

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS



STATEMENT OF

**MR. NICHOLAS VISCONTI
DEPUTY CHIEF
FIRE DEPARTMENT, CITY OF NEW YORK**

BEFORE THE

**HOUSE COMMITTEE ON
HOMELAND SECURITY**

ON

**PROTECTING THE PROTECTORS: ENSURING THE HEALTH
AND SAFETY OF OUR FIRST RESPONDERS IN THE WAKE OF
CATASTROPHIC DISASTERS**

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Thank you Chairman Thompson, Ranking Member King, and distinguished members of the Committee for the opportunity to testify before you today. My name is Nick Visconti, and I currently serve as Deputy Chief of the New York City Fire Department. I am pleased to appear before you today on behalf of the International Association of Fire Fighters (IAFF) and the more than quarter million full-time emergency response personnel who comprise our organization.

Whenever and wherever disaster strikes, America's professional fire fighters and emergency medical personnel are on the front lines working tirelessly and heroically to save lives and protect the public safety. As we have witnessed, whether responding to a bomb in Oklahoma City, an earthquake in San Francisco, massive flooding in the Gulf Coast or terrorist attacks on the World Trade Center, the men and women of the IAFF are the first to arrive on the scene and the last to leave.

Like virtually every other member of the New York City Fire Department, I responded to the World Trade Center on September 11, 2001. Although I was not scheduled to be on-duty that day, when the planes hit, every New York City fire fighter was mobilized. Initially, it was my job to establish a staging area for first responders at Shea Stadium. When I arrived, we had no equipment or material to set up a staging area. We rushed to collect needed supplies, record the names and units of the Fire Officers and fire fighters who responded, and began to delegate responsibilities. Having nothing on hand, we borrowed what we could from the NYPD detail at the stadium. As hundreds of fire fighters began assembling at the stadium and after five bus loads were dispatched to the World Trade Center, I assigned my duties to a Battalion Chief and made my way to Ground Zero.

I arrived somewhere around thirty minutes after the second Tower fell. The scene was pure chaos. Everywhere I turned, I saw fire fighters covered with debris. Our radios were screeching with urgent calls and "May-Days." An Operations Command Post had been set up, and I was immediately assigned to find the members of Ladder 6. The men of Ladder 6, including one of my best friends, had been on the fourth floor of Tower Two when it collapsed.

We began to assemble our own search and rescue teams. At that time there were no "units" available. There were only groups of Fire Officers and fire fighters from different units and different areas of the City. I pulled together people I knew personally – people I knew how to work with – and began my search. Somehow, I was able to quiet the chatter on the radio long enough to contact the missing company – amazingly – I received an answer. They didn't know the entire building had crumbled around them. Thinking that they had only experienced a localized stairwell collapse, they asked that someone respond to a mayday they had received from fire fighters on the twelfth floor. I couldn't bring myself to tell them that there was no twelfth floor – there was only the mound that was once the North Tower. As we conducted a futile search for a stairwell which no longer existed, the men of Ladder 6 were miraculously able to dig themselves out from the rubble. I can only imagine what they felt when they realized what had happened.

That was the first and last miracle I experienced that day.

During this time fire officers were establishing command posts around the perimeter of the pile, but it was difficult to keep track of all personnel on scene. I must repeat that there was little to no unit integrity. The mainstay of Fire Department operations is organization. People know who is in command; they know their immediate supervisor and they know their role in the work at hand. Fire Department radio communications, despite the fact that the Towers had collapsed, were intermittent and jammed with individual messages. Furthermore, we lacked even the most basic of necessities. There was no water. There was no hose, there were no trucks. There were no stretchers or body bags in which to place the bodies we expected to find. We also expected to find survivors. Sadly, there were none. Only on the following day was a woman rescued from what was left of the North Tower. To the best of my knowledge she was the last.

I was assigned to set up an operations post on the south side of the collapsed North Pedestrian Walkway. We accessed the collapse field through a window of a World Financial Center building. The first priority was to organize the group and the others flowing into the debris field. Everyone was trying to do something; to accomplish anything we had to work together. As my group and I made our way around our assigned area, I looked down and found myself walking on the roof of a fire engine. When we searched the remains of that Engine we found the bodies of two members of the FDNY. A short time later, as the group that I commanded searched the debris field, a fire fighter, who was just off to my side, yelled out that he had spotted some well-shined shoes in the debris. This discovery led to the removal of the body of Chief of Department Peter Ganci. Almost at the same time the search of another pile of debris uncovered the body of William Feehan, the First Deputy Fire Commissioner. The two highest ranking members of the Fire Department were found no more than twenty-five feet apart.

And so it went for the next several hours: digging through debris, trying to bring some order to unimaginable chaos, finding the bodies of not only our friends, our brothers, but also the civilian victims of the attack. I'd like to add that when a body was discovered and removed, it was done with the utmost respect and care, regardless of the identity or affiliation of the individual. At no time were we only seeking our Brothers; we wanted to find each and every victim.

At about 4:30 PM the Operations Chief notified all Sector Commanders to evacuate the entire area of the debris field. The Chief had enough evidence to suspect that WTC 7 would collapse. Under normal circumstances, an evacuation order would have been transmitted over the handheld radios that are carried by officers and fire fighters. At this horrific landscape, successful radio communications were intermittent, most fire personnel did not have radios, we had no radio communication with other agencies that were working in the debris field, and there were many construction workers and others with whom we had no communications at all. To evacuate the area as rapidly as possible, the order to evacuate was transmitted repeatedly; Fire Department members were ordered to evacuate and to notify anyone with whom they had contact to leave the area. It was necessary to send individual "runners" to groups of people working throughout the area who did not receive the order. WTC 7 collapsed around 5:30 PM without further injury or death.

At 11:00 PM I took my first break of the day. I found a phone and called my wife and family to tell them that I was OK. Then I went back to the pile. For three days, I did little else,

occasionally catching a couple of hours of sleep at a firehouse before returning to the nightmare of that pile.

On that darkest day, we lost 343 brother fire fighters. And as hard as it is to acknowledge, I know that illness and disease from hazardous exposures at Ground Zero will take yet more from us.

It is from this perspective, the perspective of one man who responded on that awful day, that I wish to address the health and safety risks faced by first responders during major disasters.

The terrorist attacks of September 11 and the devastation wrought by Hurricane Katrina fundamentally changed the way our nation views emergency response. Prior to these seminal events, public safety was viewed almost exclusively as a local government function. No more. Americans now fully understand that homeland security is a vital federal government responsibility, and Congress has rightly acted to improve the manner by which our nation responds to major disasters. But while the federal government has focused on how to better protect our nation's communities, citizens, and property, we have yet to focus on how to better protect the individuals who respond to major disasters in any comprehensive way.

The fact of the matter is that, in today's post-9/11 world, local first responders play the most significant role in the federal response to large-scale disasters. As the federal government continues to ask more of its first responders, we owe it to them to ensure that our nation's policies and priorities enable their safe and effective response.

The Response to the World Trade Center and Hurricane Katrina: Lessons Learned

On September 11, there was nothing we could have done to have saved the Towers from falling, or to have saved the lives of those on the Towers' highest floors. But we could have, and we should have, saved 121 fire fighters who couldn't hear evacuation orders because their radios weren't working. We could have, and should have, lessened the health impact on responders by providing them with proper respirators and protective gear from day one. We could have, and should have, operated under a unified command system staffed by well-trained and well-prepared emergency response professionals.

The tragic reality is that these failures were avoidable. Workers were allowed on the pile without respirators, even though the air had not yet been determined safe to breathe. The City's command center, whose staff had never prepared for a high-rise fire, much less a major incident at the World Trade Center, collapsed at 7 World Trade Center, while fire fighters struggled to keep order on the ground.

Perhaps most egregious was the failure of the New York Fire Department to provide its fire fighters with radios that worked in that environment. The exhaustive study of the FDNY response to the 1993 World Trade Center bombing included several recommendations, but none more important than replacing the antiquated radios we were using. Yet, eight years later we were using the exact same radios.

Following the cataclysmic events of 9/11, our nation rightly decided it needed a better way to respond to major disasters. Congress and the Administration moved quickly and forcefully to develop new systems so that we would be better prepared for the next disaster. We created the Department of Homeland Security, the largest reorganization of the federal government in half a century. The President of the United States issued a series of Directives that were meant to change not only procedures, but the way in which we thought about emergency response, leading to the creation of the National Incident Management System (NIMS) and the National Response Plan (NRP). Money flowed to establish interoperable communications systems.

Yet, four years, billions of dollars, and countless man-hours later, our nation's new preparedness and response system failed the citizens of the Gulf Coast, and our responders, yet again. The response to Hurricane Katrina was plagued by the delayed deployment of people and resources, a lack of basic supplies, and a failed communications system.

There is, unfortunately, no quick fix to safeguard those who put their lives on the line to protect the public. If Congress wishes first responder safety to be a national priority, it will require a concerted, long-term effort to ensure responders' health and safety before, during, and after a disaster.

Before a Disaster: Preparation

The very best way to ensure responders' health and safety during a disaster is to ensure you have the right personnel, tools, and training you need before the response even begins. Every Boy Scout knows the mantra "Be Prepared." Yet, far too often, we as a nation forget that simple lesson from our childhood. Unfortunately, far too many fire fighters today lack the training, equipment and preparation they need to safely participate in a large-scale response.

The single most effective thing the federal government can do to protect fire fighter safety is assure that every fire department in the nation has a sufficient number of adequately trained and equipped fire fighters. Currently, two-thirds of all fire departments are understaffed and operating below safe minimum staffing guidelines issued by the National Fire Protection Association (NFPA). The results are tragic and harrowing.

Since 1998, the National Institute for Occupational Safety and Health (NIOSH) has investigated every fire fighter line of duty fatality. From January 1, 1998 through 2005, there were 174 fatalities from trauma, such as burns, crushing, falls and inhalation of toxic gases, at a fire scene. In almost all of these incidents, NIOSH found a lack of incident command, accountability, and most importantly, staffing as a primary cause of these line of duty deaths.

That said, having sufficient personnel on the ground would make little difference if they are not properly equipped or properly trained for the job at hand. New resources must be dedicated to develop and test new protective gear and equipment. Currently, NIOSH's National Personal Protective Technology Laboratory is developing new technologies to better protect fire fighters from all hazards, including a terrorist attack using deadly chemicals or biological agents.

Based on the innovations that emerged from NIOSH's lab and other research centers, all fire fighter respirators now protect fire fighters against chemical, biological, radiological and nuclear (CBRN) agents. And NIOSH is continuing its efforts to improve turnout gear and other personal protective gear to protect fire fighters against the dangers of the 21st Century.

Training levels must also ensure fire fighters are able to function in even the most hazardous scenarios. NFPA has recently revised its standard for hazmat training to fully incorporate response to weapons of mass destruction. We believe it should be a minimal requirement for all fire fighters to receive this hazmat/WMD training as a matter of course.

As the failures on September 11 and during the response to Katrina illustrate, emergency communications challenges during major disasters continue to endanger first responders. However, despite the common belief that communications issues on 9/11 and on the Gulf Coast were failures of interoperability, they were, in actuality, failures of basic operability. The fact of the matter is that, before emergency response departments can grapple with the issue of interoperability, they must ensure that basic communications needs are fulfilled. Too many emergency departments lack effective and reliable communications equipment. Additionally, in a major disaster basic communications systems may be destroyed.

Once departments overcome any weaknesses in their own internal communications systems, they may then face additional technical and operational challenges in achieving interoperability. Equipment purchases alone will not ensure interoperable communications. Communities must also ensure appropriate planning, design, exercises, modeling and training.

The Office of Management and Budget conservatively estimates that \$15 billion is needed to address communications interoperability issues in the United States. Billions more will also be needed to assist local emergency response agencies meet their own communications needs. Congress should take steps to provide additional funds for emergency responder operability and interoperability needs as expeditiously as possible, and ensure that interoperability grants are made available for a wide variety of activities.

Equally as important as ensuring that personnel have proper equipment and training is ensuring that such personnel are physically fit to carry out their duties. To this end, all fire fighters should be required to undergo an annual physical evaluation to identify and address any health issues a responder might have. Furthermore, fitness facilities should be made readily available, and incentives should be provided for fire fighters to undertake regular fitness programs.

The IAFF has made achieving and maintaining fire fighter wellness and fitness one of its top priorities. Working in conjunction with the International Association of Fire Chiefs, the IAFF has developed a Wellness-Fitness Initiative designed to help maintain fire fighters' physical and mental capabilities throughout their careers. One way to better protect fire fighters in responding to major disasters would be to implement this initiative in every fire department in America.

During a Disaster: On-the-Scene

The federal government also has an important role to play in assuring the health and safety of responders during an actual response. As I mentioned previously, the mainstay of fire department operations is organization. The National Incident Management System (NIMS) reflects this fundamental understanding by establishing a common framework to enable all government, private-sector, and nongovernmental organizations to work together during disasters. By establishing a common language, a unified approach, and standard command structures, NIMS enables first responders and those with whom they work to operate more efficiently, and thus, more safely. As the federal government continues to update and refine NIMS, it must ensure continued compliance with its principles among all levels of government, and proactively provide continuing educational opportunities to first responders and government officials to achieve such compliance.

Additionally, the safety of responders and citizens during a major disaster, as well as mission effectiveness, can be greatly increased by the efficient and appropriate management of response personnel. Although their impact on disaster response has always been overwhelmingly positive, the arrival of fire fighters on the scene has often been chaotic and less than 100% effective. There are several reasons for this.

First and foremost, too many well-meaning fire fighters self-dispatch rather than waiting to be officially mobilized. Second, the qualifications of fire fighters currently vary across and within departments. Just because someone calls himself a fire fighter does not mean he is capable of doing what a fire fighter should be able to do. Current difficulties tracking on-scene personnel and their capabilities prevents on-scene commanders from making the best use of their most valuable resources. This was certainly my experience on 9/11.

The NIMS Integration Center (NIC) within the Department of Homeland Security is currently developing a national credentialing system to help verify the identity and qualifications of emergency personnel responding to a major disaster. The System, requiring minimum national qualifications for specific emergency response functions, will help on-scene commanders identify who is on-scene and make the best possible use of their capabilities. Had such a system been in place on 9/11, the issues we experienced tracking and utilizing personnel may have been avoided. Congress should do all it can to ensure that States and localities only credential personnel who fully comply with the minimum national standards established by the NIC, and that the National Credentialing System is quickly and thoroughly implemented.

Lastly, we must ensure that on-scene commanders fully comply with standard operating procedures. Unfortunately, far too often, fire fighter deaths and injuries result not from failures of equipment or unexpected dangers, but from a failure to comply with widely accepted rules and procedures for operating safely. This is completely unacceptable; there is no excuse for fire fighters to operate in an unsafe manner when we know how to keep them safe on-scene.

After a Disaster: Follow-Up and Follow-Through

Every fire fighter knows that the work of first responders does not end when the fire is out. Recovery after the fact is just as important as preparation and response. This is especially true in major disasters such as 9/11 and Katrina. In these two cases, the health needs of responders, in particular, have continued far beyond the initial response and provided an illustration of the importance of managing a disaster's aftermath.

Because any major disaster is bound to pose significant physical dangers and mental health challenges, the establishment of a comprehensive health monitoring program is essential. Following the 9/11 response, the New York Fire Department established a medical monitoring program to identify and treat any new health problems in responders. The situation facing responders and their physicians was extremely serious. The Ground Zero dust cloud was the largest acute exposure to high-volume particulate matter in a modern urban environment – ever. Within the first week following 9/11, the FDNY found that 99% of exposed New York City fire fighters reported at least one new respiratory symptom while working at Ground Zero. Fortunately, FDNY's annual physical requirement established a baseline medical picture from which monitoring physicians could judge a fire fighter's relative health.

The Department also provided mental health treatment through its Counseling Service Unit, providing treatment for post traumatic stress disorder, substance abuse counseling and grief counseling. Due in large part to the program, FDNY experienced only one post-9/11 suicide.

There is no doubt in my mind that hundreds of additional fire fighters would have experienced serious physical and mental health issues were it not for the FDNY programs. Their success makes them an excellent model for comprehensive physical and mental health monitoring programs established in the wake of future disasters.

We must also ensure that lessons learned from future response efforts are retained and applied in preparation for the next catastrophe. The 9/11 Commission report and the Katrina report enabled organizations and persons at all levels of society to identify and remedy broken response components and missed opportunities. In response to these reports, Congress, for example, established the Department of Homeland Security, provided homeland security funding to the states and passed a comprehensive FEMA reform bill. After-action reports such as these should be de rigueur for any major disaster so that lessons learned can be incorporated into our future training, exercises, and response plans.

Lastly, it should go without saying that when the public safety department of a community is completely devastated by a disaster, the federal government should step up to the plate and help that community rebuild that department. On 9/11, FDNY lost 343 fire fighters, and 100 pieces of apparatus - equivalent to losing an entire fire department the size of San Diego. Similarly, when Katrina hit the Gulf Coast, New Orleans lost two-thirds of their fire stations, while the St. Bernard Parish Fire Department lost five of six stations. When a community takes such a devastating blow, the federal government must intervene to protect the safety of the homeland as well as its citizens. And it should do so without adding the burden of dealing with red tape and bureaucracy on a community already facing an overwhelming burden.

Progress Made: Recent Congressional Action

While there is still much work to be done to align our nation's policies and priorities with the goal of protecting the protectors, I am encouraged by the spotlight this Committee and the Congress has shone on the issue as of late. I would be remiss if I did not mention a number of recent reforms instituted by the Congress which I believe will help better ensure the health and safety of fire fighters and others who respond to future disasters.

One of the most important recent reforms implemented by the Congress was the enactment of the Emergency Management Reform Act of 2007, popularly known as the FEMA reform bill. The leadership of this Committee was early to recognize many of the problems facing FEMA, and actively engaged the IAFF as you crafted your bill, which we were proud to support.

Many of the provisions included in the FEMA reform bill will significantly contribute to assuring the health and safety of responders in an emergency. By reuniting emergency preparedness with emergency response under FEMA, the bill will help ensure that tomorrow's emergency response efforts are in sync with today's preparedness efforts. Authorizing the National Integration Center to promote compliance with the National Incident Management System (NIMS) and the National Response Framework (NRF) will help assure that responders are operating under common procedures. And involving first responder organizations through the National Advisory Council will ensure that the plans made by governmental officials make real-world sense to those who must carry them out.

Congress has also consistently supported grant programs to ensure that fire departments nationwide are safely staffed by properly equipped and trained personnel. This year, the House of Representatives has provided \$235 million for the SAFER grant program as well as \$570 million for the FIRE grant programs. Although these funds will provide a down-payment on fire fighter safety, I urge the Congress to fully fund these vital and life-saving grant programs so that they may achieve their full potential.

I am also appreciative of legislation passed by the Congress and signed into law authorizing the President to establish medical monitoring programs following disasters. We at FDNY benefited from a truly comprehensive monitoring and treatment program that, I have no doubt, saved countless lives. Likewise, future monitoring programs will permit the treatment of potential diseases and other health conditions in responders that might not otherwise be detected.

I am also pleased that Congress has made significant strides to improve emergency communications during disasters. By doubling the current spectrum available to public safety and establishing two new grant programs to help public safety agencies achieve interoperability as well as basic communications operability, you have made great strides towards ensuring that the communications failures of 9/11 and Katrina are not repeated.

Furthermore, provisions in the recently enacted *9/11 Commission Act* help ensure that federal homeland security assistance be distributed to state and local governments based on risk and

vulnerability. A key recommendation of the 9/11 Commission, this reform will help ensure that the lion's share of resources are used to provide equipment and training to protect those responders at highest risk for disaster, whether natural or man-made.

Conclusion

On behalf of myself and the IAFF, I appreciate the opportunity to offer our perspective on protecting the health and safety of individuals who respond to major disasters. But the reality is that the issues and recommendations outlined in my testimony today only manage to skim the surface of the matter at hand. Ensuring the health and safety of our first responders will require the dogged will of legislators, such as yourselves, to undertake a comprehensive, long-term effort to align our nation's policies and priorities with this goal. We look forward to working and partnering with your committee to this end, so that we may better safeguard our first responders as they put their lives on the line every day to protect our communities and their citizens from emergency situations both large and small.

Again, I would like to thank the Committee for its attention and I would be happy to answer any questions you may have.