

At the request of Mr. DEWINE, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2411, *supra*.

S. 2488

At the request of Mr. INOUE, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2488, a bill to establish a program within the National Oceanic and Atmospheric Administration and the United States Coast Guard to help identify, assess, reduce, and prevent marine debris and its adverse impacts on the marine environment and navigation safety, in coordination with non-Federal entities, and for other purposes.

S. 2528

At the request of Mr. KENNEDY, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 2528, a bill to restore civil liberties under the First Amendment, the Immigration and Nationality Act, and the Foreign Intelligence Surveillance Act, and for other purposes.

S. 2568

At the request of Mr. BIDEN, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2568, a bill to require the Secretary of the Treasury to mint coins in commemoration of the tercentenary of the birth of Benjamin Franklin, and for other purposes.

S. 2628

At the request of Mr. AKAKA, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2628, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in non-disclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 2639

At the request of Mr. LIEBERMAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2639, a bill to reauthorize the Congressional Award Act.

S. 2657

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2657, a bill to amend part III of title 5, United States Code, to provide for the establishment of programs under which supplemental dental and vision benefits are made available to Federal employees, retirees, and their dependents, to expand the contracting authority of the Office of Personnel Management, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANTORUM (for himself and Mr. CORNYN):

S. 2681. A bill to establish a program to support a transition to democracy in Iran; to the Committee on Foreign Relations.

Mr. SANTORUM. Mr. President, I rise today to offer remarks about a bill that Senator CORNYN of Texas and I have introduced, the Iran Freedom and Support Act of 2004. This legislation seeks to promote the transformation of the Islamic Republic of Iran to a democratic form of government.

Our bill expresses the sense of the Congress that it should be the policy of the United States to support regime change in Iran and that the U.S. government should promote the transition to a new democratic Iranian government. In addition, so as to help make this transition possible, our bill authorizes the President to provide up to \$10 million in assistance to qualified foreign and domestic pro-democracy groups opposed to the non-democratic government of Iran. To maximize the efforts of these pro-democracy groups, our bill authorizes activities such as aid to pro-democracy radio and television broadcasting organizations as a way of directly reaching the people of Iran.

For many years now, the people of Iran have dramatically demonstrated their desire for greater social and political freedoms. Literally millions of Iranians have massed in the streets of the major cities, demanding the right to choose their form of government and their own leaders. Even public opinion polls conducted by the dictatorial regime show upwards of seventy percent of Iranians want democratic change. But Iran remains in the grip of a brutal tyranny that has silenced dissident voices by arbitrary arrests, closure of newspapers and magazines, destruction of satellite television dishes, widespread torture and the second-highest execution rate in the world.

Our bill seeks to help the Iranian people achieve freedom by supporting pro-democracy groups and enabling freedom-supporting Farsi language radio and television broadcasting stations to broadcast information directly to Iran.

The current leaders of the Islamic Republic of Iran are not only brutal tyrants. Their support of anti-American elements and terrorist organizations poses a direct threat to the interests of the United States and our allies. For two decades, the Department of State has identified Iran as THE leading sponsor of international terrorism. Iran has been linked to the deaths of United States military personnel in Beirut, Lebanon, and Saudi Arabia. Iran has long provided financial and operational assistance to Hezbollah and is presently the leading state sponsor of Hamas and Islamic Jihad, who conduct lethal attacks against the citizens of Israel.

Finally, Iran may be engaged in a crash program to develop nuclear weapons. In October 2003, after strong and concerted pressure by the international community, Iran agreed to sign an agreement to suspend uranium enrichment and open its nuclear facilities to more intrusive international inspections. Despite this pledge, Iran has repeatedly withheld key information and documentation about its clandestine nuclear efforts. In February 2004, blueprints containing instructions for building a type of gas centrifuge known as the P2, a super-efficient machine used in producing enriched uranium, were discovered. The Iranians had not revealed these plans.

Additionally, the International Atomic Energy Agency (IAEA) has found multiple traces of highly-enriched uranium, with no civilian use, at a Kalaye Electric Company workshop in Tehran and at the Natanz pilot fuel enrichment plant 150 miles south of the Iranian capital. To the best of my knowledge, Iran has not offered a satisfactory explanation as to the IAEA's discovery of this materiel.

Reports are that Iran has sought magnets for thousands of such gas centrifuges. Also, Iran has not been able to explain experiments with polonium-210, a radioactive element primarily useful as a bomb trigger. Finally, Iranian government officials have barred access to selected sites for a period of time while—as recent satellite imagery shows—they almost certainly sanitized them of incriminating evidence.

I believe it urgent for the United States to support regime change in Iran. Without regime change, Iran will soon constitute the world's leading supporter of terrorism armed with nuclear weapons. That would be a great catastrophe for the Middle East, and for the United States and our democratic allies everywhere.

The bill I have introduced with Senator CORNYN will facilitate this change by reaching out to the people of Iran and supporting what President Bush and Secretary of State Powell have called the legitimate desire of the Iranian people to be free.

By Mr. ALLARD:

S. 2682. A bill to designate the facility of the United States Postal Service located at 222 West 8th Street, Durango, Colorado, as the "Ben Nighthorse Campbell Post Office Building"; to the Committee on Governmental Affairs.

Mr. ALLARD. Mr. President, I send to the desk legislation designate the U.S. Post Office located at 222 West 8th Street in Durango, CO, as the Ben Nighthorse Campbell Post Office Building.

My dear friend and colleague, BEN NIGHTHORSE CAMPBELL was born in Auburn, CA on April 13, 1933. His mother, Mary Vierra, was a Portuguese immigrant, and his father, Albert Campbell, was a Northern Cheyenne Indian.

At a young age, BEN developed a passion for the then newly budding sport

of judo. Overcoming numerous, seemingly insurmountable obstacles as a youngster, in college he became the youngest person in the United States to hold the fourth degree black belt. He went on to study in Japan with the most respected judo masters. BEN was never short on determination. One student in particular, was a menacing opponent. He kept his photo on the wall of his room, and shouted to it often, "I will beat you!"—and he finally did.

BEN was named to the U.S. Olympic Judo team in 1964, but an injury caused him to collapse on the floor during the match, which yielded his opponent the bronze medal by default. Ben went on to bring the sport of judo into a specialized system for kids, teaching them self discipline, self control and self respect, as he established one of the first successful clubs for kids.

With CAMPBELL's determination and magnanimous spirit, it was only natural that he enter the political arena where his perseverance has in fact left its mark on American history. CAMPBELL likes to view himself as a person of passion and this passion has rattled more than a few formidable foes. As the only American Indian in Congress he found himself, de facto, the representative of all Indians throughout the United States. In his time on the Indian Affairs Committee, he got more legislation passed for Indians than anyone in the Nation's history.

BEN is also a renowned jewelry designer, athlete, former truck driver, and trainer of champion quarter horses. He has been married to his wife, Linda, for more than 35 years. He is the father of two grown children, Colin Campbell and Shanan Longfellow. He is a proud grandfather to Luke and Saylor Longfellow and Lauren Campbell.

BEN has been one of the most fascinating figures on the political scene, and will be deeply missed when he retires. I am proud to call him friend. It is only fitting that we can honor his legacy by naming this post office after him.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2682

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BEN NIGHTHORSE CAMPBELL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 222 West 8th Street, Durango, Colorado, shall be known and designated as the "Ben Nighthorse Campbell Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Ben Nighthorse Campbell Post Office Building".

By Mr. FITZGERALD (for himself and Mr. AKAKA):

S. 2683. A bill to provide for certain financial reporting requirements to apply to certain small executive branch agencies, and for other purposes; to the Committee on Governmental Affairs.

Mr. FITZGERALD. Mr. President, I am joined today by Senator DANIEL K. AKAKA in introducing the Financial Accountability Expansion Act of 2004, which would ensure the fiscal accountability of Federal entities. This bill would strengthen Federal financial management by subjecting all Federal entities in the Executive Branch to the stringent financial audit requirements that currently apply to most cabinet level departments and major agencies.

Congressional efforts to improve financial management and to reduce the waste, fraud, and abuse of taxpayer dollars began almost 25 years ago with the enactment of the Federal Managers Financial Integrity Act of 1982, which intended to strengthen internal controls and accounting systems. Another important financial management reform initiative was the Chief Financial Officers Act (CFO) of 1990. Among other things, the CFO Act created 24 CFO and deputy CFO positions in cabinet departments and major Executive Branch agencies, and required the annual preparation and audit of financial statements.

I would briefly like to mention that the Department of Homeland Security, which is now the third largest Federal department, is the only cabinet level department that is not subject to the CFO Act. Therefore, on August 1, 2003, Senator AKAKA and I introduced S. 1567, the Department of Homeland Security Financial Accountability Act, that would subject the Department to the same financial management practices currently required of all other major Federal agencies. We are pleased that the Senate passed this bill, as amended, and the House of Representatives is expected to pass its version of the bill in the near future.

The CFO Act improved the financial management of cabinet departments and major Federal agencies; however, it did not address the fiscal policies and practices of the rest of the Executive Branch. Therefore, in 2002, I was the Senate sponsor of the Accountability of Tax Dollars Act (ATDA). This Act, which became law on November 7, 2002, amended the CFO Act to require agencies with budget authority of over \$25 million to prepare annual financial statements and have them independently audited. Due to the enactment of the ATDA, an additional 76 agencies are now subject to requirements for annually audited financial statements.

The ATDA also provided authority to the Director of the Office of Management and Budget (OMB) to waive or exempt certain agencies from the Act's requirements. The OMB Director may waive these requirements during the first two years of implementation if an agency lacks the budgeted resources or

requires additional time to develop financial management practices and systems. The OMB Director may exempt agencies with budget authority under \$25 million if it is determined that there is an absence of risk associated with the agency's operations.

To improve upon the legislative changes Congress passed in 2002, the Financial Accountability Expansion Act of 2004 would further expand the audit requirements of the CFO Act to every remaining Federal entity in the Executive Branch. Each Executive Branch agency or entity, regardless of its size or budget authority, would be subject to the financial oversight and accountability that annual audits of financial statements provide. In order to assist small agencies that may not have adequate financial resources or personnel to comply with these requirements, this bill would authorize the Secretary of the Treasury to enter into one or more contracts on behalf of the agency, or multiple agencies through "bundling," for the preparation and independent audit of the financial statement.

The bill also would require OMB to conduct a thorough assessment and submit a report to Congress regarding those Federal entities not currently required to prepare financial statements and have them independently audited. This study is necessary to ensure that OMB and Congress have an accurate and complete picture of the breadth and depth of the gaps in the financial accountability of the Executive Branch.

Senator AKAKA and I have long had an interest in ensuring that the Federal Government operates effectively and efficiently, and does not waste taxpayer dollars through poor fiscal management. The independent audits of financial statements that this bill would require of the entire Executive Branch would strengthen the fiscal accountability of the entire Federal Government and reduce the opportunities for waste, fraud, and abuse.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2683

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Financial Accountability Expansion Act of 2004".

SEC. 2. FINANCIAL STATEMENT REQUIREMENT FOR CERTAIN SMALL AGENCIES.

(a) IN GENERAL.—Section 3515 of title 31, United States Code, is amended—

- (1) in subsection (a), by striking "(1)"; and
- (2) by striking subsection (e) and inserting the following:

"(e) The Director of the Office of Management and Budget shall determine which covered executive agencies have size or budgetary limitations that do not support the internal preparation of a financial statement required under this section. The Director of

the Office of Management and Budget shall inform the Secretary of the Treasury of such determination, and for such agencies, the Secretary of the Treasury shall prepare the financial statement, or enter into a contract for the preparation of such statement, and shall enter into a contract with 1 or more independent auditors to audit the financial statement required under this section. All requirements of this section shall apply with respect to audited financial statements prepared under this subsection."

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—Section 2 of the Accountability of Tax Dollars Act of 2002 (31 U.S.C. 3515 note; Public Law 107-289) is amended by striking subsection (b).

SEC. 3. CERTAIN FEDERAL ENTITIES WITHOUT ANNUAL AUDITED FINANCIAL STATEMENT REQUIREMENTS.

(a) **DEFINITION.**—In this section, the term "Federal entity" means any entity established in the executive branch, including such an entity that administers a special purpose program or any other entity established by presidential or departmental directive that is not required to prepare an annual audited financial statement.

(b) **ANNUALLY AUDITED FINANCIAL STATEMENTS.**—The Office of Management and Budget shall require each Federal entity that is not statutorily required to prepare an annual financial statement and have the statement independently audited, to submit an annually audited financial statement prepared in accordance with United States generally accepted auditing principles to the Office of Management and Budget.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report described under paragraph (2) to the—

(A) Committee on Governmental Affairs of the Senate; and

(B) Committee on Government Reform of the House of Representatives.

(2) **CONTENT.**—The report under paragraph (1) shall include—

(A) a list of each Federal entity as defined under subsection (a); and

(B) actions taken by the Office of Management and Budget to implement subsection (b).

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Act in fiscal year 2005, and each fiscal year thereafter.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3565. Mr. FRIST (for Mr. DEWINE (for himself and Mr. GRAHAM of Florida)) proposed an amendment to the bill S. 2261, to expand certain preferential trade treatment for Haiti.

TEXT OF AMENDMENTS

SA 3565. Mr. FRIST (for Mr. DEWINE (for himself and Mr. GRAHAM of Florida)) proposed an amendment to the bill S. 2261, to expand certain preferential trade treatment for Haiti, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Haiti Economic Recovery Opportunity Act of 2004".

SEC. 2. TRADE BENEFITS TO HAITI.

(a) **IN GENERAL.**—The Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.) is

amended by inserting after section 213 the following new section:

"SEC. 213A. SPECIAL RULE FOR HAITI.

"(a) **IN GENERAL.**—In addition to any other preferential treatment under this Act, beginning on October 1, 2003, and in each of the 7 succeeding 1-year periods, apparel articles described in subsection (b) that are imported directly into the customs territory of the United States from Haiti shall enter the United States free of duty, subject to the limitations described in subsections (b) and (c), if Haiti has satisfied the requirements and conditions set forth in subsections (d) and (e).

"(b) **APPAREL ARTICLES DESCRIBED.**—Apparel articles described in this subsection are apparel articles that are wholly assembled or knit-to-shape in Haiti from any combination of fabrics, fabric components, components knit-to-shape, and yarns without regard to the country of origin of the fabrics, components, or yarns.

"(c) **PREFERENTIAL TREATMENT.**—The preferential treatment described in subsection (a), shall be extended—

"(1) during the 12-month period beginning on October 1, 2003, to a quantity of apparel articles that is equal to 1.5 percent of the aggregate square meter equivalents of all apparel articles imported into the United States during the 12-month period beginning October 1, 2002; and

"(2) during the 12-month period beginning on October 1 of each succeeding year, to a quantity of apparel articles that is equal to the product of—

"(A) the percentage applicable during the previous 12-month period plus 0.5 percent (but not over 3.5 percent); and

"(B) the aggregate square meter equivalents of all apparel articles imported into the United States during the 12-month period that ends on September 30 of that year.

"(d) **ELIGIBILITY REQUIREMENTS.**—Haiti shall be eligible for preferential treatment under this section if the President determines and certifies to Congress that Haiti is meeting the conditions of subsection (e) and that Haiti—

"(1) has established, or is making continual progress toward establishing—

"(A) a market-based economy that protects private property rights, incorporates an open rules-based trading system, and minimizes government interference in the economy through measures such as price controls, subsidies, and government ownership of economic assets;

"(B) the rule of law, political pluralism, and the right to due process, a fair trial, and equal protection under the law;

"(C) the elimination of barriers to United States trade and investment, including by—

"(i) the provision of national treatment and measures to create an environment conducive to domestic and foreign investment;

"(ii) the protection of intellectual property; and

"(iii) the resolution of bilateral trade and investment disputes;

"(D) economic policies to reduce poverty, increase the availability of health care and educational opportunities, expand physical infrastructure, promote the development of private enterprise, and encourage the formation of capital markets through microcredit or other programs;

"(E) a system to combat corruption and bribery, such as signing and implementing the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions; and

"(F) protection of internationally recognized worker rights, including the right of association, the right to organize and bargain collectively, a prohibition on the use of

any form of forced or compulsory labor, a minimum age for the employment of children, and acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health;

"(2) does not engage in activities that undermine United States national security or foreign policy interests; and

"(3) does not engage in gross violations of internationally recognized human rights or provide support for acts of international terrorism and cooperates in international efforts to eliminate human rights violations and terrorist activities.

"(e) **CONDITIONS REGARDING ENFORCEMENT OF CIRCUMVENTION.**—

"(1) **IN GENERAL.**—The preferential treatment under subsection (b) shall not apply unless the President certifies to Congress that Haiti is meeting the following conditions:

"(A) Haiti has adopted an effective visa system, domestic laws, and enforcement procedures applicable to articles described in subsection (b) to prevent unlawful transshipment of the articles and the use of counterfeit documents relating to the importation of the articles into the United States.

"(B) Haiti has enacted legislation or promulgated regulations that would permit the Bureau of Customs and Border Protection verification teams to have the access necessary to investigate thoroughly allegations of transshipment through such country.

"(C) Haiti agrees to report, on a timely basis, at the request of the Bureau of Customs and Border Protection, on the total exports from and imports into that country of articles described in subsection (b), consistent with the manner in which the records are kept by Haiti.

"(D) Haiti agrees to cooperate fully with the United States to address and take action necessary to prevent circumvention.

"(E) Haiti agrees to require all producers and exporters of articles described in subsection (b) in that country to maintain complete records of the production and the export of the articles, including materials used in the production, for at least 2 years after the production or export (as the case may be).

"(F) Haiti agrees to report, on a timely basis, at the request of the Bureau of Customs and Border Protection, documentation establishing the country of origin of articles described in subsection (b) as used by that country in implementing an effective visa system.

"(2) **DEFINITIONS.**—In this subsection:

"(A) **CIRCUMVENTION.**—The term 'circumvention' means any action involving the provision of a false declaration or false information for the purpose of, or with the effect of, violating or evading existing customs, country of origin labeling, or trade laws of the United States or Haiti relating to imports of textile and apparel goods, if such action results—

"(i) in the avoidance of tariffs, quotas, embargoes, prohibitions, restrictions, trade remedies, including antidumping or countervailing duties, or safeguard measures; or

"(ii) in obtaining preferential tariff treatment."

"(B) **TRANSHIPMENT.**—The term 'transshipment' has the meaning given such term under section 213(b)(2)(D)(iii)."

(b) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The amendment made by subsection (a) applies with respect to goods entered, or withdrawn from warehouse for consumption, on or after October 1, 2003.

(2) **RETROACTIVE APPLICATION TO CERTAIN ENTRIES.**—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed