

HOUSE OF REPRESENTATIVES—Tuesday, February 15, 2005

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
February 15, 2005.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes, but in no event shall debate extend beyond 1:30 p.m.

The Chair recognizes the gentleman from Texas (Mr. DELAY).

CLASS ACTION REFORM

Mr. DELAY. Mr. Speaker, this week the House will take the first step of the new Congress towards fulfilling our mandate to reform America's legal system, which for decades has been too often and too easily gamed by predatory self-serving personal injury lawyers.

Last week, the Senate passed the Class Action Fairness Act, legislation essentially identical to a bill passed by the House in recent years. This week, we will take it up and pass it again, and send it, along with the final product, to the President for his signature.

This first step, Mr. Speaker, is a giant leap. For the first time in years, the power of trial lawyers to abuse our generous and open legal system will be checked by ensuring that class action lawsuits are both valid and designed to protect victims, not line lawyers' pockets.

It first requires that large interstate class actions be filed in Federal court to streamline the process and make sure that lawyers cannot shop around

for the most historically generous State venues.

It puts an end to other tricks certain lawyers use to keep their cases out of Federal court. And it establishes a consumer class action bill of rights that ensures it is the plaintiffs and not just the lawyers who benefit from legitimate class action suits.

This last provision will prevent a repeat of the Shields et al v. Bridgestone/Firestone case in which the plaintiffs got nothing, but their lawyers got \$19 million, or of the Microsoft antitrust litigation in which consumers received 5 to \$10 in voucher coupons, while attorneys billed hundreds of millions of dollars in fees.

This is a pattern of abuse, Mr. Speaker, greed rewarded on a breathtaking scale by a legal system in desperate need of protection. Class action fairness is not just reform; it is self-defense. After all, our courts are not home to a legal system but a system of justice, justice too long denied American plaintiffs and defendants.

Consumers and businesses alike have been victimized by lawsuit abuse, court dockets are backed up, companies are paying lawyers instead of employees, and our economy is suffering for it all.

With the Class Action Fairness Act, Congress will begin the work of restoring common sense and common decency to our legal justice system, according to the needs of American families and the principles of reform they endorsed in last November's historic election. The 109th Congress has a mandate for reform, Mr. Speaker, and this week we will send the President the first product of that mandate.

MONEY FOR VETERANS HEALTH CARE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Washington (Mr. BAIRD) is recognized during morning hour debates for 5 minutes.

Mr. BAIRD. Mr. Speaker, yesterday President Bush submitted his \$82 billion budget for the Iraq supplemental proposal, yet he did not request in that proposal a single dollar to pay for veterans services.

Tens of thousands of our troops will be returning home this year, and yet the VA system is already greatly unfunded, with long waiting lists for services for soldiers and their families. President Bush's supplemental proposal and his budget have failed our Nation's veterans.

Now, it is the responsibility of this body, of this Congress, to make sure that our returning soldiers and their families get the health care services they deserve.

Today, I have been joined by over 50 colleagues in sending a letter to the President and to members of the Committee on Appropriations requesting that the \$82 billion supplemental bill include an additional \$1.3 billion to provide for our returning soldiers and their families.

This proposal has been endorsed by the Military Officers Association of America, the National Military Families Association, and the Paralyzed Veterans of America.

I urge my colleagues on both sides of the aisle to do the right thing. If we can find \$80 billion to send to Iraq, then for goodness sake we can find \$1.3 billion to take care of our soldiers and their families.

If we do not do this, what kind of message are we sending to the brave men and women who have served this country? I hope Members on both sides of the aisle will join me in this effort and that the President himself will see fit to support it as well.

THE PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to tell my colleagues about a piece of legislation that I have put in; it is called the Protection of Lawful Commerce in Arms Act. My cosponsor is Congressman RICK BOUCHER.

Last year we introduced a very similar piece of legislation, and it passed, my colleagues, with overwhelming bipartisan support. Our bill has the support of the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Association of Wholesalers, among other prominent groups.

What this legislation does is stops baseless lawsuits against gun manufacturers or dealers, based upon the criminal or unlawful third-party misuse of firearms.

Now, some may ask the question, why do we need such legislation? The reason that we need it is because the firearms industry is under attack. Over the last few years, trial lawyers have filed suits against federally licensed

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.