

**Committee on the Judiciary**

**Subcommittee on Immigration the Constitution,  
Civil Rights, and Civil Liberties**

**and the**

**Subcommittee on Immigration, Citizenship, Refugees,  
Border Security and International Law**

**Testimony of Richard Wood  
President, Plaza Construction Corporation**

**Tuesday, March 31, 2009**

**Joint Hearing on:**

**H.R. 847, The “James Zadroga, 9/11 Health  
and Compensation Act of 2009”**

Madam Chairwoman, Mr. Chairman: Good morning. My name is Richard Wood, and I am the President of Plaza Construction Corporation. My company is one of the five major construction contractors that responded immediately after our country was attacked by Al-Qaida terrorists in New York City on September 11, 2001.

I am here representing Plaza. But I am speaking on behalf of all of the prime contractors — Bovis Lend Lease, LMB, Turner Construction, Tully Construction, and AMEC Construction Management – in offering our full support and endorsement of H.R. 847, the bill before you today.

Thanks to the steadfast work of Representatives Maloney, Peter King and Nadler – as well as the tremendous efforts of Speaker Pelosi – you are considering this bipartisan bill. This bill comprehensively addresses the basic needs and concerns of those who immediately responded to the attack on our nation and our great city.

We urge your committee, as well as the Energy and Commerce Committee, to act quickly to pass this desperately needed bill. We urge Speaker Pelosi, who has been extraordinarily sensitive to our plight, to schedule this bill for a vote as soon as possible. In my mind, our federal government has the responsibility to do so. The attacks on September 11th were attacks on our country. The companies and individuals who responded immediately did so because we were attacked, and because their first concern was that of everyone: To save lives and to rescue people from the unprecedented and massive destruction caused by a foreign enemy attack.

Thousands of people showed up to help in any way they could. Our companies showed up because we had access to the equipment, the trained manpower and the expertise to best negotiate the rescue and then recovery efforts at the 14-story high pile of burning wreckage where the twin towers once stood.

I was one of those people who rushed down to help on September 11th. I worked at the site, side by side with our city's uniformed and emergency workers, construction workers, and all of the other volunteers, every day for at least a month. I came home to eat, shower and rest for a few hours when I was able to, and then I went right back. I believe this was my duty as an American. After this time, I was down at the site just about every day for the next few months laboring and organizing the clean up efforts. All of the contractors — our executives, engineers, and workers — did so at the expense of running our companies' businesses.

On the morning of September 11th, I was in a meeting at the offices of Fisher Brothers on Park Avenue and 49th Street. As many of you know, the Fisher family lends tremendous support to our nation's military and their families. At the time of the first strike, we all thought that a small plane had crashed into the side of one of the World Trade Center buildings. When we learned that the second tower had been hit, Mr. Arnold Fisher ended the meeting and we turned on the television to watch the coverage. We knew immediately that our country was under attack by terrorists.

While construction is my business and I knew that the fires would have a dramatic impact on steel structure of the towers, I did not imagine that the towers were going to fall as they did. I received an urgent call from Plaza's offices and I returned there immediately. When I arrived, I addressed a group of nearly 100 people gathered in our reception area, many of whom were crying. I told them to go home to their families and to make sure everyone is safe – and then to return here to work the next day. I told them that we could not and would not let those who attacked us win by allowing their actions to alter our lives. Someone came up to me and said "Go see Mills," referring to Chris Mills, a colleague and a friend.

Chris was sitting in my office with his head in his hands. "She's gone," he said. "She's gone." He told me that he had been speaking on the phone with his girlfriend, Danielle, who was on the 104th floor of the North Tower, just before it collapsed. Chris said he didn't know what to do. I went back out to the reception area and told people about Chris and Danielle. I told them that I was going downtown to help, and that anyone who wanted to should come with me. A number of us headed down to the site. I told those remaining at our offices to call the unions and tell them to mobilize and start sending people down. I knew we needed to assist in what was sure to be a massive rescue operation.

I attended meetings downtown with the other prime contractors and the City's Department of Design and Construction (DDC). The contractors assisted the DDC and emergency services personnel to get as close to the epicenter as possible to join the rescue effort. We also met with city officials, including officials from the Mayor's office. The contractors there – Bovis, Tully, AMEC, and the Turner and Plaza joint venture – were each assigned an area to organize at the direction of the DDC. We were working under the direction of the FDNY and NYPD and our focus was to rescue any survivors.

I did not for a moment think of this tragedy, this attack on our country, as an opportunity to make money. We were there, as were the other contractors, because we were attacked and because there was work that needed to be done that

we were in the best position to do. We were there because it was the right thing to do.

I can best describe what we found as a war zone. I now believe I know how a soldier must feel who has witnessed death and must continue to go on. I saw maimed bodies. I saw the torso of what I was told was a woman's body with no limbs. I saw a body with his or her face burnt off. I felt paralyzed that day.

The next day was more of the same, though the horrors were no longer new to me. Every once in a while a horn would go off, signaling an emergency. We were all supposed to run up West Street when we heard it. Hordes of people would run, and then come back. There were rumors that there were terrorists "in the wire," meaning inside the area and on "the pile." We had no feeling of security. We believed we were still under attack.

My company was operating under emergency conditions the entire time we were there. I worked alongside FBI, CIA and Secret Service agents. We were told that sensitive information may be in the pile and that it needed to be retrieved. Building #7 came down because of a massive internal fire. Steel that was cherry red from the heat was still being pulled from the pile long after September 11th. We would sometimes use it to keep ourselves, particularly our hands, warm. At one point in the fall, before our work was completed, we asked the city if we should start to work eight to twelve hour days. We were directed by the DDC to continue working 24 hours a day.

We felt like we were doing something for our country. I still know that we were, and that we stood tall at a time when our nation and the world were watching. We are proud of our accomplishments. We performed the work more safely and efficiently than anyone expected. In fact, there was not a single fatality at the site during the entire clean up – a tremendous accomplishment given the dangerous conditions at the site. And we did not do the work to make a profit. We were there because thousands of people needed to be organized and the city needed our companies and our expertise to help do that. We were there because the people of our city and our country needed us to be there.

What happened on September 11th was unprecedented. The immediate mobilization of forces from both the public and private sectors in the aftermath, however, is something from which we need to learn. When our companies, our people, our equipment and our expertise were needed, we were there. Now, as we face thousands of lawsuits that could potentially bankrupt our businesses, we need and ask for your help and support today. We all want to be in a position to help our country again if called upon to do so.

Litigation is simply not the solution to the position we all find ourselves in. The World Trade Center Captive Insurance Company, which was created by Congress, is defending our companies and the City of New York in the thousands of individual lawsuits that have been brought against us. Nonetheless, we have all been forced to hire lawyers and expend our corporate assets in these troubled economic times to defend ourselves, despite the fact that we dropped everything to answer the call for help. We came to the aid of our country, our city and its people immediately after we were attacked. And now we are being forced to defend ourselves and our companies' very existences in court.

Our companies believe that anyone who may have been injured as a result of their work on the pile – anyone who came to help others at the expense of their own health – deserves to be taken care of medically and to be fairly compensated for their injuries. These people should not be forced into the legal system to be treated fairly any more than our companies should be forced to litigate against them. Collectively, we were the ones who showed up on September 11th and beyond. Any injuries sustained were directly caused by the terrorists, and it would be an injustice to hold our companies responsible in their place.

These are some of the reasons why we support the reopening of the Victim Compensation Fund in Title II of this Bill. The Victim Compensation Fund will provide, as it did for those killed or injured on September 11th, fair compensation for the injured without raising issues of fault and liability. We can and should all agree that the fault lies with the terrorists. We may offer some technical suggestions on the provision in Title II which limits the liability of the companies, but we believe that it largely hits the mark. We want to ensure that the final language of the bill is fair and achieves the goal of fully protecting our companies as well as the injured.

We also fully support the concept of a medical program in Title I of the bill for people who were injured at the site. Ironically, I may be one who might someday qualify for that program.

I appreciate the opportunity to address you today. In closing, let me say that support for this bill should be universal. There should be no divide along party lines. I submit to you that this bill protects Americans, both individuals and companies, who served their country in a time of crisis. And this bill also protects America. In the event that some future attack or disaster should occur, people and companies need to know that their country, which they are striving to protect, will do the right thing and protect them in return. The injured need care and support, and the companies – upon which so many people rely for their livelihoods and

support for their families – need to know that the next time they are needed they can again respond without a moment's hesitation.

I ask all of you, and all members of Congress, to appreciate both the substantive importance of this bill as well as the need to move it quickly to passage. The situation of protracted litigation in which we now find ourselves is wasteful and protects no one. Our resources are better spent caring for the sick and protecting those who deserve our protection.

Thank you.