

## Bill to limit asbestos liability is not fair

Pioneer Press | BY SUSAN VENTO

Guest Columnist

When my late husband, Bruce Vento, announced that he was retiring from the U.S. House of Representatives, he quoted former Minnesota senator and vice president Hubert Humphrey who said: "The moral test of government is how it treats those who are in the dawn of life, the children; those who are in the twilight of life, the aged; and those who are in the shadows of life, the sick, the needy and the handicapped."

Congressional leaders in Washington are about to fail Humphrey's test on all counts by pushing legislation that they claim will help solve the so-called "asbestos litigation problem." But the bill, S.1125, won't solve anything, at least not for asbestos victims and their families.

While its proponents call it the FAIR Act — for Fairness in Asbestos Injury Resolution — there's nothing fair about it. The bill would put an end to all current and future lawsuits against companies who knowingly exposed workers to asbestos. It will also cancel all pending settlements for victims and would void jury verdicts awarded to victims unless they have already been paid.

In exchange for being shielded from liability for their actions, asbestos manufacturing companies would be required to contribute to a fund that would be set up to compensate victims. However, the trust fund will simply not add up to adequately compensate all victims and their families who frequently incur medical bills exceeding a million dollars. In addition, the stringent and unrealistic medical criteria required to be eligible for compensation will prevent thousands of legitimate victims from receiving justice. Finally, the fund will be paid through a new and untested government bureaucracy that will take years to set up before the first dollar is paid to victims. As one CEO said, if this bill passes, asbestos companies will be "partying in the streets."

Most people don't know much about asbestos and how it can affect people's lives. And if they are like me until just a few short years ago, they've never even heard the word "mesothelioma." They don't know that asbestos will continue to harm innocent people for years to come. Asbestos is present all over the country in workplaces, homes and schools. It is a poison, and exposure to it can cause serious illnesses, including a deadly form of cancer called mesothelioma.

The reality of asbestos hit home for me when Bruce was diagnosed with mesothelioma in January 2000. Contrary to popular belief, mesothelioma is not a disease like lung cancer, which can be caused by a variety of factors, including smoking. It is caused exclusively by exposure to asbestos, and most victims die an extremely painful death within one year of diagnosis.

Bruce was a strong, healthy man so the diagnosis was a tremendous shock to our family and all of our friends. He was exposed to asbestos in the 1960s in a factory on the East Side of St. Paul while working a summer job to save money for school. He was diagnosed 35 years later. Mesothelioma can lie dormant in the system for decades.

Family and friends watched as Bruce suffered through this debilitating disease. He had radical surgery to remove his left lung and part of his diaphragm. Aggressive chemotherapy and radiation treatments followed. Bruce deteriorated in a matter of months from an active father, grandfather and congressman to an exhausted and devastated victim of asbestos.

Bruce's story is just one of hundreds of thousands of people — victims and their families — whose lives have been destroyed by asbestos. While the FAIR Act's proponents like to say that the bill will help victims, it actually helps businesses that have exposed their employees to asbestos. More important, it hurts the victims of mesothelioma, who don't have years to wait for justice.

Another Minnesota leader, the late Sen. Paul Wellstone once said, "Politics is what we create out of what we do, what we hope for and what we dare to imagine." What I hope for and what I dare to imagine is a world that doesn't leave the victims of diseases and their families without hope.

I urge people to contact members of Congress, especially their senators, and urge them to vote no on S. 1125. It is a moral test.