

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 11 and Calendar No. 12.

I further ask that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate resume legislative session.

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

The nominations considered and confirmed are as follows:

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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

RECOGNIZING THE IMPORTANCE OF THE WRITINGS OF DASHIELL HAMMETT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 51, submitted earlier today by Senator FEINSTEIN.

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

The legislative clerk read as follows:

A resolution (S. Res. 51) recognizing the importance of the writings of Dashiell Hammett to American literature and culture on the 75th anniversary of the first publication of "The Maltese Falcon."

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

Mrs. FEINSTEIN. Mr. President, I rise today to support passage of a resolution I submitted recognizing the importance of the writings of Dashiell Hammett on the 75th anniversary of the first publication of *The Maltese Falcon*. This novel has had a notable impact on American literature and culture, as well as a profound influence on my hometown of San Francisco—the home of hard-boiled detective stories.

Dashiell Hammett's work exemplifies a unique and original American literary style. Drawing upon his own experiences in detective work and amateur sleuthing, Hammett brought realism and fact into the crime novel: He did not tolerate inaccurate details, and even once wrote a column for the New

York Evening Post to note incorrect facts in others' works, to aid would-be writers who were never detectives and would not know the difference between an automatic pistol and a revolver.

The *Maltese Falcon*, his best-known work, one of the most historically significant crime novels in history, portrayed its protagonist, Private Investigator Sam Spade, in the rough and tumble San Francisco underworld of the 1920s. The novel was the third of the five published Hammett novels. After its 1930 publication as a novel, it also appeared as a comic book and was syndicated in newspaper supplements. It became a giveaway for soldiers serving during World War II. And it has been printed in hundreds of editions in 50 countries and in over 30 languages.

It is not only in print that *The Maltese Falcon* has soared. Within a year of its initial publication, it had already been adapted for the screen in 1931, followed by a second adaptation in 1936. The final, and most faithful, adaptation is the 1941 film starring Humphrey Bogart and Mary Astor by first time director John Huston. The American Film Institute rated this version as one of the top films of the twentieth century and it can be found on the countless other "Great Films" listings.

Much of Dashiell Hammett's formative experience that led to his stories was found in San Francisco. In fact, in one of his short stories, "The Scorched Face," some of the action takes place in a house set on the street where I lived as a child. Because of Hammett's works, San Francisco is still the preferred setting for crime noir and detective stories on the page and on the screen.

On February 14 and throughout this year, literary organizations across the 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 as 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: