



9.11 World Trade Center Health Program

Expansion of Pentagon & Shanksville Eligibility Criteria

September 23, 2024

Catharine Hilaker, Policy/Govt. Affairs Analyst
Jessica Bilics, Policy/Govt. Affairs Lead



Background

- The James Zadroga 9/11 Health and Compensation Act of 2010 (Zadroga Act) established the WTC Health Program and provided responder eligibility for the three sites: New York City; the Pentagon; and Shanksville, Pennsylvania
- Specifically, eligible responders at the Pentagon or Shanksville must have been:
 - Members of a fire or police department (fire or emergency personnel, active or retired), or
 - Worked for a recovery or cleanup contractor, or
 - A volunteer; AND
 - Performed rescue, recovery, demolition, debris cleanup, or other related services at the site

Background (cont'd)

- The National Defense Authorization Act (NDAA) for Fiscal Year 2024 included expanded enrollment eligibility criteria for Pentagon and Shanksville responders
- The 2024 NDAA expanded the responders at the Pentagon and Shanksville sites eligible for the Program to now also include individuals who were:
 - **Employees of the Department of Defense (DOD) or any other Federal agency, or**
 - **Contractors of the DOD or any other Federal agency, or**
 - **Members of a regular or reserve component of the uniformed services, AND**
 - Performed rescue, recovery, demolition, debris cleanup, or other related services at the site

Background (cont'd)

- The 2024 NDAA provides \$232 million for WTC-related healthcare benefits for this expanded group through fiscal year 2033
- Enrollment of the expanded population is capped at 500 responders
- The Program had to complete rulemaking to implement the statutory change prior to enrolling this population. An Interim Final Rule was published on September 11, 2024, with an immediate effective date: <https://www.federalregister.gov/d/2024-20540>

Pentagon/Shanksville Responder History

Pentagon

- An estimated 300 fire fighters responded to the Pentagon within two hours, and an **estimated 60 agencies** responded within the first eight hours of the incident.
- **An estimated 4,000 people were officially badged** and able to access the site.
- Up to **8,500 individuals potentially responded** at the Pentagon crash site

Pentagon/Shanksville Responder History (cont'd)

Shanksville

- Ten volunteer fire departments responded
- 150 FBI agents were brought in more to support and assist in the investigation
- Approximately 600 Pennsylvania State Troopers provided security in and around the site
- The Red Cross had more than 300 volunteers and 29 paid staff to assist in the effort, and 30 local clergy members volunteered their time
- Up to **1,000 individuals potentially responded** at the Shanksville crash site

Pentagon/Shanksville Responder History (cont'd)

As of September 5, 2024, there are **1,330**
currently enrolled members for these two sites:

- Pentagon: 1,183
- Shanksville: 147

Purpose

- Expanded eligibility addresses known gaps in Pentagon and Shanksville responder eligibility
- Specifically, the legislation permits military and civilian federal employees and contractors who were engaged in response activities but were not law enforcement personnel to be eligible for the Program
- Legislation was bipartisan with lead sponsors Senator Kirsten Gillibrand and Representative Andrew Garbarino

Implementation Activities

- Drafted and published Interim Final Rule (IFR)
- Updated the paper and online application to permit new applications upon effective date of IFR (Sept. 11, 2024)
- Updated internal and external vendor systems to ensure they are capable of tracking new Pentagon and Shanksville members to comply with the specific funding requirements of the legislation
- Incorporated new eligibility criteria into Program enrollment procedures
- Temporarily paused all incoming Pentagon/Shanksville applications to prepare for expanded eligibility processes

Implementation Activities (cont'd)

- Currently reviewing all previous Pentagon/Shanksville applications to determine whether new eligibility criteria may apply
- Mailed letters to those who are or may be eligible under new criteria
- Implemented a communications plan to amplify the new eligibility criteria
- Approximately 40 applicants were identified as eligible for enrollment at time of IFR publication and enrolled



Questions?