

106TH CONGRESS }      HOUSE OF REPRESENTATIVES    {      REPORT  
    1st Session      }      106-56

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THURGOOD MARSHALL UNITED STATES COURTHOUSE

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MARCH 16, 1999.—Referred to the House Calendar and ordered to be printed

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Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 130]

[Including cost estimate of the Congressional Budget Office

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 130) to designate the United States Courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse", having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

Thurgood Marshall was born in Baltimore, Maryland, July 2, 1908. In 1930 he graduated cum laude from Lincoln University in Chester, Pennsylvania. Three years later, he graduated at the top of his class from the Howard University School of Law.

Upon graduation from law school, Justice Marshall embarked on a legal career with the National Association for the Advancement of Colored People (NAACP). In 1940, he became the head of the newly formed NAACP Legal Defense and Education Fund, a post that he held for twenty years. It was during his tenure as Chief Counsel that Justice Marshall organized efforts to end segregation in voting, housing, public accommodations, and education. These efforts led to a series of cases grouped under the title of *Brown v. Board of Education*, in which Marshall argued and convinced the Supreme Court to declare segregation in public schools unconstitutional.

In 1961, President John F. Kennedy appointed Marshall to the Second Circuit Court of Appeals. Four years after he received appointment to the appeals court, President Lyndon B. Johnson chose Justice Marshall to be the nation's first black solicitor general. Two years later, on June 13, 1967, President Johnson nominated Marshall to become the first black justice of the Supreme Court where he served with distinction until his retirement in 1991.

It is fitting to name a courthouse in honor of this American who believed in equal justice for all Americans. Justice Marshall passed away in 1993.

#### HEARINGS AND LEGISLATIVE HISTORY

H.R. 130 was introduced on January 6, 1999. The Committee did not hold hearings on the reported legislation.

#### COMMITTEE CONSIDERATION

On March 11, 1999, the Committee met in open session and ordered reported H.R. 130, to designate the federal building located at 40 Centre Street, New York, New York, as the “Thurgood Marshall United States Courthouse,” approved March 11, 1999, by the Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation, by voice vote with a quorum present. There were no recorded votes taken during Committee consideration of H.R. 130.

#### RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with ordering H.R. 130 reported. A motion by Mr. Franks to order H.R. 130 favorably reported to the House was agreed to by voice vote, a quorum being present.

#### COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

#### COST OF THE LEGISLATION

Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

#### COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and section 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office below.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on the subject of H.R. 130.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the

following cost estimate for H.R. 130 from the Director of the Congressional Budget Office.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, March 12, 1999.*

Hon. BUD SHUSTER,  
*Chairman, Committee on Transportation and Infrastructure, House  
of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills, which were ordered reported by the House Committee on Transportation and Infrastructure on March 11, 1999. CBO estimates that their enactment would have no significant impact on the federal budget, and would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bills contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. The bills reviewed are:

- H.R. 130, a bill to designate the United States courthouse located at 40 Centre Street in New York, New York, as the "Thurgood Marshall United States Courthouse," and
- H.R. 751, a bill to designate the federal building and United States courthouse located at 504 West Hamilton Street in Allentown Pennsylvania, as the "Edward N. Cahn Federal Building and United States Courthouse."

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, *Director*).

#### APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of the Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

ADVISORY COMMITTEE STATEMENT

No Advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 130 makes no changes in existing law.

