

A bill (H.R. 254) to authorize the President of the United States to agree to certain amendments to the Agreement between the Government of the United States of America and the Government of the United Mexican States concerning the establishment of a Border Environment Cooperation Commission and a North American Development Bank, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the Hutchison substitute be agreed to, the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 2856) was agreed to, as follows:

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (H.R. 254), as amended, was read the third time and passed.

SMALL BUSINESS PROGRAMS EXTENSION ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of H.R. 3915, which is at the desk.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3915) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through April 2, 2004, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. SNOWE. Mr. President, I rise today to speak to the approval of H.R. 3915, a bill adopted by the House yesterday to provide a short-term extension of the Small Business Administration, SBA, and all of its programs. In particular, it ensures the continuation of the SBA's 504 loan program, a vital program for small businesses. The bill extends the authorization for the 504 loan program through May 21, 2004, and extends the authorization for other SBA programs, such as the Preferred Surety Bond Program, and Small Disadvantaged Business Program, and the SBA's cosponsorship authority, through April 2, 2004.

On September 26, 2003, the Senate unanimously approved the Small Business Administration 50th Anniversary Reauthorization Act of 2003, S. 1375, which I introduced as the chair of the Committee on Small Business. That bill provides for the 3-year reauthorization of the SBA and its small business programs, including the 504 loan program.

The reauthorization bill will continue the SBA's role in assisting American small businesses to thrive and grow, through the agency's lending and other programs and services. Most im-

portantly, it will enable the agency to help small businesses continue creating new jobs for our economy. According to the SBA, reauthorizing the agency will result in an estimated 3.3 million jobs created or retained over the next 5 years.

While the Small Business Administration 50th Anniversary Reauthorization Act provides for the continuation of these programs, the other body continues to be delayed in its consideration of legislation to reauthorize the agency. The SBA's programs that rely on appropriations have continued since the Commerce, Justice, State and the Judiciary appropriations legislation for fiscal year 2004 was enacted. However, several of the SBA's programs and activities, such as the 504 loan program, do not rely on appropriations. As a result, they are in jeopardy of shutting down without the bill before us today, and that's a result America's small businesses simply cannot afford.

I am confident that we can enact legislation to reauthorize the SBA once the other body has completed work on its version of the bill. In the interim, we must ensure that the SBA can continue to offer the entire range of its programs to our Nation's small businesses, which are the driving force behind our current economic recovery.

The 504 loan program, one of the agency's flagship lending programs, allows small businesses to obtain long-term, fixed-rate financing to purchase land, buildings, or equipment. In the past 4 fiscal years, the SBA has provided guarantees for more than 20,000 loans through the 504 loan program, for a total of approximately \$8.6 billion, and these loans have allowed small businesses to create or retain more than 445,000 jobs.

The 504 program relies on fees charged to the program participants, rather than on Federal appropriations charged to the taxpayers, to fund their operation. Because the program relies on Federal funds, the SBA needs legislative authorization to collect the fees that operate the programs and ensure that they function at a zero subsidy rate.

I am also extremely concerned about the SBA's section 7(a) business loan program. I strongly believe that we must act to ensure that the 7(a) program remains a source of long-term capital for small businesses, including those small businesses that need large loans. The 7(a) program is currently suffering from a funding shortfall, as demand for loans has exceeded the available appropriations this year, as it has four times in the last 10 years.

In that regard, yesterday I introduced the Small Business Loan Revitalization Act, S. 2193. I was pleased to be joined in sponsoring that act by my colleagues, Mr. BOND, Mr. ENZI, and Mr. COLEMAN. With the improvements contained in that act, I am confident that we can soon help the 7(a) program to once again provide the financing that small businesses so desperately need.

We must act today to ensure that the SBA and its programs continue. The bill before us achieves that goal by extending the authorization for the 504 program through May 21, 2004, and for the agency and its other programs through April 2, 2004. That will provide time for the other body to pass its legislation, for us to reconcile the differences, and for the President to sign a long-term reauthorization bill for the SBA.

This legislation is absolutely necessary for America's small businesses. I urge my colleagues to support this bill and thereby ensure that the SBA, and in particular the 504 loan program, will continue to serve small businesses and enable small businesses to obtain the financing they need, as they contribute so greatly to the revitalization of our national economy.

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

• Mr. KERRY. Mr. President, I want to make a few comments about H.R. 3915 that will be considered by the Senate today. This bill contains two temporary extensions of authority. One that is general, keeping the Small Business Administration and its programs operating through April 2, 2004, and another that is specific to the SBA's 504 Loan Guarantee Program, keeping it operational through May 21, 2004.

I support this bill, and am relieved the 504 Loan Guarantee Program will not lose its authority to keep making loans to small businesses that are growing, creating jobs and helping our communities. However, there are other serious problems concerning the SBA's 7(a) Loan Guarantee Program and Women's Business Centers that are urgent and should be addressed before the Senate recesses tonight for a week. I introduced a bill earlier this week, S. 2186, the SBA Emergency Authorization Extension Act of 2004, which sets forth workable solutions for those issues. At that time I urged my colleagues to take immediate action and consider it. Senator SNOWE also introduced a bill this week, S. 2196, which addressed the 7(a) Loan Guarantee Program funding shortfall, which I support and would have supported as an amendment to this extension. Like the small business community, I am disappointed that the bigger solution for small business lending is being delayed another couple of weeks.

Some people think a couple of weeks can do no harm. But in the 7(a) Loan Guarantee Program, small businesses caught in the middle of the administration's funding schemes might not make it. And the funding problems will fester because it will operate at a more expensive cost than if we enacted the temporary program changes that the lending and small business communities support and are strongly urging the Congress to adopt. Two weeks could mean about half a billion in lending. I disagree with the administration's tactics and I hope that during

this next brief extension they will work with the Senate and House committees to pass program changes that resolve these issues fairly, effectively and expeditiously. Their plan does not work and the small business and lending communities are opposed to it. We need a plan that does.

I look forward to working with my colleagues to resolve this as soon as possible.●

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (H.R. 3915) was read the third time and passed.

DESIGNATING THE WEEK OF MARCH 7 THROUGH MARCH 13, 2004, AS "NATIONAL PATIENT SAFETY AWARENESS WEEK"

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 320, submitted earlier today by Senators GRAHAM of Florida, SNOWE, GREGG, and others.

The ACTING PRESIDENT pro tempore. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 320) designating the week of March 7 through 13, 2004, as "National Patient Safety Awareness Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. GRAHAM of Florida. Mr. President, I am very pleased to introduce a resolution to recognize the week of March 7–March 14 as "National Patient Safety Awareness Week" with my colleagues and friends Senator SNOWE, Senator GREGG, Senator DODD and Senator JEFFORDS.

We know that patient safety is a paramount health care issue today: a 1998 Institute of Medicine study shocked us with the fact that nearly 100,000 Americans die each year from medical errors in our clinical settings alone, which highlights both the gravity and emotion associated with this complex challenge.

Some of us have experienced the tragedy of medical error, either directly or through a family member or friend. We are not unique; estimates show that about one in every 5 Americans has experienced a medical error or has a family member who has experienced a medical error.

In addition to the profound emotional cost of these errors, the added burden placed on an already overburdened health care system is equally profound. The cost of medical care provided to correct an error, and the lost wages for those whose recoveries are extended because of medical errors is significant. The Institute of Medicine put a price tag of between \$17 and \$29

billion per year on the overall costs to our economy and our citizens due to medical errors.

We can do better; indeed, we must do better. We can strengthen our efforts to apply proven safety techniques from other sectors and industries that have developed a culture of safety, like the aviation industry. By focusing on system changes, significant progress can be achieved in making our health care system safer.

As legislators, we have drafted a range of proposals to address and improve the systems factors that lead to medical errors. As we think about ways to create a safer health care system, we must continue to work with healthcare professionals, patients and their families to ensure our healthcare systems place an absolute premium on the safety of its patients. In this regard, Senator SNOWE and I have introduced a bill to reduce medication errors in hospitals and skilled nursing facilities. Other cosponsors of this resolution have supported legislation that would create a voluntary reporting system. As we consider these pieces of legislation, it is important to remember that medical errors are a multifaceted problem to which there are multiple solutions.

This resolution addresses another key element in our quest to make our health care system safer: that being to fuel the "power of partnership" between patients, families and healthcare professionals. The "power of partnership" is the theme of this year's Patient Safety Awareness Week, sponsored by the National Patient Safety Foundation. Our recognition of National Patient Safety Awareness Week is an important addition to our efforts to create a safer health care system by promoting increased patient education and highlighting the importance of partnership between healthcare providers and patients.

"Patient Safety Awareness Week" deserves the support of the United States Congress, and I urge my colleagues to support this Senate Resolution. While Patient Safety Awareness Week will not solve all the challenges associated with medical errors, it does launch us on a path of progress, and brings us one step closer.

Through a bipartisan partnership we can highlight the importance of patient safety and the role of the patient and their families in achieving a safer health care system.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD as if read, without intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 320) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 320

Whereas patient safety is an issue of significant importance to the United States;

Whereas 1 in every 5 citizens of the United States has experienced a medical error or has a family member who has experienced a medical error;

Whereas medical errors often have serious and profound consequences;

Whereas it is estimated that injuries from preventable medical errors cost the United States economy between \$17,000,000,000 and \$29,000,000,000 each year;

Whereas more people die annually from medical errors than from automobile accidents, breast cancer, and AIDS;

Whereas increased patient and provider education and collaboration can help avoid medical errors;

Whereas the Institute of Medicine has stated that a "critical component of a comprehensive strategy to improve patient safety is to create an environment that encourages organizations to identify errors, evaluate causes and take appropriate actions to improve performance in the future," and further, that "a more conducive environment is needed to encourage health care professionals and organizations to identify, analyze, and report errors without threat of litigation and without compromising patients' legal rights";

Whereas better systems can be implemented to reduce the factors that lead to medical errors;

Whereas innovative educational and research programs are being conducted by the National Patient Safety Foundation as well as by other public and private entities to develop methods for avoiding preventable injuries and to assess the effectiveness of new techniques to increase patient safety; and

Whereas education of the public on medical errors and the factors that typically lead to medical errors empowers patients to be more effective partners with health care providers in the battle against preventable injuries from medical errors: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of March 7 through March 13, 2004, as "National Patient Safety Awareness Week"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate programs and activities.

NATIONAL SAFE PLACE WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 309 and that the Senate proceed to its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 309) designating the week beginning March 14, 2004, as "National Safe Place Week".

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the resolution be printed in the RECORD.