We are the supporters and families of deceased firefighters who lost their lives in the World Trade Center towers on September 11, 2001. We ask that you help in having an amendment (The Sean Tallon Amendment) introduced before the Senate that will allow for judicial clarity about why our loved ones’ radios did not work in the towers on that fateful day. This amendment is named in honor of Sean Tallon, one of the many brave firefighters who did not escape the World Trade Center.

In 2003, thirteen families initiated civil proceedings seeking to hold responsible those accountable for these radio failures, which contributed to the tragedy. The case was never heard because of ambiguities and the hastily drafted and enacted ATSSSA (U.S. 40101). The families elected to submit a claim under the Victims’ Compensation Fund, which resulted in the case being dismissed; for anyone who submitted a claim waived their right to a civil action if their loved one died in the towers. Our requested amendment will have no financial impact on the U.S. taxpayers, but will merely allows those thirteen families the right to utilize the judicial system in an effort to gain closure through clarity and accountability for the FDNY firefighter radio failures on September 11, 2001.

This was the original intent of Congress that was not correctly construed by the courts. The late Honorable Henry Hyde, one of the ATSSSA (U.S. 40101) authors, filed a brief amicus curiae in support of this position in the United States Supreme Court. In it, he and the Honorable Chairman Maloney offer clarity in stating: “It was never Congress’ intention…to require claimants on the fund to waive claims they might have against independent tortfeasors for acts committed prior to September 11 that may have been a proximate cause of injury or death on that terrible day…never was it contemplated…that persons injured or killed by such independent acts would be deprived of seeking judicial redress or relief…such claimants remain entitled to “their day in court.”

Please help us get our day in court. The Sean Tallon Amendment merely allows our case to be reinstated and subjected to judicial scrutiny. If we are allowed to find answers and hold those responsible accountable for their actions, we can create safeguards that will better protect firefighters, police, and all other public safety personnel in the years ahead.

Sincerely,