

Statement of
The Honorable Patrick Leahy

United States Senator
Vermont
May 25, 2005

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Ranking Member, Senate Judiciary Committee
Executive Business Meeting on S. 852,
The FAIR Act of 2005
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I am pleased to join the Chairman at the fourth consecutive week of Committee consideration of our bipartisan legislation to address the serious problem of asbestos-related disease, the FAIR Act of 2005, S. 852. During the course of these markups we have considered amendments from both sides of the aisle and have made some improvements to the legislation. I expect that we will continue to make such progress in a bipartisan manner again today.

Two nights ago, we averted an unnecessary and potentially divisive showdown in the Senate and preserved the crucial rights of the minority that have been a hallmark of the body for more than 200 years. I appreciate the hard work of the bipartisan group of 14 Senators who prevented the Republican majority leader from pulling the trigger to forever change the Senate's constitutional advice and consent role, including Senator DeWine and Senator Graham on this committee. Despite the focus on how partisan and divisive the Senate has become, I believe our work here today stands as an example of how we can come together on issues of importance to the Americans we represent.

In the last few weeks we have hammered out agreements relating to important issues flagged by Senator Hatch, Senator Kennedy, Senator Kyl, Senator Kohl, Senator Cornyn, Senator Feinstein, Senator Graham, Senator Brownback, Senator Durbin and Senator Coburn. We have incorporated their concerns into managers' amendments and I hope that another managers' amendment will be accepted this morning. Even this week the Chairman and I continued to meet with various stakeholders and Democratic and Republican Members on this Committee to bring about improvements and further consensus. Bipartisan efforts require respect, open dialogue and compromise. I hope we can continue these principles here in the Judiciary Committee. We have a lot of important work ahead of us this Congress and I am confident that the best way to accomplish this work in Committee is in a bipartisan manner.

I thank Chairman Specter for his leadership and tenacity on the issue of asbestos legislation. I believe that the time is now for movement on this bipartisan solution.