

ALBERT ARMENDARIZ, SR., UNITED STATES COURTHOUSE

JULY 31, 2009.—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. 2053]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 2053) to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the “Albert Armendariz, Sr., 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. 2053 designates the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the “Albert Armendariz, Sr., United States Courthouse”.

BACKGROUND AND NEED FOR LEGISLATION

Judge Albert Armendariz, Sr., had a long and distinguished career of public service. Albert Armendariz was born on August 11, 1919, in El Paso, Texas. After graduating from high school in 1934, Judge Armendariz joined the United States Army and served in World War II. After he left the U.S. Army, Armendariz used the GI Bill to continue his education. He later graduated from the University of Texas at El Paso and then the University of Southern California (USC) Law School, where he was the only Mexican-American in attendance. After graduating from the USC law school in 1950, Judge Armendariz returned to El Paso, Texas.

Early in his career Judge Armendariz tackled discrimination head on while serving on the El Paso Civil Service Commission, pushing the agency to end discrimination against Latino applicants

for civil service positions. Perhaps his most lasting legacy will be his work on *Hernandez v. The State of Texas*, which established Latinos as a class entitled to protection under the 14th amendment of the U.S. Constitution.

From 1976 to 1985, he was an immigration judge (special inquiry officer) with the U.S. Department of Justice and was appointed to, and served on, the Texas Court of Appeals from July 2, 1986, until November 30, 1986.

In addition to his service in government, Judge Armendariz also found time to serve in leadership positions in influential civic organizations. Judge Armendariz served as National President of the League of United Latin American Citizens during the 1950s and fought school segregation and discrimination. Judge Armendariz also helped to form the influential Mexican American Legal Defense & Education Fund in 1968. Judge Armendariz had a never-ending passion for service to his community, and practiced law until his death at age 88 on October 4, 2007.

Given his extraordinary service, it is fitting and proper to honor Judge Armendariz by designating the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the “Albert Armendariz, Sr., United States Courthouse”.

SUMMARY OF THE LEGISLATION

Section 1. Designation

Section 1 designates the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the “Albert Armendariz, Sr., United States Courthouse”.

Sec. 2. References

Section 2 indicates that any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the “Albert Armendariz, Sr., United States Courthouse”.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On April 22, 2009, Representative Sylvester Reyes introduced H.R. 2053. This bill has not been introduced in a previous Congress. On June 4, 2009, the Committee on Transportation and Infrastructure met in open session, and ordered the bill 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 H.R. 2053 or ordering the bill reported. A motion to order H.R. 2053 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 goal and objective of this legislation are to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the "Albert Armendariz, Sr., 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. 2053 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 5, 2009.

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 June 4, 2009:

- H.R. 2053, a bill to designate the United States courthouse located at 525 Magoffin Avenue in El Paso, Texas, as the "Albert Armendariz, Sr., United States Courthouse";
- H.R. 2498, a bill to designate the federal building located at 844 North Rush Street in Chicago, Illinois, as the "William O. Lipinski Federal Building"; and
- H.R. 1687, a bill to designate the federally occupied building located at McKinley Avenue and Third Street, SW., Canton, Ohio, as the "Ralph Regula Federal Building and United States Courthouse".

CBO estimates that enacting those pieces of legislation would have no significant impact on the federal budget and would not affect direct spending or revenues. 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.

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,
Director.

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 2053 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), and 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 (P.L. 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. 2053 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 (P.L. 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 2053 makes no changes in existing law.