

ROBERT K. RODIBAUGH UNITED STATES BANKRUPTCY
COURTHOUSE

APRIL 27, 1999.—Referred to the House Calendar and ordered to be printed

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

REPORT

[To accompany S. 460]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (S. 460) to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the “Robert K. Rodibaugh United States Bankruptcy Courthouse”, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

Judge Robert Kurtz Rodibaugh served the Northern District of Indiana in the area of Bankruptcy law since his appointment as a bankruptcy judge in 1960.

Judge Rodibaugh was born in Elkhart County, near Goshen, Indiana. He attended South Bend grade schools and high school, and he received his undergraduate and law degree from the University of Notre Dame. In 1941, Judge Rodibaugh entered the military. He served in the United States Army during World War II, returning to private practice in 1946.

In 1948, Judge Rodibaugh began his career in public service as a Deputy Prosecuting Attorney for the Indiana 60th Judicial Circuit. He served in this capacity from 1948 to 1950, and again from 1953 to 1957. Judge Rodibaugh also served as the Attorney for the St. Joseph County Board of Zoning Appeals, in 1958.

In 1960, Judge Rodibaugh began his service to the bankruptcy court when he was appointed as a United States Bankruptcy Judge for the Northern District of Indiana, the title then known as the Bankruptcy Referee of the United States District Court. Judge Rodibaugh presided over the growth of the bankruptcy court from one small courtroom with a part time referee and a clerks office of

four employees in South Bend, Indiana, to four courtroom locations in the cities of South Bend, Fort Wayne, Gary, and Lafayette, Indiana, with four full time judges and a clerks' office of over forty employees. In 1985, he was appointed Chief Bankruptcy Judge and assumed senior status in 1986.

Judge Rodibaugh fulfilled his duties as a referee in bankruptcy proceedings and a bankruptcy judge with patience, fairness, dedication and legal scholarship which is most worthy of recognition. It is a fitting tribute to name this building in his honor.

HEARINGS AND LEGISLATIVE HISTORY

No hearings were held on S. 460.

COMMITTEE CONSIDERATION

On April 22, 1999, the Full Committee met in open session and ordered reported S. 460, to designate the United States bankruptcy courthouse located at 401 South Michigan Street in South Bend, Indiana as the "Robert K. Rodibaugh United States Bankruptcy Courthouse," approved April 21, 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 S. 460.

ROLLCALL 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 rollcall 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 S. 460 favorably reported. A motion by Mr. Franks to order S. 460 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 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 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included 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 S. 460.

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 S. 460 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 26, 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 April 22, 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. 118, a bill to designate the federal building located at 300 East 8th Street in Austin, Texas, as the "J.J. 'Jake' Pickle Federal Building";

H.R. 560, a bill to designate the federal building and United States courthouse located at the intersection of Comercio and San Justo Streets in San Juan, Puerto Rico, as the "José V. Toledo Federal Building and United States Courthouse";

H.R. 686, a bill to designate a United States courthouse in Brownsville, Texas, as the "Garza-Vela United States Courthouse";

H.R. 1121, a bill to designate the federal building and United States courthouse located at 18 Greenville Street in Newnan, Georgia, as the "Lewis R. Morgan Federal Building and United States Courthouse";

S. 437, an act to designate the United States courthouse under construction at 333 Las Vegas Boulevard South in Las Vegas, Nevada, as the "Lloyd D. George United States Courthouse"; and

S. 460, an act to designate the United States courthouse located at 401 South Michigan Street in South Bend, Indiana, as the "Robert K. Rodibaugh United States Bankruptcy 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).

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.)

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were 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.)