

111TH CONGRESS
1ST SESSION

H. J. RES. 58

Granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2009

Mr. HOYER (for himself, Ms. NORTON, Ms. EDWARDS of Maryland, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Mr. CONNOLLY of Virginia, and Mr. WOLF) introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

Whereas Congress in title VI of the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432) authorized the Secretary of Transportation to make grants to the Washington Metropolitan Area Transit Authority subject to certain conditions, including that no amounts may be provided until specified amendments to the Washington Metropolitan Area Transit Regulation Compact have taken effect;

Whereas legislation enacted by the State of Maryland (Chapter 111, 2009 Laws of the Maryland General Assembly), the Commonwealth of Virginia (Chapter 771, 2009 Acts of Assembly of Virginia), and the District of Columbia (D.C. Act 18–0095) contain the amendments to the Washington Metropolitan Area Transit Regulation Compact specified by the Passenger Rail Investment and Improvement Act of 2008 (section 601, Public Law 110–432); and

Whereas the consent of Congress is required in order to implement such amendments: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*

2 *of the United States of America in Congress assembled,*

3 **SECTION 1. CONSENT OF CONGRESS TO COMPACT AMEND-**

4 **MENTS.**

5 (a) CONSENT.—Consent of Congress is given to the
6 amendments of the State of Maryland, the amendments
7 of the Commonwealth of Virginia, and the amendments
8 of the District of Columbia to sections 5, 9, and 18 of
9 title III of the Washington Metropolitan Area Transit
10 Regulation Compact.

11 (b) AMENDMENTS.—The amendments referred to in
12 subsection (a) are substantially as follows:

13 (1) Section 5 is amended to read as follows:

14 “(a) The Authority shall be governed by a Board of
15 eight Directors consisting of two Directors for each Signa-
16 tory and two for the Federal Government (one of whom
17 shall be a regular passenger and customer of the bus or

1 rail service of the Authority). For Virginia, the Directors
2 shall be appointed by the Northern Virginia Transpor-
3 tation Commission; for the District of Columbia, by the
4 Council of the District of Columbia; for Maryland, by the
5 Washington Suburban Transit Commission; and for the
6 Federal Government, by the Administrator of General
7 Services. For Virginia and Maryland, the Directors shall
8 be appointed from among the members of the appointing
9 body, except as otherwise provided herein, and shall serve
10 for a term coincident with their term on the appointing
11 body. A Director for a Signatory may be removed or sus-
12 pended from office only as provided by the law of the Sig-
13 natory from which he was appointed. The non-Federal ap-
14 pointing authorities shall also appoint an alternate for
15 each Director. In addition, the Administrator of General
16 Services shall also appoint two nonvoting members who
17 shall serve as the alternates for the Federal Directors. An
18 alternate Director may act only in the absence of the Di-
19 rector for whom he has been appointed an alternate, ex-
20 cept that, in the case of the District of Columbia where
21 only one Director and his alternate are present, such alter-
22 nate may act on behalf of the absent Director. Each alter-
23 nate, including the Federal nonvoting Directors, shall
24 serve at the pleasure of the appointing authority. In the
25 event of a vacancy in the Office of Director or alternate,

1 it shall be filled in the same manner as an original ap-
2 pointment.

3 “(b) Before entering upon the duties of his office
4 each Director and alternate Director shall take and sub-
5 scribe to the following oath (or affirmation) of office or
6 any such other oath or affirmation, if any, as the constitu-
7 tion or laws of the Government he represents shall provide:
8 ‘I, _____, hereby solemnly swear (or
9 affirm) that I will support and defend the Constitution
10 of the United States and the Constitution and laws of the
11 state or political jurisdiction from which I was appointed
12 as a director (alternate director) of the Board of Wash-
13 ington Metropolitan Area Transit Authority and will faith-
14 fully discharge the duties of the office upon which I am
15 about to enter.’”.

16 (2) Subsection (a) of section 9 is amended to
17 read as follows:

18 “(a) The officers of the Authority, none of whom
19 shall be members of the Board, shall consist of a general
20 manager, a secretary, a treasurer, a comptroller, an in-
21 spector general, and a general counsel and such other offi-
22 cers as the Board may provide. Except for the office of
23 general manager, inspector general, and comptroller, the
24 Board may consolidate any of such other offices in one
25 person. All such officers shall be appointed and may be

1 removed by the Board, shall serve at the pleasure of the
2 Board and shall perform such duties and functions as the
3 Board shall specify. The Board shall fix and determine
4 the compensation to be paid to all officers and, except for
5 the general manager who shall be a full-time employee,
6 all other officers may be hired on a full-time or part-time
7 basis and may be compensated on a salary or fee basis,
8 as the Board may determine. All employees and such offi-
9 cers as the Board may designate shall be appointed and
10 removed by the general manager under such rules of pro-
11 cedure and standards as the Board may determine.”.

12 (3) Section 9 is further amended by inserting
13 new subsection (d) to read as follows (and by re-
14 numbering all subsequent paragraphs of section 9):
15 “(d) The inspector general shall report to the Board
16 and head the Office of the Inspector General, an inde-
17 pendent and objective unit of the Authority that conducts
18 and supervises audits, program evaluations, and investiga-
19 tions relating to Authority activities; promotes economy,
20 efficiency, and effectiveness in Authority activities; detects
21 and prevents fraud and abuse in Authority activities; and
22 keeps the Board fully and currently informed about defi-
23 ciencies in Authority activities as well as the necessity for
24 and progress of corrective action.”.

1 (4) Section 18 is amended by adding a new sec-
2 tion 18(d) to read as follows:

3 “(d)(1) All payments made by the local Signatory
4 governments for the Authority for the purpose of match-
5 ing Federal funds appropriated in any given year as au-
6 thorized under title VI, section 601, Public Law 110–432
7 regarding funding of capital and preventative maintenance
8 projects of the Authority shall be made from amounts de-
9 rived from dedicated funding sources.

10 “(2) For the purposes of this paragraph (d), a ‘dedi-
11 cated funding source’ means any source of funding that
12 is earmarked or required under State or local law to be
13 used to match Federal appropriations authorized under
14 title VI, section 601, Public Law 110–432 for payments
15 to the Authority.”.

16 **SEC. 2. RIGHT TO ALTER, AMEND, OR REPEAL.**

17 The right to alter, amend, or repeal this Act is ex-
18 pressly reserved. The consent granted by this Act shall
19 not be construed as impairing or in any manner affecting
20 any right or jurisdiction of the United States in and over
21 the region that forms the subject of the compact.

22 **SEC. 3. CONSTRUCTION AND SEVERABILITY.**

23 It is intended that the provisions of this compact shall
24 be reasonably and liberally construed to effectuate the
25 purposes thereof. If any part or application of this com-

1 pact, or legislation enabling the compact, is held invalid,
2 the remainder of the compact or its application to other
3 situations or persons shall not be affected.

4 **SEC. 4. INCONSISTENCY OF LANGUAGE.**

5 The validity of this compact shall not be affected by
6 any insubstantial differences in its form or language as
7 adopted by the State of Maryland, Commonwealth of Vir-
8 ginia, and District of Columbia.

9 **SEC. 5. EFFECTIVE DATE.**

10 This Act shall take effect on the date of enactment
11 of this Act.

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