

step. Ultimately, the Congress and a more responsive President must go beyond product-liability reform and must comprehensively overhaul the entire civil justice system. We must repeal the regressive "tort tax" that depletes our economy, raises prices, destroys jobs, stifles innovation, and reduces exports. The "tort tax" created a capricious legal lottery that divides neighbor from neighbor, and causes doctors to add billions to our national health-care costs each year by practicing defensive medicine.

In Arizona, for instance, medical malpractice premiums have increased by nearly 200 percent since 1982. Attorneys' fees and transaction costs are an increasingly large part of this increase in litigation expenses.

The U.S. Department of Commerce has estimated that only 40 cents of each dollar expended in product-liability suits ultimately reaches the victims. A Rand Corp. study showed that 50 cents of each liability dollar does not go to victims, but to attorneys fees and other transaction costs. It is clear that the Product Liability Fairness Act is a small but critical step toward the goal of national legal reform.

It is my understanding that this body will consider more comprehensive legal reform legislation later this year, including Senator HATCH's Civil Justice Reform Act of 1995, and Senator MCCONNELL's, Lawsuit Reform Act of 1995. I am also hopeful that the Senate Judiciary Committee will hold hearings on S. 11, the Medical Care Injury Compensation Act of 1995, a bill I introduced on the first day of the 104th Congress. This legislation caps non-economic damages such as pain and suffering at \$250,000; imposes a limit on attorneys' fees of 25 percent of the first \$150,000 recovered and 15 percent of any amount in excess of \$150,000; provides for periodic payments where damages for future economic loss exceed \$100,000; provides for mandatory offsets for damages paid by a "collateral source"; and reforms "joint and several" liability.

Mr. President, I would like to close by addressing one of the arguments used by the President in his veto message. This argument asserts the unconstitutionality of the preemption of State liability laws under the commerce clause of the U.S. Constitution.

It is clear that no individual State can solve the problems created by abusive litigation. This is particularly true in the case of product-liability litigation: a product is frequently manufactured in one State, sold in a different State, and causes injury in a third State. In fact, Government figures establish that, on average, over 70 percent of the goods manufactured in one State are shipped out of State for sale and use.

It is clearer that a national solution is justified by the fundamentally interstate character of product commerce. The threat of disproportionate, unpredictable, punitive damage awards exerts an economic impact far beyond the borders of any individual State. This

threat reduces investments, dampens job creation, and prevents new products from reaching the marketplace. In an increasingly integrated national and international economy, the confusing, inconsistent patchwork of State liability awards has cut deeply into America's economic strength.

Unfortunately, since the signing of the Constitution, the commerce clause has been stretched and contorted to authorize virtually every activity Congress chooses to regulate—except interstate commerce. Opponents of legal reform profess concern about the preemption of State law and interference with States' rights. And yet it was many of the same interests that favored intrusive Federal regulations imposed on the States by OSHA, FDA, EPA, and other Federal regulators.

In truth, States' rights is not what is being defended here, but rather, the status quo. Otherwise, why is the litigation industry the only segment of the economy that opponents of legal reform believe should remain beyond the reach of Federal law?

Mr. President, legal reform will not cause the creation of a single new Federal program or the expenditure of a single new appropriation; Legal reform will not impose new taxes or regulations on our citizens. Legal reform will simply create clear, consistent legal standards covering civil actions brought in State and Federal courts.

Mr. President, legal reform will enhance the essential principle of due process. As the U.S. Supreme Court has said many times, due process, criminal and civil, is fundamental to our concept or ordered liberty.●

#### SALUTE TO MEDINA LIONS CLUB

● Mr. FRIST. Mr. President, I rise today in support and appreciation of the Medina Lions Club, which will celebrate its 50th anniversary this Thursday. These club members from Gibson County, TN have devoted countless hours of their time and energy over the years to helping their community of Medina, and I would like to take a moment to recognize some of their many achievements.

Since its inception, more than 210 different members have joined the Medina Lions Club. Today, there are 33 active members, including 2 who helped found the club in 1946. Over the years, the club has raised enough money to provide college scholarships to 38 deserving local students and furnish local schools with cafeteria equipment, library books and furniture, and athletic and playground equipment. Many of the club's successful fund raising drives have become yearly favorites among the residents of Gibson County, including a horse show, a minstrel show, and a "haunted" farm.

In addition to education projects, the club has used the money it raises to provide glasses and surgery for local residents, remodel and redecorate a civic center, erect a park pavilion, purchase equipment for the local fire department, erect a community war me-

morial, purchase hospital equipment, and sponsor Little League baseball in Medina. As Little League sponsors, the club members helped furnish lighting, fencing, and concessions equipment for the Little League ballpark. It is also saving money to help build a new city park, which will include a walking track, football field, baseball field, fence lighting, and paved parking.

Mr. President, the members of the Medina Lions Club have a long history of giving back to their community. Their commitment has won the Medina club the Top Club in the State award twice, and the members have received numerous other individual awards. Mr. President, I would like to commend and thank every member—past and present—of the Medina Lions Club for their commitment and their dedication. They have established a long record of service for others to follow, and I wish them all the best as they celebrate the club's 50th anniversary.●

#### CLETIS WAGAHOFF

● Mr. JOHNSTON. Mr. President, I rise today to pay tribute to an outstanding public servant and my friend, Cletis Wagahoff. On March 31, 1996, Cletis will retire from the U.S. Army Corps of Engineers after serving selflessly for nearly 27 years and after a total of 35 years of Government service.

Cletis Wagahoff has served as the deputy district engineer for Project Management in the corps' New Orleans District Office since 1988. If the daily challenges of managing several of our Nation's largest civil works projects were not enough to ask of someone Mr. President, the job of deputy district engineer also requires that Cletis be the liaison for all congressional inquiries from the Louisiana Congressional Delegation. For this alone, he deserves our deepest gratitude, not to mention a medal. In fact, Cletis was recently awarded the Meritorious Civilian Service Award for his performance as a highly skilled engineer and proven leader in his field.

I have had the pleasure of working with Cletis on many of Louisiana's navigation, hurricane, and flood protection projects and have often sought his counsel and advice on critical problems like coastal erosion and protecting our valuable wetlands. His reputation as a consensus builder and a man of unwavering integrity is well known by Louisiana's elected officials and our community and business leaders.

Mr. President, Cletis Wagahoff and his wife, Betty, have given much to Louisiana and our great Nation during their many years of service, and for this we are eternally grateful. On behalf of the Louisiana congressional Delegation and all Louisianians, we wish them every success, good health, and much happiness as they turn the pages of life to begin a new chapter.●

IN HONOR OF JOHN E.  
CHRISTENSEN

• Mr. BROWN. Mr. President, I rise at this time to recognize an outstanding citizen for the achievements and contributions he has made to the people of the State of Colorado. After a 30-year career in education, John Christensen is retiring as principal of Greeley Central High School.

John Christensen, or "JC" as he is known, began his teaching career in 1964 at Carbondale Junior High School in Carbondale, CO. Over the next three decades, he became one of the driving forces in Weld County education. He taught mathematics, physical education, and biology. He coached basketball, football, track, and baseball, and served as an athletic director and assistant principal before becoming principal of Greeley Central.

As a resident of Greeley, CO, I am aware of the contributions JC has made to students and to the community. In addition to his classroom and administrative responsibilities, his enthusiasm and dedication to students' extra-curricular programs led him to speech contests, musical concerts, theater performances, athletic events and countless other student activities in the evenings and on weekends. During some of those athletic events he was a fan; other times he was the coach. In 1975, he coached Greeley West's AAA State Baseball Championship Team, a demonstration of his commitment to hard work and excellence.

John Christensen's selfless dedication brought him richly deserved recognition. In 1989, he was presented the International Thespian Award by International Thespian Society Troupe 657 for his support of theater arts at Greeley Central. In 1990, he received the Administrator Award from the Colorado Music Educators' Association. He served as president of the Colorado High School Football Coaches Association and was inducted into the District 6 Coaches' Hall of Fame for his years of service to youth as a football and baseball coach. He is past president of the Northern League Principals Association and continues to consult and speak at various leadership conferences across the country.

Greeley Central's Class of 1994 so greatly admired and respected John Christensen, their own principal, they chose him as their commencement speaker. His leadership and integrity has affected students, parents, teachers, and fellow administrators. In 1995, he received the prestigious Governor's Award for Excellence in Education. Most impressive of all is the new scholarship created in JC's name by Greeley Central's faculty. The John Christensen "Pride, Class and Dignity Award" is to be given to a Greeley Central High School senior who is active in student life, displays a distinguished academic record, and exemplifies outstanding leadership.

I have worked with numerous public officials and business leaders from

across the country. There are few of the same high caliber as John Christensen. His integrity, enthusiasm, and dedication are unequalled. For this, I thank him for his service and wish him and his family, Jonna, JJ and Jill, the very best.●

A NEW INTERNATIONAL  
PARTNERSHIP

• Mr. GRAMS. Mr. President, this week an historic agreement will be signed here in Washington that I believe embodies the enduring spirit of international commerce and what could be the promoting future of the Baltic States.

On March 28, 1996, government officials from the Baltic country of Estonia will sit down with representatives from one of my constituents, NRG Energy, Inc., and pen a memorandum of understanding [MOU] that could lead to NRG jointly owning, as well as managing and operating, the major electric generation assets in Estonia.

The agreement is a further step forward for Estonia, which is rapidly progressing into the global village. At the beginning of this decade, Estonia was one of the first nations to break from the old Soviet sphere of influence. Movement toward the West has been constant ever since. In 1991, Estonia became a member of the United Nations and it was welcomed into the World Bank in 1992. Today, the nation envisions itself as a member of the European Union and has submitted a formal application for inclusion.

Estonia's coalition government, led by Prime Minister Tiit Vahi and Foreign Minister Siim Kallas, has forged swiftly ahead in developing the open markets necessary to bring the nation into the global economy. These leaders should be commended for their foresight and resolve in making free trade a cornerstone of the country's impressive economic maturity.

Mr. President, the Estonians should be praised for their steady progress away from a command and control economy and toward free market principles. They share with a majority of Americans a strong belief that most often the private sector can better conduct business than the government.

Already the Estonian Government has privatized more than 377 of its enterprises. This includes the remarkable undertaking of privatizing and modernizing its entire telecommunications sector which was jointly accomplished with contributions from Swedish and Finnish interests.

Under the guidance of Arvo Niitenberg, former energy minister and current Estonian Ambassador to the International Atomic Energy Agency, the most ambitious investment initiative to date is occurring in the electricity sector. For this endeavor, the Estonians looked to American expertise and know-how, and found these qualities in abundance with NRG. As a subsidiary of Northern States Power

Company [NSP], a Minneapolis-based, multistate, investor-owned electric and gas utility, NRG has successfully brought the Minnesota penchant for hard work and a no-nonsense approach to international power projects in Australia and the former East Germany.

No doubt, NRG's success around the globe will once again evidence itself in Estonia. The project entails an investment of up to \$250 million by NRG for environmental upgrades and plant life extension in the Estonian electric company and NRG's management and operation of three powerplants totaling more than 3,000 megawatts through a stock company jointly owned with the Estonians. This represents almost the entirety of Estonia's power production in what is sure to be a win-win partnership in which NRG will apply its extensive and renowned expertise in emission reductions and operation of world class powerplants for the growing Estonian economy.

Mr. President, the MOU to be signed this week is the consummation of an important partnership not only between NRG and the Estonians, but also between Estonia and the United States. I welcome the partnership being established March 28 at the State Department as not only the teaming of a nation with a company, but also the commencement of a lasting relationship between two nations.●

BUDGET SCOREKEEPING REPORT

• Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through March 21, 1996. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1996 concurrent resolution on the budget (H. Con. Res. 67), show that current level spending is above the budget resolution by \$15.7 billion in budget authority and by \$16.9 billion in outlays. Current level is \$81 million below the revenue floor in 1996 and \$5.5 billion above the revenue floor over the 5 years 1996-2000. The current estimate of the deficit for purposes of calculating the maximum deficit amount is \$262.6 billion, \$17.0 billion above the maximum deficit amount for 1996 of \$245.6 billion.

Since my last report, dated March 12, 1996, Congress has cleared and the President has signed the 11th short-term continuing resolution (Public Law 104-116). In addition, the President signed an act providing tax benefits for members of the Armed Forces performing peacekeeping services in Bosnia