

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5778

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## 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:

*Clerk.*

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