

**Congress of the United States**  
**Washington, DC 20515**

September 27, 2008

**Support the 9/11 Health and Compensation Act**  
**(H.R. 7174)**

Dear Colleague:

Please join us in voting yes on H.R. 7174 - the 9/11 Health and Compensation Act - which may be considered on the Floor before Congress adjourns.

Thousands of our nation's 9/11 heroes have become sick as a result of their exposure to toxins at Ground Zero. Some have even died. Yet, seven years after the fateful 9/11 terrorist attacks brought the World Trade Center towers crashing down, sick Ground Zero responders, area residents, and workers *still* lack a comprehensive, long-term federal plan to provide needed health care and compensation to those who are sick.

H.R. 7174 would ensure that responders and community health needs are met by establishing a program to provide ongoing medical monitoring to those who have been exposed and medical treatment to those who are sick with World Trade Center-related health conditions. It would also reopen the Victim Compensation Fund (VCF) to provide an alternative to litigation to resolve thousands of claims that are now pending against contractors and New York City.

Concerns have been raised about the cost of the bill and creating the program as an entitlement. The fact that so many are seriously ill as a result of their World Trade Center exposures means that the health care and compensation costs are not insignificant. Since the bill's original introduction last year (H.R. 3543), every effort has been made to address concerns that have been raised and build in restraints, accountability and oversight so that costs are contained. The revised bill, H.R. 7174, addresses these concerns as follows:

- Limits the geographic area and population who are potentially eligible under the bill, to those who worked at the WTC site or who lived or worked in lower Manhattan, south of Houston Street or in the Brooklyn waterfront neighborhood, for certain defined time periods.
- Sets a cap on the program participation at 15,000 additional responders and 15,000 additional community members over those in the current WTC health program, for a total of about 55,000 responders and 17,700 community members.
- Restricts the medical facilities and providers who may provide care to ensure that quality care is provided, while allowing for greater program oversight.
- Limits medical treatment to only those conditions that are World-Trade Center related.
- Includes a higher standard of causation or association for determining that a health condition is World Trade Center-related than in other compensation programs.

- Provides increased specificity and uniformity in the process for assessing and determining whether a condition is related to World Trade Center exposures.
- Requires review and certification by the federal government to qualify for participation in the program.
- Limits medical treatment to those procedures and services that are medically necessary, and authorizing the WTC Program Administrator to withhold reimbursement for treatment determined not be medically necessary.
- Requires pre-approval/pre-certification before receiving any non-emergency in patient hospital care for WTC health conditions.
- Specifies in the legislation the conditions that have been identified as World Trade Center-related for residents and non-responders, and requires Congressional action to add any new conditions.
- Requires that health insurance be the first payor for World Trade Center conditions that are not work-related, and for work-related conditions requires that workers compensation awards be offset or recouped by the program.
- Requires New York City to pay a 10 percent cost share of the overall cost of the responder and community health programs.
- Limits those eligible for the Victim Compensation Fund (VCF) to the same geographic area specified in the regulations that governed the original VCF.
- Eliminates claims for mental health only conditions under the VCF, as was the case with the original fund.

H.R. 7174 is a sound, fiscally responsible measure that would needed medical care for those who are sick with WTC health conditions and help resolve nearly 10,000 lawsuits pending against New York City and the contractors by those who have been harmed, providing an alternative to litigation and quick compensation to those in need. CBO and the Joint Committee on Taxation estimate that the increase in direct spending, which is just under \$11 billion over ten years, is completely offset by tax provisions in the bill that increase revenues by about \$11 billion over the same period.

We ask you to support the 9/11 Health and Compensation Act of 2008. Seven years after the World Trade Center attacks, it is time to provide our brave 9/11 responders, workers, and residents who are sick the medical care and compensation they need and deserve. For more information, please have your staff contact Anna Cielinski in Rep. Maloney's office (5-7944), Jillian Youngblood in Rep. Nadler's office (5-5635), or Aaron Rangel in Rep. Fossella's office (5-3371)

Sincerely,

  
**CAROLYN B. MALONEY**  
 Member of Congress

  
**JERROLD NADLER**  
 Member of Congress