

Whereas ASME members contribute to research and development that identifies emerging and future technical needs in evolving and multidisciplinary areas;

Whereas ASME continues to provide quality continuing education programs designed to keep engineers at the cutting edge of technology; and

Whereas in the aftermath of the terrorist attacks on the United States of September 11, 2001, ASME members have intensified efforts to develop technologies for homeland security and the protection of the critical assets of this Nation: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Congress—*

(1) congratulates ASME on its 125th anniversary;

(2) recognizes and celebrates the achievements of all ASME members;

(3) expresses the gratitude of the people of the United States for ASME's contributions to the health, safety, and economic well-being of the citizenry; and

(4) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the president of ASME.

#### UNANIMOUS CONSENT AGREEMENT—S. 384

Mr. FRIST. Mr. President, I ask unanimous consent that at 11 a.m. on Wednesday, February 16, the Senate proceed to the consideration of S. 384, a bill to extend the existence of the Nazi War Crimes Working Group; provided that there be 90 minutes of debate equally divided between the majority leader or his designee and the Democratic leader or his designee; provided further that no amendments be in order, and that following the use or yielding back of the time the bill be read a third time and the Senate proceed to a vote on passage without any intervening action or debate.

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

Mr. FRIST. I further ask unanimous consent that S. 384 be placed on the Senate Calendar.

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

#### ORDERS FOR WEDNESDAY, FEBRUARY 16, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, the Senate adjourn until 9:30 a.m. on Wednesday, February 16. I further 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 morning business for up to 90 minutes, with the first 30 minutes under the control of the majority leader or his designee and the second 30 minutes under the control of the Democratic leader or his designee; provided that following morning business, the Senate proceed to the consideration of S. 384, the Nazi War Crimes Working Group Extension Act as provided under the previous order.

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

The Democratic leader.

Mr. REID. Mr. President, if the distinguished majority leader would yield, I am disappointed but I understand that we are not going to be able to move tomorrow to the genetic non-discrimination matter. It is my understanding that there is a potential blue-slip problem with the House. I had hoped we could get that done. That is something that is very important to do. We will be happy to cooperate with the majority leader in any way we can to move that along. It passed last time with 90-some-odd votes. I hope we can get that done. Even with a little bump in the road, maybe we can still get that done this week.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. In response through the Chair, this bill is a critically important bill, in my mind, in that we have worked on it for 7 years. We have passed it with an overwhelming majority in this body. It does good things for people who have a whole range of illnesses. It really represents the great advances in science today, advances in research, advances that come in large part because of what this body did with the human genome project in funding over a period of about 10 years, the unraveling of the genetic code which makes us all human, which is still mind-boggling. With that, it introduces all sorts of privacy issues and a potential for discrimination and this comes back and addresses it head on. It is a bill upon which we generally have all agreed.

We are working with the Finance Committee and with the HELP Committee internally as well as with the House. I do not want to be overly optimistic, but I think by tomorrow we will work this out and get it to the Senate floor.

Mr. REID. Mr. President, if the distinguished leader would yield again, I am sure others have felt this way in the past, but it is interesting to me that anytime there is anything that the distinguished majority leader talks about that deals with medicine, it is almost as if there is a light that comes on. It is just so apparent why he was such a good physician.

Mr. FRIST. Mr. President, we will move on.

The PRESIDING OFFICER. The majority leader.

#### PROGRAM

Mr. FRIST. Tomorrow, following morning business, the Senate will begin consideration of a 2-year extension of the Nazi War Crimes Working Group. We will have limited debate on this measure prior to its passage. We have not received any requests for a rollcall vote on this bill. I anticipate that we can pass it with a voice vote.

For the remainder of the day we will consider any legislative or executive item cleared for action.

ADJOURNMENT UNTIL 9:30 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 5:45 p.m., adjourned until Wednesday, February 16, 2005, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate February 15, 2005:

DEPARTMENT OF HEALTH AND HUMAN SERVICES

LESTER M. CRAWFORD, OF MARYLAND, TO BE COMMISSIONER OF FOOD AND DRUGS, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE MARK B. MCCLELLAN.

#### IN THE ARMY

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

#### *To be lieutenant general*

MAJ. GEN. STANLEY E. GREEN, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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*

GERALD L. DUNLAP, 0000

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

#### *To be colonel*

ROBERT D. SAXON, 0000

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*

RICHARD R. GUZZETTA, 0000

ROBERT J. JOHNSON, 0000

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*

JAMES R. HAJDUK, 0000

FRITZ W. KIRKLIGHTER, 0000

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*

BRIAN E. BACA, 0000

ANTHONY E. BAKER, SR., 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK(\*)) UNDER TITLE 10, U.S.C., SECTIONS 624, 531, AND 3064:

#### *To be colonel*

JOHN M. BALAS, JR., 0000

WILLIAM T. BURNS, 0000

LOUIS F. CAMPANA II, 0000

JOSE J. CONDE, 0000

RICHARD F. DRUCKMAN, 0000

JOHN E. DULSKI, 0000

JOHN W. \* ETZENBACH, 0000

DAVID K. FIASCHELLI, 0000

ROGER S. FIEDLER, 0000

RAYMOND G. HYNSON, 0000

SHANNON S. MCGEE, 0000

DAVID L. MOSS, 0000

STEVEN ROBERTS, 0000

WALTER F. RONGEX, 0000

STEVEN P. RUBCZAK, 0000

BORIS J. SIDOW, 0000

ASHTON C. TRIER, 0000

DAVID A. VINCENT, 0000

VINCENT P. VISSICHELLI, 0000

JAMES O. WALMANN, 0000

PAUL J. WARDEN, 0000

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

*February 15, 2005* <sup>1</sup> *onel*

ROBERT D. BOWMAN, 0000  
NANCY J. HUGHES, 0000  
KATHY D. KING, 0000  
PAUL M. KONDRAT, 0000  
RUTH E. LEE, 0000  
LAWRENCE A. MARQUEZ, 0000  
BRENDA C. MCDANIEL, 0000  
CAROL A. NEWMAN, 0000

CONGRESSIONAL RECORD — SENATE

**S1437**

TIMOTHY D. REESE, 0000  
JUDITH RUIZ, 0000  
ARTHUR C. SAVIGNAC, 0000  
THERESA M. SULLIVAN, 0000

DEPARTMENT OF HOMELAND SECURITY

MICHAEL CHERTOFF, OF NEW JERSEY, TO BE SECRETARY OF HOMELAND SECURITY.

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.

CONFIRMATION

Executive nomination confirmed by  
the Senate: Tuesday, February 15, 2005.