At the request of Mr. BAYH, his name was added as a cosponsor of S. 3142, supra.

S. 3198

At the request of Mr. LAUTENBERG, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 3198, a bill to amend title 46, United States Code, with respect to the navigation of submersible or semi-submersible vessels without nationality.

S. 3271

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 3271, a bill to amend the definition of commercial motor vehicle in section 31101 of title 49, United States Code, to exclude certain farm vehicles, and for other purposes.

S. 3299

At the request of Mr. ENSIGN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 3299, a bill to amend title 38, United States Code, to extend the demonstration project on adjustable rate mortgages and the demonstration project on hybrid adjustable rate mortgages.

S. 3310

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3310, a bill to provide benefits under the Post-Development/Mobilization Respite Absence program for certain periods before the implementation of the program.

S. 3323

At the request of Mr. GREGG, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3323, a bill to provide weatherization and home heating assistance to low income households, and to provide a heating oil tax credit for middle income households.

S. 3351

At the request of Mr. BIDEN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3351, a bill to enhance drug trafficking interdiction by creating a Federal felony for operating or embarking in a submersible or semi-submersible vessel without nationality and on an international voyage.

S. RES. 615

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 615, a resolution urging the Government of Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate of the Orthodox Christian Church.

S. RES. 618

At the request of Mr. LUGAR, the names of the Senator from New Hampshire (Mr. SUNUNU), the Senator from South Carolina (Mr. DEMINT), the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 618, a resolution recognizing the tenth anniversary of the bombings of the United States embassies in Nairobi, Kenya and Dar es Salaam, Tanzania, and memorializing the citizens of the United States, Kenya, and Tanzania whose lives were claimed as a result of the al Qaeda led terrorist attacks.

S. RES. 625

At the request of Mr. HAGEL, the names of the Senator from Kentucky (Mr. BUNNING), the Senator from Mississippi (Mr. COCHRAN), the Senator from North Carolina (Mrs. DOLE), the Senator from Oklahoma (Mr. INHOFE), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. Res. 625, a resolution designating August 16, 2008, as National Airborne Day.

S. RES. 626

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. Res. 626, a resolution expressing the sense of the Senate that the Supreme Court of the United States erroneously decided Kennedy v. Louisiana, No. 07–343 (2008), and that the eighth amendment to the Constitution of the United States allows the imposition of the death penalty for the rape of a child.

S. RES. 627

At the request of Mr. NELSON of Florida, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 627, a resolution welcoming home Keith Stansell, Thomas Howes, and Marc Gonsalves, three citizens of the United States who were held hostage for over five years by the Revolutionary Armed Forces of Colombia (FARC) after their plane crashed on February 13, 2003.

AMENDMENT NO. 5063

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 5063 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5131

At the request of Mr. BUNNING, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Wyoming (Mr. ENZI) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 5131 intended to be proposed to S. 3268, a bill to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes.

AMENDMENT NO. 5249

At the request of Mr. BROWNBACK, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of amendment No. 5249 intended to be proposed to S. 3268, a bill to amend the Commodity Exchange Act, to prevent excessive price speculation with respect to energy commodities, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ENZI:

S. 3354. A bill to award grants for the establishment of demonstration programs to enable States to develop volunteer health care programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. ENZI. Mr. President, I rise to discuss the importance of ensuring the people of our Nation have access to health care and what the Senate can do today to help the neediest people get the kind of care they need and are entitled to.

There are currently 61 million Americans who are either uninsured or underinsured. These people, many of whom are working and have families to care for, may have limited access to the kind of routine health care and nonemergency services so many of us take for granted.

Fortunately, at the present time, there is a large, vital network of health care providers in this country who are doing their best to address this need and provide care to this underserved population. We don't talk about this network much, as the Federal Government does not pay for it.

It is made up of volunteers, hundreds of thousands of health care providers, working across America, in almost every community, volunteering their expertise and donating their time to help those in need. These people are physicians, dentists, nurses, optometrists and chiropractors, to name a few of the professions that are represented in this group. Hospitals and outpatient surgical centers are also contributing to the effort.

Caring for our neighbor has always been a basic value for us as Americans. My mother always told me that the service we provide to others is the rent we pay for the space we take up on God's green earth. The people who are participating in this network of care have taken that philosophy to heart and we are all the beneficiaries of their efforts. They are making a difference in more lives than we will ever know.

We have all heard the saying that charity begins at home, and while it is an important part of any effort to address a need in our towns and cities, I am not suggesting that it is the final answer to correct the social injustices that exist in the world. We all realize that too many Americans lack health insurance, and that health care reform is a top priority for Congress. America needs health care reform, and I have a

plan to put that into action in my 10 Steps bill.

As we work on health care reform and all it entails, we can also do something to help provide some support and encouragement to the volunteer effort I have just described. Government has a role to play and it is to facilitate the care that is provided to those who need it so badly by those who are willing to freely offer it to them.

As with so many things, there is a catch, and that is why I am introducing my Volunteer Health Care Act of 2008. My bill will remove a legal barrier that currently prevents physicians and health care professionals from volunteering their services to individuals who either can't afford or can't access even the most basic of care. There is an overwhelming need for medical volunteers to work with the poor in the United States, but medical liability concerns discourage many doctors from providing voluntary services. This bill will help provide access for the disadvantaged and provide them with the care they so desperately need. In return, it will help to alleviate the concerns of health care providers who want to share their talents with the people of their community and give something back to make their part of the world a better place to live.

This legislation addresses the situation in a way that is fair to the patient. It provides an avenue to recover damages if, by chance, some harm is done. It makes use of a formula that has been tried before and been proven to be effective.

I have said before that States are the laboratories for the Federal Government. We know the positive effects that this program can provide because a few States have been using it for more than 10 years. Since the State of Florida started such a program 16 years ago, more than 20,000 health care volunteers have provided more than $1 billion worth of charity care at free clinics, community health and migrant worker clinics, and with other indigent clinics to provide health care that would otherwise not be available. This program calls for minimal expense, but it has the potential for a huge return. Eight other States have enacted this program and have had excellent results. But that is only 8 other States. The legislation that I am proposing today encourages the remaining 41 States to consider it.

Some people would say that the Federal Government has already made provisions for volunteer care with the federal Volunteer Protection Act of 1997. This act raises the standard of care from simple negligence to gross negligence. This law has two drawbacks however. It makes it more difficult for an injured party to prove substandard care and it leaves volunteer providers responsible for paying the cost of their defense.

The bill that I am introducing, the Volunteer Health Care Program Act of 2008, would provide grants to States that would accept medical liability for volunteer medical providers. These programs would protect providers from liability claims, while also ensuring that injured patients could recover damages. This bill addresses both drawbacks of the current Federal volunteer law, it does so at a minimal cost to Federal and state governments, and it has a proven record of working. The passage of this bill will take us one step closer to ensuring access to quality health care for all Americans.

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. 3354

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 ''Volunteer Health Care Program Act of 2008''.

SEC. 2. PURPOSES.

It is the purpose of this Act to provide grants to States to—

(1) promote access to quality health and dental care for the medically underserved and uninsured through the commitment of volunteers; and

(2) encourage and enable healthcare providers to provide health services to eligible individuals by providing sovereign immunity protection for the provision of uncompensated services.

SEC. 3. GRANTS TO STATES TO ESTABLISH AND EVALUATE HEALTHCARE VOLUNTEER INDEMNITY PROGRAMS.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399R. GRANTS TO STATES TO ESTABLISH AND EVALUATE HEALTHCARE VOLUNTEER INDEMNITY PROGRAMS.

''(a) IN GENERAL.—The Secretary shall award a grant to an eligible State to enable such State to establish a demonstration program to—

''(1) promote access to quality health and dental care for the medically underserved and uninsured through the commitment of volunteer healthcare providers; and

''(2) encourage and enable healthcare providers to provide health services to eligible individuals, and ensure that eligible individuals have the right to recover damages for medical malpractice (in accordance with State law) by providing sovereign immunity protection for the provision of uncompensated services.

''(b) ELIGIBILITY.—To be eligible to receive a grant under subsection (a), a State shall—

''(1) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

''(2) provide assurances that the State will not permit hospitals to enroll individuals seeking care in emergency departments into the State program; and

''(3) provide assurances that the State will provide matching funds in accordance with subsection (e).

''(c) USE OF FUNDS.—

''(1) IN GENERAL.—A State shall use amounts received under a grant under this section to establish a demonstration program under which—

''(A) the State will arrange for the provision of health and dental care to eligible individuals (as determined under subsection (d)) participating in the State program;

''(B) ensure that the health and dental care under paragraph (1) is provided by qualified healthcare providers that do not receive any form of compensation or reimbursement for the provision of such care;

''(C) sovereign immunity is extended to qualified healthcare providers (as defined in paragraph (2)) for the provision of care to eligible individuals under the State program under this section;

''(D) the State will agree not to impose any additional limitations or restrictions on the recovery of damages for negligent acts, other than those in effect on date of the establishment of the demonstration program;

''(E) the State will use more than 5 percent of amounts received under the grant to conduct an annual evaluation, and submit to the Secretary a report concerning such evaluation, of the State program and the activities carried out under the State program.

''(2) QUALIFIED HEALTHCARE PROVIDERS.—

''(A) IN GENERAL.—The term 'qualified healthcare provider' means a healthcare provider described in subparagraph (B) that—

''(i) is licensed by the State to provide the care involved and is providing such care in good faith while acting within the scope of the provider's training and practice;

''(ii) is in good standing with respect to such license and not on probation;

''(iii) is not, or has not been, subject to Medicare or Medicaid sanctions under title XVIII or XIX of the Social Security Act; and

''(iv) is authorized by the State to provide health or dental care services under the State program under this section.

''(B) PROVIDER DESCRIBED.—A healthcare provider described in this subparagraph includes—

''(i) an ambulatory surgical center;

''(ii) a hospital or nursing home;

''(iii) a physician or physician of osteopathic medicine;

''(iv) a physician assistant;

''(v) a chiropractic practitioner;

''(vi) a physical therapist;

''(vii) a registered nurse, nurse midwife, licensed practical nurse, or advanced registered nurse practitioner;

''(viii) a dentist or dental hygienist;

''(ix) a professional association, professional corporation, limited liability company, limited liability partnership, or other entity that provides, or has members that provide, health or dental care services;

''(x) a non-profit corporation qualified as exempt from Federal income taxation under section 501(c) of the Internal Revenue Code of 1986; and

''(xi) a federally funded community health center, volunteer corporation, or volunteer health care provider that provides health or dental care services.

''(d) PRIORITY.—Priority in awarding grants under this section shall be given the States that will provide health or dental care under the State program under this section, to individuals that—

''(1) have a family income that does not exceed 200 percent of the Federal poverty line (as defined in section 673(2) of the Community Health Services Block Grant Act) for a family of the size involved;

''(2) are not be covered under any health or dental insurance policy or program (as determined under applicable State law); and

''(3) are determined to be eligible for care, and referred for such care, by the State department of health or other entity authorized by the State for purposes of administering the State program under this section.

''(e) PROVISION OF INFORMATION.—A State shall ensure that prior to the enrollment under a State program under this section,

the individual involved shall be fully informed of the limitation on liability provided for under subsection (c)(1)(C) with respect to the provider involved and shall sign a waiver consenting to such care.

''(f) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—The Secretary may not award a grant to a State under this section unless the State agrees, with respect to the costs to be incurred by the State in carrying out activities under the grant, to make available non-Federal contributions (in cash or in kind under paragraph (2)) toward such costs in an amount equal to not less than $1 for each $3 of Federal funds provided in the grant. Such contributions may be made directly or through donations from public or private entities.

''(2) DETERMINATION OF AMOUNT OF NON-FEDERAL CONTRIBUTION.—

''(A) IN GENERAL.—Non-Federal contributions required in paragraph (1) may be in cash or in kind, fairly evaluated, including equipment or services (and excluding indirect or overhead costs). Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, may not be included in determining the amount of such non-Federal contributions.

''(B) MAINTENANCE OF EFFORT.—In making a determination of the amount of non-Federal contributions for purposes of paragraph (1), the Secretary may include only non-Federal contributions in excess of the average amount of non-Federal contributions made by the State involved toward the purpose for which the grant was made for the 2-year period preceding the first fiscal year for which the State is applying to receive a grant under this section.

''(g) ADMINISTRATIVE PROVISIONS.—

''(1) AMOUNT OF GRANT.—The amount of a grant under this section shall not exceed $600,000 per year for not more than 5 fiscal years.

''(2) NUMBER OF GRANTS.—The Secretary shall not award more than 15 grants under this section.

''(h) EVALUATION.—Not later than [____] years after the date of enactment of this section, and annually thereafter, the Secretary shall conduct an evaluation of the activities carried out by States under this section, and submit to the appropriate committees of Congress a report concerning the results of such evaluation.

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

''(2) EVALUATIONS.—The Secretary shall use 5 percent of the amount appropriated under paragraph (1) for each fiscal year to carry out evaluations under subsection (h).''.

By Mr. DURBIN (for himself and Mr. CARPER):

S. 3360. A bill to increase the availability of domestically manufactured passenger cars for intercity passenger rail service, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I rise today to introduce a bill that will help us replace and rehab our aging passenger rail equipment and revive the passenger rail rolling stock manufacturing industry in the United States.

We are currently witnessing fundamental changes to our economy and our national transportation system driven by the rising price of oil. High gas prices have caused hardship for millions of American families and are having a deeply negative impact on the Nation's economy. The aviation industry has been nearly crippled by the rising price of jet fuel and has announced it will be cutting over 30,000 jobs, mothballing almost 1,000 aircraft and leaving 100 communities across the country without any commercial air service.

As these trends continue, the demand for an efficient, cost-effective and reliable alternative travel mode increases. Aviation downsizing and the high cost of driving have propelled passenger rail ridership and revenue to record breaking levels, especially in Illinois. Ridership on the Illinois Zephyr and Carl Sandburg routes jumped 41.4 percent in fiscal 2007, compared to fiscal 2006. Ridership on all Illinois state-subsidized routes added an additional 181,000 passengers during the first ⅔ of fiscal year 2008, bringing the State's ridership to 670,000 for the year. Across the country, Amtrak's ridership has grown by 12 percent and continues to rise.

These numbers suggest we are experiencing a passenger rail renaissance. However, this upward trend will only continue to a point. Unless we act—and act soon—we may not be able to capitalize on this moment in time and finally make passenger train travel a mainstay of American life, much like elsewhere in the industrialized world.

My bill addresses the most immediate obstacle to making this a reality—the lack of passenger rail train cars and equipment. Amtrak's existing fleet of rail cars is old and in desperate need of repair. Amtrak estimates it will only be able to have an additional five trains—all of which are 30 years old or older—rehabbed and ready for service this holiday season.

We need to re-fleet the aging, broken-down rolling stock that our passenger rail system has been barely getting by with. This bill provides a menu of financing options to bring our existing fleet into a state of good repair and build the next generation of trainsets here at home.

Domestic railcar giants like the Pullman and Budd Companies provided a strong manufacturing base for over 100 years, providing rail cars that are still on the tracks today. But those companies have long since closed their doors and have left the business of making passenger rail cars due to years of underinvestment in the United States and increased investment by European countries.

The Train CARS Act provides funding that will allow us to immediately engage manufacturers currently making trainsets overseas and encourage them to bring their modern design and manufacturing expertise to the U.S. and open rail car manufacturing facilities here to meet our growing demand. Second, the bill provides a tax incentive for private, domestic businesses to reenter the passenger rail equipment business and rebuild facilities and train cars here in the U.S.

We also need to recognize the critical role that States play in boosting rail ridership numbers. Illinois has recognized the need to increase intercity rail service and doubled its funding from $12 million to $24 million annually. This funding has allowed for greater frequencies along Illinois' corridor routes, but we have hit a wall—there are no trainsets to add capacity to handle the growing ridership.

My bill will reward those States that are able to raise revenue for routes by matching, dollar-for-dollar, their contributions for additional rolling stock. These are investments well spent. Amtrak is 18 percent more efficient than commercial airlines on a passenger-mile basis, according to the Department of Energy. Passenger rail engines use electrical propulsion and diesel fuel combinations which are less susceptible to swings in crude prices than jet fuel. With each dollar spent on intercity rail, we take cars off our roads and lessen congestion on our highways, while at the same time increasing economic activity along rail routes.

Lastly, we need to deal with fundamental changes in our transportation system that are on the horizon. We need a twenty-first century rail system that makes flying short distances a thing of the past. To make this possible we will have to explore building a high-speed rail network rooted in major metropolitan areas like Chicago. Electrifying these trains and giving the tracks a dedicated right-of-way will allow us to achieve speeds of 200 mph, without ever burning a drop of oil. This bill includes a provision to explore what types of investment we will need to make that a reality.

As we get closer to the debate of the next surface transportation bill, we stand at a crossroads of a new era for rail service in the United States. Communities are increasingly vocal about their demands for cheaper, cleaner transportation options, and intercity rail service is an integral component of meeting those needs. We need to take this opportunity and revive a dormant passenger rail industry that once offered high-paying jobs to thousands of workers and could easily do so again. Waking this sleeping giant will allow us to lay the ground work for a transportation system that will be the backbone of the 21st century economy; one that is fast, efficient, and oil independent.

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. 3360

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 ''Creating American Rolling Stock Act of 2008'' or the ''Train CARS Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) AMTRAK.—The term ''Amtrak'' means the National Railroad Passenger Corporation.

(2) ELIGIBLE APPLICANT.—The term ''eligible applicant'' means Amtrak, a State (including the District of Columbia), a group of States, an interstate compact, or a regional transportation authority established by 1 or more States and having responsibility for providing intercity passenger rail service.

(3) INTERCITY PASSENGER RAIL SERVICE.—The term ''intercity passenger rail service'' means transportation services with the primary purpose of passenger transportation between towns, cities, and metropolitan areas by rail.

(4) REHABILITATE.—The term ''rehabilitate'' means extending the useful life or improving the effectiveness of existing rolling stock, including—

(A) the correction of a deficiency;

(B) the modernization or replacement of equipment;

(C) the modernization of, or replacement of parts for, rolling stock;

(D) the rehabilitation or remanufacture of rail rolling stock and associated facilities used primarily in intercity passenger rail service; and

(E) the use of nonstructural elements.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

SEC. 3. GRANTS TO PURCHASE DOMESTICALLY MANUFACTURED ROLLING STOCK FOR INTERCITY PASSENGER RAIL SERVICE.

(a) GRANT AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Transportation may award grants under this section to eligible applicants to purchase or rehabilitate domestically manufactured rolling stock necessary to provide or improve intercity passenger rail transportation.

(2) CONDITIONS.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall promulgate regulations that establish procedures and schedules for the awarding of grants under this section, including application and qualification procedures and a record of decision on applicant eligibility.

(b) PROJECT AS PART OF STATE RAIL PLAN.—

(1) IN GENERAL.—The Secretary may not award a grant for a purchase of rolling stock under this section unless the Secretary determines that—

(A) the project is part of a State rail plan developed under chapter 225 of title 49, United States Code; and

(B) the applicant or recipient has or will have the legal, financial, and technical capacity to purchase, install, and maintain the rolling stock.

(2) INFORMATION.—An eligible applicant shall provide sufficient information upon which the Secretary can make the determination required under paragraph (1).

(c) SELECTION CRITERIA.—In selecting grant recipients under subsection (a), the Secretary shall—

(1) require that each rail car purchased with grant funds meet all applicable safety and security requirements;

(2) give preference to rail cars with high levels of estimated ridership, increased on-time performance, reduced trip time, additional service frequency to meet anticipated or existing demand, or other significant service enhancements;

(3) ensure that each rail car is compatible with, and is operated in conformance with—

(A) plans developed pursuant to the requirements of section 135 of title 23, United States Code; and

(B) the national rail plan, if available; and

(4) give preference to purchases of rolling stock that—

(A) are expected to have a significant favorable impact on air or highway traffic congestion, capacity, or safety;

(B) will improve freight or commuter rail operations;

(C) will have significant environmental benefits, including the purchase of environmentally sensitive, fuel-efficient, and cost-effective passenger rail equipment;

(D) will have positive economic and employment impacts;

(E) have commitments of funding from non-Federal Government sources in a total amount that exceeds the minimum amount of the non-Federal contribution required for the project;

(F) involve donated property interests or services;

(G) are identified by the Surface Transportation Board as necessary to improve the on-time performance and reliability of intercity passenger rail under section 24308(f) of title 49, United States Code;

(H) are designed to support intercity passenger rail service;

(I) can be easily transferred to commuter service or to another intercity passenger rail route; and

(J) are produced domestically.

(d) AMTRAK ELIGIBILITY.—To receive a grant under this section, Amtrak may enter into a cooperative agreement with 1 or more States to purchase or rehabilitate rolling stock for 1 or more projects on a State rail plan's ranked list of rail capital projects developed under section 22504(a)(5) of title 49, United States Code.

(e) FEDERAL SHARE OF NET PROJECT COST.—A grant for the purchase of rolling stock under this section shall not exceed 80 percent of the total cost.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as are necessary to the Secretary for fiscal year 2009 and for each subsequent fiscal year for the grants to purchase domestically manufactured and rehabbed rolling stock under this section.

SEC. 4. BUY AMERICAN CONDITIONS.

(a) DOMESTIC BUYING PREFERENCE.—

(1) REQUIREMENT.—

(A) IN GENERAL.—In using grant funds or bond proceeds made available under this Act or an amendment made by this Act for purchasing rolling stock, a grant or bond proceeds recipient may only purchase—

(i) unmanufactured articles, material, and supplies mined or produced in the United States; or

(ii) manufactured articles, material, and supplies manufactured in the United States substantially from articles, material, and supplies mined, produced, or manufactured in the United States.

(B) DE MINIMIS AMOUNT.—Subparagraph (A) shall only apply to purchases totaling at least $1,000,000.

(2) EXEMPTIONS.—The Secretary of Transportation may exempt a grant or bond proceeds recipient from the requirements of this subsection if the Secretary, after receiving an application for such exemption, determines that, for particular articles, material, or supplies—

(A) such requirements are inconsistent with the public interest;

(B) the cost of imposing the requirements is unreasonable; or

(C) the articles, material, or supplies, or the articles, material, or supplies from which they are manufactured, are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and are not of a satisfactory quality.

(b) OPERATORS DEEMED RAIL CARRIERS AND EMPLOYERS FOR CERTAIN PURPOSES.—Any entity that conducts rail operations using rolling stock that has been manufactured or rehabilitated with funding provided in whole or in part by a grant or bond proceeds made available under this Act or an amendment made by this Act shall be considered a rail carrier (as defined in section 10102(5) of title 49, United States Code) for purposes of this Act and any other law that adopts that definition or in which that definition applies, including—

(1) the Railroad Retirement Act of 1974 (45 U.S.C. 231 et seq.);

(2) the Railway Labor Act (43 U.S.C. 151 et seq.); and

(3) the Railroad Unemployment Insurance Act (45 U.S.C. 351 et seq.).

(c) PREVAILING WAGE REQUIREMENT.—Any entity that purchases or rehabilitates rolling stock which has been financed in whole or in part by grants or bond proceeds made available under this Act or an amendment made by this Act shall comply with subchapter IV of chapter 31 of title 40, United States Code, commonly referred to as the ''Davis-Bacon Act''.

SEC. 5. NEXT GENERATION CORRIDOR TRAIN EQUIPMENT POOL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, Amtrak shall establish a Next Generation Corridor Equipment Pool Committee (referred to in this section as the ''Committee''), which shall be comprised of representatives of Amtrak, the Federal Railroad Administration, host freight railroad companies, passenger railroad equipment manufacturers, commuter rail agencies, railroad labor unions, other passenger railroad operators, as appropriate, and interested States.

(b) PURPOSE.—The purpose of the Committee shall be to design, develop specifications for, and procure standardized next-generation corridor equipment, including rolling stock that is easily transferred from commuter rail service to new intercity passenger rail service.

(c) FUNCTIONS.—The Committee may—

(1) determine the number of different types of equipment required, taking into account variations in operational needs and corridor infrastructure;

(2) establish a pool of equipment to be used on corridor routes funded by participating States;

(3) subject to agreements between Amtrak and States, utilize services provided by Amtrak to design, maintain, and rehabilitate equipment; and

(4) explore the benefits of creating a public or private entity that would—

(A) purchase and own domestically produced rolling stock; and

(B) lease such rolling stock to States or Amtrak for passenger rail service.

(d) COOPERATIVE AGREEMENTS.—Amtrak and States participating in the Committee may—

(1) enter into agreements for the funding, procurement, rehabilitation, ownership, management, or leasing of corridor equipment, including equipment currently owned or leased by Amtrak and next generation corridor equipment acquired as a result of the Committee's actions; and

(2) establish a corporation, which may be owned or jointly owned by Amtrak, participating States or other entities, to perform these functions.

SEC. 6. INTERCITY PASSENGER RAIL ROLLING STOCK ACCOUNT.

(a) ESTABLISHMENT OF ACCOUNT.—Section 9503 of the Internal Revenue Code of 1986 (relating to Highway Trust Fund) is amended by adding at the end the following new subsection:

''(g) INTERCITY PASSENGER RAIL ROLLING STOCK ACCOUNT.—

''(1) CREATION OF ACCOUNT.—There is established in the Highway Trust Fund a separate

account to be known as the 'Intercity Passenger Rail Rolling Stock Account', consisting of such amounts as may be transferred or credited to the Intercity Passenger Rail Rolling Stock Account as provided in this subsection or section 9602(b).

''(2) TRANSFER TO ACCOUNT OF AMOUNTS EQUIVALENT TO CERTAIN TAXES.—The Secretary of the Treasury shall transfer to the Intercity Passenger Rail Rolling Stock Trust Fund the intercity passenger rail rolling stock portion of the amounts appropriated to the Highway Trust Fund under subsection (b) which are attributable to taxes under section 4041 or 4081 imposed after September 30, 2009, and before October 1, 2012. For purposes of the preceding sentence, the term 'intercity passenger rail rolling stock portion' means for any fuel with respect to which tax was imposed under section 4041 or 4081 and otherwise deposited into the Highway Trust Fund, the determined at the rate of .25 cent per gallon.

''(3) EXPENDITURES FROM ACCOUNT.—

''(A) IN GENERAL.—Amounts in the Intercity Passenger Rail Rolling Stock Account shall be available without fiscal year limitation to—

''(i) eligible applicants (as defined in section 2 of the Train CARS Act) to finance the purchase and rehabilitation of rolling stock, and

''(ii) each non-Amtrak State, to the extent determined under subparagraph (B), for transportation-related expenditures.

''(B) MAXIMUM AMOUNT OF FUNDS TO NON-AMTRAK STATES.—Except as provided under subparagraph (C), each non-Amtrak State shall receive under this paragraph an amount equal to the lesser of—

''(i) the State's qualified expenses for the fiscal year, or

''(ii) the product of the number of months such State is a non-Amtrak State in such fiscal year and 1⁄12 of 1 percent of the lesser of—

''(I) the aggregate amounts transferred and credited to the Intercity Passenger Rail Account under paragraph (1) for such fiscal year, or

''(II) the aggregate amounts appropriated from the Intercity Passenger Rail Account for such fiscal year.

''(C) ADJUSTMENT.—If the amount determined under subparagraph (B)(ii) exceeds the amount under subparagraph (B)(i) for any fiscal year, the amount under subparagraph (B)(ii) for the following fiscal year shall be increased by the amount of such excess.

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) QUALIFIED EXPENSES.—The term 'qualified expenses' means expenses incurred, with respect to obligations made, after September 30, 2009, and before October 1, 2012—

''(i) for—

''(I) in the case of the National Railroad Passenger Corporation, the acquisition of equipment and rolling stock, the upgrading of rolling stock maintenance facilities, and the maintenance of existing equipment in intercity passenger rail service, and the payment of interest and principal on obligations incurred for such acquisition, upgrading, and maintenance, and

''(II) in the case of a non-Amtrak State, transportation-related expenses, and

''(ii) certified by the Secretary of Transportation on October 1 as meeting the requirements of clause (i) and as qualified for payment under paragraph (5) for the fiscal year beginning on such date.

''(B) NON-AMTRAK STATE.—The term 'non-Amtrak State' means any State which does not receive intercity passenger rail service from the National Railroad Passenger Corporation.

''(5) CONTRACT AUTHORITY.—Notwithstanding any other provision of law, the Secretary of Transportation shall certify expenses as qualified for a fiscal year on October 1 of such year, in an amount not to exceed the amount of receipts estimated by the Secretary of the Treasury to be transferred to the Intercity Passenger Rail Rolling Stock Account for such fiscal year. Such certification shall result in a contractual obligation of the United States for the payment of such expenses.

''(6) TAX TREATMENT OF TRUST FUND EXPENDITURES.—With respect to any payment of qualified expenses from the Intercity Passenger Rail Rolling Stock Account during any taxable year to a taxpayer—

''(A) such payment shall not be included in the gross income of the taxpayer for such taxable year,

''(B) no deduction shall be allowed to the taxpayer with respect to any amount paid or incurred which is attributable to such payment, and

''(C) the basis of any property shall be reduced by the portion of the cost of such property which is attributable to such payment.

''(7) TERMINATION.—The Secretary shall determine and retain, not later than October 1, 2012, the amount in the Intercity Passenger Rail Rolling Stock Account necessary to pay any outstanding qualified expenses, and shall transfer any amount not so retained to the Highway Trust Fund.''.

(b) CONFORMING AMENDMENT.—Section 9503 of the Internal Revenue Code of 1986 is amended by striking paragraph (5) of subsection (e) and by adding at the end the following new subsection:

''(h) PORTION OF CERTAIN TRANSFERS TO BE MADE FROM ACCOUNTS.—

''(1) IN GENERAL.—Transfers under paragraphs (2), (3), and (4) of subsection (c) shall be borne by the Highway Account, the Mass Transit Account, and the Intercity Passenger Rail Rolling Stock Account in proportion to the respective revenues transferred under this section to the Highway Account (after the application of subsections (e)(2) and (g)(2)) and the Mass Transit Account and the Intercity Passenger Rail Rolling Stock Account.

''(2) HIGHWAY ACCOUNT.—For purposes of paragraph (1), the term 'Highway Account' means the portion of the Highway Trust Fund which is not the Mass Transit Account or the Intercity Passenger Rail Rolling Stock Account.''.

(c) CAPACITY IMPROVEMENT CHARGE MATCHING PROGRAM.—Any eligible applicant that subsidizes intercity passenger rail service and imposes a capital investment fee on each ticket sold for such service is eligible to receive $1 from the Intercity Passenger Rail Rolling Stock Account (as established in section 9503(g) of the Internal Revenue Code of 1986) for every $1 of such fee that is used to purchase domestically manufactured rolling stock.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to taxes imposed after September 30, 2009.

SEC. 7. RAIL INFRASTRUCTURE INVESTMENT.

(a) CREDIT TO HOLDERS OF QUALIFIED AMTRAK BONDS.—Subpart I of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to credits against tax) is amended by adding at the end the following new section:

''SEC. 54C. CREDIT TO HOLDERS OF QUALIFIED AMTRAK BONDS.

''(a) QUALIFIED AMTRAK BOND.—For purposes of this subpart, the term 'qualified Amtrak bond' means any bond issued as part of an issue if—

''(1) 100 percent or more of the available project proceeds of such issue are to be used for expenditures incurred after the date of the enactment of this section for any qualified project,

''(2) the bond is issued by the National Railroad Passenger Corporation, is in registered form, and meets the bond limitation requirements under subsection (b),

''(3) the issuer designates such bond for purposes of this section,

''(4) the issuer certifies that it meets the State contribution requirement of subsection (h) with respect to such project, as in effect on the date of the enactment of this section,

''(5) the issuer certifies that it has obtained the written approval of the Secretary of Transportation for such project in accordance with section 26301 of title 49, United States Code, as in effect on the date of the enactment of this section,

''(6) the payment of principal with respect to such bond is the obligation of the National Railroad Passenger Corporation, and

''(7) in lieu of the requirements of section 54A(d)(2), the issue meets the requirements of subsection (d).

''(b) LIMITATIONS ON AMOUNT OF BONDS DESIGNATED.—

''(1) IN GENERAL.—There is a qualified Amtrak bond limitation for each fiscal year. Such limitation is—

''(A) $700,000,000 for each of the fiscal years 2009 through 2012, and

''(B) except as provided in paragraph (4), $0 after fiscal year 2012.

''(2) LIMITS ON BONDS FOR INDIVIDUAL STATES.—Not more than $300,000,000 of the limitation under paragraph (1) may be designated for any individual State.

''(3) LIMIT ON BONDS FOR OTHER PROJECTS.—Not more than $100,000,000 of the limitation under paragraph (1) for any fiscal year may be designated for all qualified projects described in subsection (g)(1)(C).

''(4) CARRYOVER OF UNUSED LIMITATION.—If for any fiscal year—

''(A) the limitation amount under paragraph (1), exceeds

''(B) the amount of bonds issued during such year which are designated under subsection (a)(3),

the limitation amount under paragraph (1) for the following fiscal year (through fiscal year 2016) shall be increased by the amount of such excess.

''(c) MATURITY LIMITATIONS.—In lieu of section 54A(d)(5), a bond shall not be treated as a qualified Amtrak bond if the maturity of such bond exceeds 20 years.

''(d) SPECIAL RULES RELATING TO EXPENDITURES.—

''(1) IN GENERAL.—Subject to paragraph (2), an issue shall be treated as meeting the requirements of this subsection if as of the date of issuance, the issuer reasonably expects—

''(A) to spend 100 percent or more of the available project proceeds of the issue for 1 or more qualified projects within the 3-year period beginning on such date,

''(B) to incur a binding commitment with a third party to spend at least 10 percent of the proceeds from the sale of the issue, or to commence construction, with respect to such projects within the 6-month period beginning on such date, and

''(C) to proceed with due diligence to complete such projects and to spend the proceeds from the sale of the issue.

''(2) RULES REGARDING CONTINUING COMPLIANCE AFTER 3-YEAR DETERMINATION.—If at least 100 percent of the available project proceeds of the issue is not expended for 1 or more qualified projects within the 3-year period beginning on the date of issuance, but

the requirements of paragraph (1) are otherwise met, an issue shall be treated as continuing to meet the requirements of this subsection if either—

''(A) the issuer uses all unspent proceeds of the issue to redeem bonds of the issue within 90 days after the end of such 3-year period, or

''(B) the following requirements are met:

''(i) The issuer spends at least 75 percent of the available project proceeds of the issue for 1 or more qualified projects within the 3-year period beginning on the date of issuance.

''(ii) Either—

''(I) the issuer spends at least 100 percent of the available project proceeds of the issue for 1 or more qualified projects within the 4-year period beginning on the date of issuance, or

''(II) the issuer pays to the Federal Government any earnings on the proceeds of the issue that accrue after the end of the 3-year period beginning on the date of issuance and uses all unspent proceeds of the issue to redeem bonds of the issue within 90 days after the end of the 4-year period beginning on the date of issuance.

For purposes of this paragraph, the amount of the nonqualified bonds required to be redeemed shall be determined in the same manner as under section 142.

''(e) RECAPTURE OF PORTION OF CREDIT WHERE CESSATION OF COMPLIANCE.—

''(1) IN GENERAL.—If any bond which when issued purported to be a qualified Amtrak bond ceases to be such a qualified bond, the issuer shall pay to the United States (at the time required by the Secretary) an amount equal to the sum of—

''(A) the aggregate of the credits allowable under section 54A with respect to such bond (determined without regard to section 54A(c)) for taxable years ending during the calendar year in which such cessation occurs and the 2 preceding calendar years, and

''(B) interest at the underpayment rate under section 6621 on the amount determined under subparagraph (A) for each calendar year for the period beginning on the first day of such calendar year.

''(2) FAILURE TO PAY.—If the issuer fails to timely pay the amount required by paragraph (1) with respect to such bond, the tax imposed by this chapter on each holder of any such bond which is part of such issue shall be increased (for the taxable year of the holder in which such cessation occurs) by the aggregate decrease in the credits allowed under section 54A to such holder for taxable years beginning in such 3 calendar years which would have resulted solely from denying any credit under section 54A with respect to such issue for such taxable years.

''(3) SPECIAL RULES.—

''(A) TAX BENEFIT RULE.—The tax for the taxable year shall be increased under paragraph (2) only with respect to credits allowed by reason of section 54A which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

''(B) NO CREDITS AGAINST TAX.—Any increase in tax under paragraph (2) shall not be treated as a tax imposed by this chapter for purposes of determining—

''(i) the amount of any credit allowable under this part, or

''(ii) the amount of the tax imposed by section 55.

''(4) TREATMENT OF CHANGES IN USE.—For purposes of paragraph (1), the proceeds from the sale of an issue shall not be treated as used for a qualified project to the extent that the issuer takes any action within its control which causes such proceeds not to be used for a qualified project. The Secretary shall prescribe regulations specifying remedial actions that may be taken (including conditions to taking such remedial actions) to prevent an action described in the preceding sentence from causing a bond to fail to be a qualified Amtrak bond.

''(f) TRUST ACCOUNT.—

''(1) IN GENERAL.—The following amounts shall be held in a trust account by a trustee independent of the National Railroad Passenger Corporation:

''(A) The proceeds from the sale of all bonds designated for purposes of this section.

''(B) The amount of any matching contributions with respect to such bonds.

''(C) The temporary period investment earnings on proceeds from the sale of such bonds.

''(D) Any earnings on any amounts described in subparagraph (A), (B), or (C).

''(2) USE OF FUNDS.—Amounts in the trust account may be used only to pay costs of qualified projects and redeem qualified Amtrak bonds, except that amounts withdrawn from the trust account to pay costs of qualified projects may not exceed the aggregate proceeds from the sale of all qualified Amtrak bonds issued under this section.

''(3) USE OF REMAINING FUNDS IN TRUST ACCOUNT.—Upon the redemption of all qualified Amtrak bonds issued under this section, any remaining amounts in the trust account described in paragraph (1) shall be available to the issuer for any qualified project.

''(g) QUALIFIED PROJECT.—For purposes of this section, the term 'qualified project' has the meaning given the term 'qualified expenses' in section 9503(g) of the Internal Revenue Code of 1986.

''(h) STATE CONTRIBUTION REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of subsection (a)(4), the State contribution requirement of this subsection is met with respect to any qualified project if the National Railroad Passenger Corporation has received from 1 or more States, not later than the date of issuance of the bond, matching contributions of not less than 20 percent of the cost of the qualified project.

''(2) STATE MATCHING CONTRIBUTIONS MAY NOT INCLUDE FEDERAL FUNDS.—For purposes of this subsection, State matching contributions shall not be derived, directly or indirectly, from Federal funds, including any transfers from the Highway Trust Fund under section 9503.''.

(b) EXCLUSION FROM GROSS INCOME OF CONTRIBUTIONS BY AMTRAK TO OTHER RAIL CARRIERS.—

(1) IN GENERAL.—Section 118 of the Internal Revenue Code of 1986 (relating to contributions to the capital of a corporation) is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and by inserting after subsection (c) the following new subsection:

''(d) SPECIAL RULE FOR CONTRIBUTIONS BY AMTRAK TO OTHER RAIL CARRIERS.—For purposes of this section, the term 'contribution to the capital of the taxpayer' does not include any contribution by the National Railroad Passenger Corporation of personal or real property funded by the proceeds of qualified Amtrak bonds under section 54C.''.

(2) CONFORMING AMENDMENT.—Subsection (b) of such section 118 is amended by striking ''subsection (c)'' and inserting ''subsections (c) and (d)''.

(c) CONFORMING AMENDMENTS.—

(1) Paragraph (1) of section 54A(d) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) QUALIFIED TAX CREDIT BOND.—The term 'qualified tax credit bond' means—

''(A) a qualified forestry conservation bond, or

''(B) a qualified Amtrak bond,

which is part of an issue that meets requirements of paragraphs (2), (3), (4), (5), and (6).''.

(2) Subparagraph (C) of section 54A(d)(2) of such Code is amended to read as follows:

''(C) QUALIFIED PURPOSE.—For purposes of this paragraph, the term 'qualified purpose' means—

''(i) in the case of a qualified forestry conservation bond, a purpose specified in section 54B(e), and

''(ii) in the case of a qualified Amtrak bond, a purpose specified in section 54C(g).''.

(3) The table of sections for subpart I of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 54C. Qualified Amtrak bonds.''.

(d) ANNUAL REPORT BY TREASURY ON AMTRAK TRUST ACCOUNT.—The Secretary of the Treasury shall annually report to Congress as to whether the amount deposited in the trust account established by Amtrak under section 54C(f) of the Internal Revenue Code of 1986, as added by this section, is sufficient to fully repay at maturity the principal of any outstanding qualified Amtrak bonds issued pursuant to section 54C of such Code (as so added), together with amounts expected to be deposited into such account, as certified by Amtrak in accordance with procedures prescribed by the Secretary of the Treasury.

(e) ISSUANCE OF REGULATIONS.—The Secretary of the Treasury shall issue regulations required under section 54C of the Internal Revenue Code of 1986 (as added by this section) not later than 90 days after the date of the enactment of this Act.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of enactment of this Act.

SEC. 8. NATIONAL PASSENGER RAIL ELECTRIFICATION SYSTEM STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study to determine the potential costs, benefits, and economic impact of providing intercity passenger rail along a national railway electrification system.

(b) COMPONENTS OF STUDY.—The study conducted under subsection (a) shall analyze the infrastructure needed to operate reliable, high-speed rail intercity passenger service along a national railway electrification system, including an analysis of—

(1) the equipment costs to achieve such service;

(2) the environmental impacts related to transitioning to an electrified system;

(3) safety issues;

(4) national security issues;

(5) the high-speed benefits of an electrified system;

(6) the need for any improvements to existing tunnels, bridges, and other railroad facilities, or the need for the construction of new facilities; and

(7) the impacts to freight rail traffic.

SEC. 9. REPORT REQUIRED.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Labor shall submit a report to Congress that describes—

(1) existing Federal programs, policies, and initiatives that could assist in the training of workers from the automotive, aviation, and manufacturing industries to transition such workers to the railcar manufacturing and maintenance industry; and

(2) recommendations for specific legislative and administrative changes that would assist and encourage workers who have been displaced by cutbacks in the aviation, automotive, and manufacturing industries into transitioning to the rail industry.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 3362. A bill to reauthorize and improve the SBIR and STTR programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I rise today to introduce the SBIR/STTR Reauthorization Act of 2008. This bill reauthorizes the Small Business Innovation Research and Small Business Technology Transfer programs for 14 years each and makes several improvements to the programs that will allow them to work better for small business, while continuing to make an important contribution to our country's innovation economy.

When the SBIR program was originally conceived in the late 1970s and early 80s, it was in response to serious concerns that the United States was falling behind its competitors in the global economy because of a failure to innovate. At that time, as remains the case today, the lion's share of our federal research and development budget was going to large businesses and to universities that, while doing important work, simply were not doing the type of high-risk, high-reward research that drives innovation and keeps us on the technological cutting edge. It was found that small businesses were fastest and most effective not only at generating new technologies but at doing so in cost-effective ways; however, they were receiving a disproportionately low share of Federal R&D dollars, as also remains the case today. The SBIR program, therefore, was designed in 1982 to harness the innovative capacity of America's small businesses to meet the needs of our federal agencies and to help grow small, high-tech firms that, in turn, grow local economies all across the Nation. The STTR program was originally created as a pilot program in 1992 to stimulate partnerships between small businesses and non-profit research institutions, such as universities.

Today, our country once again stands at a turning point, and competition from all across the globe, from Europe to Far East Asia, makes it more important than ever that we continue to innovate and to push the boundaries in sectors across the whole range of the spectrum, from defense technologies to energy efficiency to biotechnology. This bill ensures that small businesses can be confident that the SBIR and STTR programs will be there for them years down the line and that these highly successful programs can continue to help our federal agencies meet their needs and help maintain our role as a world leader in innovations. In order to provide more small businesses with access to the SBIR and STTR programs, the bill increases the allocation for the SBIR program and doubles the allocation for the STTR program. This will allow for more technologies to be developed through these programs, technologies such as a machine that uses lasers and computer cameras to sort and inspect bullets at a much finer level than the human eye can manage, developed through an SBIR grant by a small business in Michigan, a therapeutic drug to treat chronic inflammatory disease, developed by a Montana SBIR recipient, and a nerve gas protection system, developed by an SBIR company in Massachusetts. This is not to mention the tangible benefit that these additional dollars for the SBIR and STTR programs will have in the way of business growth, job creation, and economic development, since, according to the National Academy of Sciences, more than one in ten SBIR award recipients start their company simply because of their having received an award.

Our committee has a long history of working together in a bipartisan way to pass legislation, and I am pleased to have worked closely with my ranking member, Senator SNOWE, on this bill. I am also pleased that we have been able to incorporate provisions to address the priorities of a number of other Senators on the committee, including language from Senator LIEBERMAN to address the National Academies' concerns about the lack of data and evaluation at NIH and to encourage innovation at NIH to accelerate the development of treatments and cures, language from Senator LANDRIEU regarding the FAST program to increase the participation of rural small businesses by making the matching requirement from rural states more affordable, a provision from Senator COLEMAN that creates a pilot program to encourage innovative small businesses to provide opportunities to college students studying science, technology, engineering, and math, and a provision from Senator CARDIN to clarify that small businesses with Cooperative Research and Development Agreement, CRADA, with Federal labs can still participate in the SBIR program.

I want to thank all those involved for their hard work on this legislation. I urge my colleagues to support this bill when it comes before the full Senate.

Ms. SNOWE. Mr. President. I rise today with Senator KERRY to introduce the SBIR/STTR Reauthorization Act of 2008. This measure is truly bipartisan in scope, and is the product of 9 months of negotiation. I am pleased that we have come to an agreement on a package that will further strengthen these programs—making them even more beneficial to small businesses.

This bill would reauthorize the crucial Small Business Innovation Research, SBIR, and Small Business Technology Transfer, STTR, programs—which were last reauthorized in 2000. The SBIR and STTR programs award Federal research and development funds to small businesses to encourage them to innovate and commercialize new technologies, products, and services. These programs provide more than $2 billion in Federal research and development funding each year to small businesses, and the benefit to my State of Maine cannot be overstated. According to the most recent data, in fiscal year 2005, Maine's technology-based small businesses received more than $4.5 million in SBIR total awards. We simply cannot and must not allow these programs to expire at the end of this coming September.

The legislation before us today which would provide key improvements to the SBIR and STTR programs are based on a comprehensive SBA Reauthorization bill that I introduced last Congress when I served as chair of the Senate Committee on Small Business and Entrepreneurship. This Congress, our committee has held two roundtables, with Federal agency heads and key interested stakeholders, in developing this measure. Specifically, our bill would increase the size of Phase I program awards from $100,000 to $150,000, and Phase II awards from $750,000 to $1 million. It would also tie future award increases to inflation. These pivotal reforms represent a wellspring of indispensable technological-fuel to the small business engines that drive our Nation's innovation.

Since the SBIR program was created, small hi-tech firms have submitted more than 250,000 proposals, resulting in more than 60,000 awards worth approximately $19 billion. By doubling the percentage of Federal research and development dollars that the STTR program receives each year, and increasing the SBIR percentage by 1 percent over 10 years, we will infuse another $1 billion into the small business economy. At a time when our national economy is flagging due to skyrocketing energy prices and a correcting housing market, the SBIR program is more essential then ever, if we are to capitalize on the groundbreaking capacities of Nation's pioneering small businesses.

While innovation in areas such as genomics, biotechnology, and nanotechnology present new opportunities, converting these ideas into marketable products involves substantial funding challenges. Many small businesses simply cannot afford the exorbitant cost of developing and bringing a product into the marketplace. In order to confront this challenge, our legislation offers a compromise solution to the venture capital or ''VC'' issue that has recently divided members of this committee and the SBIR community.

This bill would allow limited involvement by majority-owned venture capital firms in the SBIR program which could receive only a maximum 18 percent of SBIR funding at the National Institutes of Health and 8 percent at all other qualifying agencies. These percentages correspond to the most recent Government Accountability Office data regarding VC investment in the SBIR program. Additionally, we leave in place well-established SBA rules designed to limit participation in the SBIR program to small businesses.

Other key provisions in this vital legislation include the reauthorization and enhancement of my SBIR Defense

Commercialization Pilot Program. Senator KERRY and I created this program in 108th Congress to encourage the award of contracts to SBIR firms. The bill also includes a provision to reauthorize and increase funding to the Federal and State Partnership, FAST, program which would allow each state—including Maine—to receive funding in the form of a grant to make available an array of services in support of the SBIR program.

Now, more than ever, we in Congress must do everything within our power to help small businesses drive the recovery of our economy. It is imperative that we reauthorize the SBIR and STTR programs, particularly before the program terminates at the end of this fiscal year—fewer than 2 months away. I look forward to working with my colleagues on both sides of the aisle to pass this vital measure in the full Senate, and then negotiating with the House Small Business Committee, so that the President can sign this package into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 629—HONORING THE LIFE OF, AND EXPRESSING THE CONDOLENCES OF THE SENATE ON THE PASSING OF, BRONISLAW GEREMEK

Mr. LUGAR (for himself and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 629

Whereas Bronislaw Geremek was born on March 6, 1932, in Warsaw, Poland;

Whereas Bronislaw Geremek led the democratic movement in Poland in the 1970s, with his moral clarity and perseverance;

Whereas Bronislaw Geremek was spirited out of the Warsaw Ghetto at the age of 7 and survived the Second World War in hiding from the Nazis;

Whereas Bronislaw Geremek was educated at the Faculty of History at the University of Warsaw and the École Pratique des Hautes Études in Paris and the Polish Academy of Sciences;

Whereas Bronislaw Geremek was a distinguished professor of history and received honorary degrees from University of Bologna, Utrecht University, the Sorbonne, Columbia University, and Jagiellonian University in Krakow, Poland;

Whereas Bronislaw Geremek was a member of the Academia Europea, the PEN Club, and the Société Européene de Culture and served as a visiting scholar at the Woodrow Wilson International Center for Scholars of the Smithsonian Institution;

Whereas Bronislaw Geremek joined the Gdansk workers' protest movement and became one of the leaders of the independent trade union ''Solidarity'' and chaired the Program Commission of the First National Convention of Solidarity in 1981;

Whereas, in December 1981, Bronislaw Geremek was detained for his involvement with Solidarity following the imposition of martial law in Poland;

Whereas, in his capacity as leader of the Commission for Political Reforms of the Civic Committee, Bronislaw Geremek worked to ensure a peaceful transition to democracy in Poland;

Whereas Bronislaw Geremek was a founder of the Democratic Union, a member of the Sejm, the lower house of parliament in Poland, and chairman of the Political Council of the Freedom Union from 1989 to 2001;

Whereas Bronislaw Geremek was the Minister of Foreign Affairs for Poland from 1997 to 2000 and was a courageous advocate for democracy and human rights;

Whereas, in March 1999, Bronislaw Geremek led efforts of the Government of Poland to join the North Atlantic Treaty Organization, saying that ''Poland returns to where she has always belonged: the free world'';

Whereas, in 2001, Bronislaw Geremek was elected to the European Parliament, where he was a member of the Alliance of Liberal and Democrats for Europe;

Whereas Bronislaw Geremek was a member of the Global Leadership Foundation;

Whereas Bronislaw Geremek was a recipient of the Order of the White Eagle, Poland's most prestigious decoration;

Whereas, through his valiant and persistent efforts, Bronislaw Geremek helped consolidate freedom in Eastern Europe and open the door to strong relations with the United States and the West;

Whereas the bravery of Bronislaw Geremek gave hope to those around the world in their own struggles with oppression and tyranny; and

Whereas Bronislaw Geremek made an invaluable contribution to his community, to Poland, and the world: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life and accomplishments of Bronislaw Geremek and expresses its condolences on his passing; and

(2) requests that the Secretary transmit an enrolled copy of this resolution to the family of the deceased and to the Ambassador of Poland to the United States.

Mr. LUGAR. Mr. President, I rise today to offer a resolution honoring the life of Bronislaw Geremek and expressing the condolences of the Senate on his death. I am pleased that Senator BIDEN has agreed to cosponsor this important resolution.

Minister Geremek was a freedom fighter and a former Foreign Minister of Poland. He began his fight for freedom at age seven when he escaped the Warsaw Ghetto and successfully hid from the Nazis through the end of World War II.

Minister Geremek went on to become a professor of history and received honorary degrees from such prestigious institutions as the Sorbonne and Columbia University. In the 1970s, he joined the Gdansk workers' protest movement in Soviet-controlled Poland. With unwavering conviction, he became a leader of the independent trade union ''Solidarity'' and helped usher in a new era that led to the fall of the Soviet Union. His efforts gave hope to many across Eastern Europe and around the world struggling against tyranny and oppression. While he guided his nation towards democracy in Eastern Europe, the political, social, and economic ramifications of his efforts were felt across the world.

On July 13, 2008, this statesman who helped vanquish communism in Europe unexpectedly passed away. His life's work gave millions of people the freedom to choose their government, their economy, and their livelihood. For his sacrifices to Poland, Europe, and the world, he deserves the honor and respect of the United States Senate and our Nation. I ask for the support of my colleagues in passing this important resolution celebrating the life of Bronislaw Geremek.

SENATE RESOLUTION 630—RECOGNIZING THE IMPORTANCE OF CONNECTING FOSTER YOUTH TO THE WORKFORCE THROUGH INTERNSHIP PROGRAMS, AND ENCOURAGING EMPLOYERS TO INCREASE EMPLOYMENT OF FORMER FOSTER YOUTH.

Mrs. CLINTON (for herself, Ms. LANDRIEU, Mr. CASEY, Mrs. BOXER, and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions.

S. RES. 630

Whereas, on any given day, there are more than 500,000 youth in foster care in the United States;

Whereas an estimated 26,000 of these youth are discharged from the foster care system or ''age out'' with few or no resources to start their own lives;

Whereas the people of the United States have a sincere appreciation for the circumstances that place children in foster care;

Whereas foster youth possess unique qualities and skills that make them ideal candidates for employment, but compared to youth nationally and youth from low-income families, they are less likely to be employed or employed regularly;

Whereas, when afforded comprehensive support, this resilient population excels in the job market;

Whereas, within 18 months after leaving foster care, 25 percent of foster youth become homeless, and former foster youth comprise more than a quarter of the United States homeless population;

Whereas, without positive intervention, youth who age out of foster care often have bouts of homelessness, criminal activity, and incarceration;

Whereas addressing job readiness early in the transition to adulthood is critical to shaping the future trajectories of these youth; and

Whereas youth who begin connecting to the workforce prior to discharge from foster care maintain the highest probability of employment: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of connecting foster youth to the workforce through internship programs, such as the Orphan Foundation of America's InternAmerica program and other programs, that provide to foster youth the foundation upon which to build their careers and to be successful members of the workforce; and

(2) encourages employers of all sectors and Federal, State, and local governmental agencies to increase employment of the young men and women who have been discharged from foster care in the United States.

Mrs. CLINTON. Mr. President, today I am pleased to introduce a resolution that recognizes the importance of connecting foster youth to internship and employment opportunities. I thank Congressmen CARDOZA, MCDERMOTT, and FATTAH for raising this important