

the WMATA and required the signatory parties to the Compact to amend the Compact as necessary.

This compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland so that there may be an increase in their safety, commerce, and prosperity.

I urge my colleagues to join me in supporting H.J. Res. 92.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the joint resolution, H.J. Res. 92.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### GRANTING CONSENT AND APPROVAL OF CONGRESS TO ESTABLISH WASHINGTON METRO-RAIL SAFETY COMMISSION

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 76) granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission, as amended.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

##### H.J. RES. 76

Whereas the Washington Metropolitan Area Transit Authority, an interstate compact agency of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, provides transportation services to millions of people each year, the safety of whom is paramount;

Whereas an effective and safe Washington Metropolitan Area Transit Authority system is essential to the commerce and prosperity of the National Capital region;

Whereas the Tri-State Oversight Committee, created by a memorandum of understanding amongst these 3 jurisdictions, has provided safety oversight of the Washington Metropolitan Area Transit Authority;

Whereas 49 U.S.C. 5329 requires the creation of a legally and financially independent state authority for safety oversight of all fixed rail transit facilities;

Whereas the District of Columbia, the Commonwealth of Virginia, and the State of Maryland intend to create a Washington Metrorail Safety Commission to act as the state safety oversight authority for the Washington Metropolitan Area Transit Authority system under 49 U.S.C. 5329; and

Whereas this compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland and for the increase of their safety, commerce, and prosperity.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

#### CONSENT AND APPROVAL OF CONGRESS

SECTION 1. The consent and approval of Congress is hereby given for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact for the safety oversight of the Washington Metropolitan Area Transit Authority Metrorail system (known as the Metrorail Safety Commission Interstate Compact), which has been negotiated by representatives of the State, the Commonwealth, and the District, substantially as follows:

#### "ARTICLE I "DEFINITIONS

"1. As used in this MSC Compact, the following words and terms shall have the meanings set forth below, unless the context clearly requires a different meaning. Capitalized terms used herein, but not otherwise defined in this MSC Compact, shall have the definition set forth in regulations issued under 49 U.S.C. § 5329, as they may be revised from time to time.

"(a) 'Alternate Member' means an alternate member of the Board;

"(b) 'Board' means the board of directors of the Commission;

"(c) 'Commission' means the Washington Metrorail Safety Commission;

"(d) 'Member' means a member of the Board;

"(e) 'MSC Compact' means this Washington Metrorail Safety Commission Interstate Compact;

"(f) 'Public Transportation Agency Safety Plan' means the comprehensive agency safety plan for a rail transit agency required by 49 U.S.C. § 5329 and the regulations issued thereunder, as may be amended or revised from time to time;

"(g) 'Public Transportation Safety Certification Training Program' means the federal certification training program, as established and amended from time to time by applicable federal laws and regulations, for federal and state employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight;

"(h) 'Safety Sensitive Position' means any position held by a WMATA employee or contractor designated in the Public Transportation Agency Safety Plan for the WMATA Rail System and approved by the Commission as directly or indirectly affecting the safety of the passengers or employees of the WMATA Rail System;

"(i) 'Signatory' means the State of Maryland, the Commonwealth of Virginia, and the District of Columbia;

"(j) 'State', 'state', or 'jurisdiction' means the District of Columbia, the State of Maryland, or the Commonwealth of Virginia;

"(k) 'Washington Metropolitan Area Transit Authority' or 'WMATA' is the entity created by the WMATA Compact, which entity is responsible for providing certain rail fixed guideway public transportation system services;

"(l) 'WMATA Compact' means the Washington Metropolitan Area Transit Authority Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01 et seq.); and

"(m) 'WMATA Rail System' or 'Metrorail' means the rail fixed guideway public transportation system and all other real and personal property owned, leased, operated, or otherwise used by WMATA rail services and shall include WMATA rail projects under design or construction by owners other than WMATA.

#### "ARTICLE II

##### "PURPOSE AND FUNCTIONS

"2. The Signatories to the WMATA Compact hereby adopt this MSC Compact pursuant to 49 U.S.C. § 5329. The Commission created hereunder shall have safety regulatory and enforcement authority over the WMATA Rail System and shall act as the state safety oversight authority for WMATA under 49 U.S.C. § 5329, as

may be amended from time to time. WMATA shall be subject to the Commission's rules, regulations, actions, and orders.

"3. The purpose of this MSC Compact is to create a state safety oversight authority for the WMATA Rail System, pursuant to the mandate of federal law, as a common agency of each Signatory, empowered in the manner hereinafter set forth to review, approve, oversee, and enforce the safety of the WMATA Rail System, including, without limitation, to:

"(a) Have exclusive safety oversight authority and responsibility over the WMATA Rail System pursuant to federal law, including, without limitation, the power to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System as set forth in this MSC Compact;

"(b) Develop and adopt a written state safety oversight program standard;

"(c) Review and approve the WMATA Public Transportation Agency Safety Plan;

"(d) Investigate hazards, incidents, and accidents on the WMATA Rail System;

"(e) Require, review, approve, oversee, and enforce Corrective Action Plans developed by WMATA; and

"(f) Meet other requirements of federal and State law relating to safety oversight of the WMATA Rail System.

#### "ARTICLE III

##### "ESTABLISHMENT AND ORGANIZATION

"A. Washington Metrorail Safety Commission

"4. The Commission is hereby created as an instrumentality of each Signatory, which shall be a public body corporate and politic, and which shall have the powers and duties set forth in this MSC Compact.

"5. The Commission shall be financially and legally independent from WMATA.

##### "B. Board Membership

"6. The Commission shall be governed by a Board of 6 Members with 2 Members appointed or reappointed (including to fill an unexpired term) by each Signatory pursuant to the Signatory's applicable laws.

"7. Each Signatory shall also appoint or reappoint (including to fill an unexpired term) one Alternate Member pursuant to the Signatory's applicable laws.

"8. An Alternate Member shall participate and take action as a Member only in the absence of one or both Members appointed from the same jurisdiction as the Alternate Member's appointing jurisdiction and, in such instances, may cast a single vote.

"9. Members and Alternate Members shall have backgrounds in transit safety, transportation, relevant engineering disciplines, or public finance.

"10. No Member or Alternate Member shall simultaneously hold an elected public office, serve on the WMATA board of directors, be employed by WMATA, or be a contractor to WMATA.

"11. Each Member and Alternate Member shall serve a 4-year term and may be reappointed for additional terms; except that, each Signatory shall make its initial appointments as follows:

"(a) One Member shall be appointed for a 4-year term;

"(b) One Member shall be appointed for a 2-year term; and

"(c) The Alternate Member shall be appointed for a 3-year term.

"12. Any person appointed to fill a vacancy shall serve for the unexpired term.

"13. Members and Alternate Members shall be entitled to reimbursement for reasonable and necessary expenses and shall be compensated for each day spent meeting on the business of the Commission at a rate of \$200 per day or at such other rate as may be adjusted in appropriations approved by all of the Signatories.

"14. A Member or an Alternate Member may be removed or suspended from office only for cause in accordance with the laws of such Member's or Alternate Member's appointing jurisdiction.

*"C. Quorum and Actions of the Board*

"15. Four Members shall constitute a quorum, and the affirmative vote of 4 Members is required for action of the Board. Quorum and voting requirements under this paragraph may be met with one or more Alternate Members pursuant to section 8.

"16. The Commission action shall become effective upon enactment unless otherwise provided for by the Commission.

*"D. Oath of Office*

"17. Before entering office, each Member and Alternate Member shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation as the constitution or laws of the Signatory he or she represents shall provide:

"I, \_\_\_\_\_, hereby solemnly swear (or affirm) that I will support and defend the Constitution and the laws of the United States as a Member (or Alternate Member) of the Board of the Washington Metrorail Safety Commission and will faithfully discharge the duties of the office upon which I am about to enter.

*"E. Organization and Procedure*

"18. The Board shall provide for its own organization and procedure. Meetings of the Board shall be held as frequently as the Board determines, but in no event less than quarterly. The Board shall keep minutes of its meetings and establish rules and regulations governing its transactions and internal affairs, including, without limitation, policies regarding records retention that are not in conflict with applicable federal record retention laws.

"19. The Commission shall keep commercially reasonable records of its financial transactions in accordance with accounting principles generally accepted in the United States of America.

"20. The Commission shall establish an office for the conduct of its affairs at a location to be determined by the Commission.

"21. The Commission shall adopt 5 U.S.C. § 552(a)-(d) and (g), and 5 U.S.C. § 552b, as both may be amended from time to time, as its freedom-of-information policy and open-meeting policy, respectively, and shall not be subject to the comparable laws or policies of any Signatory.

"22. Reports of investigations or inquiries adopted by the Board shall be made publicly available.

"23. The Commission shall adopt a policy on conflict of interest that shall be consistent with the regulations issued under 49 U.S.C. § 5329, as they may be revised from time to time, which, among other things, places appropriate separation between Members, officers, employees, contractors, and agents of the Commission and WMATA.

"24. The Commission shall adopt and utilize its own administrative procedure and procurement policies in conformance with applicable federal regulations and shall not be subject to the administrative procedure or procurement laws of any Signatory.

*"F. Officers and Employees*

"25. The Board shall elect a Chairman, Vice Chairman, Secretary, and Treasurer from among its Members, each for a 2-year term and shall prescribe their powers and duties.

"26. The Board shall appoint and fix the compensation and benefits of a chief executive officer who shall be the chief administrative officer of the Commission and who shall have expertise in transportation safety and one or more industry-recognized transportation safety certifications.

"27. Consistent with 49 U.S.C. § 5329, as may be amended from time to time, the Commission may employ, under the direction of the chief executive officer, such other technical, legal, clerical, and other employees on a regular, part-time, or as-needed basis as it determines necessary or desirable for the discharge of its duties.

"28. The Commission shall not be bound by any statute or regulation of any Signatory in

the employment or discharge of any officer or employee of the Commission, but shall develop its own policies in compliance with federal law. The MSC shall, however, consider the laws of the Signatories in devising its employment and discharge policies, and when it deems it practical, devise policies consistent with the laws of the Signatories.

"29. The Board may fix and provide policies for the qualification, appointment, removal, term, tenure, compensation benefits, worker's compensation, pension, and retirement rights of its employees subject to federal law. The Board may also establish a personnel system based on merit and fitness and, subject to eligibility, participate in the pension, retirement, and worker's compensation plans of any Signatory or agency or political subdivision thereof.

**"ARTICLE IV**

**"POWERS**

*"A. Safety Oversight Powers*

"30. In carrying out its purposes, the Commission, through its Board or designated employees or agents, shall, consistent with federal law:

"(a) Adopt, revise, and distribute a written State Safety Oversight Program;

"(b) Review, approve, oversee, and enforce the adoption and implementation of WMATA's Public Transportation Agency Safety Plan;

"(c) Require, review, approve, oversee, and enforce the adoption and implementation of any Corrective Action Plans that the Commission deems appropriate;

"(d) Implement and enforce relevant federal and State laws and regulations relating to safety of the WMATA Rail System; and

"(e) Audit every 3 years the compliance of WMATA with WMATA's Public Transportation Agency Safety Plan or conduct such an audit on an ongoing basis over a 3-year time frame.

"31. In performing its duties, the Commission, through its Board or designated employees or agents, may:

"(a) Conduct, or cause to be conducted, inspections, investigations, examinations, and testing of WMATA personnel and contractors, property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information and databases through reasonable means, which may include issuance of subpoenas;

"(b) Enter upon the WMATA Rail System and, upon reasonable notice and a finding by the chief executive officer that a need exists, upon any lands, waters, and premises adjacent to the WMATA Rail System, including, without limitation, property owned or occupied by the federal government, for the purpose of making inspections, investigations, examinations, and testing as the Commission may deem necessary to carry out the purposes of this MSC Compact, and such entry shall not be deemed a trespass. The Commission shall make reasonable reimbursement for any actual damage resulting to any such adjacent lands, waters, and premises as a result of such activities;

"(c) Compel WMATA's compliance with any Corrective Action Plan or order of the Commission by such means as the Commission deems appropriate, including, without limitation, by:

"(1) Taking legal action in a court of competent jurisdiction;

"(2) Issuing citations or fines with funds going into an escrow account for spending by WMATA on Commission-directed safety measures;

"(3) Directing WMATA to prioritize spending on safety-critical items;

"(4) Removing a specific vehicle, infrastructure element, or hazard from the WMATA Rail System; and

"(5) Compelling WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System with an appropriate notice period dictated by the circumstances;

"(d) Direct WMATA to suspend or disqualify from performing in any Safety Sensitive Position

an individual who is alleged to or has violated safety rules, regulations, policies, or laws;

"(e) Compel WMATA's Office of the Inspector General, created under WMATA Board Resolution 2006-18, or any successor WMATA office or organization having similar duties, to conduct safety-related audits or investigations and to provide its findings to the Commission; and

"(f) Take such other actions as the Commission may deem appropriate consistent with its purpose and powers.

"32. Action by the Board under section 31(c)(5) shall require the unanimous vote of all Members present and voting. The Commission shall coordinate its enforcement activities with appropriate federal and State governmental authorities.

*"B. General Powers*

"33. In addition to the powers and duties set forth above, the Commission may:

"(a) Sue and be sued;

"(b) Adopt, amend, and repeal rules and regulations respecting the exercise of the powers conferred by this MSC Compact;

"(c) Create and abolish offices, employments, and positions (other than those specifically provided for in this MSC Compact) necessary or desirable for the purposes of the Commission;

"(d) Determine a staffing level for the Commission that is commensurate with the size and complexity of the WMATA Rail System, and require that employees and other designated personnel of the Commission, who are responsible for safety oversight, be qualified to perform such functions through appropriate training, including, without limitation, successful completion of the Public Transportation Safety Certification Training Program;

"(e) Contract for or employ consulting attorneys, inspectors, engineers, and such other experts necessary or desirable and, within the limitations prescribed in this MSC Compact, prescribe their powers and duties and fix their compensation;

"(f) Enter into and perform contracts, leases, and agreements necessary or desirable in the performance of its duties and in the execution of the powers granted under this MSC Compact;

"(g) Apply for, receive, and accept such payments, appropriations, grants, gifts, loans, advances, and other funds, properties, and services as may be transferred or made available to it by the United States government or any other public or private entity or individual, subject to the limitations specified in section 42;

"(h) Adopt an official seal and alter the same at its pleasure;

"(i) Adopt and amend by-laws, policies, and procedures governing the regulation of its affairs;

"(j) Appoint one or more advisory committees; and

"(k) Do such other acts necessary or desirable for the performance of its duties and the execution of its powers under this MSC Compact.

"34. Consistent with this MSC Compact, the Commission shall promulgate rules and regulations to carry out the purposes of this MSC Compact.

**"ARTICLE V**

**"GENERAL PROVISIONS**

*"A. Annual Safety Report*

"35. The Commission shall make and publish annually a status report on the safety of the WMATA Rail System, which shall include, among other requirements established by the Commission and federal law, status updates of outstanding Corrective Action Plans, Commission directives, and on-going investigations. A copy of each such report shall be provided to:

"(a) The Administrator of the Federal Transit Administration;

"(b) The Governor of Virginia, the Governor of Maryland, and the Mayor of the District of Columbia;

"(c) The Chairman of the Council of the District of Columbia;

“(d) The President of the Maryland Senate and the Speaker of the Maryland House of Delegates;

“(e) The President of the Virginia Senate and the Speaker of the Virginia House of Delegates; and

“(f) The General Manager and each member of the board of directors of WMATA.

“36. The Commission may prepare, publish, and distribute such other safety reports that it deems necessary or desirable.

“B. Annual Report of Operations

“37. The Commission shall make and publish an annual report on its programs, operations, and finances, which shall be distributed in the same manner provided by section 35.

“38. The Commission may also prepare, publish, and distribute such other public reports and informational materials as it deems necessary or desirable.

“C. Annual Independent Audit

“39. An independent annual audit shall be made of the financial accounts of the Commission. The audit shall be made by qualified certified public accountants selected by the Board, who shall have no personal interest, direct or indirect, in the financial affairs of the Commission or any of its officers or employees. The report of audit shall be prepared in accordance with generally accepted auditing principles and shall be distributed in the same manner provided by section 35. Members, employees, agents, and contractors of the Commission shall provide access to information necessary or desirable for the conduct of the annual audit.

“D. Financing

“40. The Commission's operations shall be funded, independently of WMATA, by the Signatory jurisdictions and, when available, by federal funds. The Commission shall have no authority to levy taxes.

“41. The Signatories shall unanimously agree on adequate funding levels for the Commission and make equal contributions of such funding, subject to annual appropriation, to cover the portion of Commission operations not funded by federal funds.

“42. The Commission may borrow up to 5% of its last annual appropriations budget in anticipation of receipts, or as otherwise set forth in the appropriations budget approved by all of the Signatories, from any lawful lending institution for any purpose of this MSC Compact, including, without limitation, for administrative expenses. Such loans shall be for a term not to exceed 2 years, or at such longer term approved by each Signatory pursuant to its laws as evidenced by the written authorization by the Mayor of the District of Columbia and the Governors of Maryland and Virginia, and at such rates of interest as shall be acceptable to the Commission.

“43. With respect to the District of Columbia, the commitment or obligation to render financial assistance to the Commission shall be created, by appropriation or in such other manner, or by such other legislation, as the District of Columbia shall determine; provided, that any such commitment or obligation shall be approved by Congress pursuant to the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 et seq.).

“44. Pursuant to the requirements of 31 U.S.C. §§ 1341, 1342, 1349 to 1351, and 1511 to 1519, and D.C. Official Code §§ 47-105 and 47-355.01 to 355.08 (collectively, the ‘Anti-Deficiency Acts’), the District cannot obligate itself to any financial commitment in any present or future year unless the necessary funds to pay that commitment have been appropriated and are lawfully available for the purpose committed. Thus, pursuant to the Anti-Deficiency Acts, nothing in the MSC Compact creates an obligation of the District in anticipation of an appropriation for such purpose, and the District's legal liability for the payment of any amount under this MSC Compact does not and may not arise or obtain in advance of the lawful availability of appropriated funds for the applicable fiscal year.

“E. Tax Exemption

“45. The exercise of the powers granted by this MSC Compact shall in all respects be for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland and for the increase of their safety, commerce, and prosperity, and as the activities associated with this MSC Compact shall constitute the performance of essential governmental functions, the Commission shall not be required to pay any taxes or assessments upon the services or any property acquired or used by the Commission under the provisions of this MSC Compact or upon the income therefrom, and shall at all times be free from taxation within the District of Columbia, the Commonwealth of Virginia, and the State of Maryland.

“F. Reconsideration of Commission Orders

“46. WMATA shall have the right to petition the Commission for reconsideration of an order based on rules and procedures developed by the Commission.

“47. Consistent with section 16, the filing of a petition for reconsideration shall not act as a stay upon the execution of a Commission order, or any part of it, unless the Commission orders otherwise. WMATA may appeal any adverse action on a petition for reconsideration as set forth in section 48.

“G. Judicial Matters

“48. The United States District Court for the Eastern District of Virginia, Alexandria Division, the United States District Court for the District of Maryland, Southern Division, and the United States District Court for the District of Columbia shall have exclusive and original jurisdiction of all actions brought by or against the Commission and to enforce subpoenas under this MSC Compact.

“49. The commencement of a judicial proceeding shall not operate as a stay of a Commission order unless specifically ordered by the court.

“H. Liability and Indemnification

“50. The Commission and its Members, Alternate Members, officers, agents, employees, or representatives shall not be liable for suit or action or for any judgment or decree for damages, loss, or injury resulting from action taken within the scope of their employment or duties under this MSC Compact, nor required in any case arising or any appeal taken under this MSC Compact to give a supersedeas bond or security for damages. Nothing in this paragraph shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

“51. The Commission shall be liable for its contracts and for its torts and those of its Members, Alternate Members, officers, agents, employees, and representatives committed in the conduct of any proprietary function, in accordance with the law of the applicable Signatory (including, without limitation, rules on conflict of laws) but shall not be liable for any torts occurring in the performance of a governmental function. The exclusive remedy for such breach of contract or tort for which the Commission shall be liable, as herein provided, shall be by suit against the Commission. Nothing contained in this MSC Compact shall be construed as a waiver by the District of Columbia, the Commonwealth of Virginia, or the State of Maryland of any immunity from suit.

“I. Commitment of Parties

“52. Each of the Signatories pledges to each other faithful cooperation in providing safety oversight for the WMATA Rail System, and, to affect such purposes, agrees to consider in good faith and request any necessary legislation to achieve the objectives of this MSC Compact.

“J. Amendments and Supplements

“53. Amendments and supplements to this MSC Compact shall be adopted by legislative action of each of the Signatories and the consent of Congress. When one Signatory adopts an amendment or supplement to an existing section

of this MSC Compact, that amendment or supplement shall not be immediately effective, and the previously enacted provision or provisions shall remain in effect in each jurisdiction until the amendment or supplement is approved by the other Signatories and is consented to by Congress.

“K. Withdrawal and Termination

“54. Any Signatory may withdraw from this MSC Compact, which action shall constitute a termination of this MSC Compact.

“55. Withdrawal from this MSC Compact shall be by a Signatory's repeal of this MSC Compact from its laws, but such repeal shall not take effect until 2 years after the effective date of the repealed statute and written notice of the withdrawal being given by the withdrawing Signatory to the governors or mayor, as appropriate, of the other Signatories.

“56. Prior to termination of this MSC Compact, the Commission shall provide each Signatory:

“(a) A mechanism for concluding the operations of the Commission;

“(b) A proposal to maintain state safety oversight of the WMATA Rail System in compliance with applicable federal law;

“(c) A plan to hold surplus funds in a trust for a successor regulatory entity for 4 years after the termination of this MSC Compact; and

“(d) A plan to return any surplus funds that remain 4 years after the creation of the trust.

“L. Construction and Severability

“57. This MSC Compact shall be liberally construed to effectuate the purposes for which it is created.

“58. If any part or provision of this MSC Compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this MSC Compact or the application thereof to other persons or circumstances, and the Signatories hereby declare that they would have entered into this MSC Compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

“M. Adoption; Effective Date

“59. This MSC Compact shall be adopted by the Signatories in the manner provided by law therefor and shall be signed and sealed in 4 duplicate original copies. One such copy shall be filed with the Secretary of State of the State of Maryland, the Secretary of the Commonwealth of Virginia, and the Secretary of the District of Columbia in accordance with the laws of each jurisdiction. One copy shall be filed and retained in the archives of the Commission upon its organization. This MSC Compact shall become effective upon the enactment of concurring legislation by the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, and consent thereto by Congress and when all other acts or actions have been taken, including, without limitation, the signing and execution of this MSC Compact by the Governors of Maryland and Virginia and the Mayor of the District of Columbia.

“N. Conflict of Laws

“60. Any conflict between any authority granted herein, or the exercise of such authority, and the provisions of the WMATA Compact shall be resolved in favor of the exercise of such authority by the Commission.

“61. All other general or special laws inconsistent with this MSC Compact are hereby declared to be inapplicable to the Commission or its activities.”

RIGHT TO ALTER, AMEND, OR REPEAL

SEC. 2. The right to alter, amend, or repeal this joint resolution is expressly reserved. The consent granted by this joint resolution shall not be construed as impairing or in any manner

affecting any right or jurisdiction of the United States in and over the region that forms the subject of the Compact.

#### CONSTRUCTION AND SEVERABILITY

SEC. 3. It is intended that the provisions of this Compact shall be reasonably and liberally construed to effectuate the purposes thereof. If any part or application of this Compact, or legislation enabling the Compact, is held invalid, the remainder of the Compact or its application to other situations or persons shall not be affected.

#### INCONSISTENCY OF LANGUAGE

SEC. 4. The validity of this Compact shall not be affected by any insubstantial differences in its form or language as adopted by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia.

#### EFFECTIVE DATE

SEC. 5. This joint resolution shall take effect on the date of enactment of this joint resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

□ 1715

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.J. Res. 76, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

H.J. Res. 76 grants Congress' approval to the Metrorail Safety Commission Interstate Compact, an interstate compact entered into recently by the Commonwealth of Virginia, the State of Maryland, and the District of Columbia.

The safety record of the D.C.-area Metrorail system and other public transit systems in our country has been a matter of increasing concern for some time. To better address public transit safety needs, including metro-rails, Congress included in the Moving Ahead for Progress in the 21st Century, or MAP Act or MAP-21, and the Fixing America's Surface Transportation, or FAST Act, provisions strengthening the Federal Transit Administration's safety oversight authority and related safety requirements for public transit systems.

Pursuant to these acts and through the Metrorail Safety Commission Interstate Compact, Virginia, Maryland, and the District of Columbia have committed to establish a new Washington Metrorail Safety Commission to act as the State safety oversight authority for the Metrorail system. The Transportation and Infrastructure Committee has informed the Judiciary Committee that the new compact's provisions satisfy the requirements of the relevant Federal statutes.

The jurisdictions completed, in March of this year, their adoption by legislation of their respective compact instruments. In the meanwhile, however, due to delays in the adoption of the instruments, the FTA invoked on February 9, 2017, authority to suspend the distribution of transit funds to the jurisdictions until the new safety commission is established.

By passage of H.J. Res. 76, we can hasten the day by which Metrorail safety will be improved and funds obligated for other impacted transit systems in the compact jurisdictions can be made available for release.

I urge my colleagues to support this resolution, and I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.J. Res. 76. This very important legislation grants congressional consent and approval to Maryland, Virginia, and the District of Columbia to enter into a compact under Article I, section 10 of the Constitution, establishing the Metrorail Safety Commission. Importantly, Federal transit funds have been suspended by the Federal Transit Authority until Congress grants its assent to these amendments to the WMATA compact, as H.J. Res. 76 would do.

I want to thank my friend, the distinguished minority whip, STENY HOYER, for taking the lead on this measure, and all of our colleagues in the Virginia and Maryland delegations and District of Columbia delegation for supporting it in such a strong, bipartisan, and cross-Potomac River fashion. I am proud to join them.

Mr. Speaker, I did want to take a moment to say a word about the Metro system.

WMATA is not just the Metro that serves the Washington area. It is truly America's Metro system. It is the second largest system in the Nation, behind only New York City. It is 117 miles long. It has 91 stations, and it includes more than 12,000 employees.

It is critical to the functioning of the Federal Government because it moves more than 40 percent of the Federal workforce every day to and from work and also during the day for various missions that people go on during the normal workday. It is essential to national security. If we didn't have the Metro system, what is already one of the most traffic-plagued and congested regions in the country would be absolutely paralyzed.

It is also the mechanism that moves millions of Americans who come from all over the United States, all of our constituents here in Congress, to visit us. That is how people get to the White House and the Capitol and go to the Pentagon and go to see NIH and visit the museums and the battlefields and so on.

So the Metro is critical not just to the people who live and work here every day and make the Federal Gov-

ernment go, but also to all American citizens who rely on the efficiency of the Federal Government and come to Washington to petition for redress of grievances and to partake in the processes of government.

I am thrilled that this legislation, responding to the safety needs of the system, is moving forward with speed now. It is essential that we continue to invest in the Metro, to upgrade its safety, to upgrade its efficiency and its reliability.

The Federal Government was instrumental in the creation of Metro at the beginning, along with Virginia, Maryland, and the District of Columbia. We all send representatives to the board of Metro. The Federal Government has representatives on the board of Metro. We are equal partners in it, and I want to make sure that everyone here in Congress feels deeply invested in the success of Metro, which, after all, gets a lot of our staffers to work every day.

With passage of H.J. Res. 76, Congress reaffirms its fundamental commitment to America's Metro system. Accordingly, I urge my colleagues to support the swift passage of this resolution.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Virginia (Mrs. COMSTOCK).

Mrs. COMSTOCK. Mr. Speaker, I thank my friend, Chairman GOODLATTE, for his work on this matter and for yielding the time. I appreciate his leadership in bringing this forward.

I rise in support, Mr. Speaker, of this resolution, H.J. Res. 76, offered by the gentleman from Maryland, the minority whip, Mr. HOYER. We have very much a regional partnership that is essential for Metro, and this resolution today reflects that. It lends congressional approval to the new interstate compact between Virginia, Maryland, and the District of Columbia to establish an independent State safety oversight program, in this case known as the Metro Safety Commission.

The previous iteration of the Metro safety oversight body was known as the Tri-State Oversight Commission, and in response to various accidents, inadequacies, and outright failures, the previous Secretary of Transportation, Anthony Foxx, used the authority that we in Congress, together, working with our regional delegation together, gave him to temporarily take over the safety oversight role of Metro through the Federal Transit Administration. But it was only meant to be temporary control. We still need a permanent body to provide this invaluable safety oversight for WMATA, and the passage of this legislation in the House today brings us one important step closer to that goal.

I also would like to mention that, because we had not done this in the time-frame initially allowed, the FTA did give notice to the Metro Safety Commission it had to be in place on or before February 9, and when it wasn't,

they suspended some of our Federal funds.

Now, with this today, we hope this initial withholding, which equated to \$8.9 million and is expected could total \$15 million, that now that can move forward.

I have a letter that I include in the RECORD, which is signed by our regional delegation in support of now releasing those funds.

*Washington, DC, June 30, 2017.*

Hon. ELAINE CHAO,  
Secretary, U.S. Department of Transportation,  
Washington, DC.

DEAR SECRETARY CHAO, As representatives of public transit customers in the Commonwealth of Virginia, we write to express our concerns regarding the Federal Transit Administration's (FTA) February 10, 2017 decision to withhold federal transit grant money in response to incomplete efforts to establish a new State Safety Oversight Program (SSOP) for the Washington Metropolitan Area Transit Authority (WMATA).

On February 8, 2016, the FTA gave notice that the Metropolitan Safety Commission (MSC), a new SSOP to succeed WMATA's Tri-State Oversight Commission, must be in place and certified by the FTA on or before February 9, 2017. On February 10, 2017, with no new SSOP certified, the FTA announced it would exercise its authority to withhold five percent of federal funds authorized in fiscal year 2017 under the Urbanized Area Apportionments Program (49 U.S.C. 5307). The initial withholding equated to \$8.9 million, and is expected to total \$15 million if he withholding continues to the end of the current fiscal year. This withholding will not just impact funding for WMATA, but for broader infrastructure maintenance throughout Virginia, Maryland, and Washington, D.C.

The decision to withhold these federal funds has created significant uncertainty amongst state and local governments in terms of budget planning and stability. Should the withholding of funds continue throughout the remainder of the fiscal year, the governments and their transit systems will be faced with a number of difficult decisions about the manner in which they allocate their limited resources. Under a worst-case scenario, they would be forced to make cuts to state of good repair efforts or reduce service to their respective communities, either of which would be harmful to our constituents. We agree safety must be a top priority, but eliminating funding for infrastructure repair would directly contradict a SSOP's stated goal.

Given the FTA must engage in this process with 29 other transit agencies nationwide by 2019, we appreciate the complexity of the issues that were considered in making the decision to withhold these funds. However, we must emphasize—as many of us have expressed previously either directly to you, your predecessor, or the FTA—that the timing of both the notice and the deadline set by FTA were arbitrary in that there seemed to be little or no consideration of the legislative calendars of the Virginia General Assembly or the General Assembly of Maryland.

The FTA timetable effectively gave Virginia and Maryland less than one full legislative session to negotiate amongst each other and the District, draft the proposal, navigate it through the respective lawmaking bodies, and sign it into law. The unreasonable requirements FTA put forth were not simply for the SSOP to have a legal foundation by the February 2017 deadline, but to have the program fully certified by FTA, which neces-

sitates months of work after passing legislation, including, but not limited to, appointing commissioners, hiring staff, and leasing office space. We are therefore led to believe that FTA either set their requirements without providing fair consideration to the unique institutional challenges that exist within the jurisdictions, or the FTA set them with a deadline so unrealistic that failure was unavoidable.

Given the concerns we have raised in this letter regarding FTA's shortsighted approach to this matter, and in light of the demonstrated progress which has been made, we respectfully request that your office work with the FTA to explore a compromise in which part of these withheld funds can be released as a show of good faith, as the jurisdictions continue their work to construct a stable SSOP.

Lending further justification for this request is the real progress that has been made with respect to organizing the MSC. At the time this is written:

Virginia, Maryland, and the District (the jurisdictions) have each enacted legislation to enter into an interstate compact to form the MSC;

The jurisdictions have submitted a detailed draft certification plan to FTA for review (though FTA has not yet provided formal feedback on the plan);

Joint resolutions have been introduced in both the House of Representatives and the Senate to grant Congressional approval to the MSC compact;

The Senate has passed its version of the joint resolution;

The House Judiciary Committee, which has sole jurisdiction over the joint resolution, has ordered the House's parallel version of the resolution to be reported favorably to the full House; and

We are requesting that the measure be taken up for consideration as soon as possible.

We appreciate the FTA's important safety work, especially its temporary safety oversight role with respect to WMATA. Without FTA's diligence, more harm may have come to WMATA's customers. But we must find an equitable solution to this matter.

We look forward to partnering with you, Madam Secretary, as well as the FTA to ensure safety remains the top priority in all transit systems and that reforms are made to accomplish a transit agency that provides safe, reliable service to our constituents. We appreciate your thoughtful consideration of this request.

Sincerely,

BARBARA COMSTOCK,  
Member of Congress.

BOB GOODLATTE,  
Member of Congress.

ROBERT J. WITTMAN,  
Member of Congress.

TIM Kaine,  
United States Senator.

MARK R. WARNER,  
United States Senator.

SCOTT TAYLOR,  
United States Senator.

Mrs. COMSTOCK. Mr. Speaker, we in the region have worked together on these issues and, with this congressional approval and with the help of my colleague, Chairman GOODLATTE, took this to the Judiciary Committee, who will now be able to begin the process of improving Metro in connection with our State and regional partners.

Mr. RASKIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. HOYER), our distinguished minority whip, who

has been a longtime champion of the Metro system.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding.

I was tempted to stop at that podium. One of my Republican predecessors used to come over here a long time ago and speak to Democrats from this podium and then walk back and speak to his Republican colleagues.

This is truly something that both podiums support. It is a bipartisan effort. I was privileged to work with Congresswoman COMSTOCK's predecessor, Frank Wolf, and we worked arm in arm, hip to hip, shoulder to shoulder for a decade with Republican administrations, both the Reagan administration and with the first Bush administration, and this truly is a bipartisan effort to enhance America's subway.

I say "America's subway" because not only do our people use it that live in the region, but millions of Americans who come to Washington, D.C., to see their Capital use their Metro system. I am proud to be the sponsor of this resolution, and I urge my colleagues to support it.

People throughout the National Capital region depend upon Metro to get to work, reach family and friends, and access shopping and entertainment, as so many of my colleagues have already said. It is the lifeblood of the area's economy. Nobody probably knows that better than GERRY CONNOLLY, who was the head of one of the largest subdivisions in our region and knows how critically important Metro is to our region.

Metro—I have referred to it as the "ties that bind the Washington metropolitan area together"—is used by millions of visitors to our Nation's Capital who come from across the country. It is critical to the functioning of our Federal Government, with Federal employees making up nearly 40 percent of its ridership. They and many military personnel rely on Metro to get to their offices and duty stations on time so they can serve the American people.

As anyone who spends time in this city knows, Metro has had its share of challenges in recent years, including, of course, safety issues that have prompted an ambitious overhaul of safety procedure and infrastructure, which was absolutely necessary and too long in coming.

Safety must continue to be Metro's number one priority both for its passengers and for its employees. Our resolution, Mr. Speaker—when I refer to "our," the entire metropolitan delegation—would provide congressional consent for the establishment of a Metro-rail Safety Commission—Mrs. COMSTOCK spoke of that; Mr. RASKIN has spoken of that; I am sure others will as well—which will provide real enforcement teeth to our region's commitment to enhancing Metro safety. The safety commission is being launched jointly by Congress, Maryland, Virginia, and the District of Columbia.

I want to thank Ms. NORTON, who, herself, has worked so long and so effectively on behalf of Washington's Metro system. Thank you very much, Congresswoman NORTON.

The Federal Transit Administration is currently withholding approximately \$8.9 million, which Mrs. COMSTOCK referred to. This step will be a significant step in making sure that that \$8.9 million is released. Maryland, Virginia, and D.C. have all given their approval already, the Virginia Legislature, the Maryland Legislature, and the D.C. legislature. Now it is up to Congress.

But today's resolution is not an end. It is an important step, but not an end. It must signal an ongoing commitment across the region to Metro and, yes, by the Congress itself.

I believe that if Metro is to become safer and more reliable, it must have a dedicated funding source. That is not the issue in this resolution, but it is the issue before Metro and before our region and before our country. That is why I will continue to push for more Federal investment in Metro and for WMATA to have every resource it needs to keep its riders and employees safe, which is to say all of the American people who use it on their visits here as well as those of us who live here.

I want to thank each of the Members of our delegation, our regional delegation, who work together on behalf of the region; and I want to thank, in particular, Senator TIM KAINE from Virginia, who sponsored this legislation on the Senate side. We have all been working hard to ensure this resolution comes to the floor and to make sure all stakeholders have been at the table.

I thank my delegation, the regional delegation, and I thank Mr. GOODLATTE for bringing this resolution to the floor in a timely fashion; and I thank certainly one of our newest Members but one of our most able Members, Mr. RASKIN.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from the District of Columbia (Ms. NORTON), a distinguished Delegate.

Ms. NORTON. Mr. Speaker, I appreciate that my friend, Mr. RASKIN from the State of Maryland, has yielded this time to me.

First, I want to thank the senior member of our delegation. I thank the acknowledged leader of this entire bipartisan delegation, Mr. HOYER, for being the chief sponsor of this resolution that is bipartisan because it concerns the seamless Metro system, seamless because you can't get from one part of this region to the other part of this region without Metro and because this subway is the only subway which encompasses more than one State. It encompasses three jurisdictions. Therefore, we are bipartisan because there is no other way for us to exist. The transportation network re-

quires it, and this resolution does, in fact, shows our bipartisanship.

□ 1730

This resolution is quintessentially important, because it creates a safety commission for Metro.

Now, along with other Members, we see Metro in at least two different ways. We see it, of course, in light of our own constituents. Metro makes it possible for entire neighborhoods to be created, entire parts of the region to be connected. Metro has promoted economic growth, but far more important than any of our individual jurisdictions is the importance of Metro to the Federal Government. You may have heard the figure 40 percent today; almost half of the Federal employees get to work through Metro.

When Metro has a snow day, the whole region shuts down. We are in this Congress by ourselves. If Metro has a snow day, nobody can get to the Congress of the United States or to the Federal Government.

Metro is absolutely critical, and therefore, a safe Metro is essential to all that happens in the Congress of the United States, quite apart from the tourist economy that the District, Maryland, and Virginia are a part of, quite apart from our own local economies.

More important to us all is the safety commission embodied in this joint resolution. Metro is useless if it is not safe. And we know what happens when it is not safe. In 2009, there was a tragic accident in this region. Nine residents lost their lives, seven of them from the District of Columbia. Anybody could have been on that train. In 2015, there was a smoke accident. One woman was killed, another D.C. resident. So an interstate safety commission is necessary if there is to be a Metro at all.

I applaud the local lawmakers from the District of Columbia, Maryland, and Virginia for doing their part to support this jurisdiction safely kneading together the three parts of the region, and I urge my own colleagues to give them permission to move forward.

Mr. GOODLATTE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. RASKIN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from Maryland (Mr. RASKIN), my good friend, for yielding time.

I rise today in support of this legislation, which I was happy to cosponsor with Mr. HOYER and our colleagues in the metropolitan region.

The joint resolution would establish an independent safety oversight commission for the Washington Metropolitan Area Transit Authority that will be empowered to create new safety rules, impose fines, issue subpoenas, and direct additional funding toward safety priorities.

Consideration of the joint resolution in the United States House follows the

passage of companion legislation in the Virginia and Maryland General Assemblies, the Council of the District of Columbia, and the United States Senate.

The joint resolution before us represents the culmination of more than a year of multijurisdictional, multi-stakeholder collaboration, and is an example of the kind of bipartisan cooperation we need moving forward for Metro.

For several years now, Metro has been a system in crisis, all lights blinking red. The lack of a strict safety culture has resulted in derailments, falsified track inspection reports, fires, track defects, and, as Ms. NORTON just indicated, has tragically claimed lives.

The previous safety oversight body, the Tri-State Oversight Committee, was admittedly ineffective and failed to safeguard Metro personnel and customers. It was clear the safety crisis at Metro needed further Federal intervention.

While I am glad that the U.S. Department of Transportation took action, I would have preferred that the Department act in accordance with the NTSB recommendation that it be the FRA, not the FTA, that provided that day-to-day safety oversight. Very simply, the FRA is and was better equipped to pick up this vital mission and run with it from day one, rather than to learn on the job with a modern, contemporary transit system, as the FTA has had to do.

It is my hope that enactment of this joint resolution will finally convince the FTA to reverse its misguided decision to withhold \$8.9 million of Federal transit grants from Virginia, Maryland, and D.C. The FTA announced the withholding of that money on February 10, because the jurisdictions had not yet established a fully certified Metrorail Safety Commission before the FTA's own arbitrary deadline.

The decision to withhold the funds, penalizing other transit systems not related to Metro, which is authorized under the Urbanized Area Apportionments Program, was crude and punitive, and the process that led to the decision was anything but neat.

The 1-year timeline imposed on the jurisdictions to establish and certify the Metro Safety Commission ignored both the unique legislative calendars of the citizen legislatures in Maryland and Virginia as well as the time-consuming, FTA-managed certification process itself for State safety oversight programs.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. RASKIN. Mr. Speaker, I yield an additional 1 minute to the gentleman.

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman for yielding.

The 1-year timeline imposed on the jurisdiction ignored those unique legislative schedules, but the decision to withhold money as a punishment for missing an arbitrary deadline was announced at a time, ironically, when all three jurisdictions were, in fact, moving simultaneously to enact just such legislation, as was requested.



This is no good deed going unpunished, Mr. Speaker, and the FTA did not publish its own toolkit, application, or program standard for the oversight program certification process until February 14 of this year, 4 days after they withheld the money punitively from those three jurisdictions. They couldn't meet their own deadline.

As the House and Senate move to enact this joint resolution, I hope to renew my request of the Secretary of Transportation to reverse entirely the FTA's bad decision to block safety and maintenance investments that are so desperately and obviously needed here in the Metro system in Washington.

I ask my colleagues to support the joint resolution before us today and to recognize that it is a big step forward in the region and in terms of bipartisan cooperation.

Mr. RASKIN. Mr. Speaker, may I just inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Maryland has 4 minutes remaining.

Mr. RASKIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, when I was a kid in high school, they built the Metro system here. It was a great feat of bipartisan leadership when they built the Metro, and it changed my life. It was the jewel of our region, and it opened up, to at least one kid, the Capitol, the White House, the museums, the National Gallery, the Hirshhorn, the Lincoln Memorial, the Jefferson Memorial, and it was really a spectacular and resplendent addition and feature to the Virginia, D.C., Maryland region.

In the intervening years, there has been inadequate investment in safety, efficiency, and reliability in the Metro system, and we need to bring the Metro back to its original glory and we must make sure that, above all, it is safe for the people who ride it. The safety and security of the passengers is essential.

So passage of this resolution will ensure the establishment of the safety commission to assume effective oversight of this system and to allow for the disbursement of Federal transit funds to Maryland, Virginia, and D.C. for essential transit services.

I urge all of our colleagues to support this bipartisan measure. Again, I want to salute all of the Members who have been involved in this legislation, and I thank House Judiciary Chairman GOODLATTE for facilitating consideration of the resolution by both the Judiciary Committee and by the House.

Mr. Speaker, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time to say that this has been a good bipartisan collaborative effort. I thank Minority Whip HOYER, Congresswoman COMSTOCK, and the other Members from the region for their work to assure that safety measures do move forward with regard to the Metro here in the Washington, D.C., area. And this legislation

is critical to accomplish that, so I urge my colleagues to support it.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.J. Res. 76.

This resolution would grant the consent and approval of Congress for Virginia, Maryland, and the District of Columbia to enter into a compact establishing the Washington Metrorail Safety Commission.

I support this bipartisan measure for several reasons.

Most importantly, this Commission will help improve the safety of the Washington Metropolitan Area Transit Authority—also known as WMATA, which provides transportation services for millions of people each year.

Last year alone, nearly 180 million riders traveled on WMATA's commuter rail system. In fact, more than 760,000 riders used that system on just a single day in March of last year.

Unfortunately, there have been a series of serious safety violations at WMATA in recent years, some of which have tragically led to deaths and injuries.

Even though such dangerous conditions are obviously inexcusable, they nevertheless have persisted for many years. There are numerous causes, which range from aging infrastructure, years of neglected maintenance, uncertain funding, and poor oversight and management.

In response to these critical concerns, the District of Columbia—together with the states of Virginia and Maryland—have each passed legislation agreeing to enter into an interstate compact establishing an oversight commission dedicated to improving the safety of WMATA.

Clearly, this undertaking will help ensure WMATA's passengers and workers—as well as the many communities that WMATA serves—have a safe, efficient, and reliable mass transit system.

In addition, H.J. Res. 76 warrants our support because it implements Congress' 2015 directive to the states to establish legal and financially independent state oversight authorities responsible for the safety of fixed rail transit facilities within their respective jurisdictions.

By granting our consent and approval of the interstate compact to be established pursuant to this Resolution, we are fulfilling our responsibility to help ensure the safety of our Nation's rail system.

Finally, prompt consideration of H.J. Res. 76 is imperative not only because of ongoing safety concerns, but also because of financial concerns that serve to exacerbate the safety concerns.

When Congress issued its 2015 directive, it did so with strings attached. A state's failure to comply with this directive would result in a suspension of federal rail transit funding.

Accordingly, the Transportation Department's Federal Transportation Authority suspended its distribution of federal transit funds to the District of Columbia, Maryland, and Virginia earlier this year and it continues to do so until the new safety commission is established.

Thus, every day that goes by without action on this Resolution, is another day that these jurisdictions are deprived of critical federal funding.

So, I encourage my colleagues to join me in supporting the immediate passage of H.J. Res. 76.

The safety and reliability of our Nation's commuter rail transit system should be the standard for other metropolitan areas to aspire to. Unfortunately, much improvement is necessary to reach this critical goal.

H.J. Res. 76, however, will hopefully provide an important opportunity to address the system's safety shortcomings.

In closing, I want to thank Representative STENY HOYER, the esteemed author of this critical legislation. His commitment and leadership are to be commended.

Accordingly, I strongly support this bipartisan measure and urge colleagues on both sides of the aisle to support it as well.

Ms. JACKSON LEE. Mr. Speaker, I rise today in support of H. J. Res. 76, which grants consent and approval from Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

As Houston is a major transportation hub, I understand and appreciate the importance of this legislation.

The Washington Metropolitan Area Transit Authority (WMATA), an interstate compact agency, provides transportation services to millions of people each year.

It is imperative that the WMATA be safe and effective as it is essential to the commerce and prosperity of the National Capitol Region.

The District of Columbia, the Commonwealth of Virginia, and the State of Maryland intend to create the Washington Metrorail Safety Commission to act as the state safety oversight authority for the WMATA system under 49 U.S.C. 5329.

In title III of the Fixing America's Surface Transportation Act (section 3026, Public Law 114-94), the Congress provided sole authority to the Secretary of Transportation to appoint Federal Directors to the Board of Directors of the WMATA and required the signatory parties to the Compact to amend the Compact as necessary.

This compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland so that there may be an increase in their safety, commerce, and prosperity.

I urge my colleagues to join me in supporting H. J. Res. 76.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the joint resolution, H.J. Res. 76, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. GOODLATTE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 40 minutes p.m.), the House stood in recess.

□ 1830

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 6 o'clock and 30 minutes p.m.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 2210, by the yeas and nays;

H.J. Res. 92, by the yeas and nays; and

H.J. Res. 76, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

## SERGEANT JOSEPH GEORGE KUSICK VA COMMUNITY LIVING CENTER

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2210) to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the "Sergeant Joseph George Kusick VA Community Living Center", on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. DUNN) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 32, as follows:

[Roll No. 379]

## YEAS—401

Abraham	Beyer	Brooks (IN)
Adams	Biggs	Brown (MD)
Aderholt	Bilirakis	Brownley (CA)
Aguilar	Bishop (GA)	Buchanan
Allen	Bishop (MI)	Buck
Amash	Bishop (UT)	Bucshon
Amodei	Black	Budd
Arrington	Blackburn	Burgess
Babin	Blum	Bustos
Bacon	Blumenauer	Butterfield
Banks (IN)	Blunt Rochester	Byrne
Barletta	Bonamici	Calvert
Barr	Bost	Capuano
Barragán	Boyle, Brendan	Carbajal
Barton	F.	Cárdenas
Bass	Brady (PA)	Carson (IN)
Beatty	Brady (TX)	Carter (GA)
Bera	Brat	Carter (TX)
Bergman	Bridenstine	Cartwright

Castor (FL)	Guthrie	McMorris	Smith (WA)	Torres	Watson Coleman
Castro (TX)	Hanabusa	Rodgers	Smucker	Trott	Weber (TX)
Chabot	Handel	McSally	Soto	Tsongas	Welch
Cheney	Harper	Meadows	Speier	Turner	Wenstrup
Chu, Judy	Harris	Meehan	Stefanik	Upton	Westerman
Cicilline	Hartzler	Meng	Stewart	Valadao	Williams
Clark (MA)	Hastings	Messer	Stivers	Veasey	Wilson (FL)
Clay	Heck	Mitchell	Suozzi	Vela	Wilson (SC)
Cleaver	Hensarling	Moolenaar	Swalwell (CA)	Velázquez	Wittman
Clyburn	Herrera Beutler	Mooney (WV)	Takano	Wagner	Womack
Coffman	Hice, Jody B.	Moore	Taylor	Walberg	Woodall
Cohen	Higgins (NY)	Moulton	Tenney	Walden	Yarmuth
Cole	Hill	Mullin	Thompson (CA)	Walker	Yoder
Collins (GA)	Himes	Murphy (FL)	Thompson (MS)	Walorski	Yoho
Collins (NY)	Holding	Murphy (PA)	Thompson (PA)	Walters, Mimi	Young (AK)
Comer	Hollingsworth	Nadler	Thornberry	Walz	Young (IA)
Comstock	Hoyer	Neal	Tiberi	Wasserman	Zeldin
Conaway	Hudson	Newhouse	Titus	Schultz	
Connolly	Huffman	Noem	Tonko	Waters, Maxine	
Cook	Huizenga	Nolan			
Cooper	Hunter	Norcross			
Correa	Hurd	Norman			
Costa	Issa	Nunes			
Costello (PA)	Jackson Lee	O'Halleran			
Courtney	Jayapal	O'Rourke			
Cramer	Jeffries	Olson			
Crawford	Jenkins (KS)	Palazzo			
Crist	Jenkins (WV)	Pallone			
Crowley	Johnson (GA)	Palmer			
Cuellar	Johnson (OH)	Panetta			
Culberson	Johnson, E. B.	Pascarell			
Curbelo (FL)	Jones	Paulsen			
Davidson	Jordan	Payne			
Davis (CA)	Joyce (OH)	Pearce			
Davis, Danny	Kaptur	Pelosi			
Davis, Rodney	Katko	Perlmutter			
DeFazio	Keating	Perry			
DeGette	Kelly (IL)	Peters			
Delaney	Kelly (MS)	Peterson			
DeLauro	Kelly (PA)	Pingree			
DeBene	Kennedy	Pittenger			
Demings	Khanna	Pocan			
Denham	Kihuen	Poe (TX)			
Dent	Kildee	Poliquin			
DeSaulnier	Kilmer	Polis			
DesJarlais	Kind	Posey			
Deutch	King (IA)	Price (NC)			
Diaz-Balart	King (NY)	Quigley			
Dingell	Kinziger	Raskin			
Doggett	Krishnamoorthi	Ratcliffe			
Donovan	Kuster (NH)	Reed			
Doyle, Michael	Kustoff (TN)	Reichert			
F.	Labrador	Renacci			
Duffy	LaHood	Rice (SC)			
Duncan (SC)	LaMalfa	Richmond			
Duncan (TN)	Lamborn	Roby			
Dunn	Lance	Roe (TN)			
Ellison	Langevin	Rogers (AL)			
Emmer	Larsen (WA)	Rogers (KY)			
Engel	Larson (CT)	Rokita			
Eshoo	Latta	Rooney, Thomas			
Estes (KS)	Lawrence	J.			
Esty (CT)	Lawson (FL)	Ros-Lehtinen			
Evans	Lee	Rosen			
Farenthold	Levin	Roskam			
Faso	Lewis (GA)	Ross			
Ferguson	Lewis (MN)	Rothfus			
Fitzpatrick	Lieu, Ted	Rouzer			
Fleischmann	Lipinski	Roybal-Allard			
Flores	LoBiondo	Royce (CA)			
Fortenberry	Loeb sack	Ruiz			
Foster	Lofgren	Ruppersberger			
Fox	Long	Russell			
Frankel (FL)	Loudermilk	Rutherford			
Franks (AZ)	Love	Sánchez			
Frelinghuysen	Lowey	Sanford			
Fudge	Lucas	Sarbanes			
Gabbard	Lucas	Schakowsky			
Gaetz	Luetkemeyer	Schiff			
Gallagher	Lujan Grisham,	Schneider			
Gallego	M.	Schrader			
Garamendi	Luján, Ben Ray	Schweikert			
Gianforte	Lynch	Scott (VA)			
Gibbs	MacArthur	Scott, Austin			
Gohmert	Maloney,	Scott, David			
Gomez	Carolyn B.	Sensenbrenner			
Gonzalez (TX)	Marchant	Serrano			
Goodlatte	Marshall	Sessions			
Gosar	Massie	Sewell (AL)			
Gottheimer	McCarthy	Shea-Porter			
Gowdy	McCaul	Sherman			
Granger	McClintock	Shimkus			
Graves (GA)	McCollum	Shuster			
Graves (LA)	McEachin	Simpson			
Graves (MO)	McGovern	Sinema			
Green, Al	McHenry	Smith (MO)			
Green, Gene	McKinley	Smith (NE)			
Griffith		Smith (NJ)			
Grothman		Smith (TX)			

Brooks (AL)	Johnson (LA)	Rooney, Francis
Clarke (NY)	Johnson, Sam	Rush
Conyers	Knight	Ryan (OH)
Cummings	Maloney, Sean	Scalise
DeSantis	Marino	Sires
Espallat	Mast	Slaughter
Garrett	McNerney	Tipton
Grijalva	Meeks	Vargas
Gutiérrez	Napolitano	Visclosky
Higgins (LA)	Rice (NY)	Webster (FL)
Hultgren	Rohrabacher	

## NOT VOTING—32

□ 1854

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GRANTING CONSENT AND APPROVAL OF CONGRESS TO AMEND WASHINGTON AREA TRANSIT REGULATION COMPACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass 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, on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 0, not voting 31, as follows:

[Roll No. 380]

## YEAS—402

Abraham	Bera	Brady (PA)
Adams	Bergman	Brady (TX)
Aderholt	Beyer	Brat
Aguilar	Biggs	Bridenstine
Allen	Bilirakis	Brooks (IN)
Amash	Bishop (GA)	Brown (MD)
Amodei	Bishop (MI)	Brownley (CA)
Arrington	Bishop (UT)	Buchanan
Babin	Black	Buck
Bacon	Blackburn	Bucshon
Banks (IN)	Blum	Budd
Barletta	Blumenauer	Burgess
Barr	Blunt Rochester	Bustos
Barragán	Bonamici	Butterfield
Barton	Bost	Byrne
Bass	Boyle, Brendan	Calvert
Beatty	F.	Capuano