

By Hand Delivery
October 18, 2006

Senator Richard J. Durbin
332 Dirkson Senate Building
Washington, D.C. 20510

Re: Medical Testing for U.S. Capitol Tunnel Shop Employees

Dear Senator Durbin:

As you will recall from your meeting with the Tunnel Shop employees on September 29, 2006, my law firm and the Government Accountability Project represent the U.S. Capitol Tunnel Shop workers in connection with their complaints about unsafe working conditions, and in their efforts to obtain medical treatment and fair compensation for the serious injuries they have suffered as a result of working under those conditions.¹ I am writing to follow up on our meeting with you, and specifically to request your assistance in ensuring that the workers receive the medical testing that we discussed in the meeting.

The Tunnel Shop employees very much appreciate the strong support that you have expressed for them and their families. They know that you stand resolutely behind them in their fight to correct the health and safety-related injustices that they have encountered while working as employees of the Architect of the Capitol ("the Architect") in the utility tunnels running beneath the U.S. Capitol. They also know that you strongly oppose the harassment and retaliation they have suffered on the job since making these conditions known to Congress and the public.

Over the past several months, it has become clear that the Architect has knowingly exposed the Tunnel Workers to unacceptably hazardous working conditions for years. The Architect has demonstrated deliberate indifference to the health and safety of its employees. The Tunnel Shop employees have faced life-threatening conditions every day on the job, including falling concrete, extreme temperatures, and sustained exposure to deadly agents such as asbestos, which permeates the atmosphere in the tunnels, and arsenic, which is contained in the welding fumes that the workers breathe in the absence of proper ventilation. As you and Senator Wayne Allard pointed out during a hearing on these issues before the Senate Appropriations Committee

¹The Tunnel Shop employees are John Thayer (Supervisor), Tom Baker, Frank Binns, Martin Blanchet, Edward Hill, Rick Leonard, Charles Morris, Christian Raley, Scott Smith and Tim Taylor.

