AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

111TH CONGRESS
1st Session
HOUSE OF REPRESENTATIVES
REPORT
111–29

R. JESS BROWN 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. 842]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 842) to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown 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. 842 designates the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse".

BACKGROUND AND NEED FOR LEGISLATION

R. Jess Brown was born in Coffeeville, Kansas, on September 2, 1912. He was educated in the Muskogee, Oklahoma, public school system. He received a Bachelor of Education degree from Illinois State University, known then as Illinois State Normal University, in 1935, and a Master of Education degree from the University of Indiana in 1943. He attended Texas Southern Law School.

In 1948, he was a co-plaintiff in a lawsuit for equal salaries for Jackson, Mississippi school teachers.

In 1953, he was admitted to the bar for the State of Mississippi and admitted to practice before the United States District Court for the Southern District of Mississippi. In 1955, he co-founded the Magnolia Bar Association, and he later served on the Board of the National Bar Association for nearly 15 years. In 1958, he was admitted to practice before the United States Supreme Court.

As Associate Counsel for the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund, Brown filed the first civil rights suit in Mississippi in the 1950s in Jefferson Davis County seeking the enforcement of the right of black citizens to become registered voters. In 1961, Brown represented James H. Meredith in his suit to be allowed to enter the University of Mississippi; his victory in this case opened the doors of that university to all of Mississippi's citizens. While with the NAACP Legal Defense Fund, he played a major role in fighting discrimination in the areas of transportation and other public accommodations working along side Thurgood Marshall, who would later become Associate Justice of the United States Supreme Court.

Brown also served as counsel for the American Civil Liberties Union, where he was successful in obtaining reversals of convictions of black defendants due to discrimination in jury selection. He also represented numerous black defendants in cases where the State sought the death penalty. As a result of these appeals, none of these defendants were ever executed.

R. Jess Brown died in Jackson, Mississippi, on January 2, 1990. R. Jess Brown will be remembered as more than a brilliant attorney and civil rights leader.

SUMMARY OF THE LEGISLATION

Section 1. Designation

Section 1 designates the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse".

Section 2. References

Section 2 states any reference in a law, map, regulation, document, paper or other record of the United States to the courthouse referred to in Section 1 shall be deemed to be a reference to the "R. Jess Brown United States Courthouse".

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 109th Congress, Representative Bennie G. Thompson introduced this bill (H.R. 4426) and it was referred to the House Committee on Transportation and Infrastructure. No further action was taken on the bill.

In the 110th Congress, on January 10, 2007, Representative Thompson introduced H.R. 399 and it was referred to the Committee on Transportation and Infrastructure. On February 6, 2007, the Subcommittee on Economic Development, Public Buildings, and Emergency Management met in open session and favorably recommended H.R. 399 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 H.R. 399 reported favorably to the House by voice vote. On March 6, 2007, the Committee reported the bill to the House. H. Rept. 110–20. On March 6, 2007, the House passed H.R. 399 by voice vote. No further action was taken on the bill.

In the 111th Congress, Representative Thompson introduced H.R. 842 on February 3, 2009. On February 12, 2009, the Com-

mittee 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 ordering H.R. 842 reported. A motion to order H.R. 842 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 goals and objective of this legislation are to designate the United States Courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown 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. 842 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. 842 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. 842 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. 842 makes no changes in existing law.

○