

the condition of the property as of the date of the conveyance of the property under this section.

(C) EXCEPTION.—This paragraph shall not apply with respect to use of the property under subsection (e).

(e) USE BY SECRETARY.—The Secretary shall require, as a condition and term of the conveyance of property under this section, that the State shall, upon the request of the Secretary, allow the United States Fish and Wildlife Service to use the property in cooperation with the Commission for propagation of any critically important aquatic resources held in public trust to address specific restoration or recovery needs of such resource.

INVESTIGATIVE ASSISTANCE FOR VIOLENT CRIMES ACT OF 2011

Mr. REID. I ask unanimous consent that the Senate proceed to Calendar No. 236, H.R. 2076.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A 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.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I further ask that the committee-reported amendment be considered; the substitute amendment, as amended, be agreed to; the Whitehouse amendment, which is at the desk, be agreed to; the substitute amendment, as amended, be agreed to; the bill, as amended, be read a third time and passed; a motion to reconsider be considered made and laid upon the table, with no intervening action or debate, and any statements related to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to, as follows:

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 violent crimes against travelers" 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 3 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 amendment (No. 3342) was agreed to, as follows:

(Purpose: In the nature of a substitute)

In lieu of matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Investigative Assistance for Violent Crimes Act of 2012".

SEC. 2. INVESTIGATION OF CERTAIN VIOLENT ACTS, SHOOTINGS, AND MASS KILLINGS.

(a) ATTORNEY GENERAL.—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"; and

(2) in section 530C(b)(1), by adding at the end the following—

"(M)(i) At the request of an appropriate law enforcement official of a State or political subdivision, the Attorney General may assist in the investigation of violent acts and shootings occurring in a place of public use and in the investigation of mass killings and attempted mass killings. Any assistance provided under this subparagraph shall be presumed to be within the scope of Federal office or employment.

"(ii) For purposes of this subparagraph—

"(I) the term 'mass killings' means 3 or more killings in a single incident; and

"(II) the term 'place of public use' has the meaning given that term under section 2332f(e)(6) of title 18, United States Code."

(b) SECRETARY OF HOMELAND SECURITY.—Section 875 of the Homeland Security Act of 2002 (6 U.S.C. 455) is amended by adding at the end the following:

"(d) INVESTIGATION OF CERTAIN VIOLENT ACTS, SHOOTINGS, AND MASS KILLINGS.—

"(1) IN GENERAL.—At the request of an appropriate law enforcement official of a State or political subdivision, the Secretary, through deployment of the Secret Service or United States Immigration and Customs Enforcement, may assist in the investigation of violent acts and shootings occurring in a place of public use, and in the investigation of mass killings and attempted mass killings. Any assistance provided by the Secretary under this subsection shall be presumed to be within the scope of Federal office or employment.

"(2) DEFINITIONS.—For purposes of this subsection—

"(A) the term 'mass killings' means 3 or more killings in a single incident; and

"(B) the term 'place of public use' has the meaning given that term under section 2332f(e)(6) of title 18, United States Code."

The committee amendment in the nature of a substitute, as amended, was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 2076), as amended, was read the third time, and passed.

ELECTING PATRICK J. LEAHY TO BE PRESIDENT PRO TEMPORE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 619.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 619) to elect PATRICK J. LEAHY, a Senator from the State of Vermont, to be President pro tempore of the Senate of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 619) was agreed to, as follows:

S. RES. 619

Resolved, That PATRICK J. LEAHY, a Senator from the State of Vermont, be, and he is hereby, elected President of the Senate pro tempore.

AUTHORIZING HARRY REID TO ADMINISTER THE OATH OF OFFICE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 620.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 620) to authorize HARRY REID, a Senator from the State of Nevada, to administer the oath of office of President of the Senate pro tempore to PATRICK J. LEAHY, a Senator from the State of Vermont.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 620) was agreed to, as follows:

S. RES. 620

Resolved, That HARRY REID, a Senator from the State of Nevada, is hereby authorized to administer the oath of office of President of the Senate pro tempore to PATRICK J. LEAHY, a Senator from the State of Vermont.

CONDEMNING THE HORRIFIC ATTACKS IN NEWTOWN, CONNECTICUT

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 621.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 621) condemning the horrific attacks in Newtown, Connecticut, and expressing support and prayers for all those impacted by that tragedy.

There being no objection, the Senate proceeded to consider the resolution.