

SCOTT REED FEDERAL BUILDING AND UNITED STATES
COURTHOUSE

MARCH 10, 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. 869]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 869) 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”, having considered the same, report favorably thereon without amendment and recommend that the bill to pass.

PURPOSE OF THE LEGISLATION

H.R. 869 designates the United States Bankruptcy Courthouse located at 101 Barr Street in Lexington, Kentucky as the “Scott Reed Federal Building and United States Courthouse”.

BACKGROUND AND NEED FOR LEGISLATION

Judge Scott Reed was born in Lexington, Kentucky, on July 3, 1921, and died February 17, 1994. Judge Reed served as an attorney, state judge, and federal judge. While in law school, he was Editor in Chief of the Kentucky Law Journal, graduated with distinction, and was awarded the Order of Coif, the highest academic award that can be given to a law school graduate. While in the private practice of law, he was County Attorney, retained as counsel for the Fayette County School Board, and also distinguished himself as a trial lawyer of great skill. Judge Reed was elected as a Fellow in the National College of the Judiciary in 1965. Judge Reed was also voting member of the American Law Institute, a scholarly organization.

From 1964 until 1969, Judge Reed was a member of the First Division of the Fayette Circuit Court when he was elected to the Kentucky Court of Appeals, then the highest court in the state, and was chosen by his colleagues of the Court of Appeals as Chief Justice. He became the first Chief Justice of the Commonwealth of Kentucky. His opinions from the Supreme Court of Kentucky were highly regarded and often cited by other jurisdictions. Judge Reed was a member of the American, Kentucky, and Fayette County Bar Associations.

On November 2, 1979, President Jimmy Carter appointed him as a United States District Judge for the Eastern District of Kentucky. He became a Senior Judge August 1, 1988, and retired April 1, 1990. He was a frequent lecturer to the National College of Trial Judges and was named to the Hall of Distinguished Alumni of the University of Kentucky on April 11, 1980.

Because of his distinguished performance and outstanding contributions to the legal profession in Kentucky, it is both fitting and proper to designate the courthouse and Federal building located at 101 Barr Street in Lexington, Kentucky, as the “Scott Reed Federal Building and United States Courthouse”.

SUMMARY OF THE LEGISLATION

Section 1. Designation

Section 1 designates the courthouse located at 101 Barr Street in Lexington, Kentucky, as the “Scott Reed Federal Building and United States Courthouse”.

Section 2. References

Section 2 declares any reference in law, map, regulation, document, paper, or other record of the United States to the Federal Building and United States Courthouse referred to in Section 1 shall be deemed to be a reference to the “Scott Reed Federal Building and United States Courthouse”.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 109th Congress, Representative Ben Chandler introduced H.R. 4530, 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. The bill was referred to the Committee on Transportation and Infrastructure. No further action was taken on the bill.

In the 110th Congress, Representative Chandler introduced H.R. 478 on January 16, 2007. On February 6, 2007, the Subcommittee on Economic Development, Public Buildings, and Emergency Management met in open session and considered H.R. 478. The Subcommittee recommended the bill favorably 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 the bill reported favorably to the House. On February 16, 2007, the Committee reported the bill to the House. H. Rept. 110–19. On March 13, 2007, the House passed the bill by voice vote. No further action was taken on the bill.

In the 111th Congress, Representative Chandler introduced H.R. 869 on February 4, 2009. On February 12, 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 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 consideration of H.R. 869 or ordering the bill reported. A motion to order H.R. 869 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)(I) 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 are 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.

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. 869 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 17, 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 February 12, 2009:

- H.R. 887, a bill to designate the United States courthouse located at 131 East 4th Street in Davenport, Iowa, as the “James A. Leach United States. Courthouse”;
- H.R. 869, 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. 842, a bill to designate the United States courthouse to be constructed in Jackson, Mississippi, as the “R. Jess Brown United States Courthouse”;
- H.R. 837, a bill to designate the federal building located at 799 United Nations Plaza in New York, New York, as the “Ronald H. Brown United States Mission to the United Nations Building”; and
- H.R. 813, a bill to designate the federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the “J. Herbert W. Small 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. 869, 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. 869 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. 869 makes no changes in existing law.

