

# Congress of the United States

Washington, DC 20515

January 4, 2007

The Honorable Michael B. Mukasey  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Attorney General,

More than a year ago, we sent former Attorney General Gonzales applications for the Public Safety Officers' Benefits Act (PSOB) Program from five heroes of 9/11—David Sullins, Marvin Bethea, James Dobson, Michael Roberts and Bonnie Giebfried—private hospital paramedics and EMTs who responded to the terrorist attacks on the World Trade Center (WTC). In addition, the Department of Justice later received an application from Scott Beloten, who was also dispatched to the WTC on 9/11.

In the time since the Department of Justice received the applications, we understand the Department has awarded Mr. Sullins' family a PSOPA survivor death benefit after he died responding to the attacks. We also believe that families of at least two other private hospital EMTs, Keith Fairben and Mario Santoro, who were also part of the New York City 911 system and were part of the response to the Trade Center attack and who died in the attack, received PSOPA survivor death benefits. We have not been able to confirm if a fourth paramedic from a private hospital, Yamel Merino who was also killed on 9/11, received the benefit as well.

We understand that the Department has not yet told the five others—Mr. Bethea, Mr. Dobson, Mr. Roberts, Ms. Giebfried, and Mr. Beloten—whether or not they will receive benefits, even though they are reportedly permanently totally disabled as a direct result of their service. Because they all had the same employment status and causation of disability or death and there is no distinction under the PSOPA between eligibility for a survivor death benefit and a total permanent disability benefit, we do not understand the unacceptable delay in telling them whether or not they will receive benefits.

Also since you received the applications, the State of New York has formally recognized work of Mr. Bethea, Mr. Dobson, Mr. Roberts, Ms. Giebfried, and Mr. Beloten at the WTC site by enacting a law that gives nine private hospital EMTs and paramedics the same benefits as municipal first responders (New York State Law 2007 Chapter 689). The "9/11 Nine," which include these five employees, have now been awarded full benefits by New York State on par with their public-sector counterparts.

Now, over a year after submitting their PSOB Program applications, these five are still waiting for an answer. The heroes of 9/11 deserve better. We ask that you make every effort to respond to their applications and inform us of the outcomes as soon as possible,

so that they can know whether or not to expect to receive benefits. If you have questions, please do not hesitate to contact Ben Chevat of Rep. Maloney's office at 202-225-7944.

Sincerely,

  
CAROLYN B. MALONEY  
Member of Congress

  
VITO FOSSELLA  
Member of Congress

  
ANTHONY D. WEINER  
Member of Congress

  
PETER T. KING  
Member of Congress

  
JERROLD NADLER  
Member of Congress