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Senator Specter Moves Forward Toward Asbestos Justice

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The Senate Judiciary Committee's recent vote to create a \$140 billion fund to compensate victims of asbestos exposure was undoubtedly a gratifying moment for its Republican chairman, Senator Arlen Specter. Working closely with the committee's senior Democrat, Senator Patrick Leahy, Mr. Specter has devoted countless hours to fine-tuning the bill's myriad details even as he has been undergoing grueling cancer treatment. The result is a promising if necessarily imperfect bipartisan compromise that aims to unclog the nation's courts and provide a measure of justice for sufferers of asbestos-related disease and their families.

No one can say for sure whether the \$140 billion will be adequate to pay all claims. It can take as long as 30 years for those exposed to asbestos, which is carcinogenic, to show symptoms of related disease. We would favor requiring the 20 or so companies with the largest potential legal liability to pay more money into the trust fund. But, as Mr. Specter correctly notes, the bill provides victims an ample measure of protection in the event the trust fund runs dry: they would be free to pursue their claims in court. In any case, these reservations are not a reason to defeat a bold change that would leave those most grievously hurt by asbestos better off.

A bigger worry is that some Republicans, including some who voted for the bill in committee, will try to amend the legislation on the floor in ways that would be unfair to victims, like adding provisions for cutting back payments or stiffening medical criteria to avoid running out of money.

In an unusual move, the Senate majority leader, Bill Frist, showed up when the committee was finalizing the bill to make it clear that he considers the issue a high priority. If he is sincere, Mr. Frist can preserve the considerable momentum by promptly bringing the measure before the full Senate.