

**STATEMENT OF ROBERT GULACK, UNION STEWARD,  
U.S. SECURITIES & EXCHANGE COMMISSION,  
BEFORE THE NEW YORK CITY COUNCIL**

**FOR IMMEDIATE RELEASE**  
February 17, 2005

**FOR MORE INFORMATION, CONTACT:**  
Robert Gulack, (201) 794-9322

My name is Robert Gulack. I am a senior attorney at the United States Securities & Exchange Commission. I am here today, not as a representative of the SEC, but as a union steward of the National Treasury Employees Union, which represents the bargaining unit at the SEC. I am an example of a Manhattan office worker who will suffer from life-long lung damage because of exposure to World Trade Center debris in an office building in southern Manhattan. The story of my illness, and the illnesses suffered by hundreds of other people in the Woolworth Building, illustrates the need for proper government oversight of decontamination. Only the EPA is in a position to provide the necessary regulatory oversight to allow Manhattan's contaminated structures to be demolished without spreading more contamination over the community.

I was not exposed to any smoke on Sept. 11, 2001. I had no respiratory problems prior to coming to work in the Woolworth Building in October 2001. I fell ill with asthma two days after coming to work in the building, and have since suffered more than half a dozen attacks of bronchitis. Most of my colleagues also fell ill soon after going to work in the Woolworth Building. Ten months after coming to the Woolworth Building, I was hospitalized for pneumonia. My CT scan proves that pneumonia left behind scarring, calcification, and lung collapse, none of which will ever heal. In February 2004, the U.S. Department of Labor officially accepted my claim that I was injured at work in the Woolworth Building.

The experience of the SEC in the Woolworth Building is only one example of what life is like in the office buildings of southern Manhattan, because of the lack of proper government oversight guaranteeing the decontamination of those buildings. For the last three years, the EPA has refused to test these buildings and see they are decontaminated. Each day, the attacks of Sept. 11<sup>th</sup> become more and more successful, as we allow more and more office workers and residents to be harmed. Under the relevant presidential decision directive, EPA has the responsibility to take the leading role in responding to terrorist incidents, such as Sept. 11<sup>th</sup>.

Not "a" leading role. *The* leading role, with the legal authority to issue orders, not just make recommendations. With all due respect, the phrase "a leading role" is double-talk. This process needs a leader, not a committee, and it is the EPA's job, under the law, to be that leader. New York City should call upon the EPA to fulfill its legal responsibilities, and oversee the decontamination of all buildings in the affected areas, especially those scheduled for demolition.

Every community board in lower Manhattan has joined the call for adequate testing and immediate clean-up. More than 50 unions and community groups have endorsed this call. But the EPA still refuses to act.

You may remember in Mel Brooks' *The Producers*, the corrupt Broadway producer says to the psychotic Nazi playwright, "Have I ever steered you wrong?"

The Nazi playwright answers, "Always."

The producer answers, "Well, never mind that now. Here's what I want you to do."

We all saw the same thing here this morning. Two members of the New York City Council told the EPA, "You lied to us." As we all heard, the EPA did not deny it. The EPA said, in effect, "Well, never mind that now. Here's what I want you to do."

But the EPA is still lying. The EPA is still refusing to cite its full legal authority under Presidential Decision Directive 62 and acknowledge its legal duty to decontaminate the offices and residences of this city.

In short, Max Bialystock is still lying to us, and I think that's a very important point for all of us to recognize.