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110TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 110–22

HUGH L. CAREY UNITED STATES COURTHOUSE

FEBRUARY 16, 2007.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H.R. 429]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 429) to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Hugh L. Carey United States Courthouse", having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

H.R. 429, Hugh L. Carey United States Courthouse, designates the courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the Hugh L. Carey United States Courthouse.

BACKGROUND AND NEED FOR LEGISLATION

Hugh L. Carey was born in Brooklyn, Kings County, New York, on April 11, 1919. He graduated from St. John's College in 1949 and St. John's Law School in 1951. Soon after, Carey was admitted to the bar in 1951 and commenced the practice of law in Brooklyn, New York. During the Second World War, he entered the United States Army as an enlisted man in the One Hundred First Cavalry, New York National Guard, serving in Europe as a Major of infantry in the One Hundred Fourth Division. He was later decorated with the Bronze Star, Croix de Guerre, and Combat Infantry Award.

After leaving the armed services, Carey went on to serve as the State chairman of the Young Democrats of New York. Carey was elected as a Democrat in the 12th Congressional district of New York to the 87th Congress and to the six succeeding Congresses, serving from January 3, 1961, until his resignation on December

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31, 1974. Carey was elected the 51st governor of New York on November 5, 1974, and was re-elected to a second term in 1978. As governor he was the catalyst for the significant financial plan that averted the bankruptcy of New York City and began a sweeping program of fiscal reform and economic development to restore New York State's vitality. Governor Carey was known for his unflinching opposition to a state death penalty. He insisted that the state could protect its citizens from the fear and acts of crime without resorting to "the ultimate act of violence." He served until January 1, 1983, when Lt. Governor Mario Cuomo succeeded him.

In 1991, Governor Carey was chosen by his fellow former governors as the first chairman of the National Institute of Former Governors and was re-elected as chairman through 1993. In 1993, Governor Carey was appointed by President Clinton to the American Battle Monuments Commission to represent the United States at various ceremonies commemorating the 50th Anniversary of the end of World War II. After his extensive career in public service, Carey resumed the practice of law in New York City, where he currently resides. The former two-term New York state Governor now focuses his legal practice on municipal finance and public affairs activities using his extensive knowledge and experience in government and business matters, as well as the regulatory environment at both the federal and local levels.

In honor of Governor Carey's outstanding public service career in New York, it is both fitting and proper to designate the courthouse located on 225 Cadman Plaza in Brooklyn, New York as the "Hugh L. Carey United States Courthouse."

SUMMARY OF THE LEGISLATION

Section 1. Designation

Section 1 designates the courthouse located at 225 Cadman Plaza East, Brooklyn, New York as the Hugh L. Carey United States Courthouse.

Section 2. References

Section 2 states that 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 1 shall be deemed to be a reference to the Hugh L. Carey United States Courthouse.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 109th Congress, H.R. 5214, a bill to designate the courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the Hugh L. Carey United States Courthouse, was introduced on April 26, 2006, and was referred to the Committee on Transportation and Infrastructure.

On January 11, 2007, Representative Towns introduced H.R. 429 and it was referred to the Committee on Transportation and Infrastructure.

On February 6, 2007, the Subcommittee on Economic Development, Public Buildings, and Emergency Management met in open session and favorably recommended H.R. 429 to the Committee on Transportation and Infrastructure by voice vote.

On February 7, 2007, the Committee on Transportation and Infrastructure met in open session and ordered H.R. 429 reported favorably to the House by voice vote.

RECORD 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 ordering H.R. 429 reported. A motion to order H.R. 429, 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.

COST OF LEGISLATION

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.

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 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objective of this legislation is to designate the courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the Hugh L. Carey United States Courthouse.

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 enclosed cost estimate for H.R. 429 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 8, 2007.

Hon. JAMES L. OBERSTAR,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills as ordered reported by the House Committee on Transportation and Infrastructure on February 7, 2007:

- H.R. 584, a bill to designate the Federal building located at 400 Maryland Avenue Southwest in the District of Colum-

bia, as the "Lyndon Baines Johnson Department of Education Building";

- H.R. 544, a bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse";
- H.R. 478, a bill to designate the Federal building and United States courthouse located at 101 Barr Street in Lexington, Kentucky, as the "Scott Reed Federal Building and United States Courthouse";
- H.R. 430, a bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the "Conrad B. Duberstein United States Bankruptcy Courthouse";
- H.R. 429, a bill to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Hugh L. Carey United States Courthouse";
- H.R. 399, a bill to designate the United States courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse"; and
- H.R. 342, a bill to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the "Rush Hudson Limbaugh, Sr., United States Courthouse."

CBO estimates that enactment of these bills would have no significant impact on the federal budget and would not affect direct spending or revenues. These 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. If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PETER R. ORSZAG,
Director.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 429 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

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.

FEDERAL MANDATES 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. 429 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 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).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 429 makes no changes in existing law.

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