

Public Law 96-184
96th Congress

An Act

Jan. 3, 1980
[H.R. 3951]

To amend the National Capital Transportation Act of 1969 to authorize additional Federal contributions for the cost of construction of the rapid transit system of the National Capital Region, to provide an orderly method for the retirement of bonds issued by the Washington Metropolitan Area Transit Authority, and for other purposes.

National Capital
Transportation
Amendments of
1979.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Capital Transportation Amendments of 1979".

AUTHORIZATION OF ADDITIONAL FEDERAL CONTRIBUTIONS FOR CONSTRUCTION OF THE ADOPTED REGIONAL SYSTEM AND OTHER PURPOSES

SEC. 2. The National Capital Transportation Act of 1969 (83 Stat. 320, 86 Stat. 464-466, 1004), as amended (D.C. Code, sec. 1-1441 et seq.) is amended by adding at the end thereof the following new sections:

"AUTHORIZATION OF ADDITIONAL FEDERAL CONTRIBUTIONS FOR CONSTRUCTION

"SEC. 14. (a) The Secretary of Transportation is authorized to make grants to the Transit Authority, in addition to the contributions authorized by section 3 of this Act, for the purpose of financing in part the cost of construction of the Adopted Regional System.

D.C. Code
1-1442.

"(b) Federal grants under subsection (a) for the Adopted Regional System shall be subject to section 16 and to the following limitations and conditions:

Post, p. 1322.

"(1) The work for which such grants are authorized shall be subject to the provisions of the Compact and shall be for projects included in the Adopted Regional System.

Local matching
grants.

"(2) The aggregate amount of such Federal grants made during any fiscal year shall be matched by the local participating governments by payment of capital contributions for such year in a total amount that is not less than 25 per centum of the amount of such Federal grants and shall be provided in cash from sources other than Federal funds or revenues from the operation of public mass transportation systems. Any public or private transit system funds so provided shall be solely from undistributed cash surpluses, replacement or depreciation funds or revenues available in cash, or new capital.

"(3) Such grants shall be subject to terms and conditions that the Secretary may deem appropriate for constructing the Adopted Regional System in a cost-effective manner.

Appropriation
authorization.

"(c) There is authorized to be appropriated to the Secretary of Transportation for the purpose of making grants under subsection (a) an aggregate amount not to exceed \$1,700,000,000, except that no

appropriation pursuant to this authorization shall be enacted for any fiscal year prior to fiscal year 1982.

“(d) Amounts appropriated pursuant to the authorization under subsection (c)—

“(1) shall remain available until expended, if so provided in appropriation Acts; and

“(2) shall be in addition to, and not in lieu of, amounts available to the Transit Authority under the Urban Mass Transportation Act of 1964, as amended, and section 103(e)(4) of title 23, United States Code.

49 USC 1601
note.

“PAYMENT OF BONDS

“SEC. 15. (a)(1) The Transit Authority shall maintain a sinking fund to be used for the accumulation of assets for payment of principal on bonds issued by the Transit Authority and guaranteed by the Secretary as provided in section 9. The fund shall be administered in accordance with the provisions of the Compact providing for funds established by the Transit Authority, and moneys in the fund may be invested by the Transit Authority in accordance with the Compact and with the Agreement.

D.C. Code
1-1446.

“(2) The Transit Authority shall use assets of the fund to pay the principal paid or to be paid after October 1, 1979, on bonds issued by the Transit Authority.

“(3)(A) Subject to the conditions of the Agreement, the Secretary of Transportation is authorized to make contributions to the Transit Authority, or its fiscal agent, in amounts sufficient to provide for the payment of two-thirds of the principal paid or to be paid after June 30, 1979, on bonds issued by the Transit Authority which are guaranteed by the Secretary as provided in section 9.

“(B) There are authorized to be appropriated beginning in fiscal year 1981 such sums as are necessary to carry out the requirements of subparagraph (A) of this paragraph.

Appropriation
authorization.

“(4) Subject to the conditions of the Agreement, the local participating governments shall make payments to the Transit Authority in amounts sufficient to allow the Transit Authority to make contributions to the fund established pursuant to subsection (a)(1) in amounts sufficient to provide for the payment of one-third of the principal paid or to be paid after June 30, 1979, on bonds issued by the Transit Authority which are guaranteed by the Secretary as provided in section 9.

“(b)(1) The Transit Authority shall maintain a Bond Interest Fund to be used for the accumulation of assets for the timely payment of interest on bonds issued by the Transit Authority and guaranteed by the Secretary as provided in section 9. The fund shall be administered in accordance with the provisions of the Compact providing for funds established by the Transit Authority, and moneys in the fund may be invested by the Transit Authority in accordance with the Compact and with the Agreement.

Bond Interest
Fund.

“(2)(A) Subject to the conditions of the Agreement, the Secretary of Transportation is authorized to make contributions to the Transit Authority or its fiscal agent, in amounts sufficient to provide for the payment of two-thirds of the total amount of interest paid or to be paid after June 30, 1979, on bonds issued by the Transit Authority which are guaranteed by the Secretary as provided in section 9.

“(B) There are authorized to be appropriated beginning in fiscal year 1981 such sums as are necessary to carry out the provisions of subparagraph (A) of this paragraph.

Appropriation
authorization.

Accelerated
interest
payments.

“(3) With respect to interest payments due prior to July 3, 1983, the Secretary of Transportation, if requested by the Transit Authority, may make accelerated interest payments in amounts sufficient to provide for the payment, as any payment becomes due, of not more than an additional 18 $\frac{1}{3}$ per centum of the interest due on such bonds at the time of such payment, so long as the total amount of contributions by the Secretary under this subsection does not exceed the amount specified in paragraph (2). Unless otherwise provided in amendments to the Agreement, any accelerated payments made shall bear interest from the date of accelerated payment until liquidation at a rate to be determined by the Secretary of the Treasury, taking into consideration the current average market yield on outstanding United States marketable obligations which have maturities comparable to the period of time between the time of accelerated payment and the time of liquidation.

“(4) Subject to the conditions of the Agreement, the local participating governments shall make payments to the Transit Authority in amounts sufficient to allow the Transit Authority to make contributions to the fund established pursuant to subsection (b)(1) in amounts sufficient to provide for the payment of one-third of the interest paid or to be paid after June 30, 1979, on bonds issued by the Transit Authority which are guaranteed by the Secretary as provided in section 9.

“(5) If as a result of the retirement of the principal of such bonds (or of any portion of such principal) before maturity the total amount of contributions by the Secretary of Transportation after June 30, 1979, for payment of interest on such bonds is at any time in excess of two-thirds of the net present value of the total amount of interest paid or to be paid on such bonds after such date, the Transit Authority shall pay to the Secretary the difference between the total amount contributed by the Secretary and two-thirds of the net present value of the total amount of interest paid or to be paid on such bonds after such date.

“REQUIREMENT THAT LOCAL PARTICIPATING GOVERNMENTS HAVE A STABLE AND RELIABLE SOURCE OF REVENUE FOR CONTRIBUTIONS FOR BOND EXPENSES AND FOR OPERATING EXPENSES

Ante, p. 1320. “SEC. 16. (a) The Secretary of Transportation shall not make any grant under section 14(a) for the cost of construction of the Adopted Regional System, until the Secretary has determined that the local participating governments, or signatories (as defined in subparagraph (d) of paragraph 1 of article I of title III of the Washington Metropolitan Area Transit Authority Compact (80 Stat. 1324; D.C. Code, sec. 1-1431)) to the Compact, have provided a stable and reliable source of revenue sufficient to meet both (1) their payments to the Transit Authority under subsections (a)(4) and (b)(4) of section 15, relating to payment of the principal and interest on bonds issued by the Transit Authority, and (2) that part of the cost of operating and maintaining the Adopted Regional System that is in excess of revenues received by the Transit Authority from the operation of the system and any amount to be contributed for operating expenses by the Secretary of Transportation under any other provision of law.

Ante, p. 1321. “(b) The Transit Authority, in consultation with each governmental entity that is a local participating government or signatory to the Compact as referred to in subsection (a) of this section, for the purposes of this Act, shall submit a program to the Secretary of Transportation on or before September 30, 1980, showing how each

such governmental entity will have in place on or before August 15, 1982, a stable and reliable source of revenue to provide for its contributions (1) for payments to the Washington Metropolitan Area Transit Authority for the payment of principal and interest on bonds issued by the Transit Authority, and (2) for the cost of operating and maintaining the Adopted Regional System of the Washington Metropolitan Area Transit Authority."

SEC. 3. (a) Section 2 of the National Capital Transportation Act of 1969 (83 Stat. 320), as amended (D.C. Code, sec. 1-1441), is amended by adding at the end thereof the following:

"(4) The term 'Agreement' means the Initial Bond Repayment Participation Agreement executed by the Transit Authority and the United States Department of Transportation on September 18, 1979, and amendments thereto, including the Supplemental Agreement described in section 302 of the Initial Bond Repayment Participation Agreement.

"Agreement."

"(5) The term 'local participating governments' means those governments which comprise the Washington Metropolitan Transit Zone, as defined by paragraph 3 of article III of title III of the Washington Metropolitan Area Transit Authority Compact (80 Stat. 1324; D.C. Code, sec. 1-1431)."

"Local participating governments."

(b) Section 9(d) of the National Capital Transportation Act of 1969 (83 Stat. 320, 86 Stat. 464, 465), as amended (D.C. Code, sec. 1-1446), is amended by deleting "issued after the date of the enactment of this section" and inserting in lieu thereof "guaranteed by the Secretary under the provisions of this section".

(c) Section 10 of the National Capital Transportation Act of 1969 (83 Stat. 320, 86 Stat. 464, 465), as amended (D.C. Code, sec. 1-1447), is repealed. Such repeal shall not be construed as affecting in any manner any payment, commitment, or other action taken pursuant to and in accordance with such section prior to the date of its repeal by this Act.

Repeal.

(d) Subsections (a) and (b) of section 11 of the National Capital Transportation Act of 1969 (83 Stat. 320, 86 Stat. 465, 466), as amended (D.C. Code, sec. 1-1448), are each amended by deleting "section 10" each place it appears in such subsections and inserting in lieu thereof "section 15".

Ante, p. 1321.

Approved January 3, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-156 (Comm. on the District of Columbia).

SENATE REPORT No. 96-475 (Comm. on Governmental Affairs).

CONGRESSIONAL RECORD, Vol. 125 (1979):

July 16, considered and passed House.

Dec. 20, considered and passed Senate, amended; House agreed to Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 16, No. 1:

Jan. 3, Presidential statement.