

October 24, 2017

The Honorable Paul Ryan  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Nancy Pelosi  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

**Re: Oppose Cy Pres Amendment #8 to H.R. 732, the “Stop Settlement Slush Funds Act of 2017”**

Dear Speaker Ryan and Leader Pelosi:

We strongly oppose Amendment #8, sponsored by Mr. Goodlate, which would prohibit cy pres distributions in cases where settlement money is left over. H.R. 732 is a terrible bill. This amendment would make it even worse.

The cy press mechanism is a critical enforcement tool where it is either impossible or not economically feasible to deliver funds to everyone covered by a settlement. The first choice is always to give the recovery to class members if that is feasible. But if that is not feasible, cy pres must be available.

When a wrongdoer makes a commitment to provide restitution to a harmed community, they should not be allowed to renege on that promise and the money should stay available to help an effected community fully recover. If the money is instead returned to culpable companies, wrongdoers would benefit from a windfall for cheating and harming consumers, undoing the accountability or deterrence function of the entire settlement. This is terrible public policy.

We urge you to oppose this amendment, and to oppose H.R. 732.

Sincerely,

Alliance for Justice  
American Association for Justice  
Center for Justice & Democracy  
Earthjustice  
Public Citizen