

what she was receiving. If the discrepancy had been discovered earlier, before she had applied for her housing grants, there would have been an opportunity to address the disparity before she became a victim twice over.

What is incredible is that the Federal Government, specifically the Internal Revenue Service, is enabling this. Under current policy, the IRS is under no obligation to share information with other agencies upon the discovery of a Social Security number being used with multiple names or in the case where it is discovered that an individual has more than one person reporting earnings for him or her during a single tax year.

I propose to allow the Commissioner of Social Security to share information with the Secretary of Homeland Security, where such information is likely to assist in discovering identity theft, Social Security misuse or violations of immigration law. It is worth noting Secretary Chertoff supports my proposal, believing it is a practical solution that overcomes the current limitations on information sharing.

Despite the force of these arguments supporting legislation that tears down the wall that prevents the sharing of existing information among Government agencies, Congress has so far rejected Secretary Chertoff's call for a legislative solution.

The 1,300 cases of suspected stolen identities exposed in Weld County alone were brought to light after authorities discovered that an illegal immigrant accused of stealing and using a man's Social Security number to get jobs, loans, and other services, had also been filing and receiving tax returns from the Federal Government. It did not take long for investigators to come to the realization that this particular illegal immigrant's suspected use of stolen identity was not an isolated case. As it turns out, these 1,300 other illegal immigrants filed tax returns using the same tax preparer based in Greeley. This is one tax preparer handling 1,300 fraudulent returns. Take a moment and consider the 1,300 illegal aliens' tax returns, which yielded \$2.6 million in tax refunds, were handled by a single tax preparer; now consider the number of tax preparers nationwide and the exorbitant amount of tax dollars—likely in the billions—distributed among illegal aliens using fraudulent Social Security numbers. The way our system works, the tax preparer is relieved of liability, absent reckless misrepresentation or a finding of exceptional negligence.

With whom should the liability lie? The obvious answer is the illegal alien guilty of stealing someone else's identity. But what happens to the helpless victim of the identity theft? Shouldn't our law protect the person who has had their identity compromised, and shouldn't our Federal agencies be required to communicate information about an individual's compromised identity before the individual is robbed

of opportunities such as taking out a student loan, purchasing a home, or purchasing tools or equipment with a small business loan? Shouldn't we do all that we can to prevent law-abiding citizens falling victim to identity theft?

Occurrences of identity theft perpetrated by illegal immigrants have risen and will continue to rise as better systems are developed for verifying employment. Illegal immigrants will continue to assume the names and Government-issued ID numbers of American citizens in order to thwart detection at workplaces, get driver's licenses and obtain credit. Once a person takes a job in the U.S., one of the first things his employer will likely ask for is his Social Security number. The integrity of the immigration system depends on the genuineness of our efforts to protect citizens from immigrant-related identity fraud. Identity theft prevention and immigration enforcement will be greatly enhanced by legislation that permits the sharing of social security data among agencies.

The Weld County Tax I.D. case is just the tip of the iceberg. If more than 1,300 illegal immigrants can receive more than \$2.6 million in tax refunds using stolen Social Security numbers in a community of 100,000 people, how many other cases exist throughout the country? It adds insult to injury that a legislative solution is easily within reach of Congress.

I know we have a lot on our plate this week, but I would ask the Senate to act to close this loophole.

Mr. President, I yield the floor.

MORNING BUSINESS

TRIBUTE TO SENATORS

ELIZABETH DOLE

Mr. FEINGOLD. Mr. President, today I commend Senator ELIZABETH DOLE for her dedicated work on behalf of North Carolina in the Senate and her decades of service to our Nation. In the Senate she has worked hard to ensure our veterans and servicemembers receive the benefits they have more than earned. I was pleased to have her cosponsorship and support for my measure allowing servicemembers to terminate cell phone contracts free of penalties.

Senator DOLE has also demonstrated a commitment to solving the most difficult crises in Africa, particularly in Zimbabwe and Darfur. We both joined with Senator CLINTON and Senator LUGAR on legislation to assist Zimbabweans in their efforts to promote democracy and human rights in their country. I also welcomed Senator DOLE's support on a resolution condemning the recent flawed elections in Zimbabwe. Her voice in the Senate on these issues will be missed. I thank her for her service to the Senate and the people of North Carolina, and wish her all the best for the future.

GORDON SMITH

Mr. President, today I want to thank Senator GORDON SMITH for his service to the people of Oregon. During my time on the Senate Foreign Relations African Affairs Subcommittee I have watched Senator SMITH fight ardently for the President's Emergency Plan for AIDS Relief that has saved countless lives around the globe. His leadership on legislation to fight HIV/AIDS and other diseases has been vital to our efforts to bring help to many African nations.

I also applaud his work to pass the Employment Non Discrimination Act, which I was also pleased to cosponsor. His efforts to end employment discrimination based on sexual orientation represent an important step toward ensuring equal rights for all Americans.

Finally, I want to recognize Senator SMITH's work on legislation to require health insurers to include mental health benefits in their health insurance coverage. This excellent example of bipartisan cooperation, the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act, was made possible in part by the commitment of Senator SMITH to ensuring those suffering from mental illness have access to medical treatments that will improve their quality of life.

Once again, I thank GORDON SMITH for his dedication to the people of Oregon and the country while in the Senate, and I wish him all the best in the future.

JOHN SUNUNU

Mr. President, today I want to take a moment to recognize the service of Senator JOHN SUNUNU during his time here in the Senate. It has been a pleasure to work with him on a wide range of issues, from protecting the rights of law-abiding Americans to strengthening our foreign policy toward Africa.

Senator SUNUNU has made many important contributions during his time in this body, but his work to protect the constitutional rights of innocent Americans is certainly among the most important. He recognizes that our government can wage an effective fight against terrorism that still respects our basic freedoms. Senator SUNUNU has been a crucial voice on civil liberties issues like reforming the PATRIOT Act and keeping tabs on government data mining efforts. I am proud that we worked together on a number of bills. Most recently, we introduced legislation addressing the serious misuse of the FBI's national security letter authorities to obtain information about innocent people without judicial review. We also successfully passed legislation last year requiring Federal agencies to inform Congress about the use and development of the kind of government data mining technologies that raise the most serious privacy and efficacy concerns. I will miss his voice on these issues here in the Senate.

Finally, I want to recognize Senator SUNUNU's work on the Senate Foreign

Relations Committee's Africa Subcommittee. I had the privilege of working side by side with him when he was ranking member of that subcommittee, and I saw firsthand his commitment to ending devastating conflicts in Africa. I deeply appreciate his commitment to his work on Africa, and to so many other issues during his service in the Senate. I wish him all the best in the future.

PETE DOMENICI

Mr. LUGAR. Mr. President, I wish to honor our distinguished colleague, PETE DOMENICI, who will be ending his historic Senate career at the end of this Congress. For the past 32 years it has been my privilege to serve with PETE DOMENICI in the Senate. During that time, he has epitomized devotion to public service and to his State of New Mexico. He will leave the Senate having cast more votes than all but six other Senators in the history of this body. He is the longest serving Senator in New Mexico's history, and he rightly occupies an iconic status in his home State.

PETE DOMENICI experienced a modest upbringing as the only son of first generation Italian immigrants. He secured his first job after college as a pitcher for the Albuquerque Dukes, then a farm team for the Brooklyn Dodgers. Following a stint as a teacher, PETE won a seat on the Albuquerque City Commission in 1966. The next year, we both became mayors of our respective cities: PETE served Albuquerque as I served Indianapolis. After 6 years in the Albuquerque City Hall, he became the first Republican to win a Senate seat from New Mexico in 38 years.

I entered the Senate in 1977, 4 years after PETE. By that time, he already was recognized as a leading Republican authority on the budget process. I looked to PETE as a mentor on the intricacies of the Federal budget, and he graciously tutored me on both substance and process. Year after year, as the lead Republican on the Budget Committee, PETE was indispensable as floor manager of the budget resolution. Frequently, when the Senate lost its way during a difficult budget debate, Senator DOMENICI functioned as a touchstone to bring the debate back to sober reflection and verifiable statistics. I doubt the Senate will ever experience a leader who has a more detailed command of the budget process and who could explain it with greater clarity.

It is telling that even though PETE derived much annual power from his roles as Budget chairman and Appropriations subcommittee chairman, this status did not dissuade him from proposing a reform idea that implicitly would reduce his opportunities to exercise this authority—namely a 2-year budget cycle. I have always been impressed by his embrace of this idea, and his endorsement influenced my own support for a 2-year budget process. Senator DOMENICI's advocacy went against standard expectations that

Members of Congress will protect their own prerogatives even if their best judgment tells them that reforms are necessary. But PETE's service in the Senate was never based upon accruing personal authority or maximizing his notoriety.

I was extremely pleased that Senator DOMENICI's assiduous efforts over many years were recently brought to fruition with the passage and signature into law of the Mental Health Parity Act. PETE joined the late Senator Paul Wellstone in promoting this bipartisan legislation that will ensure that health plans make mental health treatment available for those in need. It will provide parity between health insurance coverage of mental health benefits and benefits for medical and surgical services and help avert the development of future physical problems that could arise from untreated and increasingly debilitating psychological illness.

I am especially sad to see PETE leave because he has been an outstanding partner in work to prevent nuclear proliferation and to improve response to attacks involving weapons of mass destruction. In concert with the efforts of Senator Sam Nunn and myself to establish the Nunn-Lugar Cooperative Threat Reduction Program at the Department of Defense—which is aimed at securing and destroying weapons of mass destruction in the former Soviet Union—Senator DOMENICI spearheaded the expansion of the Energy Department's involvement in safeguarding nuclear material. He also was an effective advocate for the role of our National Laboratories in nonproliferation work. Scientists from the National Laboratories have been on the frontlines of our engagement with the brain trust of the Soviet nuclear program. PETE understood the unique skill set possessed by our laboratories, and he made sure that they were well funded and authorized to implement numerous nonproliferation projects. Senator DOMENICI also joined with Senator Nunn and me to pass the Nunn-Lugar-Domenici Act of 1997. Long before September 11, 2001, this legislation was working to improve the capabilities of local and State first responders, especially with regard to weapons of mass destruction attacks. The experience, awareness, and structure established by this program have been valuable to our Nation's post-9/11 homeland security efforts.

The Senate will miss deeply Senator DOMENICI's experience displayed over 36 years. He will be remembered as a workhorse able to shoulder the daily burdens of a thousand details, but also as a thoughtful observer who saw beyond the politics of the moment to provide perspective on the direction of our country. I wish my good friend the best as he leaves the Senate to experience new adventures with his family.

CHUCK HAGEL

Mr. President, I wish to take this opportunity before the 110th Congress adjourns to honor our distinguished col-

league and my good friend, CHUCK HAGEL, who will be leaving the Senate after 12 years of achievement.

Senator HAGEL has applied his estimable talents to many of the most critical areas of public policy. Throughout his time in the Senate he was a stalwart member of the Foreign Relations Committee, where he became one of the Senate's experts on international affairs.

Upon CHUCK HAGEL's arrival in the Senate in 1996, he had already distinguished himself in service to his country. He was decorated for his service as an infantryman in the U.S. Army during the Vietnam war; He went on to careers as a congressional staffer, a deputy administrator of the Veterans Administration, and a successful businessman.

When CHUCK came to the Senate, it was clear that his unique background would be an asset to the Senate Foreign Relations Committee. I encouraged him to join the committee and was pleased that he did so. In the Senate, CHUCK embraced responsibility for U.S. national security as few Senators have in recent decades.

Senator HAGEL's years in the Senate will be remembered for his willingness to challenge conventional wisdom and his ability to see issues from multiple perspectives. He has been a determined advocate for an independent point of view, but also a good listener who has often forged compromises that benefited our Nation.

For the last 9 years, CHUCK has sat next to me through hundreds of Foreign Relations Committee hearings and meetings. I greatly enjoyed the opportunity to exchange ideas with him, to compare perspectives on our witnesses, and to develop common approaches to problems. He was always candid and thoughtful in both his public statements and his private advice.

He understands that the world's problems are our problems; that our economic health is tied to the prosperity of the rest of the industrialized world; that the cleanliness of our environment is deeply affected by the environments of those even beyond our continent; and that our access to global natural resources and energy supplies depends on maintaining stable conditions in some of the most volatile regions on Earth. In a "Memo to the Candidates" written last summer, he underscored the interconnected nature of our world, saying:

America's long-term security interests are directly connected to alliances, coalitions, international institutions, and our standing in the world. The next President will have to reintroduce America to the world in order to regain its trust in our purpose as well as our power.

CHUCK contributed greatly in recent years to the committee's efforts to improve our Government's stabilization and reconstruction capacity, to elevate the priority of energy diplomacy, to facilitate NATO expansion, to reauthorize the PEPFAR program, to prevent the proliferation of weapons of mass

destruction, and to safeguard the international environment.

I have greatly appreciated his personal friendship and thoughtful remembrances of events in my public and private life. My entire office benefited from his personal generosity in 2001 when the Senate endured the anthrax attack. My staff and I were displaced from our office for more than 3 months. Senator HAGEL stepped forward and offered us a large room in his suite in the Russell Senate Office Building, which became the nerve center of my Senate office while we were displaced. Senator HAGEL's thoughtfulness allowed us to continue operations during this difficult period.

I will greatly miss CHUCK's presence in the seat next to me at committee hearings, and I know that the Senate as a whole will miss his wisdom and well-deserved reputation for humor. But I have no doubts that he will encounter other opportunities to serve the United States. His counsel on foreign and defense policy will be sought out by Members of Congress and Presidential administrations for many years to come. I look forward to many insightful conversations with my friend and to witnessing all that he will achieve in the future.

JOHN WARNER

Mr. President, I am pleased to join with other Senators in honoring our distinguished colleague, JOHN WARNER, who will be retiring at the end of the 110th Congress. When he steps down, Senator WARNER will have the distinction of being the second longest serving Senator in Virginia's history. He stands as an example of the type of temperament, foresight, and dedication that the Founders envisioned when they created the Senate. For the past 30 years it has been my privilege to serve with JOHN WARNER. During that time, we have shared a common commitment to the national security of the United States. We have worked together on innumerable issues, and I have witnessed with admiration his strong character, his intellectual independence, and his unflinching devotion to public service.

Even before JOHN was elected to the United States Senate, he had distinguished himself in service to our country. He joined the U.S. Navy before his 18th birthday and went on to serve honorably in World War II. After college and before he was able to complete law school, he returned to the military as an Active Duty marine during the Korean conflict. After his service, JOHN came home to complete law school. Subsequently he worked as a Federal prosecutor and private lawyer. President Nixon appointed JOHN to be Under Secretary of the Navy, and he went on to be Secretary of the Navy from 1972 to 1974. When he was elected to the Senate in 1978, he was extremely well prepared to take on the role of a Senator and to contribute greatly to the national security of our Nation.

Senator WARNER has played a prominent role in almost every major De-

fense policy accomplishment of the last three decades. In the Senate, he has been a steadfast supporter of the well-being of the American soldier, sailor, and airman. I know that not a day goes by that he does not devote thought to how he can contribute to improving our Armed Forces and making our country more secure. It was a special pleasure for me to have chaired the Foreign Relations Committee during a 4-year period from 2003 to 2007 when JOHN was chairing the Armed Services Committee. I believe relations between the two committees became stronger during this time, as we cooperated closely on arms control matters, policies toward Iraq and Afghanistan, arms sales, and many other matters.

My friendship with JOHN has been strengthened by our mutual membership in the Beta Theta Pi Fraternity, and I was privileged to participate in the awarding of Beta's Oxford Cup to Senator WARNER in April 2008. The award ceremony and dinner took place in the Foreign Relations Committee hearing room, and this was a wonderful opportunity for us to share experiences with other Beta members.

It is difficult for me to imagine the Senate without JOHN WARNER. He loves this institution, and he derives great satisfaction from both its collegial nature and the daily opportunities Senators have to improve life in the United States.

Senator WARNER leaves the Senate after 30 years, having established a legion of friendships and a memorable legacy. We will miss his kindness, his steadiness, and his unflinching confidence in the United States. Even as we will miss seeing our friend every day, we know that JOHN will be blessed by the opportunity to spend more time with his family. I am sure that he will continue to serve the public, and I join the Senate in wishing him all the best as he moves on to new adventures.

PETE DOMENICI

Mr. SPECTER. Mr. President, the departure of Senator PETE DOMENICI will deprive the Senate of our foremost expert on energy and budget legislation. For 36 years, I have enjoyed and learned from PETE's frequent presentations in our Republican Senators' caucus meetings.

His chairmanship of the Budget Committee during the Reagan administration led to sensible economies in Federal spending which have not since been duplicated. If his comprehensive ideas on energy had been followed, the United States would long ago have shed its dependence on foreign oil.

Through it all, PETE has been a most congenial colleague. Always smiling, always helping, PETE has constantly been available to offer guidance to Members not as well-versed on his areas of specialty. Enormously popular in New Mexico, it is understandable why he is called "Saint Pete."

Senator DOMENICI came to my rescue when I was called upon to make the

presentation at the Senate Wednesday prayer breakfast after I had been a member for a short period of time. I chose to talk about a new edition of the New Testament which had been published by a friend, Irwin Borowsky of Philadelphia. The text omitted all references which might have been interpreted to be critical of Jewish people in connection with the crucifixion.

I made the point that these references had caused young Jewish boys to be beaten up in some communities on Christian religious holidays motivated by the anti-Jewish comments in the Bible. My theme was sharply, really vehemently, opposed by some Senators at the breakfast. PETE DOMENICI then supported my contention reciting some of the barbs, insults and worse which had been inflicted on Italians.

When PETE told me of his plan to retire because he thought he was failing, I urged him to make a full disclosure of his medical condition to his constituents but to stay on. I told him of a conversation I had with Senator Paul Tsongas in 1984 when Tsongas had announced his intent to retire because he had lymphoma, as I recall it. Since the medical evidence suggested Paul might well serve out his term, I urged him to stay on, leaving the voters to decide after making full disclosure as to his medical condition. Paul Tsongas felt otherwise and elected to leave. He not only could have served his full term through 1990 but then became a candidate for the Democratic nomination for the Presidency in 1992. After telling him about the Tsongas situation, PETE stuck by his decision. In recent days, Senator DOMENICI has looked stronger than ever but I totally respect his decision, saying only that we will miss him very much.

JOHN WARNER

Senator JOHN WARNER's retirement is a great loss to the Senate. He brought to this body in 30 years of service wit, wisdom and gallantry. An old-style Southern gentleman, Senator WARNER held a unique position as the Senate squire. His experience in military matters going back to his sailor days in World War II, to Secretary of the Navy in 1972, and Chairmanship of the Armed Services Committee, made him a pre-eminent figure in the Department of Defense legislation. When Senator WARNER made a recommendation on defense matters, his word carried great weight.

Some of my fondest recollections of JOHN WARNER come from the squash court where we regularly engaged until he said his knees wouldn't take the twists or turns any longer although he continued to be an avid tennis player. In a squash match more than 20 years ago, I sustained a serious gash under my left eye requiring six stitches for closure. At that time, I had read about a Washington hockey player who sustained an eye injury but came back immediately to play with headgear and a

plastic cover over the face. I secured one the same day of my injury and was back on the squash court the next day.

JOHN claims responsibility, perhaps, credit for inflicting the wound. Memories fade after a couple of decades, but my recollection is that Senator Bob Packwood was the malefactor, although I never challenged JOHN's recitation because he seemed to enjoy it so much.

Some of our longest discussions occurred in the Senate gym where we would talk while awaiting our turn on the massage table. He would always say we came at about the same time although he was precise to assert his 2 years' seniority.

Senator WARNER was a help to me even before I became a Senator when he and his new bride, Elizabeth Taylor, were the star attractions at a fundraiser for me in New York City.

Senator George Mitchell tells an interesting story about Senator WARNER. Senator Mitchell recalls a filibuster where cots were set up in the Senate Marble Room where Mitchell was feeling sorry for himself about giving up a lifetime appointment as a Federal judge then becoming a Senator and wasn't too happy about the all-night sessions. As George put it, he was stumbling his way through the cots during the 1980 filibuster all-nighter when he stumbled across newly wed JOHN WARNER snoring on one of the cots. George commented that JOHN was giving up more than he was so it wasn't so bad after all.

My speculation is that Senator WARNER will be called back for more public service because he still has a lot of vim, vigor and vitality, but we will sorely miss him in the Senate.

LARRY CRAIG

LARRY CRAIG has made significant contributions to the Senate during his three terms. He has been a leader on energy, agriculture policy and veterans affairs. During the debate on immigration, he was a forceful spokesman for a guest farm workers program. When we next take up important subjects, his leadership will be missed.

I worked with him closely on veterans affairs where he chaired that committee after I moved from chairman there to chair the Judiciary Committee. His leadership on a Codel to the World War II battlefields in France over Memorial Day 2006 was particularly noteworthy. Our visits to U.S. cemeteries in France and inspection of the Normandy beaches were memorable.

I was glad to see LARRY finish out his full third term after the incident at the Minneapolis airport. When I heard the recording of the police officer's questioning him, I immediately thought that there was insufficient evidence of wrongful conduct. I heard the reports that he planned to resign at the end of September 2006 and called him to suggest that he modify his public statement to allow for reconsideration of that decision. He did so, and as the

record shows, his legal challenges well within his rights, enabled him to stay through the conclusion of the 110th Congress.

Since that event, he has weathered the storm, conducted himself with dignity on his official duties and made a real contribution to the Senate. It was definitely in the interests of his Idaho constituents and the Senate for him to stay on and complete his term.

CHUCK HAGEL

Senator CHUCK HAGEL's intellectualism and independence will be sorely missed in the Senate. CHUCK HAGEL's service in Vietnam, where he earned military decorations and honors including two Purple Hearts, has given him special standing on key defense issues. With that background, he enjoys a sort of immunity from a charge of being soft on defense and his views are more closely followed.

Senator HAGEL will be especially missed by the few Republican moderates who were encouraged by his independence.

My sense is that CHUCK HAGEL will stay in public life in one form or another, but I would have preferred to have seen him stay in the Senate to promote the resurgence of moderation within the Republican ranks and bipartisanship extending across the aisle for important legislation.

WAYNE ALLARD

The Senate Appropriations Committee, as well as the Senate generally, will miss Senator WAYNE ALLARD. WAYNE has been a strong voice for fiscal responsibility. His background as a veterinarian has provided an interesting dimension beyond members who have legal, business, or academic backgrounds.

Senator ALLARD has led by example, demonstrating his frugality by returning more than \$4 million in unspent office funds to the U.S. Treasury since being elected to Congress. In retiring after two terms, he has stuck by his commitment on term limits. My personal preference would have been for WAYNE to stay on because, building on his experience, he would have made additional significant contributions to the benefit of his State, Colorado, and the Nation.

GORDON SMITH

Mr. CONRAD. Mr. President, when a departing colleague has been a strong working partner as well as a friend, saying good-bye is not easy. I have had the pleasure of serving on several committees with GORDON SMITH over the course of his career. We have sat across the dais from each other at the Budget Committee, the Indian Affairs Committee, and the Finance Committee.

I am proud of what Senator SMITH and I have been able to accomplish in promoting savings and capital preservation for people in their retirement years. He recognized a long time ago that the sooner workers begin saving for retirement—and the longer they sustain that commitment—the better

off they and their families will be when they have to depend on those savings.

The successes we enjoyed in getting some of our ideas included in the Pension Protection Act of 2006 led to more ambitious proposals to address the special retirement savings and income needs of women and older workers. And GORDON SMITH was the first to join the effort to promote lifetime income instruments as a response to longevity advances, which constitute the greatest threat to the retirement income security of the baby boom generation.

In view of the economic situation the country now faces, the efforts that Senator SMITH and I began must continue. I sincerely regret that he will not be my primary partner on this agenda in the 111th Congress. I certainly hope that he will continue to use his influence and intelligence to keep the focus on this clear national priority.

Finally, I want to salute Senator SMITH for the character of his service to his State, this body, and to the Nation. He is the kind of deliberate, open-minded, and thoughtful public servant the Founders must have had in mind when they conceived the Senate. We will truly miss this distinguished gentleman from Oregon.

ELIZABETH DOLE

Mr. President, I rise today to acknowledge my colleague from North Carolina, Senator ELIZABETH DOLE, who will be leaving this body after serving the people of North Carolina for the past 6 years.

Senator DOLE and I have had the opportunity to work together on various issues important to the future of our nation. Senator DOLE has been a strong advocate for the interests of not only her State, but the U.S. in general.

For example, just recently, Senator DOLE and I worked together to pursue a more sustainable energy policy for our country. One of our goals was to transition new vehicles to an alternative source of energy by 2020 and reduce our dependence on foreign oil. This commitment to improving the nation is what defined Senator DOLE's tenure in the Senate.

Senator DOLE has also been active on agricultural issues. Because both of our States have a strong agricultural sector in our economy, this issue is very important to our constituents. From her time on the Senate Agricultural Committee early in her Senate career through the farm bill recently, Senator DOLE has consistently looked out for the North Carolina farming community and the farming industry itself.

Senator DOLE has had a long career of public service. She served as Secretary of Transportation under President Reagan and Secretary of Labor under President George H.W. Bush. This gave her the distinction of being the first woman to serve in two different Cabinet positions during two different administrations. She also served as the president of the American Red Cross, heading one of the largest humanitarian organizations in the world.

This list of accomplishments underscores Senator DOLE's commitment to serving the public at large.

Again, I have appreciated the opportunity to work with Senator DOLE and wish her well as she leaves the Senate.

BUDGET SCOREKEEPING REPORT

Mr. CONRAD. Mr. President, I rise to submit to the Senate the budget scorekeeping report for fiscal year 2008 prepared by the Congressional Budget Office pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This is my final report for fiscal year 2008.

This report shows the effects of congressional action through October 1, 2008. Since my last report, dated September 12, 2008, the Congress has cleared and the President has signed P.L. 110-329, the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009. The estimates of budget authority, outlays, and revenues used in this report are consistent with the technical and economic assumptions of S. Con. Res. 70, the 2009 budget resolution.

The estimates show that current level spending is below the budget resolution by \$5.2 billion for budget authority and \$2.4 billion for outlays while

current level revenues are above the budget resolution by \$3 billion.

I ask unanimous consent that the letter and accompanying tables from CBO be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 19, 2008.

Hon. KENT CONRAD,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2009 budget and is current through October 1, 2008. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, as approved by the Senate and the House of Representatives.

Since my last letter, dated September 11, 2008, the Congress has cleared and the President has signed the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329). Division B of the act provided \$22.9 billion for disaster relief and recovery for 2008; the entire amount was designated as an emergency requirement pursuant to section 204(a) of S. Con. Res. 21. Amounts so designated are exempt from enforcement of the budget resolution.

tion. As a result, the enclosed current level report excludes these amounts (see footnote 2 of Table 2 of the report).

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF OCTOBER 1, 2008

[In billions of dollars]			
	Budget resolution ¹	Current level ²	Current level over/under (—) resolution
ON-BUDGET			
Budget Authority	2,456.2	2,451.0	– 5.2
Outlays	2,437.8	2,435.3	– 2.4
Revenues	1,875.4	1,878.4	3.0
OFF-BUDGET			
Social Security Outlays ³	463.7	463.7	0.0
Social Security Revenues	666.7	666.7	0.0

¹ S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, assumed \$108.1 billion in budget authority and \$28.9 billion in outlays for overseas deployment and related activities. The Supplemental Appropriations Act, 2008 (P.L. 110-252) designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110-252 (see footnote 2 of table 2), budget authority and outlay totals specified in S. Con. Res. 70 have also been reduced for purposes of comparison.

² Current level is the estimated effect on revenue and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of table 2), that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

³ Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.

SOURCE: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF OCTOBER 1, 2008

[In millions of dollars]			
	Budget authority	Outlays	Revenues
Previously Enacted ¹			
Revenues	n.a.	n.a.	1,879,400
Permanents and other spending legislation	1,441,010	1,394,887	n.a.
Appropriation legislation	1,604,649	1,635,118	n.a.
Offsetting receipts	– 596,805	– 596,805	n.a.
Total, Previously enacted	2,448,854	2,433,200	1,879,400
Enacted this session:			
Supplemental Appropriations Act, 2008 (P.L. 110-252) ²	0	7	0
Medicare Improvements for Patients and Providers Act of 2008 (P.L. 110-275)	1,942	1,924	1
Housing and Economic Recovery Act of 2008 (P.L. 110-289) ²	203	203	– 968
Higher Education Opportunity Act (P.L. 110-315)	– 10	0	0
Total Current Level ^{2,3,4}	2,135	2,134	– 967
Total Budget Resolution ⁵	2,450,989	2,435,334	1,878,433
Adjustment to the budget resolution for emergency requirements ⁶	2,564,237	2,466,678	1,875,401
Adjusted Budget Resolution	– 108,056	– 28,901	n.a.
Current Level Under Budget Resolution	2,456,181	2,437,777	1,875,401
Current Level Over Budget Resolution	n.a.	n.a.	3,032
Current Level Under Budget Resolution	5,192	2,443	n.a.

SOURCE: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

¹ Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009: National Defense Authorization Act for Fiscal Year 2008 (P.L. 110-181), Economic Stimulus Act of 2008 (P.L. 110-185), Andean Trade Preference Extension Act of 2008 (P.L. 110-191), Ensuring Continued Access to Student Loans Act of 2008 (P.L. 110-227), Consolidated Natural Resources Act of 2008 (P.L. 110-229), Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (P.L. 110-232), Food, Conservation, and Energy Act of 2008 (P.L. 110-234), SAFETEA-LU Technical Corrections Act of 2008 (P.L. 110-244), and Heroes Earnings Assistance and Relief Act of 2008 (P.L. 110-245).

² Pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2008, which are not included in the current level total, are as follows:

	Budget authority	Outlays	Revenues
Supplemental Appropriations Act, 2008 (P.L. 110-252)	115,808	35,350	n.a.
Housing and Economic Recovery Act of 2008 (P.L. 110-289)	4,106	187	n.a.
Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (P.L. 110-329)	22,859	0	n.a.
Total	142,773	35,537	n.a.

³ For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.

⁴ The scoring for P.L. 110-318, an act to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund, does not change current level totals. P.L. 110-318 appropriated approximately \$8 billion to the Highway Trust Fund. The enactment of this bill followed an announcement by the Secretary of Transportation on September 5, 2008, of an interim policy to slow down payments to states from the Highway Trust Fund. The Congressional Budget Office estimates that P.L. 110-318 will reverse this policy and restore payments to states at levels already assumed in current level. Thus, no change is required.

⁵ Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 70, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	2,563,262	2,465,711	1,875,392
Revisions:			
For the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (SPR Act) (section 323(d))	– 950	– 950	0
For the Heroes Earnings Assistance and Relief Tax Act of 2008 (Heroes Act) (section 323(d))	0	0	8
For adjustment to debt service for the SPR and Heroes acts (section 323(d))	– 7	– 7	0
For the Medicare Improvements for Patients and Providers Act of 2008 (sections 221(f) and 227)	1,942	1,924	1
For the Higher Education Opportunity Act (section 222)	– 10	0	0