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ARTICLE XXXV.—ENDANGERING THE HEALTH OF
9/11 FIRST RESPONDERS

In his conduct while President of the United States, George W. Bush, in violation of his constitutional oath to faithfully execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty under Article II, Section 3 of the Constitution “to take care that the laws be faithfully executed”, has both personally and acting through his agents and subordinates, together with the Vice President, recklessly endangered the health of first responders, residents, and workers at and near the former location of the World Trade Center in New York City.

The Inspector General of the Environmental Protection Agency (EPA) August 21, 2003, report numbered 2003-P-00012 and entitled “EPA’s Response to the World Trade Center Collapse: Challenges, Successes, and Areas for Improvement,” includes the following findings:

“[W]hen EPA made a September 18 announcement that the air was ‘safe’ to breathe, it did not have sufficient data and analyses to make such a blanket statement. At that time, air monitoring data was lacking for several pollutants of concern, including particulate matter and polychlorinated biphenyls (PCBs). Furthermore, The White House Council on Environmental Quality (CEQ) influenced, through the collaboration process, the information that EPA communicated to the public through its early press releases when it convinced EPA to add reassuring statements and delete cautionary ones.

“As a result of the White House CEQ’s influence, guidance for cleaning indoor spaces and information about the potential health effects from WTC debris were not included in EPA-issued press releases. In addition, based on CEQ’s influence, reassuring information was added to at least one press release and cautionary information was deleted from EPA’s draft version of that press release . . . The White House’s role in EPA’s public communications about WTC environmental conditions was described in a September 12, 2001, e-mail from the EPA Deputy Administrator’s Chief of Staff to senior EPA officials:

“All statements to the media should be cleared through the NSC [National Security Council] before they are released.”

“According to the EPA Chief of Staff, one particular CEQ official was designated to work with EPA to ensure that clearance was obtained through NSC. The Associate Administrator for the EPA Office of Communications, Education, and Media Relations (OCEMR) said that no press release could be issued for a 3- to 4-week period after September 11 without approval from the CEQ contact.”

Acting EPA Administrator Marianne Horinko, who sat in on EPA meetings with the White House, has said in an interview that the White House played a coordinating role. The National Security Council played the key role, filtering incoming data on ground zero air and water, Horinko said: “I think that the thinking was, these are experts in WMD (weapons of mass destruction), so they should have the coordinating role.”

In the cleanup of the Pentagon following September 11, 2001, Occupational Safety and Health Administration laws were enforced, and no workers became ill. At the World Trade Center site, the same laws were not enforced.

In the years since the release of the EPA Inspector General’s above-cited report, the Bush Administration has still not effected a clean-up of the indoor air in apartments and workspaces near the site.

Screenings conducted at the Mount Sinai Medical Center and released in the September 10, 2004, Morbidity and Mortality Weekly Report (MMWR) of the federal Centers For Disease Control and Prevention (CDC), produced the following results:

“Both upper and lower respiratory problems and mental health difficulties are widespread among rescue and recovery workers who dug through the ruins of the World Trade Center in the days following its destruction in the attack of September 11, 2001.

“An analysis of the screenings of 1,138 workers and volunteers who responded to the World Trade Center disaster found that nearly three-quarters of them experienced new or worsened upper respiratory problems at some point while working at Ground Zero. And half of those examined had upper and/or lower respiratory symptoms that persisted up to the time of their examinations, an average of eight months after their WTC efforts ended.”

A larger study released in 2006 found that roughly 70 percent of nearly 10,000 workers tested at Mount Sinai from 2002 to 2004 reported that they had new or substantially worsened respiratory problems while or after working at ground zero. This study showed that many of the respiratory ailments, including sinusitis and asthma, and gastrointestinal problems related to them, initially reported by ground zero workers persisted or grew worse over time. Most of the ground zero workers in the study who reported trouble breathing while working there were still having those problems two and a half years later, an indication of chronic illness unlikely to improve over time.

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The SPEAKER pro tempore (Ms. SUTTON). The resolution qualifies.

Under the previous order of the House of June 10, the previous question is ordered without intervening motion except one motion to refer.

MOTION TO REFER OFFERED BY MR. KUCINICH

Mr. KUCINICH. Madam Speaker, I move that the House refer the impeachment resolution to the Committee on the Judiciary.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, the noes have it.

Mr. KUCINICH. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Under the previous order of the House of June 10, further proceedings on this question

will be postponed as though under clause 8(a)(1)(A) of rule XX.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BRALEY of Iowa (at the request of Mr. HOYER) for today after 2 p.m. on account of flooding in district.

Mr. CUMMINGS (at the request of Mr. HOYER) for today until 2 p.m.

Mr. MEEK of Florida (at the request of Mr. HOYER) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. CUMMINGS, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. WEINER, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

(The following Members (at the request of Mr. MORAN of Kansas) to revise and extend their remarks and include extraneous material:)

Mr. BRUN of Georgia, for 5 minutes, today.

Mr. POE, for 5 minutes, June 17.

Mr. JONES of North Carolina, for 5 minutes, June 17.

Mr. BURTON of Indiana, for 5 minutes, today, June 11 and 12.

Ms. FOXX, for 5 minutes, today and June 11.

Mr. McCOTTER, for 5 minutes, June 11.

Mr. BURGESS, for 5 minutes, today.

Mr. HUNTER, for 5 minutes, today.

Mr. FRANKS of Arizona, for 5 minutes, today, June 11 and 12.

Mr. PRICE of Georgia, for 5 minutes, today.

(The following Member (at her request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

ADJOURNMENT

Mr. KUCINICH. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o’clock and 12 minutes a.m.), the House adjourned until today, Wednesday, June 11, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

7042. A letter from the Chairman, Farm Credit Administration, transmitting the Administration’s final rule — Eligibility and