

## Asbestos bill not likely, Frist says

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**WASHINGTON** - Chances are slim that legislation to create a \$108 billion asbestos liability trust fund in exchange for an end to litigation can make it through the Senate this year, Majority Leader Bill Frist says.

"I'm not sure it can be done in the next few weeks," Frist, R-Tenn., told reporters Thursday. The only remaining "must-do" items on the Senate's agenda this year are appropriations bills, changes in the Medicare program and an energy bill, he said.

The Senate is tentatively scheduled to leave Oct. 3 for the year.

With those three issues unresolved - and with additional judicial nomination battles and a bill to move virtually all national class-action lawsuits from state courts into federal courts still on the horizon - time may run out before agreement on the asbestos legislation can be worked out, Frist said.

Sen. Orrin Hatch, R-Utah, chairman of the Judiciary Committee, insisted on Friday that the Senate would vote on the legislation he pushed out of his committee in early July.

"It's definitely coming up this year," Hatch said. "One way or another, we're going to have to vote."

Both Republicans and Democrats say legislation is needed because asbestos liability is driving companies out of business and leaving asbestos victims with little money for medical bills.

But the two parties appear sharply divided on the legislation approved by the Senate Judiciary Committee, and even some Republicans have expressed misgivings about the bill Hatch pushed out of committee on almost a party-line vote.

"Although the goal of this legislation to compensate those harmed from asbestos exposure is both noble and necessary, the means chosen are susceptible to abuses that could bankrupt the fund and, ultimately, impose financial obligations upon the taxpayer," GOP Sens. Charles Grassley, Jon Kyl, Jeff Sessions, Larry Craig and John Cornyn wrote in the committee report.