

from the 421st on MedEvac missions are routinely fired upon. Think about that. The crews of these helicopters, these amazing men and women, are being shot at as they strive to bring life-saving medical care to Iraqis and Americans alike. Anyone, anywhere, anytime.

Colonel Donald Gagliano, commander of the 30th Medical Brigade of which the 421st Battalion is a part, commented on Pat's recent award: "This exemplary senior Army aviator is the quintessence of excellence. He is the epitome of the Tuskegee Airman, and his character, demeanor and professionalism are reflective and very similar to that of Gen. Benjamin O. Davis Jr."

I cannot adequately pay tribute to Pat without also discussing his wife Sherry. She is also a Lt. Colonel in the Army and is currently stationed in Iraq as part of the 1st Armored Division. She and Pat met early in their careers, while they were both in training to become officers. Together they have a lovely daughter Samantha. Sherry has been in Iraq since the spring and is not scheduled to leave until spring, 2004.

As Pat and Sherry have found themselves both deployed overseas, they have had to make arrangements for someone to look after Samantha. Fortunately, Sherry's parents have been able to relocate to Germany indefinitely to help care for Samantha.

The Sargent family illustrates the fact that when our Nation calls upon our military to deploy, be it for peacekeeping, for combat, or for another type of operation, the sacrifices are borne by more than just those individuals who wear a military uniform.

September 11, 2001, was, of course, a tragic day for all Americans. Some of us were touched more directly than others. As I stated, Pat Sargent spent 2001 as a Congressional Fellow in my Washington, DC office. During that time, his wife was working at the Pentagon. On that terrible morning of September 11, Sherry Sargent learned that two aircraft had struck the World Trade Center. She walked down the hall to an office with a TV in order to learn what was going on. At 9:40 AM, American Airlines Flight 77 crashed into the portion of the Pentagon where Sherry Sargent's office was located. She lost many friends and coworkers that day. Had she been in her office she would almost certainly have been among those who were killed or injured. As soon as he learned of the attack on the Pentagon, Pat rushed to the scene to locate Sherry. He caught the last shuttle bus from Capitol Hill to the Pentagon before the area was sealed off. After a long search on the crowded Pentagon grounds, Pat was able to find Sherry and learn that she had, fortunately, survived the attack.

In an e-mail to my office a few months ago, Pat noted that "High-tech weapons played a part in the success of this war; but, it was won with human

capital—America's sons and daughters." He expressed his thanks for all that Congress has done to support our men and women in uniform.

Well, Pat, I want to thank you—and all of our dedicated service men and women—for your sacrifices, your commitment, and your bravery. And I congratulate you for your receipt of the General Benjamin O. Davis Award, an honor you richly deserve.

Mr. WARNER. Mr. President, I seek recognition to honor a Virginia soldier, Captain John Robert Teal, who was tragically killed in action in Iraq on Thursday, October 23, 2003. I want to express gratitude, on behalf of the Senate, for his service to our Nation. The American people, I am certain, join me in expressing their prayers and compassion to his family.

Captain John Robert Teal followed his father Joseph, a retired firefighter, into public service. He understood the importance of his present assignment and despite the personal risk, wanted to serve the United States and the people of Iraq during this critical time.

A medical officer attached to the Army's 4th Infantry Division, he was a dedicated and compassionate young man who, according to news reports, spent his final days helping sick children.

Captain Teal leaves behind his father Joseph; his mother Emmie; and his sister Elizabeth Kormanyos.

His parents, Joseph and Emmie, with whom I have had the pleasure to speak, albeit under tragic circumstances, are brave souls who have sacrificed so much for this Nation. We owe them and the other families who have lost their loved ones a debt of gratitude.

John was a 1990 graduate of Benedictine High School. Upon graduating from Benedictine, he attended the Virginia Military Institute from which he graduated in 1994 and received a commission in the United States Army.

He was an exceptional young man with a bright future in front of him. He was known as a wonderful person and according to friends, the kind of individual that no one could say anything bad about. The Commonwealth of Virginia and the entire Nation shall mourn his loss.

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of Daniel Bader, a fellow Nebraskan and staff sergeant in the United States Army. Staff Sergeant Bader was killed on November 2 near Fallujah, Iraq when the Chinook helicopter he was aboard was shot down. Staff Sergeant Bader was one of 16 soldiers killed and 20 wounded en route to the United States for 2 weeks of leave. He was 28 years old.

Staff Sergeant Bader served in the 3rd Armored Cavalry, Tiger Squadron, based on Fort Carson, CO. He was deployed to Iraq on April 4, 2003.

A York, NE native, Staff Sergeant Bader was a dedicated soldier who was committed to his family and country. He joined the military shortly after

graduating from high school and "absolutely loved" his career in the Army, said his wife Tiffany. In addition to his wife, Staff Sergeant Bader leaves behind a 14-month-old daughter, Taryn Makenzie. Our thoughts and prayers are with them both at this difficult time.

Staff Sergeant Bader and thousands of brave American service men and women confront danger every day in Iraq—their tremendous risks and sacrifices must never be taken for granted. For his service, bravery, and sacrifice, I ask my colleagues to join me and all Americans in honoring Staff Sergeant Daniel Bader.

MOVING TO SUSPEND PARAGRAPH 4 OF RULE XVI

Mr. CRAPO. Mr. President, I submit the following notice in writing: "In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the Committee Amendment to the bill (H.R. 2673), Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes, with respect to amendment No. 2068.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

Mr. Robert Maricle, a bisexual man from Salinas, CA, disappeared from his community on December 14, 2002. Almost 4 months later, his body was discovered in a shallow grave. Mr. Maricle was reported missing after going out for drinks with three strangers. Police allege that those three strangers are responsible for Mr. Maricle's death, and committed the crime in part because of his sexual orientation.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

BUDGET SCOREKEEPING REPORT

Mr. NICKLES. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974,

as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2004 budget through October 31, 2003. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2004 Concurrent Resolution on the Budget, H. Con. Res. 95, as adjusted.

The estimates show that current level spending is below the budget resolution by \$14.6 billion in budget authority and by \$14 billion in outlays in 2004. Current level for revenues is \$108 million above the budget resolution in 2004.

Since my last report, dated October 14, 2003, the Congress has cleared and the President has signed the following acts that changed budget authority, outlays, or revenues for 2004: An act making further continuing appropriations for fiscal year 2004 (H.J. Res. 75); Check Clearing Act for the 21st Century (P.L. 108-100); and, an act to amend Title 44, U.S.C. (P.L. 108-102). In addition the Congress has cleared for

the President's signature the following acts: Partial Birth Abortion Act of 2003 (S. 3); and, an act to amend Title XXI, of the Social Security Act (H.R. 3288).

I ask unanimous consent that a transmittal letter from CBO and report 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 3, 2003.

Hon. DON NICKLES,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached tables show the effects of Congressional action on the 2004 budget and are current through October 31, 2003. 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 H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, as adjusted.

Since my last report dated October 10, 2003, the Congress has cleared and the President has signed the following acts which changed budget authority, outlays, and revenues for 2004: An act making further continuing appropriations for Fiscal Year 2004 (H.J. Res. 75); Check Clearing Act for the 21st Century

(P.L. 108-100); and an act to amend Title 44, United States Code (P.L. 108-102).

In addition the Congress has cleared for the President's signature the following acts: Partial-Birth Abortion Act of 2003 (S.3); and an act to amend Title XXI, of the Social Security Act, (H.R. 3288).

The effects of these actions are detailed on Table 2.

Sincerely,
DOUGLAS HOLTZ-EAKIN,
Director.

Attachments.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF OCTOBER 31, 2003

[In billions of dollars]

	Budget resolution	Current level ¹	Current level over/under (-) resolution
On-Budget:			
Budget Authority	1,873.5	1,858.9	-14.6
Outlays	1,897.0	1,883.0	-14.0
Revenues	1,331.0	1,331.1	0.1
Off-Budget:			
Social Security Outlays	380.4	380.4	0
Social Security Revenues	557.8	557.8	0

¹ Current level is the estimated effect on revenue and spending of all legislation 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.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF OCTOBER 31, 2003

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues	n.a.	n.a.	1,466,370
Permanents and other spending legislation ¹	1,081,649	1,054,550	n.a.
Appropriation legislation	0	345,754	n.a.
Offsetting receipts	-366,436	-366,436	n.a.
Total, enacted in previous sessions	715,213	1,033,868	1,466,370
Enacted this session:			
Authorizing Legislation:			
American 5-Cent Coin Design Continuity Act of 2003 (P.L. 108-15)	-1	-1	0
Postal Civil Service Retirement System Funding Reform Act of 2003 (P.L. 108-18)	2,746	2,746	0
Clean Diamond Trade Act (P.L. 108-19)	0	0	(*)
Prosecutorial Remedies and Other Tools to End Exploitation of Children Today Act (P.L. 108-21)	0	0	(*)
Unemployment Compensation Amendments of 2003 (P.L. 108-26)	4,730	4,730	145
Jobs and Growth Tax Relief Reconciliation Act of 2003 (P.L. 108-27)	13,313	13,312	-135,370
Veterans' Memorial Preservation and Recognition Act of 2003 (P.L. 108-29)	0	0	(*)
Welfare Reform Extension Act of 2003 (P.L. 108-40)	99	108	0
Burmese Freedom and Democracy Act (P.L. 108-61)	0	0	-10
Smithsonian Facilities Authorization Act (P.L. 108-72)	1	1	0
Family Farmer Bankruptcy Relief Act of 2003 (P.L. 108-73)	0	0	(*)
An act to amend Title XXI of the Social Security Act (P.L. 108-74)	1,325	100	0
Chile Free Trade Agreement Implementation Act (P.L. 108-77)	0	0	-5
Singapore Free Trade Agreement Implementation Act (P.L. 108-78)	0	0	-55
First Continuing Resolution, 2004 (P.L. 108-84)	-2,222	1	-2
Surface Transportation Extension Act of 2003 (P.L. 108-88)	6,405	0	0
An act to extend the Temporary Assistance for Needy Families block grant program (P.L. 108-89)	15	-36	33
An act to amend chapter 84 of title 5 of the United States Code (P.L. 108-92)	0	1	0
An act to amend the Immigration and Nationality Act (P.L. 108-99)	0	0	2
Second Continuing Resolution, 2004 (H.J. Res. 75)	1	0	(*)
The Check Clearing Act for the 21st Century (P.L. 108-100)	0	0	(*)
An act to amend Title 44 of the United States Code (P.L. 108-102)	0	0	(*)
Total, authorizing legislation	26,412	20,962	-135,262
Appropriations Acts:			
Emergency Wartime Supplemental Appropriations Act, 2003 (P.L. 108-11)	215	27,349	0
Legislative Branch Appropriations (P.L. 108-83)	3,539	3,066	0
Defense Appropriations (P.L. 108-87)	368,694	251,486	0
Homeland Security Appropriations (P.L. 108-90)	30,216	18,192	0
Total, appropriation acts	402,664	300,093	0
Passed Pending Signature:			
Partial-Birth Abortion Act of 2003 (S.3)	0	0	(*)
An act to amend Title XXI of the Social Security Act (H.R. 3288)	0	9	0
Total, passed pending signature	0	9	0
Continuing Resolution Authority: Second Continuing Resolution, 2004 (H.J. Res. 75)	356,166	189,919	0
Entitlements and mandates: Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs	358,447	333,124	n.a.
Total Current Level^{1,2}	1,858,902	1,882,975	1,331,108
Total Budget Resolution	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution	n.a.	n.a.	108
Current Level Under Budget Resolution	14,557	13,998	n.a.

¹ Per section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as an emergency are exempt from enforcement of the budget resolution. As a result, the current level excludes prior-year outlays of \$262 million from funds provided in the Emergency Supplemental Appropriations for Disaster Relief Act of 2003 (P.L. 108-69), and \$456 million from funds provided in the Legislative Branch Appropriations Act, 2004 (P.L. 108-83).

² Excludes administrative expenses of the Social Security Administration, which are off-budget.

Source: Congressional Budget Office.
Notes: n.a.=not applicable; P.L.=Public Law; *=less than \$500,000.