

the program which eventually yielded the C-17 Globemaster aircraft. Before he would reach the highest echelons of the Air Force though, Dutch Huyser still had a lot of flying to do, and he found himself in the cockpits of B-29's over Korea and B-52's in Vietnam when the United States became embroiled in conflicts in those nations.

Throughout his career, Dutch Huyser established an impressive record of awards, citations, and medals that is far too extensive to cite here. Suffice it to say, he set an excellent example for devotion, patriotism, and professionalism for all Air Force officers to follow, and I am confident that he served as an important role model for many of his subordinates throughout his career.

An obvious competent and talented officer, pilot, and manager, the career of Dutch Huyser progressed quickly. Following his service in Vietnam, he specialized in airlift matters and later became the Commander of the Military Airlift Command. In that position, he was an advocate for increased lift capabilities for the Air Force, and he fought hard for the modernization and expansion of the transport fleet. As mentioned above, he is universally credited as being the father credited as being the father of the C-17 program, an aircraft that proves its capabilities and worth on a daily basis as it transports troops and equipment to spots around the world.

After three major wars, almost 10,000 flying hours, and 38-years in the Air Force, General Huyser finally hung his uniform up for the last time in 1981. Though he left the military, he continued to make many contributions to aviation and the security of the United States.

Sadly, Gen. Robert "Dutch" Huyser passed away earlier this week, but perhaps fitting for a man who dedicated his life to the Air Force, he was on an Air Force base when he died. I am certain that the entire Senate would join me in saluting the many contributions that General Huyser made to the Air Force and the defense of the United States, as well as extending our deepest sympathies to his wife, Wanda, and their two daughters. They can be proud of all that their husband and father did to make our Nation a safer, stronger, and better place to live.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, September 25, 1997, the Federal debt stood at \$5,387,703,781,934.24. (Five trillion, three hundred eighty-seven billion, seven hundred eighty-one thousand, nine hundred thirty-four dollars and twenty-four cents)

One year ago, September 25, 1996, the Federal debt stood at \$5,198,791,000,000. (Five trillion, one hundred ninety-eight billion, seven hundred ninety-one million)

Five years ago, September 25, 1992, the Federal debt stood at

\$4,045,041,000,000. (Four trillion, forty-five billion, forty-one million)

Ten years ago, September 25, 1987, the Federal debt stood at \$2,336,074,000,000. (Two trillion, three hundred thirty-six billion, seventy-four million)

Twenty-five years ago, September 25, 1972, the Federal debt stood at \$437,412,000,000 (Four hundred thirty-seven billion, four hundred twelve million) which reflects a debt increase of nearly \$5 trillion—\$4,950,291,781,934.24 (Four trillion, nine hundred fifty billion, two hundred ninety-one million, seven hundred eighty-one thousand, nine hundred thirty-four dollars and twenty-four cents) during the past 25 years.

NATIONAL LAWSUIT ABUSE AWARENESS WEEK

Mr. ASHCROFT. Mr. President. This week, the American Tort Reform Association is holding a series of events to mark the National Lawsuit Awareness Week. Since it was founded in 1986, ATRA has played a valuable role in the effort to restore fairness, balance, and predictability to the civil justice system.

To commemorate this week, ATRA is hosting a 5k "Tort Trot" to benefit the Hydrocephalus Research Foundation. Patients who suffer from hydrocephalus—excess fluid on the brain—particularly have been impacted by lawsuit abuse. Such patients require brain shunts to drain the excess fluid from the brain. While these shunts have saved the nearly 75,000 hydrocephalus patient's lives, they are made out of silicone which is becoming scarce. The silicone supply used by implant manufacturers is threatened by deep pocket liability lawsuits. Rather than take a risk over a product which they did not design or manufacture, some suppliers are exiting the medical device market.

Congress can fix this problem. We can pass meaningful tort reform to make sure that our system no longer lines the pockets of special interests at the expense of those in need of life-saving medical devices.

Americans deserve a system of justice, not justice delayed. Those wrongfully injured should have access to a timely remedy from the responsible party. A recent study found cases take about 2½ to 3 years to be resolved, and even longer in appealed cases. In our present—overburdened—system, 50-70 cents of every jury-awarded dollar goes to lawyers and legal costs.

I want to focus my remarks on reforming the product liability system; however, I also want to mention a case which illustrates the need for overall civil justice reform. This case, coined the "Great New Orleans Train Robbery" by the national media, resulted in a \$2.5 billion punitive damages award against a company found to be only 15 percent at fault in an accident that did not result in loss of life, serious injuries, or major property damage.

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 belong to CSX Corp. Since the fire involved hazardous materials, the officials involved made a determination that the best approach was to let the fire burn itself out. In order to avoid any possible harm to nearby residents, an evacuation of those living near the yard was undertaken. The fire lasted 36 hours. By all accounts, fire officials, and corporate representatives undertook heroic efforts to protect life and property. As a result, and as I said earlier, no deaths or significant injuries were involved, and there was only minimal property damage.

One year later, the National Transportation Safety Board—the Federal agency charged with investigating transportation accidents—determined that CSX had not caused this accident. In fact, other than providing the track over which the tank car was operated, CSX had no connection to the car.

The very day of the fire, a group of law firms brought a class action suit against CSX and other companies alleging various kinds of physical and mental anguish. A jury has now decided that the 8,000 plaintiffs should be awarded \$3.5 billion in punitive damages. Although CSX was only found to be 15 percent responsible—presumably because they owned the track—its portion of the punitive damage award is \$2.5 billion.

How can it be that a Federal agency determines that a company has no responsibility for an accident, another agency declines to assess any safety violation against that company, and yet, this enormous verdict is awarded?

The case in New Orleans is but the latest example of why we need to reform the entire civil justice system. We need to place some limits on verdicts. We need to modify the laws regarding joint liability. Finally, we need to provide disincentives for lawyers to sue the deep pocket every time they can.

Before I begin talking about product liability reform, Mr. President I ask unanimous consent that articles appearing recently in the Wall Street Journal and the Washington Post relating to this almost unbelievable case, appear in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 18, 1997]

LOUISIANA JACKPOT

The tort wheel of fortune turns round and round. By all accounts, the legal freak show is about to descend on the "fen-phen" diet-pill manufacturers. There will be "thousands of lawsuits scattered all around the country," one tort lawyer roared in the Journal yesterday. But before this circus hits town, attention should be drawn to the one now playing in Louisiana.

In a case that has already been dubbed the Great New Orleans Train Robbery, 8,047 residents of the Big Easy hit the jackpot, winning \$3.4 billion in punitive damages in a