

decision. Because it is pretty clear that the average American would not have supported the Iraq War had they known the costs going in. I am far too cynical to believe that any future debate over war will be any less vitriolic or emotional, but perhaps a few more people will realize just what those costs can be the next time.

This may be a contradiction of my above call to keep politics out of my death, but I hope not. Sometimes going to war is the right idea. I think we've drawn that line too far in the direction of war rather than peace, but I'm a soldier and I know that sometimes you have to fight if you're to hold onto what you hold dear. But in making that decision, I believe we understate the costs of war; when we make the decision to fight, we make the decision to kill, and that means lives and families destroyed. Mine now falls into that category; the next time the question of war or peace comes up, if you knew me at least you can understand a bit more just what it is you're deciding to do, and whether or not those costs are worth it.

"This is true love. You think this happens every day?"

—Westley, *The Princess Bride*.

"Good night, my love, the brightest star in my sky."

—John Sheridan, *Babylon 5*.

This is the hardest part. While I certainly have no desire to die, at this point I no longer have any worries. That is not true of the woman who made my life something to enjoy rather than something merely to survive. She put up with all of my faults, and they are myriad, she endured separations again and again . . . I cannot imagine being more fortunate in love than I have been with Amanda. Now she has to go on without me, and while a cynic might observe she's better off, I know that this is a terrible burden I have placed on her, and I would give almost anything if she would not have to bear it. It seems that is not an option. I cannot imagine anything more painful than that, and if there is an afterlife, this is a pain I'll bear forever.

I wasn't the greatest husband. I could have done so much more, a realization that, as it so often does, comes too late to matter. But I cherished every day I was married to Amanda. When everything else in my life seemed dark, she was always there to light the darkness. It is difficult to imagine my life being worth living without her having been in it. I hope and pray that she goes on without me and enjoys her life as much as she deserves. I can think of no one more deserving of happiness than her.

"I will see you again, in the place where no shadows fall."

—Ambassador DeLenn, *Babylon 5*.

I don't know if there is an afterlife; I tend to doubt it, to be perfectly honest. But if there is any way possible, Amanda, then I will live up to DeLenn's words, somehow, some way. I love you.

FURTHER CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, pursuant to section 301 of S. Con. Res. 21, I previously filed revisions to S. Con. Res. 21, the 2008 budget resolution. Those revisions were made for legislation reauthorizing the State Children's Health Insurance Program, SCHIP.

Congress cleared H.R. 3963, the Children's Health Insurance Program Reauthorization Act of 2007, on November 1, 2007. The President vetoed that legislation on December 12, 2007. Unfortunately, the House of Representatives was unsuccessful in its attempt today to override that veto. Consequently, I am further revising the 2008 budget resolution and reversing the adjustments previously made pursuant to section 301 to the aggregates and the allocation provided to the Senate Finance Committee.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301 DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION

[In billions of dollars]

Section 101	
(1)(A) Federal Revenues:	
FY 2007	1,900,340
FY 2008	2,019,643
FY 2009	2,114,585
FY 2010	2,169,124
FY 2011	2,350,432
FY 2012	2,493,503
(1)(B) Change in Federal Revenues:	
FY 2007	-4,366
FY 2008	-31,153
FY 2009	7,659
FY 2010	5,403
FY 2011	-44,118
FY 2012	-103,593
(2) New Budget Authority:	
FY 2007	2,371,470
FY 2008	2,503,226
FY 2009	2,520,727
FY 2010	2,572,750
FY 2011	2,685,528
FY 2012	2,722,688
(3) Budget Outlays:	
FY 2007	2,294,862
FY 2008	2,474,039
FY 2009	2,569,248
FY 2010	2,601,736
FY 2011	2,692,419
FY 2012	2,704,415

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; FURTHER REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 301 DEFICIT-NEUTRAL RESERVE FUND FOR SCHIP LEGISLATION

[In millions of dollars]

Current Allocation to Senate Finance Committee:	
FY 2007 Budget Authority	1,011,527
FY 2007 Outlays	1,017,808
FY 2008 Budget Authority	1,091,702
FY 2008 Outlays	1,086,944
FY 2008-2012 Budget Authority	6,067,019
FY 2008-2012 Outlays	6,057,014
Adjustments:	
FY 2007 Budget Authority	0
FY 2007 Outlays	0
FY 2008 Budget Authority	-9,332
FY 2008 Outlays	-2,386
FY 2008-2012 Budget Authority	-49,711
FY 2008-2012 Outlays	-35,384
Revised Allocation to Senate Finance Committee:	
FY 2007 Budget Authority	1,011,527
FY 2007 Outlays	1,017,808
FY 2008 Budget Authority	1,082,370
FY 2008 Outlays	1,084,558
FY 2008-2012 Budget Authority	6,017,308
FY 2008-2012 Outlays	6,021,630

STATE SECRETS PROTECTION ACT

Mr. KENNEDY. Mr. President, yesterday, Senator SPECTER and I introduced the State Secrets Protection Act. I have been working on this bill with Senator SPECTER for several months, and I thank him for his commitment and leadership on this very important issue. I hope that our collaboration on this legislation will demonstrate that even the most sensitive problems can be addressed through bipartisan cooperation if we keep the interests of the Nation front-and-center and roll up our sleeves to do the work of seeking a realistic and workable solution. The State Secrets Protection Act is an essential response to a pressing need.

For years, there has been growing concern about the state secrets privilege. It is a common law privilege that lets the Government protect sensitive national security information from being disclosed as evidence in litigation. The problem is that sometimes plaintiffs may need that information to show that their rights were violated. If the privilege is not applied carefully, the Government can use it as a tool for cover up by withholding evidence that is not actually sensitive. The state secrets privilege is important, but there is a risk it will be overused and abused.

The privilege was first recognized by the Supreme Court in 1953, and it has been asserted since then by every administration, Republican and Democratic. Under the Bush administration, however, use of the state secrets privilege has dramatically increased and the harmful consequences of its irregular application by courts have become painfully clear.

Injured plaintiffs have been denied justice, courts have failed to address fundamental questions of constitutional rights and separation of powers, and confusion pervades this area of law. The Senate debate on reforming the Foreign Intelligence Surveillance Act has become far more difficult than it ought to be because many believe that if courts hear lawsuits against telecommunications companies, the courts will be unable to deal fairly and effectively with the Government's invocation of the privilege.

Studies show that the Bush administration has raised the privilege in over 25 percent more cases per year than previous administrations and has sought dismissal in over 90 percent more cases. As one scholar recently noted, this administration has used the privilege to "seek blanket dismissal of every case challenging the constitutionality of specific, ongoing government programs" related to its war on terrorism, and as a result, the privilege is impairing the ability of Congress and the judiciary to perform their constitutional duty to check executive power.

Another leading scholar recently found that "in practical terms, the