

TO DESIGNATE THE UNITED STATES COURTHOUSE LOCATED AT 301 NORTH MIAMI AVENUE, MIAMI, FLORIDA, AS THE "C. CLYDE ATKINS UNITED STATES COURTHOUSE"

SEPTEMBER 14, 2007.—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. 2671]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 2671) to designate the United States courthouse located at 301 North Miami Avenue, Miami, Florida, as the "C. Clyde Atkins 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. 2671 designates the United States courthouse located at 301 North Miami Avenue in Miami, Florida, as the "C. Clyde Atkins United States Courthouse".

BACKGROUND AND NEED FOR LEGISLATION

Judge C. Clyde Atkins was born on November 23, 1914, in Washington, DC. In 1921, he moved to Miami, Florida, with his family. Judge Atkins attended Miami High School, and graduated from the University of Florida College of Law in 1936. He practiced law in private practice for more than 25 years, and was a partner in the law firm of Walton, Lantaff, Shroeder, Atkins, Carson and Wahl from 1941 to 1966. In 1966, President Lyndon B. Johnson nominated and the Senate confirmed Judge Atkins to serve as a U.S. District Court Judge for the Southern District of Florida. He served as Chief Judge from 1977 to 1982 and assumed senior status on December 31, 1982. Judge Atkins continued to serve until his death in 1999.

Judge Atkins served as a distinguished jurist throughout his tenure on the federal bench. He presided over some of the most controversial cases in South Florida judicial history, including a case

to desegregate Miami schools. Judge Atkins found the city of Miami guilty of a pattern of harassment of the city's homeless population and showed great courage in overturning federal policies that required the repatriation of Haitian and Cuban refugees at Guantanamo Bay.

In addition to his time as a jurist, Judge Atkins also held several positions in the legal community and community at large. He served as President of the Dade County Bar Association and the Florida Bar Association. He was also a trustee at Biscayne College (now St. Thomas University) and Mercy Hospital. Judge Atkins was also very active in the Catholic Church, and he was named a knight of St. Gregory by Pope Paul VI.

Judge Atkins had a strong reputation as a principled and fair jurist. He was respected because of his application of the law without respect to race, creed, religion, or national origin. In honor of Judge Atkins' distinguished public service as a U.S. District Court Judge for 33 years, it is fitting to name the courthouse located at 301 North Miami Avenue in Miami, Florida, as the "C. Clyde Atkins United States Courthouse".

SUMMARY OF THE LEGISLATION

Section 1. Designation

Section 1 designates the United States courthouse located at 301 North Miami Avenue in Miami, Florida, as the "C. Clyde Atkins United States Courthouse".

Section 2. References

Section 2 declares that any reference in law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in Section 1 shall be deemed to be a reference to the "C. Clyde Atkins United States Courthouse".

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On June 12, 2007, Representative Ros-Lehtinen introduced H.R. 2671.

On August 1, 2007, the Subcommittee on Economic Development, Public Buildings, and Emergency Management met in open session to consider H.R. 2671 and favorably recommended the bill to the Committee on Transportation and Infrastructure by voice vote.

On August 2, 2007, the Committee on Transportation and Infrastructure met in open session and ordered the bill reported favorably to the House by voice vote.

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. 2671 reported. A motion to order H.R. 2671 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

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.

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 located at 301 North Miami Avenue in Miami, Florida, as the "C. Clyde Atkins United States Courthouse".

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. 2671 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 7, 2007.

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 bills as ordered reported by the House Committee on Transportation and Infrastructure on August 2, 2007:

- H.R. 2728, a bill to designate the station of the United States Border Patrol located at 25762 Madison Avenue in Murrieta, California, as the "Theodore L. Newton, Jr. and George F. Azrak Border Patrol Station"; and
- H.R. 2671, a bill to designate the United States courthouse located at 301 North Miami Avenue, Miami, Florida, as the "C. Clyde Atkins United States Courthouse."

CBO estimates that enactment of those bills would have no significant impact on the federal budget and would not affect direct spending or revenues. Those 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, who can be reached at 226-2860.

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 2671 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. 2671 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. 2671 makes no changes in existing law.