

TO DESIGNATE THE UNITED STATES COURTHOUSE LOCATED AT 323 EAST CHAPEL HILL STREET IN DURHAM, NORTH CAROLINA, AS THE “JOHN HERVEY WHEELER UNITED STATES COURTHOUSE”

JULY 16, 2018.—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. 3460]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3460) to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the “John Hervey Wheeler United States Court- house”, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:  
Strike all after the enacting clause and insert the following:

#### SECTION 1. JOHN HERVEY WHEELER UNITED STATES COURTHOUSE.

(a) DESIGNATION.—The United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, shall be known and designated as the “John Hervey Wheeler United States Courthouse” during the period in which the facility is used as a Federal courthouse.

(b) REFERENCES.—During the period in which the facility referred to in subsection (a) is used as a Federal courthouse, any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “John Hervey Wheeler United States Courthouse”.

#### PURPOSE OF LEGISLATION

H.R. 3460, as amended, designates the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the “John Hervey Wheeler United States Courthouse.”

#### BACKGROUND AND NEED FOR LEGISLATION

H.R. 3460, as amended, designates the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the “John Hervey Wheeler United States Courthouse.”

Mr. John Wheeler was a respected civil rights leader in Durham, North Carolina, who successfully litigated school segregation cases in the 1940s. He was born in Kittrell, North Carolina in 1908 and received his bachelor’s degree from Morehouse College in 1929. In 1961, President John F. Kennedy appointed Mr. Wheeler to the United States Equal Employment Opportunity Commission where he championed civil rights, and worked with Vice President Lyndon B. Johnson in drafting civil rights legislation. In 1963, John Hervey Wheeler became an incorporator of the North Carolina Fund, an antipoverty agency. The Fund then became a model for the national War on Poverty presented by President Lyndon B. Johnson. Mr. Wheeler also served as President of the Mechanics and Farmers Bank.

#### HEARINGS

No hearings were held on H.R. 3460, as amended.

#### LEGISLATIVE HISTORY AND CONSIDERATION

On July 27, 2017, Congressman G.K. Butterfield (D–NC) introduced H.R. 3460. The bill was referred solely to the Committee on Transportation and Infrastructure.

On June 27, 2018, the Committee on Transportation and Infrastructure met in open session. An amendment was offered by Congressman Lou Barletta (R–PA) and adopted by the Committee 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 recorded votes taken in connection with consideration of H.R. 3460 as amended.

## 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 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.

## 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. 3460, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, July 9, 2018.*

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

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills ordered reported by the House Committee on Transportation and Infrastructure on June 27, 2018:

- H.R. 3460, a bill to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the "John Hervey Wheeler United States Courthouse"; and
- H.R. 5772, a bill to designate the J. Marvin Jones Federal Building and Courthouse located in Amarillo, Texas, as the "J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse."

CBO estimates that enacting the bills would have no significant effect on the federal budget and would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO also estimates that enacting the bills would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

The bills contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

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

Sincerely,

MARK P. HADLEY  
(For Keith Hall, Director)

## 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 is to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the “John Hervey Wheeler United States Courthouse.”

#### 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 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 clause 3 of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of H.R. 3460, 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(i) of H. Res. 5, 115th Cong. (2017), the Committee finds that enacting H.R. 3460 as amended does not direct the completion of a specific rule making 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. 3460, 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 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

*Section 1. John Hervey Wheeler United States Courthouse*

Section 1 subsection (a) designates the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, shall be known as the “John Hervey Wheeler United States Courthouse” during the period in which the facility is used as a Federal courthouse. Subsection (b) deems any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 as a reference to the “John Hervey Wheeler United States Courthouse” during the period in which the facility is used as a Federal courthouse.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 3460, as amended, makes no changes in existing law.

