Internal Revenue Service—Increase staffing and sustain funding

At a time when our nation faces a struggling economy and a growing federal budget deficit, NTEU believes it makes sense to invest in one of the most effective deficit reduction tools: collecting tax revenue that is owed but has not yet been paid to the federal government.

To address the staffing shortage at the Internal Revenue Service (IRS) and to allow the Service to meet its tax enforcement and customer service missions, we urge President Biden to support efforts aimed at ensuring that IRS receive the resources necessary to gradually rebuild the workforce. Specifically, we support a budget that would provide for a 5 percent annual net increase in staffing (roughly 4,000 positions per year) over a four-year period. Consistent and modest annual increases will allow the IRS the time necessary to hire train and deploy qualified professional staff.

Although such an initiative would require a financial commitment, the potential for enhancing compliance and increasing revenues makes it very sound budget policy. A recent study by the Congressional Budget Office estimates that between \$60 billion and \$100 billion in revenue can be generated over a decade through greater investment in the IRS.

According to the IRS, the amount of tax not timely paid is \$440 billion, translating to a noncompliance rate of almost 17 percent. Moreover, recent estimates show that over the next decade, \$7.5 trillion, or nearly 15 percent of owed taxes, will go uncollected. While the tax gap may never be eliminated, a simple one-percent decline in the compliance rate translates into \$30 billion in lost revenue for the government.

Unfortunately, despite widespread acknowledgment that increased resources at the IRS would enhance taxpayer compliance, maximize revenue collection and combat identity theft and other types of tax refund fraud, IRS funding has been cut by more than \$636 million since FY 2010, which has resulted in the loss of more than 29,618 full-time positions, including many frontline customer service and enforcement personnel. The lack of sufficient staffing has strained IRS's ability to serve taxpayers and enforce our nation's tax laws. Without increased and sustained funding, revenue will go uncollected and taxpayers will experience a further degradation of services, including longer wait times to receive assistance over the telephone.

NTEU strongly believes that providing IRS with additional resources will permit the agency to meet the rising workload level, stabilize and strengthen tax compliance and customer service programs, and allow the Service to address the tax gap in a serious and meaningful way.

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Congressional Budget Office

Increase U.S. Government revenue by increasing U.S. Customs and Border Protection staffing

NTEU calls for steady funding and increased investment in U.S. Customs and Border Protection (CBP) staffing to best position CBP to accomplish its mission. CBP Office of Field Operations is responsible for the second largest source of revenue collection for the U.S. government. CBP employees at the 326 ports of entry are responsible for border security, including anti-terrorism, immigration, anti-smuggling, trade compliance and agriculture protection. These employees accomplish a dual mission of safeguarding American ports, while enhancing the nation's global and economic competitiveness by enabling legitimate trade and travel.

Due to the COVID-19 pandemic, trade volume has fallen precipitously resulting in a significant reduction in the amount of user fees collected, resulting in a user fee shortfall for CBP in FY 2020 that funds the salaries and expenses of 8,000 CBP Officers — the effect of which may last several years. This loss of user fee funding could further result in furloughs at a time when trade and travel will be paramount in building back a stronger economy. It is therefore imperative that CBP be provided the funding necessary to replace the loss of user fee revenue to ensure existing levels of trained CBP Officers are maintained so that U.S. borders are immediately prepared to accommodate the increase in business travel once a vaccine is available and trade and travel rebound.

According to CBP's Workload Staffing Model, there is a shortage of approximately 2,200 CBP Officers and 720 Agriculture Specialists nationwide. CBP's role of facilitating legal trade and travel is a significant economic driver for private sector jobs and economic growth. CBP has stated that for every 1,000 CBP officers hired there is an increase in the Gross Domestic Product (GDP) of \$2 billion; \$642 million in opportunity costs are saved (the amount of time that a traveler could be using for purposes other than waiting in line, such as working or enjoying leisure activities); and 33,148 jobs are added annually. To be sure, these are pre-COVID 19 numbers but, as noted, when the world's economies recover, the U.S. economy will suffer if CBP loses ground on staffing, given the time involved in recruiting, vetting and training new staff.



CBP has stated that for every 1,000 CBP officers hired there is an increase in the Gross Domestic Product (GDP) of \$2 billion.

Protect Federal Employee Pay and Benefits

Propose fair pay increases for Federal Employees and the Military

NTEU understands that our economy faces many hurdles in light of the impact from the global COVID-19 pandemic and urges the Biden Administration to recommend pay increases for both the military and civilian federal workforce that ensure the federal government can continue to fill critical positions and to rebuild the nation's middle class. NTEU further urges that pay proposals recognize the important contributions of both the military and civilian service by supporting pay parity between these workforces.

The federal workforce must continue to be a competitive employer to attract the best and the brightest in service to the American people. As the Biden Administration begins to develop its budget recommendations, we urge them to consider the federal pay freezes (2011-2013), reduced pay adjustments (2014-2019), and the approximately \$200 billion dollars federal employees have already contributed toward deficit reduction over the past ten years.

NTEU believes that hard-working civilian employees and the military deserve competitive pay increases, but over the past few years, federal pay increases barely kept up with inflation. The average pay disparity between the federal government and the private sector, according to the Federal Salary Council, is 23.11 percent. An amount far greater than the 5% goal set by the Federal Employees Pay Comparability Act of 1990.

Oppose proposals to further cut retirement, health care and other benefits

NTEU opposes reductions in the value of federal retirement, health care and other benefits that currently make it impossible for employees to contemplate retirement, threaten the income security of federal retirees, and make it more difficult to hire and retain new employees.

As the nation's largest employer, the federal government provides benefits to over 2 million federal employees, retirees and their families. For retirement, most federal employees are covered under the Federal Employees Retirement System (FERS), a carefully crafted retirement system that is a critical factor for successful recruitment and retention in the federal government. Unlike many state retirement systems, FERS is fully funded and financially sound. Federal employees contribute a portion of their pay toward their retirement to achieve a modest retirement income.

Since 2010, Congress has twice increased employee contributions to FERS, essentially cutting take-home pay for those hired after 2012. Federal employees have contributed \$200 billion to deficit reduction, with \$21 billion of that coming solely from increased employee retirement contributions. And the Trump Administration has repeatedly proposed changes that would dramatically dismantle the current retirement system, making employees pay more for a reduced benefit, including: seeking the elimination of the FERS Supplement, moving from a high-3 to a high-5 pension calculation formula, further increasing employee contributions, reducing and eliminating the Cost-of-Living-Adjustment and eroding the TSP's G Fund. Also, under consideration is eliminating the defined benefit pension from FERS for term employees.

Such changes could have a dramatic impact on the government's ability to recruit and retain skilled employees. According to the 2019 OPM Federal Employee Benefits Survey, 79 percent of participants indicated that the availability of a retirement annuity influenced their decision to take a job with the federal government to a "great" or "moderate" extent, while 89 percent of participants indicated that the government's retirement systems influenced their decision to remain with the federal government to a "great" or "moderate" extent.

Many of the approximately 8.2 million federal employees, retirees, and their family members who receive health insurance coverage through the Federal Employees Health Benefits Program (FEHBP), the nation's largest employer-sponsored health insurance program, are already finding it difficult to continue to afford their health insurance coverage because of the continued rise in overall medical costs and the limited federal employee pay raises in recent years. For 2020, FEHBP enrollee premiums increased an average of 5.6 percent, with some participating health insurance plans increasing their premiums by even larger amounts. Like other Americans, federal workers and retirees continue to absorb higher out-of-pocket costs in the form of larger

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79%
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their decision to
remain with the
federal government.

co-pays and co-insurance for office visits, procedures, and prescription drugs. And federal workers already pay a higher share on average for premiums and higher overall deductibles than private-sector workers covered by large, employer-sponsored plans.

Not only do federal employees and their family members rely on the FEHBP to provide comprehensive health care benefits, but federal agencies must offer attractive health care benefits to maintain a skilled, professional workforce. In fact, in the 2019 Federal Employee Benefits Survey, 70 percent of survey respondents reported that the availability of health insurance through the FEHBP influenced their decision to take a federal job to a “moderate” or “great” extent, while 80 percent of respondents reported that the availability of health insurance through the FEHBP influences their decision to stay with their job to a “moderate” or “great extent.”


Finally, federal employees have faced threats to other benefits as well: calls for the elimination of the Public Service Loan Forgiveness Program, which is critical for the recruitment and retention of highly skilled employees with significant educational debt; reducing Federal Employees’ Compensation Act benefits for those workers injured in service to the American people; and reducing the amount of paid leave provided to workers, which helps to attract top talent and reduce turnover. While each of these proposals might appear attractive as cost saving measures to address budget challenges for the federal government, they would have a lasting detrimental effect on agencies’ ability to recruit and retain talented employees to meet their missions and provide critical services.

Stop the Trump Administration’s Plan to Reorganize the Office of Personnel Management

NTEU believes that an independent, central personnel agency outside of the Executive Office of the President is the best way to ensure mission performance. And properly funding the Office of Personnel Management is the best solution. We urge the Biden Administration to actively engage with federal unions to properly identify issues facing OPM and to explore potential changes other than reorganization.

In June 2018, the Trump Administration released a report detailing its plans to reorganize the Executive Branch. That report proposes to break apart OPM, moving core employee policy divisions to the White House and core servicing functions to a newly named “Government Services Agency”. Although recent reports suggest the Trump Administration may finally be backing off these ill-conceived plans, it has not formally done so and could conceivably resurrect them in the ongoing continuing resolution discussions.”

We are deeply concerned that the proposed OPM reorganization neither improves government efficiency nor recognizes the critical importance of OPM’s independence from the White House when making federal employee and workforce management policy. First, it is unclear how this change will improve government efficiency if federal employees and retirees are faced with navigating a bureaucratic maze of various agencies to gather information about their service history, benefits, etc. There is, moreover, no business justification for moving critical employee services to a new entity with no experience in running such programs.



There is no business justification for moving critical employee services to a new entity with no experience in running such programs.

Second, OPM's independent authority over the career civil service must be maintained for our government not to revert to the spoils system. The Trump Administration's report proposes that OPM's policy-making authority be housed in a political arm of the White House. The Civil Service Reform Act of 1978 made clear that the employment system for federal employees is based on merit system principles. OPM was established as an independent agency in the Executive Branch to enforce these principles.

Ensure Fair Federal Contracting by Continuing the Ban on A-76 Competitions

NTEU urges President Biden to continue the moratorium on new A-76 competitions until changes are made to the process to ensure fairness. Given the appropriate tools and resources, federal employees do the work of the federal government better and more efficiently than any private entity. When agencies become reliant on federal contractors, the in-house capacity of agencies to perform many critical functions is eroded, jeopardizing their ability to accomplish their missions.

The Federal Activities Inventory Reform Act of 1998 adopts a statutory definition of the term "inherently governmental functions." Inherently governmental functions must be performed by federal employees and may not be subjected to public-private competitions. Nonetheless, over the years we have seen contractors perform critical and sensitive work such as law enforcement, government facility security, prisoner detention, budget planning, acquisitions, labor-management relations, hiring, and security clearances. According to the Government Accountability Office (GAO), the Department of Homeland Security has used contractors to prepare budgets, develop policy, support acquisitions, develop and interpret regulations, reorganize and plan, and administer A-76 efforts. The explosion in contract spending and the drastic increase in the size of the contract workforce during the Administration of President George W. Bush also led to increased waste, fraud and abuse.

The Obama Administration, noting many of the above issues with the A-76 process, instituted a moratorium on outsourcing while it looked to improve the competitive process. The process has yet to be adequately improved, so NTEU has worked with congressional allies to ensure that the prohibition on new A-76 competitions for federal work remained in place through subsequent appropriations bills.

Ensuring that the outsourcing process is fair and that federal employees are able to compete for work with contractors on an even playing field will allow federal agencies to provide high quality services and will save taxpayer dollars. Until that time, we believe the moratorium is necessary to avoid the unfortunate results of outsourcing government work — increased costs, waste, fraud and abuse, in addition to less transparency and accountability.

LEGISLATIVE ACTIONS

Expand Paid Family Leave to Taking Care of Family Members and Personal Serious Health Conditions

NTEU calls on President Biden to push for the financial protections working families need to navigate serious health events and to support military families while family members are deployed abroad. Of the world's major economies, the United States is alone in not federally providing or mandating paid family leave. The passage of the Family Medical Leave Act in 1993 was a step in the right direction, ensuring twelve weeks of unpaid time off for individuals or family members with serious health conditions. But it is not enough. Working families should not have to choose between caring for their loved ones and risking their economic security.

There is, moreover, widespread consensus that paid family leave results in higher productivity, improved retention rates, better talent acquisition and increased morale. The enactment of paid parental leave in 2019 helped to provide new parents with that economic security to be able to care for and bond with their child without fear of losing their jobs or their income. It is now time to provide this same security to employees who face serious health events, must care for a family member with a serious health condition, or assist a loved one when their spouse or family member is deployed abroad on active military service.

Cease Private Tax Collections

NTEU believes IRS employees are more efficient and cost effective at collecting taxes. The collection of taxes is an inherently governmental function and should not be contracted out. The required use of private debt collectors to collect tax debts harms taxpayers by exposing them to potential abuses and violations of taxpayers' rights. Use of private debt collectors has led to an increase in the unproductive inventory assigned to private debt collectors, unnecessarily discloses taxpayer information, and disproportionately impacts low-income taxpayers causing economic hardships. NTEU believes that, given the current economic climate, it is more important than ever that taxpayers deal with the IRS directly to work through any financial difficulties they may encounter. Finally, the funds used for private collectors would be better utilized by the U.S. Treasury to aid Americans rather than lining the pockets of private companies.

Protect Scientific Integrity

NTEU strongly urges enactment of the Scientific Integrity Act (H.R. 1709/S. 775) See **APPENDIX C**. This legislation protects the professional integrity of federal scientists, researchers and other professionals from inappropriate political pressure and influence that could compromise their work. Introduced in the House of Representatives by Representative Paul Tonko (D-NY) and in the Senate by Senator Brian Schatz (D-HI), the legislation has already advanced through the House Science Committee with bipartisan support.

NTEU represents thousands of federal scientists, researchers, chemists, and other highly skilled professionals. These dedicated public servants work at the Environmental Protection Agency, Food and Drug Administration, Department of Energy, USDA Food and Nutrition Service, HHS Substance Abuse and Mental Health Services Administration and other agencies where they do an outstanding job at providing their agencies with solid, factual, well-researched information to help in their mission. Outside political interference in their fact-based work threatens to harm the health and well-being of the American people as well as the environment we all live in.

Protect Federal Employees in Sensitive Positions

NTEU strongly supports passage of H.R. 5560, introduced by Representative Eleanor Holmes Norton (D-DC). *See APPENDIX D.* Since 2014, NTEU has been working with Rep. Holmes Norton to clarify employees' appeal rights. The proposed bill restores the Merit Systems Protection Board's authority to review an agency's determination that an employee is ineligible for a sensitive position.

The MSPB held in 2010 that it was empowered to fully review an adverse action taken against an employee because he or she is deemed, by an agency, to be "ineligible" to hold a "sensitive" position. Such review would necessarily include review of the agency's eligibility determination. In so holding, the Board distinguished cases in which an employee has access to classified information; long-standing Supreme Court precedent holds that, in access-to-classified-information cases, the scope of Board review is limited solely to determining whether the employee received due process.

In 2013, the U.S. Court of Appeals for the Federal Circuit reversed the Board's decision. That means that employees in sensitive positions who do not have access to classified information are unable to receive full review of an adverse action determination taken against them in connection with their ineligibility to hold their sensitive position — no matter how attenuated the connection or position designation. This decision could leave many "sensitive position" employees with little ability to ensure that adverse actions taken against them are legally appropriate. And employees could be deemed ineligible due to any number of reasons including inaccurate financial information, personal dislike or whistleblower activities.

D.C. Statehood

NTEU strongly supports H.R. 51, the Washington, DC Admission Act. *See APPENDIX E.* This bill, introduced by Representative Eleanor Holmes Norton (D-DC), would correct a grave injustice, namely the disenfranchisement of American citizens who live in the District of Columbia. These 700,000 Americans, some of whom are members of our union, bear all of the responsibilities of other American citizens: they pay taxes, serve on juries, are subject to federal laws and, many are bravely serving their country on overseas military assignments or in other ways. They should have voting representation in the legislative chambers that make these laws and set these taxes which they are obligated to follow. No American citizen should be a second-class citizen.

APPENDIX A

Modified Executive Order 12871

Presidential Executive Order

Labor—Management Partnerships

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish a cooperative and productive form of labor-management relations throughout the executive branch, it is hereby ordered as follows:

Section 1. Policy.

Federal employees and their union representatives are an essential source of front-line ideas and information about the realities of delivering Government services to the American people. A non-adversarial forum for managers, employees, and employees' union representatives to discuss Government operations will promote satisfactory labor relations and improve the productivity and effectiveness of the Federal Government. Labor-management forums, as complements to the existing collective bargaining process, will allow managers and employees to collaborate in continuing to deliver the highest quality services to the American people. Management should discuss workplace challenges and problems with labor and endeavor to develop solutions jointly, rather than advise union representatives of predetermined solutions to problems and then engage in bargaining over the impact and implementation of the predetermined solutions.

Section 2. The National Partnership Council.

(a) Establishment and Membership. There is established the National Partnership Council ("Council").

The Council shall comprise the following members appointed by the President:

- (1) Director of the Office of Personnel Management ("OPM");
- (2) Deputy Secretary of Labor;
- (3) Deputy Director for Management, Office of Management and Budget;
- (4) Chair, Federal Labor Relations Authority;
- (5) Federal Mediation and Conciliation Service Director;
- (6) President, American Federation of Government Employees, AFL-CIO;
- (7) President, National Federation of Federal Employees;
- (8) President, National Treasury Employees Union;
- (9) Secretary-Treasurer of the Public Employees Department, AFL-CIO; and
- (10) A deputy Secretary or other officer with department- or agency-wide authority from two executive departments or agencies (hereafter collectively "agency"), not otherwise represented on the Council.

Members shall have two-year terms on the Council, which may be extended by the President.

- (b) Responsibilities and Functions. The Council shall advise the President on matters involving labor-management relations in the executive branch. Its activities shall include:
- (1) supporting the creation of labor-management partnerships and promoting partnership efforts in the executive branch, to the extent permitted by law;
 - (2) proposing to the President by January 2022 statutory changes necessary to achieve the objectives of this order;
 - (3) collecting and disseminating information about, and providing guidance on, partnership efforts in the executive branch, including results achieved, to the extent permitted by law;
 - (4) utilizing the expertise of individuals both within and outside the Federal Government to foster partnership arrangements; and
 - (5) discussing proposed legislation and government-wide regulations (prior to their proposal) impacting federal employees.
- (c) Administration.
- (1) The President shall designate a member of the Council who is a full-time Federal employee to serve as Chairperson. The responsibilities of the Chairperson shall include scheduling meetings of the Council.
 - (2) Council shall seek input from nonmember Federal agencies, particularly smaller agencies. It also may, from time to time, invite experts from the private and public sectors to submit information. The Council shall also seek input from companies, nonprofit organizations, State and local governments, Federal Government employees, and customers of Federal Government services, as needed.
 - (3) To the extent permitted by law and subject to the availability of appropriations, OPM shall provide such facilities, support, and administrative services to the Council as the Director of OPM deems appropriate.
 - (4) Members of the Council shall serve without compensation for their work on the Council, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law, for persons serving intermittently in Government service.
 - (5) All agencies shall, to the extent permitted by law, provide to the Council such assistance, information, and advice as the Council may request.
- (d) General.
- (1) I have determined that the Council shall be established in compliance with the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2).
 - (2) Notwithstanding any other executive order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, that are applicable

to the Council, shall be performed by the Director of OPM, in accordance with guidelines and procedures issued by the Administrator of General Services.

- (3) Members of the Council who are not otherwise officers or employees of the Federal Government shall serve in a representative capacity and shall not be considered special Government employees for any purpose.

Section 3. Implementation of Labor-Management Partnerships Throughout the Executive Branch.

The head of each agency subject to the provisions of chapter 71 of title 5, United States Code shall:

- (a) create labor-management partnerships by forming labor-management committees or councils at appropriate levels, or adapting existing councils or committees if such groups exist, to help reform Government;
- (b) involve employees and their union representatives as full partners with management representatives to identify problems and craft solutions to better serve the agency's customers and mission;
- (c) provide systematic training of appropriate agency employees (including line managers, first line supervisors, and union representatives who are Federal employees) in consensual methods of dispute resolution, such as alternative dispute resolution techniques and interest-based bargaining approaches;
- (d) negotiate over the subjects set forth in 5 U.S.C. 7106 (b)(1), and instruct subordinate officials to do the same; and
- (e) evaluate progress and improvements in organizational performance resulting from the labor-management partnerships.

Section 4. No Administrative or Judicial Review.

This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

APPENDIX B

List of FLRA Decisions

Decisions Narrowing Scope of Collective Bargaining

1. NTEU and FNS, 71 FLRA No. 133 (2020) (right to establish the frequency of telework is an inherent management right)
2. BOP, FCI, Miami and AFGE, Local 3960, 71 FLRA No. 125 (2020) (Steelworkers trilogy is essentially inapplicable in federal sector)
3. DOE, Western Power Admin. and AFGE, Local 3824, 71 FLRA No. 20 (2019) (if the agency has sole discretion to set pay, application of that discretion is not arbitrable)
4. U.S. Dept. of Education and U.S. Dept. of Agriculture, 71 FLRA No. 190 (2020) (abandoning longstanding precedent that the duty to bargain is triggered for any non “de minimis” change and replacing it with requirement that agency proposal is a “clear and meaningful” substantial change)
5. U.S. Office of Personnel Management, 71 FLRA No. 191 (2020) (taking away statutory right to midterm bargaining over issues that arise during the term of a collective bargaining agreement that the contract does not address)
6. U.S. Dept. of Agriculture, 71 FLRA No. 192 (2020) (allowing agencies to unilaterally alter a collective bargaining agreement, through agency head review, despite a continuance provision where the parties agreed that the CBA will remain in full force and effect pending the negotiation and execution of a new agreement)

Decisions Undermining Role of Grievance Arbitration in FSLMRS Scheme

7. Dept. of Treasury, IRS and NTEU, 70 FLRA 806 (2018) (significantly expanding grounds for interlocutory exceptions to arbitration awards)
8. Navy, Bremerton and Bremerton Metal Trades Council, 70 FLRA No. 152 (2018) (arbitrators may not rely on a past practice to create a new contract provision)
9. AFGE, Local 3294 and HUD, 70 FLRA 342 (2018) (allowing direct challenges to arbitrators’ procedural arbitrability determinations)
10. DOJ, Bureau of Prisons and AFGE, Local 817 and Council of Prisons Locals 33, 70 FLRA 398 (2018) (establishing new, subjective standard for overturning arbitration awards that are not “reasonably and proportionally” related to the contract violation, even if the requirements of the Back Pay Act are satisfied)

Attorneys’ Fees

11. AFGE, Local 1633 and VA, DeBaKey Med. Ctr., Houston, 71 FLRA No. 38 (2019) (decreased reliance on longstanding Allen factors in attorney fee cases)

Bargaining Unit Status

12. Dept. of Veterans Affairs, VA Medical Center, Kansas City, MO and AFGE, 70 FLRA

465 (2018) (overruling previous interpretation of Section 7112(b)(3) to require an analysis of whether personnel duties were performed in a routine manner or whether the incumbent exercised independent judgment or discretion)

13. Export-Import Bank of the US and AFGE, 71 FLRA 248 (2019) (extending definition of “professional employees” to include positions that do not require a bachelor or higher degree)

Official Time

14. U.S. Department of Homeland Security, U.S. Customs and Border Protection and American Federation of Government Employees, National Border Patrol Council, Chapter 2499, 71 FLRA 119 (2019) (interpreting Section 7131(d) to give management a right independent of negotiated procedures to question union representatives about their need for any use of official time)

Investigatory Interviews

15. DOJ, Federal Bureau of Prisons, FCI Englewood, CO and AFGE, Local 709, 70 FLRA 372 (2018) (creating an outcome determinative test for remedies for violating employees’ right to union representation)

Decisions Narrowing Scope of Grievance Procedure

16. Small Business Admin. and AFGE, Local 3841, 70 FLRA No. 145 (2018) (greatly expanding § 7121(c)(5) classification bar of HGD grievances); see also, Dept. of Treasury, IRS and NTEU, Chapter 97, 71 FLRA No. 150 (2020) (effectively declaring certain Art 16 provisions in IRS/NTEU contrary to law)
17. Dept. of Navy, Navy Mid-Atlantic Region, Norfolk, VA and Int’l Brotherhood of Police Officers, Local 800, 70 FLRA 512 (2018) (eliminating distinction between statutory ULPs and contract violations for purposes of Section 7116(d))

APPENDIX C

H.R. 1709



I

116TH CONGRESS
1ST SESSION

H.R. 1709

To amend the America COMPETES Act to establish certain scientific integrity policies for Federal agencies that fund, conduct, or oversee scientific research, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2019

Mr. TONKO (for himself, Ms. JOHNSON of Texas, Ms. STEVENS, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To amend the America COMPETES Act to establish certain scientific integrity policies for Federal agencies that fund, conduct, or oversee scientific research, and for other purposes.

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 “Scientific Integrity
5 Act”.

6 SEC. 2. SENSE OF CONGRESS.

7 It is the sense of Congress that—

2

1 (1) science and the scientific process should in-
2 form and guide public policy decisions on a wide
3 range of issues, including improvement of public
4 health, protection of the environment, and protection
5 of national security;

6 (2) the public must be able to trust the science
7 and scientific process informing public policy deci-
8 sions;

9 (3) science, the scientific process, and the com-
10 munication of science should be free from politics,
11 ideology, and financial conflicts of interest;

12 (4) policies and procedures that ensure the in-
13 tegrity of the conduct and communication of publicly
14 funded science are critical to ensuring public trust;

15 (5) Federal agencies that fund, conduct, or
16 oversee research should promote and maximize the
17 communication and open exchange of data and find-
18 ings to other agencies, policymakers, and the public
19 of research conducted by a scientist or engineer em-
20 ployed or contracted by a Federal agency that funds,
21 conducts, or oversees scientific research; and

22 (6) Federal agencies that fund, conduct, or
23 oversee research should work to prevent the suppress-
24 sion or distortion of the data and findings.

□HR 1709 H

3

1 SEC. 3. AMENDMENT TO AMERICA COMPETES ACT.

2 Section 1009 of the America COMPETES Act (42
3 U.S.C. 6620) is amended to read as follows:

4 “(a) PROHIBITED CONDUCT.—No covered individual
5 shall—

6 “(1) engage in dishonesty, fraud, deceit, mis-
7 representation, coercive manipulation, or other sci-
8 entific or research misconduct;

9 “(2) suppress, alter, interfere with, or otherwise
10 impede the timely release and communication of, sci-
11 entific or technical findings;

12 “(3) intimidate or coerce an individual to alter
13 or censor, or retaliate against an individual for fail-
14 ure to alter or censor, scientific or technical find-
15 ings; or

16 “(4) implement institutional barriers to co-
17 operation and the timely communication of scientific
18 or technical findings.

19 “(b) SCIENTIFIC PUBLICATIONS AND CON-
20 FERENCES.—

21 “(1) DISSEMINATION OF FINDINGS.—Subject to
22 existing law, a covered individual may disseminate
23 scientific or technical findings—

24 “(A) by participating in scientific con-
25 ferences; and

□HR 1709 H

4

1 “(B) seeking publication in online and
2 print publications through peer-reviewed, pro-
3 fessional, or scholarly journals.

4 “(2) REVIEW BY AGENCIES.—

5 “(A) IN GENERAL.—A covered agency may
6 require a covered individual to, before dissemi-
7 nating scientific or technical findings under
8 paragraph (1), submit the findings to the cov-
9 ered agency so that the agency may conduct a
10 review of the data and findings for technical ac-
11 curacy and compliance with subsection (a).

12 “(B) APPROVAL.—If a covered agency does
13 not complete the review under subparagraph
14 (A) of data and findings submitted by a covered
15 individual within 30 days of the submission—

16 “(i) the submission shall be deemed
17 approved by the covered agency; and

18 “(ii) the covered individual may pro-
19 ceed with plans to disseminate the sci-
20 entific or technical findings.

21 “(c) LEADERSHIP IN THE SCIENTIFIC COMMU-
22 NITY.—Subject to applicable law governing ethics and con-
23 flicts of interest, a covered individual may—

24 “(1) sit on scientific advisory or governing
25 boards;

□HR 1709 H

5

1 “(2) join or hold leadership positions on sci-
2 entific councils, societies, unions, and other profes-
3 sional organizations;

4 “(3) contribute to the academic peer-review
5 process as reviewers or editors; and

6 “(4) participate and engage with the scientific
7 community.

8 “(d) PUBLIC STATEMENTS ON BASIC OR APPLIED
9 RESEARCH.—Whenever a covered agency seeks to make
10 a public statement about the conclusions of basic or ap-
11 plied research in science or engineering conducted by a
12 covered individual—

13 “(1) the covered individual shall have the op-
14 portunity to review the public statement for tech-
15 nical accuracy; and

16 “(2) if an inaccuracy is discovered as a result
17 of the review under paragraph (1), the covered agen-
18 cy and the covered individual shall jointly revise the
19 public statement.

20 “(e) INTERVIEW REQUESTS ON RESEARCH; PER-
21 SONAL STATEMENTS.—

22 “(1) INTERVIEW REQUESTS TO COVERED INDI-
23 VIDUALS.—A covered individual may respond to
24 media interview requests regarding their scientific or
25 technical findings from research conducted by the

□HR 1709 H

6

1 individual without prior approval from the covered
2 agency supporting the research of the covered indi-
3 vidual, but the covered agency may require the cov-
4 ered individual to report the subject of any such
5 interview.

6 “(2) INTERVIEW REQUESTS TO AGENCIES.—In
7 the event a covered agency supporting the research
8 of a covered individual receives a media interview re-
9 quest regarding that research, the covered agency
10 shall—

11 “(A) offer the covered individual the choice
12 of responding to the interview directly; or

13 “(B) provide a knowledgeable spokesperson
14 who can, in an objective, nonpartisan, and ar-
15 ticulate manner, describe and explain the sci-
16 entific and technical findings to the media and
17 the people of the United States.

18 “(3) PERSONAL STATEMENTS.—A covered indi-
19 vidual may present viewpoints in an interview under
20 paragraphs (1) and (2) that extend beyond the sci-
21 entific or technical findings of the covered individual,
22 and incorporate the expert or personal opinions of
23 the covered individual, including on matters of policy
24 only if the covered individual indicates that they are
25 presenting their individual opinions.

□HR 1709 H

7

1 “(4) CONFLICTS OF INTEREST.—Any covered
2 individual presenting viewpoints under paragraph
3 (3) shall disclose any apparent, potential, or actual
4 financial conflicts of interest or non-financial con-
5 flicts of interest.

6 “(5) BIOGRAPHICAL INFORMATION.—Any cov-
7 ered individual presenting viewpoints under para-
8 graph (3) may note their affiliation with a covered
9 agency as part of their biographical information,
10 provided that the affiliation is noted as 1 of several
11 biographical details of the covered individual.

12 “(f) SCIENTIFIC INTEGRITY POLICIES.—Not later
13 than 90 days after the date of enactment of the Scientific
14 Integrity Act, the head of each covered agency shall—

15 “(1) develop, adopt, and enforce a scientific in-
16 tegrity policy; and

17 “(2) submit the scientific integrity policy to the
18 Director of the Office of Science and Technology
19 Policy and Congress.

20 “(g) REQUIREMENTS.—A scientific integrity policy
21 under subsection (b) shall—

22 “(1) be consistent with the principles estab-
23 lished under subsections (a) through (d);

8

1 “(2) specifically address what is and what is
2 not permitted or recommended under that policy, in-
3 cluding procedures;

4 “(3) be specifically designed for the covered
5 agency;

6 “(4) be applied uniformly throughout the cov-
7 ered agency; and

8 “(5) be publicly accessible and widely commu-
9 nicated to all employees, private contractors, and
10 grantees of the covered agency.

11 “(h) CONTENTS.—In addition to the requirements in
12 subsection (g), each scientific integrity policy under sub-
13 section (g) shall, at a minimum, ensure that—

14 “(1) scientific conclusions are not made based
15 on political considerations;

16 “(2) the selection and retention of candidates
17 for science and technology positions in the covered
18 agency are based primarily on the candidate’s exper-
19 tise, scientific credentials, experience, and integrity;

20 “(3) no covered individual shall suppress, alter,
21 interfere, or otherwise impede the timely release and
22 communication of scientific or technical findings;

23 “(4) personnel actions regarding covered indi-
24 viduals, except for political appointees, are not made
25 based on political consideration or ideology;

□HR 1709 H

9

1 “(5) covered individuals cannot intimidate or
2 coerce others to alter or censor scientific findings;

3 “(6) covered individuals adhere to the highest
4 ethical and professional standards in conducting
5 their research and disseminating their findings;

6 “(7) the appropriate rules, procedures, and
7 safeguards are in place to ensure the integrity of the
8 scientific process within the covered agency;

9 “(8) scientific or technological information con-
10 sidered in policy decisions is subject to well-estab-
11 lished scientific processes, including peer review
12 where appropriate;

13 “(9) procedures, including any applicable whis-
14 tleblower protections, are in place as are necessary
15 to ensure the integrity of scientific and technological
16 information and processes on which the covered
17 agency relies in its decision making or otherwise
18 uses; and

19 “(10) include enforcement processes consistent
20 for an administrative hearing and an administrative
21 appeal.

22 “(i) APPLICATION.—Each scientific integrity policy
23 adopted under subsection (f) shall apply to covered indi-
24 viduals.

10

1 “(j) SCIENTIFIC INTEGRITY OFFICER.—Not later
2 than 30 days after the date of enactment of this Act, each
3 covered agency shall appoint a Scientific Integrity Officer,
4 who shall—

5 “(1) be a career employee at the covered agency
6 in an science and professional positions;

7 “(2) have substantial technical knowledge and
8 expertise in conducting and overseeing scientific re-
9 search; and

10 “(3) direct the activities and duties described in
11 subsections (k), (l), and (m).

12 “(k) POLICIES, PROCESS, AND TRAINING.—Not later
13 than 180 days after the date of enactment of this Act,
14 each covered agency shall adopt and implement—

15 “(1) an administrative process and administra-
16 tive appeal for dispute resolution consistent with the
17 covered agency’s scientific integrity policy adopted
18 under subsection (f); and

19 “(2) a training program to—

20 “(A) provide regular scientific integrity
21 and ethics training to employees and contrac-
22 tors of the covered agency;

23 “(B) provide new covered employees with
24 training within one month of commencing em-
25 ployment;

□HR 1709 H

11

1 “(C) provide information to ensure that
2 covered individuals are fully aware of their
3 rights and responsibilities regarding the con-
4 duct of scientific research, publication of sci-
5 entific research, communication with the media
6 and the public regarding scientific research; and

7 “(D) provide information to ensure that
8 covered individuals are fully aware of their
9 rights and responsibilities for administrative
10 hearings and appeals established in the covered
11 agency’s scientific integrity policy.

12 “(I) REPORTING.—Each Scientific Integrity Officer
13 appointed by a covered agency under subsection (j) shall
14 post an annual report on the public website of the covered
15 agency that includes—

16 “(1) the number of misconduct cases filed for
17 administrative redress for the year covered by the
18 report;

19 “(2) the number of misconduct cases petitioned
20 for administrative appeal for the year covered by the
21 report; and

22 “(3) the number of cases still pending from
23 years prior to the year covered by the report, if any.

12

1 “(m) RECORD.—Each scientific integrity policy, pro-
2 cess, and report produced by a covered agency under this
3 section shall be—

4 “(1) submitted to—

5 “(A) the Committee on Commerce,
6 Science, and Transportation of the Senate;

7 “(B) the Committee on Science, Space,
8 and Technology of the House of Representa-
9 tives; and

10 “(C) the Office of Science and Technology
11 Policy; and

12 “(2) made available to the public on the website
13 of the covered agency.

14 “(n) COORDINATION BY THE OFFICE OF SCIENCE
15 AND TECHNOLOGY POLICY.—The Office of Science and
16 Technology Policy shall collate, organize, and publicly
17 share all information it receives under subsection (m) in
18 one place on its own website. In addition, the Director of
19 the Office of Science and Technology Policy shall, on an-
20 nual basis, convene the Scientific Integrity Officer of each
21 covered agency appointed under subsection (j) to discuss
22 best practices for implementing the requirements of this
23 section.

24 “(o) DEFINITIONS.—In this section:

13

1 “(1) AGENCY.—The term ‘agency’ has the
2 meaning given the term in section 551 of title 5,
3 United States Code.

4 “(2) COVERED AGENCY.—The term ‘covered
5 agency’ means an agency that funds, conducts, or
6 oversees scientific research.

7 “(3) COVERED INDIVIDUAL.—The term ‘cov-
8 ered individual’ means a Federal employee or con-
9 tractor who—

10 “(A) is engaged in, supervises, or manages
11 scientific activities;

12 “(B) analyzes or publicly communicates in-
13 formation resulting from scientific activities; or

14 “(C) uses scientific information or analyses
15 in making bureau, office, or agency policy, man-
16 agement, or regulatory decisions.

17 “(4) PUBLIC STATEMENT.—The term ‘public
18 statement’ means any communication that is in-
19 tended for, or should reasonably be expected to have,
20 broad distribution outside the Federal Government,
21 including—

22 “(A) public speeches, news releases and
23 advisories, news conferences, broadcast appear-
24 ances, and interviews or discussions with jour-
25 nalists;

□HR 1709 H

14

1 “(B) public writings, such as articles or
2 papers in publications or other writings distrib-
3 uted through mass-mailing, e-mail, or posting
4 on a website or social media platform;

5 “(C) materials and presentations for public
6 educational instruction, lectures, conferences,
7 seminars, and similar venues; and

8 “(D) public distribution of audiovisual
9 works, such as slide sets, PowerPoint presen-
10 tations, podcasts, online video, and exhibits.”.

11 **SEC. 4. EXISTING POLICIES; CLARIFICATION.**

12 (a) **EXISTING SCIENTIFIC INTEGRITY POLICIES.**—
13 Notwithstanding the amendments made by this Act, a cov-
14 ered agency’s scientific integrity policy that was in effect
15 on the day before the date of enactment of this Act may
16 satisfy the requirements of this Act if the head of the cov-
17 ered agency—

18 (1) makes a written determination that the pol-
19 icy satisfies the requirements of that section; and

20 (2) submits the written determination and the
21 policy to the Director of the Office of Science and
22 Technology Policy for review.

23 (b) **CLARIFICATION.**—Nothing in this Act shall affect
24 the application of United States copyright law.

15

1 (c) COVERED AGENCY DEFINED.—The term “cov-
2 ered agency” has the meaning given the term in section
3 1009 of the America COMPETES Act (42 U.S.C. 6620).

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□HR 1709 H

APPENDIX D

H.F. 5560

116TH CONGRESS
2D SESSION

H.R. 5560

To amend chapter 77 of title 5, United States Code, to clarify certain due process rights of Federal employees serving in sensitive positions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2020

Ms. NORTON (for herself and Mr. CARSON of Indiana) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend chapter 77 of title 5, United States Code, to clarify certain due process rights of Federal employees serving in sensitive positions, and for other purposes.

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. AMENDMENTS.

4 Section 7701 of title 5, United States Code, is
5 amended—

6 (1) by redesignating subsection (k) as sub-
7 section (l); and

8 (2) by inserting after subsection (j) the fol-
9 lowing:

2

1 “(k)(1) An employee or applicant for employment ap-
2 pealing an action arising from a determination of ineligi-
3 bility for a sensitive position may not be denied Board re-
4 view of the merits of such determination if—

5 “(A) the position is not one that requires a se-
6 curity clearance or access to classified information;
7 and

8 “(B) such action is otherwise appealable.

9 “(2) For purposes of this subsection, the term ‘sen-
10 sitive position’ means any position so designated pursuant
11 to Executive Order 10450 (5 U.S.C. 7311 note) or, if su-
12 perseded, a successor Executive order.”.

13 **SEC. 2. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply to all
15 appeals, without exception, that are pending on, or com-
16 menced on or after, the date of the enactment of this Act.

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APPENDIX E

H.R. 51

II

Calendar No. 522

116TH CONGRESS
2D SESSION

H. R. 51

IN THE SENATE OF THE UNITED STATES

JUNE 29, 2020

Received

AUGUST 13, 2020

Read the first time

SEPTEMBER 8, 2020

Read the second time and placed on the calendar

AN ACT

To provide for the admission of the State of Washington,
D.C. 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
5 “Washington, D.C. Admission Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—STATE OF WASHINGTON, D.C.

2

Subtitle A—Procedures for Admission

- Sec. 101. Admission into the Union.
- Sec. 102. Election of Senators and Representative.
- Sec. 103. Issuance of presidential proclamation.

Subtitle B—Seat of Government of the United States

- Sec. 111. Territory and boundaries.
- Sec. 112. Description of Capital.
- Sec. 113. Retention of title to property.
- Sec. 114. Effect of admission on current laws of seat of Government of United States.
- Sec. 115. Capital National Guard.
- Sec. 116. Termination of legal status of seat of Government of United States as municipal corporation.

Subtitle C—General Provisions Relating to Laws of State

- Sec. 121. Effect of admission on current laws.
- Sec. 122. Pending actions and proceedings.
- Sec. 123. Limitation on authority to tax Federal property.
- Sec. 124. United States nationality.

TITLE II—INTERESTS OF FEDERAL GOVERNMENT

Subtitle A—Federal Property

- Sec. 201. Treatment of military lands.
- Sec. 202. Waiver of claims to Federal property.

Subtitle B—Federal Courts

- Sec. 211. Residency requirements for certain Federal officials.
- Sec. 212. Renaming of Federal courts.
- Sec. 213. Conforming amendments relating to Department of Justice.
- Sec. 214. Treatment of pretrial services in United States District Court.

Subtitle C—Federal Elections

- Sec. 221. Permitting individuals residing in Capital to vote in Federal elections in State of most recent domicile.
- Sec. 222. Repeal of Office of District of Columbia Delegate.
- Sec. 223. Repeal of law providing for participation of seat of government in election of President and Vice-President.
- Sec. 224. Expedited procedures for consideration of constitutional amendment repealing 23rd Amendment.

TITLE III—CONTINUATION OF CERTAIN AUTHORITIES AND RESPONSIBILITIES

Subtitle A—Employee Benefits

- Sec. 301. Federal benefit payments under certain retirement programs.
- Sec. 302. Continuation of Federal civil service benefits for employees first employed prior to establishment of District of Columbia merit personnel system.
- Sec. 303. Obligations of Federal Government under judges' retirement program.

HR 51 PCS

3

Subtitle B—Agencies

- Sec. 311. Public Defender Service.
- Sec. 312. Prosecutions.
- Sec. 313. Service of United States Marshals.
- Sec. 314. Designation of felons to facilities of Bureau of Prisons.
- Sec. 315. Parole and supervision.
- Sec. 316. Courts.

Subtitle C—Other Programs and Authorities

- Sec. 321. Application of the College Access Act.
- Sec. 322. Application of the Scholarships for Opportunity and Results Act.
- Sec. 323. Medicaid Federal medical assistance percentage.
- Sec. 324. Federal planning commissions.
- Sec. 325. Role of Army Corps of Engineers in supplying water.
- Sec. 326. Requirements to be located in District of Columbia.

TITLE IV—GENERAL PROVISIONS

- Sec. 401. General definitions.
- Sec. 402. Statehood Transition Commission.
- Sec. 403. Certification of enactment by President.
- Sec. 404. Severability.

1 **TITLE I—STATE OF**
 2 **WASHINGTON, D.C.**
 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 the issuance of the proclamation required by
 8 section 103(a), the State of Washington, Douglass Com-
 9 monwealth is declared to be a State of the United States
 10 of America, and is declared admitted into the Union on
 11 an equal footing with the other States in all respects what-
 12 ever.

13 (b) **CONSTITUTION OF STATE.**—The State Constitu-
 14 tion shall always be republican in form and shall not be

4

1 repugnant to the Constitution of the United States or the
2 principles of the Declaration of Independence.

3 (c) NONSEVERABILITY.—If any provision of this sec-
4 tion, or the application thereof to any person or cir-
5 cumstance, is held to be invalid, the remaining provisions
6 of this Act and any amendments made by this Act shall
7 be treated as invalid.

8 **SEC. 102. ELECTION OF SENATORS AND REPRESENTATIVE.**

9 (a) ISSUANCE OF PROCLAMATION.—

10 (1) IN GENERAL.—Not more than 30 days after
11 receiving certification of the enactment of this Act
12 from the President pursuant to section 403, the
13 Mayor shall issue a proclamation for the first elec-
14 tions for 2 Senators and one Representative in Con-
15 gress from the State, subject to the provisions of
16 this section.

17 (2) SPECIAL RULE FOR ELECTIONS OF SEN-
18 ATORS.—In the elections of Senators from the State
19 pursuant to paragraph (1), the 2 Senate offices shall
20 be separately identified and designated, and no per-
21 son may be a candidate for both offices. No such
22 identification or designation of either of the offices
23 shall refer to or be taken to refer to the terms of
24 such offices, or in any way impair the privilege of

HR 51 PCS

5

1 the Senate to determine the class to which each of
2 the Senators shall be assigned.

3 (b) RULES FOR CONDUCTING ELECTIONS.—

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

12 (2) CERTIFICATION OF RESULTS.—Election re-
13 sults shall be certified in the manner required by the
14 laws of the District of Columbia, except that the
15 Mayor shall also provide written certification of the
16 results of such elections to the President.

17 (c) ASSUMPTION OF DUTIES.—Upon the admission
18 of the State into the Union, the Senators and Representa-
19 tive elected at the elections described in subsection (a)
20 shall be entitled to be admitted to seats in Congress and
21 to all the rights and privileges of Senators and Represent-
22 atives of the other States in Congress.

23 (d) EFFECT OF ADMISSION ON HOUSE OF REP-
24 RESENTATIVES MEMBERSHIP.—

HR 51 PCS

6

1 (1) PERMANENT INCREASE IN NUMBER OF
2 MEMBERS.—Effective with respect to the Congress
3 during which the State is admitted into the Union
4 and each succeeding Congress, the House of Rep-
5 resentatives shall be composed of 436 Members, in-
6 cluding any Members representing the State.

7 (2) INITIAL NUMBER OF REPRESENTATIVES
8 FOR STATE.—Until the taking effect of the first ap-
9 portionment of Members occurring after the admis-
10 sion of the State into the Union, the State shall be
11 entitled to one Representative in the House of Rep-
12 resentatives upon its admission into the Union.

13 (3) APPORTIONMENT OF MEMBERS RESULTING
14 FROM ADMISSION OF STATE.—

15 (A) APPORTIONMENT.—Section 22(a) of
16 the Act entitled “An Act to provide for the fif-
17 teenth and subsequent decennial censuses and
18 to provide for apportionment of Representatives
19 in Congress”, approved June 18, 1929 (2
20 U.S.C. 2a(a)), is amended by striking “the then
21 existing number of Representatives” and insert-
22 ing “436 Representatives”.

23 (B) EFFECTIVE DATE.—The amendment
24 made by subparagraph (A) shall apply with re-
25 spect to the first regular decennial census con-

7

1 ducted after the admission of the State into the
2 Union and each subsequent regular decennial
3 census.

4 **SEC. 103. ISSUANCE OF PRESIDENTIAL PROCLAMATION.**

5 (a) **IN GENERAL.**—The President, upon the certifi-
6 cation of the results of the elections of the officers re-
7 quired to be elected as provided in section 102(a), shall,
8 not later than 90 days after receiving such certification
9 pursuant to section 102(b)(2), issue a proclamation an-
10 nouncing the results of such elections as so ascertained.

11 (b) **ADMISSION OF STATE UPON ISSUANCE OF PROC-**
12 **LAMATION.**—Upon the issuance of the proclamation by the
13 President under subsection (a), the State shall be declared
14 admitted into the Union as provided in section 101(a).

15 **Subtitle B—Seat of Government of**
16 **the United States**

17 **SEC. 111. TERRITORY AND BOUNDARIES.**

18 (a) **IN GENERAL.**—Except as provided in subsection
19 (b), the State shall consist of all of the territory of the
20 District of Columbia as of the date of the enactment of
21 this Act, subject to the results of the metes and bounds
22 survey conducted under subsection (c).

23 (b) **EXCLUSION OF PORTION REMAINING AS SEAT OF**
24 **GOVERNMENT OF UNITED STATES.**—The territory of the
25 State shall not include the area described in section 112,

HR 51 PCS

8

1 which shall be known as the “Capital” and shall serve as
2 the seat of the Government of the United States, as pro-
3 vided in clause 17 of section 8 of article I of the Constitu-
4 tion of the United States.

5 (c) METES AND BOUNDS SURVEY.—Not later than
6 180 days after the date of the enactment of this Act, the
7 President (in consultation with the Chair of the National
8 Capital Planning Commission) shall conduct a metes and
9 bounds survey of the Capital, as described in section
10 112(b).

11 SEC. 112. DESCRIPTION OF CAPITAL.

12 (a) IN GENERAL.—Subject to subsection (c), upon
13 the admission of the State into the Union, the Capital
14 shall consist of the property described in subsection (b)
15 and shall include the principal Federal monuments, the
16 White House, the Capitol Building, the United States Su-
17 preme Court Building, and the Federal executive, legisla-
18 tive, and judicial office buildings located adjacent to the
19 Mall and the Capitol Building (as such terms are used
20 in section 8501(a) of title 40, United States Code).

21 (b) GENERAL DESCRIPTION.—Upon the admission of
22 the State into the Union, the boundaries of the Capital
23 shall be as follows: Beginning at the intersection of the
24 southern right-of-way of F Street NE and the eastern
25 right-of-way of 2nd Street NE;

HR 51 PCS

9

1 (1) thence south along said eastern right-of-way
2 of 2nd Street NE to its intersection with the north-
3 eastern right-of-way of Maryland Avenue NE;

4 (2) thence southwest along said northeastern
5 right-of-way of Maryland Avenue NE to its intersec-
6 tion with the northern right-of-way of Constitution
7 Avenue NE;

8 (3) thence west along said northern right-of-
9 way of Constitution Avenue NE to its intersection
10 with the eastern right-of-way of 1st Street NE;

11 (4) thence south along said eastern right-of-way
12 of 1st Street NE to its intersection with the south-
13 eastern right-of-way of Maryland Avenue NE;

14 (5) thence northeast along said southeastern
15 right-of-way of Maryland Avenue NE to its intersec-
16 tion with the eastern right-of-way of 2nd Street SE;

17 (6) thence south along said eastern right-of-way
18 of 2nd Street SE to the eastern right-of-way of 2nd
19 Street SE;

20 (7) thence south along said eastern right-of-way
21 of 2nd Street SE to its intersection with the north-
22 ern property boundary of the property designated as
23 Square 760 Lot 803;

HR 51 PCS

10

1 (8) thence east along said northern property
2 boundary of Square 760 Lot 803 to its intersection
3 with the western right-of-way of 3rd Street SE;

4 (9) thence south along said western right-of-
5 way of 3rd Street SE to its intersection with the
6 northern right-of-way of Independence Avenue SE;

7 (10) thence west along said northern right-of-
8 way of Independence Avenue SE to its intersection
9 with the northwestern right-of-way of Pennsylvania
10 Avenue SE;

11 (11) thence northwest along said northwestern
12 right-of-way of Pennsylvania Avenue SE to its inter-
13 section with the eastern right-of-way of 2nd Street
14 SE;

15 (12) thence south along said eastern right-of-
16 way of 2nd Street SE to its intersection with the
17 southern right-of-way of C Street SE;

18 (13) thence west along said southern right-of-
19 way of C Street SE to its intersection with the east-
20 ern right-of-way of 1st Street SE;

21 (14) thence south along said eastern right-of-
22 way of 1st Street SE to its intersection with the
23 southern right-of-way of D Street SE;

HR 51 PCS

11

1 (15) thence west along said southern right-of-
2 way of D Street SE to its intersection with the east-
3 ern right-of-way of South Capitol Street;

4 (16) thence south along said eastern right-of-
5 way of South Capitol Street to its intersection with
6 the northwestern right-of-way of Canal Street SE;

7 (17) thence southeast along said northwestern
8 right-of-way of Canal Street SE to its intersection
9 with the southern right-of-way of E Street SE;

10 (18) thence east along said southern right-of-
11 way of said E Street SE to its intersection with the
12 western right-of-way of 1st Street SE;

13 (19) thence south along said western right-of-
14 way of 1st Street SE to its intersection with the
15 southernmost corner of the property designated as
16 Square 736S Lot 801;

17 (20) thence west along a line extended due west
18 from said corner of said property designated as
19 Square 736S Lot 801 to its intersection with the
20 southwestern right-of-way of New Jersey Avenue
21 SE;

22 (21) thence southeast along said southwestern
23 right-of-way of New Jersey Avenue SE to its inter-
24 section with the northwestern right-of-way of Vir-
25 ginia Avenue SE;

HR 51 PCS

12

1 (22) thence northwest along said northwestern
2 right-of-way of Virginia Avenue SE to its intersec-
3 tion with the western right-of-way of South Capitol
4 Street;

5 (23) thence north along said western right-of-
6 way of South Capitol Street to its intersection with
7 the southern right-of-way of E Street SW;

8 (24) thence west along said southern right-of-
9 way of E Street SW to its end;

10 (25) thence west along a line extending said
11 southern right-of-way of E Street SW westward to
12 its intersection with the eastern right-of-way of 2nd
13 Street SW;

14 (26) thence north along said eastern right-of-
15 way of 2nd Street SW to its intersection with the
16 southwestern right-of-way of Virginia Avenue SW;

17 (27) thence northwest along said southwestern
18 right-of-way of Virginia Avenue SW to its intersec-
19 tion with the western right-of-way of 3rd Street SW;

20 (28) thence north along said western right-of-
21 way of 3rd Street SW to its intersection with the
22 northern right-of-way of D Street SW;

23 (29) thence west along said northern right-of-
24 way of D Street SW to its intersection with the east-
25 ern right-of-way of 4th Street SW;

HR 51 PCS

13

1 (30) thence north along said eastern right-of-
2 way of 4th Street SW to its intersection with the
3 northern right-of-way of C Street SW;

4 (31) thence west along said northern right-of-
5 way of C Street SW to its intersection with the east-
6 ern right-of-way of 6th Street SW;

7 (32) thence north along said eastern right-of-
8 way of 6th Street SW to its intersection with the
9 northern right-of-way of Independence Avenue SW;

10 (33) thence west along said northern right-of-
11 way of Independence Avenue SW to its intersection
12 with the western right-of-way of 12th Street SW;

13 (34) thence south along said western right-of-
14 way of 12th Street SW to its intersection with the
15 northern right-of-way of D Street SW;

16 (35) thence west along said northern right-of-
17 way of D Street SW to its intersection with the east-
18 ern right-of-way of 14th Street SW;

19 (36) thence south along said eastern right-of-
20 way of 14th Street SW to its intersection with the
21 northeastern boundary of the Consolidated Rail Cor-
22 poration railroad easement;

23 (37) thence southwest along said northeastern
24 boundary of the Consolidated Rail Corporation rail-

HR 51 PCS

14

1 road easement to its intersection with the eastern
2 shore of the Potomac River;

3 (38) thence generally northwest along said east-
4 ern shore of the Potomac River to its intersection
5 with a line extending westward the northern bound-
6 ary of the property designated as Square 12 Lot
7 806;

8 (39) thence east along said line extending west-
9 ward the northern boundary of the property des-
10 igned as Square 12 Lot 806 to the northern prop-
11 erty boundary of the property designated as Square
12 12 Lot 806, and continuing east along said northern
13 boundary of said property designated as Square 12
14 Lot 806 to its northeast corner;

15 (40) thence east along a line extending east
16 from said northeast corner of the property des-
17 igned as Square 12 Lot 806 to its intersection
18 with the western boundary of the property des-
19 igned as Square 33 Lot 87;

20 (41) thence south along said western boundary
21 of the property designated as Square 33 Lot 87 to
22 its intersection with the northwest corner of the
23 property designated as Square 33 Lot 88;

24 (42) thence counter-clockwise around the
25 boundary of said property designated as Square 33

HR 51 PCS

15

1 Lot 88 to its southeast corner, which is along the
2 northern right-of-way of E Street NW;

3 (43) thence east along said northern right-of-
4 way of E Street NW to its intersection with the
5 western right-of-way of 18th Street NW;

6 (44) thence south along said western right-of-
7 way of 18th Street NW to its intersection with the
8 southwestern right-of-way of Virginia Avenue NW;

9 (45) thence southeast along said southwestern
10 right-of-way of Virginia Avenue NW to its intersec-
11 tion with the northern right-of-way of Constitution
12 Avenue NW;

13 (46) thence east along said northern right-of-
14 way of Constitution Avenue NW to its intersection
15 with the eastern right-of-way of 17th Street NW;

16 (47) thence north along said eastern right-of-
17 way of 17th Street NW to its intersection with the
18 southern right-of-way of H Street NW;

19 (48) thence east along said southern right-of-
20 way of H Street NW to its intersection with the
21 northwest corner of the property designated as
22 Square 221 Lot 35;

23 (49) thence counter-clockwise around the
24 boundary of said property designated as Square 221
25 Lot 35 to its southeast corner, which is along the

HR 51 PCS

16

1 boundary of the property designated as Square 221
2 Lot 37;

3 (50) thence counter-clockwise around the
4 boundary of said property designated as Square 221
5 Lot 37 to its southwest corner, which it shares with
6 the property designated as Square 221 Lot 818;

7 (51) thence south along the boundary of said
8 property designated as Square 221 Lot 818 to its
9 southwest corner, which it shares with the property
10 designated as Square 221 Lot 40;

11 (52) thence south along the boundary of said
12 property designated as Square 221 Lot 40 to its
13 southwest corner;

14 (53) thence east along the southern border of
15 said property designated as Square 221 Lot 40 to
16 its intersection with the northwest corner of the
17 property designated as Square 221 Lot 820;

18 (54) thence south along the western boundary
19 of said property designated as Square 221 Lot 820
20 to its southwest corner, which it shares with the
21 property designated as Square 221 Lot 39;

22 (55) thence south along the western boundary
23 of said property designated as Square 221 Lot 39
24 to its southwest corner, which is along the northern
25 right-of-way of Pennsylvania Avenue NW;

HR 51 PCS

17

1 (56) thence east along said northern right-of-
2 way of Pennsylvania Avenue NW to its intersection
3 with the western right-of-way of 15th Street NW;

4 (57) thence south along said western right-of-
5 way of 15th Street NW to its intersection with a line
6 extending northwest from the southern right-of-way
7 of the portion of Pennsylvania Avenue NW north of
8 Pershing Square;

9 (58) thence southeast along said line extending
10 the southern right-of-way of Pennsylvania Avenue
11 NW to the southern right-of-way of Pennsylvania
12 Avenue NW, and continuing southeast along said
13 southern right-of-way of Pennsylvania Avenue NW
14 to its intersection with the western right-of-way of
15 14th Street NW;

16 (59) thence south along said western right-of-
17 way of 14th Street NW to its intersection with a line
18 extending west from the southern right-of-way of D
19 Street NW;

20 (60) thence east along said line extending west
21 from the southern right-of-way of D Street NW to
22 the southern right-of-way of D Street NW, and con-
23 tinuing east along said southern right-of-way of D
24 Street NW to its intersection with the eastern right-
25 of-way of 13½ Street NW;

HR 51 PCS

18

1 (61) thence north along said eastern right-of-
2 way of 13½ Street NW to its intersection with the
3 southern right-of-way of Pennsylvania Avenue NW;

4 (62) thence east and southeast along said
5 southern right-of-way of Pennsylvania Avenue NW
6 to its intersection with the western right-of-way of
7 12th Street NW;

8 (63) thence south along said western right-of-
9 way of 12th Street NW to its intersection with a line
10 extending to the west the southern boundary of the
11 property designated as Square 324 Lot 809;

12 (64) thence east along said line to the south-
13 west corner of said property designated as Square
14 324 Lot 809, and continuing northeast along the
15 southern boundary of said property designated as
16 Square 324 Lot 809 to its eastern corner, which it
17 shares with the property designated as Square 323
18 Lot 802;

19 (65) thence east along the southern boundary
20 of said property designated as Square 323 Lot 802
21 to its southeast corner, which it shares with the
22 property designated as Square 324 Lot 808;

23 (66) thence counter-clockwise around the
24 boundary of said property designated as Square 324
25 Lot 808 to its northeastern corner, which is along

HR 51 PCS

19

1 the southern right-of-way of Pennsylvania Avenue
2 NW;

3 (67) thence southeast along said southern right-
4 of-way of Pennsylvania Avenue NW to its intersec-
5 tion with the eastern right-of-way of 4th Street NW;

6 (68) thence north along a line extending north
7 from said eastern right-of-way of 4th Street NW to
8 its intersection with the southern right-of-way of C
9 Street NW;

10 (69) thence east along said southern right-of-
11 way of C Street NW to its intersection with the east-
12 ern right-of-way of 3rd Street NW;

13 (70) thence north along said eastern right-of-
14 way of 3rd Street NW to its intersection with the
15 southern right-of-way of D Street NW;

16 (71) thence east along said southern right-of-
17 way of D Street NW to its intersection with the
18 western right-of-way of 1st Street NW;

19 (72) thence south along said western right-of-
20 way of 1st Street NW to its intersection with the
21 northern right-of-way of C Street NW;

22 (73) thence west along said northern right-of-
23 way of C Street NW to its intersection with the
24 western right-of-way of 2nd Street NW;

HR 51 PCS

20

1 (74) thence south along said western right-of-
2 way of 2nd Street NW to its intersection with the
3 northern right-of-way of Constitution Avenue NW;

4 (75) thence east along said northern right-of-
5 way of Constitution Avenue NW to its intersection
6 with the northeastern right-of-way of Louisiana Ave-
7 nue NW;

8 (76) thence northeast along said northeastern
9 right-of-way of Louisiana Avenue NW to its inter-
10 section with the southwestern right-of-way of New
11 Jersey Avenue NW;

12 (77) thence northwest along said southwestern
13 right-of-way of New Jersey Avenue NW to its inter-
14 section with the northern right-of-way of D Street
15 NW;

16 (78) thence east along said northern right-of-
17 way of D Street NW to its intersection with the
18 northeastern right-of-way of Louisiana Avenue NW;

19 (79) thence northeast along said northwestern
20 right-of-way of Louisiana Avenue NW to its inter-
21 section with the western right-of-way of North Cap-
22 itol Street;

23 (80) thence north along said western right-of-
24 way of North Capitol Street to its intersection with

HR 51 PCS

1 the southwestern right-of-way of Massachusetts Ave-
2 nue NW;

3 (81) thence southeast along said southwestern
4 right-of-way of Massachusetts Avenue NW to the
5 southwestern right-of-way of Massachusetts Avenue
6 NE;

7 (82) thence southeast along said southwestern
8 right-of-way of Massachusetts Avenue NE to the
9 southern right-of-way of Columbus Circle NE;

10 (83) thence counter-clockwise along said south-
11 ern right-of-way of Columbus Circle NE to its inter-
12 section with the southern right-of way of F Street
13 NE; and

14 (84) thence east along said southern right-of-
15 way of F Street NE to the point of beginning.

16 (c) EXCLUSION OF BUILDING SERVING AS STATE
17 CAPITOL.—Notwithstanding any other provision of this
18 section, after the admission of the State into the Union,
19 the Capital shall not be considered to include the building
20 known as the “John A. Wilson Building”, as described
21 and designated under section 601(a) of the Omnibus
22 Spending Reduction Act of 1993 (sec. 10–1301(a), D.C.
23 Official Code).

24 (d) CLARIFICATION OF TREATMENT OF FRANCES
25 PERKINS BUILDING.—The entirety of the Frances Per-

22

1 kins Building, including any portion of the Building which
2 is north of D Street Northwest, shall be included in the
3 Capital.

4 **SEC. 113. RETENTION OF TITLE TO PROPERTY.**

5 (a) **RETENTION OF FEDERAL TITLE.**—The United
6 States shall have and retain title to, or jurisdiction over,
7 for purposes of administration and maintenance, all real
8 and personal property with respect to which the United
9 States holds title or jurisdiction for such purposes on the
10 day before the date of the admission of the State into the
11 Union.

12 (b) **RETENTION OF STATE TITLE.**—The State shall
13 have and retain title to, or jurisdiction over, for purposes
14 of administration and maintenance, all real and personal
15 property with respect to which the District of Columbia
16 holds title or jurisdiction for such purposes on the day
17 before the date of the admission of the State into the
18 Union.

19 **SEC. 114. EFFECT OF ADMISSION ON CURRENT LAWS OF**
20 **SEAT OF GOVERNMENT OF UNITED STATES.**

21 Except as otherwise provided in this Act, the laws
22 of the District of Columbia which are in effect on the day
23 before the date of the admission of the State into the
24 Union (without regard to whether such laws were enacted
25 by Congress or by the District of Columbia) shall apply

HR 51 PCS

23

1 in the Capital in the same manner and to the same extent
2 beginning on the date of the admission of the State into
3 the Union, and shall be deemed laws of the United States
4 which are applicable only in or to the Capital.

5 **SEC. 115. CAPITAL NATIONAL GUARD.**

6 (a) ESTABLISHMENT.—Title 32, United States Code,
7 is amended as follows:

8 (1) DEFINITIONS.—In paragraphs (4), (6), and
9 (19) of section 101, by striking “District of Colum-
10 bia” each place it appears and inserting “Capital”.

11 (2) BRANCHES AND ORGANIZATIONS.—In sec-
12 tion 103, by striking “District of Columbia” and in-
13 serting “Capital”.

14 (3) UNITS: LOCATION; ORGANIZATION; COM-
15 MAND.—In subsections (c) and (d) of section 104,
16 by striking “District of Columbia” both places it ap-
17 pears and inserting “Capital”.

18 (4) AVAILABILITY OF APPROPRIATIONS.—In
19 section 107(b), by striking “District of Columbia”
20 and inserting “Capital”.

21 (5) MAINTENANCE OF OTHER TROOPS.—In
22 subsections (a), (b), and (c) of section 109, by strik-
23 ing “District of Columbia” each place it appears and
24 inserting “Capital”.

HR 51 PCS

24

1 (6) DRUG INTERDICTION AND COUNTER-DRUG
2 ACTIVITIES.—In section 112(h)—

3 (A) by striking “District of Columbia,”
4 both places it appears and inserting “Capital,”;
5 and

6 (B) in paragraph (2), by striking “Na-
7 tional Guard of the District of Columbia” and
8 inserting “Capital National Guard”.

9 (7) ENLISTMENT OATH.—In section 304, by
10 striking “District of Columbia” and inserting “Cap-
11 ital”.

12 (8) ADJUTANTS GENERAL.—In section 314, by
13 striking “District of Columbia” each place it ap-
14 pears and inserting “Capital”.

15 (9) DETAIL OF REGULAR MEMBERS OF ARMY
16 AND AIR FORCE TO DUTY WITH NATIONAL GUARD.—
17 In section 315, by striking “District of Columbia”
18 each place it appears and inserting “Capital”.

19 (10) DISCHARGE OF OFFICERS; TERMINATION
20 OF APPOINTMENT.—In section 324(b), by striking
21 “District of Columbia” and inserting “Capital”.

22 (11) RELIEF FROM NATIONAL GUARD DUTY
23 WHEN ORDERED TO ACTIVE DUTY.—In subsections
24 (a) and (b) of section 325, by striking “District of

HR 51 PCS

25

1 Columbia” each place it appears and inserting “Cap-
2 ital”.

3 (12) COURTS-MARTIAL OF NATIONAL GUARD
4 NOT IN FEDERAL SERVICE: COMPOSITION, JURISDIC-
5 TION, AND PROCEDURES; CONVENING AUTHORITY.—
6 In sections 326 and 327, by striking “District of Co-
7 lumbia” each place it appears and inserting “Cap-
8 ital”.

9 (13) ACTIVE GUARD AND RESERVE DUTY: GOV-
10 ERNOR’S AUTHORITY.—In section 328(a), by strik-
11 ing “District of Columbia” and inserting “Capital”.

12 (14) TRAINING GENERALLY.—In section
13 501(b), by striking “District of Columbia” and in-
14 serting “Capital”.

15 (15) PARTICIPATION IN FIELD EXERCISES.—In
16 section 503(b), by striking “District of Columbia”
17 and inserting “Capital”.

18 (16) NATIONAL GUARD SCHOOLS AND SMALL
19 ARMS COMPETITIONS.—In section 504(b), by strik-
20 ing “District of Columbia” and inserting “Capital”.

21 (17) ARMY AND AIR FORCE SCHOOLS AND
22 FIELD EXERCISES.—In section 505, by striking
23 “National Guard of the District of Columbia” and
24 inserting “Capital National Guard”.

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1 (18) NATIONAL GUARD YOUTH CHALLENGE
2 PROGRAM.—In subsections (c)(1), (g)(2), (j), (k),
3 and (l)(1) of section 509, by striking “District of
4 Columbia” each place it appears and inserting “Cap-
5 ital”.

6 (19) ISSUE OF SUPPLIES.—In section 702—
7 (A) in subsection (a), by striking “Na-
8 tional Guard of the District of Columbia” and
9 inserting “Capital National Guard”; and
10 (B) in subsections (b), (c), and (d), by
11 striking “District of Columbia” each place it
12 appears and inserting “Capital”.

13 (20) PURCHASES OF SUPPLIES FROM ARMY OR
14 AIR FORCE.—In subsections (a) and (b) of section
15 703, by striking “District of Columbia” both places
16 it appears and inserting “Capital”.

17 (21) ACCOUNTABILITY: RELIEF FROM UPON
18 ORDER TO ACTIVE DUTY.—In section 704, by strik-
19 ing “District of Columbia” and inserting “Capital”.

20 (22) PROPERTY AND FISCAL OFFICERS.—In
21 section 708—
22 (A) in subsection (a), by striking “Na-
23 tional Guard of the District of Columbia” and
24 inserting “Capital National Guard”; and

1 (B) in subsection (d), by striking “District
2 of Columbia” and inserting “Capital”.

3 (23) ACCOUNTABILITY FOR PROPERTY ISSUED
4 TO THE NATIONAL GUARD.—In subsections (c), (d),
5 (e), and (f) of section 710, by striking “District of
6 Columbia” each place it appears and inserting “Cap-
7 ital”.

8 (24) DISPOSITION OF OBSOLETE OR CON-
9 DEMNED PROPERTY.—In section 711, by striking
10 “District of Columbia” and inserting “Capital”.

11 (25) DISPOSITION OF PROCEEDS OF CON-
12 DEMNED STORES ISSUED TO NATIONAL GUARD.—In
13 paragraph (1) of section 712, by striking “District
14 of Columbia” and inserting “Capital”.

15 (26) PROPERTY LOSS; PERSONAL INJURY OR
16 DEATH.—In section 715(c), by striking “District of
17 Columbia” and inserting “Capital”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) CAPITAL DEFINED.—

20 (A) IN GENERAL.—Section 101 of title 32,
21 United States Code, is amended by adding at
22 the end the following new paragraph:

23 “(20) ‘Capital’ means the area serving as the
24 seat of the Government of the United States, as de-

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1 scribed in section 112 of the Washington, D.C. Ad-
2 mission Act.”.

3 (B) WITH REGARDS TO HOMELAND DE-
4 FENSE ACTIVITIES.—Section 901 of title 32,
5 United States Code, is amended—

6 (i) in paragraph (2), by striking “Dis-
7 trict of Columbia” and inserting “Capital”;
8 and

9 (ii) by adding at the end the following
10 new paragraph:

11 “(3) The term ‘Governor’ means, with respect
12 to the Capital, the commanding general of the Cap-
13 ital National Guard.”.

14 (2) TITLE 10, UNITED STATES CODE.—Title 10,
15 United States Code, is amended as follows:

16 (A) DEFINITIONS.—In section 101—

17 (i) in subsection (a), by adding at the
18 end the following new paragraph:

19 “(19) The term ‘Capital’ means the area serv-
20 ing as the seat of the Government of the United
21 States, as described in section 112 of the Wash-
22 ington, D.C. Admission Act.”;

23 (ii) in paragraphs (2) and (4) of sub-
24 section (c), by striking “District of Colum-

HR 51 PCS

29

1 bia” both places it appears and inserting
2 “Capital”; and

3 (iii) in subsection (d)(5), by striking
4 “District of Columbia” and inserting
5 “Capital”.

6 (B) DISPOSITION ON DISCHARGE.—In sec-
7 tion 771a(c), by striking “District of Columbia”
8 and inserting “Capital”.

9 (C) TRICARE COVERAGE FOR CERTAIN
10 MEMBERS OF THE NATIONAL GUARD AND DE-
11 PENDENTS DURING CERTAIN DISASTER RE-
12 SPONSE DUTY.—In section 1076f—

13 (i) in subsections (a) and (c)(1), by
14 striking “with respect to the District of
15 Columbia, the mayor of the District of Co-
16 lumbia” both places it appears and insert-
17 ing “with respect to the Capital, the com-
18 manding general of the Capital National
19 Guard”; and

20 (ii) in subsection (c)(2), by striking
21 “District of Columbia” and inserting
22 “Capital”.

23 (D) PAYMENT OF CLAIMS: AVAILABILITY
24 OF APPROPRIATIONS.—In paragraph (2)(B) of

HR 51 PCS

30

1 section 2732, by striking “District of Colum-
2 bia” and inserting “Capital”.

3 (E) MEMBERS OF ARMY NATIONAL GUARD:
4 DETAIL AS STUDENTS, OBSERVERS, AND INVE-
5 TIGATORS AT EDUCATIONAL INSTITUTIONS, IN-
6 DUSTRIAL PLANTS, AND HOSPITALS.—In sec-
7 tion 7401(c), by striking “District of Colum-
8 bia” and inserting “Capital”.

9 (F) MEMBERS OF AIR NATIONAL GUARD:
10 DETAIL AS STUDENTS, OBSERVERS, AND INVE-
11 TIGATORS AT EDUCATIONAL INSTITUTIONS, IN-
12 DUSTRIAL PLANTS, AND HOSPITALS.—In sec-
13 tion 9401(c), by striking “District of Colum-
14 bia” and inserting “Capital”.

15 (G) READY RESERVE: FAILURE TO SATIS-
16 FACTORILY PERFORM PRESCRIBED TRAINING.—
17 In section 10148(b)—

18 (i) by striking “District of Columbia,”
19 and inserting “Capital,”; and

20 (ii) by striking “District of Columbia
21 National Guard” and inserting “Capital
22 National Guard”.

23 (H) CHIEF OF THE NATIONAL GUARD BU-
24 REAU.—In section 10502(a)(1)—

HR 51 PCS

31

1 (i) by striking “District of Columbia,”
2 and inserting “Capital,”; and

3 (ii) by striking “District of Columbia
4 National Guard” and inserting “Capital
5 National Guard”.

6 (I) VICE CHIEF OF THE NATIONAL GUARD
7 BUREAU.—In section 10505(a)(1)(A)—

8 (i) by striking “District of Columbia,”
9 and inserting “Capital,”; and

10 (ii) by striking “District of Columbia
11 National Guard” and inserting “Capital
12 National Guard”.

13 (J) OTHER SENIOR NATIONAL GUARD BU-
14 REAU OFFICERS.—In subparagraphs (A) and
15 (B) of section 10506(a)(1)—

16 (i) by striking “District of Columbia,”
17 both places it appears and inserting “Cap-
18 ital,”; and

19 (ii) by striking “District of Columbia
20 National Guard” both places it appears
21 and inserting “Capital National Guard”.

22 (K) NATIONAL GUARD BUREAU: GENERAL
23 PROVISIONS.—In section 10508(b)(1), by strik-
24 ing “District of Columbia” and inserting “Cap-
25 ital”.

HR 51 PCS

32

1 (L) COMMISSIONED OFFICERS: ORIGINAL
2 APPOINTMENT; LIMITATION.—In section
3 12204(b), by striking “District of Columbia”
4 and inserting “Capital”.

5 (M) RESERVE COMPONENTS GEN-
6 ERALLY.—In section 12301(b), by striking
7 “District of Columbia National Guard” both
8 places it appears and inserting “Capital Na-
9 tional Guard”.

10 (N) NATIONAL GUARD IN FEDERAL SERV-
11 ICE: CALL.—In section 12406—

12 (i) by striking “District of Columbia,”
13 and inserting “Capital,”; and

14 (ii) by striking “National Guard of
15 the District of Columbia” and inserting
16 “Capital National Guard”.

17 (O) RESULT OF FAILURE TO COMPLY
18 WITH STANDARDS AND QUALIFICATIONS.—In
19 section 12642(c), by striking “District of Co-
20 lumbia” and inserting “Capital”.

21 (P) LIMITATION ON RELOCATION OF NA-
22 TIONAL GUARD UNITS.—In section 18238—

23 (i) by striking “District of Columbia,”
24 and inserting “Capital,”; and

HR 51 PCS

33

1 (ii) by striking “National Guard of
2 the District of Columbia” and inserting
3 “Capital National Guard”.

4 **SEC. 116. TERMINATION OF LEGAL STATUS OF SEAT OF**
5 **GOVERNMENT OF UNITED STATES AS MUNIC-**
6 **IPAL CORPORATION.**

7 Notwithstanding section 2 of the Revised Statutes re-
8 lating to the District of Columbia (sec. 1–102, D.C. Offi-
9 cial Code) or any other provision of law codified in sub-
10 chapter I of chapter 1 of the District of Columbia Official
11 Code, effective upon the date of the admission of the State
12 into the Union, the Capital (or any portion thereof) shall
13 not serve as a government and shall not be a body cor-
14 porate for municipal purposes.

15 **Subtitle C—General Provisions**
16 **Relating to Laws of State**

17 **SEC. 121. EFFECT OF ADMISSION ON CURRENT LAWS.**

18 (a) **LEGISLATIVE POWER.**—The legislative power of
19 the State shall extend to all rightful subjects of legislation
20 in the State, consistent with the Constitution of the
21 United States (including the restrictions and limitations
22 imposed upon the States by article I, section 10) and sub-
23 ject to the provisions of this Act.

24 (b) **CONTINUATION OF AUTHORITY AND DUTIES OF**
25 **MEMBERS OF EXECUTIVE, LEGISLATIVE, AND JUDICIAL**

HR 51 PCS

1 OFFICES.—Upon the admission of the State into the
2 Union, members of executive, legislative, and judicial of-
3 fices of the District of Columbia shall be deemed members
4 of the respective executive, legislative, and judicial offices
5 of the State, as provided by the State Constitution and
6 the laws of the State.

7 (c) TREATMENT OF FEDERAL LAWS.—To the extent
8 that any law of the United States applies to the States
9 generally, the law shall have the same force and effect in
10 the State as elsewhere in the United States, except as such
11 law may otherwise provide.

12 (d) NO EFFECT ON EXISTING CONTRACTS.—Nothing
13 in the admission of the State into the Union shall affect
14 any obligation under any contract or agreement under
15 which the District of Columbia or the United States is
16 a party, as in effect on the day before the date of the
17 admission of the State into the Union.

18 (e) SUCCESSION IN INTERSTATE COMPACTS.—The
19 State shall be deemed to be the successor to the District
20 of Columbia for purposes of any interstate compact which
21 is in effect on the day before the date of the admission
22 of the State into the Union.

23 (f) CONTINUATION OF SERVICE OF FEDERAL MEM-
24 BERS ON BOARDS AND COMMISSIONS.—Nothing in the ad-
25 mission of the State into the Union shall affect the author-

1 ity of a representative of the Federal Government who,
2 as of the day before the date of the admission of the State
3 into the Union, is a member of a board or commission
4 of the District of Columbia to serve as a member of such
5 board or commission or as a member of a successor to
6 such board or commission after the admission of the State
7 into the Union, as may be provided by the State Constitu-
8 tion and the laws of the State.

9 (g) SPECIAL RULE REGARDING ENFORCEMENT AU-
10 THORITY OF UNITED STATES CAPITOL POLICE, UNITED
11 STATES PARK POLICE, AND UNITED STATES SECRET
12 SERVICE UNIFORMED DIVISION.—The United States
13 Capitol Police, the United States Park Police, and the
14 United States Secret Service Uniformed Division may not
15 enforce any law of the State in the State, except to the
16 extent authorized by the State. Nothing in this subsection
17 may be construed to affect the authority of the United
18 States Capitol Police, the United States Park Police, and
19 the United States Secret Service Uniformed Division to
20 enforce any law in the Capital.

21 SEC. 122. PENDING ACTIONS AND PROCEEDINGS.

22 (a) STATE AS LEGAL SUCCESSOR TO DISTRICT OF
23 COLUMBIA.—The State shall be the legal successor to the
24 District of Columbia in all matters.

36

1 (b) NO EFFECT ON PENDING PROCEEDINGS.—All
2 existing writs, actions, suits, judicial and administrative
3 proceedings, civil or criminal liabilities, prosecutions, judg-
4 ments, sentences, orders, decrees, appeals, causes of ac-
5 tion, claims, demands, titles, and rights shall continue un-
6 affected by the admission of the State into the Union with
7 respect to the State or the United States, except as may
8 be provided under this Act, as may be modified in accord-
9 ance with the provisions of the State Constitution, and
10 as may be modified by the laws of the State or the United
11 States, as the case may be.

12 **SEC. 123. LIMITATION ON AUTHORITY TO TAX FEDERAL**
13 **PROPERTY.**

14 The State may not impose any tax on any real or
15 personal property owned or acquired by the United States,
16 except to the extent that Congress may permit.

17 **SEC. 124. UNITED STATES NATIONALITY.**

18 No provision of this Act shall operate to confer
19 United States nationality, to terminate nationality lawfully
20 acquired, or to restore nationality terminated or lost under
21 any law of the United States or under any treaty to which
22 the United States is or was a party.

HR 51 PCS

1 **TITLE II—INTERESTS OF**
2 **FEDERAL GOVERNMENT**
3 **Subtitle A—Federal Property**

4 **SEC. 201. TREATMENT OF MILITARY LANDS.**

5 (a) RESERVATION OF FEDERAL AUTHORITY.—

6 (1) IN GENERAL.—Subject to paragraph (2)
7 and subsection (b) and notwithstanding the admis-
8 sion of the State into the Union, authority is re-
9 served in the United States for the exercise by Con-
10 gress of the power of exclusive legislation in all cases
11 whatsoever over such tracts or parcels of land lo-
12 cated in the State that, on the day before the date
13 of the admission of the State into the Union, are
14 controlled or owned by the United States and held
15 for defense or Coast Guard purposes.

16 (2) LIMITATION ON AUTHORITY.—The power of
17 exclusive legislation described in paragraph (1) shall
18 vest and remain in the United States only so long
19 as the particular tract or parcel of land involved is
20 controlled or owned by the United States and held
21 for defense or Coast Guard purposes.

22 (b) AUTHORITY OF STATE.—

23 (1) IN GENERAL.—The reservation of authority
24 in the United States under subsection (a) shall not
25 operate to prevent such tracts or parcels of land

38

1 from being a part of the State, or to prevent the
2 State from exercising over or upon such lands, con-
3 currently with the United States, any jurisdiction
4 which it would have in the absence of such reserva-
5 tion of authority and which is consistent with the
6 laws hereafter enacted by Congress pursuant to such
7 reservation of authority.

8 (2) SERVICE OF PROCESS.—The State shall
9 have the right to serve civil or criminal process in
10 such tracts or parcels of land in which the authority
11 of the United States is reserved under subsection (a)
12 in suits or prosecutions for or on account of rights
13 acquired, obligations incurred, or crimes committed
14 in the State but outside of such lands.

15 **SEC. 202. WAIVER OF CLAIMS TO FEDERAL PROPERTY.**

16 (a) IN GENERAL.—As a compact with the United
17 States, the State and its people disclaim all right and title
18 to any real or personal property not granted or confirmed
19 to the State by or under the authority of this Act, the
20 right or title to which is held by the United States or sub-
21 ject to disposition by the United States.

22 (b) EFFECT ON CLAIMS AGAINST UNITED STATES.—

23 (1) IN GENERAL.—Nothing in this Act shall
24 recognize, deny, enlarge, impair, or otherwise affect
25 any claim against the United States, and any such

HR 51 PCS

39

1 claim shall be governed by applicable laws of the
2 United States.

3 (2) RULE OF CONSTRUCTION.—Nothing in this
4 Act is intended or shall be construed as a finding,
5 interpretation, or construction by Congress that any
6 applicable law authorizes, establishes, recognizes, or
7 confirms the validity or invalidity of any claim re-
8 ferred to in paragraph (1), and the determination of
9 the applicability to or the effect of any law on any
10 such claim shall be unaffected by anything in this
11 Act.

12 Subtitle B—Federal Courts

13 SEC. 211. RESIDENCY REQUIREMENTS FOR CERTAIN FED- 14 ERAL OFFICIALS.

15 (a) CIRCUIT JUDGES.—Section 44(c) of title 28,
16 United States Code, is amended—

17 (1) by striking “Except in the District of Co-
18 lumbia, each” and inserting “Each”; and

19 (2) by striking “within fifty miles of the Dis-
20 trict of Columbia” and inserting “within fifty miles
21 of the Capital”.

22 (b) DISTRICT JUDGES.—Section 134(b) of such title
23 is amended in the first sentence by striking “the District
24 of Columbia, the Southern District of New York, and” and
25 inserting “the Southern District of New York and”.

HR 51 PCS

40

1 (c) UNITED STATES ATTORNEYS.—Section 545(a) of
2 such title is amended by striking the first sentence and
3 inserting “Each United States attorney shall reside in the
4 district for which he or she is appointed, except that those
5 officers of the Southern District of New York and the
6 Eastern District of New York may reside within 20 miles
7 thereof.”.

8 (d) UNITED STATES MARSHALS.—Section 561(e)(1)
9 of such title is amended to read as follows:

10 “(1) the marshal for the Southern District of
11 New York may reside within 20 miles of the district;
12 and”.

13 (e) CLERKS OF DISTRICT COURTS.—Section 751(c)
14 of such title is amended by striking “the District of Co-
15 lumbia and”.

16 (f) EFFECTIVE DATE.—The amendments made by
17 this section shall apply only to individuals appointed after
18 the date of the admission of the State into the Union.

19 SEC. 212. RENAMING OF FEDERAL COURTS.

20 (a) RENAMING.—

21 (1) CIRCUIT COURT.—Section 41 of title 28,
22 United States Code, is amended—

23 (A) in the first column, by striking “Dis-
24 trict of Columbia” and inserting “Capital”; and

41

1 (B) in the second column, by striking
2 “District of Columbia” and inserting “Capital;
3 Washington, Douglass Commonwealth”.

4 (2) DISTRICT COURT.—Section 88 of such title
5 is amended—

6 (A) in the heading, by striking “**District**
7 **of Columbia**” and inserting “**Washington,**
8 **Douglass Commonwealth and the**
9 **Capital**”;

10 (B) by amending the first paragraph to
11 read as follows:

12 “The State of Washington, Douglass Common-
13 wealth and the Capital comprise one judicial dis-
14 trict.”; and

15 (C) in the second paragraph, by striking
16 “Washington” and inserting “the Capital”.

17 (3) CLERICAL AMENDMENT.—The item relating
18 to section 88 in the table of sections for chapter 5
19 of such title is amended to read as follows:

“88. Washington, Douglass Commonwealth and the Capital.”.

20 (b) CONFORMING AMENDMENTS RELATING TO
21 COURT OF APPEALS.—Title 28, United States Code, is
22 amended as follows:

23 (1) APPOINTMENT OF JUDGES.—Section 44(a)
24 of such title is amended in the first column by strik-
25 ing “District of Columbia” and inserting “Capital”.

HR 51 PCS

42

1 (2) TERMS OF COURT.—Section 48(a) of such
2 title is amended—

3 (A) in the first column, by striking “Dis-
4 trict of Columbia” and inserting “Capital”;

5 (B) in the second column, by striking
6 “Washington” and inserting “Capital”; and

7 (C) in the second column, by striking
8 “District of Columbia” and inserting “Capital”.

9 (3) APPOINTMENT OF INDEPENDENT COUNSELS
10 BY CHIEF JUDGE OF CIRCUIT.—Section 49 of such
11 title is amended by striking “District of Columbia”
12 each place it appears and inserting “Capital”.

13 (4) CIRCUIT COURT JURISDICTION OVER CER-
14 TIFICATION OF DEATH PENALTY COUNSELS.—Sec-
15 tion 2265(c)(2) of such title is amended by striking
16 “the District of Columbia Circuit” and inserting
17 “the Capital Circuit”.

18 (5) CIRCUIT COURT JURISDICTION OVER RE-
19 VIEW OF FEDERAL AGENCY ORDERS.—Section 2343
20 of such title is amended by striking “the District of
21 Columbia Circuit” and inserting “the Capital Cir-
22 cuit”.

23 (c) CONFORMING AMENDMENTS RELATING TO DIS-
24 TRICT COURT.—Title 28, United States Code, is amended
25 as follows:

HR 51 PCS

43

1 (1) APPOINTMENT AND NUMBER OF DISTRICT
2 COURT JUDGES.—Section 133(a) of such title is
3 amended in the first column by striking “District of
4 Columbia” and inserting “Washington, Douglass
5 Commonwealth and the Capital”.

6 (2) DISTRICT COURT JURISDICTION OF TAX
7 CASES BROUGHT AGAINST UNITED STATES.—Section
8 1346(e) of such title is amended by striking “the
9 District of Columbia” and inserting “Washington,
10 Douglass Commonwealth and the Capital”.

11 (3) DISTRICT COURT JURISDICTION OVER PRO-
12 CEEDINGS FOR FORFEITURE OF FOREIGN PROP-
13 erty.—Section 1355(b)(2) of such title is amended
14 by striking “the District of Columbia” and inserting
15 “Washington, Douglass Commonwealth and the
16 Capital”.

17 (4) DISTRICT COURT JURISDICTION OVER CIVIL
18 ACTIONS BROUGHT AGAINST A FOREIGN STATE.—
19 Section 1391(f)(4) of such title is amended by strik-
20 ing “the District of Columbia” and inserting “Wash-
21 ington, Douglass Commonwealth and the Capital”.

22 (5) DISTRICT COURT JURISDICTION OVER AC-
23 TIONS BROUGHT BY CORPORATIONS AGAINST
24 UNITED STATES.—Section 1402(a)(2) of such title is
25 amended by striking “the District of Columbia” and

1 inserting “Washington, Douglass Commonwealth
2 and the Capital”.

3 (6) VENUE IN DISTRICT COURT OF CERTAIN AC-
4 TIONS BROUGHT BY EMPLOYEES OF EXECUTIVE OF-
5 FICE OF THE PRESIDENT.—Section 1413 of such
6 title is amended by striking “the District of Colum-
7 bia” and inserting “Washington, Douglass Common-
8 wealth and the Capital”.

9 (7) VENUE IN DISTRICT COURT OF ACTION EN-
10 FORCING FOREIGN JUDGMENT.—Section
11 2467(c)(2)(B) of such title is amended by striking
12 “the District of Columbia” and inserting “Wash-
13 ington, Douglass Commonwealth and the Capital”.

14 (d) CONFORMING AMENDMENTS RELATING TO
15 OTHER COURTS.—Title 28, United States Code, is
16 amended as follows:

17 (1) APPOINTMENT OF BANKRUPTCY JUDGES.—
18 Section 152(a)(2) of such title is amended in the
19 first column by striking “District of Columbia” and
20 inserting “Washington, Douglass Commonwealth
21 and the Capital”.

22 (2) LOCATION OF COURT OF FEDERAL
23 CLAIMS.—Section 173 of such title is amended by
24 striking “the District of Columbia” and inserting
25 “the Capital”.

45

1 (3) DUTY STATION OF JUDGES OF COURT OF
2 FEDERAL CLAIMS.—Section 175 of such title is
3 amended by striking “the District of Columbia”
4 each place it appears and inserting “the Capital”.

5 (4) DUTY STATION OF JUDGES FOR PURPOSES
6 OF TRAVELING EXPENSES.—Section 456(b) of such
7 title is amended to read as follows:

8 “(b) The official duty station of the Chief Justice of
9 the United States, the Justices of the Supreme Court of
10 the United States, and the judges of the United States
11 Court of Appeals for the Federal Circuit shall be the Cap-
12 ital.”.

13 (5) COURT ACCOMMODATIONS FOR FEDERAL
14 CIRCUIT AND COURT OF FEDERAL CLAIMS.—Section
15 462(d) of such title is amended by striking “the Dis-
16 trict of Columbia” and inserting “the Capital”.

17 (6) PLACES OF HOLDING COURT OF COURT OF
18 FEDERAL CLAIMS.—Section 798(a) of such title is
19 amended—

20 (A) by striking “Washington, District of
21 Columbia” and inserting “the Capital”; and

22 (B) by striking “the District of Columbia”
23 and inserting “the Capital”.

24 (e) OTHER CONFORMING AMENDMENTS.—

HR 51 PCS

46

1 (1) SERVICE OF PROCESS ON FOREIGN PARTIES
2 AT STATE DEPARTMENT OFFICE.—Section
3 1608(a)(4) of such title is amended by striking
4 “Washington, District of Columbia” and inserting
5 “the Capital”.

6 (2) SERVICE OF PROCESS IN PROPERTY CASES
7 AT ATTORNEY GENERAL OFFICE.—Section 2410(b)
8 of such title is amended by striking “Washington,
9 District of Columbia” and inserting “the Capital”.

10 (f) DEFINITION.—Section 451 of title 28, United
11 States Code, is amended by adding at the end the fol-
12 lowing new undesignated paragraph:

13 “The term ‘Capital’ means the area serving as the
14 seat of the Government of the United States, as described
15 in section 112 of the Washington, D.C. Admission Act.”.

16 (g) REFERENCES IN OTHER LAWS.—Any reference
17 in any Federal law (other than a law amended by this
18 section), rule, or regulation—

19 (1) to the United States Court of Appeals for
20 the District of Columbia shall be deemed to refer to
21 the United States Court of Appeals for the Capital;

22 (2) to the District of Columbia Circuit shall be
23 deemed to refer to the Capital Circuit; and

24 (3) to the United States District Court for the
25 District of Columbia shall be deemed to refer to the

HR 51 PCS

1 United States District Court for Washington, Doug-
2 lass Commonwealth and the Capital.

3 (h) EFFECTIVE DATE.—This section and the amend-
4 ments made by this section shall take effect upon the ad-
5 mission of the State into the Union.

6 **SEC. 213. CONFORMING AMENDMENTS RELATING TO DE-**
7 **PARTMENT OF JUSTICE.**

8 (a) APPOINTMENT OF UNITED STATES TRUSTEES.—
9 Section 581(a)(4) of title 28, United States Code, is
10 amended by striking “the District of Columbia” and in-
11 serting “the Capital and Washington, Douglass Common-
12 wealth”.

13 (b) INDEPENDENT COUNSELS.—

14 (1) APPOINTMENT OF ADDITIONAL PER-
15 SONNEL.—Section 594(c) of such title is amended—

16 (A) by striking “the District of Columbia”
17 the first place it appears and inserting “Wash-
18 ington, Douglass Commonwealth and the Cap-
19 ital”; and

20 (B) by striking “the District of Columbia”
21 the second place it appears and inserting
22 “Washington, Douglass Commonwealth”.

23 (2) JUDICIAL REVIEW OF REMOVAL.—Section
24 596(a)(3) of such title is amended by striking “the

48

1 District of Columbia” and inserting “Washington,
2 Douglass Commonwealth and the Capital”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect upon the admission of the
5 State into the Union.

6 **SEC. 214. TREATMENT OF PRETRIAL SERVICES IN UNITED**
7 **STATES DISTRICT COURT.**

8 Section 3152 of title 18, United States Code, is
9 amended—

10 (1) in subsection (a), by striking “(other than
11 the District of Columbia)” and inserting “(subject to
12 subsection (d), other than the District of Colum-
13 bia)”; and

14 (2) by adding at the end the following new sub-
15 section:

16 “(d) In the case of the judicial district of Washington,
17 Douglass Commonwealth and the Capital—

18 “(1) upon the admission of the State of Wash-
19 ington, Douglass Commonwealth into the Union, the
20 Washington, Douglass Commonwealth Pretrial Serv-
21 ices Agency shall continue to provide pretrial serv-
22 ices in the judicial district in the same manner and
23 to the same extent as the District of Columbia Pre-
24 trial Services Agency provided such services in the
25 judicial district of the District of Columbia as of the

HR 51 PCS

49

1 day before the date of the admission of the State
2 into the Union; and

3 “(2) upon the receipt by the President of the
4 certification from the State of Washington, Douglass
5 Commonwealth under section 315(b)(4) of the
6 Washington, D.C. Admission Act that the State has
7 in effect laws providing for the State to provide pre-
8 trial services, paragraph (1) shall no longer apply,
9 and the Director shall provide for the establishment
10 of pretrial services in the judicial district under this
11 section.”.

12 **Subtitle C—Federal Elections**

13 **SEC. 221. PERMITTING INDIVIDUALS RESIDING IN CAPITAL** 14 **TO VOTE IN FEDERAL ELECTIONS IN STATE** 15 **OF MOST RECENT DOMICILE.**

16 (a) REQUIREMENT FOR STATES TO PERMIT INDIVID-
17 UALS TO VOTE BY ABSENTEE BALLOT.—

18 (1) IN GENERAL.—Each State shall—

19 (A) permit absent Capital voters to use ab-
20 sентee registration procedures and to vote by
21 absentee ballot in general, special, primary, and
22 runoff elections for Federal office; and

23 (B) accept and process, with respect to any
24 general, special, primary, or runoff election for
25 Federal office, any otherwise valid voter reg-

HR 51 PCS

50

1 istration application from an absent Capital
2 voter, if the application is received by the ap-
3 propriate State election official not less than 30
4 days before the election.

5 (2) ABSENT CAPITAL VOTER DEFINED.—In this
6 section, the term “absent Capital voter” means, with
7 respect to a State, a person who resides in the Cap-
8 ital and is qualified to vote in the State (or who
9 would be qualified to vote in the State but for resid-
10 ing in the Capital), but only if the State is the last
11 place in which the person was domiciled before resid-
12 ing in the Capital.

13 (3) STATE DEFINED.—In this section, the term
14 “State” means each of the several States, including
15 the State.

16 (b) RECOMMENDATIONS TO STATES TO MAXIMIZE
17 ACCESS TO POLLS BY ABSENT CAPITAL VOTERS.—To af-
18 ford maximum access to the polls by absent Capital voters,
19 it is the sense of Congress that the States should—

20 (1) waive registration requirements for absent
21 Capital voters who, by reason of residence in the
22 Capital, do not have an opportunity to register;

23 (2) expedite processing of balloting materials
24 with respect to such individuals; and

HR 51 PCS

51

1 (3) assure that absentee ballots are mailed to
2 such individuals at the earliest opportunity.

3 (c) ENFORCEMENT.—The Attorney General may
4 bring a civil action in the appropriate district court of the
5 United States for such declaratory or injunctive relief as
6 may be necessary to carry out this section.

7 (d) EFFECT ON CERTAIN OTHER LAWS.—The exer-
8 cise of any right under this section shall not affect, for
9 purposes of a Federal tax, a State tax, or a local tax, the
10 residence or domicile of a person exercising such right.

11 (e) EFFECTIVE DATE.—This section shall take effect
12 upon the date of the admission of the State into the
13 Union, and shall apply with respect to elections for Fed-
14 eral office taking place on or after such date.

15 SEC. 222. REPEAL OF OFFICE OF DISTRICT OF COLUMBIA
16 DELEGATE.

17 (a) IN GENERAL.—Sections 202 and 204 of the Dis-
18 trict of Columbia Delegate Act (Public Law 91–405; sec-
19 tions 1–401 and 1–402, D.C. Official Code) are repealed,
20 and the provisions of law amended or repealed by such
21 sections are restored or revived as if such sections had
22 not been enacted.

23 (b) CONFORMING AMENDMENTS TO DISTRICT OF CO-
24 LUMBIA ELECTIONS CODE OF 1955.—The District of Co-
25 lumbia Elections Code of 1955 is amended—

52

1 (1) in section 1 (sec. 1–1001.01, D.C. Official
2 Code), by striking “the Delegate to the House of
3 Representatives,”;

4 (2) in section 2 (sec. 1–1001.02, D.C. Official
5 Code)—

6 (A) by striking paragraph (6),

7 (B) in paragraph (12), by striking “(except
8 the Delegate to Congress for the District of Co-
9 lumbia)”, and

10 (C) in paragraph (13), by striking “the
11 Delegate to Congress for the District of Colum-
12 bia,”;

13 (3) in section 8 (sec. 1–1001.08, D.C. Official
14 Code)—

15 (A) by striking “Delegate,” in the heading,
16 and

17 (B) by striking “Delegate,” each place it
18 appears in subsections (d), (h)(1)(A), (h)(2),
19 (i)(1), (j)(1), (j)(3), and (k)(3);

20 (4) in section 10 (sec. 1–1001.10, D.C. Official
21 Code)—

22 (A) by striking subparagraph (A) of sub-
23 section (a)(3), and

24 (B) in subsection (d)—

HR 51 PCS

53

1 (i) by striking “Delegate,” each place
2 it appears in paragraph (1), and

3 (ii) by striking paragraph (2) and re-
4 designating paragraph (3) as paragraph
5 (2);

6 (5) in section 11(a)(2) (sec. 1–1001.11(a)(2),
7 D.C. Official Code), by striking “Delegate to the
8 House of Representatives,”;

9 (6) in section 15(b) (sec. 1–1001.15(b), D.C.
10 Official Code), by striking “Delegate,”; and

11 (7) in section 17(a) (sec. 1–1001.17(a), D.C.
12 Official Code), by striking “except the Delegate to
13 the Congress from the District of Columbia”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect upon the admission of the
16 State into the Union.

17 **SEC. 223. REPEAL OF LAW PROVIDING FOR PARTICIPATION**
18 **OF SEAT OF GOVERNMENT IN ELECTION OF**
19 **PRESIDENT AND VICE-PRESIDENT.**

20 (a) IN GENERAL.—Chapter 1 of title 3, United
21 States Code, is amended—

22 (1) by striking section 21; and

23 (2) in the table of sections, by striking the item
24 relating to section 21.

HR 51 PCS

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect upon the date of the admis-
3 sion of the State into the Union, and shall apply to any
4 election of the President and Vice-President taking place
5 on or after such date.

6 **SEC. 224. EXPEDITED PROCEDURES FOR CONSIDERATION**
7 **OF CONSTITUTIONAL AMENDMENT REPEAL-**
8 **ING 23RD AMENDMENT.**

9 (a) JOINT RESOLUTION DESCRIBED.—In this sec-
10 tion, the term “joint resolution” means a joint resolu-
11 tion—

12 (1) entitled “A joint resolution proposing an
13 amendment to the Constitution of the United States
14 to repeal the 23rd article of amendment”; and

15 (2) the matter after the resolving clause of
16 which consists solely of text to amend the Constitu-
17 tion of the United States to repeal the 23rd article
18 of amendment to the Constitution.

19 (b) EXPEDITED CONSIDERATION IN HOUSE OF REP-
20 RESENTATIVES.—

21 (1) PLACEMENT ON CALENDAR.—Upon intro-
22 duction in the House of Representatives, the joint
23 resolution shall be placed immediately on the appro-
24 priate calendar.

25 (2) PROCEEDING TO CONSIDERATION.—

55

1 (A) IN GENERAL.—It shall be in order, not
2 later than 30 legislative days after the date the
3 joint resolution is introduced in the House of
4 Representatives, to move to proceed to consider
5 the joint resolution in the House of Representa-
6 tives.

7 (B) PROCEDURE.—For a motion to proceed
8 to consider the joint resolution—

9 (i) all points of order against the mo-
10 tion are waived;

11 (ii) such a motion shall not be in
12 order after the House of Representatives
13 has disposed of a motion to proceed on the
14 joint resolution;

15 (iii) the previous question shall be
16 considered as ordered on the motion to its
17 adoption without intervening motion;

18 (iv) the motion shall not be debatable;
19 and

20 (v) a motion to reconsider the vote by
21 which the motion is disposed of shall not
22 be in order.

23 (3) CONSIDERATION.—When the House of Rep-
24 resentatives proceeds to consideration of the joint
25 resolution—

HR 51 PCS

56

1 (A) the joint resolution shall be considered
2 as read;

3 (B) all points of order against the joint
4 resolution and against its consideration are
5 waived;

6 (C) the previous question shall be consid-
7 ered as ordered on the joint resolution to its
8 passage without intervening motion except 10
9 hours of debate equally divided and controlled
10 by the proponent and an opponent;

11 (D) an amendment to the joint resolution
12 shall not be in order; and

13 (E) a motion to reconsider the vote on pas-
14 sage of the joint resolution shall not be in
15 order.

16 (c) EXPEDITED CONSIDERATION IN SENATE.—

17 (1) PLACEMENT ON CALENDAR.—Upon intro-
18 duction in the Senate, the joint resolution shall be
19 placed immediately on the calendar.

20 (2) PROCEEDING TO CONSIDERATION.—

21 (A) IN GENERAL.—Notwithstanding rule
22 XXII of the Standing Rules of the Senate, it is
23 in order, not later than 30 legislative days after
24 the date the joint resolution is introduced in the
25 Senate (even though a previous motion to the

HR 51 PCS

57

1 same effect has been disagreed to) to move to
2 proceed to the consideration of the joint resolu-
3 tion.

4 (B) PROCEDURE.—For a motion to pro-
5 ceed to the consideration of the joint resolu-
6 tion—

7 (i) all points of order against the mo-
8 tion are waived;

9 (ii) the motion is not debatable;

10 (iii) the motion is not subject to a mo-
11 tion to postpone;

12 (iv) a motion to reconsider the vote by
13 which the motion is agreed to or disagreed
14 to shall not be in order; and

15 (v) if the motion is agreed to, the
16 joint resolution shall remain the unfinished
17 business until disposed of.

18 (3) FLOOR CONSIDERATION.—

19 (A) IN GENERAL.—If the Senate proceeds
20 to consideration of the joint resolution—

21 (i) all points of order against the joint
22 resolution (and against consideration of
23 the joint resolution) are waived;

24 (ii) consideration of the joint resolu-
25 tion, and all debatable motions and appeals

HR 51 PCS

58

1 in connection therewith, shall be limited to
2 not more than 30 hours, which shall be di-
3 vided equally between the majority and mi-
4 nority leaders or their designees;

5 (iii) a motion further to limit debate
6 is in order and not debatable;

7 (iv) an amendment to, a motion to
8 postpone, or a motion to commit the joint
9 resolution is not in order; and

10 (v) a motion to proceed to the consid-
11 eration of other business is not in order.

12 (B) VOTE ON PASSAGE.—In the Senate the
13 vote on passage shall occur immediately fol-
14 lowing the conclusion of the consideration of the
15 joint resolution, and a single quorum call at the
16 conclusion of the debate if requested in accord-
17 ance with the rules of the Senate.

18 (C) RULINGS OF THE CHAIR ON PROCE-
19 DURE.—Appeals from the decisions of the Chair
20 relating to the application of this subsection or
21 the rules of the Senate, as the case may be, to
22 the procedure relating to the joint resolution
23 shall be decided without debate.

24 (d) RULES RELATING TO SENATE AND HOUSE OF
25 REPRESENTATIVES.—

HR 51 PCS

59

1 (1) COORDINATION WITH ACTION BY OTHER
2 HOUSE.—If, before the passage by one House of the
3 joint resolution of that House, that House receives
4 from the other House the joint resolution—

5 (A) the joint resolution of the other House
6 shall not be referred to a committee; and

7 (B) with respect to the joint resolution of
8 the House receiving the resolution—

9 (i) the procedure in that House shall
10 be the same as if no joint resolution had
11 been received from the other House; and

12 (ii) the vote on passage shall be on
13 the joint resolution of the other House.

14 (2) TREATMENT OF JOINT RESOLUTION OF
15 OTHER HOUSE.—If one House fails to introduce or
16 consider the joint resolution under this section, the
17 joint resolution of the other House shall be entitled
18 to expedited floor procedures under this section.

19 (3) TREATMENT OF COMPANION MEASURES.—
20 If, following passage of the joint resolution in the
21 Senate, the Senate receives the companion measure
22 from the House of Representatives, the companion
23 measure shall not be debatable.

24 (e) RULES OF HOUSE OF REPRESENTATIVES AND
25 SENATE.—This section is enacted by Congress—

HR 51 PCS

60

1 (1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such is deemed a part of the rules of
4 each House, respectively, but applicable only withre-
5 spect to the procedure to be followed in that House
6 in the case of the joint resolution, and supersede
7 other rules only to the extent that it is inconsistent
8 with such rules; and

9 (2) with full recognition of the constitutional
10 right of either House to change the rules (so far as
11 relating to the procedure of that House) at any time,
12 in the same manner, and to the same extent as in
13 the case of any other rule of that House.

14 **TITLE III—CONTINUATION OF**
15 **CERTAIN AUTHORITIES AND**
16 **RESPONSIBILITIES**

17 **Subtitle A—Employee Benefits**

18 **SEC. 301. FEDERAL BENEFIT PAYMENTS UNDER CERTAIN**
19 **RETIREMENT PROGRAMS.**

20 (a) CONTINUATION OF ENTITLEMENT TO PAY-
21 MENTS.—Any individual who, as of the day before the date
22 of the admission of the State into the Union, is entitled
23 to a Federal benefit payment under the District of Colum-
24 bia Retirement Protection Act of 1997 (subtitle A of title
25 XI of the National Capital Revitalization and Self-Govern-

HR 51 PCS

61

1 ment Improvement Act of 1997; sec. 1–801.01 et seq.,
2 D.C. Official Code) shall continue to be entitled to such
3 a payment after the admission of the State into the Union,
4 in the same manner, to the same extent, and subject to
5 the same terms and conditions applicable under such Act.

6 (b) OBLIGATIONS OF FEDERAL GOVERNMENT.—

7 (1) IN GENERAL.—Any obligation of the Fed-
8 eral Government under the District of Columbia Re-
9 tirement Protection Act of 1997 which exists with
10 respect to any individual or with respect to the Dis-
11 trict of Columbia as of the day before the date of
12 the admission of the State into the Union shall re-
13 main in effect with respect to such an individual and
14 with respect to the State after the admission of the
15 State into the Union, in the same manner, to the
16 same extent, and subject to the same terms and con-
17 ditions applicable under such Act.

18 (2) D.C. FEDERAL PENSION FUND.—Any obli-
19 gation of the Federal Government under chapter 9
20 of the District of Columbia Retirement Protection
21 Act of 1997 (sec. 1–817.01 et seq., D.C. Official
22 Code) with respect to the D.C. Federal Pension
23 Fund which exists as of the day before the date of
24 the admission of the State into the Union shall re-
25 main in effect with respect to such Fund after the

HR 51 PCS

62

1 admission of the State into the Union, in the same
2 manner, to the same extent, and subject to the same
3 terms and conditions applicable under such chapter.

4 (c) OBLIGATIONS OF STATE.—Any obligation of the
5 District of Columbia under the District of Columbia Re-
6 tirement Protection Act of 1997 which exists with respect
7 to any individual or with respect to the Federal Govern-
8 ment as of the day before the date of the admission of
9 the State into the Union shall become an obligation of the
10 State with respect to such an individual and with respect
11 to the Federal Government after the admission of the
12 State into the Union, in the same manner, to the same
13 extent, and subject to the same terms and conditions ap-
14 plicable under such Act.

15 **SEC. 302. CONTINUATION OF FEDERAL CIVIL SERVICE BEN-**
16 **EFITS FOR EMPLOYEES FIRST EMPLOYED**
17 **PRIOR TO ESTABLISHMENT OF DISTRICT OF**
18 **COLUMBIA MERIT PERSONNEL SYSTEM.**

19 (a) OBLIGATIONS OF FEDERAL GOVERNMENT.—Any
20 obligation of the Federal Government under title 5, United
21 States Code, which exists with respect to an individual de-
22 scribed in subsection (c) or with respect to the District
23 of Columbia as of the day before the date of the admission
24 of the State into the Union shall remain in effect with
25 respect to such individual and with respect to the State

HR 51 PCS

63

1 after the admission of the State into the Union, in the
2 same manner, to the same extent, and subject to the same
3 terms and conditions applicable under such title.

4 (b) OBLIGATIONS OF STATE.—Any obligation of the
5 District of Columbia under title 5, United States Code,
6 which exists with respect to an individual described in sub-
7 section (c) or with respect to the Federal Government as
8 of the day before the date of the admission of the State
9 into the Union shall become an obligation of the State with
10 respect to such individual and with respect to the Federal
11 Government after the admission of the State into the
12 Union, in the same manner, to the same extent, and sub-
13 ject to the same terms and conditions applicable under
14 such title.

15 (c) INDIVIDUALS DESCRIBED.—An individual de-
16 scribed in this subsection is an individual who was first
17 employed by the government of the District of Columbia
18 before October 1, 1987.

19 **SEC. 303. OBLIGATIONS OF FEDERAL GOVERNMENT UNDER**
20 **JUDGES' RETIREMENT PROGRAM.**

21 (a) CONTINUATION OF OBLIGATIONS.—

22 (1) IN GENERAL.—Any obligation of the Fed-
23 eral Government under subchapter III of chapter 15
24 of title 11, District of Columbia Official Code—

HR 51 PCS

64

1 (A) which exists with respect to any indi-
2 vidual and the District of Columbia as the re-
3 sult of service accrued prior to the date of the
4 admission of the State into the Union shall re-
5 main in effect with respect to such an indi-
6 vidual and with respect to the State after the
7 admission of the State into the Union, in the
8 same manner, to the same extent, and subject
9 to the same terms and conditions applicable
10 under such subchapter; and

11 (B) subject to paragraph (2), shall exist
12 with respect to any individual and the State as
13 the result of service accrued after the date of
14 the admission of the State into the Union in the
15 same manner, to the same extent, and subject
16 to the same terms and conditions applicable
17 under such subchapter as such obligation ex-
18 isted with respect to individuals and the Dis-
19 trict of Columbia as of the date of the admis-
20 sion of the State into the Union.

21 (2) TREATMENT OF SERVICE ACCRUED AFTER
22 TAKING EFFECT OF STATE RETIREMENT PRO-
23 GRAM.—Subparagraph (B) of paragraph (1) does
24 not apply to service accrued on or after the termi-
25 nation date described in subsection (b).

HR 51 PCS

65

1 (b) TERMINATION DATE.—The termination date de-
2 scribed in this subsection is the date on which the State
3 provides written certification to the President that the
4 State has in effect laws requiring the State to appropriate
5 and make available funds for the retirement of judges of
6 the State.

7 Subtitle B—Agencies

8 SEC. 311. PUBLIC DEFENDER SERVICE.

9 (a) CONTINUATION OF OPERATIONS AND FUND-
10 ING.—

11 (1) IN GENERAL.—Except as provided in para-
12 graph (2) and subsection (b), title III of the District
13 of Columbia Court Reform and Criminal Procedure
14 Act of 1970 (sec. 2–1601 et seq., D.C. Official
15 Code) shall apply with respect to the State and to
16 the public defender service of the State after the
17 date of the admission of the State into the Union in
18 the same manner and to the same extent as such
19 title applied with respect to the District of Columbia
20 and the District of Columbia Public Defender Serv-
21 ice as of the day before the date of the admission
22 of the State into the Union.

23 (2) RESPONSIBILITY FOR EMPLOYER CON-
24 TRIBUTION.—For purposes of paragraph (2) of sec-
25 tion 305(c) of such Act (sec. 2–1605(c)(2), D.C. Of-

HR 51 PCS

66

1 ficial Code), the Federal Government shall be treat-
2 ed as the employing agency with respect to the bene-
3 fits provided under such section to an individual who
4 is an employee of the public defender service of the
5 State and who, pursuant to section 305(c) of such
6 Act (sec. 2–1605(c), D.C. Official Code), is treated
7 as an employee of the Federal Government for pur-
8 poses of receiving benefits under any chapter of sub-
9 part G of part III of title 5, United States Code.

10 (b) RENAMING OF SERVICE.—Effective upon the date
11 of the admission of the State into the Union, the State
12 may rename the public defender service of the State.

13 (c) CONTINUATION OF FEDERAL BENEFITS FOR EM-
14 PLOYEES.—

15 (1) IN GENERAL.—Any individual who is an
16 employee of the public defender service of the State
17 as of the day before the date described in subsection
18 (d) and who, pursuant to section 305(c) of the Dis-
19 trict of Columbia Court Reform and Criminal Proce-
20 dure Act of 1970 (sec. 2–1605(c), D.C. Official
21 Code), is treated as an employee of the Federal Gov-
22 ernment for purposes of receiving benefits under any
23 chapter of subpart G of part III of title 5, United
24 States Code, shall continue to be treated as an em-
25 ployee of the Federal Government for such purposes,

HR 51 PCS

67

1 notwithstanding the termination of the provisions of
2 subsection (a) under subsection (d).

3 (2) RESPONSIBILITY FOR EMPLOYER CON-
4 TRIBUTION.—Beginning on the date described in
5 subsection (d), the State shall be treated as the em-
6 ploying agency with respect to the benefits described
7 in paragraph (1) which are provided to an individual
8 who, for purposes of receiving such benefits, is con-
9 tinued to be treated as an employee of the Federal
10 Government under such paragraph.

11 (d) TERMINATION.—Subsection (a) shall terminate
12 upon the date on which the State provides written certifi-
13 cation to the President that the State has in effect laws
14 requiring the State to appropriate and make available
15 funds for the operation of the office of the State which
16 provides the services described in title III of the District
17 of Columbia Court Reform and Criminal Procedure Act
18 of 1970 (sec. 2–1601 et seq., D.C. Official Code).

19 **SEC. 312. PROSECUTIONS.**

20 (a) ASSIGNMENT OF ASSISTANT UNITED STATES AT-
21 TORNEYS.—

22 (1) IN GENERAL.—In accordance with sub-
23 chapter VI of chapter 33 of title 5, United States
24 Code, the Attorney General, with the concurrence of
25 the District of Columbia or the State (as the case

HR 51 PCS

68

1 may be), shall provide for the assignment of assist-
2 ant United States attorneys to the State to carry
3 out the functions described in subsection (b).

4 (2) ASSIGNMENTS MADE ON DETAIL WITHOUT
5 REIMBURSEMENT BY STATE.—In accordance with
6 section 3373 of title 5, United States Code—

7 (A) an assistant United States attorney
8 who is assigned to the State under this section
9 shall be deemed under subsection (a) of such
10 section to be on detail to a regular work assign-
11 ment in the Department of Justice; and

12 (B) the assignment of an assistant United
13 States attorney to the State under this section
14 shall be made without reimbursement by the
15 State of the pay of the attorney or any related
16 expenses.

17 (b) FUNCTIONS DESCRIBED.—The functions de-
18 scribed in this subsection are criminal prosecutions con-
19 ducted in the name of the State which would have been
20 conducted in the name of the United States by the United
21 States attorney for the District of Columbia or his or her
22 assistants, as provided under section 23–101(c), District
23 of Columbia Official Code, but for the admission of the
24 State into the Union.

HR 51 PCS

69

1 (c) MINIMUM NUMBER ASSIGNED.—The number of
2 assistant United States attorneys who are assigned under
3 this section may not be less than the number of assistant
4 United States attorneys whose principal duties as of the
5 day before the date of the admission of the State into the
6 Union were to conduct criminal prosecutions in the name
7 of the United States under section 23–101(c), District of
8 Columbia Official Code.

9 (d) TERMINATION.—The obligation of the Attorney
10 General to provide for the assignment of assistant United
11 States attorneys under this section shall terminate upon
12 written certification by the State to the President that the
13 State has appointed attorneys of the State to carry out
14 the functions described in subsection (b).

15 (e) CLARIFICATION REGARDING CLEMENCY AU-
16 THORITY.—

17 (1) IN GENERAL.—Effective upon the admission
18 of the State into the Union, the authority to grant
19 clemency for offenses against the District of Colum-
20 bia or the State shall be exercised by such person or
21 persons, and under such terms and conditions, as
22 provided by the State Constitution and the laws of
23 the State, without regard to whether the prosecution
24 for the offense was conducted by the District of Co-
25 lumbia, the State, or the United States.

HR 51 PCS

70

1 (2) DEFINITION.—In this subsection, the term
2 “clemency” means a pardon, reprieve, or commuta-
3 tion of sentence, or a remission of a fine or other
4 financial penalty.

5 **SEC. 313. SERVICE OF UNITED STATES MARSHALS.**

6 (a) PROVISION OF SERVICES FOR COURTS OF
7 STATE.—The United States Marshals Service shall pro-
8 vide services with respect to the courts and court system
9 of the State in the same manner and to the same extent
10 as the Service provided services with respect to the courts
11 and court system of the District of Columbia as of the
12 day before the date of the admission of the State into the
13 Union, except that the President shall not appoint a
14 United States Marshal under section 561 of title 28,
15 United States Code, for any court of the State.

16 (b) TERMINATION.—The obligation of the United
17 States Marshals Service to provide services under this sec-
18 tion shall terminate upon written certification by the State
19 to the President that the State has appointed personnel
20 of the State to provide such services.

21 **SEC. 314. DESIGNATION OF FELONS TO FACILITIES OF BU-**
22 **REAU OF PRISONS.**

23 (a) CONTINUATION OF DESIGNATION.—Chapter 1 of
24 subtitle C of title XI of the National Capital Revitalization
25 and Self-Government Improvement Act of 1997 (sec. 24—

HR 51 PCS

1 101 et seq., D.C. Official Code) and the amendments
2 made by such chapter—

3 (1) shall continue to apply with respect to indi-
4 viduals convicted of offenses under the laws of the
5 District of Columbia prior to the date of the admis-
6 sion of the State into the Union; and

7 (2) shall apply with respect to individuals con-
8 victed of offenses under the laws of the State after
9 the date of the admission of the State into the
10 Union in the same manner and to the same extent
11 as such chapter and amendments applied with re-
12 spect to individuals convicted of offenses under the
13 laws of the District of Columbia prior to the date of
14 the admission of the State into the Union.

15 (b) TERMINATION.—The provisions of this section
16 shall terminate upon written certification by the State to
17 the President that the State has in effect laws for the
18 housing of individuals described in subsection (a) in cor-
19 rectional facilities.

20 **SEC. 315. PAROLE AND SUPERVISION.**

21 (a) UNITED STATES PAROLE COMMISSION.—

22 (1) PAROLE.—The United States Parole Com-
23 mission—

24 (A) shall continue to exercise the authority
25 to grant, deny, and revoke parole, and to im-

72

1 pose conditions upon an order of parole, in the
2 case of any individual who is an imprisoned
3 felon who is eligible for parole or reparole under
4 the laws of the District of Columbia as of the
5 day before the date of the admission of the
6 State into the Union, as provided under section
7 11231 of the National Capital Revitalization
8 and Self-Government Improvement Act of 1997
9 (sec. 24–131, D.C. Official Code); and

10 (B) shall exercise the authority to grant,
11 deny, and revoke parole, and to impose condi-
12 tions upon an order of parole, in the case of
13 any individual who is an imprisoned felon who
14 is eligible for parole or reparole under the laws
15 of the State in the same manner and to the
16 same extent as the Commission exercised in the
17 case of any individual described in subpara-
18 graph (A).

19 (2) SUPERVISION OF RELEASED OFFENDERS.—

20 The United States Parole Commission—

21 (A) shall continue to exercise the authority
22 over individuals who are released offenders of
23 the District of Columbia as of the day before
24 the date of the admission of the State into the
25 Union, as provided under section 11233(c)(2)

HR 51 PCS

73

1 of the National Capital Revitalization and Self-
2 Government Improvement Act of 1997 (sec.
3 24–133(c)(2), D.C. Official Code); and

4 (B) shall exercise authority over individ-
5 uals who are released offenders of the State in
6 the same manner and to the same extent as the
7 Commission exercised authority over individuals
8 described in subparagraph (A).

9 (3) CONTINUATION OF FEDERAL BENEFITS FOR
10 EMPLOYEES.—

11 (A) CONTINUATION.—Any individual who
12 is an employee of the United States Parole
13 Commission as of the later of the day before
14 the date described in subparagraph (A) of para-
15 graph (4) or the day before the date described
16 in subparagraph (B) of paragraph (4) and who,
17 on or after such date, is an employee of the of-
18 fice of the State which exercises the authority
19 described in either such subparagraph, shall
20 continue to be treated as an employee of the
21 Federal Government for purposes of receiving
22 benefits under any chapter of subpart G of part
23 III of title 5, United States Code, notwith-
24 standing the termination of the provisions of
25 this subsection under paragraph (4).

HR 51 PCS

74

1 (B) RESPONSIBILITY FOR EMPLOYER CON-
2 TRIBUTION.—Beginning on the later of the date
3 described in subparagraph (A) of paragraph (4)
4 or the date described in subparagraph (B) of
5 paragraph (4), the State shall be treated as the
6 employing agency with respect to the benefits
7 described in subparagraph (A) which are pro-
8 vided to an individual who, for purposes of re-
9 ceiving such benefits, is continued to be treated
10 as an employee of the Federal Government
11 under suchsubparagraph.

12 (4) TERMINATION.—The provisions of this sub-
13 section shall terminate—

14 (A) in the case of paragraph (1), on the
15 date on which the State provides written certifi-
16 cation to the President that the State has in ef-
17 fect laws providing for the State to exercise the
18 authority to grant, deny, and revoke parole, and
19 to impose conditions upon an order of parole, in
20 the case of any individual who is an imprisoned
21 felon who is eligible for parole or reparole under
22 the laws of the State; and

23 (B) in the case of paragraph (2), on the
24 date on which the State provides written certifi-
25 cation to the President that the State has in ef-

HR 51 PCS

75

1 fect laws providing for the State to exercise au-
2 thority over individuals who are released offend-
3 ers of the State.

4 (b) COURT SERVICES AND OFFENDER SUPERVISION
5 AGENCY.—

6 (1) RENAMING.—Effective upon the date of the
7 admission of the State into the Union—

8 (A) the Court Services and Offender Su-
9 pervision Agency for the District of Columbia
10 shall be known and designated as the Court
11 Services and Offender Supervision Agency for
12 Washington, Douglass Commonwealth, and any
13 reference in any law, rule, or regulation to the
14 Court Services and Offender Supervision Agen-
15 cy for the District of Columbia shall be deemed
16 to refer to the Court Services and Offender Su-
17 pervision Agency for Washington, Douglass
18 Commonwealth; and

19 (B) the District of Columbia Pretrial Serv-
20 ices Agency shall be known and designated as
21 the Washington, Douglass Commonwealth Pre-
22 trial Services Agency, and any reference in any
23 law, rule or regulation to the District of Colum-
24 bia Pretrial Services Agency shall be deemed to

HR 51 PCS

76

1 refer to the Washington, Douglass Common-
2 wealth Pretrial Services Agency.

3 (2) IN GENERAL.—The Court Services and Of-
4 fender Supervision Agency for Washington, Doug-
5 lass Commonwealth, including the Washington,
6 Douglass Commonwealth Pretrial Services Agency
7 (as renamed under paragraph (1))—

8 (A) shall continue to provide pretrial serv-
9 ices with respect to individuals who are charged
10 with an offense in the District of Columbia,
11 provide supervision for individuals who are of-
12 fenders on probation, parole, and supervised re-
13 lease pursuant to the laws of the District of Co-
14 lumbia, and carry out sex offender registration
15 functions with respect to individuals who are
16 sex offenders in the District of Columbia, as of
17 the day before the date of the admission of the
18 State into the Union, as provided under section
19 11233 of the National Capital Revitalization
20 and Self-Government Improvement Act of 1997
21 (sec. 24–133, D.C. Official Code); and

22 (B) shall provide pretrial services with re-
23 spect to individuals who are charged with an of-
24 fense in the State, provide supervision for of-
25 fenders on probation, parole, and supervised re-

HR 51 PCS

77

1 lease pursuant to the laws of the State, and
2 carry out sex offender registration functions in
3 the State, in the same manner and to the same
4 extent as the Agency provided such services and
5 supervision and carried out such functions for
6 individuals described in subparagraph (A).

7 (3) CONTINUATION OF FEDERAL BENEFITS FOR
8 EMPLOYEES.—

9 (A) CONTINUATION.—Any individual who
10 is an employee of the Court Services and Of-
11 fender Supervision Agency for Washington,
12 Douglass Commonwealth as of the day before
13 the date described in paragraph (4), and who,
14 on or after such date, is an employee of the of-
15 fice of the State which provides the services and
16 carries out the functions described in paragraph
17 (4), shall continue to be treated as an employee
18 of the Federal Government for purposes of re-
19 ceiving benefits under any chapter of subpart G
20 of part III of title 5, United States Code, not-
21 withstanding the termination of the provisions
22 of paragraph (2) under paragraph (4).

23 (B) RESPONSIBILITY FOR EMPLOYER CON-
24 TRIBUTION.—Beginning on the date described
25 in paragraph (4), the State shall be treated as

HR 51 PCS

78

1 the employing agency with respect to the bene-
2 fits described in subparagraph (A) which are
3 provided to an individual who, for purposes of
4 receiving such benefits, is continued to be treat-
5 ed as an employee of the Federal Government
6 under such subparagraph.

7 (4) TERMINATION.—Paragraph (2) shall termi-
8 nate on the date on which the State provides written
9 certification to the President that the State has in
10 effect laws providing for the State to provide pretrial
11 services, supervise offenders on probation, parole,
12 and supervised release, and carry out sex offender
13 registration functions in the State.

14 **SEC. 316. COURTS.**

15 (a) CONTINUATION OF OPERATIONS.—

16 (1) IN GENERAL.—Except as provided in para-
17 graphs (2) and (3) and subsection (b), title 11, Dis-
18 trict of Columbia Official Code, as in effect on the
19 date before the date of the admission of the State
20 into the Union, shall apply with respect to the State
21 and the courts and court system of the State after
22 the date of the admission of the State into the
23 Union in the same manner and to the same extent
24 as such title applied with respect to the District of
25 Columbia and the courts and court system of the

HR 51 PCS

79

1 District of Columbia as of the day before the date
2 of the admission of the State into the Union.

3 (2) RESPONSIBILITY FOR EMPLOYER CON-
4 TRIBUTION.—For purposes of paragraph (2) of sec-
5 tion 11–1726(b) and paragraph (2) of section 11–
6 1726(c), District of Columbia Official Code, the
7 Federal Government shall be treated as the employ-
8 ing agency with respect to the benefits provided
9 under such section to an individual who is an em-
10 ployee of the courts and court system of the State
11 and who, pursuant to either such paragraph, is
12 treated as an employee of the Federal Government
13 for purposes of receiving benefits under any chapter
14 of subpart G of part III of title 5, United States
15 Code.

16 (3) OTHER EXCEPTIONS.—

17 (A) SELECTION OF JUDGES.—Effective
18 upon the date of the admission of the State into
19 the Union, the State shall select judges for any
20 vacancy on the courts of the State.

21 (B) RENAMING OF COURTS AND OTHER
22 OFFICES.—Effective upon the date of the ad-
23 mission of the State into the Union, the State
24 may rename any of its courts and any of the
25 other offices of its court system.

HR 51 PCS

80

1 (C) RULES OF CONSTRUCTION.—Nothing
2 in this paragraph shall be construed—

3 (i) to affect the service of any judge
4 serving on a court of the District of Co-
5 lumbia on the day before the date of the
6 admission of the State into the Union, or
7 to require the State to select such a judge
8 for a vacancy on a court of the State; or

9 (ii) to waive any of the requirements
10 of chapter 15 of title 11, District of Co-
11 lumbia Official Code (other than section
12 11–1501(a) of such Code), including sub-
13 chapter II of such chapter (relating to the
14 District of Columbia Commission on Judi-
15 cial Disabilities and Tenure), with respect
16 to the appointment and service of judges of
17 the courts of the State.

18 (b) CONTINUATION OF FEDERAL BENEFITS FOR EM-
19 PLOYEES.—

20 (1) IN GENERAL.—Any individual who is an
21 employee of the courts or court system of the State
22 as of the day before the date described in subsection
23 (e) and who, pursuant to section 11–1726(b) or sec-
24 tion 11–1726(c), District of Columbia Official Code,
25 is treated as an employee of the Federal Government

HR 51 PCS

81

1 for purposes of receiving benefits under any chapter
2 of subpart G of part III of title 5, United States
3 Code, shall continue to be treated as an employee of
4 the Federal Government for such purposes, notwith-
5 standing the termination of the provisions of this
6 section under subsection (e).

7 (2) RESPONSIBILITY FOR EMPLOYER CON-
8 TRIBUTION.—Beginning on the date described in
9 subsection (e), the State shall be treated as the em-
10 ploying agency with respect to the benefits described
11 in paragraph (1) which are provided to an individual
12 who, for purposes of receiving such benefits, is con-
13 tinued to be treated as an employee of the Federal
14 Government under such paragraph.

15 (c) CONTINUATION OF FUNDING.—Section 11241 of
16 the National Capital Revitalization and Self-Government
17 Improvement Act of 1997 (section 11–1743 note, District
18 of Columbia Official Code) shall apply with respect to the
19 State and the courts and court system of the State after
20 the date of the admission of the State into the Union in
21 the same manner and to the same extent as such section
22 applied with respect to the Joint Committee on Judicial
23 Administration in the District of Columbia and the courts
24 and court system of the District of Columbia as of the

HR 51 PCS

82

1 day before the date of the admission of the State into the
2 Union.

3 (d) TREATMENT OF COURT RECEIPTS.—

4 (1) DEPOSIT OF RECEIPTS INTO TREASURY.—

5 Except as provided in paragraph (2), all money re-
6 ceived by the courts and court system of the State
7 shall be deposited in the Treasury of the United
8 States.

9 (2) CRIME VICTIMS COMPENSATION FUND.—

10 Section 16 of the Victims of Violent Crime Com-
11 pensation Act of 1996 (sec. 4–515, D.C. Official
12 Code), relating to the Crime Victims Compensation
13 Fund, shall apply with respect to the courts and
14 court system of the State in the same manner and
15 to the same extent as such section applied to the
16 courts and court system of the District of Columbia
17 as of the day before the date of the admission of the
18 State into the Union.

19 (e) TERMINATION.—The provisions of this section,
20 other than paragraph (3) of subsection (a) and except as
21 provided under subsection (b), shall terminate on the date
22 on which the State provides written certification to the
23 President that the State has in effect laws requiring the
24 State to appropriate and make available funds for the op-
25 eration of the courts and court system of the State.

HR 51 PCS

1 **Subtitle C—Other Programs and**
2 **Authorities**

3 **SEC. 321. APPLICATION OF THE COLLEGE ACCESS ACT.**

4 (a) CONTINUATION.—The District of Columbia Col-
5 lege Access Act of 1999 (Public Law 106–98; sec. 38–
6 2701 et seq., D.C. Official Code) shall apply with respect
7 to the State, and to the public institution of higher edu-
8 cation designated by the State as the successor to the Uni-
9 versity of the District of Columbia, after the date of the
10 admission of the State into the Union in the same manner
11 and to the same extent as such Act applied with respect
12 to the District of Columbia and the University of the Dis-
13 trict of Columbia as of the day before the date of the ad-
14 mission of the State into the Union.

15 (b) TERMINATION.—The provisions of this section,
16 other than with respect to the public institution of higher
17 education designated by the State as the successor to the
18 University of the District of Columbia, shall terminate
19 upon written certification by the State to the President
20 that the State has in effect laws requiring the State to
21 provide tuition assistance substantially similar to the as-
22 sistance provided under the District of Columbia College
23 Access Act of 1999.

84

1 SEC. 322. APPLICATION OF THE SCHOLARSHIPS FOR OP-
2 PORTUNITY AND RESULTS ACT.

3 (a) CONTINUATION.—The Scholarships for Oppor-
4 tunity and Results Act (division C of Public Law 112–
5 10; sec. 38–1853.01 et seq., D.C. Official Code) shall
6 apply with respect to the State after the date of the admis-
7 sion of the State into the Union in the same manner and
8 to the same extent as such Act applied with respect to
9 the District of Columbia as of the day before the date of
10 the admission of the State into the Union.

11 (b) TERMINATION.—The provisions of this section
12 shall terminate upon written certification by the State to
13 the President that the State has in effect laws requiring
14 the State—

15 (1) to provide tuition assistance substantially
16 similar to the assistance provided under the Scholar-
17 ships for Opportunity and Results Act; and

18 (2) to provide supplemental funds to the public
19 schools and public charter schools of the State in the
20 amounts provided in the most recent fiscal year for
21 public schools and public charter schools of the State
22 or the District of Columbia (as the case may be)
23 under such Act.

HR 51 PCS

85

1 SEC. 323. MEDICAID FEDERAL MEDICAL ASSISTANCE PER-
2 CENTAGE.

3 (a) CONTINUATION.—Notwithstanding section
4 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)),
5 during the period beginning on the date of the admission
6 of the State into the Union and ending on September 30
7 of the fiscal year during which the State submits the cer-
8 tification described in subsection (b), the Federal medical
9 assistance percentage for the State under title XIX of
10 such Act shall be the Federal medical assistance percent-
11 age for the District of Columbia under such title as of
12 the day before the date of the admission of the State into
13 the Union.

14 (b) TERMINATION.—The certification described in
15 this subsection is a written certification by the State to
16 the President that, during each of the first 5 fiscal years
17 beginning after the date of the certification, the estimated
18 revenues of the State will be sufficient to cover any reduc-
19 tion in revenues which may result from the termination
20 of the provisions of this section.

21 SEC. 324. FEDERAL PLANNING COMMISSIONS.

22 (a) NATIONAL CAPITAL PLANNING COMMISSION.—

23 (1) CONTINUING APPLICATION.—Subject to the
24 amendments made by paragraphs (2) and (3), upon
25 the admission of the State into the Union, chapter

HR 51 PCS

86

1 87 of title 40, United States Code, shall apply as
2 follows:

3 (A) Such chapter shall apply with respect
4 to the Capital in the same manner and to the
5 same extent as such chapter applied with re-
6 spect to the District of Columbia as of the day
7 before the date of the admission of the State
8 into the Union.

9 (B) Such chapter shall apply with respect
10 to the State in the same manner and to the
11 same extent as such chapter applied with re-
12 spect to the State of Maryland and the Com-
13 monwealth of Virginia as of the day before the
14 date of the admission of the State into the
15 Union.

16 (2) COMPOSITION OF NATIONAL CAPITAL PLAN-
17 NING COMMISSION.—Section 8711(b) of title 40,
18 United States Code, is amended—

19 (A) by amending subparagraph (B) of
20 paragraph (1) to read as follows:

21 “(B) four citizens with experience in city
22 or regional planning, who shall be appointed by
23 the President.”; and

24 (B) by amending paragraph (2) to read as
25 follows:

HR 51 PCS

1 “(2) RESIDENCY REQUIREMENT.—Of the four
2 citizen members, one shall be a resident of Virginia,
3 one shall be a resident of Maryland, and one shall
4 be a resident of Washington, Douglass Common-
5 wealth.”.

6 (3) CONFORMING AMENDMENTS TO DEFINI-
7 TIONS OF TERMS.—

8 (A) ENVIRONS.—Paragraph (1) of section
9 8702 of such title is amended by striking “the
10 territory surrounding the District of Columbia”
11 and inserting “the territory surrounding the
12 National Capital”.

13 (B) NATIONAL CAPITAL.—Paragraph (2)
14 of section 8702 of such title is amended to read
15 as follows:

16 “(2) NATIONAL CAPITAL.—The term ‘National
17 Capital’ means the area serving as the seat of the
18 Government of the United States, as described in
19 section 112 of the Washington, D.C. Admission Act,
20 and the territory the Federal Government owns in
21 the environs.”.

22 (C) NATIONAL CAPITAL REGION.—Sub-
23 paragraph (A) of paragraph (3) of section 8702
24 of such title is amended to read as follows:

88

1 “(A) the National Capital and the State of
2 Washington, Douglass Commonwealth;”.

3 (b) COMMISSION OF FINE ARTS.—

4 (1) LIMITING APPLICATION TO THE CAPITAL.—
5 Section 9102(a)(1) of title 40, United States Code,
6 is amended by striking “the District of Columbia”
7 and inserting “the Capital”.

8 (2) DEFINITION.—Section 9102 of such title is
9 amended by adding at the end the following new
10 subsection:

11 “(d) DEFINITION.—In this chapter, the term ‘Cap-
12 ital’ means the area serving as the seat of the Government
13 of the United States, as described in section 112 of the
14 Washington, D.C. Admission Act.”.

15 (3) CONFORMING AMENDMENT.—Section
16 9101(d) of such title is amended by striking “the
17 District of Columbia” and inserting “the Capital”.

18 (c) COMMEMORATIVE WORKS ACT.—

19 (1) LIMITING APPLICATION TO CAPITAL.—Sec-
20 tion 8902 of title 40, United States Code, is amend-
21 ed by adding at the end the following new sub-
22 section:

23 “(c) LIMITING APPLICATION TO CAPITAL.—This
24 chapter applies only with respect to commemorative works
25 in the Capital and its environs.”.

HR 51 PCS

89

1 (2) DEFINITION.—Paragraph (2) of section
2 8902(a) of such title is amended to read as follows:

3 “(2) CAPITAL AND ITS ENVIRONS.—The term
4 ‘Capital and its environs’ means—

5 “(A) the area serving as the seat of the
6 Government of the United States, as described
7 in section 112 of the Washington, D.C. Admis-
8 sion Act; and

9 “(B) those lands and properties adminis-
10 tered by the National Park Service and the
11 General Services Administration located in the
12 Reserve, Area I, and Area II as depicted on the
13 map entitled ‘Commemorative Areas Wash-
14 ington, DC and Environs’, numbered 869/
15 86501 B, and dated June 24, 2003, that are lo-
16 cated outside of the State of Washington,
17 Douglass Commonwealth.”.

18 (3) TEMPORARY SITE DESIGNATION.—Section
19 8907(a) of such title is amended by striking “the
20 District of Columbia” and inserting “the Capital
21 and its environs”.

22 (4) GENERAL CONFORMING AMENDMENTS.—
23 Chapter 89 of such title is amended by striking “the
24 District of Columbia and its environs” each place it

HR 51 PCS

90

1 appears in the following sections and inserting “the
2 Capital and its environs”:

3 (A) Section 8901(2) and 8901(4).

4 (B) Section 8902(a)(4).

5 (C) Section 8903(d).

6 (D) Section 8904(c).

7 (E) Section 8905(a).

8 (F) Section 8906(a).

9 (G) Section 8909(a) and 8909(b).

10 (5) ADDITIONAL CONFORMING AMENDMENT.—
11 Section 8901(2) of such title is amended by striking
12 “the urban fabric of the District of Columbia” and
13 inserting “the urban fabric of the area serving as
14 the seat of the Government of the United States, as
15 described in section 112 of the Washington, D.C.
16 Admission Act”.

17 (d) EFFECTIVE DATE.—This section and the amend-
18 ments made by this section shall take effect on the date
19 of the admission of the State into the Union.

20 **SEC. 325. ROLE OF ARMY CORPS OF ENGINEERS IN SUP-**
21 **PLYING WATER.**

22 (a) CONTINUATION OF ROLE.—Chapter 95 of title
23 40, United States Code, is amended by adding at the end
24 the following new section:

HR 51 PCS

1 § 9508. Applicability to Capital and State of Wash-
2 ington, Douglass Commonwealth

3 “(a) IN GENERAL.—Effective upon the admission of
4 the State of Washington, Douglass Commonwealth into
5 the Union, any reference in this chapter to the District
6 of Columbia shall be deemed to refer to the Capital or
7 the State of Washington, Douglass Commonwealth, as the
8 case may be.

9 “(b) DEFINITION.—In this section, the term ‘Capital’
10 means the area serving as the seat of the Government of
11 the United States, as described in section 112 of the
12 Washington, D.C. Admission Act.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 of chapter 95 of such title is amended by adding at the
15 end the following:

“9508. Applicability to Capital and State of Washington, Douglass Common-
wealth.”.

16 SEC. 326. REQUIREMENTS TO BE LOCATED IN DISTRICT OF
17 COLUMBIA.

18 The location of any person in the Capital or Wash-
19 ington, Douglass Commonwealth on the day after the date
20 of the admission of the State into the Union shall be
21 deemed to satisfy any requirement under any law in effect
22 as of the day before the date of the admission of the State
23 into the Union that the person be located in the District
24 of Columbia, including the requirements of section 72 of

92

1 title 4, United States Code (relating to offices of the seat
2 of the Government of the United States), and title 36,
3 United States Code (relating to patriotic and national or-
4 ganizations).

5 **TITLE IV—GENERAL**
6 **PROVISIONS**

7 **SEC. 401. GENERAL DEFINITIONS.**

8 In this Act, the following definitions shall apply:

9 (1) The term “Capital” means the area serving
10 as the seat of the Government of the United States,
11 as described in section 112.

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

14 (3) The term “Mayor” means the Mayor of the
15 District of Columbia.

16 (4) Except as otherwise provided, the term
17 “State” means the State of Washington, Douglass
18 Commonwealth.

19 (5) The term “State Constitution” means the
20 proposed Constitution of the State of Washington,
21 D.C., as approved by the Council on October 18,
22 2016, pursuant to the Constitution and Boundaries
23 for the State of Washington, D.C. Approval Resolu-
24 tion of 2016 (D.C. Resolution R21–621), ratified by
25 District of Columbia voters in Advisory Referendum

HR 51 PCS

93

1 B approved on November 8, 2016, and certified by
2 the District of Columbia Board of Elections on No-
3 vember 18, 2016.

4 **SEC. 402. STATEHOOD TRANSITION COMMISSION.**

5 (a) **ESTABLISHMENT.**—There is established the
6 Statehood Transition Commission (hereafter in this sec-
7 tion referred to as the “Commission”).

8 (b) **COMPOSITION.**—

9 (1) **IN GENERAL.**—The Commission shall be
10 composed of 18 members as follows:

11 (A) 3 members appointed by the President.

12 (B) 2 members appointed by the Speaker
13 of the House of Representatives.

14 (C) 2 members appointed by the Minority
15 Leader of the House of Representatives.

16 (D) 2 members appointed by the Majority
17 Leader of the Senate.

18 (E) 2 members appointed by the Minority
19 Leader of the Senate.

20 (F) 3 members appointed by the Mayor.

21 (G) 3 members appointed by the Council.

22 (H) The Chief Financial Officer of the
23 District of Columbia.

24 (2) **APPOINTMENT DATE.**—

HR 51 PCS

94

1 (A) IN GENERAL.—The appointments of
2 the members of the Commission shall be made
3 not later than 90 days after the date of the en-
4 actment of this Act.

5 (B) EFFECT OF LACK OF APPOINTMENT
6 BY APPOINTMENT DATE.—If one or more ap-
7 pointments under any of the subparagraphs of
8 paragraph (1) is not made by the appointment
9 date specified in subparagraph (A), the author-
10 ity to make such appointment or appointments
11 shall expire, and the number of members of the
12 Commission shall be reduced by the number
13 equal to the number of appointments so not
14 made.

15 (3) TERM OF SERVICE.—Each member shall be
16 appointed for the life of the Commission.

17 (4) VACANCY.—A vacancy in the Commission
18 shall be filled in the manner in which the original
19 appointment was made.

20 (5) NO COMPENSATION.—Members shall serve
21 without pay, but shall receive travel expenses, in-
22 cluding per diem in lieu of subsistence, in accord-
23 ance with applicable provisions under subchapter I
24 of chapter 57 of title 5, United States Code.

HR 51 PCS

95

1 (6) CHAIR AND VICE CHAIR.—The Chair and
2 Vice Chair of the Commission shall be elected by the
3 members of the Commission—

4 (A) with respect to the Chair, from among
5 the members described in subparagraphs (A)
6 through (E) of paragraph (1); and

7 (B) with respect to the Vice Chair, from
8 among the members described in subparagraphs
9 (F) and (G) of paragraph (1).

10 (c) STAFF.—

11 (1) DIRECTOR.—The Commission shall have a
12 Director, who shall be appointed by the Chair.

13 (2) OTHER STAFF.—The Director may appoint
14 and fix the pay of such additional personnel as the
15 Director considers appropriate.

16 (3) NON-APPLICABILITY OF CERTAIN CIVIL
17 SERVICE LAWS.—The Director and staff of the Com-
18 mission may be appointed without regard to the pro-
19 visions of title 5, United States Code, governing ap-
20 pointments in the competitive service, and may be
21 paid without regard to the provisions of chapter 51
22 and subchapter III of chapter 53 of that title relat-
23 ing to classification and General Schedule pay rates,
24 except that an individual so appointed may not re-
25 ceive pay in excess of the rate payable for level V

HR 51 PCS

1 of the Executive Schedule under section 5316 of
2 such title.

3 (4) EXPERTS AND CONSULTANTS.—The Com-
4 mission may procure temporary and intermittent
5 services under section 3109(b) of title 5, United
6 States Code, at rates for individuals not to exceed
7 the daily equivalent of the rate payable for level V
8 of the Executive Schedule under section 5316 of
9 such title.

10 (d) DUTIES.—The Commission shall advise the Presi-
11 dent, Congress, the Mayor (or, upon the admission of the
12 State into the Union, the chief executive officer of the
13 State), and the Council (or, upon the admission of the
14 State into the Union, the legislature of the State) con-
15 cerning an orderly transition to statehood for the District
16 of Columbia or the State (as the case may be) and to a
17 reduced geographical size of the seat of the Government
18 of the United States, including with respect to property,
19 funding, programs, projects, and activities.

20 (e) POWERS.—

21 (1) HEARINGS AND SESSIONS.—The Commis-
22 sion may, for the purpose of carrying out this Act,
23 hold hearings, sit and act at times and places, take
24 testimony, and receive evidence as the Commission
25 considers appropriate.

1 (2) OBTAINING OFFICIAL DATA.—The Commis-
2 sion may secure directly from any department or
3 agency of the United States information necessary
4 to enable it to carry out this Act. Upon request of
5 the Chair of the Commission, the head of that de-
6 partment or agency shall furnish that information to
7 the Commission.

8 (3) MAILS.—The Commission may use the
9 United States mails in the same manner and under
10 the same conditions as other departments and agen-
11 cies of the United States.

12 (4) ADMINISTRATIVE SUPPORT SERVICES.—
13 Upon the request of the Commission, the Adminis-
14 trator of General Services shall provide to the Com-
15 mission the administrative support services nec-
16 essary for the Commission to carry out its respon-
17 sibilities under this Act.

18 (f) MEETINGS.—

19 (1) IN GENERAL.—The Commission shall meet
20 at the call of the Chair.

21 (2) INITIAL MEETING.—The Commission shall
22 hold its first meeting not later than the earlier of—

23 (A) 30 days after the date on which all
24 members of the Commission have been ap-
25 pointed; or

98

1 (B) if the number of members of the Com-
2 mission is reduced under subsection (b)(2)(B),
3 90 days after the date of the enactment of this
4 Act.

5 (3) QUORUM.—A majority of the members of
6 the Commission shall constitute a quorum, but a
7 lesser number of members may hold hearings.

8 (g) REPORTS.—The Commission shall submit such
9 reports as the Commission considers appropriate or as
10 may be requested by the President, Congress, or the Dis-
11 trict of Columbia (or, upon the admission of the State into
12 the Union, the State).

13 (h) TERMINATION.—The Commission shall cease to
14 exist 2 years after the date of the admission of the State
15 into the Union.

16 **SEC. 403. CERTIFICATION OF ENACTMENT BY PRESIDENT.**

17 Not more than 60 days after the date of the enact-
18 ment of this Act, the President shall provide written cer-
19 tification of such enactment to the Mayor.

20 **SEC. 404. SEVERABILITY.**

21 Except as provided in section 101(c), if any provision
22 of this Act or amendment made by this Act, or the applica-
23 tion thereof to any person or circumstance, is held to be
24 invalid, the remaining provisions of this Act and any

HR 51 PCS

99

1 amendments made by this Act shall not be affected by the
2 holding.

Passed the House of Representatives June 26, 2020.

Attest: CHERYL L. JOHNSON,
Clerk.

HR 51 PCS

Calendar No. 522

116TH CONGRESS
2^D SESSION

H. R. 51

AN ACT

To provide for the admission of the State of
Washington, D.C. into the Union.

SEPTEMBER 8, 2020

Read the second time and placed on the calendar