

Below is Sen. Enzi's op-ed from Sunday's Daily News (along with the NYDN Editorial on the same day). Maloney's and Nadler's responses are in italics.

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http://www.nydailynews.com/opinions/2010/12/12/2010-12-12_why_im_against_the_911_bill.html#ixzz180YGoJHY

Why I'm against the Zadroga 9/11 health bill: Sen. Mike Enzi explains his concerns with legislation

BY [Mike Enzi](#)

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Every member of the U.S. Senate supports the intent of the James Zadroga 9/11 Health and Compensation Act, which the Senate considered last week.

But as important as intentions are, the details still matter. There are serious concerns about the existing programs to help 9/11 first responders, and it is not clear that this bill fixes current problems.

Sen. Enzi opposes the Zadroga Act and says so outright in this very op-ed. If Sen. Enzi has concerns and questions about the bill, why did he and 40 of his Republican colleagues vote this week to prevent the Senate from debating it? A debate would be an ideal forum to hash out the details of a bill.

Senator Enzi says that he supports the intent of the Zadroga Act, but in truth he has done nothing to address the health problems of 9/11 rescuers and survivors in the 9+ years since the attacks. The main thing Senator Enzi has done is to try to prevent the Zadroga Act from passing in this lame-duck session, which would effectively kill the bill.

Congress has funded numerous programs to provide care and compensation to 9/11 victims, spending several billion dollars on extraordinary and unprecedented efforts. Congress will continue to support these individuals. However, current program administrators have failed to account for much of the previously allocated money.

Before we create a new program, we need the basic facts about what worked and what did not work over the past nine years.

The Bush Administration and nearly all Congressional Republicans outside New York opposed creating and funding the 9/11 health programs. The New York Congressional delegation had to fight for every penny to help ailing 9/11 responders and survivors, and forced the Bush Administration to set up 9/11 medical monitoring and treatment programs.

Since 2001, the federal government has spent [\\$475 million to provide medical treatment and monitoring](#) for the tens of thousands of Americans who are sick because of the 9/11 attacks. These efforts are neither “extraordinary” nor “unprecedented” – Congress passed [health care and compensation for civilian rescuers after the Pearl Harbor attacks](#), and passed a [significant health and compensation program for nuclear workers](#). The nuclear workers’ program is an entitlement and to date has allocated more than \$6.5 billion federal dollars.

It’s simply not true that the 9/11 health programs have “failed to account” for their spending. Senator Enzi has been given a detailed accounting of how the \$475 million has been spent. Senator Enzi is saying that the money is not “accounted for” because the 9/11 programs haven’t provided him with information on individual health care claims, which is the kind of data a health insurance company would have. Since the 9/11 clinics are not being run as a health insurance plan, the information the Senator is asking for does not exist.

What’s more, it was the Bush Administration that set up the 9/11 clinics in this way. The 9/11 clinics are funded with block grants that pay for their overall operations, such as to hire doctors, rent space, and buy supplies. Because the 9/11 clinics are not reimbursed for individual claims like doctor visits or medical procedures, the clinics don’t generate “claims-level” data. Many federal health care grant programs operate this way, including grant programs that fund Community Health Centers and clinics that treat miners with Black Lung Disease – two programs that have been strongly supported by the Republican conference.

Of course, Senator Enzi knows all this – he’s the ranking member of the Senate health care committee and is familiar with how federal grant programs work. The charges he’s making against the 9/11 bill are pure politics.

Senator Enzi is well aware that he is asking for non-existent information. At a June 2010 Senate [HELP Committee hearing](#), Dr. John Howard, the NIOSH Director and federal World Trade Center Health Coordinator, explained the grant program structure to Senator Enzi, and told the Senator that the data he was seeking doesn’t exist. Following the hearing, Dr. Howard provided Sen. Enzi with [extensive financial documentation](#) about how the grant dollars have been spent. In addition, three of the 9/11 grant recipients - the [Fire Department of the City of New York](#), the [New York City Health and Hospitals Corporation](#), and the [Mount Sinai School of Medicine](#) - sent letters to Senator Kirsten Gillibrand stating that they account for their funding using standard, federally-mandated grant management procedures. The letters clearly state that Senator Enzi and his staff were provided years ago with all the information that’s available. Senator Enzi only started raising this issue when the bill started to move.

Interestingly, Dr. Howard actually did try to set up a system to provide claims-level data. The result? The Bush Administration canceled the program at the last minute, and didn’t reappoint Dr. Howard at the end of his term. The goals of Dr. Howard’s efforts are [extensively documented in a recent GAO report](#). When the Bush Administration thwarted Dr. Howard’s effort to generate the claims-level data Senator Enzi says he wants, no cries of outrage were heard from the Senator from Wyoming.

[There is a fact sheet on Maloney's website](#) that provides documentation of the WTC Health Program's financial accountability, including a detailed explanation of what data is available, and what accounting controls are in place now.

I would like to work with the sponsors of this legislation to try to resolve these concerns. Prior to this week's vote, the Senate Republican Policy Committee sent out an explanation of the contents of the bill. The memo stated Congress' strong support for the 9/11 heroes and also cited concerns about waste, fraud and abuse in the existing programs. The committee's summary contained contributions from the Republican staff of the committees on Health, Education, Labor and Pensions (HELP), Judiciary and Finance. Contrary to New York Daily News reports, I did not circulate a letter to discourage my colleagues from supporting this bill.

I appreciate the motivations of the bill sponsors, but rushing a flawed bill through Congress at the end of this lame duck session is not the right way to address these important issues. As a result, we are left in the situation where serious concerns have been raised and we have no real way to address them.

9/11 health bills have been before Senator Enzi's committee for years, first introduced by then-Senator Hillary Clinton in September 2006, and now sponsored by Senator Gillibrand. For more than two years, Senator Clinton's staff met with Senator Enzi's staff every few weeks to try to arrive at a bill Senator Enzi could support. The result? Nothing.

Sen. Enzi has produced zero evidence of waste, fraud, and abuse at the 9/11 health programs. Indeed, the only person saying that the funds are not properly accounted-for is Senator Enzi -- not the Government Accountability Office, not the Inspector General for HHS, or anyone else who actually oversees the programs. Here's what's really going on: Senator Enzi is trying to create the appearance of impropriety at the 9/11 programs in order to kill the Zadroga Act.

The RPC statement Sen. Enzi refers to was riddled with false statements. Again, Sen. Enzi and his staff know that the 9/11 health programs, like other federal health grant programs, do not produce the claims-level data that they are asking for. What's more, if these are legitimate concerns, why is Senator Enzi only raising them now, instead of years ago?

In order to properly address concerns with the bill, the committees of jurisdiction in the House and Senate must be allowed to do their work. The Senate Finance, Judiciary and HELP committees have not convened a single committee vote to consider this legislation. This is not a new issue. This bill has been around for several years. If the majority party really wanted to get this bill signed into law, permitting committee debate, amendments and votes would be the single best and most constructive action they could take.

There have been no fewer than [22 Congressional hearings](#) about the Zadroga Act. In addition, there have been [11 GAO reports](#) and [90 peer-reviewed studies and papers about 9/11 illnesses and toxic exposures.](#)

Much of this was done despite the fact that from 2001 to January 2007, the Republicans were in charge. At best, Republican leaders ignored 9/11 victims, and at worst they actively opposed efforts to help those who were suffering.

One of the most significant concerns about this bill is its continued reliance on the National Institute of Occupational Safety and Health to administer 9/11 health programs. NIOSH has sent \$475 million in grants to New York to pay for health care benefits. Yet to this day, NIOSH, the city of New York and the various health care providers who received grants have failed to tell Congress where that money has gone. For example, Mount Sinai Medical Center has received about \$137 million from NIOSH since 2004. Until they can show where that money was spent, it is irresponsible to give them more.

As explained above, Senator Enzi already has all the information that exists.

The proponents of this bill say it terminates the current programs and replaces them with one program run by a single administrator. In reality, the new program administrator would still be NIOSH, the same agency that has inadequately administered the program. Without the basic facts about the programs NIOSH administered for the past eight years, it is hard to design an effective program for the future.

Senator Enzi has not provided any evidence to demonstrate that NIOSH has inadequately administered the 9/11 health programs.

The American people need to know that money is being used effectively because frankly, the nation can't afford careless spending, no matter how well-intentioned. Our country is in the midst of trying to head off a short-term economic crisis and long-term deficit crisis that could deeply hurt us all. We need money to help 9/11 responders. We need money to help the men and women who are returning from the front lines of two wars. Victims of natural disasters, the poor and unemployed all warrant our attention. We owe it to all of them to use what money we have in the best way we can. In order to do that, legislators must take the time to consider, amend and vote on bills in the committees of jurisdiction.

Once again, Senate Republicans just voted in lockstep to prevent the Zadroga Act from being considered, amended, and voted on. The Zadroga Act has been before Senator Enzi's committee for years, and he has done nothing to advance it.

This bill is anything but careless spending. It does not add a dime to the deficit and is fully paid for by closing a tax loophole that allows foreign multinational corporations to funnel revenue through third-party countries in order to reduce the U.S. taxes they owe.

This is not an open-ended program. Spending for health care and compensation is capped under the bill. There are caps on number of years the health care and compensation programs can exist. In addition, there's a cap on the number of additional patients who can enroll in the health care program.

The Zadroga Act would authorize the WTC health program in law, allow individual medical eligibility and treatment determinations to be made by the federal government, and establish formal mechanisms for audits, oversight and financial reporting.

This past September 11th was the ninth anniversary of the attacks. How much more time does Senator Enzi need?

I realize that my opposition to this bill, and how it is being considered, is not a popular position in New York. I understand and appreciate the frustration of the 9/11 responders, who want to see a permanent program put in place to address their needs. But it is reasonable for senators to ask questions, get answers and amend legislation before it's rushed to the Senate floor during the final moments of a Congress.

Senator Enzi's position is also unpopular in the other 49 states that sent first responders to Ground Zero.

The bill has been in front of Sen. Enzi's committee for years – he's had ample time to ask questions. In fact, he's already gotten detailed and full responses to the questions he's raised. What Sen. Enzi is really trying to do is to kill the bill by stalling it – as the incoming Republican House majority will never let the bill get to the floor.

Tens of thousands of first responders and victims of the attacks on American soil are sick. Many are dying. They don't have time for Senator Enzi to ask another nine years' worth of questions, or to suffer more delays on legislation that could save their lives. Only in Congress would some say that nine years is an inadequate amount of time to address a pressing national issue.

Enzi, a Republican, is the senior U.S. senator from Wyoming and ranking member on the Committee on Health, Education, Labor and Pensions.

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http://www.nydailynews.com/opinions/2010/12/12/2010-12-12_pants_on_fire.html

Sen. Mike Enzi doesn't even have the guts to give his real reasons for opposing the Zadroga bill

[Editorials](#)

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It's hard to say which of the ideas expressed on the opposite page by Republican Wyoming Sen. Mike Enzi are the most offensive and the most deceitful.

His explanation for opposing legislation to provide health care and compensation to 9/11 responders is the work of a politician who refuses to say what he really means because his concealed intentions would appall all decent Americans.

Enzi should just be truthful with the thousands of rescue and recovery workers whose lungs have been scarred for life, as well as with the families of those who suffocated as a direct result of exposure to the toxic air over [Ground Zero](#).

Man up, Mike, and tell them:

The government of the [United States of America](#), as far as it is in the control of modern-day [Republicans](#), owes you nothing.

Cut through Enzi's pernicious buzz words - "serious concerns" and "waste, fraud and abuse" and "flawed bill" - and the bottom line is that as far as he is concerned, the 9/11 ill are little better than special pleaders who've been feasting on extravagance.

And the strongest evidence of Enzi's duplicity is not in what he says.

It's not in his smearing of [Mount Sinai Medical Center](#)'s invaluable 9/11 health program.

Nor is it in his slandering of the [National Institute for Occupational Safety and Health](#), an organization where [Dr. John Howard](#) courageously certified that lung illnesses were epidemic among Ground Zero workers, only to be punished by the Republicans of the Bush administration.

The evidence of Enzi's dishonesty screams instead from what he does not say.

Noting in his statement that everyone in "the [U.S. Senate](#) supports the intent of the [James Zadroga 9/11 Health and Compensation Act](#)," noting his claim that "I would like to work with the sponsors of this legislation," the Daily News put these questions to Enzi's office: "Will Mr. Enzi work in the new session of Congress starting next month to improve the 9/11 bill and get a full accounting of funds that have already been spent? If the bill is improved to his satisfaction, will he then champion the bill? Does he believe that the sick responders deserve health care and compensation from the federal government? Does he believe that this is a national responsibility?"

Enzi's press assistant responded: "[Sen. Enzi](#)'s Op-Ed is all I have right now." And that says it all.