

on the percentage of noncitizen trafficking victims. This provision was added to permit the Trafficking Office to employ critical and needed standards to evaluate the antitrafficking performance of countries that have legitimized prostitution. Simply put, this provision both allows and mandates the Trafficking Office to cut through dubious claims by legalizing countries that they are providing meaningful protections to their so-called "sex workers."

A final point with regard to the act's minimum standards criteria for determining countries' tier status: It is the clear intent of the Congress, and there should be no mistake about this, that compliance with one or a few of the criteria does not, must not, lead to automatic designation as a Tier I country. Likewise, compliance with one or a few of the criteria shall not, must not, in and of itself shield countries from Tier III designation. The designation process is intended to be one of judgment and balance; and is not formulaic except to the intent of creating a presumption that Tier I status should only be granted to countries that comply with all of the minimum standards criteria. Countries that deliberately and grossly violate "only some" of the act's minimum standards criteria may be designated as Tier III countries if this be the judgment of the Trafficking Office—a judgment that should be exercised where there are gross and flagrant failures to comply with other minimum standards criteria. And, as noted, compliance with most of the statute's minimum standards criteria, combined with even modes noncompliance with a remaining few, is not intended to produce automatic Tier I designations.

Finally, a few words are in order regarding the Senior Policy Operating Group created by this spring's Omnibus Appropriations Act, which today's reauthorization bill both incorporates and strengthens. While what I am about to say should be clear from the act's language, and will be made explicit in the omnibus appropriations bill which the Senate was unfortunately not able to enact today. While the omnibus bill will take care of some of the issues related to the Senior Policy Operating Group with explicit statutory language, I nonetheless believe it important to make Congress's unmistakable intention clear in today's floor statement.

First, it should be clear that Congress established the Senior Policy Operating Group as the body it intended to coordinate all of the Government's antitrafficking grants, policies and grant policies. The Senior Policy Operating Group is comprised of senior political appointees of each of the agencies with trafficking policy responsibilities, and is thus perfectly structured to perform a vital function of monitoring government-wide policy consistency. As presently constituted, the Senior Policy Operating Group is made

up of such members as TIP Office Director John Miller, Deputy HHS Secretary Claude Allen, Assistant Attorney General for Legal Policy Dan Bryant, Assistant AID Administrator for Eastern Europe and Russia Kent Hill. The committee meets on a regular basis and has produced an extraordinary consensus, government-wide grant policy directive. Thus, the Senior Policy Operating Group, including its chairman, John Miller, can and must perform the function intended for it by Congress: to be the sole and accountable body responsible for coordinating Federal anti-trafficking policies, grants and grant policies. Having said this, it should be noted that the coordinating responsibilities of the Senior Policy Operating Group are not intended to supercede the decision-making authority of the constituent members of the Task Force to Monitor and Combat Trafficking in Persons, to whom operating group members continue to report.

Finally, as should be clear from the language of the act, but as is also worth unmistakably establishing, Congress did not intend that the designation of grants and/or policies as being for "public health" or like purposes should in any way remove such policies or grants from Senior Policy Operating Group coordinating jurisdiction when those policies or grants deal with the activities of traffickers, brothel owners, pimps or the women and children from whose activities they profit. It is vital for the Federal Government to make consistent and otherwise harmonize its activities to stop the spread of communicable disease and AIDS and its activities designed to prosecute traffickers and eliminate trafficking. Both are vital objectives, and as recent letters from the Moscow Duma have clearly shown, such harmonization is imperatively pressing. Some persons may believe that forming partnerships with traffickers, pimps, and brothel owners in order to ensure use of clean needles and condoms, and doing so in a manner which legitimizes the abusers and enslavers of women and children and shields them from prosecution, is the way to go. They are wrong. Others may believe that public health measures to protect prostitutes from AIDS always stand in the way of prosecuting the traffickers, pimps and brothel owners who exploit them. They too are wrong. What Congress intends is that a Senior Policy Operating Group comprised of political appointees of all involved agencies is the body responsible for harmonizing the above objectives into a single set of government-wide policies.

All this said, I reiterate my belief that the memory and spirit of Paul and Sheila Wellstone are alive in the bill before us, as are the spirits of such activists as the great English Parliamentarian and evangelist William Wilberforce, and the abolitionist leaders of my home State of Kansas who led the 19th century war against the chattel

enslavement of African men and women. If we do it right, the Trafficking Victims Protection Act will be seen by generations to come to have met the high standards of William Wilberforce and the Free Kansas activists. If we do it right, we will have created a true monument to the memory of Paul and Sheila Wellstone. This act makes this possible. I urge my colleagues to pass it.

CONSOLIDATED APPROPRIATIONS ACT, 2004

Mr. NICKLES. Mr. President, I take this opportunity to provide an initial report on the budgetary effect of the conference report to accompany H.R. 2673, the Consolidated Appropriations Act for 2004, otherwise referred to as the omnibus appropriation bill.

While I will share scoring on these individual bills compared to each subcommittee's 302(b) allocation during later debate, allow me to summarize where this bill stands relative to the 2004 budget resolution as it applies in the Senate.

Combined with the other six appropriation bills already enacted for 2004 as well as the 2004 Iraq supplemental, this conference report would set total non-emergency discretionary funding for 2004 at \$791.023 billion in budget authority and \$862.889 billion in outlays. Because it does not include sufficient offsets to pay for the additional spending included within, this conference report exceeds the discretionary allocations and caps provided by the budget resolution (\$784.675 billion in budget authority and \$861.084 billion in outlays) by \$6.348 in budget authority and \$1.805 billion in outlays. Therefore, Budget Act points of order (under sections 302(f) and 311) and a budget resolution (section 405(b)) point of order apply against the bill. Other budget resolution points of order apply as well, but they are of a more incidental nature.

Mr. President, I ask unanimous consent that a table displaying the budget Committee scoring of the bill be printed in the RECORD.

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

2004 APPROPRIATIONS INCLUDING H.R. 2673, THE CONSOLIDATED APPROPRIATIONS ACT, 2004—SPENDING COMPARISONS—CONFERENCE REPORT

[Fiscal year 2004, \$ millions]

	Budget authority	Outlays
Discretionary	791,023	862,889
Budget Resolution allocation/cap	784,675	861,084
Difference	6,348	1,805

Note: Totals adjusted for consistency with scorekeeping conventions. Prepared by SBC Majority Staff, 12/9/2003.

AMENDMENT TO S. 671, THE MISCELLANEOUS TRADE & TECHNICAL CORRECTIONS ACT OF 2003

Mr. SPECTER. Mr. President, today I seek recognition to discuss an amendment to S. 671, the Miscellaneous Trade

and Technical Corrections Act of 2003. My amendment will strengthen our domestic dress shirt manufacturers and the pima cotton growers. My amendment is a technical correction that levels the playing field by correcting an anomaly in our trade laws that has unfairly advantaged foreign producers and sent hundreds of jobs offshore.

The amendment reduces duties levied on cotton shirting fabric, fabric that is not made in the United States. Currently, U.S. law recognized this lack of fabric availability and granted special favorable trade concessions to manufacturers in Canada, Mexico, the Caribbean, the Andean region, and Africa. The U.S. has allowed shirts to enter this country duty-free from so many other countries, while we have failed to reduce tariffs on those manufacturers that stayed in the U.S. and were forced to compete on these uneven terms. My amendment will correct this inequity.

This amendment also recognizes the need to creatively promote the U.S. shirting manufacturing and textiles sectors, and does so through the creation of a Cotton Competitiveness grant program, which is funded through a portion of previously collected duties.

Our country has experienced an enormous loss of jobs in the manufacturing sector. It is critical that our domestic manufacturers be able to compete on a level playing field. In the case of the domestic dress shirting industry, the problem is our own government imposing a tariff of up to 11 percent upon the import of fabric made from U.S. pima cotton. My amendment is a concrete step that this Congress can take to reduce the hemorrhage of U.S. manufacturing jobs.

One group of beneficiaries of this amendment is a Gitman Brothers factory in Ashland, PA. The Ashland Shirt and Pajama factory was built in 1948 and employs 265 workers. This factory in the Lehigh Valley turns out world class shirts with such labels as Burberry and Saks Fifth Avenue that are shipped across the U.S. These workers and their families deserve trade laws that do not chase their jobs offshore. This amendment enjoys the support of the domestic shirting industry, UNITE, and the pima cotton associations.

I offer this legislation on behalf of the men and women of the Gitman factory in Ashland, the domestic dress shirting industry, and the pima cotton growers, so that for them free trade will indeed be fair trade as well.

SEPTEMBER 11TH VICTIM COMPENSATION FUND EXTENSION ACT OF 2003

Mr. LEAHY. Mr. President, I am saddened that the Senate has been unable to reach agreement to extend the pending deadline of the September 11 Victim Compensation Fund to allow for more time for the many still grieving victims who have been unable to bring themselves to endure the painful process of filing claims.

On September 9, Senators DURBIN, SCHUMER, DODD, LIEBERMAN, CLINTON, CORZINE, and LAUTENBERG joined with me to introduce S. 1602, the September 11th Victim Compensation Fund Extension Act of 2003. Unfortunately, this bill continues to be bottlenecked in the Judiciary Committee and blocked from Senate passage by anonymous Republican holds on the Senate floor. Every Democratic Senator has agreed to pass our legislation by unanimous consent, but one or more members of the majority are still objecting to its passage in the Senate.

Senator DASCHLE, Senator LAUTENBERG and I have reached out to our Republican colleagues to try to achieve a compromise to extend this arbitrary deadline. We have expressed our willingness to do so for a period of time less than one year, but unfortunately the opponents of this bill have refused to meet us partway. Moreover, they have been unable to explain why it is necessary to force these families to confront this pain during an already stressful time—the holiday season.

Along with Senator DASCHLE, Congressman GEPHARDT and others, I worked hard to create the Victims Fund in the wake of the September 11 attacks. We insisted that it be included in the legislation to bail out the airlines passed in the wake of the most devastating terrorist attacks on American soil. The authorized deadline of December 22, 2003, for applications to the Victims Fund is rapidly approaching, but it has become apparent that many families need more time before they can take that step. Thus, far only a minority of families have applied to the Fund for compensation, according to the Department of Justice.

Ken Feinberg, the Special Master of the Fund, has been doing his best to get victims families to understand their rights and I commend him and others for their efforts to reach out to the victims and their families.

Victims support groups have told me that to this day, they are still receiving calls from individuals who understand that the deadline is approaching but cannot face the emotional pain of preparing a claim. In a survey conducted recently by victims' organizations, 87 percent of the 356 victims who responded expressed support for extending the December 22 deadline by 1 year. Mr. Feinberg has also commented that many victims remain too paralyzed by their grief to confront the logistical burden and emotional pain of filing a death claim.

In light of this painful reality, I believe it would have been appropriate to extend the deadline for filing applications to the Victims Fund. This extension would have given grieving families additional time to mourn those who were lost and to overcome the emotional challenges of filing paperwork with the Victims Fund. Every single September 11 victims support group that I have spoken with agreed that a modest extension would provide some

relief during these dark days for victims' families as they endure the grieving process. There is simply no reason not to grant these families a little bit of relief by extending the deadline. I am disappointed and saddened that anonymous Republican holds will result in unnecessarily closing off the September 11 Victim Fund before each victim had a sufficient chance to consider their options.

With the holiday season upon us, victims did not need this arbitrary deadline confronting them. This was something that the Senate could and should have accomplished for the still grieving victims of September 11. It is an unnecessary shame that we have not done so.

ADDITIONAL STATEMENTS

FREEDOM TO TRAVEL TO CUBA ACT OF 2003

• Mr. BAUCUS. Mr. President, I rise today to express deep frustration with the way congressional leaders have thwarted the will of the majority of Members on Cuba.

Last month, the Senate approved an amendment to the Transportation-Treasury appropriations bill that would suspend enforcement of the Cuba travel restrictions. We passed this amendment 59 to 36—a 23-vote margin. In September, the House approved the same amendment 227 to 188—a 39-vote margin.

So, both Chambers of Congress approved the same amendment to suspend enforcement of the Cuba travel ban and to allow travel by Americans to Cuba. These votes reflected the sentiments of the overwhelming majority of Americans who support ending the utterly ineffectual travel ban.

Opinion leaders, too, in newspapers all across the country, in papers big and small, applauded the Senate and House votes. Orlando, Chicago, New York, Winston-Salem, Tuscaloosa, and San Diego. Papers from every corner of the country commended Congress for its efforts and called for an end to the absurd travel ban.

Then, the Senate Foreign Relations approved by a 13-to-5 margin a bill—S. 950, the Freedom to Travel to Cuba Act of 2003—that would permanently repeal the Cuba travel ban. Senator ENZI and I, along with 31 other colleagues—fully one-third of the Senate, from both sides of the aisle and representing every region of this country—introduced this legislation because we felt the time had come to end this pointless ban on American liberty. As its vote demonstrates, the Senate Foreign Relations Committee agrees.

Given these votes, and given the popular support for our efforts to end the travel ban, one would think the conferees of the Transportation-Treasury appropriations bill would not be able to strip out our amendment. When the Senate and House have approved the