RUBIO) was added as a cosponsor of S. 102, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 418

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 1039

At the request of Mr. CARDIN, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 1039, a bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes.

S. 1086

At the request of Mr. HARKIN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1086, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1129

At the request of Mr. BARRASSO, the names of the Senator from Utah (Mr. LEE) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1129, a bill to amend the Federal Land Policy and Management Act of 1976 to improve the management of grazing leases and permits, and for other purposes.

S. 1366

At the request of Ms. CANTWELL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to broaden the special rules for certain governmental plans under section 105(j) to include plans established by political subdivisions.

S. 2090

At the request of Mr. AKAKA, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2090, a bill to amend the Indian Law Enforcement Reform Act to extend the period of time provided to the Indian Law and Order Commission to produce a required report, and for other purposes.

S. 2122

At the request of Mr. PAUL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2122, a bill to clarify the definition of navigable waters, and for other purposes.

S. 2165

At the request of Mrs. BOXER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2201

At the request of Mr. GRASSLEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2201, a bill to amend the Internal Revenue Code of 1986 to extend the renewable energy credit.

S. 2204

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Ms. STABENOW), the Senator from New York (Mr. SCHUMER), the Senator from Illinois (Mr. DURBIN), the Senator from Florida (Mr. NELSON), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Minnesota (Mr. FRANKEN), the Senator from Rhode Island (Mr. REED) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 2204, a bill to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation.

S. 2213

At the request of Mr. LUGAR, his name was withdrawn as a cosponsor of S. 2213, a bill to allow reciprocity for the carrying of certain concealed firearms.

At the request of Mr. THUNE, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2213, supra.

S. RES. 356

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Res. 356, a resolution expressing support for the people of Tibet.

S. RES. 397

At the request of Mr. COONS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 397, a resolution promoting peace and stability in Sudan, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. BOOZMAN, and Mr. COONS):

S. 2215. A bill to create jobs in the United States by increasing United States exports to Africa by at least 200 percent in real dollar value within 10 years, and for other purposes; to the Committee on Foreign Relations.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2215

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 ''Increasing American Jobs Through Greater Exports to Africa Act of 2012''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Export growth helps United States business grow and create American jobs. In 2010, 60 percent of American exports came from small- and medium-sized businesses.

(2) On January 31, 2011, the President mandated an executive review across agencies to determine where the United States Government could become more competitive and helpful to business, including help with promoting exports.

(3) Several United States Government agencies are involved in export promotion. Coordination of the efforts of these agencies through the Trade Promotion Coordinating Committee lacks sufficient strategic implementation and accountability.

(4) Many other countries have trade promotion programs that aggressively compete against United States exports in Africa and around the world. For example, in 2010, medium- and long-term official export credit general volumes from the Group of 7 countries (Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States) totaled $65,400,000,000. Germany provided the largest level of support at $22,500,000,000, followed by France at $17,400,000,000 and the United States at $13,000,000,000. Official export credit support by emerging market economies such as Brazil, China, and India are significant as well.

(5) Between 2008 and 2010, China alone provided more than $110,000,000,000 in loans to the developing world, and, in 2009, China surpassed the United States as the leading trade partner of African countries. The Export-Import Bank of the United States substantially increased lending to United States businesses focused on Africa from $400,000,000 in 2009 to an anticipated $1,000,000,000 in 2011, but the Export-Import Bank of China dwarfed this effort with an estimated $12,000,000,000 worth of financing.

(6) Other countries such as India, Turkey, Russia, and Brazil are also aggressively seeking markets in Africa using their national export banks to provide concessional assistance.

(7) The Chinese practice of concessional financing runs contrary to the principles of the Organization of Economic Co-operation and Development related to open market rates, undermines naturally competitive rates, and can allow governments in Africa to overlook the troubling record on labor practices, human rights, and environmental impact.

(8) The African continent is undergoing a period of rapid growth and middle class development, as seen from major indicators such as Internet use and clean water access. In 2000, only 6.7 percent of the population of Africa had access to the Internet. In 2009, 27.1 percent of the population had Internet access. Seventy-eight percent of Africa's rural population now has access to clean water.

(9) Economists have designated Africa as the ''next frontier market'', with profitability and growth rates among many African firms exceeding global averages in recent years. Countries in Africa have a collective spending power of almost $9,000,000,000 and a gross domestic product of $1,600,000,000,000, which are projected to double in the next 10 years.

(10) Sub-Saharan Africa is projected to have the fastest growing economies in the world over the next 5 years, with 7 of the 10 fastest growing economies located in sub-Saharan Africa.

(11) When countries such as China assist with large-scale government projects, they

also gain an upper hand in relations with African leaders and access to valuable commodities such as oil and copper, typically without regard to environmental, human rights, labor, or governance standards.

(12) Unless the United States can offer competitive financing for its firms in Africa, it will be deprived of opportunities to participate in African efforts to close the continent's significant infrastructure gap that amounts to an estimated $100,000,000,000.

(b) PURPOSE.—The purpose of this Act is to create jobs in the United States by expanding programs that will result in increasing United States exports to Africa by 200 percent in real dollar value within 10 years.

SEC. 3. DEFINITIONS.

In this Act:

(1) AFRICA.—The term ''Africa'' refers to the entire continent of Africa and its 54 countries, including the Republic of South Sudan.

(2) AFRICAN DIASPORA.—The term ''African diaspora'' means the people of African origin living in the United States, irrespective of their citizenship and nationality, who are willing to contribute to the development of Africa.

(3) AGOA.—The term ''AGOA'' means the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(5) DEVELOPMENT AGENCIES.—The term ''development agencies'' includes the Department of State, including the United States Agency for International Development (USAID), the Millennium Challenge Corporation (MCC), the Overseas Private Investment Corporation (OPIC), and the United States Trade and Development Agency (USTDA).

(6) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations, and is composed of representatives of Federal agencies in charge of developing and coordinating United States positions on international trade and trade-related investment issues.

(7) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(8) SUB-SAHARAN REGION.—The term ''sub-Saharan region'' refers to the 49 countries listed in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706) and includes the Republic of South Sudan.

(9) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established by Executive Order 12870 (58 Fed. Reg. 51753).

(10) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SEC. 4. STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa.

(b) FOCUS OF STRATEGY.—The strategy required by subsection (a) shall focus on—

(1) increasing exports of United States goods and services to Africa by 200 percent in real dollar value within 10 years from the date of the enactment of this Act;

(2) coordinating United States commercial interests with development priorities in Africa;

(3) developing relationships between the governments of countries in Africa and United States businesses that have an expertise in such issues as infrastructure development, technology, telecommunications, energy, and agriculture;

(4) improving the competitiveness of United States businesses in Africa, including the role the African diaspora can play in enhancing such competitiveness;

(5) exploring ways that African diaspora remittances can help governments in Africa tackle economic, development, and infrastructure financing needs;

(6) promoting economic integration in Africa through working with the subregional economic communities, supporting efforts for deeper integration through the development of customs unions within western and central Africa and within eastern and southern Africa, eliminating time-consuming border formalities into and within these areas, and supporting regionally based infrastructure projects;

(7) encouraging a greater understanding among United States business and financial communities of the opportunities Africa holds for United States exports; and

(8) monitoring—

(A) market loan rates and the availability of capital for United States business investment in Africa;

(B) loan rates offered by the governments of other countries for investment in Africa; and

(C) the policies of other countries with respect to export financing for investment in Africa that are predatory or distort markets.

(c) CONSULTATIONS.—In developing the strategy required by subsection (a), the President shall consult with—

(1) Congress;

(2) each agency that is a member of the Trade Promotion Coordinating Committee;

(3) the multilateral development banks;

(4) each agency that participates in the Trade Policy Staff Committee;

(5) the President's National Export Council;

(6) each of the development agencies;

(7) any other Federal agencies with responsibility for export promotion or financing and development; and

(8) the private sector, including businesses, nongovernmental organizations, and African diaspora groups.

(d) SUBMISSION TO CONGRESS.—

(1) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress the strategy required by subsection (a).

(2) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to Congress a report on the implementation of the strategy required by subsection (a).

(3) CONTENT OF REPORT.—The report required by paragraph (2) shall include an assessment of the extent to which the strategy required by subsection (a)—

(A) has been successful in developing critical analyses of policies to increase exports to Africa;

(B) has been successful in increasing the competitiveness of United States businesses in Africa;

(C) has been successful in creating jobs in the United States, including the nature and sustainability of such jobs;

(D) has provided sufficient United States Government support to meet third country competition in the region;

(E) has been successful in helping the African diaspora in the United States participate in economic growth in Africa;

(F) has been successful in promoting economic integration in Africa; and

(G) has made a meaningful contribution to the transformation of Africa and its full integration into the twenty-first century world economy, not only as a supplier of primary products but also as full participant in international supply and distribution chains.

SEC. 5. SPECIAL AFRICA STRATEGY COORDINATOR.

The President shall designate an individual to serve as Special Africa Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by section 4; and

(2) to coordinate with the Trade Promotion Coordinating Committee, (the interagency AGOA committees), and development agencies with respect to developing and implementing the strategy.

SEC. 6. TRADE MISSION TO AFRICA.

It is the sense of Congress that, not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct a joint trade mission to Africa.

SEC. 7. PERSONNEL.

(a) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Commerce shall ensure that not less than 14 total United States and Foreign Commercial Service officers are assigned to Africa.

(2) ASSIGNMENT.—The Secretary shall, in consultation with the Trade Promotion Coordinating Committee and the Special Africa Export Strategy Coordinator, assign the United States and Foreign Commercial Service officers described in paragraph (1) to United States embassies in Africa.

(3) MULTILATERAL DEVELOPMENT BANKS.—

(A) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Secretary of Commerce shall assign not less than 1 full-time United States and Foreign Commercial Service officer to the office of the United States Executive Director at each multilateral development bank.

(B) RESPONSIBILITIES.—Each United States and Foreign Commercial Service officer assigned under subparagraph (A) shall be responsible for—

(i) increasing the access of United States businesses to procurement contracts with the multilateral development bank to which the officer is assigned; and

(ii) facilitating the access of United States businesses to risk insurance, equity investments, consulting services, and lending provided by that bank.

(b) EXPORT-IMPORT BANK OF THE UNITED STATES.—Of the amounts collected by the Export-Import Bank that remain after paying the expenses the Bank is authorized to pay from such amounts for administrative expenses, the Bank shall use sufficient funds to do the following:

(1) Assign, in consultation with the Trade Promotion Coordinating Committee and the

Special Africa Export Strategy Coordinator, not less than 3 full-time employees of the Bank to geographically appropriate field offices in Africa.

(2) Increase the number of employees of the Bank assigned to United States field offices of the Bank to not less than 30, to be distributed as geographically appropriate through the United States. Such offices shall coordinate with the related export efforts undertaken by the Small Business Administration regional field offices.

(3) Upgrade the Bank's equipment and software to more expeditiously, effectively, and efficiently process and track applications for financing received by the Bank.

(c) OVERSEAS PRIVATE INVESTMENT CORPORATION.—

(1) STAFFING.—Of the net offsetting collections collected by the Overseas Private Investment Corporation used for administrative expenses, the Corporation shall use sufficient funds to increase by not more than 5 the staff needed to promote stable and sustainable economic growth and development in Africa, to strengthen and expand the private sector in Africa, and to facilitate the general economic development of Africa, with a particular focus on helping United States businesses expand into African markets.

(2) REPORT.—The Corporation shall report to the appropriate congressional committees on whether recent technology upgrades have resulted in more effective and efficient processing and tracking of applications for financing received by the Corporation.

SEC. 8. TRAINING.

The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the Overseas Private Investment Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than 1 year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country shall receive that training.

SEC. 9. EXPORT-IMPORT BANK CAPITALIZATION.

(a) IN GENERAL.—Section 6(a)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)(2)) is amended—

(1) in subparagraph (D), by striking ''and'';

(2) in subparagraph (E), by striking ''2011,'' and inserting ''2011, $95,000,000,000;''; and

(3) by adding at the end the following:

''(F) during fiscal year 2012 and each fiscal year thereafter through fiscal year 2016, $150,000,000,000; and

''(G) subject to paragraph (4), during fiscal year 2017 and each fiscal year thereafter, $175,000,000,000.''.

(b) SPECIAL RULE FOR INCREASE IN APPLICABLE AMOUNT.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended by adding at the end the following:

''(4) SPECIAL RULE FOR INCREASE IN APPLICABLE AMOUNT.—

''(A) IN GENERAL.—Beginning in fiscal year 2017, and each fiscal year thereafter, the applicable amount under paragraph (1) shall be $175,000,000,000, if the Comptroller General of the United States determines pursuant to subparagraph (B) that the increase in the applicable amount under paragraph (1)(F) has been effective in increasing viable loans to further United States exports, including to Africa.

''(B) REPORT BY GAO.—The Comptroller General of the United States shall conduct a study of the operations of the Bank and the effectiveness of increasing the applicable amount under this subsection. Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit a report to Congress regarding the Comptroller General's determination on the effective use by the Bank of the increase in the applicable amount under this subsection.''.

(c) PERCENT TO BE USED FOR PROJECTS IN AFRICA.—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)), as amended by subsection (b), is amended by adding at the end the following:

''(5) PERCENT OF INCREASE TO BE USED FOR PROJECTS IN AFRICA.—Not less than 25 percent of the amount by which the applicable amount under paragraph (1) is increased under paragraph (2) (F) or (G) over the applicable amount for fiscal year 2011 shall be used for loans, guarantees, and insurance for projects in Africa.''.

(d) AVAILABILITY OF PORTION OF CAPITALIZATION TO COMPETE AGAINST FOREIGN CONCESSIONAL LOANS.—Not less than $250,000,000 of the total bank capitalization of the Export-Import Bank shall be available annually for loans that counter below-market rate, preferential, tied aid, or other related non-market loans offered by other nations for which United States companies are also competing or interested in competing.

SEC. 10. TIED AID CREDIT FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Export-Import Bank should use its Tied Aid Credit Fund to aggressively help United States companies compete for projects in which a foreign government is using any type of below market, preferential, or tied aid loan. The Bank shall make use of any loan products available, including pursuant to section 9(d), to counter these foreign offerings.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Export-Import Bank shall report to the appropriate congressional committees if the Bank has not used at least $220,000,000 in tied aid credit during the preceding fiscal year. The report shall include—

(1) a description of all requests for grants from the Tied-Aid Credit Fund or other similar funds (established under section 10 of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–3)) received by the Bank during that fiscal year;

(2) a description of similar concessional (below market rate) loans made by other countries during that fiscal year; and

(3) a description of any such grant requests that were denied and the reason for such denial.

SEC. 11. SMALL BUSINESS ADMINISTRATION.

Section 22(b) of the Small Business Act (15 U.S.C. 649(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting ''the Trade Promotion Coordinating Committee,'' after ''Director of the United States Trade and Development Agency,''; and

(2) in paragraph (3), by inserting ''regional offices of the Export-Import Bank,'' after ''Retired Executives,''.

SEC. 12. BILATERAL, SUBREGIONAL AND REGIONAL, AND MULTILATERAL AGREEMENTS.

Where applicable, the United States Trade Representative and officials of the Export-Import Bank shall explore opportunities to negotiate bilateral, subregional, and regional agreements that encourage trade and eliminate nontariff barriers to trade between countries, such as negotiating investor friendly double-taxation treaties and investment promotion agreements. United States negotiators in multilateral forum should take into account the objectives of this Act. To the extent any such agreements exist between the United States and an African country, the Trade Representative shall ensure that the agreement is being implemented in a manner that maximizes the positive effects for United States trade, export, and labor interests as well as the economic development of the countries in Africa.

By Mr. GRASSLEY (for himself, Mr. JOHNSON of South Dakota, Mr. BROWN of Ohio, Mrs. GILLIBRAND, Mr. ENZI, Mr. NELSON of Nebraska, and Mr. HARKIN):

S. 2217. A bill to amend the Food Security Act of 1985 to restore integrity to and strengthen payment limitation rules for commodity payments and benefits; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. GRASSLEY. Mr. President, today I am introducing the Rural America Preservation Act of 2012. I appreciate Senators JOHNSON of South Dakota, ENZI, BROWN of Ohio, GILLIBRAND, HARKIN, and NELSON of Nebraska for joining on this bill, and in this effort.

As the Senate Agriculture Committee continues working on the next Farm Bill, one thing seems to be clear. The title one safety-net is going to look quite different than current programs. It appears the direct payment program may be done away with entirely. Some of my colleagues and agriculture groups have proposed a variety of new ideas as possible replacements to the current commodity title.

No matter what commodity program we create, my bill sets the marker on payment limitations. I introduced a similar payment limits bill last year, but this bill should better address whatever type of safety-net program we adopt going forward. The premise remains the same. We need firm payment limit. We need to close loopholes.

I support having a safety-net for farmers. This nation enjoys a safe and abundant food supply. Certainly a lot of that can be attributed to the ingenuity and hard work of the American farmer. But the farm safety-net helps small and medium-size farmers get through tough times that are out of their control.

We need an effective safety-net to assist farmers. But equally important is for Congress to develop a defensible safety-net. I will continue to work with my Agriculture committee colleagues to figure out what type of program will be most effective.

But we already know the steps that need to be taken to make it more defensible. Defensible means setting firm caps on the farm payments any one farmer can receive. The current approach does not have any overall cap. There is nothing wrong with farmers growing their operations. But big farmers shouldn't be using taxpayer dollars

to get even bigger. When the largest 10 percent of farmers receive 70 percent of farm payments, something is wrong. There comes a point where some farms reach levels that allow them to weather the tough financial times on their own. Smaller farms do not have the same luxury, but they play a pivotal role in producing this nation's food.

If you want to witness how farm payments to big farmers creates a barrier for small and beginning farmers, look at land prices. The current system puts upward pressure on land prices making it more difficult for small and beginning farmers to buy ground. This is not unique to Iowa. This upward pressure on land prices is occurring in many other states.

This bill proposes an overall cap of $250,000 for a married couple. In my State, many people would say this is still too high. But I recognize that agriculture can look different around the country, and so this is a compromise. Strong payment limits will ensure farm payments are helping those who payments were originally created for, the small and medium-size farmers.

Having an overall cap is more defensible from a Federal budget standpoint as well. This Nation needs to make tough decisions regarding all government programs. We need to find savings across the board. Setting strict caps on all commodity programs should be a no-brainer as we look to find savings and increase accountability in farm programs. Having a defensible safety-net also means closing loopholes in the current law.

For all the rhetoric that comes out of Washington, D.C. about eliminating fraud, waste, and abuse, making sure non-farmers don't game the system is a common sense step to take. It's simple, if you are not a farmer, you shouldn't get a farm payment. The bill I introduced last year, and this bill, has language that closes the loopholes.

After I introduced the bill last year, we received some questions regarding the language from two camps of people. The first camp of people I would say were critical because they don't want the loopholes closed. They would have us turn a blind eye to the fact people game the system. They would have us turn a blind eye to the fact we have nonfarmers who claim to help ''manage'' the farm by participating in one or two conference calls a year. To those people, I cannot satisfy your concerns. I will not turn a blind eye to abuses. These are loopholes that need to be closed.

To the other camp of people, who have provided constructive feedback, I would say, we have listened. The revisions we made addressed the issues raised. We have improved the language closing the loopholes. This bill provides a tangible, workable, and fair approach. Closing these loopholes is the right thing to do for the American taxpayer. It is the right thing to do for the American farmer.

Hard caps on farm payments and closing loopholes should be supported by anyone who wants an effective and defensible farm safety-net. As the Senate Agriculture Committee heads toward a mark-up of the Farm Bill, I invite my Senate colleagues to join me in supporting this bill.

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

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

S. 2217

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 ''Rural America Preservation Act of 2012''.

SEC. 2. PAYMENT LIMITATIONS.

Section 1001 of the Food Security of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (a), by striking paragraph (3) and inserting the following:

''(3) LEGAL ENTITY.—

''(A) IN GENERAL.—The term 'legal entity' means—

''(i) an organization that (subject to the requirements of this section and section 1001A) is eligible to receive a payment under a provision of law referred to in subsection (b), (c), or (d);

''(ii) a corporation, joint stock company, association, limited partnership, limited liability company, limited liability partnership, charitable organization, estate, irrevocable trust, grantor of a revocable trust, or other similar entity (as determined by the Secretary); and

''(iii) an organization that is participating in a farming operation as a partner in a general partnership or as a participant in a joint venture.

''(B) EXCLUSION.—The term 'legal entity' does not include a general partnership or joint venture.'';

(2) by striking subsections (b) through (d) and inserting the following:

''(b) LIMITATION ON PAYMENTS FOR COVERED COMMODITIES.—The total amount of payments received, directly or indirectly, by a person or legal entity for any crop year for 1 or more covered commodities (except for peanuts) under title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.) (or a successor provision) may not exceed $125,000, of which—

''(1) not more than $75,000 may consist of marketing loan gains and loan deficiency payments under subtitle B or C of title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731 et seq.) (or a successor provision); and

''(2) not more than $50,000 may consist of any other payments made for covered commodities under title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.) (or a successor provision).

''(c) LIMITATION ON PAYMENTS FOR PEANUTS.—The total amount of payments received, directly or indirectly, by a person or legal entity for any crop year for peanuts under title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8701 et seq.) (or a successor provision) may not exceed $125,000, of which—

''(1) not more than $75,000 may consist of marketing loan gains and loan deficiency payments under subtitle B or C of title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731 et seq.) (or a successor provision); and

''(2) not more than $50,000 may consist of any other payments made for peanuts under title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.) (or a successor provision).

''(d) SPOUSAL EQUITY.—

''(1) IN GENERAL.—Notwithstanding subsections (b) and (c), except as provided in paragraph (2), if a person and the spouse of the person are covered by paragraph (2) and receive, directly or indirectly, any payment or gain covered by this section, the total amount of payments or gains (as applicable) covered by this section that the person and spouse may jointly receive during any crop year may not exceed an amount equal to twice the applicable dollar amounts specified in subsections (b) and (c).

''(2) EXCEPTIONS.—

''(A) SEPARATE FARMING OPERATIONS.—In the case of a married couple in which each spouse, before the marriage, was separately engaged in an unrelated farming operation, each spouse shall be treated as a separate person with respect to a farming operation brought into the marriage by a spouse, subject to the condition that the farming operation shall remain a separate farming operation, as determined by the Secretary.

''(B) ELECTION TO RECEIVE SEPARATE PAYMENTS.—A married couple may elect to receive payments separately in the name of each spouse if the total amount of payments and benefits described in subsections (b) and (c) that the married couple receives, directly or indirectly, does not exceed an amount equal to twice the applicable dollar amounts specified in those subsections.'';

(3) in paragraph (3)(B) of subsection (f), by adding at the end the following:

''(iii) IRREVOCABLE TRUSTS.—In promulgating regulations to define the term 'legal entity' as the term applies to irrevocable trusts, the Secretary shall ensure that irrevocable trusts are legitimate entities that have not been created for the purpose of avoiding a payment limitation.''; and

(4) in subsection (h), in the second sentence, by striking ''or other entity'' and inserting ''or legal entity''.

SEC. 3. SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.

The Food Security Act of 1985 is amended by striking section 1001A (7 U.S.C. 1308–1) and inserting the following:

''SEC. 1001A. SUBSTANTIVE CHANGE; PAYMENTS LIMITED TO ACTIVE FARMERS.

''(a) SUBSTANTIVE CHANGE.—

''(1) IN GENERAL.—For purposes of the application of limitations under this section, the Secretary shall not approve any change in a farming operation that otherwise would increase the number of persons or legal entities to which the limitations under this section apply, unless the Secretary determines that the change is bona fide and substantive.

''(2) SEPARATE EQUIPMENT AND LABOR.—For the purpose of paragraph (1), any division of a farming operation into 2 or more units under which the equipment and labor are not substantially separate shall not be considered bona fide and substantive.

''(3) FAMILY MEMBERS.—For the purpose of paragraph (1), the addition of a family member to a farming operation under the criteria established under subsection (b)(3)(B) shall be considered to be a bona fide and substantive change in the farming operation.

''(4) PRIMARY CONTROL.—To prevent a farming operation from reorganizing in a manner that is inconsistent with the purposes of this Act, the Secretary shall promulgate such regulations as the Secretary determines to be necessary to simultaneously attribute payments for a farming operation to more than 1 person or legal entity, including the person or legal entity that exercises primary control over the farming operation, including to respond to—

''(A)(i) any instance in which ownership of a farming operation is transferred to a person or legal entity under an arrangement that provides for the sale or exchange of any asset or ownership interest in 1 or more legal entities at less than fair market value; and

''(ii) the transferor is provided preferential rights to repurchase the asset or interest at less than fair market value; or

''(B) a sale or exchange of any asset or ownership interest in 1 or more legal entities under an arrangement under which rights to exercise control over the asset or interest are retained, directly or indirectly, by the transferor.

''(b) PAYMENTS LIMITED TO ACTIVE FARMERS.—

''(1) IN GENERAL.—To be eligible to receive, directly or indirectly, payments or benefits described as being subject to limitation in subsection (b) or (c) of section 1001 with respect to a particular farming operation, a person or legal entity shall be actively engaged in farming with respect to the farming operation, in accordance with paragraphs (2), (3), and (4).

''(2) GENERAL CLASSES ACTIVELY ENGAGED IN FARMING.—

''(A) DEFINITION OF ACTIVE PERSONAL MANAGEMENT.—In this paragraph, the term 'active personal management' means, with respect to a person, management duties carried out by the person for a farming operation that are personally provided by the person on a regular, continuous, and substantial basis, including the supervision and direction of—

''(i) activities and labor involved in the farming operation; and

''(ii) onsite services directly related and necessary to the farming operation.

''(B) ACTIVE ENGAGEMENT.—Except as provided in paragraph (3), for purposes of paragraph (1), the following shall apply:

''(i) A person shall be considered to be actively engaged in farming with respect to a farming operation if—

''(I) the person makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of—

''(aa) capital, equipment, or land; and

''(bb) personal labor or active personal management;

''(II) the share of the profits or losses of the person from the farming operation is commensurate with the contributions of the person to the operation; and

''(III) a contribution of the person is at risk.

''(ii) A legal entity shall be considered to be actively engaged in farming with respect to a farming operation if—

''(I) the legal entity makes a significant contribution, as determined under subparagraph (E) (based on the total value of the farming operation), to the farming operation of capital, equipment, or land;

''(II)(aa) the stockholders or members that collectively own at least 51 percent of the combined beneficial interest in the legal entity each make a significant contribution of personal labor or active personal management to the operation; or

''(bb) in the case of a legal entity in which all of the beneficial interests are held by family members, any stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) who owns at least 10 percent of the beneficial interest in the legal entity makes a significant contribution of personal labor or active personal management; and

''(III) the legal entity meets the requirements of subclauses (II) and (III) of clause (i).

''(C) CERTAIN ENTITIES MAKING SIGNIFICANT CONTRIBUTIONS.—If a general partnership, joint venture, or similar entity (as determined by the Secretary) separately makes a significant contribution (based on the total value of the farming operation involved) of capital, equipment, or land, the partners or members making a significant contribution of personal labor or active personal management and meeting the standards provided in subclauses (II) and (III) of subparagraph (B)(i) shall be considered to be actively engaged in farming with respect to the farming operation involved.

''(D) EQUIPMENT AND PERSONAL LABOR.—In making determinations under this subsection regarding equipment and personal labor, the Secretary shall take into consideration the equipment and personal labor normally and customarily provided by farm operators in the area involved to produce program crops.

''(E) SIGNIFICANT CONTRIBUTION OF PERSONAL LABOR OR ACTIVE PERSONAL MANAGEMENT.—

''(i) IN GENERAL.—Subject to clause (ii), for purposes of subparagraph (B), a person shall be considered to be providing, on behalf of the person or a legal entity, a significant contribution of personal labor or active personal management, if the total contribution of personal labor and active personal management is at least equal to the lesser of—

''(I) 1,000 hours; or

''(II) a period of time equal to—

''(aa) 50 percent of the commensurate share of the total number of hours of personal labor or active personal management required to conduct the farming operation; or

''(bb) in the case of a stockholder or member (or household comprised of a stockholder or member and the spouse of the stockholder or member) that owns at least 10 percent of the beneficial interest in a legal entity in which all of the beneficial interests are held by family members who do not collectively receive payments directly or indirectly, including payments received by spouses, of more than twice the applicable limit, 50 percent of the commensurate share of hours of the personal labor or active personal management of all family members required to conduct the farming operation.

''(ii) MINIMUM LABOR HOURS.—For the purpose of clause (i), the minimum number of labor hours required to produce a commodity shall be equal to the number of hours that would be necessary to conduct a farming operation for the production of each commodity that is comparable in size to the commensurate share of a person or legal entity in the farming operation for the production of the commodity, based on the minimum number of hours per acre required to produce the commodity in the State in which the farming operation is located, as determined by the Secretary.

''(3) SPECIAL CLASSES ACTIVELY ENGAGED IN FARMING.—Notwithstanding paragraph (2), the following persons shall be considered to be actively engaged in farming with respect to a farm operation:

''(A) LANDOWNERS.—A person or legal entity that is a landowner contributing owned land, and that meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i), if, as determined by the Secretary—

''(i) the landowner share-rents the land at a rate that is usual and customary; and

''(ii) the share received by the landowner is commensurate with the share of the crop or income received as rent.

''(B) FAMILY MEMBERS.—With respect to a farming operation conducted by persons who are family members, or a legal entity the majority of the stockholders or members of which are family members, an adult family member who makes a significant contribution (based on the total value of the farming operation) of active personal management or personal labor and, with respect to such contribution, who meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i).

''(C) SHARECROPPERS.—A sharecropper who makes a significant contribution of personal labor to the farming operation and, with respect to such contribution, who meets the requirements of subclauses (II) and (III) of paragraph (2)(B)(i), and who was receiving payments from the landowner as a sharecropper prior to the effective date of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 1651).

''(D) FARM MANAGERS.—A person who otherwise meets the requirements of this subsection other than paragraph (2)(E) if—

''(i) the individual—

''(I)(aa) provides more than 50 percent of the commensurate share of the total number of hours of active personal management required to conduct the farming operation; and

''(bb) is, with respect to the commensurate share of the individual, the only party who is providing active personal management and who is at risk, other than a landlord, if any, described in subparagraph (A); or

''(II)(aa) is the only individual qualifying the farming operation (including a sole proprietorship, legal entity, general partnership, or joint venture) as actively engaged in farming; and

''(bb) qualifies only a single sole proprietorship, legal entity, general partnership, or joint venture as actively engaged in farming;

''(ii) the individual does not provide active personal management to meet the requirements of this subsection for persons or legal entities that collectively receive, directly or indirectly, an amount equal to more than the applicable limits under subsections (b), (c), and (d) of section 1001; and

''(iii) the individual manages a farm operation that is not jointly managed with persons or legal entities that collectively receive, directly or indirectly, an amount equal to more than the applicable limits under subsections (b), (c), and (d) of section 1001.

''(4) PERSONS AND LEGAL ENTITIES NOT ACTIVELY ENGAGED IN FARMING.—For the purposes of paragraph (1), except as provided in paragraph (3), the following persons and legal entities shall not be considered to be actively engaged in farming with respect to a farm operation:

''(A) LANDLORDS.—A landlord contributing land to the farming operation if the landlord receives cash rent, or a crop share guaranteed as to the amount of the commodity to be paid in rent, for such use of the land.

''(B) OTHER PERSONS AND LEGAL ENTITIES.—Any other person or legal entity, or class of persons or legal entities, that fails to meet the requirements of paragraphs (2) and (3), as determined by the Secretary.

''(5) PERSONAL LABOR OR ACTIVE PERSONAL MANAGEMENT.—No stockholder or other member of a legal entity or person may provide personal labor or active personal management to meet the requirements of this subsection for persons or legal entities that collectively receive, directly or indirectly, an amount equal to—

''(A) more than the applicable limits under subsections (b) and (c) of section 1001; or

''(B) in the case of a stockholder or member in conjunction with the spouse of the stockholder or member, more than the applicable limits described in subparagraph (A).

''(6) CUSTOM FARMING SERVICES.—A person or legal entity receiving custom farming services will be considered separately eligible for payment limitation purposes if the person or legal entity is actively engaged in farming based on paragraphs (1) through (3).

''(7) GROWERS OF HYBRID SEED.—To determine whether a person or legal entity growing hybrid seed under contract shall be considered to be actively engaged in farming, the Secretary shall not take into consideration the existence of a hybrid seed contract.

''(c) NOTIFICATION BY LEGAL ENTITIES.—To facilitate the administration of this section, each legal entity that receives payments or benefits described as being subject to limitation in subsection (b) or (c) of section 1001 with respect to a particular farming operation shall—

''(1) notify each person or other legal entity that acquires or holds a beneficial interest in the farming operation of the requirements and limitations under this section; and

''(2) provide to the Secretary, at such times and in such manner as the Secretary may require, the name and social security number of each person, or the name and taxpayer identification number of each legal entity, that holds or acquires such a beneficial interest.''.

SEC. 4. FOREIGN PERSONS AND LEGAL ENTITIES MADE INELIGIBLE FOR PROGRAM BENEFITS.

Section 1001C of the Food Security Act of 1985 (7 U.S.C. 1308–3) is amended—

(1) in the section heading, by striking ''**PERSONS**'' and inserting ''**PERSONS AND LEGAL ENTITIES**'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''CORPORATION OR OTHER'' and inserting ''LEGAL'';

(B) in the first sentence, by striking ''a corporation or other entity shall be considered a person that'' and inserting ''a legal entity''; and

(C) in the second sentence, by striking ''an entity'' and inserting ''a legal entity''; and

(3) in subsection (c), by striking ''person'' and inserting ''legal entity or person''.

SEC. 5. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. CARPER, Mr. MCCAIN, and Mr. BROWN of Massachusetts):

S. 2218. A bill to reauthorize the United States Fire Administration, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, as a cochair of the Congressional Fire Caucus, I am pleased to join Senator Lieberman in introducing legislation to reauthorize the U.S. Fire Administration. We appreciate Senators MCCAIN, CARPER and SCOTT BROWN becoming cosponsors of this bill. The Congressional Fire Services Institute, the International Association of Fire Fighters, the International Association of Fire Chiefs, and the National Volunteer Fire Council back this measure. I am proud to have their support.

Reauthorization of the U.S. Fire Administration means that first responders around the country will get the essential training, education, and research they need to help prevent fire-related deaths and protect their communities from disasters of all kinds—man-made and natural.

Since its creation in 1974, the Fire Administration and its Fire Academy have helped prevent fires, protect property, and save lives among firefighters and the public. Today, the Fire Administration is also integrated into our national, all-hazards preparations against natural disasters and terrorist attacks.

America's firefighters play a vital role in the security of our nation and it is important that, as a nation and a Congress, we support them. We can do so by reauthorizing the United States Fire Administration. Whether it is in response to a terrorist attack, a wildland fire, or a house fire the community, America has come to rely on firefighters. America's firefighters—whether career or volunteer—always answer the call.

In a report released in September, the United States Fire Administration found that, over the past 10 years, the overall number of fires reported in the United States has declined by 18 percent. During this same time period, there was also a 20 percent decline in civilian deaths and a 22 percent drop in civilian injuries. We can be proud of this progress.

According to the report, however, ''although America's fire death rate is improving, it continues to be higher than more than half of the industrialized countries of the world.'' Sadly, during this same time period, there has been an average of 3,570 deaths and nearly 18,300 injuries per year. The Fire Administration must work tirelessly to improve these statistics, which represent loss and pain to American families.

We must also continue to educate and train current and future generations of firefighters. The USFA plays an important role in the professional development of fire services personnel through the National Fire Academy, by providing courses in Fire Prevention Management, Hazardous Materials, Incident Management, and Arson, as well as many other critical courses.

My home State of Maine is keenly aware of the dangers of fire and the importance of effective fire services. According to the Maine Department of Public Safety, nearly 50 Mainers died in fires every year through the 1950s, '60s, and '70s. The average for the past decade is 17 per year, and 2011 sadly produced 23 fire-related deaths, up from only nine in 2010—both are too many.

With the continued work of the U.S. Fire Administration and the valiant efforts of our brave fire services personnel, I believe we can make further progress in lowering the number of fire related deaths in our nation.

I ask that my colleagues support this legislation.

By Mr. WHITEHOUSE (for himself, Mr. FRANKEN, Mr. SCHUMER, Mr. BENNET, Mr. MERKLEY, Mrs. SHAHEEN, Mr. UDALL of New Mexico, Mr. WYDEN, Mr. SANDERS, Mr. BEGICH, Mrs. MURRAY, Mr. MENENDEZ, Mr. LEVIN, Mr. KERRY, Mr. BINGAMAN, Mrs. BOXER, Mr. HARKIN, Mr. LEAHY, Ms. STABENOW, Mr. ROCKEFELLER, Mrs. GILLIBRAND, Mr. REED, Mr. BLUMENTHAL, Mr. DURBIN, Ms. KLOBUCHAR, Mr. COONS, Mr. CARDIN, Mr. UDALL of Colorado, Mr. BROWN of Ohio, Mr. WEBB, Mr. CONRAD, Mrs. MCCASKILL, Mr. CASEY, Mr. AKAKA, Mr. LAUTENBERG, Mrs. FEINSTEIN, and Ms. LANDRIEU):

S. 2219. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes; to the Committee on Rules and Administration.

Mr. WHITEHOUSE. Mr. President, I am here today to introduce the DISCLOSE Act of 2012, and we are informally closing DISCLOSE 2.0 in recognition of the original bill that Senator SCHUMER worked so hard to get passed a few years ago.

The Supreme Court's 2010 decision in Citizens United v. Federal Election Commission opened the floodgates to unlimited corporate and special interest money in elections, bringing about an era where corporations and other wealthy interests can drown out the voices of voters in our political system.

Worse still, much of this spending is anonymous so the public does not even know who is spending millions to influence our elections. Here is how my home State newspaper, the Providence Journal, explained the Citizens United decision:

> The ruling will mean that, more than ever, big-spending economic interests will determine who gets elected. More money will especially pour into relentless attack campaigns. Free speech for most individuals will suffer because their voices will count for even less than they do now. They will simply be drowned out by the big money.

I think events have proven the Providence Journal correct. Senator JOHN MCCAIN recently described these events. He said:

> I predicted when the United States Supreme Court, with their absolute ignorance of what happens in politics, struck down [the McCain-Feingold campaign finance law], that there would be a flood of money into campaigns, not transparency, unaccounted for, and this is exactly what is happening.

If we look at the 2006 and 2010 congressional elections where there was not a Presidential race going on after Citizens United in 2010, there was a fourfold increase in expenditures from super PACs and other outside groups compared to what occurred in 2006, with nearly three-quarters of that political advertising coming from sources that were prohibited from spending money in 2006—three-quarters of it.

Also, in 2010, those 501(c)(4) and (c)(6) organizations spent more than $135 million in unlimited and secret contributions. Anonymous spending rose

from 1 percent of outside spending in 2006 to 47 percent of outside spending in 2010. Nearly half of the money spent through these outside organizations is anonymous and secret.

If we look at the 2012 race that we are in right now, a Presidential race, and compare it to the last Presidential race, we are already seeing similar ominous signs about the influence of money. The Federal Election Commission predicts that over $11 billion will be spent on the 2012 elections, about double what was spent in 2008.

Super PACs, mostly linked to individual candidates, spent about $100 million through the Super Tuesday contest in the Republican Presidential primary, again, about twice what was spent over the same period in 2008. In the two weeks leading up to Super Tuesday, outside PACs that supported the Republican Presidential candidates spent three times as much as the candidates themselves.

Our campaign finance system is broken. Immediate action is required to fix it. Americans of all political stripes, whatever their persuasion, are disgusted by the influence of unlimited anonymous corporate cash in our elections and by campaigns that succeed or fail depending on how many billionaires the candidates have in their pockets.

Editorial boards across the country decry this new pollution of our politics. Republicans, such as former Governors Mike Huckabee and Tom Ridge, have concluded that super PACs are, in Mr. Huckabee's words, ''one of the worst things that ever happened in American politics.''

Seven in ten Americans, including a majority of both Republicans and Democrats, believe super PACS should be illegal. Countless Rhode Islanders are fed up with the influence of corporate money in elections. I hear them at my community dinners; I read their mail. Charles in Little Compton wrote to me,

> [I]t is wrong that someone who shouts louder or further, in this instance solely because they have more money, should drown out another person . . . [C]orporations have no problem getting their views aired.

Hope-Whitney in Bristol wrote,

> [J]ust the idea that a corporation is considered an individual in regards to politics goes against everything American to me. . . . [T]hey have become the Emperors as they have the financial ability to be heard everywhere. . . . I'd be willing to bet that a majority of their own employees do not agree with their political representation.

Elizabeth in Wakefield wrote:

> Big business should not control our elections. It is bad enough that they deeply influence our politicians through lobbyists.

But because of a 5-to-4 decision by the conservative Justices in Citizens United, Congress cannot prohibit super PACs from drowning out the voices of ordinary Americans in our elections. That leaves us with one weapon left in the fight against the overwhelming tidal wave of money from special interests. That weapon is disclosure, daylight, information.

Today, along with 34 other Senators, I am introducing legislation that will shine a bright light on these powerful shadowy interests. With this legislation, every citizen will know who is spending these great sums of money to get their candidate elected. I am delivering this speech at a time that Senator BENNET, the distinguished junior Senator from Colorado is presiding. I am very conscious and aware as I deliver it of the immense amount of work that he has put in in the process of preparing this legislation, working on a strategy for going forward, working with our leadership to commence that strategy.

I am grateful to him and the other Senators I will mention later. For now I will give the Presiding Officer the lead. In 2010, under Senator SCHUMER's leadership and guidance, we came within one vote of passing his original DISCLOSE Act. Since then, the problem of anonymous and unaccountable corporate money has become dramatically worse, and Americans are losing faith in our political system as a result.

More and more people believe their government responds only to wealthy and powerful corporate interests. As they see their jobs disappear and their wages stagnate, and bailouts and special deals for the big guys, they lose faith that their elected officials are listening to them. For our democracy to remain strong, this trend cannot continue. We must redouble our efforts and pass the DISCLOSE Act of 2012.

The bill we are introducing today has been trimmed down so it just does two simple things: One, if you are an organization such as a corporation, a super PAC or a 401(c)(4) group spending money in an election campaign in support of or in opposition to a candidate, you have to tell the public where that money came from and what you are spending it on in a timely manner. That should not be a controversial idea to anyone, at least to anyone who is not seeking special influence.

If you are a top executive or a major donor of an organization spending millions of dollars on campaign ads, you have to take responsibility for those ads by having your name on the ad, and in the case of an executive appearing in the ad yourself. That is it. Two simple provisions. Disclosure and a disclaimer. These are reasonable provisions that should have wide support from Democrats and Republicans alike.

The DISCLOSE Act of 2012, the DISCLOSE 2.0 Act, trims down the original DISCLOSE Act in another way. We have raised the threshold for donations that require disclosure from $600 to $10,000. It may sound as though $10,000 is a ridiculously high threshold, as though that is an awful lot of money, but when we look at what is happening in these super PACs, $10,000 in this particular world is no big deal.

Ninety-three percent of money raised by super PACs in 2010 and 2011 that can be traced to specific donors came in contributions of $10,000 or more. So we will catch probably 93 percent of the money in this reporting provision, while leaving smaller donations and dues payments to membership organizations private.

The act also does not require the disclosure of nonpolitical donations, affiliate transfers, business investments, and other transfers of money that have nothing to do with electioneering.

At the same time, however, the bill also contains strong provisions to prevent the use of dummy organizations or shell corporations to hide their donations from public view. The way this bill is drafted, if somebody sets up a phony organization to take a contribution and, in turn, make that contribution to another phony organization and, in turn, make that contribution to another phony organization, before it finally lands in a super PAC that is benefiting a candidate, we will be able to trace that series of transactions.

So it is a good law, a simpler law, an effective law. It only goes after high-dollar givers. Passing it would prove to the American people that Congress is committed to fairness, that we are committed to equality, and that we are committed to the fundamental principle of a government ''of the people, by the people, and for the people.''

In closing, I thank Senator SCHUMER for his exemplary leadership and determination on this vitally important issue, as well as Senators MICHAEL BENNET, AL FRANKEN, JEFF MERKLEY, JEANNE SHAHEEN, and TOM UDALL, all of whom have worked very closely on this legislation. I also thank the act's other cosponsors—all 35—who, similar to myself, understand that the legitimacy of our democratic process and the integrity of our democratic elections are at stake.

I look forward to working with any of my colleagues in the Senate who believe the voices of American citizens should be defended, and I hope all will join me in supporting this critical piece of legislation to restore integrity to our elections.

Mr. LEAHY. Mr. President, today, I join with Senator WHITEHOUSE, Senator SCHUMER and many other Senate Democrats as we renew our efforts to curtail some of the worst abuses now allowed because of the Supreme Court's decision in Citizens United. The Democracy Is Strengthened by Casting Light On Spending in Elections, DISCLOSE, Act of 2012 will help to restore transparency in the campaign finance laws gutted by the narrow, conservative, activist majority of the Supreme Court in Citizens United.

Two years ago, with the stroke of a pen, five Supreme Court justices overturned a century of law designed to protect our elections from corporate spending. They ran roughshod over longstanding precedent to strike down key provisions of our bipartisan campaign finance laws, and ruled that corporations are no longer prohibited from

direct spending in political campaigns. I was troubled at the time and remain troubled today that in that case, the Supreme Court extended to corporations the same First Amendment rights in the political process that are guaranteed by the Constitution to individual Americans.

Corporations are not the same as individual Americans. Corporations do not have the same rights, the same morals or the same interests. Corporations cannot vote in our democracy. They are artificial legal constructs meant to facilitate business. The Founders understood this. Americans across the country have long understood this. A narrow majority on the Supreme Court apparently did not.

When I cosponsored the first DISCLOSE Act after the Supreme Court's decision in 2010, I hoped Republicans would join with Democrats to mitigate the impact of the Citizens United decision. I hoped that Senate Republicans who had once championed the bipartisan McCain-Feingold campaign finance law would work with us to help ensure that corporations could not abuse their newfound constitutional rights.

Regrettably, Senate Republicans filibustered that DISCLOSE Act, preventing the Senate from even debating the measure, let alone having an up-or-down vote in the Senate. By preventing even debate on the DISCLOSE Act, Senate Republicans ensured the ability of wealthy corporations to dominate all mediums of advertising and to drown out the voices of individuals, as we have seen and will continue to see in our elections.

By blocking the DISCLOSE Act, Senate Republicans ensured that the flood of corporate money flowing into campaigns from undisclosed and unaccountable sources since the Citizens United decision would continue. The risks we feared at the time of the decision, the risks that drove Congress to pass bipartisan laws based on longstanding precedent, have been apparent in the elections since. The American people have seen the sudden and dramatic effects in the Republican primary elections this year and in the 2010 mid-term elections. Instead of hearing the voices of voters, we see a barrage of negative advertisements from so-called Super PAC's. This comes as no surprise to the many of us in Congress and around the country who worried at the time of the Citizens United decision that it turns the idea of government of, by and for the people on its head. We worried that the decision created new rights for Wall Street at the expense of the people on Main Street. We worried that powerful corporate megaphones would drown out the voices and interests of individual Americans. It is clear those concerns were justified.

By reintroducing the DISCLOSE Act, we continue to try to fight the effects of corporate influence unleashed by Citizens United. The DISCLOSE Act of 2012 is focused on restoring transparency and accountability to campaign finance laws by ensuring that all Americans know who is paying for campaign ads. This is a critical step toward restoring the ability of American voters to be able to speak, be heard and to hear competing voices, and not be overwhelmed by corporate influence and driven out of the governing process. I hope that Republicans who have seen the impact of waves of unaccountable corporate campaign spending will not renew their obstruction of this important legislation. Even Senator MCCAIN, a lead co-author of the McCain-Feingold Act, has conceded that Super PAC's are ''disgraceful.''

Vermont is a small state. It is easy to imagine the wave of corporate money that has been spent on elections around the country lead to corporate interests flooding the airwaves with election ads, and transforming even local elections there or in other small States. It would not take more than a tiny fraction of corporate money to outspend all of our local candidates combined. If a local city council or zoning board is considering an issue of corporate interest, why would those corporate interests not try to drown out the views of Vermont's hard-working citizens? I know that the people of Vermont, like all Americans, take seriously their civic duty to choose wisely on Election Day. Like all Vermonters, I cherish the voters' role in the democratic process and am a staunch believer in the First Amendment. Vermont refused to ratify the Constitution until the adoption of the Bill of Rights in 1791. The rights of Vermonters and all Americans to speak to each other and to be heard should not be undercut by corporate spending. I hope all Senators, Republican or Democratic, will support the DISCLOSE Act of 2012 and help us take an important step to ensure the ability of every American to be heard and participate in free and fair elections.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 401—EXPRESSING APPRECIATION FOR FOREIGN SERVICE AND CIVIL SERVICE PROFESSIONALS WHO REPRESENT THE UNITED STATES AROUND THE GLOBE

Mr. WHITEHOUSE (for himself and Mr. KERRY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 401

Whereas the United States Foreign Service was established by Congress in 1924 to professionalize the country's diplomatic and consular services and advance freedom, democracy, and security for the benefit of the people of the United States and the international community;

Whereas the United States Agency for International Development was established in 1961 to support the foreign policy goals of the United States through economic, development, and humanitarian assistance;

Whereas the Department of State and the United States Agency for International Development together employ more than 27,000 United States nationals in the Foreign Service and Civil Service dedicated to promoting United States interests around the world;

Whereas Foreign Service personnel deploy to Asia, Africa, the Americas, Australia, Europe, the Middle East, and Southeast Asia on a permanent, rotating basis to defend and promote United States priorities abroad;

Whereas many Foreign Service employees spend months or years away from families and loved ones on assignment to dangerous or inhospitable posts where family members are not permitted;

Whereas numerous Department of State and United States Agency for International Development employees have lost their lives while serving abroad;

Whereas strong and purposeful United States diplomacy and development, carried out by a diverse, professionally educated, and well-trained force of Foreign Service and Civil Service professionals, are the most cost-effective means to protect and advance United States interests abroad;

Whereas the promotion of commercial engagement by United States businesses in foreign markets and targeted international development projects support economic prosperity, job creation, and opportunities for United States business and industry;

Whereas United States diplomats are often the first line of defense against international conflict and transnational security threats;

Whereas Foreign Service and Civil Service professionals have worked to support the members of the United States Armed Forces involved in critical national security missions and military engagements in dangerous and unstable regions;

Whereas Foreign Service and Civil Service professionals administer emergency assistance in crisis situations; and

Whereas the contributions of Foreign Service and Civil Service professionals to the global advancement of international understanding, American ideals, and the promotion of freedom and democracy around the world should be commended: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and gives special appreciation to the Foreign Service and Civil Service personnel of the Department of State, the United States Agency for International Development, and other United States Government agencies that promote and protect United State priorities abroad; and

(2) owes a debt of gratitude to these individuals, and their families, who put public service and pride in their country ahead of comfort, convenience, and even safety in service to the United States and the global community.

SENATE RESOLUTION 402—CONDEMNING JOSEPH KONY AND THE LORD'S RESISTANCE ARMY FOR COMMITTING CRIMES AGAINST HUMANITY AND MASS ATROCITIES, AND SUPPORTING ONGOING EFFORTS BY THE UNITED STATES GOVERNMENT AND GOVERNMENTS IN CENTRAL AFRICA TO REMOVE JOSEPH KONY AND LORD'S RESISTANCE ARMY COMMANDERS FROM THE BATTLEFIELD

Mr. COONS (for himself, Mr. INHOFE, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. HATCH, Mr. DURBIN, Mr. LEAHY, Mr. SCHUMER, Mr. AKAKA, Mrs. MURRAY,