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2d Session
HOUSE OF REPRESENTATIVES
REPORT
111–610

WINSTON E. ARNOW FEDERAL BUILDING

SEPTEMBER 20, 2010.—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. 4387]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 4387) to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building", having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE LEGISLATION

H.R. 4387 designates the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

BACKGROUND AND NEED FOR LEGISLATION

H.R. 4387 designates the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building". Pursuant to Public Law 108–288, the building is currently named the Winston E. Arnow United States Courthouse. H.R. 4387 redesignates the building as a Federal building because there is a U.S. courthouse across the street from the Arnow building and the Judiciary maintains that having two adjacent buildings designated as courthouses is confusing jurors, litigants, and others.

Winston Eugene Arnow was born in Micancopy, Florida, in 1911. He attended the University of Florida and graduated with a degree in Business Administration in 1932, and later earned a law degree in 1933.

Mr. Arnow began his career in private practice, but took a hiatus to serve in the U.S. Army during World War II as a Major and a member of Judge Advocates General Corps. He later returned to private practice and served as a municipal judge before President Lyndon B. Johnson appointed him as a U.S. District Judge. Judge Arnow served as the Chief Judge of the Northern District of Florida, stretching from Pensacola to Gainesville, from 1969 until 1981. Judge Arnow became a senior judge in 1981 and continued his work on the Federal bench until he passed away in 1994.

Judicial authorities and officials viewed Judge Arnow as "all integrity"; he ignored criticism by doing what he thought was the right and proper thing to do to protect civil liberties. His name is now synonymous with the momentous civil rights period from 1969 to 1978 in northwest Florida, because he followed the U.S. Supreme Court mandates to ensure public school desegregation and improved prison conditions in the Escambia County jail. Judge Arnow ordered the Escambia school district desegregated in 1969 and, in 1978, he was responsible for drawing up a special electoral district to ensure that the County Commission would have at least one black member. In 1972, Judge Arnow's decision regarding the Naval Live Oaks Reservations ended a long controversial dispute over ownership when he declared the historic woodland in the Gulf to be owned by the citizens of the United States. Judge Arnow also presided over the nationally spotlighted trial of the Gainesville Eight.

SUMMARY OF THE LEGISLATION

Section 1. Designation.

Section 1 designates the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

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 "Winston E. Arnow Federal Building".

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 108th Congress, Representative Jeff Miller introduced H.R. 1572 to designate the United States courthouse located at 100 North Palafox Street in Pensacola, Florida. On June 18, 2003, the Subcommittee on Economic Development, Public Buildings, and Emergency Management met to consider the bill and favorably recommended the bill, as amended, to the Committee on Transportation and Infrastructure by voice vote with a quorum present. On June 25, 2003, the Committee ordered the bill, as amended, reported favorably to the House by voice vote with a quorum present. On September 23, 2003, the House passed the bill, as amended, by voice vote with a quorum present. On July 19, 2004, the Senate passed the bill, as amended, by unanimous consent. On August 6, 2004, President George W. Bush signed the bill into law (P.L. 108–288). Public Law 108–288 designates the Federal building as the Winston E. Arnow United States Courthouse.

In the 111th Congress, on December 16, 2009, Representative Jeff Miller introduced H.R. 4387. On July 29, 2010, the Committee on Transportation and Infrastructure met in open session to consider H.R. 4387. The Committee 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. 4387 or ordering the bill reported. A motion to order H.R. 4387 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 objectives of this legislation are to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

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. 4387 from the Director of the Congressional Budget Office:

AUGUST 3, 2010.

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 29, 2010:

- H.R. 4387, a bill to designate the federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building";
- H.R. 5651, a bill to designate the federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the "Andrew W. Bogue Federal Building and United States Courthouse";
- H.R. 5706, a bill to designate the building occupied by the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the "Frank Evans Government Printing Office Building";
- H.R. 5773, a bill to redesignate the federal building located at 6401 Security Boulevard in Baltimore, Maryland, commonly known as the Social Security Operations Building, as the "Robert M. Ball Federal Building"; and
- H.R. 5591, a bill to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower."

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 would 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 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, 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. H.R. 4387 does not contain any earmarks, limited tax benefits, or limited tariff benefits under clause 9(e), 9(f), or 9(g) of rule XXI.

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 pursu-

ant 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. 4387 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. 4387 makes no changes in existing law.

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