

Mrs. Mitchell acquired from her grandmother a recognition that a good education is a necessity. She and her siblings were all educated and her children continued that fine tradition here in the United States. Her son Claude, Jr. received his MSW from City University and her daughter Joan is active in the Alumnae chapter of Delta Sigma Theta.

After her husband died, she raised her children while working at New York Cornell Hospital as a dietitian assistant.

At her family birthday party in October of last year, family members came from as far away as Barbados, Canada, Massachusetts and Virginia as well as the tri-state area to celebrate her centenary. One nephew from Barbados, who is Consul to Sweden, brought her a gold heart as a symbol of the kind heartedness she showed him and others of the family. Another, a Dean at Howard University, served as emcee.

Mrs. Mitchell still is a member of St. Ambrose Episcopal Church. She epitomizes what immigrants have done for America. Giving all and raising children who, with every generation, contribute still more. We are fortunate that she came to us and I congratulate her on this special birthday.

INTRODUCTION OF THE INTER-STATE CLASS ACTION JURISDICTION ACT

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1999

Mr. GOODLATTE. Mr. Speaker, today I rise on behalf of my colleagues Mr. BOUCHER, Mr. BRYANT and Mr. MORAN of Virginia to introduce important bipartisan legislation to correct a serious flaw in our federal jurisdiction statutes. In recent years, the number of class action filings has risen dramatically and the large majority of these cases are brought in state courts. A 1999 survey indicates that the number of state court class actions pending against surveyed companies has increased by 1,042 percent over the ten-year period 1988–1998. This increase in class action filings has been accompanied by a number of abuses of our judicial system.

Interstate class actions are flooding into certain state courts because those courts tend to favor local lawyers in cases against out-of-state companies; however, state courts are often ill-equipped to handle such cases. Many state courts don't have either the support staff and other resources or the complex litigation experience to handle interstate class actions, which often involve thousands (and sometimes millions) of purported class members.

In addition to forum-shopping, lawyers frequently exploit major loopholes in federal jurisdiction statutes to block the removal of class actions that belong in federal court. For example, plaintiffs' counsel may name parties that are not really relevant to the class claims in an effort to destroy diversity. In other cases, counsel may waive federal law claims or shave the amount of damages claimed to ensure that the action will remain in state court.

Some state courts use very lax class certification criteria, making virtually any controversy subject to class action treatment and allowing state courts to hear purely interstate class ac-

tions. The result is that state courts are increasingly deciding out-of-state residents' claims against out-of-state companies under other states' laws. When state courts preside over class actions involving claims of residents of more than one state (especially nationwide class actions), they end up dictating the substantive laws of other states, sometimes over the protests of those other states.

At present, our federal diversity jurisdiction statutes essentially provide that interstate disputes involving significant sums of money may be heard in a federal court. But because class actions (as we now know them) did not exist when those statutes were initially framed, class actions were omitted, leading to outrageous results. For example, under current law, a citizen of one state usually may bring in a federal court a simple \$75,001 slip-and-fall action against a party from another state. But if a class of 25 million product owners living in all 50 states bring claims collectively worth \$15 billion against the product manufacturer, that lawsuit usually must be heard in a state court.

Our legislation offers a solution to class action abuse by making it easier for plaintiff class members and defendants to remove class actions to federal court, where cases involving multiple state laws are more appropriately heard.

This legislation does not limit the ability of anyone to file a class action lawsuit. It does not change anybody's rights to recovery. It merely closes the loophole, allowing federal courts to hear big lawsuits involving truly interstate issues, while ensuring that purely local controversies remain in state courts. This is exactly what the framers of the Constitution had in mind when they established federal diversity jurisdiction.

I urge my colleagues to support this important legislation.

RECOGNIZING STUDENTS WHO CARE

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1999

Mr. PORTER. Mr. Speaker, it is often said that the youth of America are indifferent. We hear that they simply do not care about the issues at all, except those narrow issues that affect them personally. With so many repeating this view, I am pleased to highlight the efforts of young people in Illinois' 10th District that contradict this stereotype.

I recently received a package of letters from David Hirsch, a teacher in the Deerfield High School English Department. His sophomore English class had used the issues in my annual constituent survey for a policy debate unit, and as part of this unit, each student wrote a letter to me detailing their opinions on some of these issues. The 56 letters that I received from these young constituents were not only impressive in that they were well-thought out and well-written, but equally impressive in the genuine concern that these young men and women showed for issues ranging from the protection of the Earth from pollution to the protection of children from guns. These students also expressed concern about people in other nations, and our relationships with other

countries like Russia and Iraq. Clearly, these young people are interested in more than just their personal agendas. Sophomores, they may be, but they are hardly sophomoric.

If I may, Mr. Speaker, I'd like to enter into the record the names of these students to recognize their efforts. They are: Josh Baker, Katherine Bolton, Jon Chester, Greg Cole, Jenny Eck, Julie Fiocchi, Jay Gustafson, Lexi Hayes, Janna Hoffman, Sari Hirsch, Bridgette Jung, Sandi Kaplan, Nancy Keene, Chris Krakowski, Stephanie Laouras, Kerry Lee, Elliott Levy, Elaine London, Andrew Mast, Steve Meisinger, Muhammed Mekki, Rob Pantle, Mary Patchell, Michael Posternack, Jeanette Schaller, Jeremy Silver, James Sinkovitz, Matthew Spraker, Melissa Spreckman, Jori Swift, Karli Tracey, Tracy Watson, Zachary Weiner, Lara Weinstein, and Mara Weisman. I want to commend all of them for showing interest in the issues that affect our district, country, and our world, and I am very happy to represent them in the Congress.

COMMEMORATING THE 19TH ANNIVERSARY OF THE WISCONSIN INSTITUTE FOR TORAH STUDY

HON. GERALD D. KLECZKA

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 19, 1999

Mr. KLECZKA. Mr. Speaker, I rise today to recognize a nationally acclaimed Jewish residential high school, the Wisconsin Institute for Torah Study, on its 19th anniversary.

The school, or Yeshiva, was founded in 1980 to provide a unique high school and post-high school experience. Its programs attract students from major cities across the country. The high school program offers a comprehensive Torah study curriculum and, simultaneously, an intensive college-preparatory general studies program. The Bais Medrash is the advanced, post high school program.

As a testament to its growth and strength, the institute will expand due to steadily increasing enrollment. When completed, the expanded facility will house a new Bais Medrash, labs and classrooms.

The Wisconsin Institute for Torah Study also honors this year its twin pillars of strength in the community: Armin and Hollie Nankin. Armin, past president of the Jewish Community Center and former board member of the Milwaukee Jewish Federation, and his wife Hollie have seen the school through some very difficult moments, and have served humbly and with dignity as a beacon of light and a source of strength. They have been actively involved with many other organizations, including Hillel Academy and Congregations Beth Israel and Lake Park Synagogue. They are the single most generous donors to the expansion campaign of the Wisconsin Institute for Torah Study, and through their encouragement have caused others to lend support.

The involvement of Armin and Hollie Nankin is summed up in three phrases: Quick minds, for their keen insight to the community's needs. Strong feelings, for their deep concern for the people in their lives and the community. And, deep impacts for an array of causes and institutions which are better today for their involvement.