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August 25, 2005

The Honorable Michael O. Leavitt  
Secretary  
The U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

The Honorable Michael Chertoff  
Secretary  
U.S. Department of Homeland Security  
Nebraska Avenue Center, NW  
Washington, D.C. 20528

Dear Secretary Leavitt and Secretary Chertoff,

Following the terrorist attacks of September 11, 2001, medical monitoring programs were funded by federal grants to monitor the health of 9/11 responders and residents. The largest of these programs is the World Trade Center (WTC) Medical Monitoring Program. This program was established by a Federal Emergency Management Agency (FEMA) grant and a subsequent federal appropriation obtained by the New York Congressional Delegation after a protracted battle with the administration. This program provides physical screenings of rescue workers, volunteers, and area residents around the country through a consortium of medical institutions and has a specific program for the monitoring of New York City firefighters. This program has screened over 14,000 individuals, and reports that approximately 50% of screened individuals still suffering adverse health effects directly related to 9/11. Despite the fact that the WTC Medical Monitoring Program is a national program and screens thousands nationwide, it is my understanding, that HHS does not allow federal employees to participate in the WTC program.

The State of New York, with a separate FEMA grant, created a program for state employees who were at Ground Zero. This program has since run out of funding and New York State employees, who want continued screening, must turn to the WTC Medical Monitoring Program. Unfortunately, the examinations performed in the original New York State program are reportedly not compatible with the WTC Medical Monitoring Program's examination. State employees who can find a spot in the WTC Medical Monitoring Program will have to undergo a new baseline screening (now almost four years since 9/11) at additional expense.

In addition to the WTC Health Monitoring Program and the now-defunct program for New York State employees, I am aware that another, limited, program was attempted for federal employees. It is my understanding that this program began in 2003 solely for baseline screening for federal employees who responded to or worked on the investigation into the terrorist attacks of September 11, 2001. This program was supposedly set up for federal employees from the FBI, Secret Service, Customs, FEMA, and other federal agencies who worked at Ground Zero or at Fresh Kills who were exposed to the many toxins released when the Twin Towers fell. It has been

reported that the number of federal employees meeting this criteria number in the thousands.

From what my office has learned about this program, these screenings were done through an interagency agreement with HHS's Office of Federal Occupational Health (FOH) and included diagnostic testing and referral. The program was funded at \$3.7M by FEMA through Disaster Relief Funds. This program did not allow for follow-up care or long-term monitoring. To date, a small group of approximately 400-600 participants have received examinations, but currently this program is not performing any further screenings or examinations. It is my understanding that a disagreement between HHS and DHS, following the transfer of the unit doing the screenings from HHS to DHS during the creation of DHS, may have caused this program to be shut down.

Based upon my understanding of this situation, I have the following questions:

1. It appears that there is currently no medical monitoring program for the thousands of federal employees exposed to the debris at Ground Zero and the Pentagon. Is this correct?
2. When the program was operating, which government agency was in charge and who were the doctors conducting the examinations? When was the last exam performed?
3. What are your Department's plans for monitoring and screening of federal employees?
4. Should these examinations continue, which agency is in charge of this program? Who will the doctors be?
5. What will be the coordination with the WTC Medical Monitoring Program to ensure examination data will be compatible, unlike the New York State program?
6. In the initial attempt to create a medical monitoring program, a group of 400-600 individuals were screened. How were these employees selected?
7. What is the estimated number of federal employees exposed to debris at Ground Zero or at Fresh Kills landfill on Staten Island?
8. Why did the program only allow for baseline screenings and not for follow-up care or long-term monitoring?
9. How is this a medical monitoring program if only a baseline exam done?
10. What were the results of the 400-600 baseline exams completed?
11. It is my understanding that this program was funded with a \$3.7 million grant. How much of this funding is still available? Is there a budget for the use of the remaining funds?

12. Under what protocols did the screening program operate? How were they developed? Can you provide a copy of them?
13. Has there been a cost estimate for a medical monitoring program of all exposed federal employees? If not, why not?
14. Since the WTC Medical Monitoring Program was established to perform medical examinations through a consortium of medical institutions around the country, why were federal employees barred from participating in this program?
15. Are there any plans to use the expertise and resources of this program for federal employees?
16. Will the screening program for federal employees be compatible with the WTC Program?

I am sure that we can all agree that the health of every individual who responded to the terrorist attacks of September 11, 2001, must remain a priority. It is clearly disturbing that, four years after the attack, it seems that federal employees' health care is not being addressed. Considering the importance of this issue, I urge your immediate attention to this matter.

If you have any questions please do not hesitate to contact me or have the appropriate staff member contact Edward Mills of my staff at (202) 225-7944.

Sincerely,

  
CAROLYN B. MALONEY  
Member of Congress