



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org

May 13, 2015

U.S. House of Representatives
Judiciary Committee

Re: Oppose H.R. 26

Dear Honorable Committee Members,

On behalf of Public Citizen's more than 350,000 members and supporters, we strongly urge you to oppose H.R. 526, the Furthering Asbestos Claim Transparency Act (FACT Act).

The FACT Act invades the privacy of asbestos disease victims and will have the effect of delaying compensation for those suffering with lethal diseases like mesothelioma. Congress should act to protect these victims instead of opening the door for the asbestos industry to further escape accountability for poisoning the public and exposing trust claimants to scams, identity theft, and other privacy violations.

The dangerous product asbestos was once ubiquitous as insulation and flame retardant in buildings, homes and workplaces like naval vessels. The frightening reality is that an unknown amount of the cancer-causing substance is still present in our surroundings, but the asbestos industry does not have to disclose where and when it was and is being used.

The Centers for Disease Control and Prevention report that roughly 3,000 people continue to die from mesothelioma and asbestosis every year and some experts estimate the death toll is as high as 12,000-15,000 people per year when other types of asbestos-linked diseases and cancers are included.

Instead of helping these victims, H.R. 526 would put unworkable burdens on claims trusts. For example, the bill would impose a requirement for trusts to respond to any and all corporate defendants' information requests. Such a requirement would have the effect of slowing or virtually stopping the ability of trusts to provide compensation for victims. Since patients diagnosed with fatal asbestos-caused diseases like mesothelioma have very short expected

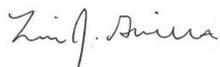
lifespans, a delay in justice could leave victims' next of kin struggling to pay medical and funeral bills.

The FACT Act does nothing to improve the lives of those facing an asbestos death sentence through no fault of their own. The bill instead adds insult to injury and inexcusably invades the privacy of victims by requiring public disclosure of personal claim information, including portions of their social security numbers, opening the door to identity theft and possible discrimination.

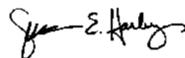
Instead of the FACT Act's misguided push for "transparency" via asbestos trust claim information disclosures, an appropriate transparency standard would ensure that workers and consumers have all the information necessary to limit their potential exposure to the deadly substance. Specifically, companies should publicly disclose their activities related to the manufacture, processing, distribution, sales, importation, transport or storage of asbestos or asbestos-containing products. That's why Public Citizen supports Sens. Durbin and Markey's and Reps. DelBene and Green's Reducing Exposure to Asbestos Database Act (READ Act, S. 700/H.R. 2030) which would create an information portal for the public to learn about the many asbestos-containing products that are currently bought and sold in the U.S.A.

The real outrage is the double oppression of asbestos victims, and the real need for transparency is disclosure of past and ongoing asbestos exposures. Please oppose H.R. 526.

Sincerely,



Lisa Gilbert
Director
Public Citizen's Congress Watch division



Susan Harley
Deputy Director
Public Citizen's Congress Watch division