

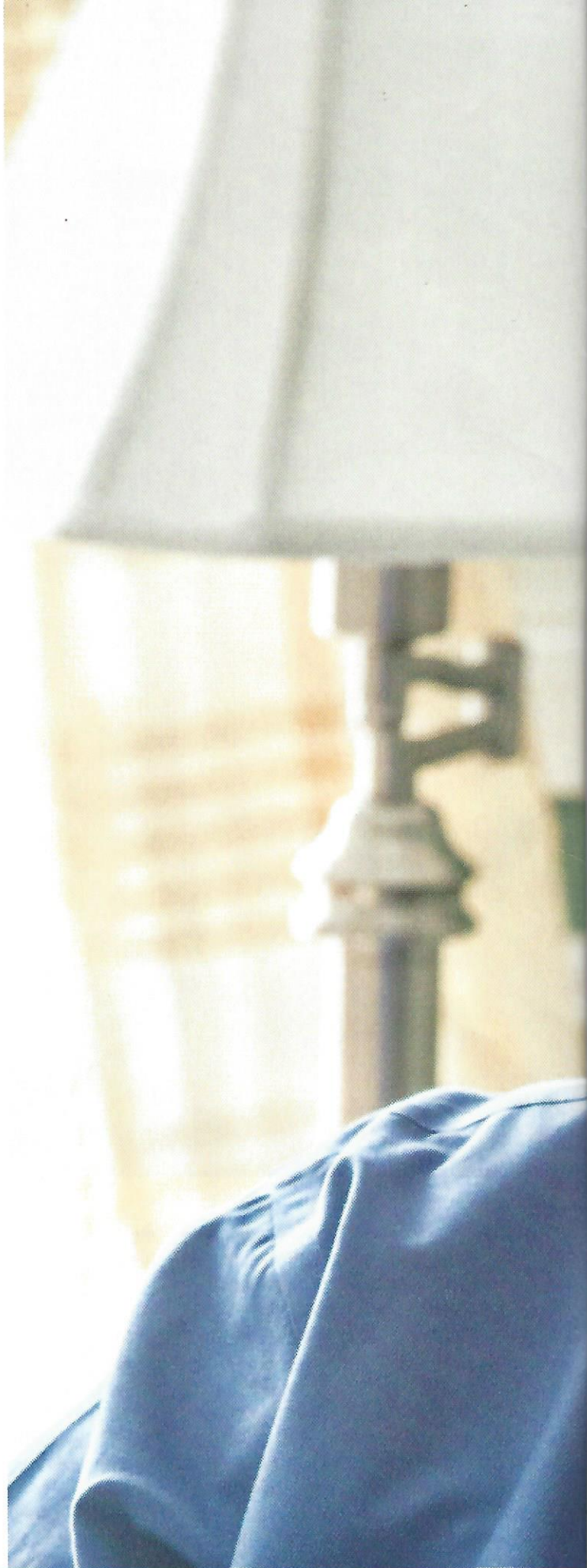
Fifteenth in a series

THE FORGOTTEN VICTIMS

David Howley insists he is optimistic. He admits he has to work at it, both personally and politically, but optimistic he remains.

The 54-year-old retired Highway Patrol officer has to make an effort to keep his spirits up because of two far too familiar facts: He is yet another of the NYPD's first responders to contract cancer after his exposure to the toxins released into the air by the 9/11 attack on the World Trade Center, and once again the U.S. Congress is dragging its feet on coming up with funds to cover the medical treatment of the disaster's victims. This time around, the political issue is about extending the Zadroga Act, signed into law by President Obama in January 2011 following filibustering of the bill by out-of-state Republicans on the grounds that the country couldn't afford the \$4.2 billion involved. An alliance of New York State Democrats and Republicans has now called for the legislation to fund the law beyond its present term for an additional five years, perhaps as far as into 2025, arguing that a whole array of cancers and respiratory ailments have prolonged incubation periods. In spite of medical findings supporting that contention, the budget-first boys don't want to hear any talk about extensions.

As somebody who has fought on both personal and political fronts for the Zadroga legislation for the best part



of a decade, Howley can permit himself a philosophical laugh discussing the two challenges he has had to face. But as he also made clear in a recent interview with *The PBA Magazine* in the Pittstown, N.J., home he shares with his daughter, having to be philosophical every once in a while before relentless surprises from his body and politicians hardly means being detached. What it really means, he suggests, is having to become expert in a new kind of policing.

PBA: How did you become a cop?

DH: The old-fashioned way. I'm third generation after my father and grandfather. I had some experience doing EMT work, then went to the Academy. After I graduated in 1985, I went with NSU 12, then did patrol out of the First Pct. for five years. Then came Highway Patrol for 10 years and five years in Operations. An even 20 and I was out of there. No lingering at the door.

PBA: You smiled just then when you said Highway Patrol.

DH: Why not? It was great, really great. Absolute freedom, no being tied down to any stationhouse. You escorted dignitaries all over the city, you got to talk to many of them, you got to meet just about anybody who worked for a federal agency. The start of the United Nations sessions every September was a madhouse. That was all hands on deck for our unit. When I was there, we had about 400 people. Last I heard it was down to about 25 percent of that. They must really have their hands full.

PBA: And it was pure escort work?

DH: There were differences. Sometimes you'd have a president or prime minister who had gotten death threats, and things could be more tense in those cases, especially when you had street demos. It sounds exaggerated, but going back and forth from the East Side to some diplomatic mission, you could get as many as 70 jobs a day. Granted that in many cases we had to go only a few blocks, but there was really no time to relax on some of those days. But the United Nations was just part of the job, really took up no more than a month or so.

PBA: There had to be some down things about the duty.

DH: (laughs) Sometimes we had to go out to Queens, and just like everybody else in New York, cab drivers included, I always got lost out there. Not my favorite assignment.

PBA: Of all the people you drove around, anybody in particular stick in your memory?

DH: No question. Bill Clinton. I'm not talking politically, just on a one-on-one personal level. Funniest man I ever met on the job, and maybe away from the job, too. This was before he was president, really even before he started campaigning for it seriously. I guess somebody had made a telephone call to keep an eye on him, and we bundled him into the squad car and took him to these places where he was scheduled to make speeches.

PBA: But you had already moved to Operations by 9/11.

DH: Right. And like everybody else, I can remember vividly where I was. I was having breakfast in a New Jersey diner, and over the counter they had the television on. There was no sound, so when I looked up and saw smoke coming out of the first tower, I wondered why they were showing the 1993 attack on that particular morning. I called in to the office, and they told me there was no need to come in. Then the second plane hit, and that was the end of a lot of breakfasts.

PBA: What were your duties down at Ground Zero?

DH: Oh, everything. From Operations we went back and forth every day for months. As far as immediate physical effects, the worst day was probably the very first one. The dust blew out my sinuses. And that was really it for a couple of years until I started having trouble breathing. I'd already signed up for the Mount Sinai program so I didn't waste any time getting somebody to check it out for me.

PBA: And what did they find?

DH: It was the start of something bad. First there were squamous cells in my neck and throat. Four different times over the next few years they found them. Then they got into the lymph nodes. Twice I've had radiation and chemo treatments. But all these years later they're still looking for the primary tumor area. Then to make bad worse, because of all the chemo, I had a stroke. Talking here today, I'm still numb around my neck nerves and parts of my shoulder.

PBA: What was the reaction of the NYPD to all this?

DH: Not the best. When I applied for my three-quarters, they denied it. Said all these things weren't necessarily the result of being exposed to all those poisons while on duty. That ripped it for me. I got my doctors to give me copies of my X-rays and marched them into these guys and said, "Here, what do you think these shadows are? You see them?" I guess they're right when they say pictures are worth a thousand words. They finally approved my application.

PBA: Have you had any contact with Police Plaza since?

DH: Not lately. And it's really a disgrace that the Department isn't as involved with officers on this as, say, the Fire Department is with the firefighters affected. For me and a lot of other people, it's been only the PBA looking out for us. They're the ones who guided us through all the ins and outs of insurance policies and the rest.

PBA: When did you start getting involved with the Zadroga bill?

DH: From the start. I was with the cops who went down to Washington with then-Commissioner Ray Kelly. I'll never forget sitting in the office of the person who had written the bill and noticing that there was no mention at all of cancer. The answer I got when I pointed that out was that things had to be taken in small steps, that if cancer was part of the language from the beginning, there was no chance the bill would be passed. I told them right then and there, I said this thing is pointless if you don't include cancer. The answer I got? "We're going to add it on as an amendment." That really got to me. When I testified at the federal hearing, I told them, "If you say no to us and we all drop dead of cancer, you'll have to be looking at each other for the rest of your lives. This is new to everybody. Maybe not as urgently to you as to us who were down at the Trade Center, but new to you, too, and you can't act like experienced experts. Isn't it better to err on the side of caution from the start where the cancer is concerned?"

PBA: Some of that got through.

DH: Yeah, some, but not all or else we wouldn't be having this new fight over the extension. I mean, when they finally had their noses rubbed in it, these congressmen were suddenly all up in arms about the abuses and neglect at the Veterans Administration. Well, why can't they also get it in their heads that the number of people killed instantly or subsequently as a result of the September 11 attacks are about the same number of people who were killed at Pearl Harbor in 1941? In fact, the numbers are eerily similar when you factor in the first responders.

PBA: You had only 32 Republicans in Congress voting for the Zadroga bill, and now the Republicans control both Houses of Congress. What is there to be so optimistic about when you're looking for an extension?

DH: I know what it looks like on paper. But we still have a couple of years to get this thing turned around. I really want to believe that the opposition we've encountered isn't because of simple stupidity or pure antagonism, but

just some tendency to feel safe, not to be out there advocating more spending when the country has economic problems.

PBA: But even before the ideological freeze between the parties of recent years, you always had that Drop Dead, New York attitude among many congressmen from other parts of the country.

DH: I know. Nobody said it was going to be easy.

PBA: And practically? What's your first step?

DH: It's got to be one on one. Talk to the Republicans in New York and New Jersey, for instance. Make our case to them individually, get them to understand that those first responders didn't worry about what party they belonged to before they exposed themselves to the toxins that have been killing them ever since. Then hope you've made your case persuasively enough to them that they can make it to colleagues not within our immediate grasp. You reach out for more reaching out.

PBA: And you think that will take.

DH: Absolutely. The people who are still well among those affected are willing to keep up the fight. We've seen too many people die. Nobody can stay indifferent to that, can they? ■

BIG WIN FOR WTC BENEFITS

PBA secures extension of Notice of Participation filing deadline

In the January 2014 issue of *The PBA* magazine, we profiled Robert Healy and Don Belefiori, two retirees suffering from 9/11-related cancers who were shut out of an accident disability pension due to their failure to file a Notice of Participation with the Police Pension Fund before the 2010 deadline.

After years of PBA lobbying to reopen the Notice of Participation process, there is finally good news for Healy, Belefiori and members like them: In November, Gov. Cuomo signed a PBA-backed bill that will extend the deadline until **September 11, 2015**. This means that active and retired members who have not already filed the notice may now do so in order to protect their presumptive eligibility for accident disability pension benefits.

To complete the Notice of Participation or to check whether your notice was received by the Police Pension Fund, visit the PPF website at www.nyc.gov/nycppf and click on "WTC Information."