

the United States Secret Service is authorized to protect under section 3056 of this title when such person has not declined such protection.”.]

“(2) the term ‘other person protected by the Secret Service’ means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.”.

The committee-reported amendments were agreed to.

The bill (S. 1794), as amended, was engrossed for a third reading, was read the third time, and passed, as follows:

#### FEDERAL RESTRICTED BUILDINGS AND GROUNDS IMPROVEMENT ACT OF 2011

The Senate proceeded to consider the bill (H.R. 347) to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Federal Restricted Buildings and Grounds Improvement Act of 2011”.*

##### SEC. 2. RESTRICTED BUILDING OR GROUNDS.

*Section 1752 of title 18, United States Code, is amended to read as follows:*

##### “§ 1752. Restricted building or grounds

“(a) Whoever—

“(1) knowingly enters or remains in any restricted building or grounds without lawful authority to do so;

“(2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engages in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions;

“(3) knowingly, and with the intent to impede or disrupt the orderly conduct of Government business or official functions, obstructs or impedes ingress or egress to or from any restricted building or grounds; or

“(4) knowingly engages in any act of physical violence against any person or property in any restricted building or grounds;

*or attempts or conspires to do so, shall be punished as provided in subsection (b).*

“(b) The punishment for a violation of subsection (a) is—

“(1) a fine under this title or imprisonment for not more than 10 years, or both, if—

“(A) the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm; or

“(B) the offense results in significant bodily injury as defined by section 2118(e)(3); and

“(2) a fine under this title or imprisonment for not more than one year, or both, in any other case.

“(c) In this section—

“(1) the term ‘restricted buildings or grounds’ means any posted, cordoned off, or otherwise restricted area—

“(A) of the White House or its grounds, or the Vice President’s official residence or its grounds;

“(B) of a building or grounds where the President or other person protected by the Secret Service is or will be temporarily visiting; or

“(C) of a building or grounds so restricted in conjunction with an event designated as a special event of national significance; and

“(2) the term ‘other person protected by the Secret Service’ means any person whom the United States Secret Service is authorized to protect under section 3056 of this title or by Presidential memorandum, when such person has not declined such protection.”.

The committee amendment in the nature of a substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 347) was read the third time and passed.

#### ANNIVERSARY OF THE TRAGIC EARTHQUAKE IN HAITI

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 368, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 368) recognizing the anniversary of the tragic earthquake in Haiti on January 12, 2010, honoring those who lost their lives in the earthquake, and expressing continued solidarity with the people of Haiti.

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

Mr. DURBIN. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table; that there be no intervening action or debate; and that any statements be printed in the RECORD.

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

The resolution (S. Res. 368) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

##### S. RES. 368

Whereas, on January 12, 2010, an earthquake measuring 7.0 on the Richter scale struck the country of Haiti;

Whereas, according to the United States Geological Survey, the epicenter of the earthquake was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti;

Whereas, according to the Government of Haiti, more than 220,000 people died as a result of the earthquake, and more than 300,000 people were injured;

Whereas, according to the United Nations and the International Organization for Migration an estimated 3,000,000 people, or nearly ⅓ of the population of Haiti were directly affected by the disaster, and an estimated 1,500,000 people were displaced from their homes;

Whereas a Post Disaster Needs Assessment conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts, estimated that damage and economic losses totaled \$7,800,000,000, which amounted to approximately 120 percent of the gross domestic product of Haiti in 2009;

Whereas the response of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute;

Whereas individuals, businesses, and philanthropic organizations throughout the

United States and the international community responded to the crisis by supporting Haiti and its people through innovative ways, such as fundraising through text messaging;

Whereas the Haitian diaspora in the United States was integral to emergency relief efforts and continues to make significant financial contributions to Haiti and seeks opportunities to participate in the rebuilding of Haiti;

Whereas the International Organization for Migration estimates that approximately 550,000 people remain in spontaneous and organized camps in Haiti;

Whereas, at the time of the January 2010 earthquake, Haiti was the poorest, least developed country in the Western Hemisphere, and more than 70 percent of the population in Haiti lived on less than \$2 per day;

Whereas, before the earthquake, Haiti was making encouraging improvement in recovering from a catastrophic series of hurricanes and tropical storms, food shortages, rising commodity prices, and political instability;

Whereas, in January 21, 2010, the Senate adopted by unanimous consent Senate Resolution 392 (111th Congress), expressing its profound sympathy and unwavering support for the people of Haiti and urging all nations to commit to assisting the people of Haiti with their long-term needs;

Whereas, on October 19, 2010, an outbreak of cholera was detected in the lower Artibonite region of Haiti, which according to the Haitian Ministry of Public Health and Population had affected more than 500,000 people and caused the death of more than 6,700 people nationwide by November 30, 2011;

Whereas, as of December 2011, the United States Government had provided technical assistance and contributed more than \$73,000,000 in purified drinking water, soap, and oral rehydration salts to combat the spread of cholera in Haiti; and

Whereas, since the January 12, 2010, earthquake, the people of Haiti have demonstrated unwavering resilience, dignity, and courage: Now, therefore, be it

*Resolved*, That the Senate—

(1) mourns the loss of lives as a result of the tragic earthquake in Haiti on January 12, 2010;

(2) honors the service of United States personnel in the United States Embassy in Port-au-Prince, the United States Coast Guard, United States Armed Forces, and other United States Government agencies, and all members of international organizations who have persevered through adverse local conditions and continue to serve Haiti and the Haitian people;

(3) reaffirms its solidarity with the people of Haiti as they work to rebuild their country and livelihoods;

(4) reaffirms its commitment to support the people of Haiti, in partnership with the Government of Haiti and in coordination with other donors, in long-term reconstruction;

(5) urges the United States Government, international donors, and non-governmental organizations in Haiti to work in full partnership with authorities, civil society, and the private sector in Haiti and to prioritize sustainable projects with greater opportunity for capacity building; and

(6) encourages the United States Government, the Government of Haiti, and international donors—

(A) to give priority to policies that would enhance the ability of the Government of Haiti to attract private sector investment and meaningful diaspora participation, including judicial reform, civil registry, enterprise fund, and land tenure reform;

(B) to develop, improve, and scale-up communications and participatory mechanisms to more substantially involve civil society in Haiti at all stages of the cholera and post-earthquake responses; and

(C) to give priority to programs that protect and involve vulnerable populations, including internally displaced persons, children, and persons with disabilities.

### ORDERS FOR TUESDAY, FEBRUARY 7, 2012

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate adjourn until 10 a.m. on Tuesday, February 7, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes; finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meeting.

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

### PROGRAM

Mr. DURBIN. Madam President, we hope to begin consideration of the surface transportation bill tomorrow.

### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate at 6:29 p.m., adjourned until Tuesday, February 7, 2012, at 10 a.m.

### NOMINATIONS

Executive nominations received by the Senate:

#### FEDERAL DEPOSIT INSURANCE CORPORATION

JEREMIAH O'HEAR NORTON, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING JULY 15, 2013, VICE SHEILA C. BAIR, RESIGNED.

#### FEDERAL ENERGY REGULATORY COMMISSION

JOHN ROBERT NORRIS, OF IOWA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2017. (REAPPOINTMENT)

#### DEPARTMENT OF THE INTERIOR

MARCILYNN A. BURKE, OF NORTH CAROLINA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE WILMA A. LEWIS, RESIGNED.

#### EXECUTIVE OFFICE OF THE PRESIDENT

JOSEPH G. JORDAN, OF MASSACHUSETTS, TO BE ADMINISTRATOR FOR FEDERAL PROCUREMENT POLICY, VICE DANIEL I. GORDON.

#### DEPARTMENT OF JUSTICE

WILLIAM JOSEPH BAER, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE CHRISTINE ANNE VARNEY.

#### DEPARTMENT OF DEFENSE

HEIDI SHYU, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE MALCOLM ROSS O'NEILL, RESIGNED.

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be general*

LT. GEN. JANET C. WOLFENBARGER

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be major general*

BRIG. GEN. CRAIG A. BUGNO

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be major general*

BRIG. GEN. TIMOTHY A. REISCH

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be major general*

BRIG. GEN. GREGORY A. LUSK

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be brigadier general*

COL. JOHN DINAPOLI

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be brigadier general*

COLONEL PATRICIA M. ANSLOW

COLONEL JOSE R. ATENCIO III  
COLONEL WILLIAM E. BARTHELD  
COLONEL JEFFREY M. BREOR  
COLONEL MICHAEL R. BRESNAHAN  
COLONEL JOHN A. BYRD  
COLONEL SYLVESTER CANNON  
COLONEL WILLIAM J. COFFIN  
COLONEL BENJAMIN J. CORELL  
COLONEL KURT S. CRYTZER  
COLONEL RONALD J. CZMOWSKI  
COLONEL REX E. DUNCAN  
COLONEL GERALD L. DUNLAP  
COLONEL JOHN M. EPPERLY  
COLONEL JAMES C. ERNST  
COLONEL JOHN A. GOODALE  
COLONEL TIMOTHY E. GOWEN  
COLONEL PAUL C. HASTINGS  
COLONEL PERCY G. HURTADO II  
COLONEL JON A. JENSEN  
COLONEL CRAIG D. JOHNSON  
COLONEL MARIA E. KELLY  
COLONEL ERIC D. KERSKA  
COLONEL KENNETH A. KOON  
COLONEL WILLIAM J. LIEDER  
COLONEL ROY V. MCCARTY  
COLONEL FRANKLIN C. MCCAULEY, JR.  
COLONEL DARLENE A. MCCURDY  
COLONEL DAVID J. MEDEIROS  
COLONEL WALTER L. MERCER  
COLONEL ALLEN L. MEYER  
COLONEL MARK J. MICHIE  
COLONEL RICHARD G. MILLER  
COLONEL ROBERT A. MOORE  
COLONEL JOHN R. MOSHER  
COLONEL DAVID W. OSBORN  
COLONEL PHILLIP M. OWENS  
COLONEL GREGORY C. PORTER  
COLONEL VON C. PRESNELL  
COLONEL PHILIP T. PUGLIESE  
COLONEL JESSIE R. ROBINSON  
COLONEL PAUL F. RUSSELL  
COLONEL TRACY L. SETTLE  
COLONEL DAVID P. SHERIDAN  
COLONEL HOPPER T. SMITH  
COLONEL MICHAEL D. TURELLO  
COLONEL DANIEL VAZQUEZ-ROSA  
COLONEL TIMOTHY J. WOJTECKI  
COLONEL MICHAEL R. ZERBONIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be major general*

BRIGADIER GENERAL ROBBIE L. ASHER  
BRIGADIER GENERAL GLENN A. BRAMHALL  
BRIGADIER GENERAL SCOTT E. CHAMBERS  
BRIGADIER GENERAL ALAN S. DOHRMANN  
BRIGADIER GENERAL STEVEN W. DUFF  
BRIGADIER GENERAL WILLIAM L. GLASGOW  
BRIGADIER GENERAL WILTON S. GORSKE

BRIGADIER GENERAL LAWRENCE A. HASKINS  
BRIGADIER GENERAL PETER C. HINZ  
BRIGADIER GENERAL DAVID F. IRWIN  
BRIGADIER GENERAL THEODORE D. JOHNSON  
BRIGADIER GENERAL HARRY E. MILLER, JR.  
BRIGADIER GENERAL RENWICK L. PAYNE  
BRIGADIER GENERAL JOSEPH M. RICHIE  
BRIGADIER GENERAL JAMES M. ROBINSON  
BRIGADIER GENERAL STEPHEN G. SANDERS  
BRIGADIER GENERAL MICHAEL C. SWEZEY  
BRIGADIER GENERAL SCOTT L. THOELE  
BRIGADIER GENERAL JAMES H. TROGDON III  
BRIGADIER GENERAL CHARLES W. WHITTINGTON, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be brigadier general*

COLONEL JOHN C. HARRIS, JR.  
COLONEL GREGORY D. MASON  
COLONEL DANA L. MCDANIEL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

#### *To be major*

KEITH J. ANDREWS  
MATTHEW D. ATKINS  
JEFFREY P. BARTELS  
MARK E. BEALS  
DONALD C. BICKEL  
CARL E. BOWMAN JAMISON, JR.  
JAMES P. BRECKENRIDGE  
STEVEN D. BRYANT  
TERRELL L. BYRD  
MATTHEW A. CASSADY  
SIMON J. CHANG  
GREGORY J. CHENEY  
MARTIN S. CHO  
TIMOTHY G. CROSS  
RANDALL P. CURRY  
STEPHEN L. DICKS  
TIMOTHY E. FARY  
JAMES F. FISHER, JR.  
JOSHUA J. GILLIAM  
CHRISTIAN L. GOZA  
PAUL A. HALLADAY  
LEE G. HARMS  
KENNETH D. HARRIS  
RUSTON L. HILL  
CRAIG P. HONBARGER  
JOHN D. HUBBS  
DANIEL D. KANG  
JAMES N. KLINE  
FELIX K. KUMAI  
ERIC W. LEETCH  
JASON R. LORENZEN  
HERMES G. LOSBANES  
CRAIG R. LUDWIG  
JEFFERY MASENGALE  
MIJIKAI MASON  
BRANDON R. MOORE  
CLIFFORD F. NEUMAN  
ANDREW J. NIX  
KURT A. O'DONNELL  
GEORGE L. OKOTH  
ISAAC M. OPARA  
CARL W. OTIS  
JAY S. OUTEN  
SOHHWAN PARK  
WILLIAM D. PAYTON  
CARL M. PHILLIPS  
JENNIFER J. ROGERS COOPER  
JOHN M. SEDWICK  
THOMAS R. STRONG  
KYLE A. TAYLOR  
BRIAN M. TUNG  
CHRISTOPHER W. WALLACE  
DOUGLAS W. WEAVER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be colonel*

WALLACE S. BONDS  
DAVID P. CHASE  
KEVIN M. EDWARDS  
JAMES H. TREECE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

#### *To be colonel*

DANIEL P. BORDELON  
BRADLEY J. COX  
RHODA K. DANIEL  
JOHN M. FISHBURN  
BRENT A. JOHNSON  
MICHELLE M. ROSE

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

#### *To be lieutenant commander*

JAMES GILFORD III