

107TH CONGRESS  
2D SESSION

# H. R. 4696

To amend title 11 of the United States Code with respect to the allowance of certain claims or interests.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 9, 2002

Mr. CANNON (for himself, Mr. MORAN of Virginia, Mr. ARMEY, Mr. BONILLA, Mr. HOSTETTLER, Mr. NORWOOD, Mr. BURTON of Indiana, Mr. CAMP, and Mr. DOOLEY of California) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 11 of the United States Code with respect to the allowance of certain claims or interests.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS.**

4 Section 502(b) of title 11, United States Code, is  
5 amended—

6 (1) in paragraph (8) by striking “or” at the  
7 end,

8 (2) in paragraph (9) by striking the period at  
9 the end and inserting “; or”, and

1 (3) by adding at the end the following:

2 “(10) such claim is a nonmalignant asbestos re-  
3 lated claim, including, without limitation, a claim for  
4 pleural plaques, asymptomatic pleural thickening,  
5 asbestosis, fear of cancer, emotional distress, and  
6 medical surveillance, unless such claim is—

7 “(A) for permanent breathing impairment  
8 determined by reliable scientific means and con-  
9 sistent with guidelines published by the Amer-  
10 ican Thoracic Society; or

11 “(B) for a survivor claim where the dece-  
12 dent’s death was caused by exposure to asbestos  
13 or asbestos-containing products;

14 except that the person holding such disallowed claim  
15 may have an allowable demand under section  
16 524(g)(5) of this title when and if that person devel-  
17 ops a subsequent asbestos related claim allowable  
18 under this subsection, against the reorganized debtor  
19 or a trust for holders of allowable asbestos related  
20 claims and asbestos related demands, set up as part  
21 of a reorganization case under this title.”.

22 **SEC. 2. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.**

23 (a) EFFECTIVE DATE.—Except as provided in sub-  
24 section (b), this Act and the amendments made by this

1 Act shall take effect on the date of the enactment of this  
2 Act.

3 (b) APPLICATION OF AMENDMENTS.—The amend-  
4 ments made by this Act shall apply with respect to cases  
5 commenced under title 11 of the United States Code be-  
6 fore, on, and after the date of the enactment of this Act.

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