4 (or 12) individuallyadjustable channels.

(Not three!)

Stainless steel rollers. (Not plastic!)

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LETTERS

Asbestos Legislation

The News and Comment section of the 18 May issue of *Science* (p. 712) contained an article regarding legislation that I have introduced to deal with the problem of asbestos-related diseases and compensation for workers who have been exposed to asbestos in a variety of workplaces.

I am more than a bit disturbed by the inaccuracies I have found in the article, and I hope you will set the record straight. The article states that "The bill was drafted by the Johns-Manville Corporation, the major U.S. manufacturer of asbestos, and was introduced by Representative Millicent Fenwick (R-N.J.), who has a major Johns-Manville plant in her congressional district."

The author of the Science article never called me or anyone in my office to check the facts: otherwise he would have found that the bill was drafted by a member of my staff (now a member of the Public Defender's staff in the District of Columbia) working with representatives from the Johns-Manville Corporation, with a lawyer for the union, the International Association of Heat and Frost Insulators and Asbestos Workers, and with Irving Selikoff of the Mount Sinai School of Medicine (who is the leading medical expert in this area and a consultant on industrial health subjects for the AFL-CIO). It follows closely the form and the funding system of the Black Lung legislation for coal miners. (And, incidentally, company participation starts 1 January 1980, not December 1980, as the Science article states.)

My prime concern is to have a comprehensive program that will provide benefits to affected persons and their dependents for disability or death from asbestos-related diseases. During my research on this legislation, I wrote to each state workmen's compensation board to find out what compensation was provided by their plans to workers for longdeveloping diseases, such as asbestosis. Lawsuits may certainly be a remedy for some workers, but, as one labor union lawyer told us at a workers' meeting on the subject, it is necessary to prove criminal negligence in a suit of this kind. It is for this reason that the workmen's compensation principle has provided more reliable protection for workers, and is preferred by the AFL-CIO.

In fact, the AFL-CIO is looking forward to drafting national workmen's compensation legislation for all occupations. I would like to see this, too, but the uncertainty of disease in chemical and other industries means a long delay. Asbestos-related diseases are easily diagnosed, and a compensation program could quickly be set in place. The workers I have spoken with simply cannot afford the many years' delay that might be encountered in drafting comprehensive legislation to compensate workers for all work-related diseases.

Finally, I would like to suggest that if the bill had the origin your article states and the influence it strongly implies, it is most unlikely that Congressman Edward Beard, Democrat of Rhode Island, and a member of the Painters' Union, would have been the first cosponsor with me, and instrumental in introducing the first copy of the bill. Representative Beard is now chairman of the subcommittee on labor standards, and I testified before his subcommittee this year.

In response to the delicate suggestion that I might be influenced by the company, I can only say that I have never accepted any contributions from political action committees—labor or corporate. The fact that workers live in my district and have asked me to help with their problems is the reason for my interest and concern.

MILLICENT FENWICK

U.S. Congress, Washington, D.C. 20515

Science had three sources for its reference to the authorship of the Fenwick bill. One was Representative George Miller (D-Calif.), who said in prepared testimony that the bill was "drafted and supported by the asbestos industry itself." Through an aide, Miller adds that he heard in several places that Johns-Mansville "played a significant role in drafting the bill." The second source, who asks not to be identified, is with the House Committee on Education and Labor; he also stands by the statement. "The company just brought over a draft," he says. Science's third source, who is active in asbestos issues outside Congress, says the same.

None can offer documented proof. The top Johns-Mansville lobbyist in Washington, John Autry, strenuously denies authorship by his firm. But several others—associated with or knowledgeable about the bill—swear that the company's attorneys have bragged privately that the bill was theirs. Fenwick claims, for example, that Irving Selikoff had a role in its drafting. But Selikoff told *Science* that he "had nothing to do with planning or drafting the bill, and if Fenwick believes this, she is misinformed. It was drafted by attorneys for about Sciences, Technology, and Society which were recorded at the 1979 AAAS Annual Meeting in Houston.

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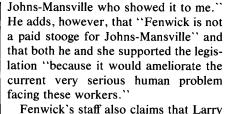
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Fenwick's staff also claims that Larry Cohen, an attorney for the asbestos workers' union, is partly responsible for drafting it. Cohen told Science that "Johns-Mansville very definitely initiated the idea. They came to us with the idea of joining in a legislative approach as a substitute for litigation, which had been a hit-or-miss deal for our members. They did present the first draft, but we also exercised our option to object to it, and it went through eight or nine drafts before it was introduced by Fenwick. We did get some of the figures changed along the way to get a more liberal bill from the worker's standpoint."-R. JEFFREY SMITH

Nitrite Study

Publication of P. N. Newberne's report "Nitrite promotes lymphoma incidence in rats" (8 June, p. 1079), without alerting uninformed readers to the controversy surrounding the work upon which the report is based, is premature to say the least.

Readers of Science should be informed that the results reported by Newberne lack credibility at the Food and Drug Administration (FDA), which sponsored the study at a cost of about \$500,000. According to the FDA, "Pathologists associated with the Interagency Working Group on Nitrite Research have determined that there appears to exist a substantial difference with respect to their diagnostic opinions concerning the histopathology as compared to diagnoses made by Dr. Newberne and his associates" (1). As a consequence of this "substantial difference," the FDA has contracted with Universities Associated for Research and Education in Pathology, at a cost of \$458,095, to determine whether or not the data generated by Newberne and his associates are reliable (2).

PAUL G. ROEHRIG

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- 1. A. C. Kolbye, "Justification for non-competitive procurement" (Internal memorandum, contract No. 223-79-2263, "Re-evaluation of histopathology of M.I.T. chronic nitrite ingestion studies in rats," Bureau of Foods, FDA, Washington, D.C., 19 October 1978).
 2. Food Chem. News, 2 April 1979, p. 49.

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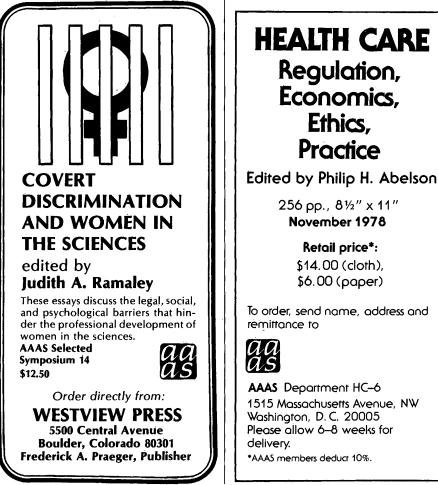


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