

SPOTTSWOOD W. ROBINSON III AND ROBERT R.
MERHIGE, JR., UNITED STATES COURTHOUSE

SEPTEMBER 8, 2008.—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 S. 2403]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (S. 2403) to designate the new Federal Courthouse, located in the 700 block of East Broad Street, Richmond, Virginia, as the “Spottswood W. Robinson III and Robert R. Merhige, Jr. Federal Courthouse”, having considered the same, report favorably thereon with amendment and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. DESIGNATION.

The United States courthouse located in the 700 block of East Broad Street, Richmond, Virginia, shall be known and designated as the “Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse”.

SEC. 2. REFERENCES.

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 “Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse”.

Amend the title so as to read:

A bill to designate the United States courthouse located in the 700 block of East Broad Street, Richmond, Virginia, as the “Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse”.

PURPOSE OF THE LEGISLATION

S. 2403, as amended, designates the new United States courthouse located in the 700 block of East Broad Street, Richmond, Vir-

ginia, as the “Spottswood W. Robinson III and Robert R Merhige, Jr., United States Courthouse”.

BACKGROUND AND NEED FOR LEGISLATION

Spottswood William Robinson III was born in Richmond, Virginia, on July 26, 1916. Robinson attended public schools in Richmond, which were segregated at the time, and graduated from Armstrong High School in 1932. Following high school, he studied at Virginia Union University from 1932 until 1934 and from 1935 until 1936. Judge Robinson entered Howard University School of Law in Washington, D.C., before completing his bachelor’s degree, and graduated magna cum laude in 1939.

After his graduation, Judge Robinson became a professor at the Howard University School of Law, where he taught for eight years. In the 1940s, he emerged as a prominent civil rights attorney. In 1951, Judge Robinson was appointed southeast regional counsel for the National Association for the Advancement of Colored People (“NAACP”). Shortly after joining the NAACP, Robinson represented an African-American student in Virginia’s Prince Edward County. The lawsuit was eventually combined with the *Brown v. Board of Education* case, which the U.S. Supreme Court agreed to hear in 1954.

In 1961, President John F. Kennedy appointed Judge Robinson to the U.S. Commission on Civil Rights, a six-member bipartisan commission charged with studying civil rights violations in the United States. Judge Robinson was confirmed by the Senate by a vote of 73 to 17. In 1964, President Lyndon B. Johnson appointed Judge Robinson to the U.S. District Court for the District of Columbia and two years later, he became the first African-American to serve on the U.S. Court of Appeals for the D.C. Circuit. Judge Robinson served as Chief Judge of the U.S. Court of Appeals from 1981 to 1986, and served on the Court until his retirement in 1992.

On October 11, 1998, Judge Robinson passed away in Richmond, Virginia.

Robert R. Merhige, Jr. was born in Brooklyn, New York, on February 5, 1919. Judge Merhige attended High Point College in North Carolina and received his law degree from the University of Richmond’s T.C. Williams School of Law in 1942. Upon graduation, he enlisted in the United States Army Air Corps, where he served as a crewman aboard a B-17 bomber based in Italy.

After returning from World War II, Judge Merhige began practicing law and became one of the most formidable lawyers in Virginia. In 1967, President Lyndon B. Johnson appointed Judge Merhige to the District Court. Two weeks into his service on the court, Judge Merhige drew the first of many high-profile cases that became the hallmark of his career. He ordered the release of black activist H. Rap Brown, who was imprisoned in Virginia after making an impassioned and militant speech in Maryland.

Judge Merhige was involved in many high-profile cases during his 31-year tenure on the Federal bench. He wrote the decision for a three-judge panel that threw out the appeals of Watergate figures G. Gordon Liddy, Bernard Barker, and Eugenio Martinez. In 1970, he ordered the University of Virginia to admit women. He clarified the rights of pregnant women to keep their jobs. In 1979, he presided over the trials of Ku Klux Klan and American Nazi Party

members accused of injuring and killing members of the Communist Workers Party. He also ordered the integration of dozens of Virginia schools.

On February 18, 2005, Judge Merhige passed away.

SUMMARY OF THE LEGISLATION

Section 1. Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse

Section 1(a) designates the new United States Courthouse located in the 700 block of East Broad St., Richmond, Virginia, as the “Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse”.

Section 1(b) ensures that any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) be a reference to the Spottswood W. Robinson III and Robert R. Merhige, Jr., United States Courthouse.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On December 3, 2007, Senator John Warner introduced S. 2403, to designate the new Federal Courthouse, located in the 700 block of East Broad Street, Richmond, Virginia, as the “Spottswood W. Robinson III and Robert R. Merhige, Jr., Federal Courthouse”.

On June 4, 2008, the Committee on Environment and Public Works of the Senate reported S. 2403 favorably to the Senate.

On June 24, 2008, the Senate passed S. 2403 by unanimous consent.

On July 31, 2008, the Committee on Transportation and Infrastructure met in open session to consider S. 2403.

Subcommittee on Economic Development, Public Buildings, and Emergency Management Chairwoman Eleanor Holmes Norton offered an amendment in the nature of a substitute that made technical corrections to the bill. The amendment was adopted by voice vote with a quorum present.

The Committee ordered the bill, as amended, reported favorably to the House by voice vote with a quorum present.

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 consideration of S. 2403. A motion to order S. 2403, 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 objectives of this legislation are to designate the United States courthouse located at 700 block of East Broad St., Richmond, Virginia, as the “Spottswood W. Robinson III and Robert R. Merhige, Jr., 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 S. 2403 from the Director of the Congressional Budget Office:

AUGUST 1, 2008.

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 legislation as ordered reported by the House Committee on Transportation and Infrastructure on July 31, 2008:

- H.R. 4131, a bill to designate a portion of California State Route 91 located in Los Angeles County, California, as the “Juanita Millender-McDonald Highway”;
- S. 2403, an act to designate the United States courthouse, located in the 700 block of East Broad Street, Richmond, Virginia, as the “Spottswood W. Robinson III and Robert R. Merhige Jr. United States Courthouse”;
- S. 3009, an act to designate the Federal Bureau of Investigation building under construction in Omaha, Nebraska, as the “J. James Exon Federal Bureau of Investigation Building”; and
- S. 2837, an act to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the “Theodore Roosevelt United States Courthouse.”

CBO estimates that enactment of those pieces of legislation would have no significant impact on the federal budget and would not affect direct spending or revenues. Those bills contain no inter-governmental 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 H. FONTAINE
(For Peter R. Orszag, Director.)

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, S. 2403, as amended, 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 S. 2403, 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 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

S. 2403, as amended, makes no changes in existing law.