

October 15, 2013

The Honorable John Boehner  
Speaker  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Nancy Pelosi  
Minority Leader  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Harry Reid  
Majority Leader  
U.S. Senate  
Washington, DC 20510

The Honorable Mitch McConnell  
Minority Leader  
U.S. Senate  
Washington, DC 20510

Dear Speaker Boehner, Senator Reid, Representative Pelosi and Senator McConnell:

On behalf of the undersigned organizations, we ask that you ensure that the legal rights of injured Americans are protected as you seek to resolve the government shutdown, the debt ceiling crisis and any future budgetary issues.

The health and safety of the American public is already suffering greatly as a result of the government shutdown. Funding for programs such as the HHS Administration for Community Living's "Prevention of Elder Abuse and Neglect" have stopped. Most workplace safety inspections have stopped. Most FDA food safety inspections have stopped. Investigations of fatal plane crashes and factory explosions, including the deadly West Texas fertilizer plant explosion, have been suspended. The National Highway Traffic Safety Administration has discontinued its evaluations of safety defect complaints.

A recent *USA Today* article noted that, "three coal mine fatalities [occurred] from Oct. 4-6, days after the shutdown began." This is significant because, reports the paper, "The coal industry had not had three consecutive days of fatal accidents in more than 10 years" and as assistant secretary of Labor for Mine Safety and Health, Joseph Main, put it, "The fact that that this occurred over the weekend, when there may be a greater expectation an MSHA inspector would not be present, is a red flag." In other words, more people are getting hurt and powerful interests are escaping accountability for their misconduct.

The civil courts already have been hit with severe staffing and budget cuts at both the state and federal levels. As a result, many tort cases have been halted or substantially delayed. This is dangerous because the tort system is the last line of defense against the proliferation of unsafe and hazardous misconduct, whether in the health care field, or involving potentially dangerous industries like asbestos, chemical, oil and pharmaceutical.

Sometimes during negotiations over "must-pass" legislation, powerful special interests attempt to circumvent the legislative process and add amendments that would shield them from liability for harms they have caused. Given the vital role the civil justice system plays in advancing democracy, safeguarding freedom and protecting the public health and safety, please ensure that this system is not further crippled in any respect as negotiations over the shutdown and debt ceiling proceed. We urge you to stand with the interests of injured patients and

consumers. Their rights should never be traded away, leaving ordinary citizens vulnerable to harm without meaningful recourse.

Thank you for your consideration.

Very sincerely,

Alliance for Justice  
Center for Justice & Democracy  
Center for Science in the Public Interest  
Consumer Watchdog  
Earthjustice  
Environmental Working Group  
National Consumers League  
National Consumer Voice for Quality Long-Term Care

cc:

Senator Patrick Leahy  
Senator Chuck Grassley  
Representative Bob Goodlatte  
Representative John Conyers