

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.

In Hebrew, Torah literally means teachings or learning. By their involvement the Nankins have taught us the meaning of devotion and generosity.

Mr. Speaker it is with immense pride and gratitude that I commend Armin and Hollie Nankin for their service to the community, and it is with great happiness and best wishes for continued success that I congratulate the Wisconsin Institute for Torah Study on its 19th anniversary.

---

HONORING BERNARD CEDARBAUM

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 19, 1999*

Mrs. LOWEY. Mr. Speaker, the Scarsdale Bowl Award, Scarsdale's highest civic honor, has been given annually since 1943 to honor "one who has given unselfishly of time, energy, and effort to serve the civic welfare of the community." Today, I would like to recognize a resident of my district who, through nearly three decades of tireless community service, perfectly embodies the spirit of this award.

Since moving to Scarsdale 28 years ago, Bernard Cedarbaum has chaired or served on no fewer than ten of Scarsdale's boards, councils and committees. He is one of a very small group of residents to have served on both the board of education (1979–85) and the village board of trustees (1993–98). A natural leader and common sense decision-maker, Mr. Cedarbaum has presided over the Town Club, Scarsdale Foundation, Environmental Advisory Council and Greenacres Association. Those who have served with Mr. Cedarbaum admire his intelligence, sense of fairness, reasonable approach to problem-solving, and his quick sense of humor.

Mr. Cedarbaum's commitment to a successful professional career has always been balanced with an unyielding dedication to volunteerism. Remarkably, Mr. Cedarbaum dedicated countless hours to the town of Scarsdale while he worked as a partner at the law firm of Carter, Ledyard & Milburn, presided over the New York State Bar Association's Corporation and Business Law Section, and participated on various committees of the New York City Association of the Bar.

The Scarsdale Bowl Award marks Mr. Cedarbaum's fulfillment of his goal, to make a valuable contribution to the community in which he lives. I join with the residents of Scarsdale in applauding Mr. Cedarbaum's commitment to our community and I am proud to officially recognize this remarkable civic leader for his many years of service.

---

HONORING GUAM SUPREME COURT  
JUSTICE JANET HEALY WEEKS

**HON. ROBERT A. UNDERWOOD**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 19, 1999*

Mr. UNDERWOOD. Mr. Speaker, "Justice" is often represented by a blindfolded lady

bearing scales on one hand and a sword and book on the other. The blindfold symbolizes equality for all under the law; the scales—balance; the sword—strength; and the book—intellect.

In my opinion, Guam Supreme Court Justice Janet Healy Weeks is the absolute personification of this mythical figure. After having been personally acquainted with this dynamic lady for so many years, I have to give her my deepest respect and admiration. As Micronesia's first woman lawyer and first woman judge, Justice Weeks' niche in the annals of the Guam judicial system had long been secured.

A native of Quincy, Massachusetts, Justice Weeks received a degree in Chemistry from Emmanuel College in Boston in 1955. She holds an L.L.D. from Boston College Law School and an honorary L.L.D. from the University of Guam. Upon her graduation from law school in 1958, she was selected for the Attorney General's Honor Graduate Program. She served under that capacity with the Department of Justice in Washington, D.C., until 1961. Having been admitted to practice law in the District Court of Guam, the Supreme Judicial Court of Massachusetts, the U.S. Court of Military Appeals, the U.S. Courts of Appeals for the Ninth Circuit, and the Supreme Court of the United States, Justice Weeks became an associate in the law firm of Trapp and Gayle in 1971. In 1973, she was made a partner in the law firm of Trapp, Gayle, Teker, Weeks & Friedman.

Appointed to the Superior Court of Guam in 1975, she went on to serve as a Superior Court Judge until 1996 when she was appointed to the newly created Supreme Court of Guam. She also sat in the Supreme Court of the Federated States of Micronesia from 1982 through 1988. From 1977 to 1993 and again from 1996 until April of this year, Justice Weeks was designated a judge at the U.S. District Court of Guam. In 1993, she was appointed Associate Justice in the Supreme Court of the Republic of Palau, a position she holds to this day.

Justice Weeks holds memberships with the American Bar Association, the Federal Bar Association, the Guam Bar Association, the American Trial Lawyers Association, the American Judges Association and the National Association of Women Judges. In addition, she has also been involved with the Guam Law Revision Commission, the National Conference of Trial Judges, the Territorial Law Library and the Territorial Crime Commission, Task Force on Courts, Prosecution and Defense. In 1973, she was a member of the Catholic School Board of Guam.

As a jurist, Justice Weeks is beyond reproach. While on the bench, she always endeavored to dispense equal justice to all. Favoritism and preferential treatment has no place in her courtroom. This fact is the source of my undying respect for her.

Justice Weeks' devotion to the island of Guam, its people, and the judicial system is her utmost legacy. While on Guam, Justice Weeks lived through some personal misfortunes enough to overcome and embitter the best among us. For over a quarter of a century, she has chosen to stay on Guam and weather every storm that came her way. Through it all she maintained her grace and

dignity—another reason why I have looked up to her all these years.

Last April, Justice Weeks has decided to step down and retire from the bench. Although a welcome boon to family and friends, her retirement has surely left a great void within the island's judiciary. The decades of service she dedicated to the people of Guam has truly earned her a place in our hearts. Her husband, retired Navy Commander George H. Weeks, and their children, Susan and George, certainly have every right to celebrate and be proud of this esteemed lady, dedicated jurist, and fellow public servant. On behalf of the people of Guam, I say, "Si Yu'os Ma'ase" to a distinguished community leader for having been such an exemplary role model and for her invaluable services to the island of Guam.

---

HONORING JOHN PETER CALVELLI

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 19, 1999*

Mr. ENGEL. Mr. Speaker, just over forty years ago a young man came to our country who, like so many before him, was seeking a better life. And like so many before him, he not only found that better life but made our country better for his coming here. John Peter Calvelli is one of those individuals.

John was born in Vico, Aprigliano in the province of Cosenza, Italy. On January 24th, 1958 he married his wife Rose and they were blessed with two children, Louis and John. Upon his arrival in the United States in August of 1958, John began working for G.A.L., an elevator company currently located in the Bronx and in 1971 joined the New York City Transit Authority as a car inspector, where he received many commendations for his job performance. During his spare time he devoted many hours to the betterment of our local community through his active involvement in many worthwhile charitable organizations. He is an active member and Past President of the San Fili Fraternity Club, an organization dedicated to promoting the Italian heritage organization as well as providing needed funds to students to help defray the increasing cost of higher education. His active participation as a lay leader for the Salesian Cooperators has served as a source of religious, spiritual and financial support for the students and faculty of Salesian High School. This spirit of community concern is manifested in his children: Louis serves as the Vice President for Development of Salesian High School and John serves as my Administrative Assistant.

On the evening of Friday, May 14, 1999 members and friends of the NYC Transit Authority will be hosting a dinner to celebrate a new chapter in John's life: his retirement. I am confident that he will spend the coming years to continue his work on behalf of our community and spend time with his new grandchild, John Domenico. I salute him and thank him for his work on behalf of the entire community and look forward to sharing many special events in the coming years with him and the entire Calvelli family.