

January 5, 2016

U.S. House of Representatives
Washington, DC 20515

Re: Opposition to the Furthering Asbestos Claim Transparency (FACT) Act, Sec. 3 of
H.R. 1927

Dear Representative:

We, the undersigned organizations concerned with occupational health and safety and dedicated to serving our nation's trade unionists, strongly oppose H.R. 526, which is now Sec. 3 of H.R. 1927. The "Furthering Asbestos Claim Transparency Act," introduced by Rep. Blake Farenthold (R-Texas-27) and Sen. Jeff Flake (R-Ariz.) will drain critical resources that have been set aside to secure justice for victims of asbestos diseases while simultaneously publishing those victims' personal information on the internet.

Asbestos is a lethal substance found in nearly all homes, schools and other buildings built before the early 1980s. It was, and remains, a component in automobile parts, most notably brake pads, presenting a deadly hazard to those who make and repair cars. In addition, for decades, asbestos was a component in the production of ships and it remains in many shipyards and aboard countless vessels. Asbestos fibers are released into the air often occurs when structures are renovated, demolished, or damaged by fire. As such, they can easily be inhaled and become lodged in the lungs. A single exposure can cause asbestos-related disease, including deadly and painful asbestosis and malignant mesothelioma, a sure-fire death sentence. Workers without the proper protections take the deadly fibers home to loved ones, spreading disease and death into the community.

Millions of American workers from various professions have been regularly exposed to asbestos throughout their careers, causing many to develop a variety of cancers and other life-shortening diseases. Their families can face a similar fate.

For example, the National Institute for Occupational Safety and Health's (NIOSH) "Work-Related Lung Disease Surveillance Report" for 2007 (the latest year available) noted that the construction industry accounted for nearly one-quarter of deaths due to asbestosis and 15 percent of deaths from malignant mesothelioma. The building trades of plumbers, pipefitters and steamfitters were the most commonly-listed jobs for deaths attributed to asbestosis and among the top of the list for mesothelioma.

Asbestos victims -- wherever they encountered the deadly dust -- are entitled to compensation from the companies that caused their illnesses and/or premature deaths. However, this bill gives companies an unfair advantage over asbestos victims seeking justice.

Speciously touted as a "transparency bill," the measure is designed to help the asbestos industry avoid paying victims through delay tactics and a waste of scarce trust resources set aside for victims. Adding insult to injury, the FACT Act also allows unwanted invasions of privacy and possibly identity theft by publishing the victims' claim information and other personal facts -- including part of their Social Security numbers -- on the Internet. Our nation's workers dying of asbestos disease related to their jobs -- and their families -- deserve more respect and better treatment from Congress.

Therefore, the undersigned organizations strongly oppose this legislation. We further call on members of Congress to stand with our nation's workforce and other victims of asbestos diseases and oppose the FACT Act (Sec. 3 of H.R. 1927).

Sincerely,

Asbestos Disease Awareness Organization

Communications Workers of America

ConnectiCOSH

Knox Area Workers' Memorial Day Committee

Labor & Employment Committee of the National Lawyers Guild

Maine Labor Group on Health

National Council for Occupational Safety and Health

New England Regional Council of Carpenters

New Jersey State Industrial Union Council

New Solutions: A Journal of Environmental and Occupational Health Policy

NHCOSH

Occupational Health Clinical Centers, Syracuse, New York

Occupational Safety & Health Law Project

RICOSH

SafeWork Washington

United Steelworkers

Western New York Council on Occupational Safety and Health

Worksafe

Celeste Monforton, Member, American Public Health Association