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COMMITTEE ON CIVIL SERVICE AND LABOR

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CIVIL SERVICE AND LABOR

July 22, 2019
Start: 3:12 p.m.
Recess: 3:29 p.m.

HELD AT: 250 Broadway-Committee Rm, 14th Fl.

B E F O R E: I. DANEEK MILLER
Chairperson

COUNCIL MEMBERS:
ADRIENNE E. ADAMS
DANIEL DROMM
ANDY L. KING
FARAH N. LOUIS
FRANCISCO P. MOYA
ERIC A. ULRICH

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COMMITTEE ON CIVIL SERVICE AND LABOR

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A P P E A R A N C E S (CONTINUED)

Kimberly Flynn
Chair of the World Trade Center Health Program
Survivors Steering Committee

[gavel]

CHAIRPERSON MILLER: Good afternoon, I'm Council Member I. Daneek Miller and I am the Chair of the Committee on Civil Service and Labor. Today we will be hearing and voting on an important resolution, Resolution Number 897 calling on Congress to pass and the President to sign the, the never forget Zadroga, Pfeifer, Alvarez permanent authorization of September 11th victim compensation fund act which will fully fund and finance the victim compensation fund and make it permanent. This legislation has the full support of myself and I am.. I am proud to sponsor it along with my colleague Margaret Chin. I would like to acknowledge those of colleagues that have joined us here today, members of the Committee; Council Member Adams, Council Member King and Council Member Danny Dromm. The plain and simple reason that we are here today is because the 9/11 victim compensation fund, fund is rapidly running out of money, nearly five billion dollars in benefits have been awarded out of the 7.3 million dollar fund absent any new funding the general master of the fund earlier this year said that the existing claims that were submitted by February of this year

1 will be paid at the rate of 50 percent of their
2 value, new claims filed after February will be paid
3 at only 30 percent of their value. In response to
4 this crisis 9/11 advocates and members of congress
5 banned together to take action and work together on
6 the proposed legislation to remedy this situation.
7 House bill 1327 and the senate bill 546 would fully
8 finance the fund and extend its authorization until
9 2092 essentially, essentially making this bill
10 permanent. The number of newly diagnosed illnesses
11 among 9/11 victims is dramatically increased year
12 after year and the number of people who have died
13 from 9/11 health conditions will soon surpass the
14 number of actual people killed during the 9/11
15 tragedy. The federal legislation is desperately
16 needed to ensure that those who are promised and
17 those who... that they would be taken care of and their
18 family are compensated and that they have the
19 necessary piece of mind. Just last week Kevin Nolin,
20 Richard Driscoll became number 199 and 200 member of
21 the New York City Fire Department to die from 9/11
22 related illnesses and they were joined by retired
23 sergeant Thomas Fennessy of the NYPD who passed last
24 Friday. Resolution 897 calls upon Washington to act
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1 and pass this legislation, the house of
2 representatives passed their bill overwhelmingly by
3 402 to 12 earlier this month. The senate has
4 committed to a vote on this bill this week. This
5 Committee along with the Committee on Health, Health
6 hearings this past December on the state of health of
7 9/11 survivors, we were heard from many witnesses on
8 that day on the importance of the victims
9 compensation fund and how essential it is and how
10 necessary this funding is to meet the needs of those
11 who have filed claims. This federally funded program
12 does just that. I look forward to passing this
13 resolution out of committee and sending it to the
14 full body for the voice of the body to be held on
15 this important issue on the record. I'd like to thank
16 my Chief of Staff Ali Vasumajab; Brendan Clark;
17 Joseph Goldblum; Counsel Staff Mazet; Kevin; Kendo;
18 and Elizabeth and I would now like to turn it over to
19 my colleague and sponsor of this fine legislation,
20 Council Member Margaret Chin.

21
22 COUNCIL MEMBER CHIN: Thank you Chair. I
23 want to thank the Chair of the Committee on Civil
24 Service and Labor, Council Member Miller for allowing
25 me to say a few words about our joint resolution.

1 Council resolution 897 calls on our nation's leader
2 to permanently authorize the 9/11 victim compensation
3 fund. There are roughly 90,000 survivors and first
4 responders who are eligible for this fund, they live
5 in every state of the nation. They are teachers, fire
6 fighters, police officers, medics and they sacrifice
7 and deserve to be honored. With the funds set to
8 expire this year our country is dangerously close to
9 failing these American heroes. Sadly, for FDNY, fire
10 fighter Richard Driscoll and Detective Christopher
11 Cranston and Luis G. Alvarez it is too late. When so
12 many of their fellow New Yorkers watched horrified as
13 the World Trade Center burned, these men bravely ran
14 into the wreckage and worked tirelessly during the
15 weeks following the attacks. Unfortunately, certain
16 members of congress would rather put politics over
17 people keeping relief for heroes like Richard, Chris
18 and Luis back in the gridlock. I urge the Committee
19 to vote yes on resolution 897 and urge congress to
20 pass senator Kirsten Gillibrand and Congress Woman
21 Carolyn Maloney's never forget the heroes act to
22 permanently authorize the 9/11 victim compensation
23 fund through 2092. As the member of the legislative
24 body of New York City it is our moral duty to demand
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2 that our country delivers honest commitment to these
3 survivors and I thank Chair Miller for his
4 partnership on this resolution and I look forward to
5 the passage. Thank you.

6 CHAIRPERSON MILLER: Thank you Council
7 Member Chin and thank you for your leadership on this
8 legislation that has been ongoing and it's not been
9 easy and, and the Council is just trying to it's part
10 in it's showing that our heroes and sheroes who have
11 protected us in our time of need are properly
12 compensated, them... not just them but their families.
13 I'd also like to recognize my colleagues to the left,
14 Council Member Moya, Council Member Louis, and
15 Council Member Ulrich. With that we do have witnesses
16 to testify today. Okay, the first panel, the only
17 panel Kimberly Flynn, we will hear from Kimberly
18 Flynn.

19 KIMBERLY FLYNN: Thank you. Thank you.
20 Thank you, Chair Miller. I'm sorry sir?

21 CHAIRPERSON MILLER: Please state your
22 name for the record and... [cross-talk]

23 KIMBERLY FLYNN: Oh, I am... [cross-talk]

24 CHAIRPERSON MILLER: ...go ahead with your
25 testimony... [cross-talk]

1
2 KIMBERLY FLYNN: ...I am Kimberly Flynn, I
3 am testifying as Chair of the World Trade Center
4 Health Program Survivors Steering Committee and I
5 thank the Committee, I thank Chair Miller and I thank
6 Council Woman Margaret Chin also for her strong
7 advocacy over the years for the community that was
8 directly impacted by 9/11. As Chair of the World
9 Trade Center Health Program Survivors Steering
10 Committee, I want to express our full support for the
11 Council reso calling for the VCF to made permanent
12 and for all cuts to be restored. Survivors and
13 responders would of course prefer to have their
14 health back, compensation is something which affords
15 those who's health was permanently harmed at least
16 some measure of justice and peace of mind and time as
17 has been so eloquently observed by Jon Feal and John
18 Stewart in the past few weeks. We are so grateful to
19 our brothers and sisters in the responder community
20 for leading the fight for a permanent VCF. What are
21 the survivors steering committee? The James Zadroga
22 9/11 health and compensation act in addition to
23 federalizing the health program and reopening the VCF
24 created two stakeholder based steering committees
25 which advise the World Trade Center health program,

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2 one is the responder steering committee and the other
3 is the survivor steering committee which advises the
4 program on needing the 9/11 health needs of
5 residents, students and area workers whose health was
6 harmed by exposure to the World Trade Center
7 disaster. We are stakeholders, our goal and our duty
8 continues to be to make the Zadroga law work as well
9 as it can for survivors like responders we too are
10 seeing cancers arriving earlier and in greater
11 numbers than national statistics project, rare
12 cancers and cancers that are unusually aggressive so
13 9/11 illnesses and deaths among survivors are not in
14 the headlines, the survivor community is suffering as
15 well and I'd like to mark the passing away of long
16 time community board one member Tom Goodkind which
17 was a devastating loss to the community. As the
18 Council knows this toxic legacy is not just the
19 result of 9/11 but also a direct result of the
20 federal government's failures to protect the health
21 of New Yorkers as well as the heroic responders who
22 came to our rescue. Government agencies not only lie
23 about the safety of the area, not only failed to
24 provide a science based cleanup of downtown
25 buildings, they also spent years actively and

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2 aggressively disconnecting the dots between people's
3 toxic WTC exposures and the health impacts caused by
4 breathing in the dust and smoke. For at least a
5 decade City Hall and city agencies participated in
6 denying the dangers and as a result survivors still
7 may not know that they are eligible for Zadroga
8 benefits because they do not link their illnesses to
9 9/11. This is especially an issue for people who were
10 exposed as children. We are aware that this committee
11 has heard testimony calling for letters to be sent to
12 those attending schools in lower Manhattan on 9/11
13 notifying them that they may be eligible for
14 benefits. I can assure this Committee that three such
15 rounds of letters have been sent in the past, two by
16 the city, unfortunately enrollments in the World
17 Trade Center Health Program increased very little.
18 Our, our contention is that, you know this is... these
19 are one off efforts and people don't pay attention to
20 the information until they actually need it i.e.
21 until they're sick. The Survivor Steering Committee
22 has been working with the World Trade Center Health
23 Program to arrive at a much more comprehensive
24 approach, we have gained agreement for the program to
25 foot the bill for the creation of a new study cohort

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2 of New York City's public-school alums. The
3 Department of Education is on board and has begun to
4 provide information to the World Trade Center Health
5 registry which is housed in the New York City
6 Department of Health. The registry has begun the work
7 of contact tracing because of course many former
8 students are no longer at their former addresses. The
9 value of this project is twofold; number one, former
10 students will be enrolled in the registry, like the
11 World Trade Center Health registry, they will be in
12 ongoing contact with people who can answer their
13 questions, provide them with updates and if they
14 develop 9/11 related conditions link them to their
15 Zadroga benefits. So, they.. they're going to be in
16 the pipeline going forward. Two, this registry will
17 be the basis for a study cohort, the hope is that
18 longitudinal study of a large number of people
19 exposed as children will help fill the longstanding
20 knowledge gaps about how the WTC disaster has
21 affected the physical health of those who experienced
22 it as children. Right now, the World Trade Center
23 Health Program's research knowledge is based almost
24 entirely on a population of adults. As the past 26
25 years of pediatric, environmental medicine have made

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2 clear, children are not just little adults, for one
3 thing the fact that they are still developing means
4 that they are far more vulnerable to harm from
5 environmental exposures. It stands to reason that the
6 unprecedented toxic exposures of 9/11 had the
7 potential to hurt their health in same ways that are
8 different than adults. We all need to know what is
9 happening to this group over the long term and
10 remember that the World Trade Center Health Program
11 can only add new conditions for care when there is
12 sufficient research evidence and the VCF will only
13 compensate for physical conditions certified by the
14 World Trade Center Health Program. Lacking the
15 research evidence will block these survivors, these
16 young adult survivors' access to Zadroga benefits
17 that they need and deserve, and this is a grave
18 injustice that we all have to prevent. We as SSC
19 would like an opportunity to discuss ways in which
20 the Council can help this effort as well as others.
21 Once the VCF extension is passed and signed, god
22 willing, we will all breathe a deep collective sigh
23 of relief, you will hear that nowhere more loudly
24 than in Lower Manhattan then we as a survivor
25 committee will go back to the job of ensuring that

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survivors understand and can access their Zadroga benefits and we call on the Council to help, we would be so grateful for your help. Thank you.

CHAIRPERSON MILLER: Thank you very much for your testimony and, and, and just reiterate that the Council you know the opportunity to jointly chair with the Health Committee last year a hearing that attempted to capture the emerging universe of folks that have been impacted by that particularly students and teachers and their working with the UFT and that body and so... and so the work is ongoing, this Council, this Committee is absolutely committed to that and making sure that all those that are impacted are properly compensated and that they have access to health care and all the things that, that the, the victims compensation fund will allow. So, thank you so much for your testimony.

KIMBERLY FLYNN: Thank you.

CHAIRPERSON MILLER: Any questions? Anyone want to make a statement, any.. oh, you need to save that for, for your vote, uh-huh. Okay, thank you.

KIMBERLY FLYNN: Thank you Chairman.

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2 CHAIRPERSON MILLER: William can... call,
3 call the roll please.

4 COMMITTEE CLERK: William Martin
5 Committee Clerk, roll call vote Committee on Civil
6 Service and Labor, Resolution 897-A, Chair Miller?

7 CHAIRPERSON MILLER: Proudly aye.

8 COMMITTEE CLERK: Dromm?

9 COUNCIL MEMBER DROMM: Aye.

10 COMMITTEE CLERK: King?

11 COUNCIL MEMBER KING: Just like to make a
12 statement first, I want to thank Chair Miller and
13 Council Woman Chin for this resolution. As a son of a
14 veteran many New Yorkers run away from a crisis and
15 when 9/11 hit many of our good men and women and
16 their families are still feeling the effects of their
17 family members running towards this emergency. Donald
18 Trump said in his campaign that he wanted to make
19 America great well this is your opportunity to do the
20 right thing by all Americans who suffered nine... from
21 9/11 all across America who came to join the fight to
22 save this country. There's no way to play politics
23 with this anymore, United States being one of the
24 most financially rich company.. countries on... yeah,
25 company and countries on this planet has the power to

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2 do what they can do to make sure that Americans and
3 New Yorkers are healthier and their offspring's. So,
4 I proudly vote aye and I thank you, I'm looking
5 forward to this getting signed at a higher level so
6 the funding can be restored... put, put in this fund so
7 our Americans can be okay. Thank you.

8 COMMITTEE CLERK: Adams?

9 COUNCIL MEMBER ADAMS: I vote aye.

10 COMMITTEE CLERK: Moya?

11 COUNCIL MEMBER MOYA: Aye.

12 COMMITTEE CLERK: Louis?

13 COUNCIL MEMBER LOUIS: Aye.

14 COMMITTEE CLERK: Ulrich?

15 COUNCIL MEMBER ULRICH: Aye.

16 COMMITTEE CLERK: By a vote of seven in
17 the affirmative, zero in the negative and no
18 abstentions the item has been adopted by the
19 Committee.

20 CHAIRPERSON MILLER: I want to... yep, I
21 just wanted to make sure everybody who had an
22 opportunity to vote voted but I want to thank my
23 colleagues for coming out and voting and hearing this
24 important issue. We... as we know that this is a very
25 time sensitive, it is my hopes and the hopes of folks

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around here that the senate will take this up in the next day or two and that it will be passed and that the relief that these folks are so deserving of will, will happen so thank you to everyone that came out, thank you for your testimony. This hearing is now adjourned.

[gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date

July 25, 2019