

PROTECT VETERANS & THEIR FAMILIES

Veterans OPPOSE the Asbestos Industry's "Reform" Efforts

Asbestos defendants have spent over a century putting forth misleading and inaccurate information about the dangers of asbestos and their culpability in the death and destruction it has wrought. The Asbestos Trust "Reform" Legislation being pushed by these large corporations is the latest attempt to deprive asbestos victims of justice for their injuries and loss of life. This legislation allows asbestos defendants to delay and deny asbestos claims until asbestos victims die from largely incurable diseases.

Veterans and their families are disproportionately impacted by this terrible assault on their rights. Veterans account for roughly thirty percent of Americans who contract mesothelioma – an extremely painful and almost always-fatal form of cancer that attacks the lining of the lungs, stomach and other organs that is only caused by asbestos. Mesothelioma works quickly, often leaving its victims with less than eighteen months to live. They have no time to lose if they want to see the corporations who poisoned them held accountable.

This is the reason veterans' groups across America oppose this legislative push by asbestos defendants. Organizations representing veterans in more than ten states have publicly opposed this legislative push—groups from the Pennsylvania War Veterans Council to United Veterans Committee of Colorado have sent letters or testified in opposition to this bill.

Shockingly, a spokesperson of some of the largest asbestos defendants in the nation, has been caught claiming that veterans actually *benefit* from this bill and claim that veterans' groups *support* this bill in other states. This is not true and has created confusion. While a few, isolated organizations have previously expressed support for a similar federal bill, **the clear majority of veteran and service member organizations strongly oppose both the federal and state versions of this legislation.**

- In fact, 17 national veteran and service member organizations have publicly, and urgently, **OPPOSED** these federal 'reform' efforts lobbied for by the asbestos defendants. This is why the American Legion Executive Committee's resolution actually **OPPOSED** the latest federal asbestos legislation, because it does not protect veterans.
- In fact, veterans' groups across the country have **opposed these asbestos "reforms,"** including veterans' organizations in **Pennsylvania, Wisconsin, Colorado, New York, Kansas, Missouri, North Dakota, South Dakota, Iowa, and North Carolina.** They oppose this reform because it delays their members ability to proceed to trial as quickly as possible.
- In Wisconsin, the letter was the clear minority position in the state where multiple veteran's groups vocally opposed the legislation. **The Wisconsin bill was opposed by the Wisconsin Military Order of the Purple Heart, Wisconsin Veterans of Foreign Wars, and the Wisconsin American Legion.**

- In South Dakota, the bill **was opposed in its initial form by the Dakota’s Military Order of the Purple Heart** and ultimately the legislature passed a vastly different bill than the one introduced here.
- The New York letter claims the bill is designed to protect the asbestos trusts, but that is patently untrue as it forces trusts to expend resources certifying documents and denying frivolous claims forcibly filed by asbestos defendants that should be given to deserving victims. **The New York bill is opposed by the Military Order of the Purple Heart.**
- The California letters were submitted by a lobbyist who was called out by the military paper Stars and Stripes for sending letters in opposition WITHOUT the commander’s knowledge, much less informed consent. **The lobbyist is quoted as saying “I have a request from the U.S. Chamber of Commerce for support on federal legislation from state-level organizations” and included “Talking points” drafted by the Chamber.**

The Chamber knows that this bill harms veterans and all Americans impacted by asbestos disease. This one-sided legislation began at the American Legislative Exchange Council (“ALEC”). This group is heavily funded by a number of major asbestos companies, including Koch Industries, Honeywell, and 3M. Similar legislation has been rejected in most other states, largely because of opposition by veterans’ groups. These companies knowingly sold dangerous products to the military and failed to warn or protect the soldiers, sailors, and airmen who are now dying from asbestos exposure. This legislation places unnecessary additional burdens on asbestos victims who wish to file claims against the asbestos industry and allows those companies to escape accountability for the harm they caused to our veterans and their families.



THE AMERICAN LEGION DEPARTMENT OF WISCONSIN

April 10, 2013

To whom it may concern,

The American Legion, Department of Wisconsin has legitimate concerns with SB 13 and the accompanying AB 19. Many Wisconsin veterans were exposed to asbestos during their military service. Of those who suffer the effects of Mesothelioma, thirty per cent (30%) are veterans.

Although we believe the intentions of these two pieces of legislation were not to target veterans' personal injury claims for Mesothelioma, we believe that the effect they would have upon such claims would be an unnecessary delay for their rights in state courts. As an additional consequence of this legislation additional burdens of proof and discovery will be placed on veterans suffering the effects of Mesothelioma and their family members.

Our primary concern is that the potential consequences to veterans and their families are severe and unnecessary. In particular, delay for one of our comrades suffering from the fatal effects of Mesothelioma would be unacceptable to our membership - justice delayed is justice denied.

Consequently, we respectfully urge this committee and legislative leadership to give due consideration to the unintended consequences of SB 13 and AB 19.

Please table consideration of this matter in order that that we may further review the unintended consequences of SB 13 and AB 19 and participate in the development of appropriate legislation.

Respectfully,

A handwritten signature in black ink that reads "Wayne W. Jensen".

Wayne W. Jensen
Commander



*Military Order of the Purple Heart
Department of Pennsylvania*



May 11, 2016

House Judiciary Committee Members;

The Military Order of the Purple Heart, Department of Pennsylvania, wishes to reiterate to this committee, and your colleagues in the legislature of our opposition to HB 1428, titled Fairness in Claims and Transparency Act.

With all due respect to the authors of this legislation, we believe that you may be unaware of the consequences of this legislation upon our members and the veterans' community in general. I wish to identify at this time our specific concerns with the legislation as written.

Regarding the requirement of the plaintiff to disclose no later than 90 days prior to trial of asbestos action, a statement listing all existing or potential claims the plaintiff has filed or has a reasonable basis to file against any asbestos trusts: Our veterans who suffer from Mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should not have their cause of action upon said defendant in state court delayed while they do or do not pursue a final executed proof of claim against any such personal injury trust. This places a great burden upon the veteran to identify all possible defendants before being able to take action against one. This may well result in their claim not being adjudicated in a timely manner or prior to the defendant's death or incapacity to participate on their own behalf.

Regarding the requirement that the plaintiff must provide all parties to his or her immediate suit with all documents, records, trial or discovery materials, and "other information relevant to any claim against a personal injury trust": This requirement appears to place a very onerous and burdensome requirement upon the plaintiff to proactively produce documents that are already available to defendants via current Discovery procedures and statutes under Pennsylvania law and thus are completely unnecessary. In essence, this language would take the time and effort involved by a defendant's attorney to perform due diligence on behalf of their client, and place this additional time and effort upon the plaintiff, thus resulting again in a delay that would prevent their day in court as well as the extra fees and costs involved.

For these reasons, on behalf of the Military Order of the Purple Heart, Department of Pennsylvania, I respectfully urge you to oppose HB 1428 and remove it from the House Judiciary Committee's docket.

Thank you,

Michael J. Mescavage

Commander
MOPH Department of Pennsylvania



*Military Order of the Purple Heart
Department of New York*



May 23, 2016

To the Members of the NYS Legislature.

Re: A5978 (Schimminger)

The Military Order of the Purple Heart, Department of New York, wishes to express to this committee, and your colleagues in the legislature, of our opposition to A 5978/S 5504 regarding asbestos actions.

With all due respect to the authors of this legislation, we believe that you may be unaware of the consequences of this legislation upon our members and the veterans' community in general. Veterans may only represent 8% of the nation's population, but they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Many veterans and active service members were exposed to asbestos while actively serving their country. This legislation will significantly impede the ability of veterans in New York to receive justice and hold these companies accountable.

Veterans, who suffer from mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should be allowed to expeditiously proceed against any defendant responsible for their asbestos disease. Most veterans diagnosed with mesothelioma are told they have less than 18 months to live. Yet, instead of expediting the veteran's claim against those who harmed him and thus providing the needed financial resources to pay for medical bills and provide for their families after they are gone this legislation requires veterans to disclose a statement listing all existing or potential trust claims 30 days after filing and at least 180 days before any trial date. This places a great burden upon the veteran to identify all possible defendants before being able to take action against one. A burden that is already very difficult given the fact that the defendants possess all the employee personnel records of the veteran, as well as the dates and locations that the veteran was likely exposed to asbestos in the workplace. In addition, if a veteran was exposed to asbestos while in uniform they are barred from filing suit against the Department of Defense and without access to the military's internal and often sensitive documents they are also unable to show the nexus needed to receive medical care and treatment at a VA facility.

This burden is made unbearable by the provision giving an asbestos defendant the absolute power to force a plaintiff to file a trust claim, or defend their decision not to file a trust claim, at any time during the proceeding. There is no limit set in the statute on the number of times the asbestos defendant can force a plaintiff to do this. It is clear that this language will result in a New York veteran's claim being repeatedly delayed until the plaintiff's death or incapacity to participate on his or her own behalf.

In addition to delaying (and ultimately denying) access to the courts for our veterans prior to their death, this language also makes those delays unnecessarily burdensome by requiring the plaintiff to provide all parties with all documents and information "relevant or relating to pending or potential claims against asbestos trusts." This requirement appears to place a very onerous and burdensome requirement upon veterans during their last year or two of life to gather and produce documents that are *already available to asbestos defendants under current law* and thus are completely unnecessary. In essence, this language would take the time and effort involved by a defendant's attorney to perform due diligence on behalf of their client, and place this additional time and effort upon the plaintiff and their family during their last years of life.

Finally, as some of you may know, I am a practicing attorney who is intimately familiar with the court system of New York. As such, I wish to state that the Military Order of the Purple Heart-Department of New York

clearly sees the detrimental effects A 5978/S 5504 would have on access to justice for our men and woman who have honorably served our country then suffer from these terrible diseases.

For these reasons, on behalf of the Military Order of the Purple Heart, Department of New York, I respectfully urge you to oppose A 5978/S 5504 and remove it from the Assembly Judiciary Committee's docket.

Thank you,

Mathew B. Tully, Esq.

**Commander
Military Order of the Purple Heart- Department of New York**



Military Order of the Purple Heart of the USA

John D. Dimer

Commander, Department of Missouri

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Dear Chairman Lant and the Members of the Committee:

1. We would like to bring to your attention what we believe the unintended consequences of this legislation upon our members and the veterans' community in general. Veterans may only represent 8% of the nation's population, but they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Exposure to asbestos is the only known cause of mesothelioma. Given the disproportionate impact this legislation will have on the veteran's community, I wish to identify our specific concerns.

This legislation robs veterans of their constitutional rights by giving asbestos corporations the power to delay and deny a claim until a veteran dies. Our veterans who suffer from mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should not have their cause of action delayed while they do or do not pursue claim against a personal injury trust. This places a great burden upon the veteran to identify all possible defendants before being able to act against one. This also forces veterans to wait indefinitely while their attorney files a claim with little, or no, chance for a meaningful recovery. This legislation may well result in a suit not being adjudicated prior to the veteran's death or incapacity to participate in their own trial.

The injustice this would be to our veterans is magnified by the fact that this legislation is unnecessary. Under current law, injured victims are already required to disclose their complete work histories and exposure information; in fact, victims are required to turn over any and all information a judge deems relevant to court proceeding. Accordingly, asbestos corporations already they have the tools they need to defend themselves.

Missouri House Bill 333 will make it much harder for veterans and their families to hold the asbestos companies accountable. For these reasons, I respectfully urge you not to oppose House Bill 333.

John D. Dimer

MOPH Department of Missouri State Commander



MILITARY ORDER OF THE PURPLE HEART
CHARTERED BY CONGRESS

DEPARTMENT OF IOWA

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21 February 2017

Dear Representative Rizer,

We would like to bring to your attention the unintended consequences H.S.B. 104 will have upon our members and the veterans' community in general. Veterans may only represent 8% of the nation's population, but they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Exposure to asbestos is the only known cause of mesothelioma. Given the disproportionate impact this legislation will have on the veteran's community, it is important that we address our specific concerns with you, as a fellow veteran.

This legislation robs veterans of their constitutional right to a trial by jury by giving asbestos corporations the power to run out the clock on sick and dying veterans. Our veterans who suffer from mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should not have their cause of action delayed while they do or do not pursue claim against a personal injury trust. This places a great burden upon the veteran to identify all possible defendants before being able to act against one. This also forces veterans to wait indefinitely while their attorney files a claim with little, or no, chance for a meaningful recovery. This legislation may well result in a suit not being adjudicated prior to the veteran's death or incapacity to participate in their own trial.

The injustice this would be to our veterans is magnified by the fact that this legislation is unnecessary. Under current law, injured victims are already required to disclose their complete work histories and exposure information; in fact, victims are required to turn over any and all information a judge deems relevant to court proceeding. This is more than enough information for an asbestos defendant to implicate asbestos companies that were not included on a complaint at trial. Accordingly, asbestos corporations already they have the tools they need to defend themselves.

Further, this legislation also effectively takes away a veteran's rights to hold an asbestos company accountable for their asbestosis or silicosis diseases. This legislation would require a veteran's treating physician to draft a report stating that the veteran's asbestosis or silicosis disease meets some arbitrary thresholds established by the asbestos defendants before a veteran can bring a claim in court. Veterans, who often receive care from the overworked VA, are put at an even greater disadvantage as their physicians may be unable to perform the tests required to bring a claim on the veteran's behalf at all. If the veteran was forced to abandon their physician, or pay out of pocket for care, just to be able to bring a claim, this would effectively take away their constitutional right to a jury trial against the companies that caused them harm.

H.S.B 104 is unnecessary and will make it much harder for veterans and their families to hold the asbestos companies accountable. For these reasons, I respectfully urge you to oppose H.S.B. 104.

Yours in Patriotism,

Robert E. Suesakul

Commander

Department of Iowa

Military Order of the Purple Heart



MILITARY ORDER OF THE PURPLE HEART

Robert Callahan Commander

Department of Kansas

404 W. Walnut Salina Kansas 67401

Dear Senate Judiciary Committee Chairman Rick Wilborn and members of the Senate Judiciary Committee,

With all due respect to the authors of this legislation, we believe that you may be unaware of the consequences of this legislation upon our members and the veterans' community in general. Veterans may only represent 8% of the nation's population, but they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Exposure to asbestos is the only known cause of mesothelioma. Given the disproportionate impact this legislation will have on the veteran's community, I wish to identify our specific concerns.

This legislation robs veterans of their constitutional right to a trial by jury by giving asbestos corporations the power to run out the clock on sick and dying veterans. Our veterans who suffer from mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should not have their cause of action delayed while they do or do not pursue claim against a personal injury trust. This places a great burden upon the veteran to identify all possible defendants before being able to act against one. This also forces veterans to wait indefinitely while their attorney files a claim with little, or no, chance for a meaningful recovery. This legislation may well result in a suit not being adjudicated prior to the veteran's death or incapacity to participate in their own trial.

The injustice this would be to our veterans is magnified by the fact that this legislation is unnecessary. Under current law, injured victims are already required to disclose their complete work histories and exposure information; in fact, victims are required to turn over any and all information a judge deems relevant to court proceeding. Accordingly, asbestos corporations already they have the tools they need to defend themselves.

Kansas Senate Bill 73 will make it much harder for veterans and their families to hold the asbestos companies accountable. For these reasons, the Military Order of the Purple Heart, Department of Kansas, respectfully urge you to not pass SB 73 out of committee.

A handwritten signature in black ink, appearing to read "Robert Callahan".

Robert Callahan

Commander

Military Order of the Purple Heart, Department of Kansas



Military Order of the Purple Heart

Department of The Dakotas



February 7, 2017

House Judiciary Committee Rep. Kim Koppelman, Chair,

We would like to bring to your attention what we believe the unintended consequences of North Dakota House Bill 1197 upon our members and the veterans' community in general. Veterans may only represent 8% of the nation's population, but they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Exposure to asbestos is the only known cause of mesothelioma. Given the disproportionate impact this legislation will have on the veteran's community, I wish to identify our specific concerns.

This legislation robs veterans of their constitutional rights by giving asbestos corporations the power to delay and deny a claim until a veteran dies. Our veterans who suffer from mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should not have their cause of action delayed while they do or do not pursue claim against a personal injury trust. This places a great burden upon the veteran to identify all possible defendants before being able to act against one. This also forces veterans to wait indefinitely while their attorney files a claim with little, or no, chance for a meaningful recovery. This legislation may well result in a suit not being adjudicated prior to the veteran's death or incapacity to participate in their own trial.

The injustice this would be to our veterans is magnified by the fact that this legislation is unnecessary. Under current law, injured victims are already required to disclose their complete work histories and exposure information; in fact, victims are required to turn over any and all information a judge deems relevant to court proceeding. Accordingly, asbestos corporations already they have the tools they need to defend themselves.

Finally, this legislation also effectively takes away a veteran's rights to hold an asbestos company accountable for an asbestosis or silicosis diseases. This legislation requires a veteran's treating physician to draft a report—for free—stating that the veteran's asbestosis or silicosis disease meet certain arbitrary thresholds established by the asbestos defendants before the veteran can exercise their constitutional rights. Veterans, who often receive care from overworked Veterans Administration physicians, are put at an even greater disadvantage as their physicians may be unable to perform the tests required or fill out the report necessary for the veteran to bring a claim at all. If the veteran was forced to abandon their physician, or pay out of pocket for care, this effectively takes

away their constitutional right to a jury trial against the companies that caused them harm.

North Dakota House Bill 1197 will make it much harder for veterans and their families to hold the asbestos companies accountable. For these reasons, I respectfully urge you to oppose North Dakota House Bill 1197.

Thank you,

Mark Williamson

Commander

Military Order of the Purple Heart-Department of The Dakotas



Military Order of the Purple Heart

Department of The Dakotas



February 7, 2017

Dear Senator Nelson,

We would like to bring to your attention what we believe the unintended consequences of Senate Bill 138 upon our members and the veterans' community in general. Veterans may only represent 8% of the nation's population, but they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Exposure to asbestos is the only known cause of mesothelioma. Given the disproportionate impact this legislation will have on the veteran's community, I wish to identify our specific concerns.

This legislation allows asbestos defendants to delay and deny compensation to veterans until they die. Those suffering from mesothelioma, on average, have 12 to 18 months to live. Our veterans who suffer from mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should not have their cause of action delayed while they do or do not pursue claim against a personal injury trust. This legislation places a great burden upon a veteran to identify all possible defendants before being able to act against one. This also forces veterans to wait indefinitely for a trial date while their attorney is forced files claims with little, or no, chance for a meaningful recovery. This legislation may well result in a suit not being adjudicated prior to the veteran's death or incapacity to participate in their own trial.

The injustice this would be to our veterans is magnified by the fact that this legislation is unnecessary. Under current law, injured victims are already required to disclose their complete work histories and exposure information; in fact, victims are required to turn over any and all information a judge deems relevant to court proceeding. Accordingly, asbestos corporations already they have the tools they need to defend themselves in court.

Senate Bill 138 will make it much harder for veterans and their families to hold the asbestos companies to justice. There is absolutely nothing about this bill that would make it easier for veterans to recover for their injuries. For these reasons, we respectfully urge you to oppose Senate Bill 138.

Sincerely,

Mark Williamson

Commander

Military Order of the Purple Heart-Department of The Dakotas



Military Order of the Purple Heart

Department of North Carolina



May 22, 2017

Dear House Judiciary Committee Members,

The Military Order of the Purple Heart-Department of North Carolina, would like to bring to your attention what we believe the unintended consequences of SB 470 upon our members and the veterans' community in general. Veterans may only represent 8% of the nation's population, but they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Exposure to asbestos is the only known cause of mesothelioma. Given the disproportionate impact this legislation will have on the veteran's community, I wish to identify our specific concerns.

This legislation robs veterans of their constitutional right to a trial by jury by giving asbestos corporations the power to run out the clock on sick and dying veterans. Our veterans who suffer from mesothelioma, if they are lucky enough to determine a specific defendant who may be liable, should not have their cause of action delayed while they do or do not pursue claim against a personal injury trust. This legislation places a great burden upon the veteran to identify all possible defendants before being able to act against one. This also forces veterans to wait indefinitely while their attorney files a claim with little, or no, chance for a meaningful recovery. This legislation may well result in a suit not being adjudicated prior to the veteran's death or incapacity to participate in their own trial.

This injustice to our veterans is magnified by the fact that this legislation is unnecessary. Under current law, injured victims are already required to disclose their complete work histories and exposure information; in fact, victims are required to turn over all information a judge deems relevant to court proceeding. Procedures are in place to ensure each asbestos defendant only pays its share of the harm it has caused. Accordingly, asbestos corporations already they have the tools they need to defend themselves. North Carolina Senate Bill 470 will make it much harder for veterans and their families to hold the asbestos companies accountable. For these reasons, I respectfully urge you to vote NO on SB 470.

Sincerely,

Leonard Lazzara
Commander
Military Order of the Purple Heart-Department of North Carolina



PENNSYLVANIA WAR VETERANS COUNCIL, INC.



PO Box 2324, Harrisburg, PA 17105-2324
717-730-9100

November 13, 2013

The Honorable Bryan Cutler
51A East Wing
PO Box 202100
Harrisburg, PA 17120-2100

Dear Representative Cutler,

The Pennsylvania War Veterans Council in a meeting held on October 3, 2013 voted (The PA American Legion abstained) to oppose HB 1150, an act providing for transparency of claims made against asbestos-related bankruptcy trusts for compensation and allocation of responsibility, for the preservation of resources and for the imposition of liabilities.

If you have any questions regarding this matter, please contact me at 717-730-9100.

Sincerely,

Kit D. Watson
Secretary
PA War Veterans Council

Cc: BG (Ret) Jerry Beck, DMVA
Col. Gilbert Durand



*Military Order of the Purple Heart
Department of Wisconsin*



For Immediate Release
April 22, 2013

Contact: Jason Johns
Phone: 608-209-0805

Veterans have Serious Reservations over Bill Delaying Justice to Asbestos Victims

Members of the Wisconsin Military Order of the Purple Heart are concerned that access to justice will be delayed or denied by harmful legislation in AB 19/SB 13 for veterans exposed to asbestos

Madison, WI – Wisconsin members of the Military Order of the Purple Heart are expressing deep concern over SB 13/AB 19, bills which would shield corporations from being held accountable and delay justice for victims of asbestos-related diseases like mesothelioma. Many victims of asbestos illness are military veterans who were exposed to asbestos during their time in the military and in their civilian jobs in Wisconsin shipyards, plants, mills and factories. These bills create additional hurdles for asbestos victims seeking justice and fair compensation.

“It has not been past practice for the Military Order of the Purple Heart, Department of Wisconsin to take a position on legislation regarding changes to the Wisconsin judicial system, however, sometimes we simply need to take a stand on behalf of our members when a proposed law would detrimentally affect their constitutional right to a day in court,” says Bill Hustad, former state commander and Vietnam Veteran.

Members of the Military of the Purple Heart are even more concerned over a substitute Amendment to AB 19, which is as bad if not worse, as it actually increases the likelihood of delay and denial of justice for veteran victims. They are calling on Wisconsin legislators to remove SB 13/AB 19 from the docket and consider alternatives that would not harm the veteran victims’ claims through stays, forced filings and ultimate delay or denial of justice.

“We implore the Assembly and Senate Judiciary Committees to not move either of these bills forward,” Hustad further adds. “Instead, we ask that they pause and consider legislation that would not hurt veterans and others suffering from asbestos diseases.”

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For Immediate Release
September 24, 2013

Contact: Jason Johns
Phone: 608-209-0805

Wisconsin VFW to recognize National Mesothelioma Awareness Day on September 26, 2013

Madison, WI – The Wisconsin VFW will recognize National Mesothelioma Awareness Day on September 26, 2013. Mesothelioma Awareness Day was established to raise public awareness of the disease.

Mesothelioma is a horrible form of cancer that arises from exposure to asbestos. Many individuals were exposed to asbestos while serving our country. Although veterans represent 8% of the nation's population, they comprise an astonishing 30% of all known mesothelioma deaths that have occurred in this country. Naval ships and military barracks were often insulated with asbestos products.

Renee Simpson, VFW Wisconsin Commander, experienced the devastating effects of Mesothelioma on her family. “During my father’s time in the military, he was exposed to asbestos in the barracks and aboard naval ships. In September 2012, my father was diagnosed with Mesothelioma,” said Simpson. “I watched as the disease transformed my father from a robust man full of life who would start spontaneous water fights with his grandchildren to a shell of his former self. Within months of his diagnosis, he was in so much pain and on so many medications that even everyday actions, like eating, were difficult. In May, the disease took my father’s life,” Simpson added.

In the Wisconsin Senate, a bill was introduced that would make it harder for veterans and other asbestos victims to seek justice. The Wisconsin VFW has officially opposed this legislation because it creates additional hurdles for veterans and their families. This bill, Senate Bill 13, would only serve to prolong an excruciating and time intensive process. Delay for even one veteran suffering from the fatal effects of mesothelioma is unacceptable – justice delayed is justice denied.

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*Military Order of the Purple Heart
Department of Wisconsin*



For Immediate Release
September 25, 2013

Contact: Jason Johns
Phone: 608-209-0805

The Wisconsin Military Order of the Purple Heart to Remember Veterans on National Mesothelioma Awareness Day

Madison, Wis. – The Wisconsin Military Order of the Purple Heart will recognize National Mesothelioma Awareness Day on Thursday, September 26. Mesothelioma, a deadly disease contracted from asbestos exposure, affects veterans at an astonishing rate, as they make up 30 percent of all known mesothelioma related deaths but only 8 percent of the population.

Servicemen and women were often exposed to asbestos while serving their country. Military barracks and naval ships were often insulated with asbestos products. After their service, many Wisconsin veterans worked in factories, mills and foundries where they were further exposed to asbestos.

Mesothelioma is a devastating disease. Victims are often times in excruciating pain, and everyday activities like eating and taking medication are painful. Mesothelioma will lay dormant for years; however, once a victim is diagnosed with the disease they often only have a few months to live.

“We have seen the devastating effects mesothelioma has had on veterans,” said Fuzz Spangler, World War II veteran and Commander of the Military Order of the Purple Heart, Department of Wisconsin. “It’s important we remember veterans who have been harmed by this terrible disease and we especially honor their service on National Mesothelioma Awareness Day.”

The Wisconsin Military Order of the Purple Heart has already opposed legislation that would delay and deny justice to veterans. Senate Bill 13 has been introduced in the Wisconsin Senate and would create additional hurdles for veterans and other asbestos victims seeking justice against asbestos corporations. Justice delayed for even one veteran is unacceptable.



For Immediate Release
October 10, 2013

Contact: Jason Johns
Phone: 608-209-0805

Wisconsin VFW Disappointed in Senate Committee Asbestos Vote

Senate Judiciary Committee advances bill that would delay and deny justice for Wisconsin's veterans

Madison, Wis. – The Wisconsin VFW is disappointed in yesterday's Senate Judiciary Committee vote to advance Senate Bill 13. This bill would delay and deny justice for Wisconsin's veterans who are suffering from mesothelioma, the cancer caused by asbestos exposure. Veterans were unknowingly exposed to this deadly product while serving our country.

Renee Simpson, VFW Wisconsin Commander and daughter of a veteran who died from mesothelioma, said, "We sincerely hope that the Wisconsin Senate will stand up for veterans." Simpson added, "We trust that Majority Leader Fitzgerald, a fellow veteran, believes strongly that no piece of legislation should ever create hurdles for veterans and their families."

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For Immediate Release
May 8, 2013

Contact: Jason Johns
Phone: 608-209-0805

Wisconsin VFW Members Troubled by Assembly Vote to Pass Legislation Denying and Delaying Justice to Veterans

The Wisconsin Assembly approved AB 19, a bill which creates additional hurdles for veterans and other asbestos victims seeking deserved justice

Madison, WI – Today, the Wisconsin Assembly voted to pass legislation that would delay and deny justice to veterans suffering from asbestos-related diseases. Members of the Wisconsin Veterans of Foreign Wars are troubled by the outcome of this vote because mesothelioma affects veterans at an astonishing rate. According to a report on Military.com, veterans comprise 30% of all mesothelioma related deaths, but make up only 8% of the population. Assembly members sided with the asbestos corporations instead of the veterans, many of which were exposed to asbestos while actively serving their country.

Renee Simpson, Senior Vice Commander of the Wisconsin Veterans of Foreign Wars, was on the Assembly floor as the vote unfolded. “As the daughter of a veteran who has been diagnosed with mesothelioma, I am troubled that the legislature would even consider voting for AB 19, let alone voting to pass it,” said Simpson. “This legislation would delay deserved justice for veterans suffering from diseases related to asbestos exposure. Many of these veterans were exposed to asbestos while actively and proudly serving their country.”

Legislation proposed in these two bills would create additional hurdles for veterans and other victims with asbestos-related diseases seeking justice and fair compensation. Delay for one veteran suffering from the fatal effects of mesothelioma would be unacceptable – justice delayed is justice denied.

“Veterans, like my father, deserve justice and their day in court,” Simpson continued. “We should not impede on their access to justice. They have made the ultimate sacrifice, and they deserve better.”

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*Military Order of the Purple Heart
Department of Wisconsin*



For Immediate Release
October 10, 2013

Contact: Jason Johns
Phone: 608-209-0805

Wisconsin Military Order of the Purple Heart Disappointed with Asbestos Vote

Wisconsin Senate Judiciary Committee voted to advance Senate Bill 13

Madison, Wis. – Yesterday, the Wisconsin Senate voted to advance Senate Bill 13 out of committee, a bill which would delay and deny justice to asbestos victims. This bill is especially troubling for veterans because mesothelioma, a deadly disease that is contracted from asbestos exposure, affects veterans at alarming rates. Veterans make up only 8 percent of the population but account for 30 percent of all known mesothelioma deaths.

“We implore the Wisconsin Senate to stand up for veterans and not against them,” said Fuzz Spangler, World War II veteran and Commander of the Military Order of the Purple Heart. “We ask Senate Majority Leader Fitzgerald to not allow this bill to move any further. Many veterans were unknowingly exposed to asbestos while serving their country. It would be wrong to impede on their right to justice.”

XXX

February 14, 2017

Honorable Paul Ryan
Speaker of the House
U.S. House of Representatives
Washington DC

Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington DC

Honorable Kevin McCarthy
Majority Leader
U.S. House of Representatives
Washington DC

Honorable Steny Hoyer
Minority Whip
U.S. House of Representatives
Washington DC

Honorable Bob Goodlatte
Chairman, House Judiciary Committee
U.S. House of Representatives
Washington DC

Honorable John Conyers
Ranking Member, House Judiciary
Committee
U.S. House of Representatives
Washington DC

**Re: Veterans Service Organization oppose the “Furthering Asbestos Claims
Transparency (FACT) Act”**

Dear Speaker Ryan, Leader McCarthy, Leader Pelosi, Whip Hoyer, Chairman Goodlatte, and
Ranking Member Conyers:

We, the undersigned Veterans Service Organizations oppose the “Furthering Asbestos Claims
Transparency (FACT) Act.” We have continuously expressed our united opposition to this
legislation via written testimony to the House Judiciary Committee, House Leadership, in-person
meetings and phone calls with members of Congress. It is extremely disappointing that even with
our combined opposition, the FACT Act will be marked up in the House Judiciary Committee
later this week.

Veterans across the country disproportionately make up those who are dying and afflicted with
mesothelioma and other asbestos related illnesses and injuries. Although veterans represent only
8% of the nation’s population, they comprise 30% of all known mesothelioma deaths.

When our veterans and their family members file claims with the asbestos bankruptcy trusts to
receive compensation for harm caused by asbestos companies, they submit personal, highly
sensitive information such as how and when they were exposed to the deadly product, sensitive
health information, and more. The FACT Act would require asbestos trusts to publish their
sensitive information on a public database, and include how much money they received for their
claim as well as other private information. Forcing our veterans to publicize their work histories,
medical conditions, majority of their social security numbers, and information about their
children and families is an offensive invasion of privacy to the men and women who have
honorably served, and it does nothing to assure their adequate compensation or to prevent future
asbestos exposures and deaths.

Additionally, the FACT Act helps asbestos companies add significant time and delay paying trust
claims to our veterans and their families by putting burdensome and costly reporting requirements
on trusts, including those that already exist. Trusts will instead spend valuable time and resources
complying with these additional and unnecessary requirements delaying desperately needed
compensation for our veterans and their families to cover medical bills and end of life care.

The FACT Act is a bill that its supporters claim will help asbestos victims, but the reality is that this bill only helps companies and manufacturers who knowingly exposed asbestos to our honorable men and women who have made sacrifices for our country.

We urgently ask on behalf of our members across the nation that you oppose the FACT Act.

Please contact Aleks Morosky, National Legislative Director, Military Order of the Purple Heart at (703) 642-5360 or “aleksmorosky@purpleheart.org” with any questions.

Signed:

Air Force Association

Air Force Sergeants Association

Air Force Women Officers Association

AMVETS

AMSUS, the Society of Federal Health Professionals

Association of the United States Navy

Commissioned Officers Association of the US Public Health Service, Inc.

Fleet Reserve Association

Jewish War Veterans of the USA

Military Officers Association of America

Military Order of the Purple Heart of the U.S.A.

National Defense Council

Naval Enlisted Reserve Association

Non Commissioned Officers Association of the United States of America

The Retired Enlisted Association

USCG Chief Petty Officers Association

US Army Warrant Officers Association

Vietnam Veterans of America