

110TH CONGRESS
2D SESSION

H. R. 5778

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2008

Received

AN ACT

To preserve the independence of the District of Columbia
Water and Sewer Authority.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “District of Columbia
3 Water and Sewer Authority Independence Preservation
4 Act”.

5 **SEC. 2. ENSURING INDEPENDENCE OF CHIEF FINANCIAL**
6 **OFFICER OF DISTRICT OF COLUMBIA WATER**
7 **AND SEWER AUTHORITY.**

8 (a) CLARIFICATION OF INAPPLICABILITY OF 2005
9 OMNIBUS AUTHORIZATION PROVISION.—The District of
10 Columbia Home Rule Act is amended—

11 (1) by redesignating the section 424 added by
12 section 202(a)(1) of the 2005 District of Columbia
13 Omnibus Authorization Act (Public Law 109—356;
14 120 Stat. 2036) as section 424a; and

15 (2) in section 424a, as so redesignated, by add-
16 ing at the end the following new subsection:

17 “(e) INAPPLICABILITY TO WATER AND SEWER AU-
18 THORITY.—The authority of the Chief Financial Officer
19 under this section does not apply to personnel of the Dis-
20 trict of Columbia Water and Sewer Authority established
21 pursuant to the Water and Sewer Authority Establish-
22 ment and Department of Public Works Reorganization
23 Act of 1996.”.

24 (b) EFFECTIVE DATE.—The amendments made by
25 subsection (a) shall take effect as if included in the enact-

1 ment of the 2005 District of Columbia Omnibus Author-
2 ization Act.

3 **SEC. 3. PRESERVING EXISTING INDEPENDENCE OF DIS-**
4 **TRICT OF COLUMBIA WATER AND SEWER AU-**
5 **THORITY.**

6 (a) IN GENERAL.—Part F of title IV of the District
7 of Columbia Home Rule Act (sec. 1—204.91 et seq., D.C.
8 Official Code) is amended—

9 (1) by amending the heading of such part to
10 read as follows: “PART F—INDEPENDENT AGEN-
11 CIES AND AUTHORITIES”; and

12 (2) by adding at the end the following new sec-
13 tion:

14 “INDEPENDENT FINANCIAL MANAGEMENT, PERSONNEL,
15 AND PROCUREMENT AUTHORITY OF DISTRICT OF
16 COLUMBIA WATER AND SEWER AUTHORITY

17 “SEC. 496. (a) FINANCIAL MANAGEMENT, PER-
18 SONNEL, AND PROCUREMENT AUTHORITY.—Notwith-
19 standing any other provision of this Act or any District
20 of Columbia law, the financial management, personnel,
21 and procurement functions and responsibilities of the Dis-
22 trict of Columbia Water and Sewer Authority shall be es-
23 tablished exclusively pursuant to rules and regulations
24 adopted by its Board of Directors. Nothing in the previous
25 sentence may be construed to affect the application to the

1 District of Columbia Water and Sewer Authority of sec-
 2 tions 445A, 451(d), 453(c), or 490(g).

3 “(b) CONSISTENCY WITH EXISTING AUTHORIZING
 4 LAW.—The rules and regulations adopted by the Board
 5 of Directors of the District of Columbia Water and Sewer
 6 Authority to establish the financial management, per-
 7 sonnel, and procurement functions and responsibilities of
 8 the Authority shall be consistent with the Water and
 9 Sewer Authority Establishment and Department of Public
 10 Works Reorganization Act of 1996, as such Act is in effect
 11 as of January 1, 2008.”.

12 (b) CLERICAL AMENDMENTS.—(1) The table of con-
 13 tents of such Act is amended by amending the item relat-
 14 ing to part F of title IV to read as follows:

“PART F—INDEPENDENT AGENCIES AND AUTHORITIES”.

15 (2) The table of contents of such Act is further
 16 amended by adding at the end of the items relating to
 17 part F of title IV the following:

“Sec. 496. Independent financial management, personnel, and procurement au-
 thority of District of Columbia Water and Sewer Authority.”.

18 **SEC. 4. PRESERVING EQUAL ELIGIBILITY OF RESIDENTS**
 19 **OF JURISDICTIONS SERVED BY DISTRICT OF**
 20 **COLUMBIA WATER AND SEWER AUTHORITY**
 21 **TO SERVE AS EMPLOYEES OF AUTHORITY.**

22 (a) IN GENERAL.—Section 213 of D.C. Act 17—172
 23 is repealed, and each provision of law amended by such

1 section is restored as if such section had not been enacted
2 into law.

3 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-
4 fect as if included in the enactment of D.C. Act 17—172.

Passed the House of Representatives June 9, 2008.

Attest: LORRAINE C. MILLER,
Clerk.