of it. I agree with everything that has been said.

I would like to ask my colleague about a shooting I read about just today—it wasn't a mass killing, but some of these things are so awful—a 17-year-old young girl athlete shot mysteriously. Do you see that that might be a role that we may want the FBI to be able to intervene in if they are invited as well?

Mr. GOWDY. Will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from South Carolina.

Mr. GOWDY. I thank the gentleman from Michigan, and I would tell the distinguished former chairman of Judiciary, I am not aware of a single instance in my 16 years as a prosecutor where the FBI was asked to provide help and didn't do so, and I know that my friend from Michigan would want the FBI to be on solid, legal footing.

So with respect to the shooting that you are referencing—and I fear that I am familiar with that shooting; I believe I read about it, the tragic loss of life of a wonderful high school young lady who happened to be a tremendous basketball player—the FBI agents that I know would gladly help in that case.

And if the gentleman from Michigan wanted to provide a way for the Bureau to help whenever requested, I would be happy to work on that with him.

Mr. CONYERS. I thank the gentleman, and I think this is something that our community might well want to look into, because the general impression is that crime is going down, and I assume that's accurate, but in some places it isn't. I thank the gentleman for making sure that this assistance from the FBI has a statutory basis, which it hasn't enjoyed until now.

I join with him in providing this assistance as a matter of law, and I urge the passage of the measure.

Mr. Speaker, I am pleased to support H.R. 2076. This bill will improve the ability of the FBI to assist state and local law enforcement in response to certain types of incidents.

H.R. 2076 would give the Federal Bureau of Investigation, FBI, specific statutory authority to respond to requests from state and local law enforcement authorities for assistance in the investigation of felony crimes of violence that are violent acts, shootings, mass killings, and attempted mass killings.

The FBI does not currently have specific statutory authority to assist in the investigation of mass killings or attempted mass killings occurring in venues such as schools, colleges, universities, non-federal office buildings, malls, and/or other public places.

While the FBI continues to receive requests for such assistance from state and local law enforcement, there is no federal statute that directly provides jurisdiction to the FBI to respond to such requests.

Legislation granting the proposed investigative authority would allow the FBI to provide state and local law enforcement with the assistance requested when the violent act does not appear to otherwise violate a federal law.

State and local law enforcement agencies responsible for investigating mass killings in the workplace or classroom often need the many resources which the FBI is well capable of providing. Further, the general public expects the FBI to be capable of responding when mass killings threaten the safety of our nation's citizens.

There is a need for legislation that grants the FBI authority to respond immediately to requests for assistance from state and local law enforcement authorities when mass killings are committed or attempted.

I commend the gentleman from South Carolina, Representative TREY GOWDY, for introducing H.R. 2076. I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. GOWDY. Mr. Speaker, I yield back the balance of my time.

□ 1610

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. GOWDY) that the House suspend the rules and pass the bill, H.R. 2076, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CONYERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

APPEAL TIME CLARIFICATION ACT OF 2011

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2633) to amend title 28, United States Code, to clarify the time limits for appeals in civil cases to which United States officers or employees are parties, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Appeal Time Clarification Act of 2011''.

SEC. 2. FINDINGS.

Congress finds that—

(1) section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure provide that the time to appeal for most civil actions is 30 days, but that the appeal time for all parties is 60 days when the parties in the civil action include the United States, a United States officer, or a United States agency;

(2) the 60-day period should apply if 1 of the parties is—

(A) the United States;

(B) a United States agency;

(C) a United States officer or employee sued in an official capacity; or

(D) a current or former United States officer or employee sued in an individual capacity for an act or omission occurring in connection with duties performed on behalf of the United States;

(3) section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure (as amended to take effect on December 1, 2011, in accordance with section 2074 of that title) should uniformly apply the 60-day period to those civil actions relating to a Federal officer or employee sued in an individual capacity for an act or omission occurring in connection with Federal duties;

(4) the civil actions to which the 60-day periods should apply include all civil actions in which a legal officer of the United States represents the relevant officer or employee when the judgment or order is entered or in which the United States files the appeal for that officer or employee; and

(5) the application of the 60-day period in section 2107 of title 28, United States Code, and rule 4 of the Federal Rules of Appellate Procedure—

(A) is not limited to civil actions in which representation of the United States is provided by the Department of Justice; and

(B) includes all civil actions in which the representation of the United States is provided by a Federal legal officer acting in an official capacity, such as civil actions in which a Member, officer, or employee of the Senate or the House of Representatives is represented by the Office of Senate Legal Counsel or the Office of General Counsel of the House of Representatives.

SEC. 3. TIME FOR APPEALS IN CERTAIN CASES.

Section 2107 of title 28, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''order or decree'' each place it appears and inserting ''order, or decree'';

(B) by striking ''suit or proceeding'' and inserting ''suit, or proceeding''; and

(C) by striking ''filed, within thirty'' and inserting ''filed within 30''; and

(2) by amending subsection (b) to read as follows:

''(b) In any such action, suit, or proceeding, the time as to all parties shall be 60 days from such entry if one of the parties is—

''(1) the United States;

''(2) an agency of the United States;

''(3) an officer or employee of the United States who is sued in an official capacity; or

''(4) a current or former officer or employee of the United States who is sued in an individual capacity for an act or omission occurring in connection with duties performed on behalf of the United States, including any instance in which the United States represents that person when the judgment, order, or decree is entered or files the appeal for that person.''.

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall take effect on December 1, 2011.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2633, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

I want to thank the ranking member of the Courts Subcommittee, Mr. COHEN, the distinguished gentleman from Tennessee, and the ranking member of the full committee, Mr. CONYERS, the distinguished gentleman from Michigan, for their having cosponsored the bill.

I introduced the bill, H.R. 2633, at the behest of the United States Judicial Conference. It addresses a small problem that must be fixed or attended to prior to December 1 of this year.

Under the existing Rules Enabling Act, the Judicial Conference may develop changes to existing Federal rules of procedure and evidence. The Supreme Court submits any agreed-upon amendments to Congress no later than May 1 of a given calendar year. The changes take effect on December 1 unless Congress intervenes during the interim.

This year, as part of its rules package, the Supreme Court submitted proposed amendments to Appellate Rule 4 that clarify the treatment of the time to appeal in civil cases involving a United States officer or employee. Because the time to appeal in a civil case is set not only by Appellate Rule 4 but also by section 2107 of title 28 of the U.S. Code, the Advisory Committee on Appellate Rules has proposed that the Judicial Conference seek legislation to make the same clarifying change to section 2107.

Appellate Rule 4 and section 2107 currently provide that the time to appeal is 30 days for most civil cases, but that the appeal time for all parties is 60 days when the parties to the case include ''the United States,'' a United States ''officer,'' or a United States ''agency.'' The problem is that current law is not clear concerning the applicability of the longer period in cases in which the Federal party is a United States officer or employee sued in an individual capacity. The proposed amendments in H.R. 2633 simply clarify that the longer period applies to such an individual or employee, just as it does to the United States Government or a United States agency.

A lawsuit against a Federal officer or employee under these conditions requires the Federal Government to decide whether to represent that individual. This requires time, as the government must evaluate the case, determine whether an appeal should be taken, and ultimately obtain the Solicitor General's approval.

The proposed revisions to Appellant Rule 4 are on a glide path to December 1. It's important to promote the consistency between the rules and title 28 by ensuring that we enact H.R. 2633, which also takes effect on December 1.

The only change to the bill as reported by our committee is the inclusion of ''findings'' language developed by the Senate Judiciary Committee. The main point of this text is to clarify that the 60-day period applies to cases involving article I litigants, including Members of the House of Representatives and Senators. This addition is entirely consistent with the legislative history of the bill and is fully supported by the Judicial Conference. This will also help to expedite passage of H.R. 2633 by the other body.

Mr. Speaker, this is bipartisan legislation devoid of controversy. It treats Federal litigants fairly under the Appellate Rules and assists the courts in correctly interpreting those rules. I urge my colleagues to support H.R. 2633, and I reserve the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

I begin by congratulating HOWARD COBLE of North Carolina, a senior member of the Judiciary Committee, who is the sponsor of this bill, and agree with him entirely. It was reported by our committee by voice vote and no amendment. His explanation was thorough, and I appreciate his inclination for detail which had us make this important modification of appeal time clarification.

Mr. Speaker, I rise in support of H.R. 2633, the "Appeal Time Clarification Act of 2011," as amended.

This noncontroversial legislation simply clarifies the time for filing an appeal in federal civil cases.

It does so by amending section 2107 of title 28 of the United States Code to provide that current or former officers or employees of the United States who are sued in their individual capacities for acts or omissions in connection with the performance of their federal duties are entitled to 60 days from the entry of a judgment, order, or decree to file their appeals, rather than the normal 30 days.

The bill resolves an ambiguity in current law as to whether officers or employees of the United States who are sued in their individual capacities—as opposed to their official capacities—are entitled to the 60-day period.

The amendments made by H.R. 2633 would make it clear that they are indeed entitled to the longer appeal period.

This change would also bring section 2107 in line with a pending revision to Federal Rule of Appellate Procedure 4, which also governs the time for appeals in civil cases.

The amendment to Rule 4 was approved by the Supreme Court in April and is set to take effect on December 1, 2011.

H.R. 2633's amendment to section 2107 will avoid confusion and inconsistency between the two provisions that pertain to the time to file an appeal in civil cases.

Finally, the change made by H.R. 2633 is consistent with the policy that underlies the longer appeal period involving federal parties generally.

If the United States represents a federal party, the government typically needs time to review the case, determine whether an appeal should be taken, and secure the Solicitor General's approval for that appeal.

The same concern applies when the United States—through the Justice Department or some other federal litigating entity such as the House Office of General Counsel or the Senate Office of Legal Counsel—decides to represent a current or former officer or employee sued in his or her individual capacity.

Therefore, making it clear that the 60-day time period to file an appeal is available in such cases serves that policy goal.

H.R. 2633 was reported by the Judiciary Committee without amendment by voice vote. The version of the bill we are considering today is identical, but for the addition of certain findings made at the Senate's recommendation.

For these reasons, I urge my colleagues to support this commonsense legislation.

I yield back the balance of my time.

Mr. COBLE. I thank my friend from Michigan for his kind words.

Mr. Speaker, I also yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 2633, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CONYERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

EXTENSION OF REDACTION AUTHORITY CONCERNING SENSITIVE SECURITY INFORMATION

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1059) to protect the safety of judges by extending the authority of the Judicial Conference to redact sensitive information contained in their financial disclosure reports, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF REDACTION AUTHORITY CONCERNING SENSITIVE SECURITY INFORMATION.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by striking ''Marshall'' and inserting ''Marshals''; and

(2) by striking subparagraph (E).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1059 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

□ 1620

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.