

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1028

To provide for the retrocession of the District of Columbia to the State of Maryland, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 1995

Mr. REGULA (for himself, Mr. SHAYS, Mr. ROHRABACHER, Mr. PACKARD, Mr. HANSEN, Mr. BEREUTER, Mr. WELLER, Mr. HANCOCK, and Mr. BALLENGER) introduced the following bill; which was referred to the Committee on the Judiciary and, in addition, to the Committee on Government Reform and Oversight, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for the retrocession of the District of Columbia to the State of Maryland, 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 “District of Columbia  
5 Retrocession Act”.

1 **SEC. 2. RETROCESSION OF DISTRICT OF COLUMBIA TO**  
2 **MARYLAND.**

3 (a) IN GENERAL.—Upon the issuance of a proclama-  
4 tion by the President under section 7 and except as pro-  
5 vided in subsection (b), the territory ceded to Congress  
6 by the State of Maryland to serve as the District constitut-  
7 ing the permanent seat of the Government of the United  
8 States is ceded and relinquished to the State of Maryland.

9 (b) CONTINUATION OF FEDERAL CONTROL OVER  
10 NATIONAL CAPITAL SERVICE AREA.—Notwithstanding  
11 subsection (a), Congress shall continue to exercise exclu-  
12 sive legislative authority and control over the District of  
13 Columbia, which shall consist of the National Capital  
14 Service Area described in section 4.

15 **SEC. 3. EFFECT ON JUDICIAL PROCEEDINGS IN DISTRICT**  
16 **OF COLUMBIA.**

17 (a) CONTINUATION OF SUITS.—No writ, action, in-  
18 dictment, cause, or proceeding pending in any court of the  
19 District of Columbia on the effective date of this Act shall  
20 abate as a result of the enactment of this Act, but shall  
21 be transferred and shall proceed within such appropriate  
22 court of the State of Maryland as established under the  
23 laws or constitution of the State of Maryland.

24 (b) APPEALS.—An order or decision of any court of  
25 the District of Columbia for which no appeal has been filed  
26 as of the effective date of this Act shall be considered an

1 order or decision of a court of the State of Maryland for  
2 purposes of appeal from and appellate review of such order  
3 or decision in an appropriate court of the State of Mary-  
4 land.

5 **SEC. 4. NATIONAL CAPITAL SERVICE AREA.**

6 (a) DESCRIPTION.—The National Capital Service  
7 Area referred to in section 2(b) is comprised of the prin-  
8 cipal Federal monuments, the White House, the Capitol  
9 Building, the United States Supreme Court Building, and  
10 the Federal executive, legislative, and judicial office build-  
11 ings located adjacent to the Mall and the Capitol Building  
12 (but shall not include the District Building), and is more  
13 particularly described as the territory located within the  
14 following boundaries:

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

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

23 thence east along the north side of the Kennedy  
24 Center to a point where it reaches the E Street  
25 Expressway;

1           thence east on the expressway to E Street  
2 Northwest and thence east on E Street Northwest to  
3 Nineteenth Street Northwest;

4           thence north on Nineteenth Street Northwest to  
5 F Street Northwest;

6           thence east on F Street Northwest to Eight-  
7 eenth Street Northwest;

8           thence south on Eighteenth Street Northwest to  
9 Constitution Avenue Northwest;

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

12          thence north on Seventeenth Street Northwest  
13 to H Street Northwest;

14          thence east on H Street Northwest to Madison  
15 Place Northwest;

16          thence south on Madison Place Northwest to  
17 Pennsylvania Avenue Northwest;

18          thence east on Pennsylvania Avenue Northwest  
19 to Fifteenth Street Northwest;

20          thence south on Fifteenth Street Northwest to  
21 Pennsylvania Avenue Northwest;

22          thence southeast on Pennsylvania Avenue  
23 Northwest to Tenth Street Northwest;

24          thence north on Tenth Street Northwest to E  
25 Street Northwest;

1           thence east on E Street Northwest to Ninth  
2 Street Northwest;

3           thence south on Ninth Street Northwest to  
4 Pennsylvania Avenue Northwest;

5           thence southeast on Pennsylvania Avenue  
6 Northwest to John Marshall Place Northwest;

7           thence north on John Marshall Place Northwest  
8 to C Street Northwest;

9           thence east on C Street Northwest to Third  
10 Street Northwest;

11          thence north on Third Street Northwest to D  
12 Street Northwest;

13          thence east on D Street Northwest to Second  
14 Street Northwest;

15          thence south on Second Street Northwest to the  
16 intersection of Constitution Avenue Northwest and  
17 Louisiana Avenue Northwest;

18          thence northeast on Louisiana Avenue North-  
19 west to North Capitol Street;

20          thence north on North Capitol Street to Massa-  
21 chusetts Avenue Northwest;

22          thence southeast on Massachusetts Avenue  
23 Northwest so as to encompass Union Square;

24          thence following Union Square to F Street  
25 Northeast;

1           thence east on F Street Northeast to Second  
2 Street Northeast;

3           thence south on Second Street Northeast to D  
4 Street Northeast;

5           thence west on D Street Northeast to First  
6 Street Northeast;

7           thence south on First Street Northeast to C  
8 Street Northeast;

9           thence east on C Street Northeast to Third  
10 Street Northeast;

11          thence south on Third Street Northeast to  
12 Maryland Avenue Northeast;

13          thence south and west on Maryland Avenue  
14 Northeast to Constitution Avenue Northeast;

15          thence west on Constitution Avenue Northeast  
16 to First Street Northeast;

17          thence south on First Street Northeast to  
18 Maryland Avenue Northeast;

19          thence generally north and east on Maryland  
20 Avenue to Second Street Northeast;

21          thence south on Second Street Northeast to  
22 East Capitol Street;

23          thence east on East Capitol Street to Third  
24 Street Northeast;

1           thence south on Third Street Northeast to  
2           Independence Avenue Southeast;  
3           thence west on Independence Avenue Southeast  
4           to Second Street Southeast;  
5           thence south on Second Street Southeast to C  
6           Street Southeast;  
7           thence west on C Street Southeast to New Jer-  
8           sey Avenue Southeast;  
9           thence south on New Jersey Avenue Southeast  
10          to D Street Southeast;  
11          thence west on D Street Southeast to Washing-  
12          ton Avenue Southwest;  
13          thence north and west on Washington Avenue  
14          Southwest to the intersection of Independence Ave-  
15          nue Southwest and Second Street Southwest;  
16          thence south on Second Street Southwest to  
17          Virginia Avenue Southwest;  
18          thence generally west on Virginia Avenue to  
19          Third Street Southwest;  
20          thence north on Third Street Southwest to C  
21          Street Southwest;  
22          thence west on C Street Southwest to Sixth  
23          Street Southwest;  
24          thence south on Sixth Street Southwest to E  
25          Street Southwest;

1           thence west on E Street Southwest to Seventh  
2 Street Southwest;

3           thence north on Seventh Street Southwest to  
4 Maryland Avenue Southwest;

5           thence west on Maryland Avenue Southwest to  
6 Ninth Street Southwest;

7           thence north on Ninth Street Southwest to  
8 Independence Avenue Southwest;

9           thence west on Independence Avenue Southwest  
10 to Twelfth Street Southwest;

11          thence south on Twelfth Street Southwest to D  
12 Street Southwest;

13          thence west on D Street Southwest to Four-  
14 teenth Street Southwest;

15          thence south on Fourteenth Street Southwest to  
16 the middle of the Washington Channel;

17          thence generally south and east along the  
18 midchannel of the Washington Channel to a point  
19 due west of the northern boundary line of Fort Les-  
20 ley McNair;

21          thence due east to the side of the Washington  
22 Channel;

23          thence following generally south and east along  
24 the side of the Washington Channel at the mean  
25 high water mark, to the point of confluence with the

1 Anacostia River, and along the northern shore at the  
2 mean high water mark to the northernmost point of  
3 the Eleventh Street Bridge;

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

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

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

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

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

20 (b) STREETS AND SIDEWALKS.—The National Cap-  
21 ital Service Area shall include any street (and sidewalk  
22 thereof) that bounds such Area.

23 (c) AFFRONTING OR ABUTTING FEDERAL REAL  
24 PROPERTY.—

1           (1) IN GENERAL.—The National Capital Serv-  
2           ice Area shall include any Federal real property af-  
3           fronting or abutting such Area as of the effective  
4           date of this Act.

5           (2) PROPERTY INCLUDED.—For purposes of  
6           paragraph (1), Federal real property affronting or  
7           abutting the National Capital Service Area shall—

8                   (A) include the Department of Housing  
9                   and Urban Development Building, the Depart-  
10                  ment of Energy Building, Fort Lesley McNair,  
11                  the Washington Navy Yard, the Anacostia  
12                  Naval Annex, the United States Naval Station,  
13                  Bolling Air Force Base, and the Naval Re-  
14                  search Laboratory; and

15                   (B) not include any portion of Rock Creek  
16                  Park, any portion of Anacostia Park east of the  
17                  northern side of the Eleventh Street Bridge, or  
18                  any territory not located in the District of Co-  
19                  lumbia on the day before the date of the enact-  
20                  ment of this Act.

21 **SEC. 5. TRANSITION PROVISIONS RELATING TO HOUSE OF**  
22 **REPRESENTATIVES.**

23           (a) TEMPORARY INCREASE IN APPORTIONMENT.—

1           (1) IN GENERAL.—Until the taking effect of the  
2 first reapportionment occurring after the effective  
3 date of this Act—

4           (A) the individual serving as the Delegate  
5 to the House of Representatives from the Dis-  
6 trict of Columbia shall serve as a member of  
7 the House of Representatives from the State of  
8 Maryland;

9           (B) the State of Maryland shall be entitled  
10 to 1 additional Representative until the taking  
11 effect of such reapportionment; and

12           (C) such Representative shall be in addi-  
13 tion to the membership of the House of Rep-  
14 resentatives as now prescribed by law.

15           (2) INCREASE NOT COUNTED AGAINST TOTAL  
16 NUMBER OF MEMBERS.—The temporary increase in  
17 the membership of the House of Representatives  
18 provided under paragraph (1) shall not operate to ei-  
19 ther increase or decrease the permanent membership  
20 of the House of Representatives as prescribed in the  
21 Act of August 8, 1911 (37 Stat. 13; 2 U.S.C. 2),  
22 nor shall such temporary increase affect the basis of  
23 reapportionment established by the Act of November  
24 15, 1941 (55 Stat. 761; 2 U.S.C. 2a), for the 82nd  
25 Congress and each Congress thereafter.

1 (b) REPEAL OF LAWS PROVIDING FOR DELEGATE  
2 FROM THE DISTRICT OF COLUMBIA.—Sections 202 and  
3 204 of the District of Columbia Delegate Act (Public Law  
4 91–405; sections 1–401 and 1–402, D.C. Code) are re-  
5 pealed, and the provisions of law amended or repealed by  
6 such sections are restored or revived as if such sections  
7 had not been enacted.

8 **SEC. 6. EFFECT ON OTHER LAWS.**

9 No law or regulation which is in force on the effective  
10 date of this Act shall be deemed amended or repealed by  
11 this Act except to the extent specifically provided in this  
12 Act, or to the extent that such law or regulation is incon-  
13 sistent with this Act.

14 **SEC. 7. PROCLAMATION REGARDING ACCEPTANCE OF RET-**  
15 **ROCESSION BY MARYLAND.**

16 Not later than 30 days after the State of Maryland  
17 enacts legislation accepting the retrocession described in  
18 section 2(a), the President shall issue a proclamation an-  
19 nouncing such acceptance and declaring that the territory  
20 ceded to Congress by the State of Maryland to serve as  
21 the District constituting the permanent seat of the Gov-  
22 ernment of the United States has been ceded back to the  
23 State of Maryland.

1 **SEC. 8. EFFECTIVE DATE.**

2       The provisions of this Act and the amendments made  
3 by this Act shall take effect on the date the President is-  
4 sues a proclamation under section 7 or the date of the  
5 ratification of an amendment to the Constitution of the  
6 United States repealing the twenty-third article of amend-  
7 ment to the Constitution, whichever comes later.

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