

Written Testimony for Judiciary Committee Hearing, June 11, 2019

Good morning Mr. Chairman and members of the committee:

My name is Thomas J. Mohnal and I began my career with the Federal Bureau of Investigation (FBI) on January 3, 1980 and retired on May 30, 2010 as a Supervisory Special Agent – Explosive and Hazardous Device Examiner in the Explosives Unit of the FBI Laboratory. On June 1, 2010, I began employment with Bode Cellmark Forensics as an Explosive and Hazardous Device Contractor for the Explosives Unit of the FBI Laboratory, Quantico, Virginia.

As an Explosives and Hazardous Device Examiner in the FBI Laboratory my principal role was to examine evidence pertaining to the criminal/terrorist use of explosives and improvised explosive devices (IEDs). I have been responsible for the supervision, management, and/or coordination of forensic examinations and have provided technical and investigative support for several hundred highly complex bombing/terrorism investigations, to include: The 1993 World Trade Center bombing, bombing of the Oklahoma City Federal Building, the bombing at the 1996 Atlanta Olympics, the 1998 bombing of the U.S. Embassy in Nairobi, the 9/11 terrorist investigation, several Vehicle-Borne IEDs in Beirut, Lebanon, the UNABOM series from 1982-1996, and the 2005 assassination attempt on President Bush in Tbilisi, Georgia.

In the moments after the Pentagon was attacked, I became what is now known as a 9/11 First Responder. Just like the others sitting with me we did our job and we did it well beyond 100%. We did everything we could to rescue those that were trapped and, just as important, we did everything we could to find those that were missing so that their families could have the closure they so desperately wanted. We also made sure that the entire world knew that we would never back down to terrorism and we would move forward, albeit a "post 9/11 world." My life was certainly worth no more or less than the other First Responders that came to the Pentagon and whether it is Shanksville, the World Trade Center or the Pentagon, we were one then and we are one now as we sit before you. Like everyone else here today and all other first responders, I would never forget 9/11 and I always knew it would be with me. What I didn't know was what that would mean some 15 years later, when 9/11 took on a whole new personal aspect to me and my family.

On 9/11/2001 I was working at FBIHQ in the Explosives Unit, Laboratory Division and after the second plane hit the World Trade Center I was directed to go to New York City in response for the FBI Laboratory. I departed FBIHQ enroute to my residence in Manassas, Virginia, traveling on I-395 south. When I was directly across from the Pentagon in stopped traffic, at approximately 9:37am, I witnessed American Airlines Flight 77 crashing into the Pentagon. I immediately notified FBI Headquarters that a plane just crashed into the Pentagon and I immediately responded to the crash site and started lending assistance to victims in the area. The entire section of the crash site was engulfed in a tremendous fire supported from the jet fuel. I've done a lot of testing with large amounts of explosives, to include gas-enhanced explosions, but I can't even describe to you how big and intense the fireball was when the plane crashed into the Pentagon. It pretty much encompassed the majority of the Pentagon. I spent the

entire day at the Pentagon providing immediate assistance and on the early morning of 9/12/2001 I reported back to the Pentagon to begin assisting with the recovery operation and the terrorist investigation. I worked the day shift, 10-12 hour days, 5 -7 days per week, from 9/11/2001 until approximately 11/19/2001.

FBI agents and members of the Evidence Response Team from the Washington Field Office began arriving at the Pentagon quickly after the impact, fully aware that the life-saving and investigative activities they would undertake in response to the terrorist attack could put their lives in danger. Evidence Response Teams from Baltimore Maryland, Richmond Virginia, Norfolk Virginia, Charlotte North Carolina, and Atlanta Georgia also deployed to the Pentagon to assist in this terrorism investigation. It should be noted that the FBI Evidence Response Teams are made up from FBI Special Agents and FBI Professional Staff.

The jet fueled fires continued until the evening of 9/12/2001, with fires continuing for approximately a week or so. The environment during the first several days featured strong odors, fumes from jet fuel, and smoldering debris, which included plastics, fiberglass, aluminum, and due to the extreme temperature of the fires, even some types of metals. Most FBI employees remained outside the building on the first day due to the extreme hazards inside, although the smoky haze extended well outside the Pentagon's walls.

Early in the first week, I specifically remember being inside the Pentagon on the first floor collecting human remains into red Hazmat bags, and looking for other potential evidence. We would have been inhaling contaminated air from the fire, including dust from the building and chemicals from the plane to include the jet fuel. During this very crucial first week of evidence recovery, fires continued to re-ignite from the extreme heat of the original jet fueled fires. This made the recovery task very difficult and dangerous from the contaminated air and dust filled building.

I also have a very specific memory of walking through the Pentagon, from the outer ring to the inner ring, with members of the Evidence Response Teams to spend time searching for evidence near the nose of the plane. We were often leaning down over the water, breathing close to the water, to reach for something in or under the water. This water and mud contained all sorts of toxins, including but not limited to airline fuel and chemicals, as well as dust, debris and chemicals from the building, and human remains.

Later in the following weeks, I have a specific memory of working in the debris fields of the parking lots surrounding the Pentagon with members of the Evidence Response Teams. We would rake through the debris field on the ground, then squat or kneel down over it and sift through it with tools or our hands to look for human remains or smaller bits of evidence. The smallest fragments of evidence, such as an identification card of the hijackers would have provided valuable information for this investigation. This debris field would have been filled with chemicals, debris, human remains and dust from the building and airplane.

Supervisory Special Agents from the FBI Laboratory, Explosives Unit, were deployed to all three (3) of the terrorist attack sites to lend their expertise in processing major crime scenes and provide assistance to the Evidence Response Teams. Considering I witnessed one of the worst terrorist attacks on United States soil, I had an obligation to myself as well as the FBI to continue working at the Pentagon crash site until the completion and to provide as much assistance and my expertise in this terrorist investigation as I possibly could.

The last couple weeks at the Pentagon migrated into a clean-up operation, however, evidence recovery was still a major part of the this process. As contaminated debris was removed from the interior of the Pentagon, a sifting operation took place. Virtually every pile of debris was systematically searched for any possible shred of evidence.

The Explosive Unit was in charge of the evidence from all three of the crash sites. I supervised the photographing of the evidence sent into the FBI Laboratory from the Pentagon, from the World Trade Center Towers, including all evidence recovered from the land fill in New York, and evidence recovered from the Shanksville, Pennsylvania crash site. This project took place in FBIHQ and at off-site locations in Northern Virginia where some of the evidence was stored. The photography, review and physical bench notes of the evidence recovered from the three attacks took several months to complete. Special Agent Bomb Technician's from many FBI Field Offices around the country also provided assistance in this tremendous task.

On August 4, 2016, I went to the emergency room with extreme stomach pains expecting to find out I had appendicitis. In the normal course of care the doctors had ordered a CT scan to assess the situation. The CT scan verified that I had a ruptured appendix, and also indicated three (3) tumors that were consistent with Lymphoma. My appendix was surgically removed and I was later diagnosed with Follicular Non-Hodgkin's Lymphoma. Over the last 2 ½ years I had 18 cycles of chemotherapy treatment and currently on a maintenance treatment every 8 weeks. I had two bone marrow biopsies, and nine PET/CT scans, with my most recent PET scan indicating a moderate increase in size and activity in the tumors. I was certified by the World Trade Center Health Program on October 3, 2017 and have received excellent care and regular physicals through this program.

I am here today to ask why Congress believes that my life is not worth the same as those that became sick before me and some how my life is worth more than those that will most certainly come after me. The September 11th Victim Compensation Fund is not a beauty contest. It doesn't care who you are, what you did or when you did it. The guidelines are fair and based on your exposure and your illness and then compensation is supposed to be based on the illness and economic loss. It is not a lottery ticket or a get rich quick scheme. The Special Master over the years has done a great job of managing a program fairly and equally in the face of illness, death and despair. Now, because so many people are becoming sick and the funds are running out the Special Master is being forced to look at cases through different lenses based on when it was filed. That means that our lives and illnesses now have different values and meanings. THAT IS ABSURD.

One thing is certain, THE SPECIAL MASTER DOES NOT HAVE THE POWER TO FUND THE PROGRAM, I DO NOT HAVE THE POWER TO FUND THE PROGAM, NOBODY AT THIS TABLE HAS THE POWER TO FUND THIS

PROGRAM. ONLY YOU & THE COMMITTEE MEMBERS HAVE THE ABILITY GET THE FUNDING TO KEEP THIS PROGRAM RUNNING. ONLY YOU!

I have had the pleasure to come to the Capitol on several occasions now with the FEALGOOD FOUNDATION to walk the halls of Congress to ask for support of the 9/11 first responder in the VCF. What I have learned was quite eye opening, even given my exceptionally unique career in law enforcement. I have learned that every member of Congress has praised the work of first responders and 9/11 first responders. I have learned that every September 11 that every member of Congress pauses in remembrance of those lost that day and those that we continue to lose. I have learned that every member of Congress promises to "Never Forget." Despite all that I have learned from coming here I do not understand why WE have to be here today.

I am here to support my colleagues that have become sick in the past and those that will become sick in the future. There are people in this room right now that will become sick from their 9/11 exposures and die. Their families will need the support beyond the words "Never Forget." Their lives are worth less than mine because they got sick later than I did. I do not really think about those that may receive a higher award than my family does. I don't know why, but I just do not. HOWEVER, I DO THINK ABOUT THOSE THAT WILL GET LESS THAN I DO and it's a HORRIBLE FEELING.

YOU ARE PUTTING US IN A POSITION WHERE WE HAVE TO SEE OTHERS WITH THE SAME ILLNESSES GET LESS. THAT'S A HORRIBLE FEELING. MANY OF US ALREADY DEAL WITH THE QUESTION OF WHY WE DIDN'T PERISH THAT DAY OR OF ILLNESSES SINCE. THAT'S HEAVY ENOUGH. NOW WE HAVE TO THINK THAT WE MAY HAVE RECEIVED MORE THAN SOMEONE ELSE? THAT'S NOT A GOOD FEELING.

CONGRESS has the ability to fix this problem. While we all may have somewhat different 9/11 experiences, we were all together then, now and in the future. My agency is an example of how people came from all over the country to assist at the disaster sites. It is also an example of how the illnesses did not care where you responded to or where you were from. We have lost at least 16 members of the FBI to 9/11 illness from their duty at The Pentagon, Shanksville and Ground Zero. This is a nationwide issue and it must be fixed by our leaders in Congress together, as there are NO STATE LINES for 9/11 illnesses and deaths

It should also be noted that nearly every FBI Evidence Response Team in the country deployed to one of the attack sites to sift through thousands of contaminated metric tons of debris looking for any shred of evidence that may lean assistance in this investigation. Passport fragments of the Hijackers, to include the knives that were used in the attack were recovered from the crash sites. This shows the extreme dedication the members of the Evidence Response Teams had while sifting through tons of contaminated debris, knowing all along that this could possibly affect their health.

As the years have passed, the survivors and first responders of that day have had to deal with another challenging reminder of our nation's tragedy. Many thousands of Americans, First Responders, Fire Fighters, Police Officers and Volunteers have been diagnosed with severe health conditions, including cancer, in the wake of the attacks. Knowing the type of individuals that sacrificed their health and in many cases their lives, including myself, would all do the same job all over again for this country.