

EDWARD J. DEVITT UNITED STATES COURTHOUSE AND
FEDERAL BUILDING

SEPTEMBER 27, 2013.—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. 2251]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 2251) to designate the United States courthouse located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse”, having considered the same, reports favorably thereon with 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. DESIGNATION.

The United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, shall be known and designated as the “Edward J. Devitt United States Courthouse and Federal Building”.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse and Federal building referred to in section 1 shall be deemed to be a reference to the “Edward J. Devitt United States Courthouse and Federal Building”.

The amendments are as follows: [Make sure to insert amendment instruction after merging in legis-body text.]

Amend the title to read:

A bill to designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse and Federal Building”.

PURPOSE OF LEGISLATION

H.R. 2251, as amended, would designate the United States courthouse located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse and Federal Building”.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2251, as amended, would designate the United States courthouse located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse and Federal Building”.

Judge Devitt was born in 1911 in St. Paul, Minnesota. He received a B.S. and a law degree from the University of North Dakota. Early in his career he was in the private practice of law in East Grant Forks, Minnesota and served as Judge on the Minnesota Municipal Court. Judge Devitt also served as an Assistant Attorney General for Minnesota (1939–1942) and during World War II was a lieutenant commander in the U.S. Naval Reserve (1942–1946). Judge Devitt later became a U.S. Representative from Minnesota and a probate judge in Ramsey County, Minnesota. In 1954, Judge Devitt was appointed by President Eisenhower to the U.S. District Court for the District of Minnesota. He served as the chief judge from 1959 to 1981 and assumed senior status in 1981 until his death in 1992.

During Committee consideration of H.R. 2251, the bill was amended to add “Federal Building” to the designation to clarify the building is not exclusively utilized as a Federal Courthouse.

HEARINGS

No hearings were held on H.R. 2251.

LEGISLATIVE HISTORY AND CONSIDERATION

On June 4, 2013, Representative Collin C. Peterson (D–MN) introduced H.R. 2251, a bill to designate the United States court-

house located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse”.

On July 18, 2013, the Committee on Transportation and Infrastructure met in open session. The Committee considered and adopted by voice vote an amendment in the nature of a substitute offered by Representative Barletta and 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 record votes taken in connection with consideration of H.R. 2251 or ordering the measure reported. An amendment in the nature of a substitute and a motion to order H.R. 2251, as amended, reported favorably to the House were 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.

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. 2251, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 23, 2013.

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 legislation ordered reported by the House Committee on Transportation and Infrastructure on July 18, 2013:

- H.R. 185, a bill to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the “Paul Brown United States Courthouse”;

- H.R. 579, a bill to designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the “R. Jess Brown United States Courthouse”; and
- H.R. 2251, a bill to designate the United States courthouse and federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse and Federal Building.”

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; therefore, pay-as-you-go procedures do 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.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Maggie Morrissey and Matthew Pickford.

Sincerely,

DOUGLAS W. ELMENDORF,
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 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse and Federal Building”.

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 section 3(j) of H. Res. 5, 113th Cong. (2013), the Committee finds that no provision of H.R. 2251, 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(k) of H. Res. 5, 113th Cong. (2013), the Committee estimates that enacting H.R. 2251, as amended, does not specifically direct the completion of any specific rule makings 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. 2251, 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, AS AMENDED

Section 1. Designation

Section 1 designates the United States courthouse located at 118 South Mill Street, in Fergus Falls, Minnesota, as the “Edward J. Devitt United States Courthouse and Federal Building”.

Section 2. References

Section 2 deems any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse and Federal building referred to in section 1 as a reference to the “Edward J. Devitt United States Courthouse and Federal Building”.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 2251 makes no changes in existing law.