



NEW YORK STATE SENATOR

Brian Kavanagh

New York State Legislature Unanimously Passes 9/11 Notice Act to Support Forgotten Victims

BRIAN KAVANAGH June 22, 2023

| ISSUE: **FORGOTTEN VICTIMS**

[New York, NY] - The New York State Assembly and Senate have demonstrated unwavering support for the forgotten victims of 9/11 by unanimously passing the [9/11 Notice Act \(A75B/S2946B\)](#). The bill passed unanimously in the State Assembly (146-0) and the State Senate (62-0). Next, the measure will move to Governor Kathy Hochul's desk for consideration.

This critical legislation, introduced by [Assemblyman Nader Sayegh \(D-Dist. 90 Yonkers\)](#) and [Senator Brian Kavanagh \(D-Dist. 27 Manhattan\)](#), aims to ensure that individuals who were in the Lower Manhattan and northern Brooklyn exposure zones between September 2001 and the end of May 2002 are made aware by employers of their rights to register for the 9/11 Victim Compensation Fund and the World Trade Center Health Program, which provide monitoring and treatment for eligible individuals with WTC-related illnesses.

Assemblyman Sayegh drafted the legislation following the 20th anniversary of the 9/11 terrorist attacks after hearing that of the 400,000 civilians exposed to 9/11 toxins only a small percentage with qualifying medical conditions have registered. Yet, more than 80% of first responders have registered with the federal health and compensation programs.

The legislation would require businesses and institutions that had people return after the attack to notify them of their potential eligibility for the Victim Compensation Fund and World Trade Center Health Fund. The State's Economic Development agency and Department of Labor will coordinate a plan to provide adequate notice of the benefits available.

Assemblyman Sayegh said, "It is nearly 22 years after the terrorist attacks and an utter lack of awareness about the benefits and eligibility for the federal World Trade Center Health Program and 9/11 Victim Compensation Fund means we needed to act. The 9/11 Notice Act means that forgotten victims, including downtown office workers, doormen, construction workers, students, teachers, retail workers, delivery people, must be notified of their eligibility status by their ex-employer. No one should be left to suffer from 9/11-related illness and be burdened with overwhelming medical bills when the federal resources are FREE and available to help them."

Senator Kavanagh, whose district includes the World Trade Center site and is home to many 9/11 survivors, said: "There are many workers, including first responders, retail employees, cleanup workers, office workers, and others who were in the vicinity of the World Trade Center during and after the horrific 9/11 terrorist attacks who may be experiencing WTC related illnesses and may be eligible for financial and healthcare benefits, but may not realize that they are. Our bill seeks to remedy this by enlisting employers of employees who worked in the area between 9/11 and July 31, 2002 to notify each person of their potential

eligibility for these programs. I thank Assemblyman Nader Sayegh for championing this bill in the Assembly and all those who advocated for its passage."

Assemblyman Gary Pretlow (D-89 Mount Vernon) said, "I will never forget the smell of burning metal and the sight of the chalky dust cloud that engulfed Lower Manhattan after the terrorist attack on 9/11. More than two decades later, the potent smell and powdery dust are gone; however, the effects of the toxins still linger, causing more than 5,891 deaths since 9/11—more than the death toll on that terrible day. Most people who returned to work or school in the area were exposed to serious health risks, but data shows that hundreds of thousands of them do not know the potential long-term dangers of 9/11 toxins. The passage of this legislation represents a moral imperative to find forgotten 9/11 victims who are still at risk of sickness 20 years later and help them access health resources for life."

Louis Coletti, who is retiring as President & CEO of the [New York Building Trades Employers Association \(BTEA\)](#), representing 1,200 union construction contractors, many involved in the recovery and rebuilding said, "We are profoundly grateful to the New York State Legislature for recognizing the sacrifice made by so many of our frontline construction workforce. Countless contractors with critical expertise and plentiful skilled labor rushed to the front lines to aid in the recovery and reconstruction of lower Manhattan. They spent months toiling and did not stop, until the job was complete. Now we ask Governor Hochul to sign the 9/11 Notice Act into law."

Tommy Steed, Chairman of the non-profit Association of [BellTel Retirees](#), representing 134,000 retirees from Verizon, AT&T and Empire City Subway said, "When the terrorists attacked, virtually all communications capability was cut off. Land lines were dead, cell phones had no signals, high speed data could not transmit and federal, state, and regional first responder lacked a reliable means to connect. It was our members who were called in on Day 1, to restore service in Lower Manhattan and for the reopening of the financial markets. What we didn't plan for was being exposed to the world's largest and most toxic burn pit. We encourage Governor Kathy Hochul to sign this into law, so the Telco employees' workers who were there are educated about the access they have to life-saving healthcare protections."

James Shillitto, President of [Utility Workers Union of America, Local 1-2](#) representing ConEd and other utility workers said: "UWUA members were at the attack site to address and restore power, natural gas, and steam systems impacted in Lower Manhattan. These members employed by Con Edison worked tirelessly and laid more than 3,300 miles of temporary electrical cable in the immediate days following 9/11, setting up 82 generators to restore power to the financial markets and support law enforcement rescue efforts. The toxic exposure from this disaster was unprecedented. It's why the 9/11 Notice Act is vital." He continued, "As a person diagnosed with a 9/11 related illness and registered with the federal program, I understand the importance of this bill and the difference it can make in a person's life. The 7,000 UWUA members believe that the 9/11 Notice Act is necessary in ensuring that those affected by the 9/11 attacks receive the support and care they need and deserve."

9/11 legal advocate Michael Barasch, managing partner of [Barasch & McGarry](#), who represented NYPD officer James Zadroga and countless others whose health has been impacted by the toxic air in Lower Manhattan after the terrorist attacks, said, “during the months after 9/11, the downtown office workers, residents, students, and teachers were exposed to the same toxins as the firefighters and cops. Not surprisingly, they are being diagnosed with and dying from the same illnesses. Hopefully this law will ensure that the civilian victims take advantage of the free health care to which they are entitled and that

they receive compensation for all their certified 9/11 illnesses.”

Oren Barzilay, President of [FDNY EMS Local 2507](#) said, “Countless FDNY EMS members responded to the terrorist attacks on 9/11, and their primary source data helped convince Congress to pass the James Zadroga Act. Over half a million people lived, worked, or went to school below Canal Street, but only [123,999](#) are registered for free medical screenings and health coverage under the federal WTC Health Program. The 9/11 Notice Act will inform employees who were there of their rights and protections from the burden of high healthcare costs for 9/11-related illnesses.”

John Murphy, international representative of the [United Association of Journeymen & Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada](#) said, “Our members witnessed firsthand the devastating impact of the 9/11 attacks and provided the skilled workforce restoring gas, steam, water, and other essential services for those living and working in Lower Manhattan. This bill will spur action to protect the health and wellbeing of countless thousands, like our members, who turned out at nation’s time of need, contributing their know-how and skills towards the recovery of Lower Manhattan.”

John Feal, advocate for First Responder rights following 9/11 and founder of the [Feal Good Foundation](#) said, “The passage of this piece legislation means one thing only: More people will get help!”