

**Testimony of Edward Skyler
Deputy Mayor for Administration
City of New York**

**Before
House Committee on Energy and Commerce
Subcommittee on Health**

**Tuesday, September 18, 2007
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Good morning. I want to thank Chairman Pallone, Ranking Member Deal, and the other distinguished members of the Committee for convening this hearing about those who are still suffering the effects of the September 11 attacks. I also want to take this opportunity to thank Speaker Pelosi for coming to New York last week on the eve of the sixth anniversary of the attacks. Speaker Pelosi met with Mayor Bloomberg to discuss a number of critical 9/11-related issues, and she expressed her support for addressing the urgent and unmet health needs that I will talk to you about today.

My name is Ed Skyler, and as New York City's Deputy Mayor for Administration, I've been directly involved with the City's response to 9/11-related medical conditions. As the 5-year anniversary of the attacks approached, Mayor Bloomberg asked me and our City's Deputy Mayor for Health and Human Services – Linda Gibbs – to chair a panel of experts to determine what must be done to fully address the health impacts of 9/11.

The Mayor accepted all 15 of the Panel's recommendations – I gave Congressional testimony about them in February – and over the past seven months we've been working to put them in action. In particular, the City has worked closely with New York's Congressional delegation – especially Representatives Maloney, Fossella, and Nadler, and Senators Clinton and Schumer – to incorporate these recommendations into legislation that establishes a strong and comprehensive federal response.

That's why I'm here today. On behalf of the City, I've come to express our strong support for a piece of legislation that accomplishes much of what our Panel recommended, the James Zadroga 9/11 Health and Compensation Act of 2007. This bill is named after an NYPD detective who had spent hundreds of hours at Ground Zero, and later died at the age of 34 from respiratory failure. If adopted into law, it would provide the federal funding needed to care for those who are sick, or who may become sick.

The bill would also continue vital research that will help us better understand the health impacts of the attacks, and it would re-open the Victim's Compensation Fund, which will enable the City to get out of the courtroom and focus its energies on helping those who continue to struggle with the aftermath of

9/11. In short, this bill recognizes, fully and finally, that providing health services to people who were physically injured and emotionally traumatized by an act of war against the United States is in fact a national obligation.

We've estimated that more than 400,000 people were potentially exposed to the environmental hazards and psychological trauma of the attacks, and that the gross national cost to treat those who are sick or could become sick as a result of 9/11 is \$393 million per year. That estimate covers the entire potentially exposed population, including the thousands of rescue workers and others who came to our city from all 50 states.

We also estimated that the cost merely to sustain the current treatment programs in the New York City area at their present levels and to implement the remainder of the Panel's recommendations is at least \$150 million a year – not allowing for inflation, increased incidence of disease, or the emergence of new diseases.

The funding this bill would provide is needed for two critical, interrelated purposes: first, to treat those who are sick or who could become sick as a result of 9/11. This bill provides a means to treat anyone, anywhere in the country who was affected by the attacks. A core element of that treatment is sustained funding for three "Centers of Excellence" that collectively monitor and treat more than 36,000 responders, residents and others.

Those Centers of Excellence are: the FDNY World Trade Center program; the WTC Monitoring and Treatment program coordinated by Mt. Sinai; and the World Trade Center Environmental Health Center at Bellevue Hospital – the only treatment program currently open to residents and other non-responders. I should note that the Fire Department recently opened a treatment center in Staten Island – in Congressman Fossella's district – to provide better services to those who were injured as a result of the attacks.

Second, this bill ensures that critical 9/11-related research continues. Long-term research is the only way that we're going to be able to develop a full understanding of the health impacts of 9/11. The Centers of Excellence have all contributed to research efforts – including studies released by clinicians at FDNY, Mt. Sinai and the Bellevue program.

The City's Health Department has also partnered with the federal government to establish the World Trade Center Registry – the largest effort of its

kind in history – which includes over 71,000 people from every state in the country and from almost every Congressional district. More than a quarter of the people in the Registry – almost 20,000 individuals – are from outside New York State. This reflects the large number of people from throughout the country who came to New York’s assistance after the attacks.

Two large studies released last month based on Registry data continue to show how serious the health impacts of 9/11 are. One shows that 3.6% of 25,000 previously asthma-free rescue and recovery workers in the Registry developed asthma after working at the World Trade Center site – 12 times the national average. And a second study shows that more than 12% of rescue and recovery workers – about 1 in 8 – developed Post-Traumatic Stress disorder after working at Ground Zero.

The James Zadroga 9/11 Health and Compensation Act will provide the necessary resources to fund all of these services – but while we wait for Congress to act, the City is not waiting to make sure that people get the health care they need. In fact, in response to the Panel’s Report, the Mayor increased City spending for 9/11-health related programs six-fold in the current fiscal year, to more than \$27 million. And, in the absence of long-term federal support, he committed nearly \$100 million to these programs through FY 2011. Nevertheless, all of these programs remain in danger of being discontinued unless they receive the full and predictable source of federal funding which this bill provides.

Finally, I’d like to address how this bill will fulfill another core recommendation of our Panel: the urgent need for Congress to reopen the Victim Compensation Fund. Between 2001 and 2004, the Fund provided compensation to nearly 3,000 families of those who were killed or injured on 9/11 or in the immediate aftermath of the attacks. It was a fair and efficient process that provided a measure of relief to victims’ families.

Now it is imperative that the Fund be reauthorized to take care of those who were not eligible to benefit from it before it closed in December 2003. The fact that their injuries and illnesses have been slower to emerge should not disqualify them from getting the help they need.

Even if we provide them health care, many of these people have suffered other losses. Some can no longer work. Some have lost their homes. They shouldn’t be forced to go to court to get compensation. That would not only compound their pain; it would also result in costly and protracted litigation that

ultimately would distract us from our primary mission of giving real help to those in need.

The fundamental point is that compensating people who were hurt on 9/11 shouldn't be based on a legal finding of who is to blame. We know who is to blame – 19 savages with box cutters. I am here today because New York City would rather stand with those who've filed suit, rather than against them in a courtroom. There is no reason why people injured on 9/11 should now have to go to court and prove liability. Proof of harm should be enough to receive fair and fast compensation.

What's more, reopening the Fund would send a clear message that if – God forbid – America suffers another terrorist attack, the private sector and our first responders could respond with the same kind of determination that we saw on 9/11, knowing that their government will always stand by them. If we leave the issue of compensation to the courts and the tort system, we risk bankrupting those who responded – either the individuals or the companies. We simply shouldn't be so callous to those who responded in the nation's time of need.

In sum, the James Zadroga Act represents a vital lifeline to the men and women who risked everything, and helped lift our nation back onto its feet during our time of greatest need. That's why Mayor Bloomberg and his Administration are pledging to work with you all and do everything possible to make it a reality.