

Congress of the United States

Washington, DC 20515

May 31, 2005

The Honorable Jerry Lewis
Chairman
House Committee on Appropriations
H218 Capitol
Washington, DC 20515

The Honorable David Obey
Ranking Member
House Committee on Appropriations
1016 Longworth House Office Building
Washington, DC 20515

Dear Chairman Lewis and Ranking Member Obey,

The President's FY2006 budget includes a \$120 million rescission of workers compensation funds made available to New York State in the aftermath of the September 11, 2001, terrorist attacks (P.L. 107-117) from the Department of Labor's budget. These funds were appropriated for "workers compensations programs" to be used for Ground Zero responders who continue to suffer from injuries and job loss as a result of their heroic efforts. The President's budget also seeks to rescind an additional \$5 million of unspent funds from the worker retraining program established to help New Yorkers who became unemployed because of 9/11. We adamantly oppose any rescission of these funds and ask you to work with us to ensure that this \$125 million is used to assist the thousands of 9/11 responders who still need our help.

The Administration is arguing that these funds are not needed, but nothing could be further from the truth. First of all, no actuarial review of the projected cost of current and anticipated future 9/11 related workers compensation claims has ever been done. Additionally, even if these funds are not used for the direct payment of workers compensation claims, the health needs of 9/11 responders continue to be great and the federal response continues to be incomplete. According to the federally-funded national World Trade Center (WTC) Medical Screening Program, which administered comprehensive medical screening exams to approximately 12,000 WTC responders in the New York metropolitan area and nationwide through the year 2004, approximately 50% of responders to Ground Zero continue to need physical and/or mental health treatment, and/or further diagnostic testing. Clinical evidence suggests that this need has not decreased over time.

Before any rescission is even considered we think it is important to consider the full need of workers compensation funds and have a review of the unmet needs of 9/11 responders.

Determine Full Need of Workers Compensation Funds

As stated earlier, there has never been an actuarial review of the need of the workers compensation funds provided to New York following the terrorist attacks of 9/11. It is our understanding that New York Governor Pataki has recently instructed his staff to complete an actuarial review of the current and anticipated future needs of these funds. Before we have a full understanding of how much of these funds will be needed, we should not consider a rescission of these funds. The last thing we want is to deny the funding of workers compensation claims directly related to the attacks of 9/11.

Review of Remaining Health Needs of 9/11 Responders

The federal response to 9/11 health needs has so far been inadequate, having provided valuable but insufficient funds for the medical screening and monitoring of 9/11 responders.

At the conclusion of the first round of federally-funded medical screenings, several thousand responders eligible for the examinations were left in need. Moreover, approximately 50% of medically screened responders (6,000) are already estimated to warrant physical and/or mental health treatment, and/or further diagnostic testing. Despite finding thousands still sick as a direct result of 9/11, no federal funding can be used for treatment. The only funding for treatment has come from private, charitable sources.

The complexity of WTC illnesses has resulted in specialized diagnostic and treatment services, specifically those offered by occupational medicine physicians. Additionally, most World Trade Center responder-patients have more than one simultaneous WTC-related condition rendering treatment complex but essential.

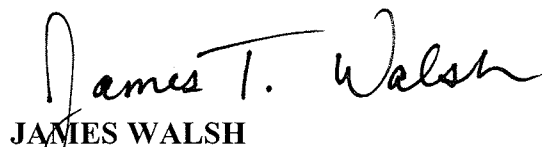
We would ask that while we are waiting for the actuarial review that a request is made to the Government Accountability Office that a review of the unmet needs of 9/11 responders be completed.

Finally, we thank you for your support of New York City since the attacks. Without the assistance of the Appropriations Committee, New York City would not have been able to recover to the point we are now. However, many needs still remain. The \$125 million in funding that the President's budget would rescind would be a step backward.

Sincerely,



CAROLYN B. MALONEY
Member of Congress



JAMES WALSH
Member of Congress



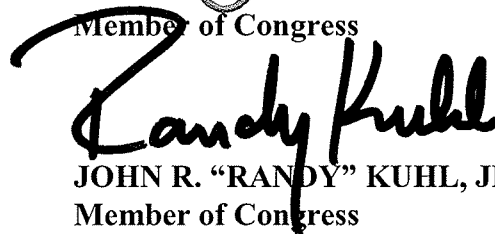
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Member of Congress



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Member of Congress

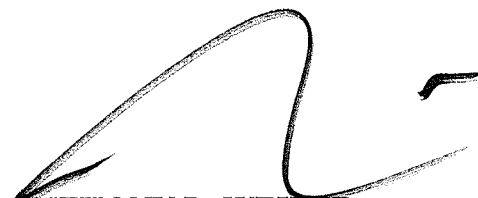


JERROLD NADLER
Member of Congress

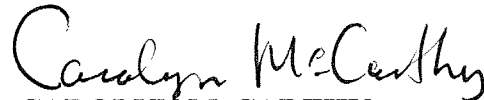



JOHN R. "RANDY" KUHL, JR.
Member of Congress

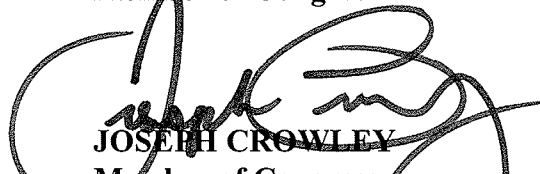

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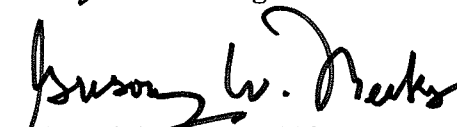

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cc: Chairman Ralph Regula
Congresswoman Nita M. Lowey