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.

□ 0915

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.