

TO DESIGNATE THE UNITED STATES COURTHOUSE LOCATED AT 333 WEST BROADWAY IN SAN DIEGO, CALIFORNIA, AS THE “JAMES M. CARTER AND JUDITH N. KEEP UNITED STATES COURTHOUSE”

APRIL 9, 2014.—Referred to the House Calendar and ordered to be printed

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

## R E P O R T

[To accompany H.R. 1378]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 1378) to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse”, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

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The amendments are as follows:  
Strike all after the enacting clause and insert the following:

**SECTION 1. JUDICIAL CENTER DESIGNATION.**

The United States Federal Judicial Center located at 333 West Broadway in San Diego, California, shall be known and designated as the “John Rhoades Federal Judicial Center”. The Judicial Center includes the Federal property located at 221 West Broadway, 333 West Broadway, 880 Front Street, 325 West F Street, 808 Union Street, and the adjoining plaza.

**SEC. 2. COURTHOUSE BUILDING DESIGNATION.**

The United States courthouse located at 333 West Broadway in San Diego, California, shall be known and designated as the “James M. Carter and Judith N. Keep United States Courthouse”.

**SEC. 3. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Federal Judicial Center referred to in section 1 shall be deemed to be a reference to the “John Rhoades Federal Judicial Center”. Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 2 shall be deemed to be a reference to the “James M. Carter and Judith N. Keep United States Courthouse”.

Amend the title so as to read:

A bill to designate the United States Federal Judicial Center located at 333 West Broadway in San Diego, California, as the “John Rhoades Federal Judicial Center” and to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse”.

**PURPOSE OF LEGISLATION**

H.R. 1378, as amended, designates the United States Federal Judicial Center located at 333 West Broadway as the “John Rhoades Federal Judicial Center” and designates the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse”.

**BACKGROUND AND NEED FOR LEGISLATION**

John S. Rhoades, Sr. was a United States federal judge on the United States District Court for the Southern District of California for 22 years. Before Judge Rhoades began practicing law, he served in the United States Navy during World War II from 1943 to 1946. After his service to the military, he received his Bachelor of Arts degree from Stanford University in 1948 and a Juris Doctor degree from the Hastings College of Law at the University of California in 1951. He began practicing law for the city of San Diego, California as a prosecuting attorney in 1955 and as the Deputy City Attorney from 1956 to 1967. Judge Rhoades was nominated by President Ronald Reagan on September 27, 1985 to serve as a federal judge for United States District Court for the Southern District of California, where he served until his death on September 3, 2007.

Judith N. Keep was a United States federal judge on the United States District Court for the Southern District of California for 24 years. Judge Keep served as a Municipal Court Judge in San Diego from 1976 to 1980. Judge Keep was nominated to the bench of the United States District Court for the Southern District of California

by President Jimmy Carter in 1980. She was the first female federal judge in her district and later became its first female chief judge, serving in that capacity from 1991 to 1998. Judge Keep also chaired the Conference of Chief District Judges in 1997 and was president of the District Judges Association from 1997 to 1999. She continued to serve until her death in 2004.

James M. Carter was a United States federal judge on the United States District Court for the Southern District of California for 17 years. Judge Carter was in private practice of the law in Los Angeles, California from 1928 to 1940 before becoming United States Attorney for the Southern District of California from 1946 to 1949. On September 23, 1949, Judge Carter was nominated by President Harry S. Truman to the United States District Court for the Southern District of California, where he served as chief judge from 1966 to 1967. On November 6, 1967, President Lyndon B. Johnson nominated Carter for elevation to a seat on the United States Court of Appeals for the Ninth Circuit, where he served until his death in 1979.

#### HEARINGS

No hearings were held on H.R. 1378.

#### LEGISLATIVE HISTORY AND CONSIDERATION

On March 21, 2013, Representative Scott Peters (D-CA) introduced H.R. 1378, a bill to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse”.

On February 11, 2014, the Committee on Transportation and Infrastructure met in open session. The Committee considered one amendment offered by Representative Lou Barletta (R-PA). The amendment was adopted by voice vote. The Committee ordered the bill, as amended, reported favorably to the House by voice vote with a quorum present.

#### COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules 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 record votes taken in connection with consideration of H.R. 1378 or ordering the measure reported. A motion to order H.R. 1378, as amended, reported favorably to the House was agreed to by voice vote with a quorum 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.

#### NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(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 sec-

tion 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.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

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 enclosed cost estimate for H.R. 1378, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, February 18, 2014.*

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 1378, a bill to designate the United States Federal Judicial Center located at 333 West Broadway Street in San Diego, California, as the “John Rhoades Federal Judicial Center” and to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse,” as ordered reported by the House Committee on Transportation and Infrastructure on February 11, 2014.

CBO estimates that enacting this legislation would have no significant impact on the federal budget and would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. The bill contains 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.

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

Sincerely,

DOUGLAS W. ELMENDORF.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation, as amended, is to designate the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse” and designate the United States Federal Judicial Center located at 333 West Broadway as the “John Rhoades Federal Judicial Center”.

ADVISORY OF EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. No provision in the bill, as amended,

includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

#### DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(j) of H. Res. 5, 113th Cong. (2013), the Committee finds that no provision of H.R. 1378, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

#### DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(k) of H. Res. 5, 113th Cong. (2013), the Committee estimates that enacting H.R. 1378, as amended, does not specifically direct the completion of any specific rule makings within the meaning of section 551 of title 5, United States Code.

#### FEDERAL MANDATE STATEMENT

The Committee adopts as its own the estimate of 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).

#### PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 1378, as amended, does not preempt any state, local, or tribal law.

#### ADVISORY COMMITTEE STATEMENT

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

#### APPLICABILITY OF LEGISLATIVE BRANCH

The Committee finds that the legislation, as amended, 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).

#### SECTION-BY-SECTION ANALYSIS OF LEGISLATION, AS AMENDED

##### *Section 1. Judicial Center designation*

Section 1 designates the United States Federal Judicial Center located at 333 West Broadway in San Diego, California, as the “John Rhoades Federal Judicial Center”, which includes the federal property located at 221 West Broadway, 333 West Broadway, 880 Front Street, 325 West F Street, 808 Union Street, and the adjoining plaza.

*Section 2. Courthouse building designation*

Section 2 designates the United States courthouse located at 333 West Broadway in San Diego, California, as the “James M. Carter and Judith N. Keep United States Courthouse”.

*Section 3. References*

Section 3 deems any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Federal Judicial Center referred to in section 1 to be a reference to the “John Rhoades Federal Judicial Center” and any reference to the United States courthouse referred to in section 2 shall to be a reference to the “James M. Carter and Judith N. Keep United States Courthouse”.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 1378, as amended, makes no changes in existing law.

