

## **New York Daily News - <http://www.nydailynews.com>**

### **We can help - Now!**

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Money to help people sickened by the air at Ground Zero could be handed out right now - without any congressional action, an expert on 9/11 compensation said yesterday.

"There's already \$1 billion sitting there," said Ken Feinberg, the mediator who distributed more than \$7 billion to victims of the terror attacks and their families. "You could start with that."

Mayor Bloomberg wants federal officials to move the \$1 billion city insurance pot into a reactivated 9/11 Victim Compensation Fund to pay for the health needs of recovery and cleanup workers who got sick after the December 2003 deadline for the original fund. He also wants the new fund supplied with more federal cash.

But Feinberg, the original fund's special master and Bloomberg's pick to head a revived fund, told the Daily News the city and injured workers can start hammering out the details of compensation immediately.

"We could get going with the negotiations even if Congress doesn't open it up," he said. "It could be put together overnight. Building on the 9/11 fund [structure], you could probably come up with a workable program in a week or two if the parties desired."

But the Bloomberg administration said it wants Congress to remove the city's liability and that of its contractors for worker illnesses before settling their 9,000 court claims.

"As long as the plaintiffs continue to insist on the amounts they seek, we do not believe that meaningful settlement discussions can occur, especially since other individuals, whose claimed illnesses may not develop for many years down the road, could someday seek to recover from the city and its contractors. A reopened Victim Compensation Fund is the best solution," the city Law Department said in a statement.

If appointed to head the new fund, Feinberg said he would decide who is eligible for help based on documentation of the claimants' proximity to Ground Zero, their illnesses and the help they sought. While doctors say some diseases related to exposure may take decades to emerge, Feinberg proposed giving workers - as well as downtown residents, students and businesspeople - 10 years from the start of the new fund to apply for help.

"The minute you go beyond 10 years, you begin to run into problems of confounding, multiple cause," he said, adding that the deadline would be negotiated.

David Worby, an attorney who is representing the 9,000 sick workers, said more than \$1 billion is needed to settle their claims, but there's no reason to delay talks.

"Now they say, 'We're willing to pay the billion, but don't say that we did anything wrong.' Put politics aside. Lives are at stake. At a minimum, we can start putting together the groundwork for the resolution of the other cases when the other funding comes in," he said.