

Jay Timmons

Senior Vice President  
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March 28, 2006

The Honorable F. James Sensenbrenner, Jr.  
Chairman, House Committee on the Judiciary  
U.S. House of Representatives  
2138 Russell House Office Building  
Washington, DC 20515

Dear Chairman Sensenbrenner:

The House Committee on the Judiciary is scheduled to vote on H.R. 3509, the Workplace Goods Job Growth and Competitiveness Act, on March 29. H.R. 3509 would establish a nationwide, uniform statute of repose for workplace goods when the claimant is eligible for workers compensation. On behalf of the member companies of the National Association of Manufacturers (NAM), I urge you to support H.R. 3509.

Quite simply, a statute of repose recognizes that at some point — in this case, 12 years — a manufacturer should no longer be held liable for goods that have left the manufacturer's control. This is not a novel concept. Indeed, our primary global competitors, Japan and the European Union, both have a statute of repose of 10 years. In addition, 12 states have a fixed statute of repose, most of shorter duration than 12 years. H.R. 3509 would pre-empt current state laws with respect to workplace durable goods by establishing a statute of repose in the 38 states that do not have one and by increasing the length of time in the 12 that do. Non-workplace goods covered by a statute of repose in these latter 12 states would not be affected.

Past measures similar to H.R. 3509 have enjoyed strong bipartisan support and the Workplace Goods Job Growth and Competitiveness Act is based on the highly successful General Aviation Revitalization Act, which the President signed into law in 1993.

The NAM would prefer to see a statute of repose bill with broader coverage and a shorter timeframe, but strongly supports H.R. 3509 as written. Your vote report H.R. 3509 to the full House with a favorable recommendation would be greatly appreciated by America's manufacturers.

Sincerely,



Jay Timmons

JT/laf

cc: Members, House Committee on the Judiciary

**VIA FACSIMILE**

***Manufacturing Makes America Strong***