

PETER T. KING
Member of Congress
Second District, New York

339 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3202
(202) 225-7896

1003 PARK BOULEVARD
MASSAPEQUA, NY 11762
(516) 541-4225

For Suffolk County:
(631) 541-4225

pete.king@mail.house.gov
www.peteking.house.gov
Twitter: @RepPeteKing



Congress of the United States
House of Representatives
Washington, DC 20515-3202

COMMITTEE ON HOMELAND SECURITY

RANKING MEMBER, SUBCOMMITTEE ON
EMERGENCY PREPAREDNESS, RESPONSE AND
RECOVERY

SUBCOMMITTEE ON
INTELLIGENCE AND COUNTERTERRORISM

FINANCIAL SERVICES COMMITTEE

SUBCOMMITTEE ON INVESTOR PROTECTION,
ENTREPRENEURSHIP AND CAPITAL MARKETS

SUBCOMMITTEE ON NATIONAL SECURITY,
INTERNATIONAL DEVELOPMENT AND MONETARY

June 18, 2020

The Honorable Steven T. Mnuchin
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

Dear Secretary Mnuchin,

I am writing to you to express my concerns regarding the Treasury Department's withholding of \$1.5 million in reimbursements to the New York City Fire Department (FDNY) for health care provided to firefighters who are sick and injured due to the toxins they encountered at Ground Zero.

As you may know, I worked for many years with my New York Colleagues on bipartisan legislation, the *James Zadroga September 11th Health and Compensation Act*. This law created the World Trade Center Health Program, which provides medical treatment and monitoring to injured and ill first responders and survivors. One component of that program is the FDNY World Trade Center Clinic, which serves as a federal contractor providing the clinic services to 9/11 firefighters and EMS personnel.

Over a year ago the FDNY noticed discrepancies in their reimbursements from the World Trade Center Health Program. It appeared that the program was not being fully reimbursed for its services.

The National Institute of Occupational Safety and Health (NIOSH), which runs the World Trade Center Health Program, and the Centers for Medicare and Medicaid Services (CMS), which is the financial administrator under the statute, undertook a long investigation of the situation. CMS's contractor then informed NIOSH and the FDNY that the full reimbursement was put forward to the Treasury Department for payment but that Treasury had been withholding part of the payments without informing CMS, NIOSH, or the FDNY. This amounted to roughly \$1.5

million that was supposed to be paid to the FDNY for the services that they provided to injured and ill firefighters and EMS personnel.

CMS was informed that the that the funds that are not getting to the FDNY Clinic are being withheld by the Treasury Dept as a “Non-tax withholding due to Federal Payment Levy Program.” CMS’s contractor tried to find out from Treasury why this was being done but was informed by Treasury that only the FDNY could find out. So, the Clinic Director for the FDNY, Dr. David Prezant called the number that CMS’s contractor provided and was told they would only respond to a formal letter asking about this, which they sent.

They eventually received over a hundred pages of forms that really do not explain why the reimbursements were withheld. They appear to be a range of issues dealing with different New York City offices and programs that have nothing to do with the FDNY Clinic. It is my understanding that this is only an FDNY issue. The Survivor program, which is run by Health and Hospitals Corporations, has been getting their full reimbursement.

To my knowledge, at no time has anyone at Treasury spoken, written or tried to contact the World Trade Center Health Program, the FDNY, or CMS to inform them that they were withholding the funds or explain the reason. Nor does the response made by the Department to Dr. Prezant. My office has reached out to Treasury Legislative Affairs regarding this but has not heard back.

I understand that the Department has been at the forefront of responding to the pandemic and I appreciate the challenges you have been under. However, I urge you to release these funds immediately to the FDNY. If there is an issue with regard to the City of New York, the FDNY’s World Trade Center Clinic should not be punished.

I thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter King". The signature is written in a cursive, flowing style.

PETER T. KING
Member of Congress