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Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce Manager's Amendment in the Nature of a Substitute to "H.R. 847, the James Zadroga 9/11 Health and Compensation Act" May 25, 2010

Every year on September 11, the nation remembers the thousands of people who died on that day in 2001 when terrorists attacked the United States. The legislation we are considering today addresses a legacy issue of great humanity from that awful day. Passing this bill is the right thing to do.

H.R. 847, the James Zadroga 9/11 Health and Compensation Act will take care of the thousands of first responders who rushed to the World Trade Centers to save as many people as they could, and who been sickened as a result of the toxic clouds that enveloped lower Manhattan in the wake of the attacks. The legislation will also provide health care for the thousands of people who lived and worked in Lower Manhattan at the time of the attacks.

This legislation honors those responders to the attacks, those from all walks of life who survived the attacks, and those whose illnesses as a result of that terrible day will require continuing care in the years ahead.

This legislation will ensure that those people who have gotten sick from the debris and toxins released as the World Trade Center towers came down get the health care that they need. The bill establishes a program to provide health care from qualified experts to the first responders and other survivors of the attacks. The bill would also monitor the health of first responders and survivors who may develop illnesses related to the 9/11 attacks. The bill also authorizes research to understand what the health effects of the exposures to the toxic debris of the World Trade Center towers are.

The bill requires that the City of New York contribute 10 percent of the cost of the program, and the overall cost of the program will be capped at \$5.1 billion.

The legislation has bipartisan support. Dr. Burgess, Mr. Murphy, and Mr. Shadegg supported it in subcommittee. I am hoping that more of our colleagues across the aisle will vote for the bill today.

To that end, the amendment I am offering makes significant changes in response to concerns raised by our Republican colleagues. The amendment includes provisions to ensure greater accountability and efficiency in how health services are provided. The amendment also gives greater flexibility to the Secretary of Health and Human Services to determine which agencies should carry out certain functions of the program.

In addition, the amendment strengthens the bill's language regarding New York City's payment obligation. Under the amendment, the City must enter into a contract with the program Administrator before the program would begin receiving federal funding. Payments the City makes under its own workers' compensation program would not count toward its obligation to pay for 10% of the World Trade Center health program.

The amendment would sunset the program after 10 years. The amendment also establishes annual spending caps to ensure that funds are available throughout the life of the program.

The amendment would increase the number of people allowed into the program from 15,000 to 25,000 each for both the responders and the survivors.

Some members have expressed concern about the fact that this bill creates mandatory spending. Let me be clear, this bill will be paid for. We will work with the members of the Ways and Means Committee to make sure that there is an appropriate offset before this bill goes to the floor.

This is a very important piece of legislation that is the result of years of dedicated work by the New York congressional delegation and by the Health Subcommittee Chair, Rep. Pallone. I would like to thank them for all they have done to get us to this markup today. I urge my colleagues to support this amendment.