

However, this independence was short-lived as the Republic of Armenia soon collapsed because of renewed Turkish and Soviet pressure. On November 29, 1920, Armenia was declared a Soviet republic and spent the next 71 years under Soviet rule. With the fall of the Soviet Union in 1991, Armenia was finally able to fulfill its goal of self-determination.

Today, September 23, Armenia celebrates the sixth anniversary of its independence. I know that the many Armenian-Americans in Michigan and the United States join in this celebration. The support Armenian-Americans have given to their homeland has been indispensable as Armenia emerges from many years of Soviet domination. I applaud their efforts and the efforts of the Armenian people to build an independent and democratic Armenia.●

FURTHER EVIDENCE OF NEED FOR LEGAL REFORM NOW

● Mr. GORTON. A jury in New Orleans the other week issued a clarion call for legal reform. A monstrous judgment against CSX Transportation and four other companies illustrates once again the arbitrary and perverse nature of our current tort system.

Mr. President, I rise today to bring to my colleagues' attention a \$2.5 billion punitive damage award against CSX Transportation stemming from a 1987 chemical-car fire in the New Orleans neighborhood of Gentilly. Even in the context of our current broken legal system, this one is shocking. The jury awarded \$2.5 billion, out of a total punitive damage award of \$3.4 billion, against CSXT, Mr. President, despite the fact that Federal experts had determined that CSX was not at fault; despite the fact that the jury did not allocate any significant portion of the compensatory damages to CSXT; despite the fact that actual compensatory damages awarded to date in the case are only \$2 million; and despite the fact that the accident resulted in no deaths, no serious injuries, and no significant property damage.

Comparisons made in a New Orleans Times Picayune article put the total punitive damage award into perspective, warped as it is. Consider that the punitive damage award in this case is seven times the amount Union Carbide paid to settle a claim relating to a chemical leak in Bhopal, India, that killed 4,000 people and injured 300,000. Despite only minor property damage, this award is two-thirds of the punitive damage award against Exxon for the environmentally devastating spill that occurred in Alaska in 1989.

Let me set out the facts of the case as I understand them from the press accounts. On September 9, 1987, a railroad tank car containing butadiene, a volatile compound used in making synthetic rubber, was located in a rail yard in New Orleans on tracks that belonged to CSXT. Due to a faulty gasket, the contents of the car leaked and

the car caught fire. Local officials determined that the best approach was to let the fire burn itself out. To avoid harm to nearby residents, authorities ordered the evacuation of those living near the yard. Many people were inconvenienced, but although there are 8,000 people in the plaintiff class, only 2,300 people claim to have been located within the evacuation zone, and contemporary estimates of how many people were actually evacuated put the number at about 1,000.

One year after the accident, the National Transportation Safety Board, the Federal agency that investigates transportation accidents, determined that a misaligned gasket and other factors, not involving CSXT, had caused the accident. In fact, other than providing the track on which the train car was placed, CSXT had no connection to the car. CSXT did not own or repair the tank car, and it did not transport the car.

Significantly, even though the NTSB determined that CSTX had not caused the accident, the jury held CSXT 15 percent responsible for the \$2 million on compensatory damages that have been awarded to 20 plaintiffs at this time. The remaining plaintiffs will have to prove their damages in separate proceedings. Though it seems unfair that CSXT would be responsible for any compensatory damages if it was not at fault, it is unspeakably outrageous that CSXT would be assessed over 75 percent of the punitive damages, and only 15 percent of the compensatory damages.

How can it be that a Federal agency determines that a company has no responsibility for causing an accident and yet this huge verdict is awarded? The answer, unfortunately, is that our tort system is broken. The case in New Orleans is the latest, though perhaps most egregious, example of why we have to reform our civil justice system, to place some reasonable limit on punitive damage awards, to modify the laws regarding joint and several liability, and to provide disincentives for lawyers to go after the "deep pockets," simply because they're there.

CSXT is a big corporation, but that should not be reason to impose huge penalties on it, penalties that could affect its thousands of employees, thousands of middle-class stockholders who own shares in the company through their pension plans, and everyone who uses its vital transportation facilities. Until we undertake meaningful legal reform, we will continue to disadvantage businesses and consumers, stunt career opportunities, breed contempt for the law, and do injustice.●

THE 200TH ANNIVERSARY OF TRUMBULL, CT

● Mr. DODD. Mr. President, located in the hilly country of southwestern Connecticut in the watershed of the Pequonnock River is the quaint residential community of Trumbull. De-

spite its proximity to many highly industrialized cities, Trumbull has been able to preserve its small-town New England character and charm, and this year the town of Trumbull will celebrate its 200th anniversary.

The Trumbull area was permanently settled in 1690, and in the following years families began migrating to this secluded wilderness region, building mills, churches, and schools. In 1725, the settlement officially became the village of Unity, and this village was eventually absorbed by the larger community of North Stratford. Nearly a century after it was settled, the residents began the petition process for independence from North Stratford, and in 1797, the general assembly granted this request, established town bounds, and declared that this area shall forever be a distinct town known by the name of "Trumbull."

The town was named after one of the most respected families in Connecticut history, the Trumbulls of Lebanon, CT. The family's patriarch, Jonathan Trumbull, Sr., was the first of four "Governor Trumbulls" in Connecticut. He was a close ally of George Washington, and he was the only colonial Governor to support the Revolution. In recognition of his contributions to his State and his country, a statue of Jonathan Trumbull, Sr., currently stands in the Statuary Hall of the U.S. Capitol.

His son, Jonathan Trumbull, Jr., also had an illustrious career as an early American statesman. He was a member of the U.S. House of Representatives where he served as Speaker of the House. He also represented the State as a U.S. Senator and was elected Connecticut's governor in 1797, shortly after the town of Trumbull was incorporated.

In addition, Jonathan Trumbull, Sr.'s youngest child, John, was one of the most noteworthy American artists known for painting important historical events. Today, four of his paintings hang in the U.S. Capitol rotunda, his most famous being "The Surrender of Cornwallis."

While the namesakes for this town were truly heroic individuals, the many generations of Trumbull residents who have settled this town and shepherded its evolution over the years are equally heroic in their own right. They met the crises of their times. They worked hard to ensure a promising future for their children. They lent a helping hand to their neighbors when they were in need. They did all of the things that are necessary to sustain a community and help it develop into a wonderful place to live.

Today, Trumbull is a vibrant residential community which is dedicated to the preservation of its family-oriented atmosphere. Its schools are among the best in the State and the Parent-Teachers Association is very active. There are places of worship for more than a dozen different religions, strengthening the fabric of the community and adding to its diversity. More

than 1,000 acres of town-owned open space are set aside for recreational use, and Trumbull is renowned for its numerous public parks. Trumbull has also invested in its children by establishing an excellent youth sports program. In fact, one of the town's and the State of Connecticut's proudest moments came when a resilient group of 11- and 12-year-olds from Trumbull pulled off one of the greatest upsets in baseball history and won the Little League World Series in 1988.

Trumbull's motto is "Pride in our past. Faith in our future." I would like to personally say that the people of Trumbull should be very proud of their town's history and heritage. But more important, I have complete faith that the future for the people of Trumbull will be even brighter than the past. I congratulate the town of Trumbull on this historic milestone and offer my best wishes for future centuries of success and prosperity.

INTERIOR APPROPRIATIONS—NATIONAL PARK AND ENVIRONMENTAL IMPROVEMENT FUND

• Mr. McCAIN. Mr. President, as part of the Interior appropriations bill (H.R. 2107) the Senate adopted an amendment I offered with Senator STEVENS to create a National Park and Environmental Improvement Fund. The fund is financed with \$800 million in disputed oil revenue awarded to the Federal Government by the Supreme Court. Under the amendment, the annual interest from the fund would be available, subject to appropriation, for top priority capital improvements within the National Park System; to assist States with their own park planning and development; and to finance ocean research.

As I stated, disbursements of the interest revenue would be subject to appropriation. I want to be clear that it is not our intent to create this fund in vain, by appropriating the interest and reducing other vital park or environmental accounts in order to remain below the applicable budget caps. Our goal and intent is to ensure these funds will supplement the appropriations parks and environmental accounts would otherwise receive. The distinguished chairmen of the Budget Committee and the Appropriations Committee have agreed to work to ensure that end and I thank them for their courtesy and leadership.

Mr. DOMENICI. Mr. President, the Senator is correct. I look forward to working with him next year to address this issue during the budget process to ensure this fund provides additional resources to meet park and relevant environmental needs so that it will not require offsets from other park or vital environmental accounts.

Mr. STEVENS. Mr. President, I concur with my colleagues, and I will work as chairman of the Appropriations Committee to make sure that these funds are additional, not replacement,

revenues to meet park and environmental purposes.●

ELIMINATION OF SECRET SENATE "HOLDS"

• Mr. WYDEN. Mr. President, I am submitting for the RECORD a notification of a proposal I intend to offer.

I ask that the proposal be printed in the RECORD.

The proposal follows:

(Purpose: To eliminate secret Senate "holds")

At the appropriate place, insert:

SEC. . ELIMINATING SECRET SENATE "HOLDS."

(a) STANDING ORDER.—It is a standing order of the Senate that a Senator who provides notice to leadership of his or her intention to object to proceeding to a motion or matter shall disclose the objection (hold) in the Congressional Record not later than 2 session days after the date of said notice.

(b) RULEMAKING.—This section is adopted—
(1) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the Rules of the Senate and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change its rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.●

RETIREMENT TRIBUTE TO JIM WENGERT

• Mr. HARKIN. Mr. President, I rise to pay tribute to the work of Jim Wengert—a good friend and great fighter for working people across the state of Iowa and around the country.

For well over a generation, Jim Wengert has been a leader at the Iowa Federation of Labor. From 1966 to 1979, he was Secretary-Treasurer of the statewide organization. And from 1979 until his retirement this year, Jim has been at the helm of the Iowa Federation of Labor serving as its President.

Prior to his years at the Iowa Fed, Jim worked at Swift and Company in Sioux City. In 1952, he joined Local 71 of the United Packinghouse Workers of America and he wasted no time rising up the ranks. He served as Vice President and Steward of his local—and Recording Secretary and President of the Woodbury County Labor Council.

In addition, Jim has been a legislator in the Iowa General Assembly, and a member of the United States Commission on Civil Rights, the University of Iowa Labor Advisory Committee, and the Iowa Workers' Compensation Advisory Committee.

Mr. President, Jim Wengert has had a long and distinguished career but there is a common thread that weaves all his work together. For almost half a century, Jim Wengert has been on the frontlines of the battle for dignity and economic and social justice for the working people of this country.

That fight has not been easy—far too often, the deck has been stacked against working people. But Jim never picked his battles because the odds

were on his side. He did it because America's best values were on his side. Values like dignity, justice and fair play. Time and again, Jim Wengert put it on the line for workers on the line.

To Jim, it's simple. Fighting for working people is a labor of love. That's why he has used his position and his platform to speak out for good jobs, a living wage, secure pensions, and a better future for our children and grandchildren.

And if one looks across the landscape of Iowa and at all that's happened that's been good for working people, I guarantee you'll find the fingerprints of Jim Wengert. Because whether it's passing legislation, electing progressive candidates, or changing attitudes, Jim helped make it happen.

Mr. President, Jim Wengert is an optimist, a doer and a believer. He believes with his head and his heart that tomorrow can be better than today. And the power to make that happen isn't in the hands of "them"—the powerful and privileged. The power to make the future brighter rests with us—by organizing and working together.

That is what a union is all about. And that's what Jim Wengert is all about.

I know the Senate joins me in wishing Jim many more years of health and happiness. And even though his retirement is a loss for the working people of Iowa, it is truly a gain for the Wengert family—for Jim's wife Joanne, his children and, of course, his grandchildren.

Once again, Mr. president I want to thank Jim Wengert for his commitment and service. We owe him an enormous debt for a lifetime of building our communities and advancing the cause of justice and dignity for the working people of Iowa and our Nation.●

AUSTRIAN-AMERICAN DAY

Mr. ENZI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 168, S. Res. 122.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 122) declaring September 26, 1997 as "Austrian-American Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. ENZI. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution appear at this point in the RECORD.

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

The resolution (S. Res. 122) was considered and agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 122

Whereas 1997 marks the 50th anniversary of General George C. Marshall's plan for assisting the free countries of Europe in their post-World War II rebuilding process;