

The Asbestos Cancer Victims Rights Campaign Urges You to Vote NO on H.R. 982, the So-Called “FACT Act”

November 11, 2013

Dear Representative,

On behalf of the Asbestos Cancer Victims Rights Campaign, we write to urge you to vote against the misnamed “Furthering Asbestos Claim Transparency Act” (the FACT Act, H.R. 982), expected to come to the House floor this week. We are three very different women, with three very different lives, and come from different areas of the country. However, despite these differences, we have one thing in common: we are all victims of the asbestos industry's cover-up of the dangers of asbestos exposure, which caused one of the worst public health crises in U.S. history, affecting not just our families, but millions of American families, and that still continues to this day.

We oppose the so-called FACT Act because it would make it harder for patients and their families to seek justice and easier for the asbestos companies to delay cases and pay out less to the victims. It would force victims seeking any compensation to reveal personal information including the last four digits of their Social Security numbers, and information about their families and kids. At the same time, it does not do a single thing to help us, our families, and countless other victims cope with the terrible effects of asbestos disease and death.

Let us tell you a little about ourselves:

I, Susan Vento, am the widow of the late Congressman Bruce F. Vento who served for just shy of 24 years in the House of Representatives representing Minnesota's Fourth Congressional District. He died from mesothelioma in 2000 within eight months of being diagnosed. You may have served with Bruce, and if you did, you know that he was a tireless and effective advocate for the environment, for working people and for the disadvantaged. During his time in Congress, he was well-respected by members of both parties.

Mesothelioma is an aggressive cancer caused by asbestos exposure. Bruce was exposed through his work as a laborer years before he became involved in public life. He told his constituency about his diagnosis in early February 2000 when he announced why he would not run for re-election. On February 14, he had his lung surgically removed and then began an aggressive regimen of chemotherapy and radiation.

It was not enough. Bruce died three days after his 60th birthday in October. With his death, our country lost a dedicated and humble public servant years before his time. I lost my best friend and so much more.

My name is Judy VanNess, and in August 2011, my husband Richard was diagnosed with mesothelioma. On August 30, 2012, Richard passed away. He was only 62 years old. Richard and I were married for 25

years and have one son named Anthony. My husband served his country proudly on the U.S.S. Charles R. Ware and as a result was exposed to asbestos and died of it. Then later, he worked as a union pipefitter for 35 years in his hometown of Richmond, Virginia. He finally retired on September 2009 after working hard all his life. It took me a while to convince him to retire, but he was always glad I did. He had been retired for only two years when they found the cancer. We should have had so many more years together.

My name is Genevieve Casey Bosilevac and I was diagnosed with mesothelioma in 2009 a few days before my 48th birthday. I have six year old twin boys. Mesothelioma is one of the worst kinds of cancer you can get. I got sick because someone else decided to use asbestos in their automotive products – gaskets, brakes, clutches. I worked in my family's business. It was an automotive painting business. It was my job to make deliveries to the clients, the mechanics and auto body shops and the like. That's how they say I was exposed to asbestos. That, and the remodeling work my parents did on our family home. I fight hard for my life every day. I do it for my husband and those two little boys. I don't understand why the asbestos industry feels the need to expose my family's information on a web site for the world to see. The companies responsible for my illness already have that information because I had to give it to them to receive any compensation for my medical bills. I wish I could be in Washington for the vote on the FACT Act, but I am too ill to travel.

We represent thousands of people across the country who are suffering because of asbestos exposure. Many of them can't travel because of their illnesses. Others don't have the resources or the time to come all the way to Washington. But each and every one of them opposes any legislation that would make life more difficult for asbestos victims. We have included some of their stories about their own experiences and why they oppose the FACT Act at the end of this letter.

Despite the hardships that asbestos victims face, we never once considered asking Congress for some kind of handout or special favor. So, when we learned that the asbestos companies —the very same companies that caused and concealed all of this death and disease –were asking for legislation to make it harder for us and our families to seek justice and easier for them to delay our cases and pay out less to the victims, we were outraged. And what is worse, the companies claim they want *transparency*, after they spent decades covering up the dangers of asbestos while we and our family members were unknowingly exposed to this deadly toxin.

In the name of "transparency," the FACT Act forces the asbestos trust funds to reveal on a public database personally-identifiable information about asbestos victims and their families. This would include private work history, asbestos exposure information, the last four digits of their social security numbers, and even the personal information of children who were exposed at an early age. This is offensive. The information on this public registry could be used to deny employment, credit, and health, life, and disability insurance. We are also concerned that victims would be more vulnerable to identity thieves, con men, and other types of predators.

We have heard that the FACT Act is needed because of an epidemic of fraud against the asbestos trusts. But the evidence doesn't support this claim. A witness said that an asbestos victim claimed to be 12

years old at the time of exposure, and that this was an example of fraud against the trust. This is not fraud. Thousands of people were exposed to asbestos as children, either from their parents' dusty work clothes or from construction materials that were used at home. No one disputes that these people have asbestos diseases, and we can't understand how these claims can be called fraud. This bill treats us and other asbestos victims like criminals rather than innocent victims of corporate deceit.

The FACT Act is also completely one-sided. It requires so-called transparency from asbestos victims but it allows asbestos companies to continue to demand confidentiality of their settlements and hide information about how and when they exposed the public and their workers to asbestos.

We've been told that the asbestos companies want this bill because they are fighting among themselves about how much each of them owes to their victims. If this is a fight among the very companies who are responsible for killing thousands of Americans, why should the legislation place burdens on the victims? And why don't the asbestos companies have to disclose anything about their business practices, such as which workplaces and which products contained asbestos and when their executives knew about the dangers of asbestos, and what, if anything, they did about it?

Asbestos victims and our families don't have time on our side. Every day counts for us. Mesothelioma victims are typically racing against the clock to ensure their families aren't burdened with huge medical bills and that they are taken care of. It's astonishing to us, that, of all the issues Congress could be addressing relating to asbestos, you have chosen one that does nothing for victims, but rather one that gives additional tools to the asbestos industry to drag out these cases and escape accountability. We just can't understand how that is appropriate policy from a government that is supposed to serve and protect its citizens.

We are determined to stop any legislation that places the interests of the asbestos industry above the rights of innocent victims. The U.S. Congress should honor all veterans and hard-working Americans. Please vote no.

Sincerely,

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Maplewood, Minnesota

Judy VanNess
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