

against the conference report. That point of order be waived only with a vote of 60 Senators.

In addition, the Conrad-McCain resolution would strengthen current rules that are designed to prohibit extraneous provisions in conference reports. Extraneous provisions are those that are either outside the scope of the bills that the House and Senate sent to conference, or in the jurisdiction of some other committee.

Provisions that are either outside the scope of conference or in another committee's jurisdiction could be stricken from the conference report on a point of order made by any Senator. That point of order could be waived only with a vote of 60 Senators. Importantly, the point of order would not bring down the entire conference report. Instead, it will only remove the extraneous matter, leaving the rest of the conference report intact. This change—similar to the application of the Byrd rule on reconciliation bills—will remove a significant impediment to challenging attempts to push unpopular riders through the Senate on unrelated but otherwise popular legislation.

This common-sense legislation is long overdue. Our political process has become too bogged down with bloated spending bills and special-interest tax break legislation. Too often, it is not until after a conference report has passed that its true cost comes to light. Massive and unwieldy bills have become almost routine in the Senate. This has to stop.

Our resolution would improve the legislative process while strengthening fiscal responsibility in a way that is simple, straightforward, and reasonable. I urge my colleagues to support it.

S. RES. 209

#### SECTION 1. CONFERENCE REPORTS OUT OF ORDER.

(a) AVAILABILITY.—It shall not be in order to consider a report of a committee of conference under paragraph 1 of rule XXVIII of the Standing Rules of the Senate unless such report is filed and made available 48 hours prior to presentation.

(b) COST ESTIMATE OR TABLE.—It shall not be in order to consider a report of a committee of conference under paragraph 1 of rule XXVIII of the Standing Rules of the Senate unless an official written cost estimate or table by the Congressional Budget Office is available at the time of consideration.

(c) JURISDICTION.—It shall not be in order to consider a report of a committee of conference under paragraph 1 of rule XXVIII of the Standing Rules of the Senate if the preponderance of matter in the conference report is not in the jurisdiction of the committee (or Appropriations subcommittee for one of the regular appropriation bills) that had jurisdiction of the Senate passed bill submitted to conference.

(d) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of  $\frac{3}{5}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{3}{5}$  of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of

the ruling of the Chair on a point of order raised under this section.

#### SEC. 2. EXTRANEIOUS PROVISIONS OF CONFERENCE REPORTS OUT OF ORDER.

(a) PROVISIONS OUTSIDE SCOPE OF CONFERENCE.—It shall not be in order to consider a report of a committee of conference under paragraph 1 of rule XXVIII of the Standing Rules of the Senate if it contains extraneous material outside the scope of conference under rule XXVIII of the Standing Rules of the Senate.

(b) PROVISIONS OUTSIDE JURISDICTION.—It shall not be in order to consider a report of a committee of conference under paragraph 1 of rule XXVIII of the Standing Rules of the Senate if it contains extraneous material in the jurisdiction of a committee other than a committee from whom conferees were appointed.

(c) FORM OF POINT OF ORDER.—It shall be in order for a Senator to raise a single point of order that several provisions of a bill, resolution, amendment, motion, or conference report violate this section. The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this section. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

(d) POINT OF ORDER SUSTAINED.—When the Senate is considering a conference report, upon a point of order being made by any Senator against extraneous material described in subsection (a) or (b), and such point of order being sustained, such material shall be deemed stricken as provided in subsection (c) and the Senate shall proceed, without intervening action or motion, to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken.

(e) NO FURTHER AMENDMENT.—In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of  $\frac{3}{5}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{3}{5}$  of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

SENATE RESOLUTION 210—EX-PRESSING SYMPATHY FOR THE PEOPLE OF EGYPT IN THE AFTERMATH OF THE DEADLY TERRORIST ATTACKS ON SHARM EL-SHEIK, EGYPT ON JULY 23, 2005.

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 210

Whereas on July 23, 2005, terrorists struck the Red Sea resort city of Sharm el-Sheik, Egypt, detonating explosives in a crowded hotel that killed dozens of the people of Egypt and foreign tourists from around the world, including a citizen of the United States, and injured approximately 200 others;

Whereas the terrorist attacks on Sharm el-Sheik, Egypt were senseless, barbaric, and cowardly acts carried out against innocent civilians;

Whereas Egypt is a friend and ally of the United States and in the past has endured terrorism against its innocent civilians;

Whereas the people of the United States stand in solidarity with the people of Egypt in fighting terrorism;

Whereas President George W. Bush immediately condemned the terrorist attacks on Sharm el-Sheik, Egypt and extended to the people of Egypt his personal condolences and the support of the United States; and

Whereas Secretary of State Condoleezza Rice denounced the terrorist attacks on Sharm el-Sheik, Egypt and stated, "we continue, all of us in the civilized world, to face great challenges in terrorism, and we continue to be united in the view that terrorism must be confronted and that they will not succeed in destroying our way of life": Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses deep sympathies and condolences to the people of Egypt and the victims and the families of the victims for the heinous terrorist attacks that occurred in Sharm el-Sheik, Egypt on July 23, 2005;

(2) condemns the barbaric and unwarranted terrorist attacks that killed and injured innocent people in Sharm el-Sheik, Egypt;

(3) expresses strong and continued solidarity with the people of Egypt and pledges to remain shoulder-to-shoulder with the people of Egypt to bring the terrorists responsible for the brutal attacks on Sharm el-Sheik, Egypt to justice; and

(4) calls upon the international community to renew and strengthen efforts to—

(A) defeat terrorists by dismantling terrorist networks and exposing the violent and nihilistic ideology of terrorism;

(B) increase international cooperation to advance personal and religious freedom, ethnic and racial tolerance, political liberty and pluralism, and economic prosperity; and

(C) combat the social injustice, oppression, poverty, and extremism that breeds sympathy for terrorism.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1439. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 1440. Mr. BINGAMAN submitted an amendment intended to be proposed by him