



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N.Y. 10007

March 22, 2023

The Honorable Jerrold Nadler  
United States House of Representatives  
2132 Rayburn House Office Building  
Washington, DC 20515

The Honorable Dan Goldman  
United States House of Representatives  
245 Cannon House Office Building  
Washington, DC 20515

Dear Representative Nadler and Representative Goldman:

Thank you for your letter, dated February 16, 2023. As someone who was a first responder on September 11<sup>th</sup>, I am reminded of the horror and heartache that so many families and survivors endured not only on that terrible day more than 20 years ago but also in the days since. I take my responsibility as a first responder, New Yorker, and now Mayor seriously – to protect New Yorkers and make whole, to the best of my ability, the victims, responders, families, and survivors who have endured so much. They must always know that New York City has their back.

In your letter, you state that research is needed into the illnesses regarding the toxins in and around Ground Zero. After September 11<sup>th</sup>, there were concerns about potentially long-term health effects from the disaster, especially from the toxins people inhaled from the dust cloud and the psychological impact of the events. To address these concerns, in November 2001, the New York City Department of Health and Human Services (NYC DOHMH) helped create a registry devoted to handling September 11<sup>th</sup>-related health effects.<sup>1</sup> Their main goals were to:

- Track the short and long-term health of people exposed to the September 11<sup>th</sup> disaster in NYC and its aftermath, including responders and area residents, workers, and children;
- Document the physical and mental health impact of the September 11<sup>th</sup> disaster and gaps in care;
- Investigate cancers and mortality among those who were exposed to the September 11<sup>th</sup> disaster;
- Inform September 11<sup>th</sup>-related health care; and
- Help enrollees and others find services for their September 11<sup>th</sup> health-related conditions.

In addition, since the day of the attacks, New York City as well as federal, state, and local authorities, researchers, and health professionals, have published reports, articles, and data regarding the measured toxins released in the September 11<sup>th</sup> attacks, and their current and long-term effects on responders, recovery workers, residents, and others who were exposed to them.

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<sup>1</sup> <https://www.nyc.gov/site/911health/about/wtc-health-registry.page>

Lessons learned from a disaster can save lives and reduce injuries in future disasters, and we are and have been committed to doing just that. Below is small, non-comprehensive sample of the publicly available data and research regarding the toxins and health effects of the September 11<sup>th</sup> attacks:

- [NYC DOHMH's September 11<sup>th</sup> Health website](#), which maintains a comprehensive list of September 11<sup>th</sup>-related research studies and findings;
- Reports from the [WTC Medical Working Group](#), which reviewed research findings on the health effects of WTC exposure;
- [U.S. Environmental Protection Agency's Response to the WTC Collapse: Challenges, Successes & Areas for Improvement](#);
- [U.S. Government Accountability Office, Sept. 11 Health Effects in the Aftermath of the WTC Attacks](#);
- [WTC Health Registry NYC DOHMH, Vol 1, No. 1: Addressing the Health Impacts of 9/11](#);
- [Addressing the Health Impacts of 9-11; Report and Recommendations to Mayor Michael Bloomberg](#);
- [U.S. Dept of Health and Human Services/CDC/NIOSH; First Periodic Review of Scientific & Medical Evidence Related to Cancer for the WTC Health Program](#);
- U.S. Environmental Protection Agency, Toxicological Effects of Fine Particulate Matter Derived from the Destruction of the World Trade Center (attached); and
- NYC DOHMH, et al, Final Report re: Potential Exposure to Settled Surface Dust (attached).

As I stated in my July 6, 2022 letter, I commend Congress for creating the September 11<sup>th</sup> Victim Compensation Fund (VCF), which provides compensation to those qualified who suffered injury or were killed as a result of September 11<sup>th</sup> or the debris removal efforts at Ground Zero. New York City has worked closely with the VCF to ensure that City employees and others who were present in the enumerated zones on September 11<sup>th</sup>, or the days that followed the horrible attack, have the documents necessary to qualify to receive the compensation they deserve. I have also seen the lifelong injuries and serious medical conditions that those who saved lives at Ground Zero developed, so I am extremely thankful to the New York City Congressional delegation for securing \$1 billion for the September 11<sup>th</sup> Health Program.

I commend Congress for extending the VCF filing deadline to October 1, 2090, thereby allowing many more victims to be compensated under a simplified claim filing system that does not require lawyers, lawsuits, or proof of causality. Given these benefits, it is no surprise that over 34,000 victims have been compensated by the VCF in the last decade.

Although far less frequent, individuals have on occasion in the last decade filed claims against New York City. As discussed at the July 15, 2022 meeting with Congressional staff, the legislation establishing the James Zadroga 9/11 Health and Compensation Act left New York City subject to up to \$350 million in liability as a result of litigation arising from the September 11<sup>th</sup> attacks. Accordingly, with the continued threat of litigation, New York City cannot produce documents without expensive and expansive legal review to identify privileged material and consider litigation risks. New York City must weigh the costs of such a review against the potential

benefits, which are likely limited given the extensive reviews and reporting already available on the health effects of the September 11<sup>th</sup> attacks, as well as the ability of victims to file claims under the VCF until 2090 without proof of causality. However, given the public interest in the production of these documents, New York City is working to determine the estimated cost of such a legal review. We are happy to work with your offices to determine potential federal funding sources and any necessary federal legislation to make production of documents economically and legally feasible for the City of New York.

That said, my administration is committed to continuing to support the responders, survivors, victims, families, and all those affected by the September 11<sup>th</sup> attacks. We look forward to continued discussion with your offices.

Sincerely,

A handwritten signature in black ink that reads "Eric Adams". The signature is written in a cursive, flowing style.

Eric Adams  
Mayor