

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. EXTRANEAN 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

WARNER, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 1042, *supra*.

SA 1568. Mr. BYRD submitted an amendment intended to be proposed by him to the bill S. 1042, *supra*; which was ordered to lie on the table.

SA 1569. Mr. NELSON, of Nebraska (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1570. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1571. Mr. DURBIN (for himself, Ms. MIKULSKI, Mr. ALLEN, Mr. GRAHAM, Ms. LANDRIEU, Mr. LEAHY, Mr. SARBANES, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. KERRY, Mr. SALAZAR, Mr. CORZINE, Mr. CHAFEE, Mrs. LINCOLN, Mr. BIDEN, Mr. KENNEDY, Mrs. MURRAY, and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill S. 1042, supra.

SA 1572. Mr. KOHL submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1573. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1574. Mr. VOINOVICH (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1575. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1576. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1577. Mr. NELSON, of Nebraska submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1578. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1579. Mr. CORZINE (for himself, Mr. KENNEDY, Mr. LAUTENBERG, Mr. DODD, Mr. JEFFORDS, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

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; as follows:

At the end of subtitle B of title II, add the following:

SEC. 213. FIELD PROGRAMMABLE GATE ARRAY.

(a) **ADDITIONAL AMOUNT FOR RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, AIR FORCE.**—The amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force is hereby increased by \$3,000,000.

(b) **AVAILABILITY OF AMOUNT.**—Of the amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force, as increased by subsection (a), \$3,000,000 may be available for Space Technology (PE # 0602601F) for research and development on

the reliability of field programmable gate arrays for space applications, including design of an assurance strategy, reference architectures, research and development on reliability and radiation hardening, and outreach to industry and localities to develop core competencies.

(c) **OFFSET.**—The amount authorized to be appropriated by section 301(4) for operation and maintenance for the Air Force is hereby reduced by \$3,000,000.

SA 1440. Mr. BINGAMAN 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; as follows:

On page 48, between lines 5 and 6, insert the following:

SEC. 244. NATIONAL CRITICAL TECHNOLOGIES PANEL.

(a) **ESTABLISHMENT.**—The Director of the Office of Science and Technology Policy shall establish within that office a National Critical Technologies Panel (referred to in this section as the "panel"). The panel shall prepare the biennial national critical technologies report required by subsection (c).

(b) **MEMBERSHIP.**—

(i) **COMPOSITION AND APPOINTMENT.**—The panel shall consist of 13 members appointed from among persons who are experts in science and engineering as follows:

(A) **DIRECTOR.**—The Director of the Office of Science and Technology Policy shall appoint 5 members, of whom—

(i) 2 shall be Federal Government officials; and

(ii) 3 shall be appointed from persons in private industry and higher education.

(B) **CONGRESSIONAL APPOINTMENTS.**—The leadership of the Senate and the House of Representatives shall appoint 4 members, of whom—

(i) 1 shall be appointed by the Majority Leader of the Senate;

(ii) 1 shall be appointed by the Minority Leader of the Senate;

(iii) 1 shall be appointed by the Speaker of the House of Representatives; and

(iv) 1 shall be appointed by the Minority Leader of the House of Representatives.

(C) **AGENCY APPOINTMENTS.**—Of the remaining 4 members of the panel—

(i) 1 shall be appointed by the Secretary of Defense, who shall be an official of the Department of Defense;

(ii) 1 shall be appointed by the Secretary of Energy, who shall be an official of the Department of Energy;

(iii) 1 shall be appointed by the Secretary of Commerce, who shall be an official of the Department of Commerce; and

(iv) 1 shall be appointed by the Administrator of the National Aeronautics and Space Administration, who shall be an official of the National Aeronautics and Space Administration.

(2) **TERM OF OFFICE; VACANCIES.**—

(A) **TERM.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), members shall serve for the duration of the panel.

(ii) **PRIVATE PERSONS.**—Members appointed under paragraph (1)(A)(ii) shall serve for a term of 2 years.

(B) **VACANCIES.**—Any vacancy in the membership of the panel shall be filled in the same manner as the original appointment.

(3) **CHAIRMAN.**—The Director of the Office of Science and Technology Policy shall designate 1 of the members appointed under paragraph (1)(A)(i) as chairman of the panel.

(c) **BIENNIAL NATIONAL CRITICAL TECHNOLOGIES REPORT.**—

(1) **IN GENERAL.**—The panel shall submit to the President and Congress a biennial report on national critical technologies.

(2) **TECHNOLOGIES CONSIDERED NATIONAL CRITICAL TECHNOLOGIES.**—For purposes of this subsection, a product technology or process technology may be considered to be a national critical technology if the panel determines it to be a technology that is essential for the United States to develop to further the long-term national security or economic prosperity of the United States.

(3) **CONTENTS.**—

(A) **IN GENERAL.**—Each report under paragraph (1) shall identify those product technologies and process technologies that the panel considers to be national critical technologies. The number of the such technologies identified in any such report may not exceed 30, but shall include the most economically important emerging civilian technologies during the 10-year period following such report, together with the estimated current and future size of domestic and international markets for products derived from these technologies.

(B) **TECHNOLOGIES IDENTIFIED.**—Each report under paragraph (1) shall include, with respect to each technology identified in the report—

(i) the reasons the panel selected that technology;

(ii) the state of the development of that technology in the United States and in other countries; and

(iii) an estimate of the current and anticipated level of research and development effort in the United States, including anticipated milestones or specific accomplishments, by—

(I) the Federal Government;

(II) State and local governments;

(III) private industry; and

(IV) colleges and universities.

(C) **TYPES OF RESEARCH AND DEVELOPMENT NEEDED.**—Each report under paragraph (1) shall—

(i) identify the types of research and development needed to close any significant gaps or deficiencies in the technology base of the United States, as compared with the technology bases of major trading partners; and

(ii) list the technologies and markets targeted by major trading partners for development or capture.

(4) **TIMING.**—

(A) **IN GENERAL.**—The panel shall submit a report to the President not later than October 1 of each even-numbered year.

(B) **SUBMISSION TO CONGRESS.**—Not later than 30 days after the date on which a report is submitted to the President under subparagraph (A), the President shall transmit the report, together with any comments that the President considers appropriate, to Congress.

(d) **ADMINISTRATION AND FUNDING OF PANEL.**—

(1) **IN GENERAL.**—The Director of the Office of Science and Technology Policy shall provide administrative support for the panel.

(2) **PANEL EXPENSES.**—

(A) **IN GENERAL.**—Funds for necessary expenses of the panel shall be provided for fiscal years after fiscal year 2006 from funds appropriated for that Office.

(B) **FISCAL YEAR 2006.**—The Secretary of Defense shall reimburse the Director of the Office of Science and Technology Policy for the reasonable expenses, not to exceed \$1,000,000, incurred by the panel during fiscal year 2006.

(e) **EXPIRATION.**—The panel shall terminate on December 31, 2010.