

GEORGE P. KAZEN FEDERAL BUILDING AND UNITED
STATES COURTHOUSE

SEPTEMBER 16, 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. 2423]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 2423) to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”, and to designate the jury room in that Federal building and United States courthouse as the “Marcel C. Notzon II Jury Room”, having considered the same, report favorably thereon with amendments 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. BUILDING DESIGNATION.

(a) DESIGNATION.—The Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, shall be known and designated as the “George P. Kazen Federal Building and United States Courthouse”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “George P. Kazen Federal Building and United States Courthouse”.

SEC. 2. EFFECTIVE DATE.

This Act shall take effect on the first day on which George P. Kazen is no longer serving as a Federal judge.

Amend the title so as to read:

A bill to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”.

PURPOSE OF THE LEGISLATION

H.R. 2423, as amended, designates the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 2423, as amended, designates the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”. H.R. 2423 will not take effect until the first day on which George P. Kazen is no longer serving as a Federal District Judge.

George P. Kazen was born in Laredo, Texas, in 1940. In 1960, he earned a bachelor’s degree in Business Administration from the University of Texas. He later earned his law degree from the University of Texas School of Law in 1961. Kazen began his professional career as a Briefing Attorney for the Texas Supreme Court in 1961 and 1962. From 1962 to 1965, he was a U.S. Air Force Captain in the JAG Corps. Following his military service, Kazen worked in a private practice in Laredo until 1979.

In 1979, President Jimmy Carter nominated George P. Kazen as a U.S. District Court Judge for the Southern District of Texas. Judge Kazen has served on the bench for more than 30 years, including as Chief Judge from 1996 to 2003. On May 31, 2009, he assumed senior status on the court.

During his tenure on the bench, Judge Kazen considered a wide variety of cases. In *Luna v. Van Zandt*, a 1982 case, he invalidated a Texas statute that allowed for the detaining of individuals perceived as mentally ill for up to 14 days without a commitment hearing. In addition, Judge Kazen has testified before Congress and written several articles on issues of Federalism and the courts. Outside of the courtroom, Judge Kazen is a stalwart of his community serving numerous civic organizations in South Texas.

Given Judge George P. Kazen’s exemplary public service it is fitting to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”.

SUMMARY OF THE LEGISLATION

Section 1. Designation

Subsection (a) designates the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”.

Subsection (b) states that any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in subsection (a) shall be deemed to be a reference to the “George P. Kazen Federal Building and United States Courthouse”.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On May 14, 2009, Representative Henry Cuellar introduced H.R. 2423. This bill has not been introduced in a previous Congress. On

July 30, 2009, the Committee on Transportation and Infrastructure met in open session and considered H.R. 2423. The Committee adopted an amendment to the bill by voice vote with a quorum present. The Committee on Transportation and Infrastructure ordered H.R. 2423, 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 H.R. 2423 or ordering the bill reported. A motion to order H.R. 2423, 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 section 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 1300 Victoria Street in Laredo, Texas, as the "George P. Kann 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. 2423, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 31, 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 ordered reported by the House Committee on Transportation and Infrastructure on July 30, 2009:

- H.R. 2423, a bill to designate the federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the “George P. Kazen Federal Building and United States Courthouse”;
- H.R. 2913, a bill to designate the United States courthouse located at 301 Simonton Street in Key West, Florida, as the “Sidney M. Aronovitz United States Courthouse”; and
- H.R. 3193, a bill to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the “Alto Lee Adams, Sr., 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,

ROBERT A. SUNSHINE
(For 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. 2423 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 (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. 2423, 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(6)(3) of the Congressional Accountability Act (P.L. 104-1).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 2423, as amended, makes no changes in existing law.