

W. CRAIG BROADWATER FEDERAL BUILDING AND
UNITED STATES COURTHOUSE

APRIL 12, 2011.—Referred to the House Calendar and ordered to be printed

Mr. MICA, from the Committee on Transportation and
Infrastructure, submitted the following

R E P O R T

[To accompany S. 307]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (S. 307) to designate the Federal building and United States Courthouse located at 217 West King Street, Martinsburg, West Virginia, as the “W. Craig Broadwater Federal Building and United States Courthouse”, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE OF LEGISLATION

S. 307 would designate the Federal building and United States Courthouse at 217 West King Street, Martinsburg, West Virginia

as the “W. Craig Broadwater Federal Building and United States Courthouse”.

BACKGROUND AND NEED FOR LEGISLATION

S. 307 would designate the Federal building and United States Courthouse on West King Street in Martinsburg, West Virginia, as the “W. Craig Broadwater Federal Building and United States Courthouse”.

Judge W. Craig Broadwater was born on August 8, 1950 in Elk City, Oklahoma. He attended West Virginia University, where he earned his undergraduate and law degrees. He spent several years in private practice (1977 to 1983) until he was appointed as a state circuit judge for the First Judicial Circuit of West Virginia. He served in that capacity until his appointment in 1996 by President William J. Clinton to the Federal bench as a Judge on the U.S. District Court for the Northern District of West Virginia.

Judge Broadwater was also a decorated military officer. He began his career in the military in 1972 when he was commissioned in the United States Army. He served for two years on active duty as a Military Intelligence Officer and served a tour in Korea. In 1976, he continued his military service in the West Virginia Army National Guard as an Operational Detachment Executive Officer with C Company, 2d Battalion, 19th Special Forces Group (Airborne). During that time he rose to Battalion Commander and served in Haiti for Operation Uphold Democracy. He eventually rose to the rank of Brigadier General and, in 2003, served as the Deputy Director for the Center of Operations, Plans and Policy with the United States Special Operations Command in support of Operation Iraqi Freedom. Later, he served in other capacities including as Commanding General, Joint Interagency Task Force-High Value Individuals, Multi-National Force-Iraq.

Upon his untimely death in 2006, Judge Broadwater was serving both as an active Federal judge and as Assistant Adjutant General for Installations and Homeland Security for the West Virginia Army National Guard. During his military service, he received over 20 major awards and decorations, including the Defense Superior Service Medal and the Bronze Star.

SUMMARY OF LEGISLATION

Section 1. Designation

This section provides that the Federal building and United States Courthouse located at 217 West King Street, Martinsburg, West Virginia, be known and designated as the “W. Craig Broadwater Federal Building and United States Courthouse”.

Section 2. Reference

This section provides that any references in a law, map, regulation, document, paper, or other record of the United States that refers to the building identified in Section 1 be deemed to refer to the “W. Craig Broadwater Federal Building and United States Courthouse”.

LEGISLATIVE HISTORY AND CONSIDERATION

On February 8, 2011, Senator John D. Rockefeller, IV, introduced S. 307, a bill to designate the Federal building and United States Courthouse at 217 West King Street, Martinsburg, West Virginia as the “W. Craig Broadwater Federal Building and United States Courthouse”. On February 17, 2011, the Senate Committee on Environment and Public Works was discharged and the bill passed by unanimous consent. The bill was referred to the House Transportation and Infrastructure Committee on February 18, 2011. Representative Shelley Moore Capito introduced companion legislation, H.R. 534 on February 8, 2011, and the bill was referred to the Transportation and Infrastructure Committee.

On March 16, 2011, the Committee on Transportation and Infrastructure met in open session, and ordered the bill reported favorably to the House by voice vote with a quorum present.

HEARINGS

No hearings were held on S. 307.

COMMITTEE 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 record votes taken in connection with consideration of S. 307, or ordering the bill reported. A motion to order S. 307 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.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

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.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to designate the Federal building and United States Courthouse at 217 West King Street, Martinsburg, West Virginia as the “W. Craig Broadwater Federal Building and United States Courthouse”.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

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 S. 307 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 18, 2011.

Hon. JOHN L. MICA,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 307, an act to designate the Federal building and United States Courthouse located at 217 West King Street in Martinsburg, West Virginia, as the “W. Craig Broadwater Federal Building and United States Courthouse,” as ordered reported by the House Committee on Transportation and Infrastructure on March 16, 2011.

CBO estimates that enacting this legislation would have no significant impact on the Federal budget and would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. S. 307 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,

DOUGLAS W. ELMENDORF,
Director.

ADVISORY OF EARMARKS

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. No provision in the bill includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

FEDERAL MANDATE 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 S. 307 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 OF 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

S. 307 makes no changes in existing law.

