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1 A. Right.

2 Q. Would you agree with me that this

3 was -- in at least one respect -- a lobbying

4 group for the asbestos industry?

5 A. Absolutely.

6 Q. Was that its main function?

7 A. Again, main is hard. Did it have

8 that function? Yes. Is it an important part

9 of their activities? Yes.

10 Q. What position do lobbying groups,

11 such as the AIA, have in creating what you call

12 the attentive public?

13 A. They are the spearheads of the

14 claims made on one side against the claims made

15 on the other. They make sure that these claims

16 are brought to the attention to the people in

17 the Congress, to the media. So you should

18 expect to have duels between lobbying parties

19 on both sides of American politics when it

20 involves labor and management, not necessarily

21 in all areas because sometimes one side is not

22 organized. But in this case, it's a typical

23 example of AIA on one side, AFL-CIO on the

24 other.

25 You can see this in the line-ups

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1 in front of the Department of Labor and

2 actually the Department of Labor went along

3 with it, which is not the same thing as AIA.

4 So it's not a possible which is only in AIA.

5 It has to do with these concerns about alarm

6 and refusals to use anything with asbestos.

7 What you can say for sure is that

8 it wasn't -- they did not want to use that form

9 of mobilization of the public about asbestos

10 safety because they feared the consequences of

11 it.

12 Q. So you can say for sure that the

13 AIA did not want to use that form, being danger

14 and cancer, on asbestos containing products

15 because they feared the consequences which

16 would be economic repercussions?

17 A. Not only economic repercussions.

18 They feared the consequences for this whole

19 industry. If there was this form of fearful

20 advertising and that was agreed to by the

21 Department of Labor.

22 There was a reasonable judgment

23 at the time and the reason it was a reasonable

24 judgment at the time is not necessarily the

25 same one that we would come to now, but because

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1 at the hearings. It is dominated by

2 representatives of industry on the one side and

3 representatives of labor organizations on the

4 other.

5 Q. So the AIA would be on the

6 opposite end of the spectrum in this debate

7 from union organizations?

8 A. Certainly. For purposes of

9 arguing about legislation not on every issue.

10 Q. If in 1972 the AIA lobbied for

11 keeping the words "danger" and "cancer" out of

12 the required warning labels, the federal

13 regulation required warning labels, would they

14 be helping to make the public more attentive or

15 less to the admittedly cancer causing risks of

16 asbestos exposure?

17 A. Well, let me get back to my own

18 themes here. There are a lot of contested

19 views here and this is not whether they're

20 helping or hurting. Do you understand? This

21 is whether or not the consequences of using

22 those terms would be out distanced by the

23 negative ones, that is the fearfulness as

24 opposed to the possibilities of control.

25 That was a position argued about

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1 of the particularly scary element of cancer at

2 that time.

3 Q. Because if they put the words

4 danger and cancer on the products people would

5 stop using them; people would refuse to work

6 with them?

7 A. Concerns about -- like that were

8 part of the fears what they regarded as

9 alarmist language, which was their argument.

10 Q. Which would threaten the economic

11 survival of these firms?

12 A. Not all of them and not

13 immediately. It would be problematic for the

14 industry for sure they thought.

15 Q. When you and your four research

16 assistants did your review of the literature of

17 the last ten months, did you look at articles

18 in the Wall Street Journal?

19 A. Yes.

20 Q. Did you find the Wall Street

21 Journal to give a distorted picture of the

22 facts regarding the first OSHA regulations?

23 A. I don't recall immediately that

24 particular Wall Street Journal article. If

25 there is one, I can judge it by looking at it.