

attention to troubling events that currently pose one of the gravest threats to freedom of expression in this hemisphere. I am speaking about the actions of Ecuador's President Rafael Correa and officials in his government to silence independent broadcasters and publishers and watchdog organizations, undermining the fundamental right of free expression in ways that resemble what we have come to expect in Cuba, Nicaragua, and Venezuela.

There is no institution more fundamental to democracy than a free and independent press. A free press helps protect the rule of law, to ensure that no person or group is above the rules and procedures that govern a democratic society. A free press helps ensure transparency to prod governments to be honest and accountable to their citizens.

Unfortunately, recent events in Ecuador suggest a deliberate shift away from these democratic traditions, and this could pose grave consequences for democracy in Ecuador.

Although wavering at times, Ecuador has a history of democratic government of which its citizens can be proud. Ecuador's first Constitution, written in 1830, stipulated that "every citizen can express their thoughts and publish them freely through the press." Ecuador's 1998 Constitution guarantees the right of journalists and social communicators to "seek, receive, learn, and disseminate" events of general interest, with the goal of "preserving the values of the community." Even Ecuador's latest constitution, ratified just four years ago, protects each citizen's right "to voice one's opinion and express one's thinking freely and in all of its forms and manifestations." However, it appears that these protections—a vital part of Ecuador's history of democratically elected, representative government—now only apply at the discretion of President Correa.

During President Correa's term in office, the number of state-owned media organizations has exploded—growing from just one government-run news outlet to a media conglomerate that today is made up of more than a dozen outlets. He has pursued criminal charges against columnists and newspaper owners, including legal actions aimed at *El Universo*, one of Ecuador's most respected newspapers. In the *El Universo* case, President Correa won a \$42 million award, and several journalists were sentenced to 3 years in prison following a hearing before a temporary—and recently appointed—magistrate. Although President Correa later pardoned the journalists, an Ecuadoran court rejected his pardon, and their fates remain unresolved. The fear of being charged and dragged through the expensive legal system also silences many other journalists or compels them to temper criticism of the government.

President Correa and his government are not only targeting journalists. Some 200 activists, many of them in-

digenous people protesting environmentally destructive mining projects, have been criminally charged and detained. The pattern of arresting or threatening to arrest social activists has suppressed the free flow of information in Ecuador, silencing dissenting voices either by legal action or self-censorship.

Perhaps most insidious to the principles of democracy, President Correa's government has ushered in new reforms that could make illegal almost all reporting about electoral campaigns. All censorship is bruising to a democracy, but electoral censorship is a fatal blow. With Presidential elections occurring in Ecuador in the next year, there is growing concern that President Correa's actions represent an attempt to influence the democratic process to his own political and personal benefit.

Dr. Catalina Botero, the special rapporteur for freedom of expression at the Organization of American States, OAS, has rightly criticized President Correa's crusade against the press. In response, President Correa has expanded his campaign of censorship beyond Ecuador's borders and targeted Dr. Botero's office, proposing to the OAS earlier this year a plan that would have restricted the ability of Dr. Botero's office to issue independent reports and cutting off some of its funding. Although the plan was rejected by the member states of the OAS, President Correa's intent remains clear. No longer content to silence his political opponents in Ecuador, he is now targeting his critics elsewhere.

President Correa has tried to cloak his actions in populist vocabulary, declaring that his censorship is motivated by a desire to free the public from the corrupt interests of the business organizations that often ran newspapers before the establishment of a law forbidding anyone with a significant stake in a media company from owning other businesses. Challenging viewpoints expressed in the media of course is legitimate, common, and healthy in any society, but preventing those views from being heard is not.

Mr. President, we should denounce attacks on the press in Ecuador and elsewhere in this hemisphere. We should strongly support Dr. Botero and her office. Protecting freedom of expression, a fundamental right enshrined in the Universal Declaration of Human Rights and the American Declaration of the Rights and Duties of Man is everyone's concern and responsibility. In doing so, we stand with the people of Ecuador and their right to be heard and for the future of their democracy.

WAR IN BOSNIA

Mr. CARDIN. Madam President, as we consider the many important issues currently before us, I believe it is worthwhile for us also to pause and recall past events that remain relevant to our work today.

As a member of the Senate Foreign Relations Committee and a long-time member and Co-Chairman of the Helsinki Commission, I would like to remind my colleagues that it was approximately 20 years ago that the conflict in Bosnia-Herzegovina began. While seeking to find a peaceful path out of the Yugoslavia which was collapsing around it, Bosnia and its people instead became chief victims of the clearly senseless violence associated with that collapse.

The ethnic cleansing of villages and the shelling of Sarajevo which we first saw in April 1992 were horrific, and little did we know how much worse things would get in subsequent months and years. It was in July and August of 1992 that we first saw the shocking pictures of the detainees in Omarska and other camps run by nationalist, militant Serbs, in northeastern Bosnia. The next year, we saw Croat militants destroy the famous bridge in Mostar for which the city got its name. In 1995, we saw Srebrenica before and after the genocide in which 8,000 people, mostly men and boys, perished.

While the United States and its friends and allies brought the conflict in Bosnia to an end with the Dayton Agreement in 1995, the action we took came too late for those who were ethnically cleansed and displaced, those who were tortured or raped, and those who were injured or killed. It is never too late, however, to provide justice. I am glad that people like Slobodan Milosevic, Ratko Mladic and Radovan Karadzic and all others indicted for war crimes, crimes against humanity and genocide were apprehended and transferred to the International Criminal Tribunal for the former Yugoslavia in The Hague. I am also glad that the United States and some other countries persevered to make this happen despite the resistance to cooperation and the protection afforded these individuals. I want to thank my colleagues who joined me in supporting justice in Bosnia as a matter of U.S. policy.

I think it is important not only to remember the victims and culprits of the conflict in Bosnia but also to remember the heroes. There were those who opposed extreme nationalism and aggression against neighbors. I particularly want to note the small group of human rights advocates and democratic forces in Serbia who opposed what Milosevic was doing allegedly in their name, even when he appeared to be getting away with it. I have met some of these courageous individuals over the years, including last July when I visited Belgrade, and they are truly inspiring people.

Today, Bosnia has recovered from the more than 3 years of brutal, destructive conflict that started 2 decades ago, and the country aspires to join both NATO and the European Union. I believe it is important that we support the people of Bosnia and their desires for integration by holding firm against the lingering forces of ethnic exclusivity, which remain particularly

strong in the entity of Republika Srpska created by the Dayton Agreement, and at the same time encourage practical reforms so that Bosnia can function more effectively as a European partner. When one talks to the young people that represent Bosnia's future, as several of us have, it is clear they do not want to forget the past but they certainly do not want to repeat it. They want a future in Europe, and their political leaders need to give them that future. I hope the United States, which has invested so much in Bosnia thus far, will be there as necessary to help.

DIAGNOSTIC IMAGING SERVICES

Mr. CARDIN. Madam President, I have introduced the Diagnostic Imaging Services Access Protection Act of 2012, joined by my colleague from Louisiana, Senator DAVID VITTER. Our goal is to preserve Medicare beneficiaries' access to life-saving advanced diagnostic imaging services, such as magnetic resonance imaging, MRI, computed tomography, CT, and ultrasound.

Let me explain why this legislation is necessary. Medicare reimbursement for radiology services is based on two components: technical and professional. The technical component comprises the cost of equipment, nonphysician personnel, and medical supplies associated with the imaging process. The professional component is calculated by factoring in the radiologist's time, effort, and skill involved in interpreting images, rendering patient diagnoses, and reporting the findings in the patient's medical record. In recent years, the Centers for Medicare and Medicaid Services sought to control imaging growth by cutting reimbursement for the technical component—reducing payment for multiple imaging services administered by the same physician to the same patient during a single office visit. This policy is referred to as the multiple procedure payment reduction, or MPPR. It is designed to take into account the efficiencies achieved by doing same-day procedures on the same patient, and for the technical component of radiology, it makes sense.

However this year, CMS decided to apply the MPPR to the professional component as well. The 2012 fee schedule rule, which took effect on January 1, cut the professional component reimbursement for radiologists by 25 percent for additional images. This payment reduction ignores the realities of medical practice. It is not supported by sound data, nor was it developed with meaningful physician input. Because each imaging study produces its own set of images that require individual interpretation, radiologists are ethically and professionally obligated to expend the same amount of time and effort interpreting each one, regardless of the number of images, the section of the body being examined, or the date of service.

Further, because radiologists are referral-based physicians who rarely order the studies they interpret, MPPR is an ineffective tool to reduce inappropriate utilization. Beneficiaries receiving multiple imaging studies often represent the sickest and most complex cases. They may have advanced cancer or be recovering from a stroke, serious car accidents, multiple gunshot wounds, or other forms of deadly trauma.

Not only will CMS' flawed policy disproportionately affect the most vulnerable patients, it may also create incentives to shift services away from the private practice setting, where the physician fee schedule applies, to the more expensive hospital outpatient setting.

Our legislation will ensure that CMS does not arbitrarily undervalue the role of the radiologist within the health care delivery system. It would cancel the MPPR cut to the professional component of radiology services through the end of 2012 and prevent it from taking effect in future years, pending more comprehensive study of the matter. Specifically, the Secretary of Health and Human Services would be prohibited from taking this action unless the reduction is based on the data, analysis, and conclusions of an independent expert panel convened by the Institute of Medicine.

A similar bill, HR 3269, has been introduced in the House of Representatives and it enjoys the strong bipartisan support of more than 240 cosponsors. I urge my colleagues to support this bipartisan and budget-neutral approach to preserving patient access to community-based diagnostic imaging services.

REMEMBERING DICK CLARK

Mrs. BOXER. Madam President, today I ask my colleagues to join me in honoring the memory of Dick Clark, one of our country's most beloved cultural icons who entertained grateful viewers in America and around the world for more than 60 years. He passed away on April 17, 2012, at age 82.

Richard Wagstaff Clark was born on November 30, 1929 in Mount Vernon, NY. As a child, Dick looked up to his older brother, Bradley, who became a pilot in the U.S. Army Air Corps during World War II and was killed in the Battle of the Bulge. Dick became depressed after his brother's death, and the only thing that lifted his spirits was music.

In some ways, Dick Clark was destined to work in the broadcasting industry. As a child, he became interested in radio after his parents took him to a live broadcast of the Jimmy Durante and Garry Moore show. Ever the affable young man, Dick participated in A.B. Davis High School's drama club and was elected class president.

After graduating from Syracuse University with a degree in business ad-

ministration, Dick began working on "Bandstand" at Philadelphia's WFIL Radio. The popularity of this program led WFIL TV to begin broadcasting it as an afternoon television show, which Dick started hosting in 1956. The following year, he pitched the show to the American Broadcasting Company, and it became nationally broadcast as "American Bandstand."

"American Bandstand" became a phenomenon, a trendsetting show that touched people around the world across lines of race, culture, and ethnicity. "Bandstand's" integration of African Americans as musicians and dancers played a role breaking down racial barriers at a time when the civil rights movement was coming to the forefront. Over the next three decades, while the show moved from weekdays to Saturdays and from Philadelphia to Los Angeles, Dick Clark introduced American families to many artists who later became icons, including the Supremes, Michael Jackson, Madonna, and Prince. Aretha Franklin recently noted, "If you didn't go on 'American Bandstand,' you hadn't made it yet."

Over the course of his career, Dick Clark came to be known as one of the most hard-working people in show business. With Dick Clark Productions, founded in 1956, Clark produced television shows, made-for-TV movies, award shows, and beauty pageants. Unistar, which he cofounded and owned, distributed Clark's radio shows including "Countdown America" and "Dick Clark's Rock, Roll & Remembers."

In 1972 "Rockin' Eve" premiered, and since then generations of Americans have welcomed in the New Year with Dick Clark and watched with him as the ball dropped in New York City—a tradition that continued for 40 years. Throughout his time as host, Dick Clark only missed one New Year's Eve celebration in 2005 due to a stroke. The following year he was once again on the air welcoming the New Year with his beloved wife Kari and showing all of us that with tenacity, anything is possible.

Throughout his career, Clark left an indelible mark on the landscape of American music and television, from his 1974 creation of the American Music Awards to his productions of the Academy of Country Music Awards, Golden Globe Awards, Emmy Awards, Live Aid, and Farm Aid. For his successful career and tireless work ethic, Dick Clark was honored with Daytime and Primetime Emmy Awards, Daytime and Primetime Lifetime Achievement Awards, and inductions into the Radio Hall of Fame, the Rock 'n Roll Hall of Fame, the Academy of Television Arts & Sciences Hall of Fame, and the Philadelphia Walk of Fame.

I extend my heartfelt condolences to Dick's wife Kari, his sons Richard Augustus II and Duane, his daughter Cindy, and his grandchildren. He will be missed by the millions of people worldwide who were touched by his work.