

115TH CONGRESS  
1ST SESSION

# H. R. 1140

To provide additional funding for the Washington Metropolitan Area Transit Authority and improve upon the Washington Metropolitan Area Transit Authority Compact, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2017

Mr. DELANEY introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, 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 additional funding for the Washington Metropolitan Area Transit Authority and improve upon the Washington Metropolitan Area Transit Authority Compact, 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 “WMATA Improvement  
5 Act of 2017”.

1 **SEC. 2. AUTHORIZATION OF GRANTS.**

2 (a) IN GENERAL.—Subject to the requirements of  
3 section 3, the Secretary of Transportation may provide  
4 grants to the Transit Authority, in addition to any grant  
5 amounts provided pursuant to section 601 of the Pas-  
6 senger Rail Investment and Improvement Act of 2008  
7 (Public Law 110–432; 126 Stat. 4968), in an amount not  
8 to exceed \$75,000,000 for each of fiscal years 2018  
9 through 2028 for the purpose of financing capital and pre-  
10 ventive maintenance projects approved by the Board of Di-  
11 rectors of the Transit Authority.

12 (b) MATCHING FUNDS REQUIRED.—The Federal  
13 share of the cost of a project carried out using grant  
14 amounts provided under subsection (a) shall not exceed  
15 50 percent of the cost of such project. The non-Federal  
16 share of the cost of such project shall be borne equally  
17 by the District of Columbia, the Commonwealth of Vir-  
18 ginia, and the State of Maryland.

19 (c) LIMITATIONS.—

20 (1) TERMS AND CONDITIONS.—Any grant pro-  
21 vided under this section shall be subject to the re-  
22 quirements of subsections (b) and (c) of section 601  
23 of the Passenger Rail Investment and Improvement  
24 Act of 2008 (Public Law 110–432; 126 Stat. 4968).

25 (2) COLLECTIVE BARGAINING AGREEMENT  
26 AMENDMENTS.—

1 (A) IN GENERAL.—No grants may be pro-  
2 vided under this section until the Board of Di-  
3 rectors of the Transit Authority, as such Board  
4 is composed pursuant to the amendments under  
5 section 3, certifies that amendments have been  
6 made to any existing collective bargaining  
7 agreement between the Transit Authority and a  
8 collective bargaining unit to allow the Transit  
9 Authority to implement all necessary oper-  
10 ational changes required both to provide a high  
11 level of service, reliability, and safety as well as  
12 lower costs by selectively using competitive bid-  
13 ding for certain capital improvement projects.

14 (B) APPLICATION OF LAWS.—Any agree-  
15 ment described under subparagraph (A) shall  
16 comply with the requirements of—

17 (i) section 5333(b) of title 49, United  
18 States Code; and

19 (ii) subchapter IV of chapter 31 of  
20 title 40, United States Code.

21 (C) AMENDED AGREEMENTS.—A collective  
22 bargaining agreement entered into after Janu-  
23 ary 1, 2017, may be considered an amended  
24 collective bargaining agreement for purposes of  
25 this section.

1 **SEC. 3. AMENDMENTS TO WMATA COMPACT.**

2 No grant amounts may be provided under section 2  
3 until the Washington Metropolitan Area Transit Authority  
4 Compact includes the following amendments:

5 (1) An amendment requiring that each member  
6 of the Board of Directors of the Transit Authority  
7 have a primary fiduciary obligation to the Transit  
8 Authority.

9 (2)(A) An amendment requiring that beginning  
10 after the date of implementation of the amended  
11 compact and thereafter, that the members of the  
12 Board of Directors of the Transit Authority ap-  
13 pointed as described in paragraph (3)(A) shall have  
14 at least 1 expert qualification, as described in sub-  
15 paragraph (B).

16 (B) The expert qualifications referred to in sub-  
17 paragraph (A) are the following:

18 (i) A certified transit expert who has  
19 served in a senior executive capacity, or the  
20 equivalent, of a transit authority in the United  
21 States.

22 (ii) A certified management expert who is  
23 currently or has previously served for five or  
24 more years and has in his or her capacity man-  
25 aged, directly or indirectly, more than 1,000  
26 full-time employees—

1 (I) as a president, chief operating offi-  
2 cer, chief executive officer, chairman, or  
3 managing partner or an equivalent position  
4 of a qualifying business; or

5 (II) as the president or most senior  
6 manager of a division of a qualifying busi-  
7 ness.

8 (iii) A certified financial expert who meets  
9 the standards of an audit committee financial  
10 expert under New York Stock Exchange rules,  
11 as in effect on the date of enactment of this  
12 Act.

13 (iv) A certified safety expert who has a  
14 minimum of 5 years of experience as a chair-  
15 man, director, senior investigator or equivalent  
16 position of a transportation or transit safety  
17 board in the United States.

18 (C) For purposes of this paragraph, the term  
19 “qualifying business” means a corporation, partner-  
20 ship, or limited liability entity that is engaged pri-  
21 marily in operating activities and not investing ac-  
22 tivities.

23 (3) An amendment requiring that the Board of  
24 Directors of the Transit Authority be composed of 9  
25 voting members as follows:

1 (A) Two members appointed by each of the  
2 District of Columbia, the Commonwealth of Vir-  
3 ginia, and the State of Maryland.

4 (B) Two members appointed by the Sec-  
5 retary of Transportation.

6 (C) The CEO of the Transit Authority.

7 **SEC. 4. FAILURE TO ENACT AMENDMENTS.**

8 (a) WITHDRAWAL OF CONSENT.—Except as provided  
9 for under subsection (b), if the signatories of the Compact  
10 have not enacted the amendments described in section 3  
11 before the date that is 18 months after the date of enact-  
12 ment of this Act, congressional consent for the Compact  
13 is hereby withdrawn.

14 (b) EXTENSION.—The signatories may apply to the  
15 Secretary of Transportation for a single 3-month exten-  
16 sion of the deadline under subsection (a). Such extension  
17 shall be granted by the Secretary so long as the signatories  
18 have shown progress toward instituting the amendments.

19 **SEC. 5. DEFINITIONS.**

20 In this Act:

21 (1) COMPACT.—The term “Compact” means  
22 the Washington Metropolitan Area Transit Author-  
23 ity Compact (consented to by Congress under Public  
24 Law 89–774, 80 Stat. 1324) as title III of the  
25 Washington Metropolitan Area Transit Regulation

1 Compact (consented to by Congress under Public  
2 Law 86–794, 74 Stat. 1031).

3 (2) TRANSIT AUTHORITY.—The term “Transit  
4 Authority” means the Washington Metropolitan  
5 Area Transit Authority established under Article III  
6 of the Compact.

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