

We have all been urged over the years by McGruff the Crime Dog, the Campaign's icon, to "Take A Bite Out Of Crime" a simple and effective slogan to help begin to educate and make the public aware of the importance of crime prevention. Through their leadership, the Campaign and McGruff have played vital roles in reducing crime and making our communities safer.

The Campaign was the first public education program on crime prevention in the country. It is designed to stimulate community involvement, generate confidence in comprehensive crime prevention activities and provide a national focus and resource for crime prevention programs nationwide. When it was formally launched in 1979, most Americans viewed crime as inevitable and its prevention as the job of the police. Today, three out of four Americans believe that they can personally take actions to reduce crime and that their neighborhoods and communities can act to prevent crime. A major force behind this shift to a more positive attitude is the National Citizens' Crime Prevention Campaign.

Crime prevention is central to maintaining a sound criminal justice system at the national, State, and local levels, and to ensuring safer and more secure communities. Making prevention a priority through the National Citizens' Crime Prevention Campaign is a collective effort. This alliance of national, State and Federal organizations works with businesses, civic groups, individuals and law enforcement to generate crime prevention awareness and action throughout the country through a variety of mechanisms.

The National Citizens' Crime Prevention Campaign has inspired and directed millions of citizens to take action, individually and collectively, to reduce crime, drug abuse and the fear of crime. I look forward to another 25 years and beyond of McGruff and the Campaign, under the skilled leadership of its President and CEO, Al Lenhardt, who is the former Sergeant At Arms of the U.S. Senate, continuing to be national leaders in improving the quality of life in every community through crime prevention. I have no doubt that together they will continue to promote individual and collective action, in collaboration with law enforcement and other supporting agencies, to reduce crime and build safer communities throughout the United States.

SENATE RESOLUTION 209—TO  
STRENGTHEN FISCAL RESPONSIBILITY BY IMPROVING SENATE  
CONSIDERATION OF CON-  
FERENCE REPORTS

Mr. CONRAD (for himself and Mr. MCCAIN) submitted the following resolution; which was referred to the Committee on Rules and Administration:

Mr. CONRAD. Mr. President, I am pleased that Senator MCCAIN is joining me today in submitting a bipartisan

Senate resolution to strengthen fiscal responsibility and restore some common sense to the consideration of conference reports in the Senate.

Last November the Senate received an omnibus appropriations conference report that totaled 3,646 pages. It included nine different appropriations bills, seven of which had never been debated, amended or voted on by the Senate. It spent more than \$388 billion. And it also included a miscellaneous title with several extraneous provisions that had nothing to do with appropriations. Like the appropriations titles, many of these non-appropriations items had never been considered in the Senate.

Even though the vast majority of the Senate had never had a chance to review these provisions, the conference report was rushed to the Senate floor just hours after a handful of members and their staff had finished their work putting it together behind closed doors.

Throughout the day, I and several members of my staff read and analyzed the provisions of this bill. During the examination, we discovered a particularly egregious provision. It would have allowed an agent of the Chairman of the House or Senate Appropriations Committee to look at the tax return of anyone in America. And, further, it would have allowed them to release the private information contained in those returns without any civil or criminal penalty. That would have created the opportunity for an abuse of power almost unprecedented in our history.

Thankfully, my staff and I were able to catch this, and after strenuous debate the provision was nullified. But this is an indication of how completely flawed this process has become. None of us could know when the time came to vote, just a few hours after the bill was released, what other inappropriate provisions it contained. There simply had not been enough time to thoroughly scour the more than 3,600 pages in this bill.

Unfortunately, this is not an isolated example. Over the past several years, we have seen increased abuses of the conference process. There has been a trend toward a handful of members writing legislation in secret, without full opportunity for minority participation or thorough debate in the Senate. In addition to the omnibus appropriations bills we have seen in the past several years, there are several other examples of this trend.

Last year, for example, the majority leadership was unwilling or unable to move a bill through the Senate to extend expiring tax provisions. Apparently, the leadership did not want to vote on amendments to pay for these provisions, and it did not want to debate the fiscal irresponsibility of its tax policy.

So what did the leadership do? It took a modest tax relief measure aimed at making the child tax credit more useful to low- and middle-income families that had languished in con-

ference for over a year, and turned it into a \$146 billion revenue loser that extended the 2001 tax cuts relating to the child credit, marriage penalty, and the 10 percent marginal rate bracket through 2010. The conferees also tacked on traditional extenders, R&D, work opportunity tax credit, etc., added a year of AMT relief, and dropped the revenue offsets that had covered all but about \$250 million of the original cost. No Democrats participated in the conference, and the Senate had no opportunity to debate the merits of these individual provisions or offer amendments to offset their costs.

But it is not just tax and appropriations bills that have been hijacked in conference. On issue after issue, we have had conferences where the minority was excluded so that the majority could ram through unpopular provisions as part of an un-amendable conference report.

That is not right. We should not be writing brand new legislation in conference in order to bypass Senate consideration. We should not be bundling together 3,646 page conference reports in the middle of the night and asking Senators to vote on them without the opportunity for thorough review and debate. It is clear to me the conference process is broken. Former President Ronald Reagan in his 1988 State of the Union Address told us we should not do business this way, in omnibus conference reports that no Senator has an opportunity to fully understand before they are voted on. He was right.

The Conrad-McCain resolution would address these problems. It would improve Senate consideration of conference reports in five simple, common-sense ways.

First, our resolution would require conference reports to be filed and made available for at least 48 hours prior to Senate consideration. Under our resolution, all Senators would have the opportunity to know what is in each and every conference report that comes before this body.

Second, our resolution would require a written cost estimate or table by the Congressional Budget Office prior to Senate consideration of any conference report. Senators deserve to know before they vote on a bill how much it will cost.

Third, our resolution would require that a bill coming out of conference be primarily in the jurisdiction of the same committee, or appropriations subcommittee, as the Senate-passed bill that was submitted to conference. We should not be sending a \$19 billion foreign operations appropriations bill to conference and having it come back as a close-to \$400 billion bill that includes Labor-Health and Human Services and other domestic spending. This will help ensure that the Senate considers each bill before it comes back from conference.

If any of those three conditions are not met, our resolution would allow any Senator to raise a point of order



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  $\frac{3}{4}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{3}{4}$  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. EXTRANEOUS 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  $\frac{3}{4}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{3}{4}$  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—EXPRESSING 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