

Testimony of

The Honorable Orrin Hatch

June 26, 2003

Statement of Chairman Orrin G. Hatch
Before the United States Senate Committee on the Judiciary
Executive Business Meeting

S. 1125, "THE FAIRNESS IN ASBESTOS INJURY RESOLUTION ACT OF 2003" (THE "FAIR ACT")

Welcome to the continuation of the Committee's third mark-up session of the asbestos legislation. I again want to thank all of my colleagues on this Committee, particularly Senators Leahy, Kohl, Feinstein, DeWine, Grassley, and Kyl for their continued efforts in helping us reach consensus on the remaining issues for this critical piece of legislation. I would also like to extend a special thanks to staff on both sides of the aisle for their tireless efforts in working on this bill.

I think that it is stating the obvious when I say that we have accomplished quite a bit here since last week. We held an unprecedented markup last Thursday when we heard the testimony from Doctors Crapo and Welch. They were instrumental in helping all Members better understand the complex medical issues involved with this legislation. Indeed, I believe that it was because of their important exchange of ideas that led us to reach consensus on appropriate medical criteria that we voted on last Tuesday. That certainly was a major step forward.

I am equally pleased that we were able to reach consensus last Tuesday on scores of amendments ranging from inflation adjustments to a responsible ban on asbestos. We have already agreed to 21 amendments that is a true mark of bipartisanship. This is real progress that should not stop now.

Today, we will be presented with several amendments that relate mostly to the funding of the bill by defendant and insurance participants. We will be hearing from many Senators who have worked diligently to come up with appropriate ways to ensure the financial viability of this fund. I firmly believe that if we approach the funding issues like we did the medical criteria, we will have a solid piece of legislation that can pass the Senate with a powerful bipartisan endorsement.

I have said this many times before and will say it again. This legislation is absolutely critical to this country. We are faced with a litigation crisis that this nation has never seen before and we must act now to fix this "elephantine" problem that even the Supreme Court has acknowledged must be resolved by the Congress. I believe the bill we have today with all the changes we have agreed to so far is a fair and generous bill.

We have come a long way and we have worked hard to get to where we are today. If we don't get this bill done today we will be telling the victims that they must live with a system that is broken. A system where only a handful get significant amounts, while the vast majority of the truly sick get pennies on the dollar. A system that virtually guarantees that the companies who employ most of the working Americans will be bankrupt in the next couple of years. Jobs will be lost. Pensions will be drained and victims will be left out to dry because all of the money needed to compensate them would have been allocated unfairly in a broken system where a startling 86% of the claimants are not sick, but are getting most of the funds. If we cannot get this done, more and more companies will seek shelter under our current bankruptcy laws and that is bad news for victims, their employers and the economy.

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Statement of Chairman Orrin G. Hatch
Before the United States Senate Committee on Judiciary

Executive Business Meeting
On the Nomination of

Utah's Diane Stuart for Director,
Office on Violence Against Women, Department of Justice

Diane Stuart's impressive background and dedication to the issues of domestic violence and violence against women, as well as her past government service, make me confident that she will continue to be a great asset to the Department of Justice, this Committee and the American people.

Since it was created in 1994, The Office on Violence Against Women has played a vital role in protecting our children and women from the tragedy of violence and abuse. I have been - and will continue to be - a strong supporter of the Office.

Since 2001, Diane Stuart has demonstrated her ability to lead this important office, to bring new energy and focus to its many missions, and to continue to help our Nation's women and children who fall victim to abuse and violence. Ms. Stuart is a dedicated public servant who has a long-standing record of accomplishment in promoting programs and policies to protect women from violence.

Anyone who knows Diane Stuart also knows that her public service and commitment to this area began long before 2001 when she assumed the position of Director of the VAWA Office. From 1989 to 1994, Ms. Stuart served as the Executive Director of the Citizens Against Physical and Sexual Abuse from Logan, Utah, where she was responsible for a 20-bed shelter for victims of domestic violence and a rape crisis center. From 1994 to 1996, Ms. Stuart was a Victim Advocate Specialist for the State of Utah in Salt Lake City. From 1996 to 2001, she served as the State of Utah's Coordinator for the Governor's Cabinet Council on Domestic Violence. Finally, from 1995 to 2001, she served as a member, and later became spokesperson for, the National Advisory Council on Violence Against Women.

With such an impressive background, at both the State and Federal level, I am confident that Diane Stuart is the right person for this critical post at the Justice Department. I am hopeful that the Senate as a whole will move quickly to confirm her.

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Statement of Chairman Orrin G. Hatch
Before the United States Senate Committee on Judiciary
Executive Business Meeting on

S. Res. 174, A Resolution Designating Thursday, November 20, 2003, as "Feed America Thursday"
Each day millions of Americans -- many of them children -- suffer from hunger. Feed America Thursday not only encourages Americans to help those in need, but it also promotes a spirit of selflessness and sacrifice vital to our strength as a nation. I urge every American to join me in feeding the hungry and affirming the values that make our nation great.

This resolution, S. Res. 174, encourages Americans to sacrifice two meals on Nov. 20 and donate the money they would have used for food to a charity or religious organization of their choice. The charities and churches, in turn, are encouraged to feed the hungry with the funds received.

The United States Department of Agriculture recently reported that 33 million Americans, 13 million of whom are children, live in homes that do not have an adequate supply of food. Hunger among children is especially devastating because it has a serious impact on physical growth and brain development.

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Executive Business Meeting on

S. Res. 175, A Resolution Designating the Month of October 2003, as "Family History Month"

Millions of Americans are researching the history of their families. Experts say that in the United States, genealogy is now the second most popular hobby next to gardening. It is believed that more than 80 million Americans are currently actively searching for more information about their ancestors.

It is only natural that we want to find out more about our ancestors. What better way to bring families closer together than by discovering more about the story of their own family? Like it or not, who we are today is in large part a product of our ancestors.

This legislation commemorates October as Family History Month and encourages President Bush to issue a proclamation calling upon the people of the United States to observe the month of October with appropriate ceremonies and activities.

With the advent of the Internet, there has been an explosion of interest in family history. Last month alone, more than 14 million Americans used the Internet to research their family history. Genealogy Internet sites are some of the most popular sites on the World Wide Web. My church, The Church of Jesus Christ of Latter-day Saints, has family history information on nearly 500 million individuals on its family history web site (www.familysearch.com).

Essentially, we are all immigrants to this country. Our ancestors came from different parts of the globe. By searching for our roots, we come closer together as a human family.

Researching ancestry is a very important component of identity. It can lead to long-sought-after family reunions or allow for life saving medical treatments that only genetic links will allow. For all of these reasons, I encourage people across this nation to find out more about where they came from.

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