

We should all be glad Saddam Hussein is out of power. Iraq's fledgling government is taking the first steps toward freedom and democracy. Neither we nor they have to fear Saddam's regime cooperating at any level with al-Qaida or other terrorists who wish to do violence against the American people or our allies. But it is also true that the weapons programs we found in Iraq were not what our intelligence information predicted before hostilities broke out in 2003. Saddam Hussein had the capability and the raw resources to do many things, but he did not at that time have the fully operational weapons systems we believed he possessed.

So why, it is logical to ask, did we have this problem with our intelligence? We know, as the unanimous, bipartisan report of the Select Committee on Intelligence said, that despite the insinuations of administration critics, the intelligence we had was not rigged or interfered with in any way. The same conclusion was echoed by Lord Butler's report in Great Britain which found no evidence of deliberate distortion of the intelligence material or of culpable negligence. It is clear that any such allegations to the contrary are baseless, partisan, and have no foundation in the truth.

The Select Committee on Intelligence of the Senate found in conclusion 83:

The Committee did not find any evidence that Administration officials attempted to coerce, influence or pressure analysts to change their judgments related to Iraq's weapons of mass destruction capabilities."

In conclusion 84, the Senate Select Committee on Intelligence said:

The Committee found no evidence that the Vice President's visits to the Central Intelligence Agency were attempts to pressure analysts, were perceived as intended to pressure analysts by those who participated . . . Or did pressure analysts to change their assessments.

And in conclusion 102:

The Committee found that none of the analysts or other people interviewed by the Committee said that they were pressured to change their conclusions related to Iraq's links to terrorism.

How did we get here? How did we know that Saddam had these weapons of mass destruction, defied resolution after resolution of the U.N. Security Council, defied every request that he open his country to U.N. weapons inspectors and reveal what he had or, we might say, what he no longer had?

Consider in 1993 we saw the first successful terrorist strike by radical Islamists on U.S. soil—a car bomb that exploded in the basement garage of the World Trade Center, killing 6 and wounding 1,000. Then in 1996, there was another attack on the Khobar Towers barracks in Saudi Arabia, killing 19 Americans and wounding 515 Americans and Saudis. In 1998, the United States embassies in Kenya and Tanzania were attacked by al-Qaida suicide bombers who killed 234 people and wounded more than 5,000. And in 2000, al-Qaida attacked the USS Cole, kill-

ing 17 American sailors and wounding 39.

It was during these same years that Congress made dramatic cuts in funding for the Government agencies most involved in the fight against terror, particularly the Central Intelligence Agency. These cuts were significant, including letting go nearly 40 percent of those recruited to spy for America's interests. The number of officers in the clandestine service was downsized by roughly 25 percent and nearly one-third of our overseas offices were shut down. All of these cuts seriously hampered the intelligence community's ability to monitor and analyze the rising threat posed by terrorism. Again, Acting Director of the Central Intelligence Agency, John McLaughlin, said yesterday, because of these cuts, we were almost in Chapter 11 in terms of our human intelligence collection. This much seems clear: Our early warning system was blinded by a self-inflicted wound.

There is simply no way that President Bush's administration could have filled all the holes of an underfunded and demoralized intelligence community in a mere 8 months after it had been dismantled systematically and deliberately during the preceding years. So when President Bush came to office, he inherited an intelligence community that was ill prepared to meet the challenges of the war on terrorism.

We should not make this merely a game of election year "gotcha." We must debate the causes of our intelligence flaws in a way that commands the confidence of the American people and in a way that makes them safer and freer. We must also remain committed to our task in Iraq, to finishing that task and not allow election-year politics to create a climate that undermines the morale of our brave troops in the field.

Let us finish the task we have undertaken in good faith and with the noblest of aspirations on behalf of free people around the world. Let us not let partisan politics lead us into the trap identified by Winston Churchill when he said:

Nothing is more dangerous in wartime than to live in the temperamental atmosphere of the Gallup Poll, always feeling one's pulse and taking one's temperature.

September 11 forced the civilized world to realize that the terrorist foe we had been fighting for years sought a more deadly goal than we ever suspected. Once Congress and the administration came to grips with the horrible truth of this new breed of terrorism, we knew what had to be done. We knew we had to take action. Under President Bush's leadership, we resolved that our aim was to defeat terrorism as a threat to our very freedom and our very lives.

Nor could we achieve our aim merely by maintaining a defensive posture. Fighting terrorism on American soil is not enough. That is merely a holding pattern and a capitulation of our responsibility. When it comes to con-

frontation with terrorists, we must either change the way we live or we must change the way they live. We chose the latter, and I believe we chose wisely. It is a policy of action rather than inaction, and one clearly warranted by the new reality of our post-9/11 world.

Mr. President, I yield the floor.

HONORING OUR ARMED FORCES

ARMY PRIVATE FIRST CLASS GAVIN NEIGHBOR

Mr. DEWINE. Mr. President, I rise this afternoon to honor and remember a young man from Somerset, OH. I rise to honor Gavin Neighbor, a soldier who gave the last full measure of devotion to our Nation on June 10, 2003. On that date, Gavin was killed by a rocket-propelled grenade while serving in Iraq as part of Company C, 3rd Battalion, 325th Infantry Regiment, of the 82nd Airborne Division. At the time of his death, Gavin Neighbor was 20 years old.

When Gavin Neighbor was killed, Marisa Porto, who at the time was a journalist with the Zanesville Times Recorder, had a very difficult time writing about Gavin. She struggled to write about his life and his death because she said she knew she had to balance the reporting of the news with the personal connection she felt knowing that someone so young from her own community had just been killed. She managed, though, to find the right words and wrote the following:

My thoughts [are] simple. Gavin Neighbor's family won't get the chance to see his wedding announcement in his newspaper. They won't ever have the opportunity to see his son's birth announced in this newspaper. These next few days may be the last time his name is ever published in this newspaper. . . . So, let's give him the homecoming he deserves.

Mr. President, Members of the Senate, since his death, I have learned that Gavin Neighbor, in his all-too-brief 20 years on this Earth, did, in fact, live life fully. He was an outgoing, determined young man, who felt great love and affection for his family, for his fiancée, his friends, and his country.

Gavin was born in Newark, OH, on November 25, 1982. He graduated from New Lexington High School in 2001, where high school friends described him as dependable and fun loving. Gavin was a gifted artist. He had a signature piece: a drawing of a dragon. His friends say he would draw that dragon anywhere, anytime.

He loved to draw, and he was good at it. According to his high school art teacher, Jody Bowen:

Gavin would work on projects on the side, after his classwork was done. I saw something more in him. . . . He certainly impacted my life. I feel fortunate I met him and got to know him.

Equal in his devotion to art, Gavin was committed to serving his country and making his family proud. Gavin had a strong sense of duty and a strong sense of family. He was always trying to take care of others and protect others. That is part of what compelled him

to join the military. He wanted to follow in the footsteps of several relatives. Like them, he wanted to protect his family and his friends and his country. So after his high school graduation in 2001, Gavin enlisted in the U.S. Army.

According to Gavin's grandmother, Gladys Hykes:

He was wonderful. He loved the service. That was his goal.

Gavin planned to make a career for himself in the military, aspiring to join an elite Ranger battalion. He was well on his way toward achieving that dream. Gavin earned his paratrooper wings and was known for performing, with ease, some of the most difficult airplane jumps. Known as a "Javelin Jumper," he would jump from planes while carrying part of an antitank missile system strapped to his leg. Upon receiving an award of recognition for this accomplishment, Gavin dedicated it to his parents and had his thanks to them engraved on the plaque.

Gavin loved his family very much. He had an especially strong bond with his mother Cathy. Oh, he loved her cooking. He loved to spend time with her. He wrote and called home often, and when he did he had simple requests. According to his mom, Cathy:

I kept sending him letters and boxes. He wanted Kool-Aid and chips. And Copenhagen. He wanted Copenhagen. I didn't want to send it, but I did.

Gavin called home on February 13, 2003, to say his unit was leaving on Valentine's Day for Iraq. Soldiers only had an hour for family visits. Cathy and her husband Willie drove more than nine hours to visit one last time with Gavin. As Cathy said:

All I knew was that I had to get there. I had to be there to hug him.

Many of his fellow comrades have said that Gavin Neighbor was the kind of soldier you wanted by your side—any time, any place. He was dependable. He was tough. He was a real leader.

Gavin was also known for his ability to make light of serious situations—an admirable quality in the face of war. While training in California, to humor his comrades, he would walk around flapping his arms like a chicken and then claim to be a dinosaur. During a punishing mountain hike, Gavin lightheartedly asked his leader, "Are we there yet? Are we there yet?" The other members of the platoon could not help but smile. As Sergeant Arthur Swartz said at Gavin's memorial service:

When we were at our lowest, Gavin could turn the whole platoon around just by making a joke or saying something funny. . . . He was definitely the best, youngest soldier in my platoon.

Gavin's unique sense of humor did not cloak the fact that he was also a very hard worker and a very independent young man. Captain Todd Hollins, a chaplain with the 82nd Airborne Division, said that when he thinks of Gavin:

I see a young man who chose to walk the road less traveled—a man who gave 100 percent, all the way, all the time. . . . I see a young man, one who cared about others more than himself, a man with a zest for life, who was willing to face his fears. . . . I see a volunteer, a bold spirit. I see a young man who was genuine in all regards.

Gavin Neighbor's dependability, commitment, and fun-loving attitude will never be forgotten. His life is an example for us all. Left to cherish his memory are his parents; his sisters, Roxanne Lewis and Tracy Neighbor; brother Willie Neighbor, Jr.; and Gavin's special friend—his fiancé, his soulmate—Rachel Sanderson.

Gavin Neighbor was just a good kid, who died too young. I think that Brigadier General Abe Turner, assistant division commander of operations with the 82nd Airborne, said it best:

He quickly became a very important part of our band of brothers. We asked him if he'd be willing to pay the ultimate sacrifice, and he did. . . . He was our hero.

PATIENT SAFETY AND QUALITY IMPROVEMENT ACT

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 health care errors and increasing health care quality. It is S. 720, the Patient Safety and Quality Improvement Act.

The HELP Committee reported this bill to the Senate in November of last year. It was approved in committee by a unanimous vote. 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 the health care quality in a protected legal environment.

The bill grants 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 allows these patient safety organizations to collect and analyze the data confidentially. After analyzing the data, patient safety organizations would report on trends in health care 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, the lawyers still can access medical records or other information that

would normally be recoverable in legal proceedings. However, the bill would ensure that the analysis of that information by patient safety organizations would take place on a separate track than in a protected legal environment.

Health care providers would be much more likely to share information about honest mistakes and how to prevent them if they have some assurance the analysis of their information will not result in a tidy package of information 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 health care quality today is not what it could be.

Litigation does nothing to improve quality or safety. The constant threat of litigation indeed stifles honest analysis of why health errors happen. This is 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 present system, not just cap it. 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 providers can learn from their mistakes and the mistakes of others and prevent them from happening in the future.

The Patient Safety and Quality Improvement Act is one of these steps. Last week, our committee chairman, Senator GREGG, asked for unanimous consent that we move to consideration of this legislation in the Senate. This is the third time since November he has done so. Each time he has been blocked by our colleagues in the minority, even though the committee of jurisdiction was unanimous—you cannot get more bipartisan than that—in support for the bill.

My colleagues in the minority keep talking about problems with health care quality, as they keep on talking about the loss of American jobs. However, talk is cheap when their actions don't match their words.

If they are really so concerned about improving health care 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?

Another example of what is happening or not happening in the Senate: We have a bill, a bipartisan bill, that