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No. 134

## House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. SIMPSON).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
September 12, 2011.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair would now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, September 9, 2011.

Hon. JOHN A. BOEHNER,  
*The Speaker, U.S. Capitol, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 9, 2011 at 1:43 p.m.:

That the Senate passed S. 1239.

With best wishes, I am  
Sincerely,

KAREN L. HAAS,  
*Clerk.*

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 1 minute p.m.), the House stood in recess until 2 p.m.

□ 1400

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 p.m.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: We give You thanks, O God, for giving us another day. Please help us to use it well.

We ask Your blessing upon this assembly and upon all to whom the authority of government is given. They return to the Capitol, reminded, as are all Americans, that we honor that day by asserting the values of democratically elected representation. Help them to meet their responsibilities during these days to attend to the immediate needs and concerns of these times in our history.

Watch over this House, and cause Your blessing to be upon each Member that they might serve all the people with sincerity and truth. As we recall a September 12, 10 years ago, when all the Nation stood united, give them the wisdom and patience to place Nation above party as they exercise their duties.

May all that is done within the people's House this day be for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's pro-

ceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### NEVER FORGET SEPTEMBER THE 11TH IN THE GLOBAL WAR ON TERRORISM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, 10 years ago, in one of the most tragic moments of our country's history, terrorists hijacked commercial jetliners to murder nearly 3,000 innocent people on American soil. In this darkest hour, the people of our Nation came together to grieve, mourn, and remind each other: We are still one Nation, under God, indivisible, with liberty and justice for all.

On this 10th anniversary of the September 11th attacks, I want to highlight how America's resolve that day was challenged but not broken. In the time since, our Nation has proven the resilience of the American people. The struggle to protect freedom and liberty is one that must be promoted both domestically and internationally—and our great Nation has answered the call.

Let us remember the first responders and our military that have served and are currently serving near and far to protect our freedoms here at home. I

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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will always be grateful for those making a difference by defeating terrorists overseas to protect American families at home.

Most importantly, let us not forget the victims of the September 11th attacks, their families, the memories of that fateful day, and the constant challenges our country faces in winning the global war on terrorism.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### RECESS

The SPEAKER pro tempore (Mr. CAMPBELL). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess until approximately 4 p.m.

□ 1600

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CAMPBELL) at 4 p.m.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

#### INVESTIGATIVE ASSISTANCE FOR VIOLENT CRIMES ACT OF 2011

Mr. GOWDY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2076) to amend title 28, United States Code, to clarify the statutory authority for the longstanding practice of the Department of Justice of providing investigatory assistance on request of State and local authorities with respect to certain serious violent crimes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2076

*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 "Investigative Assistance for Violent Crimes Act of 2011".*

#### SEC. 2. INVESTIGATION OF MASS KILLING OR ATTEMPTED MASS KILLING AND OTHER VIOLENT CRIMES.

*Title 28, United States Code, is amended—*

*(1) in section 530C(b)(1)(L)(i), by striking "2,000,000" and inserting "\$3,000,000";*

*(2) in section 530C(b)(4), by adding at the end the following: "The authority to conduct or assist in investigations includes the authority to deploy tactical response, command and control, and other crisis-management assets of the Bureau, as appropriate; and any such conduct or assistance shall be understood presumptively to be within the scope of Federal office or employment.";*

*(3) in section 540A—*

*(A) in the section heading, by striking "Investigation of certain violent crimes;" and inserting "Investigation of certain violent crimes";*

*(B) in subsection (a), by inserting "in the investigation of violent acts and shootings occurring in venues such as schools, colleges, universities, non-Federal office buildings, malls, and other public places, and in the investigation of mass killings and attempted mass killings" after "traveler"; and*

*(C) in subsection (c), by adding the following new paragraph at the end:*

*"(4) 'mass killings' means three or more killings in a single incident.";* and

*(4) in the table of sections at the beginning of chapter 33, by striking the item relating to section 540A and inserting the following:*

*"540A. Investigation of certain violent crimes."*

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

The Chair recognizes the gentleman from South Carolina.

##### GENERAL LEAVE

Mr. GOWDY. 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. 2076, as amended, currently under consideration.

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

There was no objection.

Mr. GOWDY. I yield myself such time as I may consume.

Mr. Speaker, violent crimes that impact multiple victims in mass shootings in particular are unpredictable and, in addition to sending shock waves through the communities impacted, often test the resources of the State and local law enforcement jurisdictions involved. Regrettably, within our lifetime, there have been scores of mass shootings ranging from restaurants to high schools to universities and churches. No place is safe.

There are no sanctuaries left any more, Mr. Speaker, in our culture. And despite the tremendous training, education, and hard work of the brave women and men in State and local law enforcement, these types of tragedies can test even the most well-resourced law enforcement agencies. Not only is there an active crime scene with victims, there are hundreds of pieces of forensic or ballistic evidence, and the gathering of evidence is taking place sometimes contemporaneous with the search for an assailant.

There is a deep and rich history of cooperation and collaboration between and among law enforcement agencies. This is true at the local level, the State level and, indeed, at the Federal level. Federal law enforcement agencies have unique skill sets, access to resources and equipment and other investigative techniques that can and do assist smaller police departments on a regular basis.

But, Mr. Speaker, currently the FBI does not have the specific statutory authority to assist in all investigations, specifically with respect to the investigation of mass shootings or other violent crimes occurring in non-Federal venues.

H.R. 2076, the Investigative Assistance for Violent Crimes Act of 2011, is a commonsense bill that allows the FBI to provide assistance to State and local law enforcement authorities, if requested, in response to a mass shooting or other mass casualty. This bill addresses when the FBI is asked to assist State or local authorities with mass shootings and mass killings at a public place, such as a shopping mall or a school.

The FBI has traditionally assisted State and local law enforcement authorities, but the statutory authority explicitly granting the FBI jurisdiction is lacking. To be sure, the FBI helps and is willing to help, but the absence of a specific statutory grant of jurisdiction, even jurisdiction by invitation, needs to be resolved.

This bill is not an expansion of Federal authority, and it does not expand the authority of the FBI. Any assistance from the FBI must be requested by the State or local authority and agreed to by Federal authorities. The FBI will only assist when State or local counterparts ask for help and they agree to provide it.

This legislation, Mr. Speaker, is simple, but it is also critical. State and local authorities often look to the FBI for assistance in handling large, violent crimes, but the FBI must look to Federal law to determine what authority it has been granted by Congress before it can offer assistance.

Accordingly, H.R. 2076 gives the FBI the specific authority to respond to requests for assistance from State and local law enforcement authorities when mass killings or other acts of violence are committed or attempted.

H.R. 2076, Mr. Speaker, was passed out of the House Judiciary Committee by a voice vote with broad bipartisan support. This bill is also supported by the FBI Agents Association, a voluntary professional association currently representing over 12,000 active duty and retired FBI special agents.

Mr. Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

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

I begin by commending my colleague on Judiciary, TREY GOWDY, for introducing this bill and being the sponsor