

JAMES R. BROWNING UNITED STATES COURTHOUSE

MARCH 18, 2002.—Referred to the House Calendar and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 2804]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 2804) to designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the “James R. Browning United States Courthouse”, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

SUMMARY OF LEGISLATION

H.R. 2804 designates the United States courthouse located at 95 Seventh Street in San Francisco, California as the “James R. Browning United States Courthouse.”

BACKGROUND ON THE LEGISLATION

James R. Browning was born in Belt, Montana on October 1, 1918. He attended the public schools of Belt and continued his education at the University of Montana, where he received both a bachelor’s degree and law degree. While in law school he served as Editor-in-Chief of the Law Review and graduated with honors in 1941.

Following his graduation he served at the United States Department of Justice Antitrust Division for two years prior to enlisting in the U.S. Army in 1943. He served three years with Military Intelligence, primarily in the Pacific Theatre. He finished his tour as a First Lieutenant, having earned a Bronze Star.

After the war he worked as an attorney with the Justice Department, serving in various positions for six years before leaving government for a partnership with the law firm of Perlman, Lyons & Browning. After five years in private practice, James Browning re-

turned to government service as Clerk of the United States Supreme Court, a position he held until 1961.

Appointed to the Federal bench in 1961 by President Kennedy, Judge Browning served for nearly 40 years. He participated in over 1,000 published appellate decisions and was the author of many per curiam opinions. From 1976 until 1988 Judge Browning served as Chief Judge of the Ninth Circuit. During his tenure he oversaw the expansion of the Court's membership and the implementation of numerous administrative and judicial reforms that increased the efficiency of the Circuit's operation and eliminated large backlogs of pending cases. Many of these reforms were later adopted by other Circuit Courts.

HEARINGS AND LEGISLATIVE HISTORY

No hearings were held in conjunction with ordering reported H.R. 2804.

COMMITTEE CONSIDERATION

On February 27, 2002, the Full Committee met in open session and ordered reported H.R. 2804 to designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the "James R. Browning United States Courthouse." H.R. 2804 was discharged from the Subcommittee on Economic Development, Public Buildings and Emergency Management and was passed by the Full Committee unanimously, by voice vote with a quorum present. There were no recorded votes taken during Committee consideration of H.R. 2804.

ROLLCALL 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 rollcall 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. 2804 reported. A motion by Mr. LaTourette to order H.R. 2804 favorably reported to the House was agreed to by voice vote, a quorum being 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 below.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the bill contains no measure that authorizes funding, so no statement of general performance and objectives for which any measure authorizes funding is required.

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 following cost estimate for H.R. 2804 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 1, 2002.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2804, a bill to designate the United States courthouse located at 95 Seventh Street in San Francisco, California, as the “James R. Browning United States Courthouse,” as ordered reported by the House Committee on Transportation and Infrastructure on February 27, 2002.

CBO estimates that enactment of this bill would have no significant impact on the federal budget, and would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bill contains 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,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

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.)

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were 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.)

