

SERGEANTS BENEVOLENT ASSOCIATION

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TESTIMONY

of

**Ed Mullins, President
Sergeants Benevolent Association of the
New York City Police Department**

on

**“Examining H.R. 1786, James Zadroga 9/11 Health and
Compensation Reauthorization Act”**

Before the

**Subcommittee on Health
Committee on Energy & Commerce,
U.S. House of Representatives**

June 11, 2015

Mr. Chairman, Ranking Member Green, and Members of the Subcommittee:

Thank you for the opportunity to submit testimony on behalf of the Sergeants Benevolent Association of the New York City Police Department (SBA) for this important hearing on reauthorization of James Zadroga 9/11 Health & Compensation Act. The SBA is an independent labor organization representing more than 13,000 active and retired Sergeants of the New York City Police Department (NYPD). The SBA's members were among those who spent countless hours engaged in both the initial response to the attacks on September 11, 2001, as well as the rescue and recovery efforts which followed.

The SBA is grateful to you for scheduling this hearing early in the reauthorization process, and to Full Committee Chairman Upton and Ranking Member Pallone for their recent comments in support of reauthorizing the Zadroga Act. Our members strongly support the passage of H.R. 1786, the "James Zadroga 9/11 Health and Compensation Reauthorization Act." We respectfully request that the Subcommittee advance this legislation to provide a permanent reauthorization of the Zadroga Act as expeditiously as possible.

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It goes without saying that none of us will ever forget September 11, 2001. We will never forget the images of the collapse of the World Trade Center buildings, or a gaping cavern in the side of the Pentagon filled with smoke and fire, or the debris of Flight 93 in a Pennsylvania field. For those of us who served at Ground Zero, we especially remember the dust-covered landscape and the first responders who went rushing in to the debris cloud as residents and office workers streamed out. We remember the rescue workers who spent hours, days, and weeks searching for survivors, victims, and evidence in the buildings' wreckage. Nor will we ever forget our friends, our loved ones, and our colleagues who made the ultimate sacrifice responding to the heinous terrorist attacks that unfolded on that fateful day—brave men and women such as Sergeants John G. Coughlin, Michael S. Curtin, Rodney C. Gillis, and Timothy A. Roy.

Many of our members were among those who spent countless hours engaged in both the initial response to the attacks on September 11, 2001, as well as the rescue and recovery efforts at Ground Zero in the weeks and months that followed. A smaller yet ever-growing number of our members have developed and are struggling with health conditions related to their service at the World Trade Center (WTC) site. Unfortunately, we continue to lose members to WTC-related health conditions. To date, the nine (9) Sergeants listed below have lost their lives from WTC-related cancers as a result of their service at Ground Zero and countless others are suffering today from life threatening illnesses.

Sergeant Claire Hanrahan
Uterine Cancer
August 28, 2007

Sergeant Harold Smith
Renal Cell Cancer
March 5, 2011

Sergeant Michael Ryan
Non-Hodgkin's Lymphoma
November 5, 2007

Sergeant Garrett S. Danza
Brain Cancer
July 11, 2012

Sergeant Edward Thompson
Lung Cancer
March 20, 2008

Sergeant Donald O'Leary
Lung Cancer
March 26, 2014

Sergeant Alex Baez
Lung Cancer
November 21, 2008

Sergeant Paul Ferrara
Lung Cancer
August 28, 2014

Sergeant Charles Clark
Lung Cancer
November 7, 2009

It is because of these nine Sergeants, their families, and countless others that the SBA has always worked tirelessly to ensure the federal government honors its responsibility to the men and women who made the ultimate sacrifice on September 11th, and to those who answered the call at Ground Zero and continue to get sick because of their selfless service. "9/11 health" is one of the most critical issues facing our organization and the NYPD as a whole. But is of equally great importance to the national law enforcement community, and we are pleased to be joined in our efforts in support of H.R. 1786 by organizations representing more than 700,000 federal, state, and local law enforcement officers in all 50 states.

As the support of these groups and others demonstrates, providing for those who sacrificed their health responding to the terrorist attacks of September 11th is an issue of nationwide breadth and scope. One look at the World Trade Center Health Program (WTCHP) enrollment of first responders is proof enough that 9/11 health can no longer be called a "New York City issue." It is a national health crisis. The long-term health effects from exposure to the deadly cocktail of toxins at Ground Zero are affecting brave people in every U.S. state and reside in 429 of 435 Congressional Districts. As of last August, for example, there were approximately 13,000 first responders registered for monitoring or treatment under the WTCHP who resided *outside* of New York State. There are nearly 1,000 first responders from Pennsylvania, 230 from Texas, 430 from Virginia, and 2,100 from the State of Florida. When New York is removed from the equation, the Members of this Subcommittee alone come from states with a combined total of more than 10,000 first responders in the WTCHP. On the Congressional District level, Subcommittee Members directly represent approximately 2,400 constituents who are enrolled in the WTCHP.

Because this is a national health crisis, we as a nation owe it to these heroes to do everything we can to honor the sacrifices they made in carrying out their sworn duty to protect and serve on that fateful day. The James Zadroga 9/11 Health and Compensation Act which this Congress passed and the President signed into law in January 2011 was in fulfillment of that obligation. That law established the WTCHP within the National Institute for Occupational Safety and Health, provided medical monitoring and treatment options for seriously ill first responders across the nation, enabled critical research into conditions such as cancers that may be WTC-related, and reopened the 9/11 Victims Compensation Fund for those who did not file or became sick after the original fund closed in December 2003.

Since enactment of the original Zadroga Act, those who are sick and the families of the fallen have found support and assistance through the World Trade Center Health Program. Today, the WTCHP serves participants with a variety of certified WTC-related health conditions, including more than 3,200 people who have been diagnosed with a WTC-related cancer. But there is still more to be done. We have only begun to see the long-term health effects of the countless hours spent engaging in the rescue and recovery efforts at Ground Zero. To date, over two-thirds of the members of the WTCHP have been diagnosed with more than one illness. The WTC Health Program has identified more than 60 types of cancer caused by exposure to the toxins at Ground Zero. And most shockingly, the number of NYPD officers who have died of a WTC-related illness is nearly *triple* the 23 who perished in the collapse of the Trade Center towers on 9/11. Just this past year alone, fourteen of eighteen officers who fell in the line of duty in 2014 and were added to the New York City Police Memorial Wall died of fatal WTC-related illnesses (*see Attachment 1*). It is for these and many other reasons that we call on Congress to reauthorize the Zadroga Act as quickly as possible.

The legislation introduced in the House as H.R. 1786 ensures a long-term reauthorization of the Zadroga Act and the WTCHP, and ongoing care for those who sacrificed so much in responding to the terrorist attacks of 9/11. Specifically, H.R. 1786 will allow the WTCHP to continue to provide long-term medical monitoring and treatment services nationwide for the first responders who labored in the toxic environment of Ground Zero. It will also ensure the continuation of research into the diagnosis and treatment of WTC-related health conditions, and the adequacy and coordination of care for victims. In so doing, this legislation honors the sacrifice that so many of our fellow officers and their families have made for carrying out their sworn duty to protect and serve on that fateful day.

In considering this legislation, we would particularly and strongly urge this Subcommittee to approve a permanent reauthorization of the Zadroga Act. As you will recall, the path to enactment of the first Zadroga Act took many years, and was approved as literally one of the last actions of the 111th Congress. Over the course of the past four years, however, the WTCHP has proven its effectiveness in monitoring and treating WTC-related illnesses in law enforcement officers and other first responders. The WTCHP has functioned on budget and as intended by Congress. In short, it has exceeded the expectations of its strongest supporters in providing nationwide health care services for 9/11 health conditions, and it has countered the apprehensions of its strongest critics.

Finally, a “permanent reauthorization” of the Zadroga Act is really permanent in name only. There are not children being born today with 9/11-related health conditions, nor are there individuals suffering new exposures to the 9/11 toxins. With the number of 9/11-related deaths among WTCHP enrollees and the first responder community increasing, there will be an end to the Zadroga Act’s programs. And it will likely be upon us much sooner than we would want or hope. It is for these reasons and many others that we request Congress permanently reauthorize the Zadroga Act, and guarantee that the WTCHP will continue to be available to the first responders who need it most, and for as long as they need it.

In conclusion, Mr. Chairman, despite the strides that have been made to care for those who are ill and the families of the fallen, there is still more to be done. The WTCHP continues to identify illnesses caused by exposure to the toxins at Ground Zero, first responders continue to be diagnosed with WTC-related illnesses, and first responders continue to die from 9/11. With the deadline for reauthorization getting closer each day, we would urge this Subcommittee and the full Committee to approve H.R. 1786 and permanently reauthorize the Zadroga Act as expeditiously as possible.

We appreciate the opportunity to provide this testimony to the Subcommittee. The SBA stands ready to work with you and other Members on this important legislation.

Attachment 1

On May 7, 2015, the New York City Police Department (NYPD) added 18 fallen officers to the memorial Wall of Honor at the NYPD's headquarters which already lists the names of 863 fallen law enforcement officers. This year, the 18 included Detectives Wenjian Liu and Rafael Ramos, who were assassinated on December 20, 2014. Even more notable was that 14 of the 18 officers were men and women who died of a cancer related to their service at Ground Zero following the 9/11 terrorist attacks. As of today, more NYPD officers have died of a 9/11-related illness than fell on September 11, 2001. This year's honorees are:

Captain Ronald Peifer

Command: Patrol Services Bureau

Date of Death: 03/15/14

Cause: Liver Cancer

Captain Ronald Peifer died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Captain Peifer had served with the New York City Police Department for 40 years. He had previously served with the United States Air Force during the Vietnam War, and was assigned to the NYPD's Patrol Services Bureau. He is survived by his wife and two children.

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Sergeant Paul Ferrara

Command: 110th Precinct

Date of Death: 08/28/14

Cause: Lung Cancer

Sergeant Paul Ferrara died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Sergeant Ferrara had served with the New York City Police Department for 22 years and was assigned to the 110th Precinct. He is survived by his wife and son.

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Sergeant Donald O'Leary

Command: Transit Bureau-District 11

Date of Death: 03/26/14

Cause: Lung Cancer

Sergeant Donald O'Leary died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Sergeant O'Leary had served with the New York City Police Department for 21 years and was assigned to Transit District 11. He is survived by his wife.

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Detective Angel Creagh

Command: Narcotics Bureau

Date of Death: 01/14/14

Cause of Death: Pancreatic Cancer

Detective Angel Creagh died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Detective Creagh had served with the New York City Police Department for 14 years and had to retire in 2012 due to his illness. He was assigned to Narcotics Borough Brooklyn South. He is survived by his wife and four children.

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Detective Michael Henry

Command: 42 Precinct Detective Squad

Date of Death: 11/28/13

Cause of Death: Kidney Cancer

Detective Michael Henry died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Detective Henry had served with the New York City Police Department for 20 years and was assigned to the 42nd Precinct Detective Squad. He is survived by his wife and son.

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Detective Steven Hom

Command: Narcotics Bureau

Date of Death: 10/19/13

Cause of Death Stomach Cancer

Detective Steven Hom died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Detective Hom had served with the New York City Police Department for 18 years and was assigned to Narcotics Borough Brooklyn South. He is survived by his parents and two brothers.

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Detective John Marshall

Command: Narcotics Bureau

Date of Death: 04/06/14

Cause of Death: Skin Cancer

Detective John Marshall died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Detective Marshall had served with the New York City Police Department for 20 years and was assigned to Narcotics Borough Brooklyn South. He is survived by his wife, mother, and sister.

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Detective Robert Montanez

Command: Narcotics Bureau
Date of Death: 03/16/14
Cause of Death: Bone Cancer

Detective Robert Montanez died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Detective Montanez had served with the New York City Police Department for 19 years and was assigned to the Narcotics Division Bronx Central Initiative. He is survived by his wife and four children.

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Detective Christopher Strucker

Command: Intelligence Division
Date of Death: 01/03/14
Cause of Death: Lung Cancer

Detective Christopher Strucker died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Detective Strucker had served with the New York City Police Department for 18 years and was assigned to the Criminal Intelligence Section. He is survived by his wife and two children.

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Detective William Titus

Command: Narcotics Bureau
Date of Death: 08/24/03
Cause of Death: Stomach Cancer

Detective William Titus died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Detective Titus had served with the New York City Police Department for 17 years and was assigned to Narcotics Borough Brooklyn North. He is survived by his wife and two children.

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Police Officer Anthony DeJesus

Command: 42 Precinct
Date of Death: 05/24/13
Cause of Death: Leukemia

Police Officer Anthony DeJesus died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Officer DeJesus served with the New York City Police Department for 15 years and was assigned to the 42nd Precinct. He is survived by his wife and two children.

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Police Officer Nicholas Finelli

Command: 43 Precinct

Date of Death: 06/08/13

Cause of Death: Esophageal Cancer

Police Officer Nicholas Finelli died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Officer Finelli served with the New York City Police Department for 30 years and was assigned to the 43rd Precinct. He is survived by his wife and two children.

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Police Officer Allison Palmer

Command: Patrol Services Bureau

Date of Death: 07/28/08

Cause of Death: Stomach Cancer

Police Officer Allison Palmer died from illnesses she contracted while inhaling toxic materials as she participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Officer Palmer served with the New York City Police Department for 23 years and was assigned to the Patrol Service Bureau. She is survived by her mother.

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Police Officer Perry Villani

Command: Property Clerk Division

Date of Death: 01/21/14

Cause of Death: Lung Cancer

Police Officer Perry Villani died from illnesses he contracted while inhaling toxic materials as he participated in the rescue and recovery efforts at the World Trade Center site following the terrorist attacks on September 11, 2001. Officer Villani served with the New York City Police Department for 16 years and was assigned to the Property Clerk Division. He is survived by his wife and two sons.

Source: NYPD and Officer Down Memorial Page (www.odmp.org)