

GRANTING THE CONSENT AND APPROVAL OF CONGRESS FOR THE COMMONWEALTH OF VIRGINIA, THE STATE OF MARYLAND, AND THE DISTRICT OF COLUMBIA TO AMEND THE WASHINGTON AREA TRANSIT REGULATION COMPACT

JULY 17, 2017.—Referred to the House Calendar and ordered to be printed

Mr. GOODLATTE, from the Committee on the Judiciary,  
submitted the following

R E P O R T

[To accompany H.J. Res. 92]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the joint resolution (H.J. Res. 92) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

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**Purpose and Summary**

The purpose of H.J. Res. 92 is to grant Congress' approval of amendments to the Washington Area Transit Regulation Compact adopted by the Commonwealth of Virginia, the State of Maryland and the District of Columbia pursuant to the requirements of the

Fixing America's Surface Transportation Act (FAST Act; Pub. L. No. 114-94).

### **Background and Need for the Legislation**

In addition to numerous other matters, the FAST Act addressed procedures for the appointment of federal directors to the Washington Metropolitan Area Transit Authority's (WMATA) board of directors. Specifically, section 3026 of the FAST Act transferred from the Administrator of General Services to the Secretary of Transportation sole authority to appoint federal directors. The section further required the WMATA jurisdictions of Virginia, Maryland and the District of Columbia to adopt as necessary conforming amendments to the Washington Metropolitan Area Transit Regulation Compact (WATR Compact).

Legislation recently enacted by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia contains the needed WATR Compact amendments. H.J. Res. 92 grants Congress' approval to these amendments to complete the FAST Act's transfer of appointment authority to the Secretary of Transportation.

### **Hearings**

The Committee on the Judiciary held no hearings on H.J. Res. 92.

### **Committee Consideration**

On June 14, 2017, the Committee met in open session and ordered the joint resolution (H.J. Res. 92) favorably reported without amendment, by voice vote, a quorum being present.

### **Committee Votes**

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.J. Res. 92.

### **Committee Oversight Findings**

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

### **New Budget Authority and Tax Expenditures**

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

### **Congressional Budget Office Cost Estimate**

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.J. Res. 92, the following estimate and comparison pre-

pared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, June 21, 2017.*

Hon. BOB GOODLATTE, CHAIRMAN,  
*Committee on the Judiciary,*  
*U.S. House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.J. Res. 92, a joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sarah Puro, who can be reached at 226-2860.

Sincerely,

KEITH HALL.

Enclosure

cc: Honorable John Conyers Jr.  
Ranking Member

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**H.J. Res. 92—A joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact.**

As ordered reported by the House Committee on the Judiciary on  
June 14, 2017.

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H.J. Res. 92 would grant Congressional consent to amendments made to the compact between Maryland, Virginia, and the District of Columbia that governs transit regulation in the Washington D.C. metro area.

The amendments would bring the compact into compliance with current federal law that requires the Department of Transportation, rather than the General Services Administration to appoint the federal directors to the governing body of the Washington Metropolitan Area Transit Authority. Based on information from those agencies, CBO estimates that implementing the changes in the compact would have no effect on the federal budget.

Enacting H.J. Res. 92 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.J. Res. 92 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Sarah Puro. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

### **Duplication of Federal Programs**

No provision of H.J. Res. 92 establishes or reauthorizes a program of the Federal government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

### **Disclosure of Directed Rule Makings**

The Committee estimates that H.J. Res. 92 specifically directs to be completed no specific rule makings within the meaning of 5 U.S.C. § 551.

### **Performance Goals and Objectives**

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.J. Res. 92 completes the process of adoption of Washington Area Transit Regulation Compact amendments required by section 3026 the FAST Act.

### **Advisory on Earmarks**

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.J. Res. 92 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of Rule XXI.

### **Section-by-Section Analysis**

The following discussion describes the joint resolution as reported by the Committee.

*Section 1. Findings.* Section 1 sets forth findings that amendments to the WATR compact regarding director appointments were required by the FAST Act and that the WATR jurisdictions have adopted the necessary conforming compact amendments.

*Sec. 2. Consent of Congress to Compact Amendments.* Section 2 approves the specific amendment language adopted by the jurisdictions.

*Sec. 3. Right to Alter, Amend or Repeal.* Section 3 expressly reserves Congress' right to alter, amend, or repeal the joint resolution and provides that Congress' consent to the compact amendments shall not be construed to impair or affect Congress' authority in and over the region forming the subject of the compact.

*Sec. 4. Construction and Severability.* Section 4 provides a liberal rule of construction for the compact and a rule of severability to apply if one or more provisions of the compact or its enabling legislation are held invalid.

*Sec. 5. Inconsistency of Language.* Section 5 provides that the compact's validity shall not be affected by insubstantial differences in its form or language as adopted by the separate WMATA jurisdictions.

*Sec. 6, Effective Date.* Section 6 provides that the resolution shall be effective upon its enactment.

