

CONRAD B. DUBERSTEIN UNITED STATES BANKRUPTCY
COURTHOUSE

FEBRUARY 16, 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. 430]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 430) to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the “Conrad Duberstein United States Bankruptcy Courthouse”, 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. DESIGNATION.

The United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, shall be known and designated as the “Conrad B. Duberstein United States Bankruptcy Courthouse”.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States bankruptcy courthouse referred to in section 1 shall be deemed to be a reference to the “Conrad B. Duberstein United States Bankruptcy Courthouse”.

Amend the title so as to read:

A bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the “Conrad B. Duberstein United States Bankruptcy Courthouse”.

PURPOSE OF THE LEGISLATION

H.R. 430, as amended, designates the United States Bankruptcy Courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the Conrad B. Duberstein United States Bankruptcy Courthouse.

BACKGROUND AND NEED FOR LEGISLATION

Conrad B. Duberstein was born in the Bronx on October 22, 1915. He earned his undergraduate degree from Brooklyn College in 1938 and his law degree from St. John's University Law School in 1942. From 1943 to 1945, Duberstein served in the United States Army, where he was awarded the Purple Heart, the Bronze Star, and the Combat Infantry Badge.

When he left the Army following the end of World War II, and returned to the United States, Judge Duberstein practiced law in Brooklyn at Schwartz, Rudin & Duberstein. In 1971, he joined the firm of Otterbourg, Steindler, Houston & Rosen as a partner, where he remained until his retirement in 1981. That same year, Judge Duberstein joined the Eastern District Bankruptcy Court and was appointed Chief Judge in 1984, a position he held until his death. Judge Duberstein was awarded an honorary doctorate of laws from St. John's University Law School in 1991 and served as a former Judge Advocate General of the Military Order of the Purple Heart for the State of New York.

The American Bankruptcy Institute and St. John's University Law School host an annual national moot court bankruptcy competition named in his honor. Inspired by Duberstein, the St. John's Law School offers the only L.L.M. in Bankruptcy in the country and has established the only competition in the Nation to be devoted specifically to bankruptcy law, known as the Judge Conrad B. Duberstein National Bankruptcy Moot Court Competition. In 1992, the Brooklyn Bar Association presented him with its Annual Award for Outstanding Achievement in the Science of Jurisprudence and Public Service. Judge Duberstein died at his home on November 18, 2005, at the age of 90.

In honor of Judge Duberstein's outstanding contributions to the field of bankruptcy law and his exemplary professional career, it is both fitting and proper to designate the courthouse located on 271 Cadman Plaza East in Brooklyn, New York, as the "Conrad B. Duberstein United States Bankruptcy Courthouse".

SUMMARY OF THE LEGISLATION

Section 1. Designation

Section 1 designates the courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the Conrad B. Duberstein United States Bankruptcy Courthouse.

Section 2. References

Section 2 declares any reference in 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 Conrad B. Duberstein United States Bankruptcy Courthouse.

LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

In the 109th Congress, H.R. 5215, a bill to designate the United States Bankruptcy Courthouse located at 271 Cadman Plaza East in Brooklyn, New York, as the Conrad B. Duberstein United States Bankruptcy Courthouse was introduced. The bill was referred to the Committee on Transportation and Infrastructure. No further action was taken.

On January 11, 2007, Representative Towns introduced H.R. 430 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 considered H.R. 430. The Subcommittee recommended the bill favorably 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 adopted an amendment in the nature of a substitute by voice vote. The amendment added the middle initial of "B." to Judge Duberstein's name in the bill. The Committee on Transportation and Infrastructure ordered the bill, as amended, reported 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. 430 reported. A motion to order H.R. 430, 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)(I) 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 Bankruptcy Courthouse located at 271 Cadman Plaza East in

Brooklyn, New York, as the Conrad B. Duberstein United States Bankruptcy 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. 430 from the Director of the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, February 8, 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 February 7, 2007: H.R. 584, a bill to designate the Federal building located at 400 Maryland Avenue Southwest in the District of Columbia, as the "Lyndon Baines Johnson Department of Education Building"; H.R. 544, a bill to designate the United States courthouse at South Federal Place in Santa Fe, New Mexico, as the "Santiago E. Campos United States Courthouse"; H.R. 478, 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. 430, a bill to designate the United States bankruptcy courthouse located at 271 Cadman Plaza East, Brooklyn, New York, as the "Conrad B. Duberstein United States Bankruptcy Courthouse"; H.R. 429, a bill to designate the United States courthouse located at 225 Cadman Plaza East, Brooklyn, New York, as the "Hugh L. Carey United States Courthouse"; H.R. 399, a bill to designate the United States courthouse to be constructed in Jackson, Mississippi, as the "R. Jess Brown United States Courthouse"; and H.R. 342, a bill to designate the United States courthouse located at 555 Independence Street in Cape Girardeau, Missouri, as the "Rush Hudson Limbaugh, Sr., United State Courthouse."

CBO estimates that enactment of these bills would have no significant impact on the federal budget and would not affect direct spending or revenues. These 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,

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. 430 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. 430 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. 430 makes no changes in existing law.

