

Block Grant Act for individuals affected by Hurricane Katrina; read the first time.

By Mr. VITTER (for himself and Mr. KYL):

S. 1746. A bill to amend title 18, United States Code, to prevent interference with Federal disaster relief efforts, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mr. VITTER, Mrs. HUTCHISON, Mr. THUNE, Mr. LOTT, Mr. GRASSLEY, Mr. BROWNBACK, and Ms. LANDRIEU):

S. 1747. A bill to limit liability for volunteers and those providing goods and services for disaster relief, and for other purposes; to the Committee on the Judiciary.

By Mrs. CLINTON (for herself, Ms. MIKULSKI, Mr. HARKIN, Mr. LAUTENBERG, Mr. JEFFORDS, Mr. REED, Mr. SALAZAR, Mr. OBAMA, Mrs. BOXER, Ms. STABENOW, Mr. CORZINE, Mr. SCHUMER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FEINGOLD, Mr. CARPER, Mr. JOHNSON, and Mr. LEAHY):

S. 1748. A bill to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future; read the first time.

By Mr. KENNEDY (for himself, Ms. LANDRIEU, Mr. HARKIN, Mr. REID, Mr. DURBIN, Mr. SCHUMER, Mrs. CLINTON, Mr. DODD, Ms. MIKULSKI, Mr. BINGAMAN, Mrs. MURRAY, Mr. REED, Mr. LEAHY, Mr. SARBANES, Mr. KERRY, Mr. LIEBERMAN, Mr. AKAKA, Mrs. FEINSTEIN, Mrs. BOXER, Mr. FEINGOLD, Mr. BAYH, Ms. CANTWELL, Mr. CORZINE, Mr. DAYTON, Mr. LAUTENBERG, and Mr. OBAMA):

S. 1749. A bill to reinstate the application of the wage requirements of the Davis-Bacon Act to Federal contracts in areas affected by Hurricane Katrina; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself, Mr. COLEMAN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. REID, Mr. BINGAMAN, Mr. WYDEN, Mrs. CLINTON, Mr. LAUTENBERG, Ms. MIKULSKI, Mr. KENNEDY, Ms. STABENOW, Mr. LIEBERMAN, Mr. JOHNSON, Mr. HARKIN, Mr. KOHL, Mrs. MURRAY, Mr. FEINGOLD, Mr. DODD, Mr. BROWNBACK, Mr. SMITH, Mr. ROCKEFELLER, Mr. VOINOVICH, Mr. BIDEN, Mr. CORZINE, Mr. ALLEN, Mr. INHOFE, Mr. CARPER, Mr. GRAHAM, Mr. DEWINE, Mr. NELSON of Florida, Mr. LEVIN, Mr. GRASSLEY, Mr. BURR, Mr. ALEXANDER, Mr. MCCAIN, Mr. NELSON of Nebraska, Mrs. HUTCHISON, Mr. SARBANES, Mr. SALAZAR, Mr. CORNYN, Mr. HAGEL, Mr. TALENT, Mr. CONRAD, Ms. SNOWE, Mr. SANTORUM, Mr. DURBIN, and Mr. LEAHY):

S. Res. 245. A resolution recognizing the life and accomplishments of Simon Wiesenthal; considered and agreed to.

By Ms. SNOWE (for herself, Ms. CANTWELL, Ms. MIKULSKI, Mr. INOUE, Mr. STEVENS, Mr. MARTINEZ, Mr. LOTT, and Ms. MURKOWSKI):

S. Res. 246. A resolution to express the sense of the Senate regarding the missions

and performance of the United States Coast Guard in responding to Hurricane Katrina; considered and agreed to.

ADDITIONAL COSPONSORS

S. 15

At the request of Mr. KERRY, his name was added as a cosponsor of S. 15, a bill to improve education for all students, and for other purposes.

S. 132

At the request of Mr. SMITH, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 132, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for premiums on mortgage insurance.

S. 267

At the request of Mr. CRAIG, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 267, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 298

At the request of Mr. INOUE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 298, a bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment.

S. 424

At the request of Mr. BOND, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 424, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 511

At the request of Mr. DEMINT, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 511, a bill to provide that the approved application under the Federal Food, Drug, and Cosmetic Act for the drug commonly known as RU-486 is deemed to have been withdrawn, to provide for the review by the Comptroller General of the United States of the process by which the Food and Drug Administration approved such drug, and for other purposes.

S. 512

At the request of Mr. SANTORUM, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 512, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 589

At the request of Mr. KYL, his name was added as a cosponsor of S. 589, a bill to establish the Commission on Freedom of Information Act Processing Delays.

S. 713

At the request of Mr. ROBERTS, the name of the Senator from North Carolina (Mr. BURR) was added as a cospon-

sor of S. 713, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 757

At the request of Mr. CHAFEE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 757, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 760

At the request of Mr. INOUE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 760, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 769

At the request of Ms. SNOWE, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 769, a bill to enhance compliance assistance for small businesses.

S. 894

At the request of Mr. ENZI, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 894, a bill to allow travel between the United States and Cuba.

S. 909

At the request of Mr. DODD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 909, a bill to expand eligibility for governmental markers for marked graves of veterans at private cemeteries.

S. 1067

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1067, a bill to require the Secretary of Health and Human Services to undertake activities to ensure the provision of services under the PACE program to frail elders living in rural areas, and for other purposes.

S. 1081

At the request of Mr. KYL, the names of the Senator from Colorado (Mr. ALLARD) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1172

At the request of Mr. SPECTER, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S.

1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1313

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1313, a bill to protect homes, small businesses, and other private property rights, by limiting the power of eminent domain.

S. 1321

At the request of Mr. SANTORUM, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1321, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications.

S. 1358

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1358, a bill to protect scientific integrity in Federal research and policy-making.

S. 1620

At the request of Mr. CORZINE, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1620, a bill to provide the non-immigrant spouses and children of non-immigrant aliens who perished in the September 11, 2001, terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence, and for other purposes.

S. 1645

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1645, a bill to establish a first responder interoperable communications grant program.

S. 1685

At the request of Mr. OBAMA, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1685, a bill to ensure the evacuation of individuals with special needs in times of emergency.

S. 1691

At the request of Mr. CRAIG, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1691, a bill to amend selected statutes to clarify existing Federal law as to the treatment of students privately educated at home under State law.

S. 1735

At the request of Ms. CANTWELL, the names of the Senator from New Jersey (Mr. CORZINE), the Senator from Indiana (Mr. BAYH), the Senator from Washington (Mrs. MURRAY) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. 1735, a bill to improve the Federal Trade Commission's ability to protect consumers from price-gouging during energy emergencies, and for other purposes.

S. CON. RES. 46

At the request of Mr. BROWNBAC, the name of the Senator from North Caro-

lina (Mrs. DOLE) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

S. CON. RES. 53

At the request of Mr. OBAMA, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Con. Res. 53, a concurrent resolution expressing the sense of Congress that any effort to impose photo identification requirements for voting should be rejected.

AMENDMENT NO. 1741

At the request of Mr. DEWINE, the names of the Senator from Indiana (Mr. LUGAR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Kansas (Mr. BROWNBAC), the Senator from Minnesota (Mr. COLEMAN), the Senator from Wisconsin (Mr. KOHL) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of amendment No. 1741 proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1754

At the request of Mr. SALAZAR, the names of the Senator from California (Mrs. BOXER) and the Senator from Wisconsin (Mr. FEINGOLD) were added as cosponsors of amendment No. 1754 proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1760

At the request of Mr. DURBIN, the names of the Senator from Illinois (Mr. OBAMA) and the Senator from Missouri (Mr. BOND) were added as cosponsors of amendment No. 1760 intended to be proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1761

At the request of Ms. STABENOW, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of amendment No. 1761 intended to be proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1764

At the request of Mr. CRAIG, the names of the Senator from California (Mrs. BOXER), the Senator from Michigan (Ms. STABENOW), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Idaho (Mr. CRAPO), the Sen-

ator from Oregon (Mr. SMITH), the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 1764 intended to be proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 1768

At the request of Mr. SPECTER, the names of the Senator from New York (Mrs. CLINTON), the Senator from New York (Mr. SCHUMER) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 1768 intended to be proposed to H.R. 2744, a bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY:

S. 1739. A bill to amend the material witness statute to strengthen procedural safeguards, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, under the Federal material witness statute our government is authorized to arrest a witness in order to secure his testimony in a criminal proceeding. In order to obtain a material witness warrant, the government must establish that the witness has information that is material to a criminal proceeding, and that it may become impracticable to secure the witness's presence at the proceeding by a subpoena. Once arrested, a material witness may be detained for a reasonable period, until his testimony can be secured by deposition or appearance in court.

The material witness law was intended to ensure the appearance of witnesses in those rare cases where they might otherwise flee to avoid testifying in a criminal proceeding. This authority is an important tool for our government's law enforcement duties, but it must be exercised responsibly. As the Court of Appeals for the Second Circuit noted in 2003, in the case of *United States v. Awadallah*, "It would be improper for the government to use [the material witness statute] for other ends, such as the detention of persons suspected of criminal activity for which probable cause has not yet been established." Since September 11, 2001, however, that is exactly what the government has been doing. Indeed, senior Administration officials, including our current Attorney General, have admitted that the government routinely uses material witness warrants to detain suspects in the so-called war on terror.

A report released this summer by Human Rights Watch and the American Civil Liberties Union identifies 70 men, including more than a dozen citizens, whom the Department of Justice