

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-364 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.

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

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to Public Law 105-83, announces the appointment of the following individuals to serve as members of the National Council of the Arts: the Senator from Ohio, Mr. DEWINE, and the Senator from Utah, Mr. BENNETT.

The Chair, pursuant to Executive Order No. 12131, reappoints the following Member to the President's Export Council: the Honorable MIKE ENZI of Wyoming.

The Chair, on behalf of the President of the Senate, pursuant to Public Law 85-874, as amended, appoints the Senator from Mississippi, Mr. COCHRAN, to the Board of Trustees of the John F. Kennedy Center for the Performing Arts, vice the Senator from Alaska, Mr. STEVENS.

#### COMMENDING THE JAMES MADISON UNIVERSITY FOOTBALL TEAM

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 45, which was submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 45) commending the James Madison University Dukes football team for winning the 2004 NCAA Division I-AA National Football Championship.

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

Mr. ALLEN. Mr. President, today I congratulate the James Madison University Football team for winning the 2004 NCAA Division I-AA football championship with a 31 to 21 victory over the Montana Grizzlies. This resolution expresses congratulations of the Senate these outstanding young men.

As a former collegiate athlete and an avid football fan, I want to express the pride felt by all students, faculty and alumni of James Madison University at this tremendous accomplishment by the football team. Head Coach Mickey Matthews and his superb coaching staff: Curt Newsome, Jeff Durden, George Barlow, Kyle Gillenwater, Phil Ratliff, Chip West, Ulrick Edmonds, J.C. Price, Tony Tallent, Jim Durning, deserve much of the credit for the accomplishment of these student athletes and should also be highly commended.

The James Madison University Dukes Football team fought to a 10 to 7 halftime lead on the strength of tailback Maurice Fenner's 1-yard touchdown and kicker David Rabil's 28-yard field goal. The Dukes went on to win the game with an outstanding second half performance, rushing for 257 and outscoring the Montana Grizzlies 31 to 21.

In his distinguished career, Head Coach Mickey Matthews has won 40 games in 6 years at James Madison University and has taken the Dukes to the playoffs twice in his tenure. The American Football Coaches Association has named Coach Matthews the 2004 Division I-AA National Coach of the Year for his performance in the Dukes' championship season. Coach Matthews lead the Dukes to become the first team in Division I-AA history to win the national title without playing a single playoff game at home, battling for three consecutive playoff road victories. In addition to their 2004 national title, the team also shares the Atlantic Ten Championship title, one of the toughest Division I-AA conferences in the country.

The members of the 2004 James Madison University Football have indeed made their university proud and should be applauded for their character and leadership, both on and off the playing field. I congratulate Nick Adams, Ryan Bache, L.C. Baker, Alvin Banks, Brandon Beach, Antoine Bolton, D.D. Boxley, Rondell Bradley, Isai Bradshaw, Ardon Bransford, Anderson Braswell, Marvin Brown, Michael Brown, Ryan Brown, Shawn Bryant, George Burns, Robbie Catterton, Frank Cobbs, Sean Connaghan, Jamaal Crowder, Ben Crumlin, Corey Davis, John Michael Deeds, Isaiah Dottin-Carter, Harry Dunn, Sudan Ellington, Nick Englehart, Sid Evans, Maurice Fenner, 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.

Mr. President, I hope my colleagues will join with Senator WARNER and I to pass this resolution recognizing the National Champion James Madison University Football team.

Mr. BROWNBACK. 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, and that any statements relating to the matter be printed in the RECORD.

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

The resolution (S. Res. 45) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 45

Whereas the students, alumni, faculty, and supporters of James Madison University are to be congratulated for their commitment and pride in the James Madison University Dukes national champion football team;

Whereas in the National Collegiate Athletic Association championship game against the Montana Grizzlies, the Dukes drove to a 10-to-7 lead at the half on the strength of the 1-yard touchdown by seemingly indefatigable tailback Maurice Fenner and the 28-yard field goal by kicker David Rabil;

Whereas the Dukes won the 2004 NCAA Division I-AA National Football Championship with an outstanding second half performance, rushing for 257 yards and outscoring the Montana Grizzlies 21 to 14, to win the Championship by a score of 31 to 21;

Whereas the Dukes added the NCAA Division I-AA title to their share in the Atlantic Ten Conference title to claim their second championship in 2004;

Whereas every player on the Dukes football team (Nick Adams, Ryan Bache, L.C. Baker, Alvin Banks, Brandon Beach, Antoine Bolton, D.D. Boxley, Rondell Bradley, Isai Bradshaw, Ardon Bransford, Anderson Braswell, Marvin Brown, Michael Brown, Ryan Brown, Shawn Bryant, George Burns, Robbie Catterton, Frank Cobbs, Sean Connaghan, Jamaal Crowder, Ben Crumlin, Corey Davis, John Michael Deeds, Isaiah Dottin-Carter, Harry Dunn, Sudan Ellington, Nick Englehart, Sid Evans, Maurice Fenner, 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—