

JAMES F. BATTIN UNITED STATES COURTHOUSE

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FEBRUARY 23, 1999.—Referred to the House Calendar and ordered to be printed

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

R E P O R T

[To accompany H.R. 158]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 158) to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the “James F. Battin Federal 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 out all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. DESIGNATION.**

The United States courthouse located at 316 North 26th Street in Billings, Montana, shall be known and designated as the “James F. Battin United States Courthouse”.

**SEC. 2. REFERENCES.**

Any reference in a 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 “James F. Battin United States Courthouse”.

Amend the title so as to read:

A bill to designate the United States courthouse located at 316 North 26th Street in Billings, Montana, as the “James F. Battin United States Courthouse”.

James F. Battin was born in Wichita, Kansas on February 13, 1925, and later moved to Montana where he attended public schools, graduating from high school in 1942. Upon graduation, he enlisted in the United States Navy and served for three years in the Pacific.

After service in the military, Congressman Battin returned to Montana and earned his B.A. degree from Eastern Montana Col-

lege in Billings, Montana in 1948. He then earned his J.D. at the George Washington University Law School in Washington, D.C., in 1951. He was admitted to the Washington, D.C. bar in 1951 and entered private practice.

In 1953, Judge Battin returned to Billings, Montana to practice law. From 1953 until 1955, he held the position of deputy Yellowstone County attorney. In 1955, Judge Battin first held the secretary-counsel position for the Billings-Yellowstone City-County Planning Board, and later that same year became the assistant city attorney, and then city attorney in 1957.

In 1958, Judge Battin was elected to the Montana State House of Representatives. He then pursued national office and was elected to represent Montana in the United States House of Representatives in the 87th Congress, and returned to office for four succeeding terms, from January 3, 1961 until February 27, 1969. During his tenure in Congress, Judge Battin served on the Committee on Committees, the Executive Committee, the Judiciary Committee, the Foreign Affairs Committee, and the Ways and Means Committee. Additionally, he represented the United States at an International Conference on European Migration in Geneva, Switzerland, and was appointed by the Speaker of the House to the United States Coinage Commission.

On February 27, 1969 President Nixon appointed Judge Battin to the United States district court for the District of Montana. Judge Battin became Chief Judge in 1978 and held the position until 1990, when he was elected to take senior status. From the bench he diligently served the District of Montana, as well as serving additional assignments in United States District Courts in Washington, Oregon, California, Arizona, Hawaii, and Georgia.

He passed away in autumn of 1996.

#### HEARINGS AND LEGISLATIVE HISTORY

H.R. 158 was introduced on January 6, 1999. The Committee did not hold hearings on the reported legislation.

#### COMMITTEE CONSIDERATION

On February 11, 1999, the Committee met in open session and ordered reported H.R. 158, to designate the Federal building located at 316 North 26th Street, Billings, Montana, as the "James F. Battin United States Courthouse," discharged the Subcommittee on Economic Development, Public Buildings, Hazardous Materials and Pipeline Transportation, as amended, by voice vote with a quorum present. There were no recorded votes taken during Committee consideration of H.R. 158.

#### 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. 158 reported. A motion by Mr. Franks to order H.R. 158 favorably reported to the

House, as amended, 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 THE LEGISLATION

Clause 3(d)(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 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 has received no report of oversight findings and recommendations from the Committee on Government Reform on the subject of H.R. 158.

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. 158 from the Director of the Congressional Budget Office.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, February 18, 1999.*

Hon. BUD SHUSTER,  
*Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills, which were ordered reported by the House Committee on Transportation and Infrastructure on February 11, 1999. CBO estimates that their enactment 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 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. The bills reviewed are:

H.R. 92, a bill to designate the federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse;"

H.R. 158, a bill to designate the United States courthouse located at 316 North 26th Street in Billings, Montana, as the “James F. Battin United States Courthouse”;

H.R. 233, a bill to designate the federal building located at 700 East San Antonio Street in El Paso, Texas, as the “Richard C. White Federal Building”; and

H.R. 396, a bill to designate the federal building located at 1301 Clay Street in Oakland, California, as the “Ronald V. Del-lums Federal Building.”

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

DAN L. CRIPPEN, *Director*.

#### 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).

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of the 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).

#### 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.

#### ADVISORY COMMITTEE STATEMENT

No Advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 158 makes no changes in existing law.