



**Texas
Coalition of
Veterans
Organizations**

"The Voice of Veterans in Texas"

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James Cunningham,
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15 February 2017

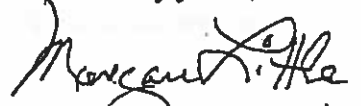
Dear Congressman Farenthold,

At the annual meeting in January, The Texas Coalition of Veterans Organizations (TCVO) voted to support mesothelioma claims transparency legislation currently being considered before the Texas legislature. As Chairman Emeritus of TCVO, an organization representing more than 35 veterans' groups representing approximately 600,000 veterans throughout Texas, I write to support similar federal legislation being debated in Washington, H.R. 906

This legislation will protect veterans by curbing fraud and preserving bankruptcy trust resources for future claims. Military veterans are particularly hard hit by asbestos-related diseases and preserving the trusts is vital to the veteran community. Nearly two dozen trusts have reduced net payouts to claimants since 2009, which impacts veterans who develop asbestos-related injuries both today and in the future. For example, there are at least ten trusts that compensate claimants who were exposed to asbestos in naval shipyards. These trusts are collectively paying claimants 50 percent less today than they paid six years ago. Enacting trust transparency legislation in Texas and at the federal level will discourage "double-dipping," and help preserve financial resources for military veterans.

We commend your efforts to preserve asbestos trust funds for veterans impacted by asbestos related diseases.

Sincerely yours,


Chairman Emeritus

Founded in 1994, Texas Coalition of Veterans Organizations (TCVO) represents 35 Veteran Service Organizations within Texas representing over 600,000 veterans. TCVO identifies, prioritizes, and presents as a united front legislative issues of common concern for all VSOs to the Texas Legislature. TCVO is a 501-c-19 Veterans Organization; IRS EIN Tax Exempt number is 74-2715952.

The American Legion



OFFICE OF THE
NATIONAL COMMANDER

★ WASHINGTON OFFICE ★ 1608 "K" STREET, N.W. ★ WASHINGTON, D.C. 20006 ★
(202) 861-2700 ★

February 14, 2017

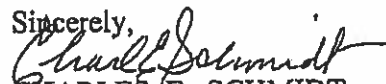
The Honorable Blake Farenthold
United States House of Representatives
2331 Rayburn House Office Building
Washington, DC 20515

Dear Representative Farenthold:

On behalf of the more than 2.2 million members of The American Legion we express support for H.R. 906, *Furthering Asbestos Claims Transparency* (FACT) Act. This bill will protect veterans and other asbestos victims by requiring asbestos trust funds to disclose information on their claims. The intent of this legislation is to bring transparency to a system that is vulnerable to abuse all while assisting those who need it most.

Asbestos trust funds must be protected from future fraud claims through further transparency, but not at the cost of invading veterans' private information. Resolution Number 368, *Increase the Transparency of Asbestos*, was adopted during The American Legion's 2016 National Convention. This resolution is a vital step toward helping our nations' men and women who have been negatively impacted by exposure to asbestos. The American Legion urges Congress to act swiftly and pass these common sense protections.

In conclusion, The American Legion applauds your leadership in addressing issues that are important to America's servicemembers, veterans and their families:

Sincerely,

CHARLES E. SCHMIDT
National Commander

The FACT Act – Protecting Veterans’ Ability to Recover from Asbestos Trust Funds

The Furthering Asbestos Claim Transparency (FACT) Act of 2013 is common sense transparency legislation that will benefit veterans. The unfortunate truth is that many veterans were exposed to asbestos during their service to our country, often to asbestos-containing insulation products.

Virtually all of the primary manufacturers of asbestos and asbestos insulation have entered bankruptcy and established trusts funds to resolve their future asbestos claims. As a result, veterans are disproportionately and negatively impacted by waste, fraud, and abuse within the asbestos trust system. If dollars are diverted from the asbestos trusts to undeserving claimants, the trusts’ ability to compensate veterans’ legitimate claims will be impaired.

- 1) Myth: The FACT Act will hurt veterans by making it harder to recover from asbestos trusts.

Reality: Nothing could be further from the truth. By discouraging waste, fraud, and abuse in the asbestos trust system the FACT Act will help ensure that veterans’ legitimate claims can be resolved in the future. Nearly half of the currently active asbestos trusts have decreased their payouts over the last few years, according to the Wall Street Journal, and those decreases disproportionately and negatively impact veterans.

- 2) Myth: Veterans’ claims with asbestos trust funds should be excluded from the reports required by the FACT Act.

Reality: The well-known *Kananian* case involved a veteran whose attorneys claimed his injury was the result of non-military exposures in courts while simultaneously alleging harmful exposures while in the military in trust filings. Carving veterans out of trusts’ reports would allow unscrupulous plaintiffs’ attorneys to continue filing the same sort of questionable claims that appear to be making their way to the trusts today. Transparent reporting of *all* trust claims is the best way to ensure that veterans’ legitimate claims are fully paid in the future.



AMVETS

AMERICAN VETERANS

DEPARTMENT OF WISCONSIN



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750 N. LINCOLN MEMORIAL DR.
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Phone: (414) 273-5240

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e-mail: amvetswi@yahoo.com

web-site: <http://www.amvets-wi.org>

Dear Senator Lasee

28 January 2014

AMVETS as an organization.....

As Veterans, we mourn the loss of our comrades; weather they have fallen in battle or the victim of asbestos related illnesses as a result of their service. We were trained never leave our fellow soldiers behind, and that is why AMVETS supports AB 19/SB 13 (Asbestos Tort Reform) to insure our brothers in arms are not left behind.

Contrary to what has been claimed, AB 19/SB 13 will not harm veterans. AMVETS believe AB 19/SB 13 will help veterans by ensuring that valuable resources are not depleted by unscrupulous lawyers convincing clients to double and triple dip for one individual for one claim. This bill would also protect Wisconsin businesses from unfairly having to pay more than their fair share.

Not surprisingly, there are valid concerns that asbestos trust fund assets will not be enough to compensate all current or future claimants. In short, this bill is about transparency and fairness to protect our veterans with an emphasis on availability on assets for our current and future veterans.

AMVETS encourage the State Senate to take into consideration their opinion and support AB 19/SB13 by scheduling a vote today.

Respectfully submitted,

Steve Chesha

State Commander

AMVETS Dept. of Wisconsin



PETE CONATY & ASSOCIATES



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March 8, 2016

The Honorable Kristin Olsen
California State Assembly
State Capitol
Sacramento, CA 95814

RE: ASSEMBLY BILL 2315 - SUPPORT

Dear Assemblymember Olsen:

On behalf of my clients, the American G.I. Forum of California, the AMVETS-Department of California, the American Legion-Department of California, the California Association of County Veterans Service Officers and the Military Officers Association-California Council of Chapters, I am writing to express our support for your legislation, Assembly Bill 2315, which enacts the Asbestos Tort Claim Trust Transparency Act.

Additionally, California State Commanders Veterans Council members, the Association of the United States Army, the Military Order of the Purple Heart, Department of California and the Jewish War Veterans, Department of California, would also like to be listed in support.

We believe AB 2315 will help veterans by ensuring that valuable resources are not depleted by attorneys convincing their clients to file multiple claims for one individual for a single incident or period of time. There are concerns that asbestos trust fund assets will be depleted before current and future claimants have been able to file claims. Ninety percent of asbestos victims are veterans. If asbestos trust funds are depleted by double dipping claimants, veterans will be hurt the most. This bill will provide transparency and fairness to protect our veterans with an emphasis on availability of assets for current and future claims.

The American G.I. Forum (AGIF) is a congressionally chartered Hispanic veterans and civil rights organization founded in 1948. Its motto is "Education is Our Freedom and Freedom should be Everybody's Business". AGIF operates chapters throughout the United States, with a focus on veterans' issues, education, and civil rights.

AMVETS, Department of California has approximately 12,000 members and 50 local posts and is the California unit of AMVETS. AMVETS or American Veterans was formed in 1944 to help WWII veterans obtain the benefits promised to them by the federal government. AMVETS continues this commitment to America's veterans, their families, and the active military by assisting them to secure their earned entitlements.



American Military Society

P.O. BOX 90740
WASHINGTON, DC 20090-0740

Administrative Offices:
1101 MERCANTILE LANE, SUITE 260
UPPER MARLBORO, MD 20774
(301) 583-8687 Toll free (800) 808-4517
(301) 583-8717 fax

May 6, 2015

Hon. Bob Goodlatte
Chairman
U.S. House of Representatives Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Hon. John Conyers
Ranking Member
U.S. House of Representatives Committee on the Judiciary
2426 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

I write on behalf of the American Military Society to express our strong support for the Furthering Asbestos Claims Transparency (FACT) Act of 2015, H.R. 526.

Many veterans were exposed to asbestos while serving our country. As a result, many veterans suffer from or will develop life threatening asbestos-related illnesses.

Because many of the companies that manufactured asbestos-containing products used by the military have declared bankruptcy and established personal injury settlement trust funds, veterans are uniquely impacted by improper trust claims. Put simply, every dollar paid to an undeserving claimant is a dollar taken away from a veteran whose illness will manifest in the future.

The FACT Act is modest transparency legislation that would require asbestos personal injury settlement trusts to report their claims to courts. These reports will make it possible to detect fraud and abuse that may go unnoticed today.

We thank you for scheduling a subcommittee hearing on the FACT Act and urge you to support this important legislation. Congress must act to ensure that asbestos trusts' limited funds are protected for future asbestos victims, including veterans.

Sincerely,

A handwritten signature in black ink, appearing to read 'John P. May', written over a light gray background.

John P. May
Executive Director



**Department of Indiana
Reserve Officer's Association**

January 31, 2016

Hon. Charles Grassley
Chairman
U.S. Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, DC 20510

Hon. Patrick Leahy
Ranking Member
U.S. Senate Committee on the Judiciary
437 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Leahy:

On behalf of the veterans whom we represent, we write to express strong support for S. 537, the Furthering Asbestos Claims Transparency (FACT) Act which would require the various asbestos trusts in the nation to file quarterly reports with bankruptcy courts detailing who has filed a claim and how much money was paid. This type of reporting will insure that these trust funds will actually help the asbestos victims rather than allow the asbestos trusts to be depleted by fraudulent claims and plaintiffs' lawyers.

It is our understanding that by 2010 asbestos bankruptcy trusts set up for the benefit of asbestos victims, many of whom are veterans, already had spent over \$17.5 billion of the \$36 billion set aside in the trusts, including up to 40% in plaintiffs' lawyer fees. The disturbing part is that court cases and news reports have found some of the money paid for fraudulent or inflated claims.

The FACT Act will not interfere with or delay asbestos victim's ability to file legitimate lawsuits or trust claims. In fact, S. 537 will ensure that trusts have sufficient funds to pay legitimate claims by helping to eliminate fraud in the system.

For these reasons, we ask you to support S. 537, the Furthering Asbestos Claims Transparency Act, as you begin hearings in the Senate Judiciary Committee.



AIR FORCE ASSOCIATION
Central Indiana
Chapter #150
292 Bear Hollow Way
Indianapolis, IN 46229

February 1, 2016

Hon. Charles Grassley
Chairman
U.S. Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, DC 20510

Hon. Patrick Leahy
Ranking Member
U.S. Senate Committee on the Judiciary
437 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Leahy:

I write on behalf of [GROUP] to express our strong support for the Furthering Asbestos Claims Transparency (FACT) S. 357 which I understand your committee will be considering soon.

Many veterans were exposed to asbestos while serving our country. As a result, some of those veterans suffer from or will develop life threatening asbestos-related illnesses.

Because many of the companies that manufactured asbestos-containing products used by the military have declared bankruptcy and established personal injury settlement trust funds, veterans are uniquely impacted by improper trust claims. Put simply, every dollar paid to an undeserving claimant is a dollar taken away from a veteran whose illness will manifest in the future.

The FACT Act is modest transparency legislation that would require asbestos personal injury settlement trusts to report their claims to courts. These reports will make it possible to detect fraud and abuse that may go unnoticed today.



February 1, 2016

Hon. Charles Grassley
Chairman
U.S. Senate Committee on the Judiciary
135 Hart Senate Office Building
Washington, DC 20510

Hon. Patrick Leahy
Ranking Member
U.S. Senate Committee on the Judiciary
437 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Grassley and Ranking Member Leahy:

I am a veteran of Vietnam and Desert Storm and served in the Army for over 32 years. I advocate for Hoosier service members, retirees, veterans, surviving spouses, and their families and am the legislative chairperson for The Military / Veterans Coalition of Indiana (www.inmilcoal.org). Our coalition is composed of over fifty (50) veteran and military service organizations in Indiana.

I recently was made aware of S. 357, the Furthering Asbestos Claims Transparency (FACT) Act, that would require the various asbestos trusts in the nation to file quarterly reports with bankruptcy courts detailing who has filed a claim and how much money was paid. Several fellow veterans were exposed to Asbestos during their service to our nation. It is for this reason that I urge your support in passing this bill. It is imperative that asbestos victims, including veterans, get the financial payment rather than having the fund depleted by fraudulent claims and plaintiffs' lawyers.

I understand that benefits for asbestos victims, many of whom are veterans, already has exceeded \$17.5 billion of the \$36 billion set aside in the trusts. What is most disturbing is the lawyer's fees are in some cases as high as 40%. Equally disturbing is that court cases and news reports have found some of the money was paid for fraudulent or inflated claims. S. 357 will ensure that trusts have sufficient funds to pay legitimate claims by helping to eliminate fraud in the system. I believe the FACT Act will not interfere with or delay asbestos victim's ability to file legitimate lawsuits or trust claims.

**The Cost of Freedom, Inc.
Indiana**

March 31, 2015

The Honorable Bob Goodlatte
Chairman, House Committee on
the Judiciary
United States House of Representatives
2309 Rayburn HOB
Washington, DC 20515

The Honorable John Conyers
Ranking Member House Committee on
the Judiciary
United States House of Representatives
2426 Rayburn HOB
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

The Cost of Freedom, Inc.- Indiana requests passage of HR 526, the Furthering Asbestos Claims Transparency (FACT) Act that would require the various asbestos trusts in the nation to file quarterly reports with bankruptcy courts detailing who has filed a claim and how much money was paid. It is imperative that asbestos victims, including veterans, get the financial payment rather than having the fund depleted by fraudulent claims and plaintiffs' lawyers.

Our organization was recently briefed that the trusts involved have already expended over \$17.5 billion of the \$36 billion set aside for benefit payments. We were informed that lawyer's fees in some cases were as high as 40%. If this were not bad enough reports indicated some of the money was paid for fraudulent or inflated claims. Something needs to be done; HR 526 addresses these concerns. HR 526 will ensure that trusts have sufficient funds to pay legitimate claims by helping to eliminate fraud in the system.

We urge your support for HR 526 the Furthering Asbestos Claims Transparency Act.

Sincerely,

Dave Bowman COL., USA, (Ret.)
The Cost of Freedom, Inc.- IN
17738 Eagletown Road
Westfield, IN 46074

cc: Representative Todd Rokita

**Save our Veterans
The Victory Center
101 S. Parker Avenue
Indianapolis, Indiana 46241**

March 30, 2015

The Honorable Bob Goodlatte
Chairman, House Committee on
the Judiciary
United States House of Representatives
2309 Rayburn HOB
Washington, DC 20515

The Honorable John Conyers
Ranking Member House Committee on
the Judiciary
United States House of Representatives
2426 Rayburn HOB
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

On behalf of the veterans whom we represent, we write to express strong support for HR 526, the Furthering Asbestos Claims Transparency (FACT) Act which would require the various asbestos trusts in the nation to file quarterly reports with bankruptcy courts detailing who has filed a claim and how much money was paid. This type of reporting will insure that these trust funds will actually help the asbestos victims rather than allow the asbestos trusts to be depleted by fraudulent claims and plaintiffs' lawyers.

It is our understanding that by 2010 asbestos bankruptcy trusts set up for the benefit of asbestos victims, many of whom are veterans, already had spent over \$17.5 billion of the \$36 billion set aside in the trusts, including up to 40% in plaintiffs' lawyer fees. The disturbing part is that court cases and news reports have found some of the money paid for fraudulent or inflated claims.

The FACT Act will not interfere with or delay asbestos victim's ability to file legitimate lawsuits or trust claims. In fact, HR 526 will ensure that trusts have sufficient funds to pay legitimate claims by helping to eliminate fraud in the system.

For these reasons, we ask you to support HR 526 the Furthering Asbestos Claims Transparency Act.

Sincerely,

Diane Martinez
Vice President Operations

**Military Officers Association of America
Indianapolis Chapter**

March 31, 2015

The Honorable Bob Goodlatte
Chairman, House Committee on
the Judiciary
United States House of Representatives
2309 Rayburn HOB
Washington, DC 20515

The Honorable John Conyers
Ranking Member House Committee on
the Judiciary
United States House of Representatives
2426 Rayburn HOB
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

The Military Officers Association of America- Indianapolis Chapter requests passage of HR 526, the Furthering Asbestos Claims Transparency (FACT) Act that would require the various asbestos trusts in the nation to file quarterly reports with bankruptcy courts detailing who has filed a claim and how much money was paid. It is imperative that asbestos victims, including veterans, get the financial payment rather than having the fund depleted by fraudulent claims and plaintiffs' lawyers.

Our organization was recently briefed that the trusts involved have already expended over \$17.5 billion of the \$36 billion set aside for benefit payments. We were informed that lawyer's fees in some cases were as high as 40%. If this were not bad enough reports indicated some of the money was paid for fraudulent or inflated claims. Something needs to be done; HR 526 addresses these concerns. HR 526 will ensure that trusts have sufficient funds to pay legitimate claims by helping to eliminate fraud in the system.

We urge your support for HR 526 the Furthering Asbestos Claims Transparency Act.

Sincerely,

Major Roger W. Vandrey, USAF (Ret.)
MOAA - Indianapolis Chapter
2810 Cardigan Road
Indianapolis, IN 46268-2017

**Reserve Officers Association
Department of Indiana**

March 30, 2015

The Honorable Bob Goodlatte
Chairman, House Committee on
the Judiciary
United States House of Representatives
2309 Rayburn HOB
Washington, DC 20515

The Honorable John Conyers
Ranking Member House Committee on
the Judiciary
United States House of Representatives
2426 Rayburn HOB
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers:

The Reserve Officers Association- Department of Indiana requests positive action and passage of HR 526, the Furthering Asbestos Claims Transparency (FACT) Act that would require the various asbestos trusts in the nation to file quarterly reports with bankruptcy courts detailing who has filed a claim and how much money was paid. It is imperative that asbestos victims, including veterans, get the financial payment rather than having the fund depleted by fraudulent claims and plaintiffs' lawyers.

Our organization was recently briefed that the trusts involved have already expended over \$17.5 billion of the \$36 billion set aside for benefit payments. We were informed that lawyer's fees in some cases were as high as 40%. If this were not bad enough reports indicated some of the money was paid for fraudulent or inflated claims. Something needs to be done; HR 526 addresses these concerns. HR 526 will ensure that trusts have sufficient funds to pay legitimate claims by helping to eliminate fraud in the system.

We urge your support for HR 526 the Furthering Asbestos Claims Transparency Act.

Sincerely,

Daniel L. Oates COL., USA, (Ret.)
President
Reserve Officers Association- IN
3155 Brookfield Drive
Newburgh, IN 47630

cc: Representative Larry Bucshon

I urge your support for HR 526 the Furthering Asbestos Claims Transparency Act.

Sincerely,

James L. Bauerle BG, USA, (Ret.)

cc: House Speaker John Boehner, Senate Minority Leader Nancy Pelosi and all Members of the Indiana Congressional Delegation



VETERANS OF FOREIGN WARS OF THE UNITED STATES

Department of New York Headquarters | 69 Sand Creek Road | Albany, New York 12205
518-463-7427 | 518-426-8904 FAX | www.vfwny.com

MEMORANDUM OF SUPPORT

S2511 Bonacic
A6032 Simotas

Relates to truth and fairness in asbestos litigation and requires documentation for the purposes of demonstrating asbestos exposure, the health effects of exposure and the validity of a claim and addresses lack of transparency involving discovery of trust information and admissibility of such information for the purpose of creating multiple filings.

The Veterans of Foreign Wars, New York, strongly supports this legislation which brings significant transparency to the filing of asbestos trust claims. The bill addresses the problem of false or redundant claims filed by unscrupulous attorneys, often alleging contradictory facts in their civil court claims and bankruptcy trust claims, in order to enrich settlements.

This practice threatens the future viability of legitimate veteran claims, as it threatens the solvency of future funding. Thirty percent of mesothelioma victims are veterans. The practice of double dipping based on false asbestos exposure claims endangers not only the trust funds designed to compensate victims but it drains the assets of private businesses who are the subject of these false claims.

This bill will provide a much needed element of fairness to a claims process that requires continued availability of assets for current and future claims of a preponderance of veterans impacted by this most debilitating of diseases.

The VFW New York urges swift passage of this legislation.

OFFICIAL

Harold M. Burke Jr, PSC, State Adjutant
Veterans of Foreign Wars
Department of New York

cc: Dennis Sullivan, Commander
Michael Burke, Sr. Vice Commander
Gene Ratigliano, Jr. Vice Commander
Robert Barnhart, PSC, Quartermaster
James Durkin, PSC, Judge Advocate
Joseph Cognitore, Legislative Chairman
John Lewis, Legislative Vice Chairman
Kirby Hannan/File

NO ONE DOES MORE FOR VETERANS.

“Watching it Work”
The Impact of Ohio’s Asbestos Trust Transparency Law on the
Tort Litigation in the State

- The report published in May 2017 analyzed the impact Ohio’s asbestos trust transparency law had on asbestos tort litigation in the state, particularly the impact the transparency requirements have on the time it takes for living mesothelioma plaintiffs’ cases to go to trial or reach resolution.
- It examined actual cases that were pending in 2010, 2012 and 2014, in the Ohio court with the most asbestos cases. These three years were chosen by the author because H.B. 380 became effective in 2013, and in cases from two years prior, as well as the year after it became effective, could be examined.
- The report specifically identified and analyzed each case in the Cuyahoga County Court of Common Pleas involving a living mesothelioma plaintiff that was grouped and scheduled for trial during each of the three years studied (2010, 2012 and 2014) to determine how long it took for each case to be resolved and how Ohio’s trust transparency law might have affected the process in each case.
- The report concluded that:
 - There is no systemic evidence that the trust transparency reforms enacted in Ohio have caused delays in case resolutions.
 - Rather, when plaintiffs properly disclose their asbestos trust claims in litigation, there is no appreciable delay in the prosecution of cases.
 - Despite opponents’ concerns, defendants are not using the trust transparency provisions to deliberately delay cases.
 - More often it is plaintiff counsels’ trial strategies that cause the longest delays.
 - Trust transparency reforms have accomplished the goal of ensuring transparency and fairness without imposing burdens on plaintiffs.