



NEWS from U.S. Senator

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Testimony of Senator Patty Murray
U.S. Senate Committee on Environment and Public Works
“Examination of the Health Effects of Asbestos and Methods of Mitigating Such Impacts”
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Thank you, Chairwoman Boxer, for convening this hearing and for your long-standing support of my efforts to ban asbestos in the U.S.

I'm so pleased to be here this morning with the distinguished group of witnesses you have assembled for this hearing.

I especially want to acknowledge the efforts of three of your witnesses, Dr. Barry Castleman, Dr. Dick Lemen and Linda Reinstein. Without their tireless work, we would not be where we are today - on the verge of finally protecting Americans from deadly asbestos.

You've called this hearing to examine the health effects of asbestos and ways to minimize its harm. I've worked on this issue for six years, and I can tell you that

- asbestos is deadly,
- it's devastating families and communities,
- and every day that we wait to ban it, we're sentencing more Americans to an early and avoidable death.

Studies show that asbestos exposure kills up to 10,000 Americans each year. I want to introduce you to two of them.

This is George "Fred" Biekkola from Michigan. Fred served in World War II.

For almost 30 years, he worked for a mining company in Michigan, where he was exposed to asbestos. Fred testified at my first hearing on asbestos six years ago. I'll never forget what he told us. He said:

"Senators, please make sure that what happened to me won't happen to anyone else....Workers like me are counting on you to protect us. Please don't let us down."

I'm sad to say that we let Fred down. We didn't ban asbestos. We didn't warn the public. And we didn't invest in research and treatment. Fred died of asbestosis and mesothelioma on April 7, 2004.

Sadly, Fred is not the only advocate we've lost over the years because Congress has failed to act.

This is Brian Harvey, a teacher from Marysville, Washington. Brian stood by my side as I introduced my first bill to ban asbestos in July 2002.

Most asbestos victims die within a year of being diagnosed. Amazingly, Brian lived for six years. He knew he was living on borrowed time, so he used his time to fight for others. He stood by my side again in 2004 at another press conference, but sadly Brian died in July of 2005.

Fred and Brian are not with us, but their words hang over this hearing.

As I mentioned, it's estimated that each year, up to 10,000 Americans die every year from asbestos-related causes. I've been at this for six years, this is my third bill, and I know we cannot wait another year to fix this problem. The stakes are just too high.

To anyone who says, "We don't need this bill," I would just pose one question:

- "How many more Americans have to die before our government finally does the right thing and bans asbestos?"

We have to do the right thing, and we have to do it now. As I look at this issue, four problems stand out.

1. Asbestos is Deadly

First, asbestos is deadly. It's so deadly that there is no known safe level of exposure. It only takes a tiny bit of fiber to cause disease.

2. Asbestos is Widespread

Second, asbestos is everywhere. It's put into consumer and industrial products on purpose every day.

My staff bought these brake pads in an automotive repair store in my home state. They contain asbestos. Brake pads like these are on tens of thousands of cars. Anytime one of those cars goes in for maintenance, a mechanic could be unknowingly exposed to deadly asbestos. Fortunately, there are alternatives.

These brake pads are made without asbestos, and they work just as well. We shouldn't keep selling asbestos products and putting workers and countless consumers at risk. There are thousands of other products that contain asbestos including floor tiles, roofing material, cement pipes, and even hair dryers. And deadly asbestos is still putting construction and maintenance workers at risk. Below this hearing room and under the Capitol there are tunnels where we know asbestos exists and workers have been exposed.

3. Asbestos is Still Legal

Third, asbestos is still legal. Many Americans assume – as I did – that asbestos is already banned, but it's not. In 1989, the EPA tried to ban asbestos, but most of those regulations were overturned in court

in 1991. As a result, while new applications for asbestos were banned, asbestos is still being imported and used in consumer and industrial products.

4. Strong Need for Research and Treatment

Fourth, research and treatment for asbestos diseases are not very far along. Doctors have been hampered by a lack of funding for research on how asbestos fibers actually cause disease and what treatment strategies work best. Industrial hygienists have been hampered by the lack of research on how to best measure asbestos fibers in the air.

I know that the Mesothelioma Applied Research Foundation (MARF) has privately awarded over \$4 million in grants.

The Foundation's investment in research is helping motivate brilliant investigators to study mesothelioma. But the Foundation's seed money is not enough. Federal funding is critical to the research effort if we are truly going to help people.

My bill also requires collaboration among the 10 research and treatment centers established under the bill along with the National Cancer Institute, the Department of Veterans Affairs and the National Institute for Occupational Safety and Health (NIOSH).

And because nearly one-third of mesothelioma victims were exposed to asbestos while serving in the US Navy, my bill directs the Pentagon to conduct additional research on asbestos disease, early detection and treatment as well.

I am very encouraged that the NIOSH has embarked on an ambitious research roadmap to better answer current scientific questions about appropriate occupational levels of exposure.

The Ban Asbestos in America Act of 2007

To address the national scourge of asbestos, I've again introduced the Ban Asbestos in America Act of 2007 (S. 742).

My bill does three things:

First, my bill bans asbestos. It prohibits the importation, manufacture, processing and distribution of products containing asbestos. Unfortunately some 2,500 metric tons of asbestos was used in the US in 2005 and imports of products containing asbestos in cement pipe, tiles, brake gaskets and linings continue unabated today.

Second, my bill dramatically expands research and treatment. It creates a \$50 million, 10-center "Asbestos-Related Disease Research and Treatment Network." It creates a new National Asbestos-Related Disease Registry. It supports research at the Department of Defense and launches a study to determine the most promising areas for new research.

Finally, my bill launches a public education campaign to better inform Americans of the dangers of exposures to asbestos in the workplace and in the environment, while also providing helpful steps all of us can take to better protect our families.

Other Countries Are Protecting Their Citizens

I know we can and should make progress in banning asbestos. More than 40 other industrialized countries have already banned asbestos. Around the world, chlorine producers are phasing out dangerous and inefficient methods in favor of safer and more environmentally responsible technology. We need to help U.S. companies embrace new, greener approaches today.

I am very grateful that industry leaders have stepped up to the plate to work with me in achieving a goal everyone supports – a ban on the production and importation of asbestos in the U.S.

These corporate leaders also strongly support the need to better educate the public and to provide for more research and treatment dollars to better mitigate the effects of asbestos on workers and their families.

I look forward to working with all of the Members of the Environment and Public Works Committee to achieve a bipartisan consensus on banning asbestos in the US in this Congress. Chairwoman Boxer, I know this hearing will go a long way in helping us achieve that goal.

We've lost enough people like Brian and Fred, and we have a responsibility to protect tens of thousands of people just like them.

Thank you again for the opportunity to testify.

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