

to expand the contracting authority of the Office of Personnel Management, and for other purposes.

S. 2889

At the request of Mr. ALEXANDER, the names of the Senator from Utah (Mr. BENNETT), the Senator from Montana (Mr. BAUCUS), the Senator from Michigan (Ms. STABENOW), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from North Carolina (Mrs. DOLE), the Senator from Nebraska (Mr. NELSON), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Kentucky (Mr. McCONNELL), the Senator from Louisiana (Mr. BREAUX), the Senator from Kansas (Mr. ROBERTS), the Senator from Kentucky (Mr. BUNNING), the Senator from Illinois (Mr. FITZGERALD), the Senator from Oregon (Mr. WYDEN), the Senator from North Dakota (Mr. CONRAD), the Senator from Illinois (Mr. DURBIN) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 2889, a bill to require the Secretary of the Treasury to mint coins celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States, to America's lands, waterways, and skies and the great importance of the designation of the American bald eagle as an endangered species under the Endangered Species Act of 1973, and for other purposes.

S. 2978

At the request of Mr. REID, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2978, a bill relating to State regulation of access to hunting and fishing.

S. RES. 269

At the request of Mr. LEVIN, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. Res. 269, a resolution urging the Government of Canada to end the commercial seal hunt that opened on November 15, 2003.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER (for himself, Mr. BIDEN, and Mr. DURBIN):

S. 2995. A bill to permanently extend the income tax deduction for college tuition expenses; to the Committee on Finance.

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

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

S. 2995

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

SECTION 1. PERMANENT EXTENSION OF TUITION DEDUCTION.

(a) REPEAL OF TERMINATION CLAUSE.—Section 222 of the Internal Revenue Code of 1986 is amended by striking subsection (e).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to payments made in taxable years beginning after December 31, 2005.

(c) PROVISION MADE PERMANENT.—Title IX of the Economic Growth and Tax Relief Reconciliation Act of 2001 (relating to sunset of provisions of such Act) shall not apply to section 431 of such Act.

By Mr. INHOFE:

S. 2997. A bill to amend section 1928 of the Social Security Act to encourage the production of influenza vaccines by eliminating the price cap applicable to the purchase of such vaccines under contracts entered into by the Secretary of Health and Human Services, to amend the Internal Revenue Code of 1986 to establish a tax credit to encourage vaccine production capacity, and for other purposes; to the Committee on Finance.

Mr. INHOFE. Mr. President, there was a lot of hysteria a short time ago about the flu vaccine and the fact it was not available to a lot of people. There are several problems. One, the flu vaccine production currently takes approximately 6 months. I am introducing a bill that will expedite that and will have the sense of the Senate to steer the NIH research dollars toward the development of faster technology. They are using egg cultures to grow this vaccine when it can be done through the cells of silk moths. It will take more research to get there and we will encourage them to do that.

Second, the bill removes price controls for the purchasing of the flu vaccine. This happened during the Clinton administration. We should have learned during the Nixon administration that price controls in reality do not work. The result of this has been that we do not have many companies now that are willing to get in there and take the risk and develop and manufacture these vaccines. As soon as they do, they find out there is no profit at the other end because of price controls.

Lastly, we allow investment tax credits.

I have long been dedicated to quality healthcare for my constituents in Oklahoma and across America. I supported the Medicare bill of 2003 to give a voluntary prescription drug benefit to seniors. I have championed the rural health care providers, who received some of the greatest benefits of the Medicare bill. In 1997, I was one of few Republicans to vote against the Balanced Budget Act because of its lack of support for rural hospitals. Back then, I made a commitment to not allow our rural hospitals to be closed, and I am pleased we finally addressed that important issue in the Medicare legislation. I also cosponsored S. 816, the Health Care Access and Rural Equity Act, to protect and preserve access of Medicare beneficiaries to health care in rural regions.

I am a strong advocate of medical liability reform and am an original cosponsor of S. 11, the Patients First Act, to protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs. There are solutions to alleviate the burden placed on physicians and pa-

tients by excessive medical malpractice lawsuits, and I am committed to this vital reform.

I have also worked with officials from the Center for Medicare and Medicaid Services to expand access to life-saving Implantable Cardiac Defibrillators. I supported legislation to increase the supply of pancreatic islet cells for research and cosponsored a bill to take the abortion pill RU-486 off the market in the United States.

The federal government invests in improving hospitals and healthcare initiatives, and I have fought hard to ensure that Oklahoma gets its fair share. Specifically, over the past three years, I have helped to secure \$5.2 million in funding for the Oklahoma Medical Research Foundation, the Oklahoma State Department of Health planning initiative for a rural telemedicine system, the INTEGRIS Healthcare System, the University of Oklahoma Health Sciences Center, the Oklahoma Center for the Advancement of Science and Technology, St. Anthony's Heart Hospital, the Hillcrest Healthcare System, and the Morton Health Center.

The unexpected influenza, flu, vaccine shortage beginning last month highlights the need to encourage the production of flu vaccine in America. As you know, on October 5th, Chiron, a California-based biotechnology company, notified U.S. health officials that its plant in Liverpool, England had been shut down due to vaccine contamination. Almost 50,000 doses of flu vaccine were thrown away, which created a severe shortage for Americans just as the flu season began.

In light of the current shortage, I have examined why America found itself unable to accommodate the public demand for the flu vaccine. As we have seen, once a vaccine shortage strikes, a rapid response is difficult and often impossible. Thirty years ago, more than a dozen American companies were in the flu vaccine business. Today only two companies make the vaccine for America, and only one in an America-based company. This is no coincidence. High liability costs, tedious production, price caps, and the complicated United States tax code have kept the market bare.

In October, President Bush signed the JOBS bill, which curbed the billion-dollar lawsuits that have crippled the flu vaccine industry. By adding flu vaccine to the list of vaccines protected by the National Vaccine Injury Compensation Program, VICP, a no-fault alternative must be used for resolving vaccine injury claims. I am encouraged with this progress, but more can be done to prevent a shortage in the future.

My bill supports allocating a greater percentage of the National Institutes of Health budget to develop faster and safer vaccine production technology. The ever-changing nature of the flu virus results in a complicated production process. The dominant strain of the flu virus mutates each year, requiring a different vaccine for every flu

season. Because harvesting the flu vaccine currently takes at least six months and requires tens of thousands of fertilized eggs susceptible to contamination, this process must begin nearly a year before the flu season begins.

Research should be focused on developing new technologies to allow us to produce more vaccine—in the same season—when we encounter a shortage. A company in Connecticut is developing a flu vaccine relying on cell lines from silk moths. This type of innovative research promises to shave at least one month off of production time and significantly reduce cost.

My bill includes a sense of the Senate on the importance of allocating a greater percentage of the National Institutes of Health, NIH, research dollars to developing new technology in flu vaccine production. The encouragement of safer and faster flu vaccine production technology is a prudent use of existing Federal research dollars through the National Institutes of Health.

Furthermore, my bill removes the suffocating price controls that have discouraged companies from producing the flu vaccine. The Vaccines For Children program, VFC, enacted under the Clinton administration, imposed a price cap on all vaccines purchased through Federal contracts. From a shortsighted perspective, these regulated prices may expand access to vaccines. However, in the long run this policy devastates the vaccine production industry and decreases the availability of vaccines. This occurred in 1998 when manufacturers of tetanus diphtheria vaccine refused to bid on Government contracts. Consequently, this vaccine is no longer available to children through the VFC program.

Similarly, the CDC purchased nearly 12 percent of the flu vaccine this season, and significant quantities were purchased through the Department of Defense, the Veteran's Administration and Medicare. The price controls imposed from Federal government purchasing create a high-risk, low-reward business market. Price controls destroy any profit incentive. Manufacturers avoid this artificial environment and will continue to as long as the government over steps its bounds.

The harmful effect of government price controls is especially pronounced in the flu vaccine market because the vaccine has a single-season shelf life. The difficulty of predicting the demand for vaccines each year exposes companies great risk. A slight drop in demand can force them out of the market. Financial losses—from 7 million extra doses in 2002 and 4.5 million extra in 2003—compelled Wyeth Pharmaceutical Company to end its flu vaccine manufacturing.

In addition to lifting price controls, the government can loosen its grip on the flu vaccine market by reforming its complicated tax code. Fortunately, the JOBS bill made headway in simplifying

the current United States international tax rules. To further offset the heavy penalties within the United States tax code, my bill gives a tax credit to companies, new and old, that construct facilities to manufacture flu vaccine.

Currently, ten American companies produce the 47 FDA-approved vaccines. An investment tax credit will encourage these existing companies to expand their production to cover the flu vaccine and will invite start-up companies to join the industry. This will better equip the United States market to prevent and deal with a shortage in the future.

Scientific experts consider vaccination to be the most effective medical intervention, and we live in an age of unprecedented vaccine development and implementation. We cannot continue to overregulate the flu vaccine industry and hope companies will hang on and produce vaccines regardless of profit. The current national flu vaccine shortage reveals the need to act.

My bill would steer NIH research dollars towards cutting-edge technology, remove suffocating price controls, and free American companies to enter the flu vaccine industry with an investment tax credit. I urge my colleagues to stand with me in supporting this vital legislation.

By Mr. INHOFE:

S. 2998. A bill to promote the development of the emerging commercial human space flight industry, and for other purposes; to the Committee on Commerce, Science, and Transportation.

COMMERCIAL SPACE LAUNCH ACT

Mr. INHOFE. Mr. President, I want to introduce two bills today. One of them is about a program nobody seems to know about. That is the space launch program. I don't know whether it is in the State of Texas or where they are doing this. But in Oklahoma, in Burns Flat, we have been very active in trying to get the Commercial Space Launch Program going. This is an opportunity for people to go into sub-orbital launch vehicles using a hybrid technology of a combination rocket injection engine. We are doing this. There have been several of them so far.

I have been a commercial pilot now for almost 50 years—47 years, I guess. I have a natural interest in this. I have had occasion to fly an airplane around the world. I have watched it from all levels.

I see the excitement in people's faces saying, I can fly in space.

We have this program which nobody knows about. It is a program that will allow people to get into things such as a Learjet that has a rocket on that will actually launch them, take them up and give them the experience of travel in space.

There have been some problems with this, however. There are some problems

with people being able to do this with the company putting these programs together incurring responsibilities and liabilities.

It is very similar to the program we have been concerned with in the oil industry to try to expand it and keep people from being able to have frivolous lawsuits. That is what we are up against here.

We have introduced a bill that is designed to allow participation in this emerging space launching activity for a greater number of people.

The FAA will now have sole regulation authority for the suborbital hybrid vehicles. It will be appropriately considered. We are not taking any risk here. This is just to allow the private sector to enjoy this type of thing.

I will be introducing today S. 2998 with the idea of making this a reality and giving this privilege to a lot of people and allowing us to develop technology.

It is interesting. A lot of people go to an event every year in Oshkosh, WI. I have gone for 27 consecutive years. We go up there to see all of the new technology, what people are putting together in their experimental aircraft, airplanes they are making in their garages and basements. A lot of technology we are now using in the space program was actually started right there in someone's garage. That is essentially what we want to get at with the Commercial Space Launch Act we introduce today.

By Mr. TALENT:

S. 3001. A bill entitled the "Hybrid HOV Access Act"; to the Committee on Environment and Public Works.

Mr. TALENT. Mr. President, I am pleased to be introducing this bill, which will allow more owners of hybrid electric vehicles, or HEVs, to have access to HOV lanes on Federal highways. For all of us who have a desire to lessen our dependence on foreign oil and encourage the use of renewable energy, this bill represents a step forward towards achieving those goals.

The language that is currently in the highway bills passed by the House and the Senate allows hybrid vehicles that achieve a 45 mile-per-gallon fuel economy highway rating to use HOV lanes. Any hybrid that achieves that kind of fuel economy certainly deserves to get that status, because it is a very impressive fuel economy rating and represents a substantial improvement over non-hybrid vehicles. What the 45 mile-per-gallon standard fails to take into account, however, is that many larger hybrid vehicles achieve a much larger fuel economy improvement over their internal combustion engine counterparts, and thus save more energy, than smaller vehicles which manage to meet the standard but are a less drastic improvement over their non-hybrid counterparts.

To illustrate this, take the 2005 model Honda Civic HEV, which gets just over 45 miles-per-gallon. This represents less than a 40 percent improvement over the comparable internal