

today, would weaken the ability of those customers to pursue class action claims. In the case of VW, the bill would limit classes to people with the same vehicle model, the same emissions-cheating device, and the same emissions system, even though all clean diesel customers were defrauded in the same way. It would shrink the class sizes and make it easier for VW to defeat or settle claims.

Why would we make it easier for VW to avoid responsibility by making it harder for Americans to pursue justice?

It is shameful that congressional Republicans are trying to do Volkswagen's bidding by weakening the rights their constituents currently have.

I urge my colleagues to join me in opposing this bill.

HONORING DR. GREGORY EASTWOOD

(Mr. KATKO asked and was given permission to address the House for 1 minute.)

Mr. KATKO. Mr. Speaker, I rise today to honor the distinguished career of Dr. Gregory Eastwood.

I am incredibly privileged to be joined here today by Dr. Eastwood and his wonderful family.

Celebrated throughout our entire region for his commitment to service, Dr. Eastwood first served as president of the State University of New York Upstate Medical University from 1993 until 2006—the longest in the history of the institution and of all sitting presidents on SUNY campuses. Dr. Eastwood returned to the president's seat in October 2013 when the campus was in dire need of his capable leadership.

Dr. Eastwood has served our community for years with distinction, holding leadership roles and partnering with many different organizations in the region.

He advanced an aggressive vision for the SUNY Upstate, which has grown under his leadership through the establishment of the University Health Care Center, the Joslin Diabetes Center, and the Golisano Children's Hospital.

A clinician, scholar, educator, community leader, and author, Dr. Eastwood has had a remarkable career.

Today, I want to thank Dr. Eastwood for his excellence, professionalism, caring presence, and commitment to the SUNY University and to central New York.

Our community is stronger now because of your work, Dr. Eastwood. We will sorely miss you.

PLANNED PARENTHOOD

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, yesterday, this House unfortunately passed a bill to basically repeal the Affordable Care Act and do away with funding for

Planned Parenthood. I know the President will veto that bill, and I want to thank him in advance.

In Tennessee, 236,000 people signed up for the Affordable Care Act. That is 236,000 people who, if the bill becomes law, will not have health care or will have more expensive health care.

Nationally, 11 million people signed up. Those people will not have it or will have more expensive health care.

If you stop Planned Parenthood, you stop poor people, many of whom are in my district, from getting preventive health care: mammograms, HIV testing, and planned birth control programs.

This was a bad bill against the people of our country, taking away health care from people who need it, otherwise can't afford it, and otherwise wouldn't get it.

Thank you, Mr. President.

IMPROVING SECURITY IN OUR COMMUNITIES

(Mr. JOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOLLY. Mr. Speaker, we have heard a lot of talk this week about improving security in our communities. One way we can do that as a country is to stand shoulder to shoulder with our law enforcement officers. Just as they get our back each day, let us get theirs.

Tomorrow is Law Enforcement Appreciation Day. We can show our appreciation in this House by bringing up and passing legislation I have introduced called the Thin Blue Line Act, now with over 50 cosponsors on both sides of the Capitol. It simply gives prosecutors and judges greater flexibility to impose enhanced penalties on those who do harm to law enforcement officers.

Law enforcement officers each year are subject to over 50,000 assaults on them, 15,000 with injuries, and 150 unfortunately leading to law enforcement deaths.

The Thin Blue Line Act says very simply, if you take the life of a law enforcement officer, be prepared to lose your own.

Mr. Speaker, let's stand with law enforcement officers today and each day in this House.

GUN CONTROL EXECUTIVE ACTIONS

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Speaker, I rise today to applaud the President's executive actions to curb gun violence and urge my colleagues to take the action needed to address this deadly plague.

I rise today in honor of more than 300 lives lost to gun violence in Detroit, a city I represent, just in 2015. That is nearly as many lives as we have days in the year.

We have failed to take meaningful action. We must pass legislation to support the President's executive actions.

We have heard a lot of dialogue this week. If you don't like the executive actions, then Congress must rise and let's take the action needed.

We can no longer sit on the sideline and allow this plague and this horrific violence in our country to continue. We must take action now before another day passes and another innocent life is destroyed.

GUN CONTROL EXECUTIVE ORDERS

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of every American's Second Amendment rights.

The recent announcement by President Obama to unilaterally enact gun control laws once again shows his complete lack of leadership and a complete disregard for Americans' fundamental rights. The President should be working with Congress to enact legislation, not creating executive orders because things don't work out his way.

The fact is that the President's executive actions would not have prevented a single mass shooting over the past several years. One of the main underlying causes of many of these shootings was mental illness, and I will be the first to agree that we should dedicate efforts to address mental illness in this country.

However, directing millions of dollars in new investment for mental health care is not the role of the President. That is the role for Congress.

If our Founding Fathers wanted to restrict the right to bear arms, they would have written it into our Constitution. If our Founding Fathers wanted an executive fiat government, they would have created one.

I call on my colleagues, both Democrats and Republicans, to stand up for this institution and protect what our Founding Fathers fought and died for: a Republic elected by the people, for the people; a country that is not controlled by one man, but by many.

RECOGNIZING FARM FAMILIES OF THE YEAR

(Ms. GRAHAM asked and was given permission to address the House for 1 minute.)

Ms. GRAHAM. Mr. Speaker, today I rise to recognize the Second Congressional District's Farm Families of the Year.

Each year, the Florida Farm Bureau recognizes families across north Florida for their commitment to farming and our community. These families work hard every day to provide food for our tables and, just as importantly, they know farming is more than a job. It is a way of life and a part of our heritage.

Our farm families are the backbone of north Florida. Recognizing them with this award is just one thing we can do to show how much we appreciate their hard work and sacrifice.

I look forward to further recognizing them and highlighting their work as I begin the first official north Florida farm tour. I will be visiting all 14 counties in my district.

Again, congratulations to our Farm Families of the Year, and thank you to all of our State's farmers.

ARRESTING TERRORISTS, NOT RANCHERS

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Mr. Speaker, while the Federal Government's focus to my constituents in the West appears to be reprosecuting ranchers for a small rangeland fire or to disarming Americans from protecting themselves, Federal agents focused on homeland security yesterday and bagged two Iraqi refugees in Sacramento and Houston with ties to recent travel to Syria to aid or seek to fight alongside Islamic State.

Mr. Speaker, as we will hear from the President here on this floor in the State of the Union next week, I hope his focus will be on a migrant or refugee program that secures our borders, not a gun agenda that makes Americans more defenseless.

With San Bernardino, California, being so fresh in our minds and that terrorism activity there, let's heed the words of Texas Governor Abbott and other States that are clamoring for a more effective vetting process before we bring more migrants into this country.

FAIRNESS IN CLASS ACTION LITIGATION ACT OF 2015

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 1927.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentleman from Virginia? There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 581 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1927.

The Chair appoints the gentleman from Illinois (Mr. RODNEY DAVIS) to preside over the Committee of the Whole.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 1927) to amend title 28, United States Code, to improve fairness in class action litigation, with Mr. RODNEY DAVIS of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

I rise today in support of a bill that combines two important reforms, the Fairness in Class Action Litigation Act and the Furthering Asbestos Claim Transparency Act, or the FACT Act. Let me first explain why my colleagues should vote in favor of the Fairness in Class Action Litigation Act.

Last year an independent research firm surveyed companies in 26 countries and found that 80 percent of those that were subject to a class action lawsuit were U.S. companies, putting those U.S. companies at a distinct economic disadvantage when competing with companies worldwide.

The problem of overbroad class actions doesn't just affect U.S. companies. It affects consumers in the United States who are forced into lawsuits they don't want to be in. How do we know that? We know that because the median rate at which consumer class action members take the compensation offered in a settlement is an incredibly low 0.023 percent. That is right.

Only the tiniest fraction of 1 percent of consumer class action members—less than 1 quarter of 1 percent—even bothers to claim the compensation awarded them. That is clear proof that vastly large numbers of class members are satisfied with the products they purchase, don't want compensation, and don't want to be lumped into a gigantic class action lawsuit.

Just recently a California judicial decision reported that, in a class action consisting of over 230,000 people, only two of those 230,000 wanted the coupons offered in the class action settlement. The judge in that case said that the case produced "absolutely no benefit, really, to anybody." So where is all of the money going in these cases? To the lawyers who brought the lawsuits that hardly anyone wanted to be in.

In another case, the district court had refused to certify the class because most of the class members had not experienced any problems with the product. But then the Ninth Circuit Court of Appeals reversed, holding that "proof of the manifestation of a defect is not a prerequisite to class certification."

In yet another case, when the Seventh Circuit Court of Appeals allowed the certification of an overbroad class action, it had to subsequently throw

out the resulting settlement, stating, "The district court approved a class action settlement that is inequitable, even scandalous," because the relatively few class members who were actually injured ended up claiming less than 2 percent of what the trial lawyers got the district judge to say was warranted based on the overbroad size of the class.

Trial lawyers work the system today in the following way: They file lawsuits, for example, against a company that sells a washing machine. Some of those washing machines don't work the way they are supposed to, but most of them do. But the lawyers file a class action lawsuit that includes everyone who ever purchased a washing machine from the company, even the large number of people who are completely satisfied with their purchases.

When trial lawyers lump injured, non-comparably injured, and non-injured people into the same class action lawsuit, the limited resources of the parties are wastefully spent weeding through hundreds of thousands of class members in order to find those with actual or significant injuries. That is money that could have been spent compensating deserving victims.

Sometimes, because judges don't separate the injured from the non-injured in class actions early enough in the proceedings, they end up throwing out settlements because it turns out hardly any of the class members were harmed and didn't want compensation.

Other times, when judges realize they have created an overbroad class, they justify their actions by coming up with novel theories to provide some compensation to people who are entirely satisfied with the product and who don't want compensation.

Either way, the solution is to direct judges to determine as best they can early in the proceedings which proposed class members are significantly and comparably injured and which aren't and to treat them accordingly. That is fair to everyone.

The purpose of a class action is to provide a fair means of evaluating like claims, not to provide a way for lawyers to artificially inflate the size of a class to extort a larger settlement value for themselves and, in the process, increase the prices of goods and services for everyone.

Claims seeking monetary relief for personal injury or economic loss should be grouped in classes in which those who are the most injured receive the most compensation. No one should be forced into a class action with other uninjured or minimally injured members only to see their own compensation reduced.

The Fairness in Class Action Litigation Act would simply make clear what currently should be clear to the Federal courts, namely, that uninjured class members are incompatible with rule 23(b)(3)'s current requirement that common claims predominate a class action.