

while defending his Nation. Private Jason M. Ward grew up in the great State of Oklahoma, and was a 1997 graduate of Broken Arrow High School.

Private Ward joined the military in April 2002, although he had been seriously considering military service for years. He married his high school sweetheart after graduating, and when Jason and Jordan welcomed their first son shortly thereafter, the duties of fatherhood took priority. After having another son 4 years later, Jason and Jordan began discussing Jason's long-time military aspirations and decided that it would be a good time for him to pursue a lifelong career in the military.

Private Ward was a member of the 1st Armored Division, stationed at Fort Riley, KS. His unit was sent to the Middle East in March to protect the freedom of this fellow Americans, and he was highly involved in the outstanding and courageous work of that unit. Unfortunately, Private Ward fell ill, and was scheduled to return to the U.S. for treatment when he unexpectedly passed away. His sudden death has left his young family with questions that none of us can answer, but we can tell them with confidence that Private Ward was serving his Nation with honor until this tragedy took his life.

Private Ward was only 25 years old when he died. I hope his friends and family know that he died a true hero, worthy of the respect and gratitude of every American because of his contribution to defending his country. His loved ones will miss him dearly, and our thoughts and prayers are with them today. And though we are all grieved by the loss of this man, we will never cease to be proud of him—Oklahoma's son and America's hero—Private Jason M. Ward.

SPEC DUSTIN K. MCGAUGH

Mr. INHOFE. Mr. President, I stand today to honor the memory of a brave young American who gave his life defending the Nation. He felt a call to serve his country, to be part of something bigger than himself, and ultimately, paid the highest price.

SPEC Dustin K. McGaugh, of Derby, KS, was a firing specialist assigned to the Army's 17th Field Artillery Brigade stationed in Fort Sill, OK. His mother, Marina Hayes, lives in Tulsa, OK, where he graduated from high school in 2001.

On September 30 in Balad, Iraq, he died tragically from a non-hostile gunshot wound. He gave his life for the freedom of millions of Americans, and also for the peace and prosperity of the Iraqi people crippled by a totalitarian regime.

Specialist McGaugh had a heart for the less fortunate. According to his fellow soldiers, he would leave the safety of his Jeep and give candy to the Iraqi children. Imagine an American soldier who truly cared for the least among us, and performed simple acts of kindness to his fellow humans. Imagine an American soldier who represented America with a noble heart, and reminded us all of the freedoms we take for granted. Specialist McGaugh was that soldier.

His compassion is a microcosm of the American spirit, the spirit that drives us to fight oppression around the world. The Iraqi people are an oppressed people, and Specialist McGaugh showed us how our inherent humanity can overcome even the broadest of differences. He refused to sit idly and watch the tyranny in Iraq take place any longer. It is for the sake of these broken, defeated people that Specialist McGaugh risked his life on a daily basis. It is for these people that he gave his life in the end. He was a true American hero.

His twin sister Windy said that her "kid brother" became her hero. Specialist McGaugh should not only be his sister's hero, but the Nation's hero as well. He set a high example of what it means to be an American and what it means to be human. It is for men like Specialist McGaugh that I am proud to be a part of this great country. He was a special soldier, but more importantly, a special man.

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 November 19, 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 \$7.0 billion in budget authority and by \$11.1 billion in outlays in 2004. Current level for revenues is \$57 million below the budget resolution in 2004.

Since my last report, dated November 11, 2003, the Congress has cleared

for the President's signature the following acts that changed budget authority, outlays, or revenues for 2004: the National Defense Authorization Act for 2004, H.R. 1588; the Military Construction Appropriations Act, 2004, H.R. 2559; the Energy and Water Development Appropriations Act, 2004, H.R. 2754; and, the District of Columbia Military Retirement Equity Act of 2003, H.R. 3054.

I ask unanimous consent that the budget scorekeeping 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 20, 2003.

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

DEAR MR. CHAIRMAN: The enclosed tables show the effects of Congressional action on the 2004 budget and are current through November 19, 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 letter dated November 10, 2003, the Congress has cleared for the President's signature the following acts that changed budget authority, outlays, or revenues for 2004: The National Defense Authorization Act for Fiscal Year 2004 (H.R. 1588); the Military Construction Appropriations Act, 2004 (H.R. 2559); the Energy and Water Development Appropriations Act, 2004 (H.R. 2754); and the District of Columbia Military Retirement Equity Act of 2003 (H.R. 3054).

The effects of these actions are detailed on Table 2.

Sincerely,  
DOUGLAS HOLTZ-EAKIN  
Director.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF NOVEMBER 19, 2003

(In billions of dollars)

	Budget resolution	Current level <sup>1</sup>	Current level over/under (-) resolution
On-Budget:			
Budget Authority .....	1,873.5	1,866.4	-7.0
Outlays .....	1,897.0	1,885.9	-11.1
Revenues .....	1,331.0	1,330.9	-0.1
Off-Budget:			
Social Security Outlays .....	380.4	380.4	0
Social Security Revenues .....	557.8	557.8	0

<sup>1</sup> 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 NOVEMBER 19, 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 <sup>1</sup> .....	1,081,649	1,054,550	n.a.
Appropriation legislation .....	0	345,754	n.a.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF NOVEMBER 19, 2003—

Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
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) .....	13,312	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) .....	1	1	0
An act to amend the Immigration and Nationality Act (P.L. 108-99) .....	0	0	2
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	*
Second Continuing Resolution, 2004 (P.L. 108-104) .....	1	0	*
Partial-Birth Abortion Act of 2003 (P.L. 108-105) .....	0	0	*
Third Continuing Resolution, 2004 (P.L. 108-107) .....	0	0	- 1
Military Family Tax Relief Act of 2003 (P.L. 108-121) .....	- 599	- 599	- 169
An act to amend Title XXI of the Social Security Act (P.L. 108-127) .....	0	9	0
Total, authorizing legislation .....	25,813	20,372	- 135,432
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
Emergency Supplemental Appropriations Act for Defense and Reconstruction of Iraq and Afghanistan (P.L. 108-106) .....	3,555	1,133	0
Interior Appropriations (P.L. 108-108) .....	19,673	13,202	0
Total, appropriation acts .....	425,892	314,428	0
Passed Pending Signature:			
National Defense Authorization Act for Fiscal Year 2004 (H.R. 1588) .....	4,418	960	4
Military Construction Appropriations (H.R. 2559) .....	9,316	2,567	0
Energy and Water Appropriations (H.R. 2754) .....	27,328	18,143	0
District of Columbia Military Retirement Equity Act of 2003 (H.R. 3054) .....	1	1	1
An act to reauthorize certain school lunch and child nutrition programs (H.R. 3232) .....	7	7	0
Total, passed pending signature .....	41,070	21,678	5
Continuing Resolution Authority: Continuing Resolution, 2004 (P.L. 108-107) .....	300,025	157,423	0
Entitlements and mandatories: Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs	358,395	338,102	n.a.
Total Current Level <sup>1,2</sup> .....	1,866,408	1,885,871	1,330,943
Total Budget Resolution .....	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution .....	n.a.	n.a.	n.a.
Current Level Under Budget Resolution .....	7,051	11,102	57

<sup>1</sup> Per section 502 of H. Con. Res. 95, the concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes the following items: outlays of \$262 million from funds provided in the Emergency Supplemental Appropriations for Disaster Relief Act of 2003 (P.L. 108-69); outlays of \$456 million from funds provided in the Legislative Branch Appropriations Act, 2004 (P.L. 108-83); budget authority of \$400 million and outlays of \$67 million provided in the Interior Appropriations Act, 2004 (P.L. 108-108); and budget authority of \$83,992 million and outlays of \$35,970 million provided in the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (P.L. 108-106).

<sup>2</sup> 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.

**TERRORIST APPREHENSION ACT**  
 Mr. LEVIN. Mr. President, earlier this week, an article in the Washington Post highlighted concerns about limits on the Federal Bureau of Investigation's ability to pursue terrorists who try to buy guns. After September 11, 2001, the FBI launched an initiative to notify Federal law enforcement officials and other national security officials when suspects on the FBI's terrorist watch list attempt to purchase a firearm. However, according to the Washington Post article, an interpretation of current law by the Attorney General has precluded Federal agents from obtaining any details about gun purchase transactions unless the purchaser is identified by the National Instant Criminal Background Check System as a prohibited buyer.  
 The Post article cited situations in which law enforcement officials have not been able to pursue known terrorists armed with a firearm. According to the Washington Post, as many as 21 suspects on the FBI's terrorist watch

list have attempted to buy guns since the spring of 2003. According to Justice Department officials cited in the Post article, the rules established by the Attorney General prevent Federal officials from sharing information with investigators about legal gun buyers, even if these gun buyers are suspected terrorists.  
 Law enforcement officials told the Post that the FBI frequently does not know the whereabouts of suspected terrorists on its watch lists. In such cases, learning where a suspected terrorist bought a firearm and what address they provided could be extremely helpful to counterterrorism investigators.  
 To assist the FBI in monitoring and apprehending suspected terrorists, Senator LAUTENBERG introduced the Terrorist Apprehension Act. This bill would require NICS to alert the FBI, Department of Homeland Security, and local law enforcement officials anytime an individual on a terrorist watch list attempts to buy a firearm.

I believe this is common sense homeland security legislation, and I hope the Congress will enact it quickly.  
**S. 1896, THE TAX RELIEF EXTENSION ACT, AND H.R. 1664, THE ARMED FORCES TAX FAIRNESS ACT**  
 Mr. WYDEN. Mr. President, consistent with my policy of publishing in the RECORD a statement whenever I place a hold on legislation, I am announcing my intention to object to any unanimous consent request on S. 1896, the Tax Relief Extension Act, and to H.R. 1664, the Armed Forces Tax Fairness Act. I am doing so because these bills are the only relevant amendable legislation expected to be taken up in the Senate before the end of the current session and, therefore, they provide the only opportunity to extend unemployment benefits before they expire at the end of the year.  
 Oregon currently has the highest unemployment rate in the Nation with an