

BRIAN HARVEY

Mr. President, I rise this afternoon to honor Brian Harvey. He is a loving husband, father, grandfather, teacher, advocate, and a hero in the fight to protect Americans from deadly asbestos.

Anyone who has followed the debate over asbestos in Congress will immediately remember Brian for his booming voice, for the way he could capture the attention of every person in a packed committee hearing room and for his commitment to saving lives and bringing victims the justice they deserve.

This picture shows him doing what he did best: urging Congress to ban asbestos and to protect victims. Brian Harvey is my hero.

Mr. President, it is my sad duty today to report to the Senate that Brian passed away on Friday, July 22. Today, I want to extend my condolences to his entire family, including his wife Sue, his daughter Valerie, his stepchildren Ethan, Anne, and Amy, and his three grandchildren. But mostly I want to share my thanks that Brian was given more time on this Earth than many asbestos victims and that he used that time to help others.

I was very lucky to work with Brian over the past 3 years. We came together at an important time in both our lives and in the history of congressional action on asbestos. Back in 2002, Brian was defying the odds in fighting mesothelioma and looking for a way to share his experience and to help others. At the same time, I was 1 year into my effort in the Senate to ban asbestos.

I was surprised and horrified to learn that asbestos was still being put in lots of commonly used consumer products on purpose. In my research, I learned about the deadly toll of asbestos diseases and about the lack of prevention, research, and treatment. I wrote a bill to address those critical needs. I was very proud to have Brian Harvey at my side and at the podium as I introduced that bill in June of 2002.

Brian Harvey is my hero because he never hesitated to stand up and speak truth to power. Whenever we had a hearing or press conference, whenever Senators needed to understand the horror of asbestos disease, whenever my legislation needed a little boost or a powerful push, Brian Harvey was the first person on a plane from Washington State all the way here to Washington, DC.

Like so many asbestos victims, Brian was exposed to asbestos through no fault of his own. Brian grew up in Shelton, WA, and like me he attended Washington State University. During his summers back in college, Brian worked at a paper products mill in Shelton, WA. That is where he was exposed to asbestos fibers, but the damage of that exposure would not be revealed until three decades later.

In September of 1999, Brian experienced shortness of breath and fatigue. He was diagnosed with mesothelioma, and the odds were stacked against him.

Most people diagnosed with mesothelioma who do not receive treatment die within 8 months. Those who do receive treatment increase their life expectancy to an average of only 18 months. Overall, a person's chance of surviving 5 years is 1 in 20. Brian lived 6 years after being diagnosed. He was truly one in a million.

Brian Harvey was lucky in many ways. He was diagnosed early. He got experimental treatment at the University of Washington. He had skilled doctors and medical professionals, and he had the support of his entire family and many friends. Many asbestos victims are not that lucky. Brian recognized that, and he used the time he was given to speak up for others whose lives and families have been torn apart by asbestos.

Brian Harvey is my hero because he did not despair about his own personal challenges. Instead, he shared those challenges with all of us, helping us to understand the threat and to inspire change in our public policy. And he did it with an actor's presence and a deeply human personal touch. Brian used to say to me that the left side of his body was made of Gore-Tex. And it was. But that did not explain Brian's toughness or his determination.

That came solely from his heart.

Brian Harvey is my hero because he made a difference. He pushed Congress to treat victims fairly and to ban asbestos. While that work is still a work in progress, Brian's voice and passion echo as loudly today as they did that day 3 years ago when he stood beside me as we introduced the bill for the first time. Brian Harvey is my hero because in the face of so many challenges that could have drained his energy, he found the strength inside to fight the good fight.

Every time I stood up for asbestos victims, Brian Harvey was at my side. He was there on June 28, 2002, when I first introduced my bill. He was by my side in June of 2003 when we stood together to call for fairness for asbestos victims. On March 5, 2003, Brian testified before the Senate Judiciary Committee, and with his passion and power he called for increased detection and fair compensation for asbestos victims. Three months later, on June 24, 2003, the Judiciary Committee included my ban in its reform bill. On March 25, 2004, at a press conference to call for passage of my bill, Brian Harvey was there as well.

It is very hard for me to picture the next hearing or press conference without Brian standing by my side. But I will continue the fight. When Brian and I met 3 years ago, the odds were against both of us. The medical odds were against Brian. Every day for him was a triumph. And the legislative odds, the chance we could pass a bill, were against both of us. We have made progress, but we are not there yet. I know it will be harder without Brian's advocacy, but I also know he has done so much to bring that goal now within

reach. I know eventually we will ban asbestos, we will ensure victims are treated fairly, we will find new treatments for asbestos disease, and we will protect future generations from this epidemic. When that day comes, all of us will have Brian Harvey to thank.

Again, I extend my thoughts and my prayers to Brian's lovely family and his many friends. Last week, when Brian was in the hospital, I spoke to his wife Sue and his daughter Anne. Brian was not well enough for me to speak with him, but I talked to the nurse at his bedside. I asked her to tell Brian something that I have always wanted him to know: You are my hero. Brian Harvey was given extra time on this planet to help other people. That is exactly what he did. Brian Harvey will always be my hero.

I yield the rest of my time to the Senator from Rhode Island.

Mr. SESSIONS. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARTINEZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRAGEDY AT THE BOY SCOUT JAMBOREE

Ms. MURKOWSKI. Mr. President, when people ask me what is the best thing about Alaska, I can talk about the mountains, I can talk about the trees, I can talk about our great salmon. They are all very wonderful, very special. But the very best thing about Alaska is its people. The spirit of voluntarism and civic engagement is what makes Alaska one of the best places in the Nation to live and to raise families.

Alaskans not only invest their time and energy in their own children, they also invest it in the development of their neighbors' children. This spirit of giving manifests itself in the thousands of hours that adult volunteers contribute to youth activities, such as Scouting.

Scouting enriches the lives of young people in many parts of my State because adult volunteers give generously of their time to work with our young people. My two boys have proudly participated in Scouting in the Mat-Su Western District as members of Troop 176 in Anchorage. I am very proud of the opportunities they have through Boy Scouts.

Now, as we know, last evening there were four adult volunteers who were associated with the Western Alaskan Council of the Boy Scouts of America who lost their lives at the Boy Scout Jamboree which is taking place at Fort A.P. Hill near Fredricksburg, VA. Accounts in the newspapers this morning back home in Anchorage were riveting,