

United States Senate

WASHINGTON, DC 20510-3205

May 13, 2025

The Honorable Robert F. Kennedy Jr.
Secretary
United State Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Kennedy,

We are tremendously concerned about the conflicting reports that the World Trade Center Health Program (WTCHP) has stopped providing services to injured and ill 9/11 responders and survivors. We have worked for years alongside first responders and community leaders to get Congress to recognize the health effects of toxic exposure and ensure that our nation's heroes get the care they deserve. That is why we are truly dismayed at what staff at the Department of Health and Human Services (HHS) and the DOGE staffers have done in just one hundred days. We write to get clear information on what has happened with staff of the World Trade Center Health Program and the ability for survivors of 9/11 to get necessary care.

On February 14, the day after you were sworn in as the new Secretary at HHS, you fired 20% of the staff at WTCHP as part of the DOGE-driven mass firings of probationary employees at the agency. After our vocal pushback and support from the rest of the New York Congressional delegation, those cuts were reversed and some, though not all, of WTCHP staff were reinstated.

Then on April 1, your office terminated Dr. John Howard, the Director of the National Institute of Occupational Safety and Health (NIOSH), who by law is also the Administrator of the WTCHP. Dr. Howard's role is essential for survivors to be able to get care, given his role in certifying new conditions and allowing people to move through the program. Dr. Howard was a Trump Administration appointee, having been reappointed for a fourth 6-year term as NIOSH Director by former HHS Secretary Alex Azar.

Subsequently, HHS fired not only 16 WTCHP program staff, doctors, administrators, and research staff, but dozens of NIOSH and Centers for Disease Control (CDC) staff that supported WTCHP operations. These dedicated staff were given no explanation for their firing.

On April 5, despite public statements coming from the Trump Administration that Dr. Howard's termination was a "mistake" and that he was being brought back to resume his position, the chaos and confusion continued. We had hoped that HHS and DOGE realized the importance of this program and recognized the strong record of Dr. Howard, who has consistently received widespread praise for his success in this role. However, at the time, there was no confirmation from either the White House or HHS that Dr. Howard was reinstated. Despite continued press inquiries to your Department regarding Dr. Howard's current employment status, your department has consistently responded "no comment."

It appears from internal communications from the program, copies that we have attached, that Dr. Howard was *not* really brought back to his position. Below is an excerpt of an internal program email from April 11, 2025:

"Unfortunately, we have not been able to resume sending program letters, including enrollment or certification letters. We are still waiting on confirmation of Dr. Howard's status." April 11, 2025, Medical Forum Email.

Dr. Howard's employment status was in limbo, as this communication states. From what was communicated to Members of Congress, Dr. Howard was "reinstated", but we believe his Reduction in Force (RIF) notice had not been rescinded. HHS provided no clarity on Dr. Howard being able to return to his role.

Most importantly, this confusion created a cascade of problems for 9/11 responders and survivors seeking care. Without a fully reinstated and empowered NIOSH Director, also the WTCHP Administrator, the program's operations have slowed. It is our understanding that the program could not enroll new members, and it could not officially approve treatment for the covered conditions that enrolled members had developed. During the entire month of April, despite repeated media inquiries about Dr. Howard's status, the HHS press office refused to respond.

One day after questions were raised in the media regarding Dr. Howard's status and the impact it was having on the program, specifically that program cancer patients who were being denied care, the Administration once again reversed course and apparently restored Dr. Howard in some capacity that allowed treatment, enrollments, and certifications to go forward. However, reporting indicates Dr. Howard's reinstatement is only through June 2nd, when he is likely to be terminated once again, slowing WTCHP operations.

We were glad to see that WTCHP officials are able to continue their work, as the email states:

"We are able to resume processing enrollments, certifications, and letters at this time. Expedites have also been processed." WTCHP Email May 1, 2025

These chaotic firings and reinstatements have had harmful impacts on people across this country. We understand that since April 1:

- The WTCHP was not able to officially approve treatment for over 1,200 9/11 responders and survivors. We understand that the program had ceased providing written certifications for new conditions that members needed for treatment because it lacked the authority to issue a certification without Dr. Howard being confirmed as head of the program. As we understand, treatments were provided on a temporary basis up until April 28, when that stopped as reported in the press.
- That enrollment in the program for new 9/11 responders and survivors had stopped as of April 1. This means perhaps up to 800 9/11 responders and survivors seeking medical treatment or medical monitoring are being denied access to the program since their enrollments were not being approved. We understand that after public uproar those enrollments were finally approved.
- That program's bill payments are being delayed because the staff that processed them were terminated.
- On May 9, we understand that 16 WTCHP staffers, 13 in Cincinnati (OH) and 3 in Morgantown (WV), who had received intent to RIF notices with an effective date of June 30 were in fact fired, receiving their RIF notices effective July 2 and putting them on leave effective April 1. In a move that would have further reducing the staff of the program from 93 at the start of the Trump Administration. Again, we understand from press reports that the Reduction in Force for those 16, now 15, staffers were reversed four days after they were issued after more public uproar.
- Many NIOSH and CDC staff that support the WTCHP have been fired, including contract oversight staff.
- Petitions for the addition of new WTC health conditions are not being considered.
- Research grants are not being processed.

Because of the lack of clarity on these issues and the continued refusal of the HHS press office to answer questions, we would like to ask you the following Yes or No questions to provide the utmost clarity.

1. On April 5th our colleagues in New York announced that Dr Howard was being reinstated. Was he? Yes, or no?
2. On May 1st it was announced by our colleagues that Dr. Howard was reinstated. Was he? Yes, or no?
3. Will Dr. Howard be the Director of the WTCHP after June 2? Yes, or no? Or will Dr. Howard be terminated after June 2? Yes, or no?
4. From April 1 until April 30, did the Program enroll any new members? Yes, or no? If yes, how many?
5. From April 1 to April 30 did the program certify any new treatment for covered conditions for members, (i.e. approve under the Zadroga Statue treatment for responders

or survivors in the program)? Yes, or no? If yes how many certifications were approved by the program?

6. Is the NIOSH Director, who is a statutory employee appointed for a term of office by the HHS Secretary subject to a RIF? Yes, or no?
7. Did the program have 93 staff members at the start of the Trump Administration? Yes, or no? How many staff remain at the WTCHP as of today who have not been fired, accepted the “Fork in the Road” option, or received a RIF notice?
8. Will you be reinstating the NIOSH and CDC staff that support the WTCHP and are needed to effectively provide its services? Yes, or no?
9. Do you still assert that your cuts to the WTCHP are not impacting 9/11 responders and survivors’ treatment and care? Yes, or no?
10. Will you and the Administration support the legislation S.739/H.R. 1410 that we have introduced with our House colleagues to address the WTCHP’s impending funding deficit? Yes, or no?
11. Do you believe that we should “Never Forget 9/11”? Yes, or no?

To support the function of the World Trade Center Health Program, Dr. Howard must be fully restored to his position, including past June 2, and the WTCHP staff must be brought to full strength, permanently reinstating the medical, epidemiological, contract, grant, and support staff. This needs to be done immediately. The CDC and NIOSH staff that support and work on behalf of 9/11 responders and survivors must be restored and HHS must provide timely responses to Members of Congress about WTCHP operations.

Please respond to this letter by May 14th, 2025. If you have additional questions, please reach out to Senator Gillibrand and Senator Schumer’s staff.

Sincerely,



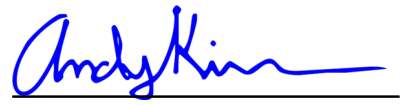
Kirsten Gillibrand
United States Senator



Charles E. Schumer
United States Senator



Richard Blumenthal
United States Senator



Andy Kim
United States Senator

[illegible]

[illegible]

[REDACTED]

Subject: [EXTERNAL] RE: Medical Forum Call

Hello –

Unfortunately, we have not been able to resume sending program letters, including enrollment or certification letters. We are still waiting on confirmation of Dr Howards status. If you have any questions or concerns, please feel free to reach out.

Thank you,

Lauren Cimineri PharmD MPH
Healthcare Benefits Branch Chief | World Trade Center Health Program (WTCHP)
Health and Human Services (HHS)
Centers for Disease Control and Prevention (CDC)
National Institute for Occupational Safety and Health (NIOSH)

From: Ciminieri, Lauren (CDC/NIOSH/WTCHP/HBB) <xxk0@cdc.gov>

Sent: Thursday, May 1, 2025 14:56

To:

[illegible]

[REDACTED]

Subject: [EXTERNAL] RE: Medical Forum Call

Hello –

We are able to resume processing enrollments, certifications, and letters at this time. Expedites have also been processed. Please reach out to Karna if you have questions about the status of an enrollment or certification. You should be seeing the new decisions in your next data feeds this Friday and Monday. If there is an issue with your data feed, please reach out to Karna so they can look into it for you. If there are other questions or issues, please reach out to me.

Thank You,

Lauren Cimineri PharmD MPH
Healthcare Benefits Branch Chief | World Trade Center Health Program (WTCHP)
Health and Human Services (HHS)
Centers for Disease Control and Prevention (CDC)
National Institute for Occupational Safety and Health (NIOSH)