

a patient's "pain and suffering," and most often, no dollar amount is ever enough. Therefore, placing a reasonable limit on these non-economic damages helps bring accountability back to our civil justice system by weeding out frivolous lawsuits. This would allow physicians to concentrate fully on providing superior health care services, and help curb the skyrocketing costs of healthcare for patients.

Every step Congress can take to help increase patient safety and maintain access to quality health care services should be taken, and we are on track to do that this year.

Medical liability reform is not a Republican or Democrat issue or even a doctor versus lawyer issue. It is a patient issue. With the medical crisis occurring in Florida, Illinois, Pennsylvania, Nevada, and many more states around the Nation, our opportunity to enact true reform is here. Comprehensive medical liability reform is the right prescription and the time for action is now.

Let's make sure that expectant mothers have access to ob-gyns and that trauma care victims have access to necessary services in their most critical hour of need. And, let's make sure we continue to provide patients in America with the opportunity to receive affordable, accessible, and high quality healthcare for years to come.

EXHIBIT 1

WOMEN OB/GYN PHYSICIANS,
Washington, DC, December 1, 2004.

TO OUR PATIENTS: We have all been reading and talking about the crisis in our health care system. As your doctors, our most important commitment and mission is to provide you with the highest quality medical care. We are writing to tell you how the current situation is affecting our ability to practice medicine at the level you deserve and expect.

Doctors in our area are being squeezed between decreased reimbursement from insurance carriers and steeply rising malpractice premiums. We were just notified that our malpractice premium for next year was increased by over 50 percent to more than \$275,000.

Faced with this increase we had to consider some difficult choices. We could close our practice. We could stop delivering babies—something we both love and at which we excel. We could markedly increase the number of patients we see each day and reduce the time we spend with each patient. This would mean insufficient time for discussion, education and thoughtful consideration of your individual needs. We rejected all of these options. Instead we chose to stop accepting extremely discounted rates for the services that we provide.

Effective March 1, 2005 we will no longer participate with CareFirst BlueCross BlueShield. Therefore, we will not accept any discounted insurance reimbursements. Of course, We hope to continue to see our Blue Cross Blue Shield patients, but payment is expected at the time of service. We will then prepare a claim form that you can submit to your insurance carrier to streamline your reimbursement. As a courtesy, we will continue to submit claims for deliveries and surgeries to the insurance carriers on your behalf.

We are committed to provide state-of-the-art women's health services in a caring, effi-

cient, and professional manner. We look forward to our continued relationship. If there is any way we can help you with this transition, please let us know.

Sincerely,

NANCY SANDERS, MD.
JANET SCHAFFEL, MD.

PROMISE AND PERILS OF DEMOCRACY

Mr. DODD. Mr. President, I rise today to say a few words about a very important speech that was presented, on January 25, to the Organization of American States, OAS, by former President Jimmy Carter.

Broadly speaking, former President Carter's speech was about the promise and perils of democracy in our hemisphere. In my view, no topic could be more relevant.

Our hemisphere has come a long way over the past 30 years—in no small part due to the efforts of Jimmy Carter. From the beginning, he realized the importance of the OAS in our hemisphere, and he demonstrated this understanding by addressing every OAS General Assembly meeting held in Washington during his presidency.

He spearheaded the promotion of human rights, and his tireless work contributed to the establishment of the Inter-American Convention on Human Rights. That important document has encouraged greater civilian participation and helped facilitate the transition in many countries from rule by military dictator to that of democratically elected government.

Simply put, Jimmy Carter's efforts sent a clear message throughout the hemisphere that the U.S. not only valued democracy but was committed to ensuring that people of all backgrounds had a stake in emerging democracies in their countries. Indeed, the Inter-American Democratic Charter, which enjoyed broad support, was signed on the fateful day of September 11, 2001, and stands in stark contrast to the illiberal forces at work in areas around the world.

The message of that document—that OAS member nations would stand together to protect democracy—and the wide support it enjoyed prove how much progress can be made when the U.S. invests time and effort in our hemisphere.

Together, we've made tremendous progress over these past 30 years. However, our work in the hemisphere is far from over. We must continue to end impunity, protect emerging democratic institutions, and strengthen the Inter-American Democratic Charter.

Former President Carter continues to work toward these noble ends, and others, for the good of the U.S. and for the good of people from Canada to Argentina and across the world. I congratulate him on his efforts, on the magnificent work of the Carter Center, and on the vision he laid out in his January 25 statement before the OAS. I ask unanimous consent that his statement be printed in the RECORD.

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

THE PROMISE AND PERIL OF DEMOCRACY

(By Jimmy Carter)

I am honored to address the permanent council of the Organization of American States. Thank you, Mr. Secretary General, Mr. President, and Ambassador Borrea for the kind invitation to inaugurate this lecture series of the Americas.

I have long been interested in this organization. Thirty years ago, as Governor of Georgia, I invited the OAS General Assembly to meet in Atlanta—the first meeting in the U.S. outside of Washington. Later, as President, I attended and addressed every General Assembly in Washington.

Back then, I realized that most of this hemisphere was ruled by military regimes or personal dictatorships. Senate hearings had just confirmed U.S. involvement in destabilizing the government of Salvador Allende in Chile, and a dirty war was being conducted in Argentina. I decided to stop embracing dictators and to make the protection of human rights a cornerstone of U.S. foreign policy, not only in this hemisphere, but with all nations.

When we signed the Panama Canal Treaties in this same August hall in 1977, many nonelected or military leaders were on the dais. Key Caribbean States were absent, not yet part of the inter-american system. Then in 1979, Ecuador started a pattern of returning governments to civilian rule. The Inter-American Convention on Human Rights soon came into force, and our hemisphere developed one of the strongest human rights standards in the world.

These commitments have brought tremendous progress to Latin America and the Caribbean. Citizens have become involved in every aspect of governance: More women are running for political office and being appointed to high positions; indigenous groups are forming social movements and political parties; civic organizations are demanding transparency and accountability from their governments; freedom of expression is flourishing in an independent and vibrant press; ombudsmen and human rights defenders are active; and many countries are approving and implementing legislation to guarantee that citizens have access to information.

The English-speaking Caribbean has sustained vibrant democracies. A democratic Chile is removing military prerogatives from the Pinochet-era constitution and the military has acknowledged its institutional responsibility for the torture and disappearances of the 1970s. Central America has ended its civil wars and democracy has survived. The Guatemalan government offered public apology for the murder of Myrna Mack, and a Salvadoran responsible for the assassination of Archbishop Romero was tried and convicted last year, although in absentia.

Venezuelans have avoided civil violence while enduring a deep political rift in the last three years. Mexico developed an electoral institution that has become the envy of the world. Argentine democracy weathered the deepest financial crisis since the 1920s depression and its economy is on the rebound.

Four years ago, Canada and Peru took the lead in developing a new, more explicit commitment to democracy for the hemisphere. On the tragic day of September 11, 2001, the Inter-American Democratic Charter was signed.

I am proud to have witnessed these demonstrations of the courage, persistence and creativity of the people of this hemisphere.

But I am also worried. I am concerned that the lofty ideas espoused in the Democratic

Charter are not all being honored. I am concerned that poverty and inequality continue unabated. And I am concerned that we in this room, representing governments and, in some cases, privileged societies, are not demonstrating the political will to shore up our fragile democracies, protect and defend our human rights system, and tackle the problems of desperation and destitution.

Since our years in the White House, my wife Rosalynn and I have striven to promote peace, freedom, health, and human rights, especially in this hemisphere and in Africa. Our dedicated staff at the Carter Center have worked in 54 elections to ensure they are honest and competitive. Civil strife has become rare, and every country but Cuba has had at least one truly competitive national election.

Yet, tiny Guyana, where we have been involved for more than a decade, remains wracked with racial tension and political stalemate. Haiti, where we monitored the first free election in its history and where the world contributed many tens of millions of dollars in aid, has been unable to escape the tragedy of violence and extreme poverty. In Nicaragua, I was privileged to witness the statesmanship of Daniel Ortega transferring power to Violeta Chamorro; yet today that country continues enmeshed in political deadlock and poverty that is second only to Haiti.

Across the hemisphere, UNDP and Latin barometer polls reveal that many citizens are dissatisfied with the performance of their elected governments. They still believe in the promise and the principles of democracy, but they do not believe their governments have delivered the promised improvements in living standards, freedom from corruption, and equal access to justice. We run the very real risk that dissatisfaction with the performance of elected governments will transform into disillusionment with democracy itself.

How can we protect the advances made and avoid the dangerous conclusion that democracy may not be worthwhile after all?

The greatest challenge of our time is the growing gap between the rich and poor, both within countries and between the rich north and the poor south. About 45 percent (225 million) people of Latin America and the Caribbean live under the poverty line. The mathematical coefficient that measures income inequality reveals that Latin America has the most unequal income distribution in the world, and the income gap has continued to increase in the past fifteen years.

When people live in grinding poverty, see no hope for improvement for their children, and are not receiving the rights and benefits of citizenship, they will eventually make their grievances known, and it may be in radical and destructive ways. Governments and the privileged in each country must make the decision and demonstrate the will to include all citizens in the benefits of society.

Democratic elections have improved, but we have also witnessed a dangerous pattern of ruling parties naming election authorities that are partisan and biased, governments misusing state resources for campaigns, and election results that are not trusted by the populace. I include my own country in saying that we all need to create fair election procedures, to regulate campaign finance, and to ensure that every eligible citizen is properly registered and has the opportunity to cast votes that will be counted honestly.

But democracy is much more than elections. It is accountable governments; it is the end of impunity for the powerful. It is giving judiciaries independence from political pressures so they can dispense justice with impartiality. It is protecting the rights

of minorities, including those who do not vote for the majority party. It is protecting the vulnerable—such as those afflicted with HIV/AIDS, street children, those with mental illnesses, women abused with domestic violence, migrants, and indigenous peoples.

Governments of this hemisphere have carried out enormous economic reform efforts in the last two decades, but these efforts have not yet brought the needed reduction in poverty and inequality. Too many governments still rely on regressive sales taxes because the privileged classes can manipulate governments and avoid paying taxes on their incomes or wealth.

Military spending has been significantly reduced, but additional reductions are advisable now that the region is democratic and most border issues have been resolved.

Health and education are more important than expensive weapons systems.

Access to land, small loans, and easier permits for small businesses can harness the potential dynamism of each nation's economy. Brazil has initiated a zero hunger program to address poverty, and Venezuela is using oil wealth to bring adult education, literacy, health and dental services directly to the poor. These and other creative social programs should be studied to see which might be appropriate in other areas.

When political leaders do make the right choices to address the needs of all citizens, those citizens have a responsibility as well—to comply with the established rules of the political process. Political honeymoons are short, and sometimes a frustrated people are tempted to unseat an unsatisfactory government, by violence or unconstitutional means. Elected leaders deserve a chance to make the tough decisions, or to be removed at ballot boxes.

News media play an especially important role in a free society. Press freedom is vibrant in the hemisphere, and must be kept that way. "Insult" (desacato) laws and harassment of journalists should be eliminated. The media also have a responsibility to investigate carefully and to corroborate their stories before publication.

Those of us in the richer nations have additional obligations. We must recognize that we live in an ever-closer hemisphere, with mutual responsibilities. Trade and tourism of the U.S. and Canada are increasingly connected with all of Latin America and the Caribbean, as the sub-regions of the hemisphere are forging closer economic ties.

We are also connected by the scourge of crime, which is a two-way street. Drug demand in the U.S. fuels drug production among our neighbors, undermining the ability of democratic institutions to enforce the rule of law, and the easy availability of small arms from the U.S. has made crime a serious problem for governments in the Caribbean and Central America.

Globally, Americans give just 15 cents per \$100 of national income in official development assistance. As a share of our economy, we rank dead last among industrialized countries. The recently announced millennium challenge account is designed to provide additional help for governments pursuing transparency and accountability, but in this hemisphere only Bolivia, Honduras and Nicaragua are being considered for this aid.

The United States has another role to play as well: of setting an example of protecting civil liberties and improving democratic practices at home, and by its unwavering support of democracy and human rights abroad.

The international lending agencies also have important roles to play: by being more flexible and responsive to political pressures and social constraints when deciding condi-

tionality; by involving local citizens and governments in developing consensus for poverty-reduction strategies; and by helping the hemisphere carry out the mandates adopted by Presidents at the periodic Summits of the Americas.

Finally, I call on all governments of the hemisphere to make the democratic charter more than empty pieces of paper, to make it a living document. The charter commits us to help one another when our democratic institutions are threatened. The charter can be a punitive instrument, providing for sanctions when a serious challenge to the democratic order occurs, but it is also an instrument for providing technical assistance and moral encouragement to prevent democratic erosion early in the game.

Let us strengthen the charter and not be afraid to use it. Right now the charter is weak because it is vague in defining conditions that would constitute a violation of the charter—the "unconstitutional alteration or interruption" of the democratic order noted in article 19. The charter also requires the consent of the affected government even to evaluate a threat to democracy. If the government itself is threatening the minimum conditions of democracy, the hemisphere is not prepared to act, since there would certainly not be an invitation.

Two simple actions would help to remedy this problem and allow the governments of this hemisphere to act when needed. First, a clear definition of "unconstitutional alteration or interruption" would help guide us. These conditions should include:

1. Violation of the integrity of central institutions, including constitutional checks and balances providing for the separation of powers.
2. Holding of elections that do not meet minimal international standards.
3. Failure to hold periodic elections or to respect electoral outcomes.
4. Systematic violation of basic freedoms, including freedom of expression, freedom of association, or respect for minority rights.
5. Unconstitutional termination of the tenure in office of any legally elected official.
6. Arbitrary or illegal, removal or interference in the appointment or deliberations of members of the judiciary or electoral bodies.
7. Interference by non-elected officials, such as military officers, in the jurisdiction of elected officials.
8. Systematic use of public office to silence, harass, or disrupt the normal and legal activities of members of the political opposition, the press, or civil society.

We also need a set of graduated, automatic responses to help us overcome the inertia and paralysis of political will that result from uncertain standards and the need to reach a consensus *de novo* on each alleged violation. When a democratic threat is identified, the alleged offenders would be requested to explain their actions before the permanent council. A full evaluation would follow, and possible responses could be chosen from a prescribed menu of appropriate options, involving not only the OAS, but incentives and disincentives from multilateral institutions and the private sector.

There is also a role for nongovernmental leaders. We at the Carter Center have convened a group of former hemispheric leaders to aid in raising the visibility of the charter, to engage the OAS, and to help it provide appropriate responses when democracy is challenged.

Let me close by congratulating the OAS, which has come a long way from my first association with it 30 years ago. As a promoter of freedom, democracy, and human rights, the OAS is one of the foremost regional organizations in the world. This hemisphere

adopted the world's first anti-corruption convention and has developed a multilateral evaluation mechanism on drugs. The OAS has worked on de-mining, peacemaking, and providing scholarships to students. It exemplifies the notion that our best hope for the world is for sovereign states to work together.

The OAS is going through a difficult transition at the moment, but it will emerge even stronger. A new Secretary-General will be chosen this year, and important discussions will be forthcoming at the general assembly in Florida and the fourth Summit of the Americas in Argentina.

We need each other. Let us work together to make our hemisphere the beacon of hope, human dignity, and cooperation for the 21st century.

DVT AWARENESS RESOLUTION

Mr. DORGAN. Mr. President, I am pleased to have joined with my colleague Senator ARLEN SPECTER in submitting a resolution yesterday, S. Res. 56, that would designate March as "Deep-Vein Thrombosis Awareness Month."

Many Americans are probably unfamiliar with deep-vein thrombosis, DVT, but it is a serious medical condition that occurs in approximately 2 million Americans each year. Given that it is both a common and preventable condition, it is important that more of us know about this disease so we can take steps to stop it.

Americans might be more commonly familiar with deep-vein thrombosis as the condition that can result from sitting in a small space, such as an airline seat, for a long period of time. In fact, this condition is sometimes called "economy-class syndrome," and many airlines now encourage their passengers to get up and move around or otherwise exercise their extremities during cross-country or international flights in order to prevent it.

DVT occurs when a blood clot forms in one of the large veins, usually in the legs, leading to either partially or completely blocked circulation. Too often, this blood clot breaks loose from the wall of the vein and moves to the lungs, where it is called a pulmonary embolism and can cause sudden death.

Deep-vein thrombosis can happen to virtually anyone at any time. In fact, one of our Nation's finest journalists, NBC News correspondent David Bloom, died from a pulmonary embolism caused by DVT in April, 2003, while covering the war in Iraq at the early age of 39. But while David Bloom is one of the more well-known victims of DVT, he is not alone. Up to 200,000 die each year from pulmonary embolisms caused by DVT.

The resolution that Senator SPECTER and I submitted yesterday in honor of the memory of David Bloom is an important first step towards educating Americans about this potentially deadly condition. The resolution is supported by the Coalition to Prevent Deep-Vein Thrombosis, which is made up of more than 30 health and medical groups. In addition, David Bloom's be-

loved wife Melanie has become an outspoken advocate for raising awareness about DVT.

I look forward to working with Senator SPECTER, Melanie Bloom, the Coalition to Prevent Deep-Vein Thrombosis, and others to help make more Americans aware of this disease.

HONORING THE TUSKEGEE AIRMEN

Mr. ROCKEFELLER. Mr. President, I am proud to cosponsor legislation to authorize the awarding of the Congressional Gold Medal to the Tuskegee Airmen. The Tuskegee Airmen overcame enormous obstacles, including blatant discrimination and racism, to become the first black airmen. Their success paved the way for reform and, ultimately, integration of the United States' Armed Services.

These men stepped forward to defend our Nation against the horrors of Nazi Germany, while continuing to battle racist treatment by their own countrymen. They fought through this unjust treatment because their sense of duty to their country was greater than the obstacles in their path. The recognition of their persistence, courage and allegiance is long overdue.

Of the 1,000 Tuskegee Airmen, 450 served in combat, 66 died in combat, and another 33 were shot down and captured as prisoners of war. The pilots were credited with destroying 261 aircraft, damaging 148 aircraft, and flying 15,553 combat sorties and 1,578 missions over Italy and North Africa. They destroyed or damaged over 950 units of ground transportation and escorted more than 200 bombing missions.

As a result of their heroic actions, members of the Tuskegee Airmen have been awarded three Presidential Unit Citations and 150 Distinguished Flying Crosses and Legions of Merit, in addition to The Red Star of Yugoslavia, 9 Purple Hearts, 14 Bronze Stars and more than 700 air medals and clusters.

I am proud to say that 16 of these airmen were from the State of West Virginia. Several attended West Virginia State University, a university which has graduated more military generals than any other non-military college in the Nation. The 16 West Virginians are listed below.

Alston, William R.
Carter, John
Eagleson, Wilson V.
Gamble, Howard C.
Gray, George E.
Hill, William L.
Johnson, Langdon E.
Jones, Hubert L.
Killard, James M., Jr.
Kydd, George H., III
Prewitt, Mexion O.
Roberts, George S.,
Robinson, Robert L., Jr.
Thompson, Floyd A.
Watkins, Edward Wilson
Whitehead, John L., Jr.

The Tuskegee Airmen have proven their valor and dedication to our coun-

try, and they have earned the Congressional Medal of Honor. It is time that they receive this honor.

THE ROLE OF CONGRESS IN SUPPORTING AMERICAN COMPANIES AND WORKERS

Mr. FEINGOLD. Mr. President, I have come to this floor repeatedly to talk about the ongoing crisis in our domestic manufacturing sector and about ways in which Congress should act to stem the loss of manufacturing jobs and the shuttering of domestic manufacturing companies.

My State of Wisconsin has lost nearly 80,000 good-paying manufacturing jobs since 2000. The country has lost more than 2½ million manufacturing jobs since January 2001, including more than 25,000 jobs last month alone. And this hemorrhaging of jobs shows no signs of stopping.

Much of this job loss can be blamed on the dismal trade policies of recent years, which have contributed to many American companies—some of them household names—moving their operations overseas or shutting their doors entirely. These policies have a ripple effect in the communities that have lost manufacturing plants. The closure of the local plant is felt not only by those who worked there and their families, but by the community as a whole.

Mr. President, Florence, WI is a town in the far northeastern corner of my home State, just a few miles from the border with the Upper Peninsula of Michigan. A few weeks ago, that small community got a sharp introduction to the realities of our country's trade policies. Pride Manufacturing, the world's largest maker of golf tees, announced that it would be closing down its plant in Florence and moving that operation and the hundred or so jobs that go with it to China.

That announcement probably was not noticed by many people outside of my home State—one company in one small community in Wisconsin leaving for China does not raise many eyebrows in Washington or on Wall Street. But it is a serious matter for the families whose livelihood is directly affected by the move. And it will certainly have an impact on the community in which they live. Some families may try to stay, but some may be forced to look elsewhere for jobs. The local school district is already trying to cope with declining enrollment and the challenges of being a largely rural district. The prospect of losing additional families will only make matters worse. Local businesses that relied on the patronage of those families will be hit. Car dealers, grocery stores, hardware stores, clothing stores—everyone in that community will potentially be affected by the loss of Pride Manufacturing.

There are too many stories like this taking place around my State and around our country. There are too many boarded-up factories and too