

Adam Ford, Casime Harris, Josh Haymore, Marcus Haywood, Tahir Hinds, Raymond Hines, Ryan Holston, Ryan Horn, David Ingraldi, Chris Iorio, Mike Jenkins, Bruce Johnson, Shelton Johnson, Akeem Jordan, Jacob Kahle, Clint Kent, Andrew Kern, Tim Kibler, Joe Kluesner, Rodney Landers, Scott Lemn, Matt LeZotte, Matt Magerko, Dexter Manley, Franklin Martin, Justin Mathias, Frank McArdle, Rodney McCarter, Craig McSherry, Andrew Michael, Bryce Miller, Leon Mizelle, Mike Mozby, William Nowell, Tom O'Connor, Will Patrick, David Rabil, Justin Rascati, Tom Ridley, Demetrius Shambley, Khary Sharpe, Andre Shuler, Bryan Smith, Leon Steinfeld, Chuck Suppon, Cortez Thompson, Nic Tolley, Trey Townsend, Brian Vaccarino, Kwynn Walton, Paul Wantuck, Mike Wilkerson, Kevin Winston, Stephen Wyatt, Kyle Zehr, and Jake Zielinski) contributed to the success of the team in this impressive championship season;

Whereas the Dukes became the first team in Division I-AA history to win the national title without playing a single playoff game at home, battling for 3 consecutive playoff road victories;

Whereas the Dukes football team Head Coach Mickey Matthews has won 40 games in his 6 years at James Madison University and has taken the Dukes to the playoffs twice in his tenure;

Whereas Coach Matthews has been named the 2004 Division I-AA National Coach of the Year by the American Football Coaches Association, for his performance in the Dukes championship season; and

Whereas Assistant Coaches Curt Newsome, Jeff Durden, George Barlow, Kyle Gillenwater, Phil Ratliff, Chip West, Ulrick Edmonds, J.C. Price, Tony Tallent, and Jim Durning deserve high recommendation for their strong leadership of, and superb coaching support to, the James Madison University Dukes football team: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates James Madison University Dukes football team for winning the 2004 NCAA Division I-AA National Championship; and

(2) recognizes the achievements of all the players, coaches, and support staff of the team.

**SENATE RESOLUTION 46—COMMEMORATING THE LIFE OF THE LATE ZURAB ZHVANIA, FORMER PRIME MINISTER OF THE REPUBLIC OF GEORGIA**

Mr. LUGAR (for himself, Mr. BIDEN, Mr. HAGEL, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 46

Whereas on the night of February 3, 2005, the Prime Minister of the Republic of Georgia, Zurab Zhvania, died, apparently due to carbon monoxide poisoning caused by a malfunctioning heater;

Whereas the death of Prime Minister Zhvania at the age of 41 is a tragic loss for the Republic of Georgia;

Whereas Zurab Zhvania was a dedicated reformer whose visionary leadership inspired a new generation of political leaders in the Republic of Georgia;

Whereas Zurab Zhvania founded the Citizen's Union Party, which won elections in 1995, making him the Speaker of the Georgian Parliament;

Whereas under the leadership of Speaker Zhvania, the Georgian Parliament was trans-

formed into an effective and transparent legislative institution;

Whereas in November 2001, Speaker Zhvania resigned his position in protest when government authorities attempted to suppress the leading independent television station in the Republic of Georgia;

Whereas Zurab Zhvania formed the United Democrats, a party that blossomed into one of the major forces that brought about the Rose Revolution in the Republic of Georgia in November 2003;

Whereas in the most dangerous hours of the Rose Revolution, when it appeared that armed force could be used against the peaceful protestors, Zurab Zhvania dismissed his bodyguards and led a march to Parliament accompanied only by his young children;

Whereas Zurab Zhvania was named Prime Minister of the Republic of Georgia in November 2003, and led governmental efforts to develop and implement far-reaching economic, judicial, military, and social reforms thereby turning the promise of the Rose Revolution into real results that have dramatically improved life in the Republic of Georgia;

Whereas the strong commitment of Zurab Zhvania to the peaceful restoration of the territorial integrity of Georgia was most recently displayed in the central role he played in the development of the unprecedented and generous proposal of the Republic of Georgia for resolving the status of South Ossetia peacefully and justly; and

Whereas Zurab Zhvania's vision of the historical destiny of Georgia was eloquently expressed before the Council of Europe on April 27, 1999, when he said, "I am Georgian and therefore, I am European";

Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its deepest condolences to the family of Zurab Zhvania for their tragic loss of a son, husband, and father;

(2) commends the courage, energy, political imagination, and leadership of Zurab Zhvania that were so critical to the development of a democratic Republic of Georgia; and

(3) recognizes that the integration of the Republic of Georgia into Euro-Atlantic institutions will be the completion of the vision of Zurab Zhvania and his most lasting legacy.

**SENATE CONCURRENT RESOLUTION 10—RAISING AWARENESS AND ENCOURAGING PREVENTION OF STALKING BY ESTABLISHING JANUARY 2006 AS "NATIONAL STALKING AWARENESS MONTH"**

Mr. DEWINE (for himself and Mr. BIDEN) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 10

Whereas an estimated 1,006,970 women and 370,990 men are stalked annually in the United States and, in the majority of such cases, the person is stalked by someone who is not a stranger;

Whereas 81 percent of women who are stalked by an intimate partner are also physically assaulted by that partner, and 76 percent of women who are killed by an intimate partner were also stalked by that intimate partner;

Whereas 26 percent of stalking victims lose time from work as a result of their victimization and 7 percent never return to work;

Whereas stalking victims are forced to take drastic measures to protect themselves, such as relocating, changing their addresses,

changing their identities, changing jobs, and obtaining protection orders;

Whereas stalking is a crime that cuts across race, culture, gender, age, sexual orientation, physical and mental ability, and economic status;

Whereas stalking is a crime under Federal law and under the laws of all 50 States and the District of Columbia;

Whereas rapid advancements in technology have made cyber-surveillance the new frontier in stalking;

Whereas there are national organizations, local victim service organizations, prosecutors' offices, and police departments that stand ready to assist stalking victims and who are working diligently to craft competent, thorough, and innovative responses to stalking;

Whereas there is a need to enhance the criminal justice system's response to stalking and stalking victims, including aggressive investigation and prosecution; and

Whereas Congress urges the establishment of January, 2006 as National Stalking Awareness Month: Now, therefore, be it

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

(1) it is the sense of Congress that—

(A) National Stalking Awareness Month provides an opportunity to educate the people of the United States about stalking;

(B) all Americans should applaud the efforts of the many victim service providers, police, prosecutors, national and community organizations, and private sector supporters for their efforts in promoting awareness about stalking; and

(C) policymakers, criminal justice officials, victim service and human service agencies, nonprofits, and others should recognize the need to increase awareness of stalking and availability of services for stalking victims; and

(2) Congress urges national and community organizations, businesses in the private sector, and the media to promote, through National Stalking Awareness Month, awareness of the crime of stalking.

Mr. DEWINE. Mr. President, I rise today to submit a resolution calling for the establishment of a National Stalking Awareness Month. Each year, approximately 1.4 million Americans—over 1 million women and about 400,000 men—are stalked. This statistic is truly staggering. Despite the prevalence of stalking and its recognition as a crime in all 50 States, this crime is often ignored.

Stalking is an issue that affects 1 in 12 women and 1 in 45 men during their lifetime. It cuts across all lines of race, age, and gender. Women and men across the United States have struggled emotionally and financially to rebuild their lives after being victimized by a stalker.

With rapidly advancing technology, I fear that stalking will become even more common and that the perpetrators will become even harder to catch. Increasingly, smaller cameras now allow perpetrators to stalk their victims from afar, often without even being detected. Video voyeurism is the next frontier in stalking and more must be done to combat this problem.

This resolution applauds the efforts of policymakers, law enforcement officers, victim service agencies, and other groups that currently promote awareness of stalking. This resolution also

encourages these groups to examine new and innovative ways to promote prevention and prosecution of stalking crimes. By increasing awareness and devising practical and effective means to reduce the prevalence of this crime, we can help the police, prosecutors, and victims to confront this horrible crime.

Stalking is a tremendous problem, and it is one that we need to do more to address. A National Stalking Awareness Month would help to educate and increase awareness about stalking. I encourage my colleagues to support this resolution. We can—and we should—do more to ensure that stalkers are brought to justice and that their victims are not forced to live in fear.

SENATE CONCURRENT RESOLUTION  
11—HONORING THE  
TUSKEGEE AIRMEN FOR THEIR  
BRAVERY IN FIGHTING FOR OUR  
FREEDOM IN WORLD WAR II,  
AND FOR THEIR CONTRIBUTION  
IN CREATING AN INTEGRATED  
UNITED STATES AIR FORCE

Mr. SESSIONS (for himself and Mr. SHELBY) submitted the following concurrent resolution; which was referred to the Committee on Armed Services.

S. CON. RES. 11

Whereas the United States is currently combating terrorism around the world and is highly dependent on the global reach and presence provided by the Air Force;

Whereas these operations require the highest skill and devotion to duty from all Air Force personnel involved;

Whereas the Tuskegee Airmen proved that such skill and devotion, and not skin color, are the determining factors in aviation;

Whereas the Tuskegee Airmen served honorably in the Second World War struggle against global fascism; and

Whereas the example of the Tuskegee Airmen has encouraged millions of Americans of every race to pursue careers in air and space technology; Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of Congress that the United States Air Force should continue to honor and learn from the example provided by the Tuskegee Airmen as it faces the challenges of the 21st century and the war on terror.

AMENDMENTS SUBMITTED AND  
PROPOSED

SA 2. Mr. KENNEDY (for himself, Ms. CANTWELL, Mr. BIDEN, Mr. LEAHY, Mr. CORZINE, Mrs. MURRAY, Ms. MIKULSKI, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes; which was ordered to lie on the table.

SA 3. Mr. DURBIN proposed an amendment to the bill S. 5, supra.

TEXT OF AMENDMENTS

SA 2. Mr. KENNEDY (for himself, Ms. CANTWELL, Mr. BIDEN, Mr. LEAHY, Mr. CORZINE, Mrs. MURRAY, Ms. MIKULSKI,

and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, strike lines 3 through 7, and insert the following:

“(B) the term ‘class action’—

“(i) means any civil action filed under rule 23 of the Federal Rules of Civil Procedure or similar State statute or rule of judicial procedure authorizing an action to be brought by 1 or more representative persons as a class action; and

“(ii) does not include—

“(I) any class action brought under a State or local civil rights law prohibiting discrimination on the basis of race, color, religion, sex, national origin, age, disability, or other classification specified in that law; or

“(II) any class action or collective action brought to obtain relief under State or local law for failure to pay the minimum wage, overtime pay, or wages for all time worked, failure to provide rest or meal breaks, or unlawful use of child labor;

SA 3. Mr. DURBIN proposed an amendment to the bill S. 5, to amend the procedures that apply to consideration of interstate class actions to assure fairer outcomes for class members and defendants, and for other purposes; as follows:

On page 20, before the semicolon at the end of line 23, insert “or by the court sua sponte”.

On page 21, line 5, strike “solely”.

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON ENERGY

Mr. ALEXANDER. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Energy and Natural Resources' Subcommittee on Energy.

The hearing, entitled *The Future of Liquefied Natural Gas: Siting and Safety*, will be held on Tuesday, February 15th at 2:30 p.m. in Room SD-366.

The purpose of the hearing is to receive testimony regarding the prospects for liquefied natural gas (LNG) in the United States, Panel 1, and to discuss the safety and security issues related to LNG development, Panel 2. Witnesses will be the FERC, the Coast Guard, State authorities, and industry stakeholders. Issues that will be discussed include LNG siting process; risk assessment; and the State and local governments' role.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-366 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact: Shane Perkins at 202-224-7555.

AUTHORITY FOR COMMITTEES TO  
MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN  
AFFAIRS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 8, 2005, at 10 a.m., to conduct a hearing on “examining the Role of Credit Rating Agencies in the Capital Markets.”

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

COMMITTEE ON FINANCE

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, February 8, 2005, at 2:15 p.m., to hear testimony on Revenue Proposals in the President's FY06 Budget.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SPECTER. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Tuesday, February 8, 2005, at 9:30 a.m., to conduct its organizational meeting for the 109th Congress.

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

SUBCOMMITTEE ON BIOTERRORISM AND PUBLIC  
HEALTH PREPAREDNESS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Subcommittee on Bioterrorism and Public Health Preparedness be authorized to hold a hearing during the session of the Senate on Tuesday, February 8, 2005, at 10 a.m. in SD-430.

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

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. SPECTER. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate on Tuesday, February 8, 2005, at 10 a.m.

The purpose of the hearing is to review the implementation of Titles I through III of P.L. 106-393, the Secure Rural Schools and Community Self-Determination Act of 2000.

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

PRIVILEGE OF THE FLOOR

Mr. CORNYN. Mr. President, I ask unanimous consent that a member of my staff, Magan Dredla, be given floor privileges for the duration of the debate.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Matt Drake of my staff be granted the privileges of the floor for the duration of today's session.