

# AN OPEN LETTER TO THE US SENATE



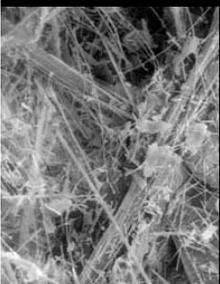
Admiral  
Elmo Zumwalt  
1921-2000  
Cause of death:  
mesothelioma



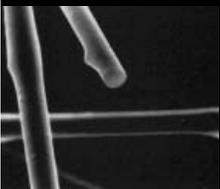
How many other  
Navy war veter-  
ans and enlisted  
men...



...have or will  
have lungs like  
this...



...from these  
dangerous  
asbestos fibers  
that remain legal  
to this day?



asbestotruth.org

## ADMIRAL ZUMWALT & CONSULTANTS, INC.

March 17, 2005

Dear Members of the United State Senate:

I am writing you today with concern for asbestos victims, particularly those exposed while serving their country in the military and in shipyards that built our Navy's ships. Today, these victims fight horrible illnesses due to that asbestos exposure.

I know the dangers our troops face daily first-hand - I served in the military for 26 years in both the U.S. Marine Corps and the U.S. Navy. Young men and women volunteer to serve their country, knowingly placing themselves in harm's way when called to do so. However, veterans who served in an asbestos-tainted environment did not know they would be fighting an enemy of a very different sort nearly 40 years later.

Asbestos-related cancers, including mesothelioma, take up to 50 years after exposure to develop and cause one of the most painful and prolonged deaths of all cancers. Each day becomes a fight for survival as an ever-enlarging tumor continuously fills the lungs with fluid. I have seen the daily struggle of mesothelioma firsthand; for the disease claimed the life of my father, Adm. Elmo Zumwalt, Jr., just five years ago.

While I appreciate Congressional efforts to find a solution to the asbestos litigation crisis in the United States, I am concerned that the asbestos trust fund measure proposed by Senator Specter and currently under consideration by the Senate Judiciary Committee will not provide an appropriate solution that is fair to all victims.

As with many victims of asbestos poisoning, death has and will come prematurely for some World War II veterans. They are not alone; nearly 10,000 people die each year from asbestos-related diseases - a number that will continue to increase significantly.

Fire retardant and inexpensive asbestos was used extensively in building Navy ships during World War II. Today, thousands of American Navy veterans and ship workers suffer from asbestos-related diseases due to heavy exposure. In years to come, an untold number of 9/11 victims will develop mesothelioma and other asbestos-related diseases due to the release of asbestos fibers into the air when the World Trade Center and part of the Pentagon collapsed.

The proposed \$140 billion trust fund is far less than what asbestos manufacturers and insurers should pay for their irresponsibility. It is also far less than what is currently needed to adequately provide for current and future asbestos victims.

Historically, trust funds established for an uncertain number of claimants have not fared well. The Black Lung Fund, established for coal miners, was bankrupt from the date it was established; the Agent Orange Trust Fund, established for Vietnam war victims, was insufficient to provide for all those affected.

Recognizing the track record of failed trust fund efforts, the asbestos trust fund bill provides a "sunset provision," which enables claimants to return to the court system if the trust fund runs dry; however, this will only cause major tactical, financial and time-consuming setbacks for asbestos victims, especially for those whose claims are pulled from the court system and forced into the trust fund.

In addition, the bill excludes many claimants - including those exposed on 9/11 - as it establishes an arbitrary date for which they must be exposed. The bill fails to recognize the existence of asbestos in our environment today - millions of tons of this product contaminate our homes, schools, churches and office buildings - and it does not provide sufficient funding for research. As a result, the class of victims will continue to grow unless, and until, asbestos is completely eradicated from our environment.

Sincerely,

James G. Zumwalt

**PLEASE VOTE NO ON SEN. SPECTER'S ASBESTOS REFORM BILL**