

country will be celebrating this important anniversary, including a lecture organized by the Center for the Book in the Library of Congress and cosponsored by the Mystery Writers of America, by Dr. Richard Layman, a literary scholar and Hammett specialist.

The National Council of Teachers of English, which will hold its annual conference in San Francisco, has invited Hammett's daughter to present a lecture. The Friends of the Library USA will dedicate 891 Post Street, where Hammett lived when he wrote *The Maltese Falcon*, as a National Literary Landmark, on March 19.

The San Francisco Public Library will also commemorate the anniversary with an exhibition—*The Maltese Falcon* at 75—of Hammett memorabilia connected with the novel and will have discussions with Hammett's granddaughter. This collection could even become a traveling exhibit.

I hope that my colleagues will join me in commemorating this important anniversary in American literary history.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 51) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 51

Whereas Samuel Dashiell Hammett was born in St. Mary's County, Maryland, on May 27, 1894, and died in New York City, on January 10, 1961;

Whereas Dashiell Hammett joined Pinkerton's National Detective Agency in 1915 at the age of 21 and worked for the agency in Maryland, Washington, Idaho, Utah, Montana, and California;

Whereas Dashiell Hammett served the United States in the Army Ambulance Motor Corps during World War I and, after enlisting in 1942 at the age of 48, in the Aleutian Islands during World War II, and is buried at Arlington National Cemetery;

Whereas Dashiell Hammett wrote "*The Maltese Falcon*" (published on February 14, 1930), 1 of the most widely-read crime novels in history, which introduced the literary figure Sam Spade, 1 of the most famous detectives in American literature, and set San Francisco as the center of hard-boiled crime fiction;

Whereas "*The Maltese Falcon*" has appeared in hundreds of editions in 50 countries and over 30 languages and was adapted into 3 movies, including a 1941 Warner Brothers film directed by John Huston and starring Humphrey Bogart, which has been recognized by the American Film Institute as 1 of the greatest movies of all time; and

Whereas "*The Maltese Falcon*" turned mystery and crime novels into a widely-recognized genre of literature and is a classic novel of American literature: Now, therefore, be it

Resolved, That the Senate—

(1) salutes Dashiell Hammett as 1 of the most notable authors of hard-boiled crime fiction;

(2) notes the 75th anniversary of the publication of Dashiell Hammett's "*The Maltese Falcon*"; and

(3) recognizes "*The Maltese Falcon*" as a great American crime novel.

HONORING SHIRLEY CHISHOLM

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 52, submitted earlier today by Senator CLINTON.

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

The legislative clerk read as follows:

A resolution (S. Res. 52) honoring Shirley Chisholm for her service to the Nation and expressing condolences to her family, friends, and supporters on her death.

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

Mrs. CLINTON. Mr. President, I add my voice to so many in New York and Washington who are mourning the loss of Representative Shirley Chisholm of New York. Shirley Chisholm was a bold pioneer who fought for civil rights and equality with an energy that forever changed the way American politics deals with matters of race and gender.

When she was elected to Congress in 1968, Representative Chisholm became the first African-American congresswoman. She overcame the twin obstacles of racism and sexism to win election. But she didn't stop there. When she reached Congress she spoke with a loud, clear voice, and she quickly lived up to her slogan of being "unbought and unbossed." She was a cofounder of the Congressional Black Caucus in 1969, and she fought to improve the lives and opportunities of inner city children and families. She opposed the Vietnam war and the military draft. And she bravely declaimed the sexism and racism she encountered in a political world that, prior to her arrival, had been exclusively white and almost exclusively male.

Her positions on the issues and her statements about race and gender made her a lightning rod for criticism. But despite the intense pressure of being both outspoken and a "first," Representative Chisholm continued to blaze a path to greater equality. In 1972, she became the first woman to run for the Democratic Presidential nomination. Despite being largely ignored by the media, her committed run for the Presidency, and the 152 delegates she won, proved to the entire country that a woman was up to the task of taking on a serious run for national office.

Representative Chisholm was a powerful symbol, an "historical person" as she put it. But perhaps her greatest achievement was reminding us that the

purpose of fighting for equality is not to simply make a point or become a symbol; it is to work for that day when we can all enjoy the quiet responsibility of being equal. As she explained in her 1969 speech to the House in favor of the equal rights amendment: "A woman who aspires to be the chairman of the board or a member of the House does so for exactly the same reason as any man . . . She thinks she can do the job and she wants to try."

Arthur Ashe said that heroism "is not the urge to surpass all others at whatever cost, but the urge to serve others at whatever cost." Representative Chisholm was a heroine. She knew that "there is little place in the political scheme of things for an independent, creative personality, for a fighter. Anyone who takes that role must pay a price." She paid that price in order to serve Americans who were not being served by the political establishment. She fought injustice and discrimination and refused to be cowed by a history of exclusion. And in so doing, she served not only the constituents of her time but all Americans for all times.

Shirley Chisholm's legacy is undeniable; 13 African-American women served in the House in the 108th Congress. We are grateful for her life, and we are grateful for the doors she opened and the barriers she brought down on behalf of us all.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the resolution be printed in the RECORD, without intervening action or debate.

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

The resolution (S. Res. 52) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 52

Whereas Shirley Chisholm was born Shirley Anita St. Hill on November 30, 1924, in Brooklyn, New York, to Charles and Ruby St. Hill, immigrants from British Guyana and Barbados;

Whereas in 1949, Shirley Chisholm was a founding member of the Bedford-Stuyvesant Political League;

Whereas in 1960, she established the Unity Democratic Club, which was instrumental in mobilizing black and Hispanic voters;

Whereas in 1964, Chisholm ran for a New York State Assembly seat and won;

Whereas in 1968, Chisholm became the first African-American woman elected to Congress, representing New York's Twelfth Congressional District;

Whereas a member of Congress, Chisholm was an advocate for civil rights, women's rights, and the poor;

Whereas in 1969, Shirley Chisholm, along with other African-American members of Congress, founded the Congressional Black Caucus;

Whereas on January 25, 1972, Chisholm announced her candidacy for President and became the first African-American to be considered for the presidential nomination by a major national political party;

Whereas although Chisholm did not win the nomination at the 1972 Democratic National Convention in Miami, she received the votes of 151 delegates;

Whereas Shirley Chisholm served 7 terms in the House of Representatives before retiring from politics in 1982;

Whereas Shirley Chisholm was a dedicated member of Delta Sigma Theta Sorority and received the sorority's highest award, the Mary Church Terrell Award, in 1977 for her political activism and contributions to the Civil Rights Movement;

Whereas Shirley Chisholm was a model public servant and an example for African-American women, and her strength and perseverance serve as an inspiration for all people striving for change; and

Whereas on January 1, 2005, Shirley Chisholm died at the age of 80: Now, therefore, be it

Resolved, That the Senate—

(1) honors Shirley Chisholm for her service to the Nation, her work to improve the lives of women and minorities, her steadfast commitment to demonstrating the power of compassion, and her dedication to justice and equality; and

(2) expresses its deepest condolences to her family, friends, and supporters.

ORDERS FOR TUESDAY, FEBRUARY 15, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:45 a.m. on Tuesday, February 15. Further, I ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period for the transaction of morning business until 12:30 p.m., with the first 30 minutes under the control of the Democratic leader or his designee, the second 30 minutes under the control of the majority leader or his designee, and the remaining time equally divided between the two leaders or their designees; provided that at 12:30 p.m., the Senate recess until 2:15 p.m. for the weekly party luncheons, and upon reconvening at 2:15 p.m., the Senate proceed to executive session and resume consideration of the nomination of Michael Chertoff to be Secretary of Homeland Security, as provided under the previous order.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will be in a period for the transaction of morning business throughout the morning. At 2:15 p.m., we will resume consideration of the

Chertoff nomination for Secretary of Homeland Security. Under the agreement, at 4 p.m., the Senate will proceed to a vote on the confirmation. The confirmation vote tomorrow afternoon will be the first vote of the day. For the remainder of the week, the Senate will act on any legislation or nominations cleared for action.

It is my hope we will be able to move forward with the Genetic Non-discrimination Act which was reported out of the HELP Committee last week. We will continue to work with the Democratic leadership to reach an agreement on this legislation. I will have more to say on the week's schedule tomorrow.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:36 p.m., adjourned until Tuesday, February 15, 2005, at 9:45 a.m.

NOMINATIONS

EXECUTIVE NOMINATIONS RECEIVED BY THE SENATE FEBRUARY 14, 2005:

NUCLEAR REGULATORY COMMISSION

GREGORY B. JACZKO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2008. VICE GRETA JOY DICUS, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM JANUARY 6, 2005, TO JANUARY 20, 2005.

PETER B. LYONS, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2009. VICE RICHARD A. MESERVE, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM JANUARY 6, 2005, TO JANUARY 20, 2005.

INTER-AMERICAN FOUNDATION

ADOLFO A. FRANCO, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2008. VICE JEFFREY DAVIDOW, RESIGNED, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM JANUARY 6, 2005, TO JANUARY 20, 2005.

ROGER FRANCISCO NORIEGA, OF KANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE INTER-AMERICAN FOUNDATION FOR A TERM EXPIRING SEPTEMBER 20, 2006. VICE HARRIET C. BABBITT, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM JANUARY 6, 2005, TO JANUARY 20, 2005.

DEPARTMENT OF STATE

JOHN B. BELLINGER, OF VIRGINIA, TO BE LEGAL ADVISER OF THE DEPARTMENT OF STATE. VICE WILLIAM HOWARD TAFT, IV.

R. NICHOLAS BURNS, OF MASSACHUSETTS, TO BE AN UNDER SECRETARY OF STATE (POLITICAL AFFAIRS). VICE MARC ISAAH GROSSMAN, RESIGNED.

C. DAVID WELCH, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AN ASSISTANT SECRETARY OF STATE (NEAR EASTERN AFFAIRS). VICE WILLIAM J. BURNS.

THE JUDICIARY

A. NOEL ANKETELL KRAMER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS. VICE JOHN MONTAGUE STEADMAN, RETIRED.

JULIET JOANN MCKENNA, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS. VICE NAN R. SHUKER, RETIRING.

LAURA A. CORDERO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS. VICE SHELLIE FOUNTAIN BOWERS, RETIRED.

JENNIFER M. ANDERSON, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS. VICE STEFFEN W. GRAAE, RETIRED. TERRENCE W. BOYLE, OF NORTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT. VICE J. DICKSON PHILLIPS, JR., RETIRED.

WILLIAM JAMES HAYNES II, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT. VICE H. EMORY WIDENER, JR., RETIRED.

PRISCILLA RICHMAN OWEN, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT. VICE WILLIAM L. GARWOOD, RETIRED.

RICHARD A. GRIFFIN, OF MICHIGAN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT. VICE DAMON J. KEITH, RETIRED.

DAVID W. MCKEAGUE, OF MICHIGAN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT. VICE RICHARD F. SUHRHEINRICH, RETIRED.

SUSAN BIEKE NEILSON, OF MICHIGAN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT. VICE CORNELIA G. KENNEDY, RETIRED.

HENRY W. SAAD, OF MICHIGAN, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SIXTH CIRCUIT. VICE JAMES L. RYAN, RETIRED.

WILLIAM GERRY MYERS III, OF IDAHO, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT. VICE THOMAS G. NELSON, RETIRED.

WILLIAM H. PRYOR, JR., OF ALABAMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT.

JANICE R. BROWN, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT. VICE STEPHEN F. WILLIAMS, RETIRED.

THOMAS B. GRIFFITH, OF UTAH, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT. VICE PATRICIA M. WALD, RETIRED.

BRETT M. KAVANAUGH, OF MARYLAND, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT. VICE LAURENCE H. SILBERMAN, RETIRED.

J. MICHAEL SEABRIGHT, OF HAWAII, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF HAWAII. VICE ALAN C. KAY, RETIRED.

DANIEL P. RYAN, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN. VICE PATRICK J. DUGGAN, RETIRED.

THOMAS L. LUDINGTON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN. VICE PAUL V. GADOLA, RETIRED.

SEAN F. COX, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN. VICE LAWRENCE P. ZATKOFF, RETIRED.

JAMES C. DEVER III, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NORTH CAROLINA. VICE W. EARL BRITT, RETIRED.

ROBERT J. CONRAD, JR., OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA. VICE A NEW POSITION CREATED BY PUBLIC LAW 107-273, APPROVED NOVEMBER 2, 2002.

PETER G. SHERIDAN, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY. VICE STEPHEN M. ORLOFSKY, RESIGNED.

PAUL A. CROTTY, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK. VICE HAROLD BAER, JR., RETIRED.

DEPARTMENT OF JUSTICE

GRETCHEN C. F. SHAPPERT, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS. VICE ROBERT J. CONRAD, JR.

EARL CRUZ AGUIGUI, OF GUAM, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF GUAM AND CONCURRENTLY UNITED STATES MARSHAL FOR THE DISTRICT OF THE NORTHERN MARIANA ISLANDS FOR THE TERM OF FOUR YEARS. VICE JOAQUIN L. G. SALAS, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, February, 14, 2005:

NATIONAL MUSEUM AND LIBRARY SERVICES BOARD

A. WILSON GREENE, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2009.

KATINA P. STRAUCH, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL MUSEUM AND LIBRARY SERVICES BOARD FOR A TERM EXPIRING DECEMBER 6, 2009.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.