

year treaty giving Libya the right to exploit the oil, uranium and other resources of the republic.

In Zimbabwe, Libya has often assisted President Robert Mugabe, including supplies of urgently needed oil. In Liberia, Libya has been a major provider of arms and supplies to Charles Taylor.

The Libyan Government is responsible for the terrorist bombing of Pan Am flight 103 over Lockerbie, Scotland. Some 270 innocent people lost their lives in the bombing, including 189 Americans. Until September 11, the Pan Am bombing killed more American civilians than any other terrorist atrocity in our history. Officially, the Libyan government has accepted responsibility for the actions of its officials in the atrocity, but Qadhafi denied his nation's involvement in the bombing, according to a CNN report on December 23, 2004 summarizing an interview by its State Department correspondent Andrea Koppel with him.

In taking steps to resume relations, the administration presumably believes that Libya has made a firm decision to abandon terrorism and become a responsible member of the international community. However, Qadhafi persists in the type of rhetoric he has displayed in the past. In Brussels, he recently threatened to return to the "days of explosive belts" if provoked by Western "evil." We've recently seen allegations of a purported assassination plot hatched by Qadhafi against the crown prince of Saudi Arabia following a dispute at the Arab League summit in March.

President Bush has spoken frequently about democracy and human rights. In November 2003, at the National Endowment for Democracy's 20th anniversary celebration, he said that "sixty years of Western nations excusing and accommodating the lack of freedom in the Middle East did nothing to make us safe—because in the long run, stability cannot be purchased at the expense of liberty. As long as the Middle East remains a place where freedom does not flourish, it will remain a place of stagnation, resentment, and violence ready for export."

It is surprising that the administration would so quickly strengthen relations with a dictator who is responsible for the mass murder of innocent Americans, opposes democracy, persecutes his own people, and continues to cause instability in Africa.

Mona Eltahawy's important op-ed article raises many of these questions, and I ask unanimous consent that it may be printed in the RECORD.

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

WARMING UP TO A DICTATOR

(By Mona Eltahawy)

When the United States ended a 24-year chill and restored diplomatic relations with Libya on June 28, the first person I thought of was Baha Omary Kikhia. I interviewed her in Cairo more than 10 years ago during one

of her many trips to the region to find out what happened to her husband, former Libyan foreign minister turned dissident Mansour Kikhia.

His case has too easily been lost in the lexicon of bloodier and larger crimes committed by the Libyans, such as the 1988 Pan Am bombing, which killed 270 people. But Moammar Gaddafi has been brutal to Libyans, too, and his various eccentricities should not blind us to the police state he has presided over since he assumed power in a September 1969 coup.

He may travel with Kalashnikov-armed female bodyguards, he may pitch tents at home and abroad for talks with officials, and he may pen such "classics" as the short story collection "The Village, the Village, the Earth, the Earth and the Suicide of the Astronaut," but none of these quirks should distract us from his abysmal human rights record. Arbitrary arrests, a muzzled press, a ban on political parties and the squandering of Libya's oil wealth have never been laughing matters for Libyans.

And we should not forget Mansour Kikhia, who disappeared in Cairo in December 1993 while attending a meeting of an Arab human rights organization he had helped found. Kikhia had defected to the United States in 1980 and was a U.S. resident who was four months away from receiving citizenship when he went to Egypt. A four-year CIA investigation found in 1997 that Egyptian agents turned over Kikhia—who had asked for Egyptian security protection while in Cairo—to agents of Gaddafi's regime, who spirited the dissident to Libya, where he was executed and buried in the Libyan desert.

My interview with his wife, a U.S. citizen, left me painfully saddened for her and her family and particularly distressed that someone could just disappear in the city that I called home. I could not forget her during an assignment in Tripoli in 1996, when a Libyan government minder shadowed me at every turn and an official with the ministry of information asked me why we were so critical of Libya in the copy we filed at the Reuters news agency. And I will not forget her now, or the many others who have suffered from Gaddafi's regime, just because he is able to say the things he knows the Americans and British want to hear.

Gaddafi, claiming he had seen the light, accepted responsibility last year for the Pan Am bombing, agreeing to pay compensation to the victims' families (I wonder whether he has paid compensation to Baha Omary Kikhia) and to dismantle his chemical, biological and nuclear weapons programs. If that last bit sounds familiar, it should. President Bush and British Prime Minister Tony Blair want us to think that Gaddafi's conversion on the road to Washington and London was due to the fear that he would end up in the same jail cell as Saddam Hussein. (Gaddafi's daughter Aicha, a law professor, has joined Hussein's defense team.)

With no weapons on mass destruction to justify a war against a country that never threatened them, Bush and Blair are determined to hold on to their theory that the "war on terrorism" and the invasion of Iraq would bring rogue states in line. But it's an old argument they're making. In the absence of weapons of mass destruction, and with images of Hussein on trial for war crimes, they have been pushing the "removal of a brutal dictator" excuse for the invasion of Iraq. How do they square this with their astonishing rush to embrace another ruthless dictator?

Gaddafi's behavior of late has been uncomfortably close to brutal. In May—a mere two months after a historical visit to Tripoli by Blair, who was accompanied by executives of British businesses eager to cash in—a Libyan

court sentenced five Bulgarian nurses and a Palestinian doctor to death by firing squad for deliberately infecting some 400 children with HIV. The medics had always protested their innocence and said they had been tortured by the police, with daily beatings, sexual assault and electric shocks.

Expert witnesses called in for their defense included one of the team that discovered the AIDS virus, who said this was an epidemic caused by poor hygiene at the hospital, not by any international conspiracy. Isn't Bulgaria a member of the "Coalition of the Willing"?

Here's the topper. As Libya was engaged in secret negotiations to resume relations with the United States and Britain, Gaddafi tore into Saudi Crown Prince Abdullah at an emergency Arab League summit in March 2003, assailing the kingdom's close relationship with the United States. When the Saudi de facto leader insulted Gaddafi back and walked out, the Libyan leader apparently hatched a plot to assassinate him. Isn't that dangerously close to state-sponsored terrorism?

Speaking at Whitehall Palace in London last year, President Bush acknowledged that the United States and Britain had not always been on the right side of democracy when it came to the Middle East. "Your nation and mine in the past have been willing to make a bargain to tolerate oppression for the sake of stability," Bush said, addressing Blair.

It's not difficult to imagine that just such a bargain, along with some good old-fashioned military and oil contracts thrown in, is the driving force behind the resumption of ties with Libya.

PATIENT SAFETY

Mr. ENZI. Mr. President, I rise today to talk about patient safety.

There is bipartisan legislation pending in the Senate that is absolutely critical to reducing healthcare errors and increasing healthcare quality. It is S. 720, the Patient Safety and Quality Improvement Act.

The Health, Education, Labor and Pensions Committee reported this bill to the floor in November of last year. It was approved in the committee by a unanimous voice vote, and it is past time for the Senate to vote on and pass this important legislation.

This patient safety legislation is an important step toward building a culture of safety and quality in health care.

The Patient Safety and Quality Improvement Act would create a framework through which hospitals, doctors, and other health care providers can work to improve health care quality in a protected legal environment. The bill would grant privilege and confidentiality protections to health care providers to allow them to report health care errors and "near misses" to patient safety organizations. The bill also would allow these patient safety organizations to collect and analyze the data confidentially.

After analyzing the data, patient safety organizations would report on trends in healthcare errors and offer guidance to providers on how to eliminate or minimize these errors. Some of this takes place today, but much more

information could be collected and analyzed if providers felt confident that reporting these errors did not increase the likelihood that they or their colleagues would be sued for honest mistakes.

This legislation would not permit anyone to hide information about a medical mistake. Under the bill, lawyers could still access medical records and other information that would normally be discoverable in a legal proceeding. However, the bill would ensure that the analysis of that information by patient safety organizations would take place on a separate track in a protected legal environment.

Healthcare providers will be much more likely to share information about honest mistakes and how to prevent them if they have some assurance that the analysis of their information won't result in a tidy package of information that a personal injury lawyer could use against them in court.

Errors in medical treatment take place far too often today. Unfortunately, providers live in fear of our unpredictable and unfair medical litigation system, and this legal fear inhibits efforts to address the root causes of health care errors. Without appropriate protections for the collection and analysis of patient safety data, providers are unwilling to report mistakes and errors, which is one of the reasons that health care quality today is not what it could be.

Litigation does nothing to improve quality or safety. The constant threat of litigation instead stifles honest analysis of why health errors happen. This is just one more reason why we need wholesale reform of our medical litigation system. We need to foster alternatives that restore trust between patients and providers and result in fair and reliable outcomes for both parties. We need to scrap the current system, not just cap it.

But until we do so, we should take whatever steps we can to create an environment that protects the collection and analysis of patient safety data so that providers can learn from their mistakes and prevent them from happening in the future.

The Patient Safety and Quality Improvement Act is one of these steps. Yesterday, our committee chairman, Senator GREGG, asked for unanimous consent that we move to consideration of this legislation on the Senate floor. This is the third time he has done so. Each time, he has been blocked by our colleagues in the minority, even though the committee of jurisdiction was unanimous in its support for the bill.

My colleagues in the minority keep talking about problems with healthcare quality—just like they keep talking about the loss of American jobs. However, talk is cheap when their actions don't match up to their words. If they are really so concerned about improving healthcare in our Nation, why would they object to a bill that

would reduce errors and improve patient safety, particularly a bipartisan bill with unanimous committee support? If they are really so concerned about American workers and jobs, why won't they let a bill improving the Nation's job-training system go to conference?

This is another example of what is happening—or not happening here in the Senate. We have a bill—a bipartisan bill—that will help workers get back to work or find better jobs. This bill will equip our workforce with the skills necessary for America to compete—and succeed—in the global economy. It reauthorizes and improves the Nation's job training and employment system created under the Workforce Investment Act.

The Workforce Investment Act provides job training and employment services to more than 900,000 unemployed workers each year. Just like the patient safety legislation, this bipartisan bill passed out of the Health, Education, Labor, and Pensions Committee unanimously. We passed it on the Senate floor by unanimous consent last November. That is as bipartisan as you can possibly get.

Where is the bill now? We can't get a conference committee appointed to resolve differences with the House. If we really want to take care of jobs and workers in this country, we should appoint conferees for the Workforce Investment Act legislation. I can only conclude that my Colleagues on the other side of the aisle are more concerned with election year politics than helping American workers, or improving patient safety.

There are differences between Republicans and Democrats on most of the big issues facing our Nation. If my colleagues in the minority want to bottle up legislation with which they disagree, that is their prerogative. But that is not what I am talking about.

What we have here are a few members of the minority party holding up bipartisan bills that receive unanimous approval in committee, and holding up conferences on bills that receive unanimous support on the Senate floor.

The only logical conclusion I can make is that these roadblocks are based on politics, not policy, and that is a shame.

Right now, the Senate floor reminds me of the airspace above a busy airport. We have got a number of bipartisan bills lined up for their final approach, but our colleagues in the minority are holding these bills up and won't allow them to land. The tactics of my colleagues in the minority give new meaning to the term "holding pattern."

It is time for our Democrat colleagues to break this holding pattern so that we can pass these bipartisan bills like the Patient Safety Act and the reauthorization of the Workforce Investment Act. These are not only bipartisan bills, but they received unanimous committee support.

Let us set election politics aside for a moment. These are bipartisan bills, so no one party can claim credit for their passage. The Patient Safety Act was introduced by the distinguished Senator from Vermont, Mr. JEFFORDS, who is the lone independent in the Senate. So this bill is more than bipartisan.

My distinguished colleague from Nevada, Senator REID, suggested yesterday that we should just approve the House-passed patient safety bill. He suggested that he should just take up the House bill, rather than pass the Senate bill, because the Members of the House are the true experts on complex legislation like this.

I wonder if my colleague's opinion would be the same on medical liability reform. After all, the expert legislators in the House have sent us some excellent legislation to reform our medical litigation system. Perhaps we should stop working on this in the Senate and just approve the House-passed bill.

Or perhaps we could take up the House-passed bill on the Workforce Investment Act. I know my Democrat colleagues with whom I have worked to craft a Senate version are confident that our version is the superior one, but if Senator REID believes that the Members of the House are superior legislators, perhaps he could convince my Democrat coauthors that we ought to just take up the House bill and pass it. Or, as I have suggested, why don't we just agree to go to conference with the House and come up with the best possible bill we can, one that reflects the expertise of Members of both the Senate and the House?

I hope our colleagues in the minority will agree to take 2 hours of their time to debate and vote on the bipartisan Patient Safety Act. Two hours is not a lot of time, and it is the least we can do on such an important piece of legislation. We have spent hours upon hours working on this bill in committee and crafting a bill that received unanimous bipartisan support. Let us spend 2 more hours on the Patient Safety Act so that we improve the quality and safety of healthcare in America.

ENERGY CRISIS

Mrs. FEINSTEIN. Mr. President, I rise today to set the record straight regarding the Western energy crisis. Ken Lay, the former CEO of Enron, appeared on CNN's Larry King Live on Monday, July 12. Larry King asked him:

Did Enron's problems or fortunes or misfortunes have anything to do with hurting California and its energy problem? Because a lot of politicians in California blamed Enron.

Lay responded:

Well, they do, and I still think to this day falsely, Larry. I mean, California, for the most part—I mean, California, California regulators, politicians, et cetera, caused the problem in California.

Let me set the record straight. During consideration of California's legislation that deregulated the energy