

United States Senate

WASHINGTON, DC 20510-3205

September 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,

We are writing to you regarding the Treasury Department's withholding of nearly \$4 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.

While this problem might have started as an accounting issue, it has clearly become a conscious decision to disregard your authority to waive the automatic withdrawals from the firefighter health program.

Representative Peter King^[1] brought this issue to your attention in a letter three months ago, and in response to his inquiry, Treasury official replied that you had no discretion to stop the seizure of funds.^[2] However, the Treasury Department's website includes a fact sheet^[3] regarding the Treasury Offset Program, which states:

“The Secretary may exempt other payments if the head of the paying agency demonstrates that offset would substantially interfere with Congress's purpose for the payment agency's program.”

In light of the fact that you do have discretion, we request that you exercise your authority to exempt the World Trade Center Health Program funding from being seized and allow the funding to be sent to the program without any further delay.

The Clinic is currently short on the funds that it needs to hire staff to provide the medical treatment and monitoring that our 9/11 responders need and deserve. We look forward to hearing from you that these funds will be restored.

Sincerely,



Kirsten Gillibrand
US Senator



Charles E. Schumer
US Senator

^[1] King letter June 18th, 2020

^[2] Dept letter to Rep King August 20th, 2020

^[3] Treasury Website <https://www.fiscal.treasury.gov/files/top/TOP-rules-reqs-fact-sheet.pdf>