

114TH CONGRESS  
2D SESSION

# H. R. 5105

To ensure that the Washington Metropolitan Area Transit Authority includes board members who have certified expertise in certain areas, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2016

Mr. DELANEY (for himself, Mr. MEADOWS, and Mrs. COMSTOCK) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, 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

---

## A BILL

To ensure that the Washington Metropolitan Area Transit Authority includes board members who have certified expertise in certain areas, 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 Governance  
5 Reform Act”.

1 **SEC. 2. WMATA BOARD APPOINTMENTS.**

2 (a) FEDERAL APPROVAL.—The Government shall not  
3 approve an amendment to the Washington Metropolitan  
4 Area Transit Authority Compact (an interstate compact  
5 created effective February 20, 1967), unless the signato-  
6 ries of the compact, the District of Columbia, the State  
7 of Maryland, and the Commonwealth of Virginia, certify  
8 that beginning after the date of implementation of the  
9 amended compact and thereafter, that each signatory will  
10 appoint an absolute majority of the Board of Directors  
11 of the Authority with the expertise described in subsection  
12 (b).

13 (b) AREAS OF EXPERTISE.—

14 (1) IN GENERAL.—The expertise of an absolute  
15 majority of Directors referred to in subsections (a)  
16 and (c) shall include 1 or more of the following  
17 qualifications:

18 (A) 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 (B) A certified management expert who is  
23 currently or has previously served for 5 or more  
24 years and has in his or her capacity managed,  
25 directly or indirectly, more than 1,000 full-time  
26 employees—

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

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

9 (C) A certified financial expert who meets  
10 the standards of an audit committee financial  
11 expert under New York Stock Exchange rules.

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

17 (2) OTHER SIGNATORY APPOINTMENTS.—If a  
18 signatory appoints an individual to the Board of Di-  
19 rectors who does not meet the qualifications of sub-  
20 section (b), the signatory shall provide the Board  
21 with an explanation of the individual’s qualifications  
22 and why such qualifications will be beneficial to the  
23 Board.

24 (c) FEDERAL APPOINTMENTS.—

1           (1) IN GENERAL.—The Secretary of Transpor-  
2           tation shall ensure that the next 3 Federal appoint-  
3           ments to the Board of Directors of the Washington  
4           Metropolitan Area Transit Authority and an abso-  
5           lute majority thereafter have the qualifications de-  
6           scribed in subsection (b) and to the extent prac-  
7           ticable, include appointees who reflect the diversity  
8           of the communities in the region served by the Au-  
9           thority.

10           (2) OTHER POSSIBLE FEDERAL APPOINT-  
11           MENTS.—If the Secretary of Transportation ap-  
12           points an individual to the Board of Directors who  
13           does not meet the qualifications of subsection (b),  
14           the Secretary shall provide the Board with an expla-  
15           nation of the individual’s qualifications and why  
16           such qualifications will be beneficial to the Board.

17           (d) DEFINITION OF QUALIFYING BUSINESS.—For  
18           purposes of this section, the term “qualifying business”  
19           means a corporation, partnership, or limited liability enti-  
20           ty that is engaged primarily in operating activities and not  
21           investing activities.

○