

physician. But from what I know of patient safety, this is an extremely important piece of legislation, and we have been able to do it. We are going to be able to go to conference. There has been agreement between the Chair and the ranking member. I think this is an important step forward.

I would say, through the Chair to my friend who is not here, the distinguished chairman of the HELP Committee, I am glad he brought this to the Senate's attention. I am glad we did not agree to what his unanimous consent request was at that time. But we were able to get it done, and I am very happy for that.

I have no objection. This is an important piece of legislation. I now wish the conferees well.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3568) was agreed to.

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

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (H.R. 663), as amended, was read the third time and passed.

(The bill will be printed in a future edition of the RECORD.)

The Presiding Officer (Mr. ENZI) appointed Mr. GREGG, Mr. FRIST, Mr. ENZI, Mr. ALEXANDER, Mr. KENNEDY, Mr. DODD, and Mr. JEFFORDS conferees on the part of the Senate.

Mr. FRIST. Mr. President, I do want to congratulate Senator GREGG, chairman of the HELP Committee, and ranking member, Senator KENNEDY. This is a piece of legislation that people can trace. Several years ago, the Institute of Medicine did an outstanding report. We rely on the Institute of Medicine again and again to objectively, in a nonpartisan way, look at a whole range of issues, from the financing of health care, health care delivery, preventive health care, acute treatment, chronic treatment. They really respond very much to outside bodies like the Senate and do studies.

One great study they did—people have argued their numbers aren't exactly right, too high, too low—but it was that about 100,000 people die every year from systems' lapses, medical errors. Those are, for the most part, preventable deaths, if you improve the systems. This bill goes right at the heart of improving the systems and does so in a way that relies on individuals who may observe something that didn't work out, sharing that data with their peers in a way that they do not have to fear lawsuits.

Obviously, if there is wrongdoing, lawsuits would be appropriate. But, if it is an error, minor error, or even a more serious error, it can be addressed upfront in a way that you do not have to be afraid somebody is going to come in and crush you from the outside.

I say that because it is a bipartisan bill. It went through the Health, Education, Labor and Pension Committee.

I think the fundamental structure of the bill went through the committee unanimously. It shows tremendous leadership.

There were disagreements on a few items that have been worked out, with Senator GREGG's leadership, working with Senator KENNEDY. With that, we have a very good bill, a strong bill that will change systems of health care in a positive way, and clinics and hospitals and physicians offices such that we can eliminate or greatly reduce the number of unnecessary medical errors that occur in large part through systems approaches.

Just an example would be if somebody is on 10 different medicines and somebody prescribes a new medicine. You don't know the interaction of those medicines. You need a system to identify that. That sort of organized, commonsense approach to improve systems is made possible by this bill.

Mr. ENZI. Mr. President, the Senate this evening has taken a major step toward better and safer health care for all Americans.

Tonight, we approved the Patient Safety and Quality Improvement Act. The goal of this legislation is to allow health care providers some freedom from legal fear so they can do what we all strive to do every day—learn from our mistakes.

This bill 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. It would accomplish this by granting privilege and confidentiality protections to health care providers to allow them to report health care errors and "near misses" to patient safety organizations.

This bill would not permit anyone to hide information about a medical mistake. Lawyers would still have access to 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.

Under the bill, patient safety organizations would have the freedom to collect and analyze data on health care errors in confidence, and then report their findings to the health care community. These findings would help health care providers understand how mistakes happen in our health care system, and how to prevent them.

If we can reach an agreement in conference in the House and send this bill to the President, health care providers will be much more likely to share information about honest mistakes, because they will 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.

I express my appreciation for the hard work that the members of the

Committee on Health, Education, Labor, and Pensions put into this bill, particularly Chairman GREGG, Majority Leader FRIST, the lead sponsor Senator JEFFORDS, and Senators SESSIONS and KENNEDY.

I also thank the staff who worked so diligently over the course of this Congress to craft this legislation, particularly Vince Ventimiglia, Peggy Carlson, David Fisher, Dean Rosen, Jim Hippe, Sean Donohue, Megan Clarke, David Nexon, David Bowen, and of course Stephen Northrup with my office.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES-MOROCCO FREE-TRADE AGREEMENT IMPLEMENTATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate having received H.R. 4842, the companion measure to S. 2677, an act to implement the United States-Morocco Free-Trade Agreement, the House bill is read a third time and passed; the passage of S. 2677 is vitiated, and the bill is returned to the Calendar.

The bill (H.R. 4842) was read the third time and passed.

The PRESIDING OFFICER. The majority leader.

THE DEPARTMENT OF DEFENSE APPROPRIATIONS BILL

Mr. FRIST. Mr. President, a few minutes ago we passed the Department of Defense appropriations bill, with a vote of 96 to 0. I want to take this opportunity to congratulate the chairman of the Appropriations Committee, who is also chairman of the Defense Subcommittee, Senator STEVENS, and his ranking member, Senator INOUE, on bringing this first appropriations conference report for next year to completion.

This is a critically important bill. It provides nearly \$418 billion in resources to our dedicated men and women in the global war on terrorism. The legislation will immediately make available \$26.8 billion to the Department of Defense as emergency appropriations to cover the costs associated with operations in Iraq and Afghanistan, upon signature by the President.

As GAO reported this week, these funds are needed, and they are needed quickly, for the operation and maintenance and military personnel through the end of the current fiscal year. Further, critical funding is provided immediately to the Department of State for our diplomatic programs, for our consular programs, and embassy security in Iraq.

There are other programs funded in this important legislation that I want to thank the conferees for addressing. Mr. President, \$95 million is provided immediately to USAID and the State Department to address the tragic moral and humanitarian crisis that is occurring in the Darfur region of the Sudan.

I am hopeful Secretary Powell's and U.N. Secretary General Kofi Annan's discussions today in New York will result in the Sudanese Government fulfilling its recent commitment to end the attacks in the Darfur region by disarming the Janjaweed.

I am particularly concerned our new Ambassador—our former colleague in this body, Senator John Danforth—is reported today as saying the situation in Darfur is not getting better but is getting worse. Mr. President, \$95 million in humanitarian and refugee assistance provided in this legislation is critical, but security and stability must be secured in the region if this assistance which we are delivering is ever to really reach the people who are in need. As we all know, in the Darfur region, tens of thousands of people have died, and over a million people are directly affected in this very large western region in Sudan.

I wish it were not necessary, but it is good this legislation will also provide \$19 million to improve amputee care at the Walter Reed Medical Center for prosthetic limb development and applied research. Many of us in this body have had the opportunity to visit the men and women—the soldiers—who have been so directly impacted at Walter Reed. We thank them for their service, we thank them for their patriotism, and we are gratified that this \$19 million will at least address one dimension, and that is the dimension of amputee care at that wonderful, outstanding medical center.

There is over \$18.2 billion for the Defense Health Program, an increase of over \$2.5 billion over last year's level. I am pleased this legislation fully funds the 3.5-percent military pay raise and increases our service men's and women's basic housing allowance for housing, putting additional money into their pocket.

On the domestic front, it is appropriate this legislation also provides a half billion dollars, \$500 million, in emergency assistance to the Departments of Labor and Agriculture to address the growing cost of increasing forest fires this summer that we see in the West, as well as in Alaska.

We should also point out the legislation provides \$50 million to Boston and to New York City to help defray some of the costs associated with our upcoming national conventions.

Mr. President, this is critical legislation for our national security. It is somewhat ironic that we voted on this legislation the same day that the 9/11 Commission released its report because the first recommendation of that report was that the U.S. Government

must identify and prioritize actual or potential terrorist sanctuaries. For each, it should have a realistic strategy to keep possible terrorists insecure and on the run, using all elements of national power.

This legislation funds our national power. It is appropriate it is the first appropriations bill this year to pass and to be sent to President Bush.

Again, I congratulate Chairman STEVENS, as well as the ranking member, and all of the committee members of the subcommittee and the entire Appropriations Committee for this outstanding piece of legislation.

SENATE ACCOMPLISHMENTS

Mr. FRIST. Mr. President, on a separate topic, I want to take a few moments before going out on recess, looking back over the last several weeks and sharing with my colleagues some of the very positive things we have been able to accomplish, positive issues and bills that will have a direct impact on people throughout America and also, indeed, throughout the world.

We have had a productive year. Among our many legislative accomplishments, the Senate passed the Laci and Conner's law, the Crime Victims Act, the child nutrition reauthorization, and the Internet access tax moratorium. Each of these initiatives expresses our values. Each will help protect the American family.

In this past month, since the last recess, we have been able to build on those successes. I commend my colleagues for their tremendous work, their hard work, each and every day over July.

We had the opportunity today to receive the report from the 9/11 Commission, and we have heard about it on the floor of the Senate today. We heard about it in our briefings today and yesterday. We have heard us all commend the 9/11 Commission for their efforts to produce a genuinely bipartisan document. That is the way it was received. In talking to the Commission members, that is the way each step along the way the 9/11 Commission acted: in a bipartisan manner.

I have not had the opportunity to read the whole report. It is a large book people have had on the floor today. But I have read the summary and been in on the briefings. The only way I can describe it is, it provides a sobering account of the events leading up to September 11. It offers valuable recommendations—one I just referred to a few moments ago—for how America can better protect itself, how we can act to make America safer.

I again thank the Commission members. They have worked hard over the last several months to produce this outstanding document, a document that will be invaluable in the months ahead as we deliberate. There will be a lot of deliberation, and the Democratic leader and I will comment on that a little bit later in a colloquy on how best to strengthen America's defenses.

In the meantime, as we wrap up for the August recess and the conventions, I would like to take a moment to highlight a few of the recent legislative accomplishments. Yesterday I had the honor of attending the Rose Garden signing ceremony for Project Bioshield. It is an issue that was first proposed by the President in his 2003 State of the Union Address to Congress. As with his broader efforts to defend the homeland, President Bush has demonstrated once again his determination to protect the American people, to make America safer, and that is exactly what this bioshield legislation does.

Because of the President's leadership, the Nation's defenses against biological threats, against chemical threats, against radiological threats will be substantially strengthened. Project Bioshield is a gratifying example of, once again, both sides of the aisle working together in the best interest of the American people. I commend the President for his leadership in the initial proposal, Chairman GREGG, Senator KENNEDY, and all of my colleagues who worked together to craft this legislation, including Senator HATCH who was early to see the need for this initiative.

Only 2 months ago our enemies detonated a sarin-laced roadside bomb in Iraq. Fortunately, their plan did not succeed in effectively dispersing the nerve agent. But it underscored the fact that these weapons exist, that we must be vigilant. Right here at home we had the anthrax assault, used as a weapon up and down the east coast not that long ago, resulting in panic, paralysis, and death. We have had anthrax here in the Nation's Capital. We have had ricin here in the Nation's Capital. Project Bioshield allows us to become proactive in developing a whole range of countermeasures.

Earlier today—now about 12 hours ago—in keeping with our commitment to secure the homeland, the President signed another bill, a bill called the Law Enforcement Officers Safety Act of 2000. It is a product of a number of our colleagues. Our distinguished colleague from Colorado, Senator CAMPBELL, has worked on this bill for years and years. It was developed in a bipartisan way, once again. On the House side, Congressman DUKE CUNNINGHAM was a real leader on this particular bill. This bill had been a No. 1 legislative priority of our Nation's law enforcement officers, and I am proud of this bipartisan effort to support law enforcement and public safety. The law allows current and retired police officers to carry a concealed weapon in any of the 50 States.

What that means is that America will not allow the tens of thousands of trained and certified law enforcement officers who are out there serving us and out there protecting us every day across the country to be denied the potential opportunity to be called upon, if need be, with assistance. In a post-9/