

2001

Office of the Mayor
Rudolph W. Giuliani

DEPUTY MAYORS

ROBERT HARDING

WORLD TRADE CENTER (WTC) - DISASTER
MISCELLANEOUS

0129

Folder

02/02/1/005

Box



www.alpha-sys.com

TO LARRY LEVY -- URGENT

A meeting of the Executive Committee of the Board of Directors of New York City Public/Private Initiatives was held via conference call on Friday, September 14, 2001 at ____:____

Present and participating in the Conference Call were:

Frederick Schaffer, President

Robert M. Kaufman

Tamra Roberts Lhota

Sylvia Ng

Ann Daly Printon

Roberta Waldman

Edward A. Weinstein

The Executive Committee unanimously approved a motion directing the president of NYCPPI to establish the Twin Towers Fund to aid the families devastated by the loss of a loved one, particularly those involved in the search and rescue efforts of the World Trade Center.

The president is authorized to disburse any and all funds donated upon receipt of verbal or written instructions from the Mayor, the Chief of Staff or the Deputy Mayor for Finance and Economic Development.

Upon receipt of verbal instructions from any of the foregoing individuals, the president is directed to write a memo to the file summarizing those instructions and immediately provide a copy of the "memo to the file" to the Deputy Mayor for Finance and Economic Development and to the Chairperson of NYCPPI.

Furthermore, the Executive Committee expressly provides that disbursements made pursuant to these directions require only one authorized signature.

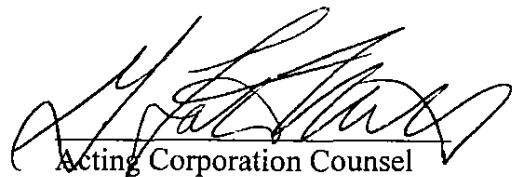


LAW DEPARTMENT
350 Jay Street - 8th Floor
Brooklyn, New York 11201

Michael Hess
Corporation Counsel

Date: September 13, 2001

The Corporation Counsel hereby declares that the events of September 11, 2001 constitute an emergency within the meaning of Section 315 of the Charter and Section 3-06 of the rules of the Procurement Policy Board. The Corporation Counsel therefore approves the emergency purchase of any and all goods, services, construction and construction-related services by any City agency that issues a Declaration of Emergency to alleviate the emergency condition and to ensure the proper function of government.



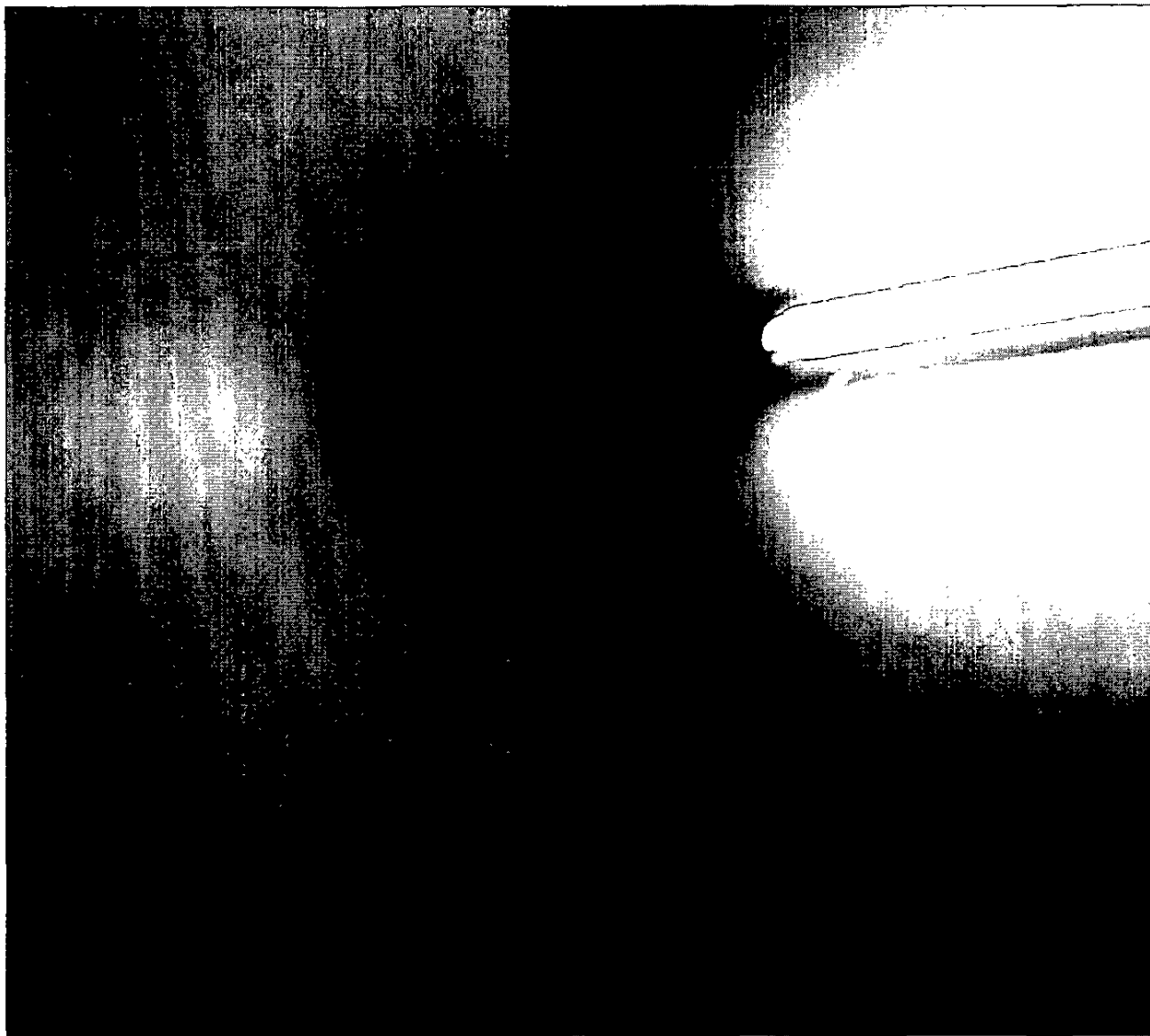
Acting Corporation Counsel





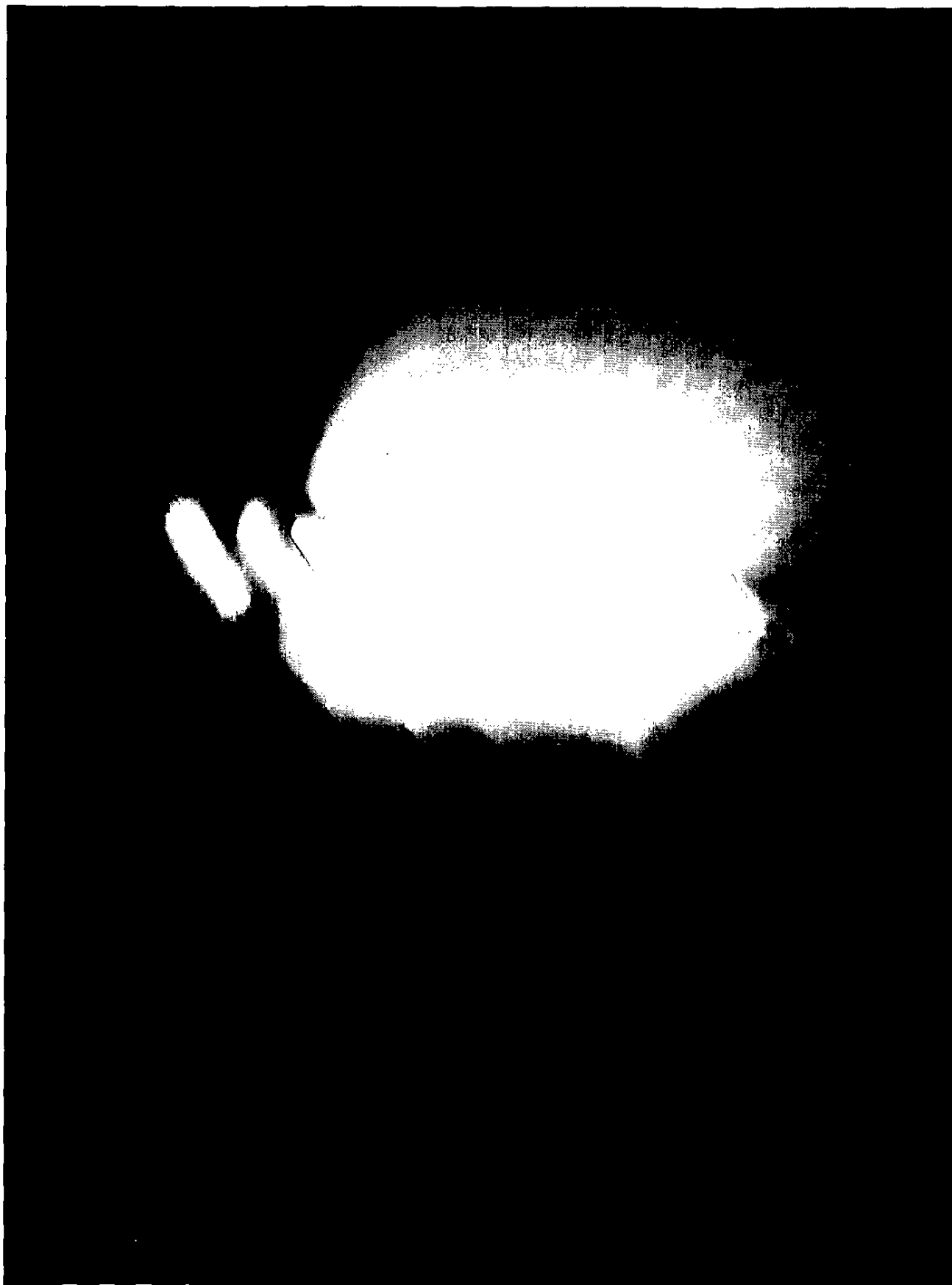












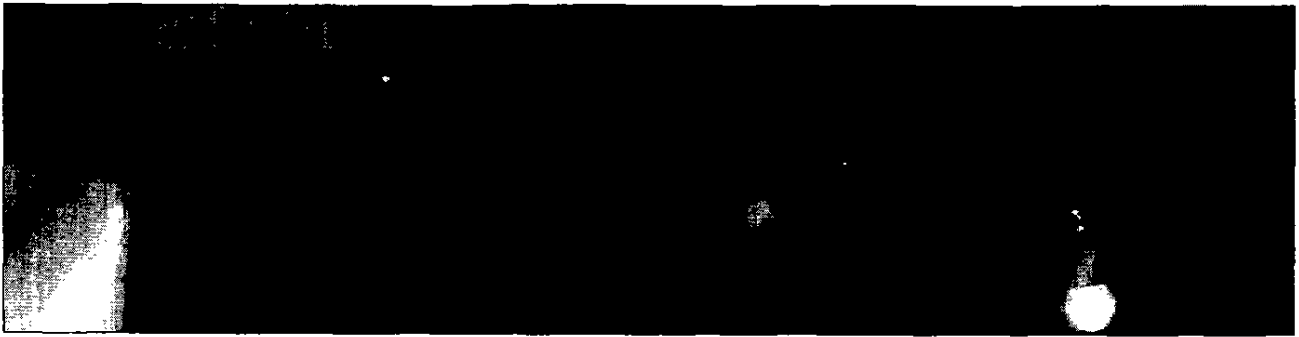




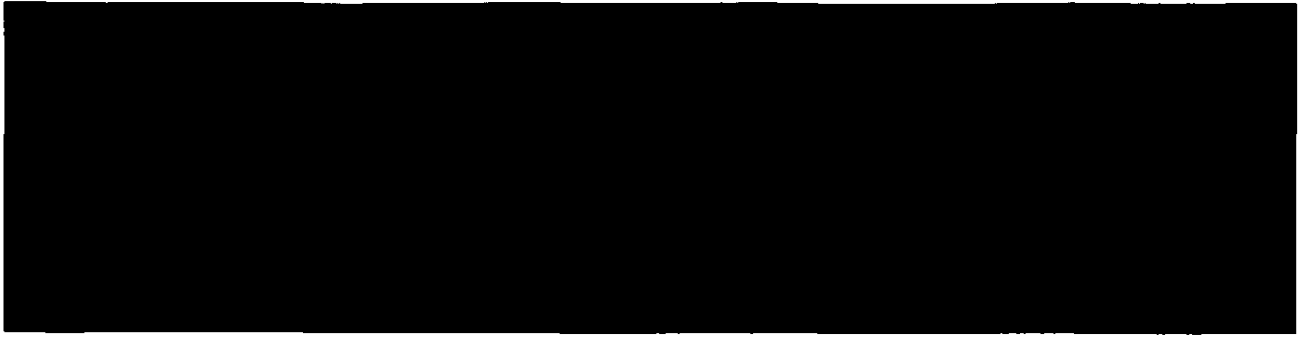


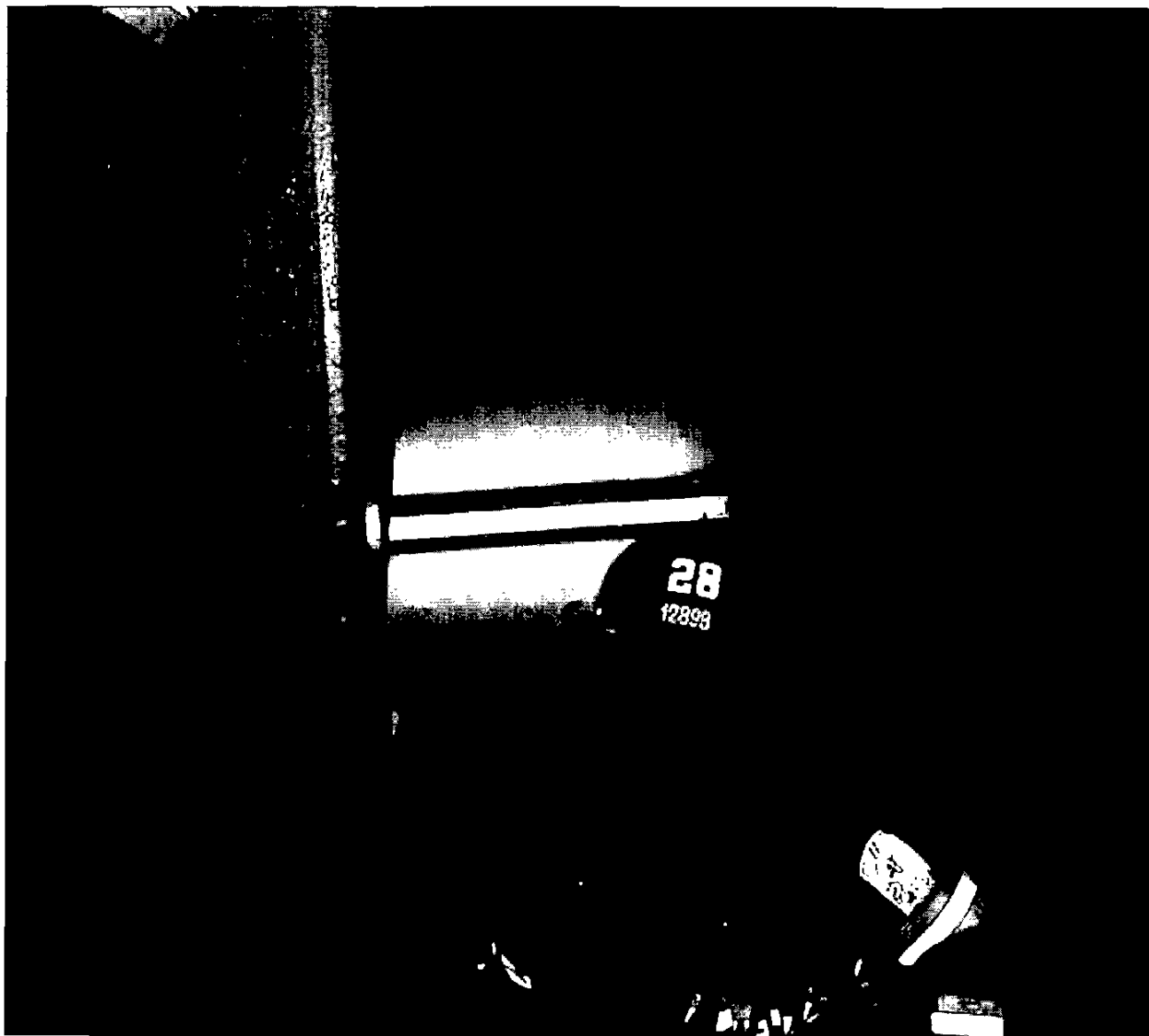
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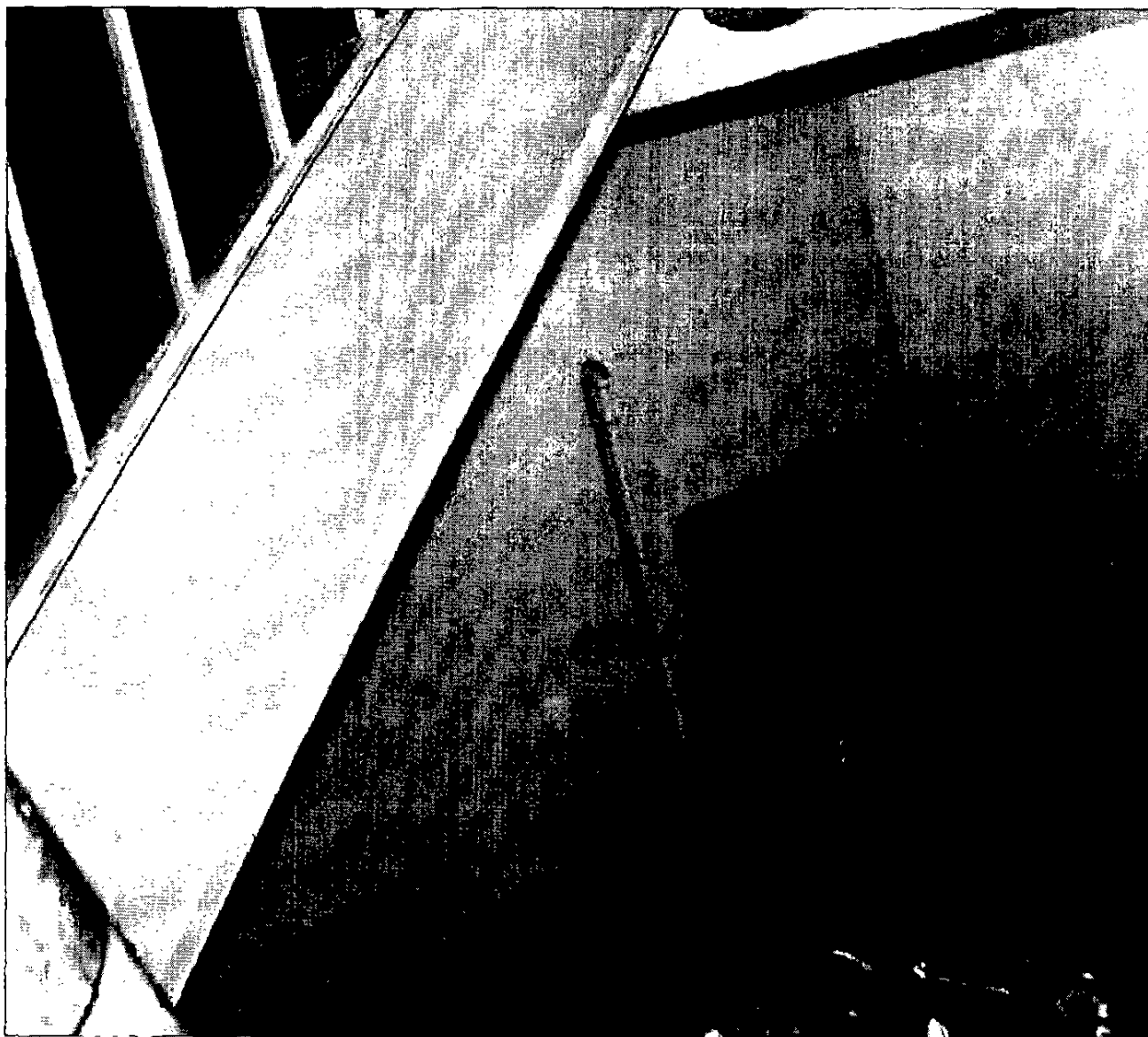










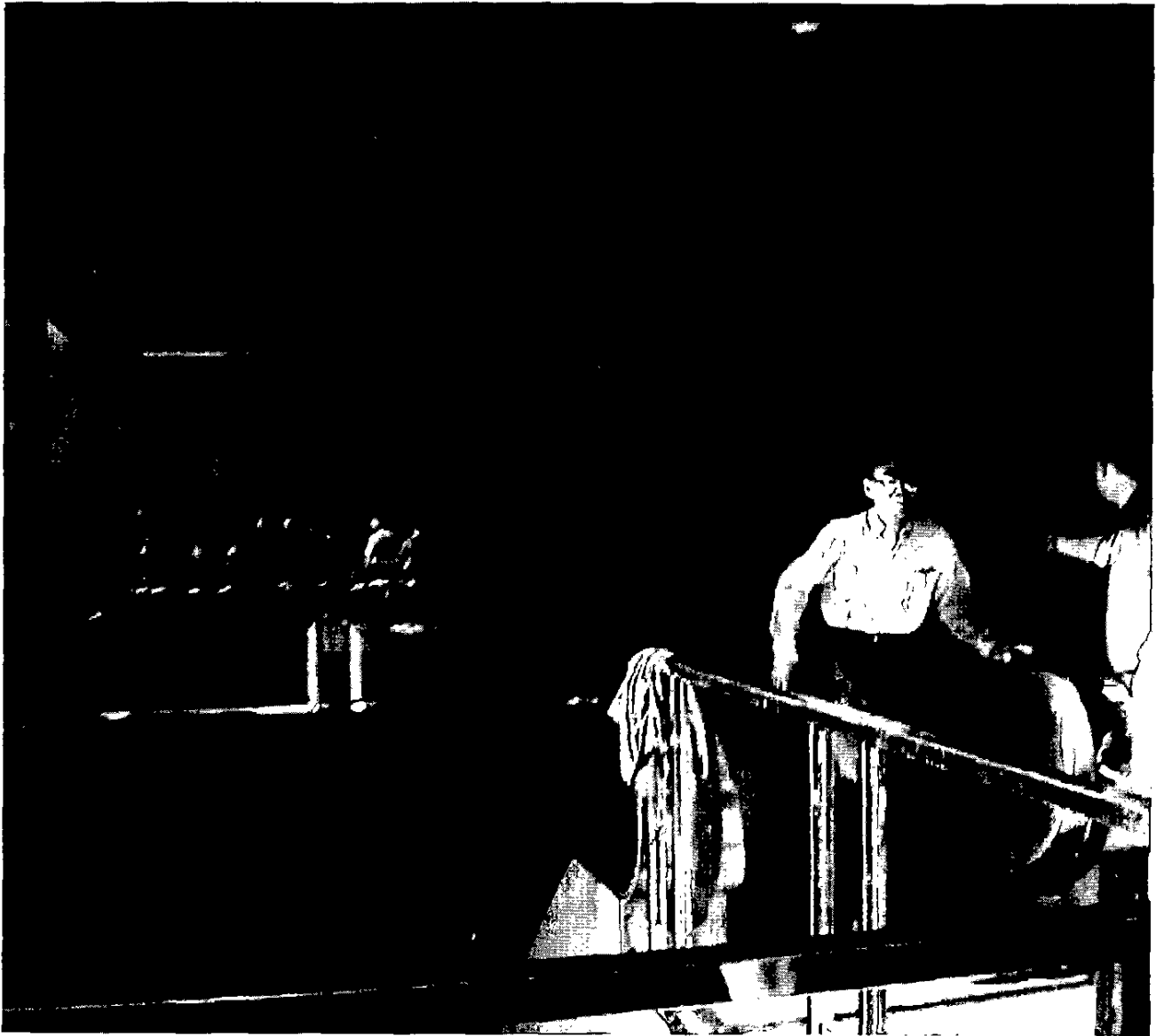










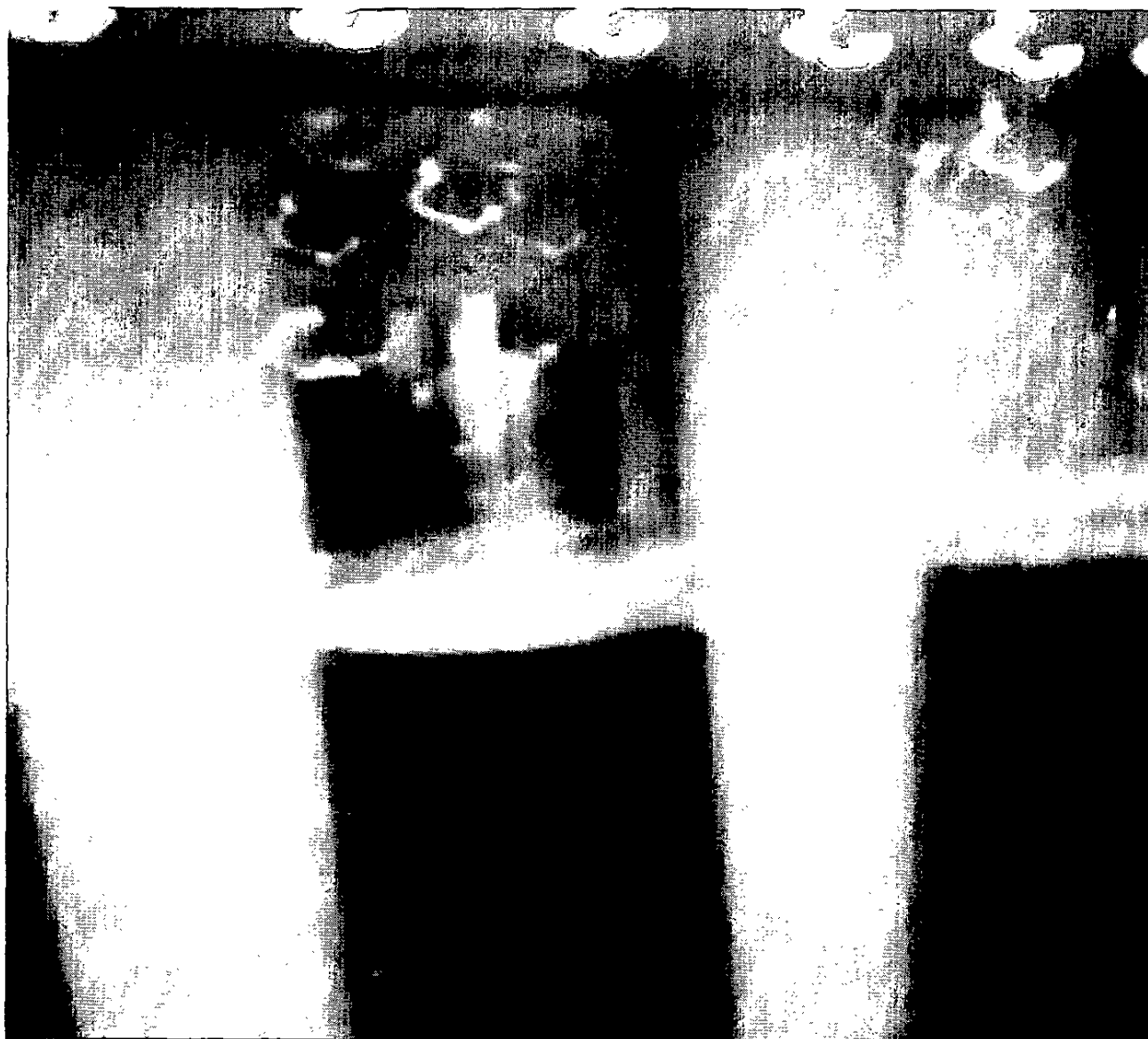


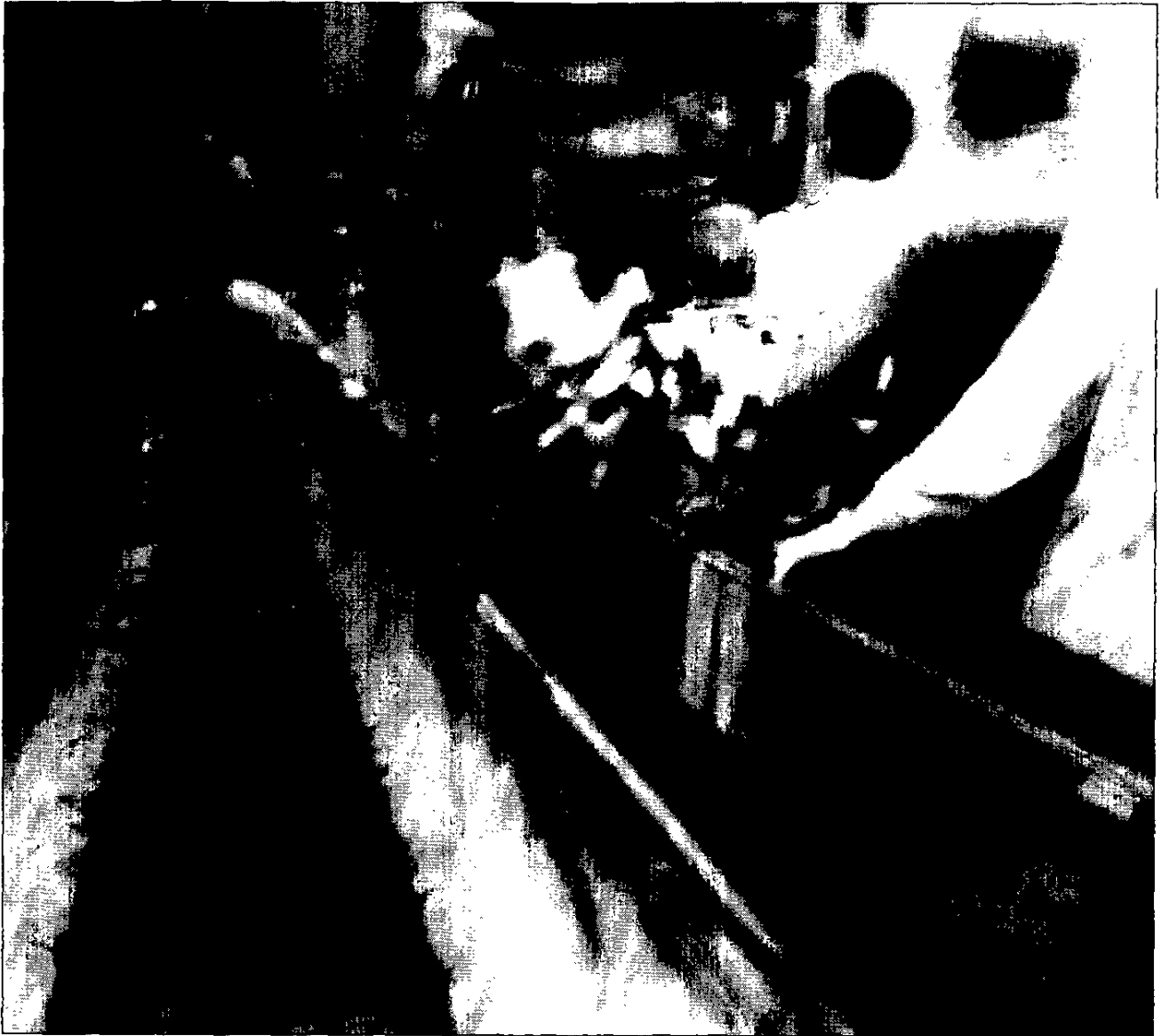


















09/20/2001

11:14

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NO. 296

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NEW YORK CITY LAW DEPARTMENT

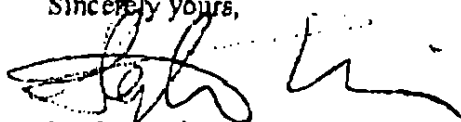
September 20, 2001

Hon. Anthony Piscitelli
Director
Office of State Legislative Affairs
Albany, New York

Dear Mr. Piscitelli:

Transmitted herewith, approved as to form, is '01 Mayor #__, an act to amend the general municipal law, the retirement and social security law and the administrative code of the city of New York to provide benefits on behalf of public employees who died or suffered disabling injuries in the line of duty as a result of the attack on the World Trade Center on September 11, 2001 or the aftermath of such attack.

Sincerely yours,



Stephen E. Louis
Chief
Division of Legal Counsel

AN ACT to amend the general municipal law, the retirement and social security law and the administrative code of the city of New York to provide benefits on behalf of public employees who died or suffered disabling injuries in the line of duty as a result of the attack on the World Trade Center on September 11, 2001 or the aftermath of such attack.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 208-f of the general municipal law is amended by adding a new subdivision g to read as follows:

g. Notwithstanding any other provision of law, the special accidental death benefit provided by this section shall be paid to the persons named in subdivision f of this section who are the survivors of any public employee who was a member of a public retirement system of the state as described in subdivision six of section one hundred fifty-two of the retirement and social security law, or would have been eligible to join such a retirement system, and who, in the judgment of such employee's employer, died in the line of duty in connection with the attack on the World Trade Center on September 11, 2001 or the aftermath of such attack. For purposes of this subdivision, the terms "widow" and "widower" as used in this section 208-f of the general municipal law shall be deemed to include the employee's domestic partner as defined in section 1-112 of the administrative code of the city of New York. The benefit paid hereunder shall be in lieu of any other benefit pursuant to this section or section 161-a of the retirement and social security law.

Section 2. Section 605 of the retirement and social security law is amended by adding a new subdivision f to read as follows:

f. (1) Notwithstanding any other provision of law, in the event that a member or a person who would have been eligible to become a member is disabled as the result of an accident sustained in the line of duty while such member or person was in the immediate vicinity of the attack on the World Trade Center on September 11, 2001 or the aftermath of such attack, then such person shall receive a disability retirement equal to three quarters of final average salary, subject to the provisions of section sixty-four of this chapter and section 13-176 of the administrative code of the city of New York.

(2) The benefit paid hereunder shall be in lieu of any other disability or performance of duty benefit.

(3) For the purpose of applying for benefits pursuant to this subdivision f, an individual who would have been eligible to join a public retirement system of the state on September 11, 2001 shall be entitled to join

such a public retirement system by filing an application for membership with such retirement system on or before March 29, 2002 and such application shall, for the purposes of this subdivision f, be deemed to have been filed on September 11, 2001.

Section 3. The administrative code of the city of New York is amended by adding a new section 3-405.1 to read as follows:

§ 3-405.1. The mayor shall make an award to the surviving spouse or domestic partner of any employee of the city of New York who, as determined by the mayor, died in the discharge of duty in connection with the attack on the World Trade Center on September 11, 2001 or the aftermath of such attack.

a. Such award shall be in the amount of the annual salary of such employee at the time of death of such employee.

b. Such award shall be made in one payment as soon after the death of such employee as may be possible and shall be in addition to any pension, award or other allowances authorized by law, except that such award shall be made in lieu of any other award authorized pursuant to this chapter.

c. In case there shall be no spouse or domestic partner surviving such member, the award shall be made to the minor child or children surviving such employee.

d. In case there shall be no spouse or domestic partner or child so surviving, the award shall be made to the mother, father or other dependents of such member.

Section 4. Section 12-126 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Notwithstanding any provision of law to the contrary, the health insurance coverage provided for survivors of certain employees under paragraph (2) of subdivision b of this section 12-126 shall be provided to the following survivors of any employee of the city of New York whose death, as determined by the mayor, was the natural and proximate result of an accident or injury sustained while in the performance of duty in connection with the attack on the World Trade Center on September 11, 2001, or the aftermath of such attack: the surviving spouse or domestic partner, until he or she dies, and children under the age of nineteen years and any such child who is enrolled on a full-time basis in a program of

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undergraduate study in an accredited degree-granting institution of higher education until such child completes his or her educational program or reaches the age of twenty-three years, whichever comes first.

Section 5. This act shall take effect immediately.

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NO.29E

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Title: AN ACT to amend the general municipal law, the retirement and social security law and the administrative code of the city of New York to provide benefits on behalf of public employees who died or suffered disabling injuries in the line of duty as a result of the attack on the World Trade Center on September 11, 2001 or the aftermath of such attack.

Summary of provisions:

Section 1 adds a new subdivision g to General Municipal Law 208-f to provide public employees of any state or city entity with a special accidental death benefit equal to the benefit provided under GML 208-f, i.e. the annual salary of the decedent, minus (1) the pension death benefit; (2) social security benefit; and (3) workers compensation. This benefit will go to anyone who died, including rescue workers and other public employees who were victims. Registered domestic partners of the deceased will receive the same benefits as spouses. Provision is made for benefits for families of employees who were eligible to join a retirement system but had not yet done so.

Section 2 amends Retirement and Social Security Law section 605, which applies to members of Tier 4. It provides a $\frac{1}{4}$ salary disability benefit for an employee who was disabled as a result of a line of duty injury sustained while in the immediate vicinity of the attack, or the aftermath of such attack (including both rescuers and other employee-victims), offset by any workers compensation benefit (see references to RSSL 64 and Ad. Code 13-176). This benefit will be available to members of Tier 4, and to persons who were eligible to join Tier 4 but had not done so (but only if they apply to join the system by March 29, 2002). (Other rescuer workers including EMTs would already get a $\frac{1}{4}$ disability pension under existing state law.) Domestic partners will be treated like spouses.

Section 3. The Board of Estimate chapter of the Administrative Code, (Chapter 4 of Title 3, sections 3-401 through 3-404) provides death benefits in varying amounts for uniformed employees whose survivors receive one year's salary and other employees who receive an amount determined at the Mayor's discretion. This section will add a new section to Chapter of 4, to provide that the survivors of any City employees – including rescue workers and other employee-victims – who died will receive a death benefit equal to the employee's annual salary. Domestic partners will be treated like spouses (as in existing Ad. Code provisions). These benefits will be in lieu of other benefits under Chapter 4. This bill is broader on its face than current law in one respect: if there is no surviving spouse domestic partner or minor child the benefit will go to the "parent." (Existing law refers to "dependent parent" but has been interpreted to include emotional as well as financial dependency.)

Section 4. New York City Administrative Code section 12-126 provides health insurance coverage for survivors of police officers and firefighters who died in the line of duty. This part of the bill will amend that section to extend such benefits to the survivor of any City employee (including rescue workers and other employee victims) who died in connection with the events of September 11 or their aftermath. These benefits will be provided to the surviving spouse or domestic partner, until he or she dies, and to children under the age of 19, and children enrolled on a full-time basis in a program of undergraduate study in an accredited degree-granting

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institution of higher education until they complete their educational program or reach the age of 23, whichever comes first.

Section 5 provides for the law to take effect immediately.

Reasons for support: Enactment of this bill will show our State's support for the families who have suffered the greatest loss from a tragedy that has had a devastating impact on all Americans.

Accordingly, the Mayor hereby urges the earliest possible favorable consideration of this proposal by the Legislature.

Respectfully submitted,

Anthony Piscitelli
Legislative Representative

20/2001

11:14

SKADDEN ARPS → 912123618054P968910

NO.296

001

TO:

SKIP PISCITELLI & RICHARD POLETO

JERRY DWYER 1-347-643-3200

→ AL SCHLESINGER 212-361-8054

JIM CARAS & CHRIS COLLINS 212-518-0324

KEN GARDNER/BUD LARSEN 212-857-1106

BUD LARSEN/BUD LARSEN 212-872-6720

JOSH FULLER 212-259-9299

ROBERT NORTH 212-330-1199

FROM:

MARTHA MANN ALFARO

Final bill. Changes since yesterday:

1. Section 3 now amends the Ad. Code, instead of being uncoded.
2. Section 4 enumerates the survivors who will be eligible, to be sure that domestic partners are included.

You can reach Jerry Dwyer at 347-643-3612 or me at 212-735-3000 ext. 5315, or 735-3080.

7 pages including cover



**THE CITY OF NEW YORK
LAW DEPARTMENT**
100 CHURCH STREET
NEW YORK, N.Y. 10007-2601

MICHAEL D. HERR
Corporation Counsel

TO: Richard Sheirer, Director
Office of Emergency Management

FROM: G. Foster Mills, Managing Attorney

SUBJ: Passes for 100 Church Street

DATE: October 1, 2001



In order to restore even a limited function to the Law Department, we need to get into our offices at 100 Church Street to begin to retrieve case files and other litigation materials. To that end, please allow passes to be issued to the individuals on the attached list. This is a partial list. In a short time, as the courts resume a normal schedule, we will need passes for others as well. I will send you a further memorandum with their names.

We also understand that the building is currently being cleaned and we have arranged coordination with the company doing the cleaning.

Thanks for your help.

c: Eric Hatzimemos

Steps for Return to Occupancy

A. Structural Stability Assessment

**** Licensed professional engineers must conduct these assessments**

- Building structure (examples)
 - Assess strength and stability
 - Check impact of fire, flooding
 - Ensure stability/accessibility of egress stairs
- Façade (examples)
 - Check for unmoored brick, falling parapet, glass
- Minor work (examples)
 - Check broken windows, doors

B. Utility Work

- Gas – *must coordinate with Con Ed*
 - Ensure restoration of service – approximately 200 buildings with gas turned off require Con Ed integrity test
- Electricity – *must coordinate with Con Ed*
 - Inspect potential flooding conditions, especially in area of main panel
 - Check for any exposed wires, damaged fixtures
- Water – *must coordinate with DEP*
 - Ensure building has potable water for drinking, sewage purposes
 - Flush all systems (roof tanks, drinking water, waste water), and clean as necessary and appropriate
- Steam – *must coordinate with Con Ed*
 - Ensure service can be restored when appropriate

C. Hazardous Materials Assessment

- Hazardous materials and particulate matter – *DEP available to assist and coordinate*
 - Visually inspect interiors, conduct air monitoring and remediation as needed
 - If hazardous material is detected, licensed contractors must perform appropriate regulatory cleanup

D. Mechanical

- HVAC
 - If hazardous material is detected, licensed contractors should perform appropriate cleanup
 - Mechanical cleaning should begin before interior cleaning, lest the building interior become re-contaminated by the restart of mechanical system

D. Interior Clean-Up

- Debris and dust
 - Remove all non-hazardous debris and dust; for hazardous materials, licensed contractors should perform appropriate cleanup, such as HEPA vacuuming, damp wiping, and wet mopping

E. Communication with Occupants

- Education and Outreach
 - Clearly explain to tenants and building users all procedures and measures taken to prepare building for re-occupancy and prevent re-contamination

CITY OF NEW YORK
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
DIVISION OF FACILITIES MANAGEMENT & CONSTRUCTION
STEPS FOR STARTING HVAC SYSTEM IN CITY OWNED BUILDINGS IN
LOWER MANHATTAN:

I. Central Air Conditioning Systems

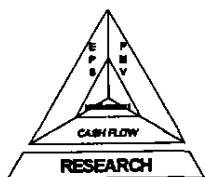
- 1) Clean thoroughly air intake louvers and MER.
- 2) Remove existing air filters on the return air/mixed air systems and outside air systems, if applicable.
- 3) Clean out side air intake system using HEPA filtered vacuums capable of trapping and retaining 99.7% of all particles larger than 0.3 microns to insure capture of solid particles formed by condensation of vapors of molten metal (fumes) and majority of solid particles formed by incomplete combustion of oil (smokes).
- 4) Install new filters.
- 5) Run supply fans only for a short period of time to create positive pressure to purge out contamination through available cracks etc.
- 6) Run supply and return fans to trap solid particles in the recirculation air.
- 7) Replace filters.
- 8) Operate air-conditioned space initially above 45% RH (not to exceed 60% RH) in order to keep odor perception and irritation at a minimum. The irritation is greatest at low relative humidity.

II. Window Air Conditioning Systems

- 1) Clean thoroughly the units including supply and return grilles.
- 2) Replace air filters.
- 3) Operate fans to trap solid particles in the recirculation air.
- 4) Replace air filters.

ED02-01

One Corporate Center
Rye, NY 10580-1435
Tel. (914) 921-5000
Fax (914) 921-5060
<http://www.gabelli.com>
gamcoinfo@gabelli.com



Gabelli Asset Management Company

To: Mario J. Gabelli

cc: Charles Andruss
Thomas Ryan

From: Douglas R. Jamieson

Re: Tuition Model

Date: September 14, 2001

Assumptions

Population: 750 Police, Fire and EMT workers
Average 2 children per worker
Average child in 6th grade

Tuition: \$3,000 per year grammar school
6,000 per year high school
20,000 per year for college

Freeze Costs
Assign money

All tuition held constant:

Gross \$113,000 per student
PV 77,000 discounted at 5%

Gross \$169,500,000
PV 115,400,000

Gross \$\$\$	<u>Year 1,2,3</u>	<u>4,5,6,7</u>	<u>8,9,10,11</u>
	\$4.5 million	\$9.0 million	\$30.0 million

10/12 Columbus day weekend - Round 4
potential education - American Organization
- Conductive eqn - Tuition Free. } Mentors
- even if August - future

SCHEDULE
SATURDAY, SEPTEMBER 15, 2001

406-
Bell Feehan Find
Blely

8:30am
FYI

NOT FOR THE MAYOR
Morning Briefing

9:00am

Funeral Mass for First Deputy Commissioner William Feehan
St. Mel's Roman Catholic Church
26th Avenue and 154th Street
Flushing, Queens

Perry
Hatchin.

Contact: Lynn Tierney, 917 560 4850 cell

Notes - Bldgs.

Trucks - within the H's

10:15am
FYI

Funeral Mass for Father Mychal Judge
St. Francis of Assisi
31st Street between Sixth and Seventh Avenues
Manhattan

Grandchildren to
be covered?

Attendees

*Note Commissioner Von Essen will not be attending because of
funerals for Commissioner Feehan and Chief Ganci*

12:30pm

Funeral Mass for Peter J. Ganci
Chief of Department, FDNY

St. Killian Roman Catholic Church
485 Conklin Street
Farmingdale

Contact: Lynn Tierney, 917 560 4850 cell

4:30pm

Afternoon Briefing

(212) 246-5450
GT 224

ORGANIZATION ASSIGNMENT LIST		1. INCIDENT NAME: World Trade Center		2. OPERATIONAL PERIOD #7: 9/14/01 0800 X 2000	
3. INCIDENT COMMANDER AND STAFF:		4. FINANCE SECTION		5. OPERATIONS SECTION	
INCIDENT COMMANDER	Mueller, J.	CHIEF		CHIEF	Sivana, B.
DEPUTY		DEPUTY			
SAFETY OFFICER		TIME UNIT		Five Ops Center BRANCH DIR	Perotta, N.
INFORMATION OFFICER		PROCUREMENT UNIT			Davis, R.
LIASON SEMO	Burke, R. PLANNING	COMPLAINING UNIT			Bayfield, D.
	Cable	COST UNIT			Mason, S.
	Fairclough				Goldstein, B.
6. AGENCY REPRESENTATIVES TO		7. LOGISTICS SECTION			
Civil Support Team	MURK, B. & LaTourette, E.	CHIEF	Burton, J.		
FDNY	Martin, P.	DEPUTY			
HQ Metrotech	Mallick, M.			Westchester BRANCH DIRECTOR	Knowlton, M. / Lamb, W.
AGENCY: * OFPC STAFF PLAN FOR LOCATIONS		SUPPORT BRANCH DIRECTOR			
DEM	Dickenson	SUPPLY UNIT		West. EOC @ White Plains	Huntston, T. Babcock, J.
AGENCY:		FACILITIES UNIT			
AGENCY:		GROUND SUPPORT UNIT			
AGENCY:		SERVICE BRANCH DIRECTOR		Long Island Branch Director	Dermody, W.
8. PLANNING SECTION		COMMUNICATIONS UNIT			
CHIEF	Shadie, R.	MEDICAL UNIT			
DEPUTY		FOOD UNIT			
RESOURCES UNIT				USAR BRANCH DIR. Planning	ROUSSEAU, B.
RESOURCES UNIT				USAR Planning	BRIMMALLI, S.
SITUATION UNIT		9A. OPERATIONS SECTION - AIR OPERATIONS BRANCH:		USAR Logistics	GOULD, G.
DOCUMENTATION UNIT		AIR OPERATIONS DIRECTOR		USAR Logistics	WUTZ, T.
DEMOBILIZATION UNIT		AIR SUPPORT SUPERVISOR			
TECHNICAL SPECIALISTS		AIR ATTACK SUPERVISOR			
		HELICOPTER COORDINATOR			
		AIR TANKER COORDINATOR			
9. PREPARED BY (RESOURCES UNIT)				10. DATE/TIME PREPARED	

NYC 9/11-01

G:\NYC911\01-01

INCIDENT OBJECTIVES		1. Incident Name: World Trade Center		2. Date: 9/14/01		3. Time Prepared: HRS.	
4. Operational Period (#7) Friday, September 14, 2001 0800Hrs. X 2000 Hrs.							
5. General Control Objectives for the Incident (Include Alternatives)							
- Establish Mutual Aid coordination assignments							
- Identify mutual aid resource needs							
- Prepare list of available resources							
- Provide resources in response to identified needs of the City of New York							
- Provide search & rescue operations at incident scene							
6. Weather Forecast for Operational Period:							
See Attached							
7. General/Safety Message:							
Be aware of traffic disruption							
Have Photo ID/OFFPC ID present at all times							
Monitor air quality assessments & safety procedures at incident scene							
8. Attachments (✓ if attached)							
☐ Organization List (ICS 203) ☐ Division Assignment Lists (ICS 204) ☐ Communications Plan (ICS 205) ☐ Incident Map ☐ Medical Plan (ICS 206)							
9. Prepared by (Planning Section Chief):							
10. Approved by (Incident Commander):							

COMMENTS: FYI - IAP & List

FROM: Jim Beattie

TO: Dr. Walter Rasmussen - SPAC

OF PAGES: 14 (INCLUDING COVER SHEET)

DATE: 9/14/01

Phone: (518) 474-6746 Fax: (518) 474-3240 E-mail: fire@dos.state.ny.us Web site: www.dos.state.ny.us/fire/firewww.html

New York State Department of State
 Office of Fire Prevention and Control
 41 State Street, 12th Floor
 Albany, NY 12231-0001

FAX



STATE OF NEW YORK
EXECUTIVE CHAMBER
GEORGE E. PATAKI, GOVERNOR

Press Office
518-474-8418
212-681-4640
<http://www.state.ny.us>

DRAFT

FOR RELEASE:
IMMEDIATE, Friday
September 21, 2001

→ No fees
→ Verne state wide
→ no fees
→ certain publication

**WTC RESPONSE UPDATE: GOVERNOR ISSUES ORDER TO HELP FAMILIES OF
MISSING, DECEASED COPE WITH ESTATE AND FINANCIAL MATTERS
New York's Life Insurers to Accept Affidavits in Lieu of Death Certificates
Workers' Comp Board Suspends Death Certificate Requirement to Obtain Benefits**

BANKS:
151C

Governor George E. Pataki today issued an Executive Order streamlining court procedures to help the families of missing victims of the World Trade Center attack cope with estate related matters. The Governor's order will help families make insurance claims, disburse estates and gain access to bank accounts.

The Governor also announced that New York State's life insurance companies will accept uniform affidavits in place of death certificates from World Trade Center disaster victims' next of kin, easing the burden on families of victims and expediting payments. In addition, the Governor announced that the New York State Workers' Compensation Board will suspend its practice of requiring dependents to produce a death certificate in order to obtain workers' compensation benefits.

"This unspeakable tragedy has caused tremendous pain and suffering for thousands of families and we intend to do everything in our power to provide comfort, support and assistance to them during this difficult time," Governor Pataki said. "It is our hope that by helping with crucial estate and financial matters, we will provide a measure of comfort to the many families affected by this terrible tragedy."

For World Trade Center victims, the Governor's Executive Order removes all requirements for the payment of filing fees in any matter relating to the estates or affairs of those who are missing or deceased as a result of the September 11 attack. In addition, the order provides that families will not have to comply with the requirement that notice of the proceedings must be provided through publication in a newspaper. Under the Governor's order, families may also file proceedings in any county they choose, rather than only in the decedent's home county.

Also, all insurers licensed to do business in New York State will accept affidavits from next of kin of victims of the World Trade Center, Pentagon and Pennsylvania disasters when a death certificate is not available. In addition, the Governor requested the Workers' Compensation Board to adopt a plan that would designate missing workers as "deceased" for the purpose of workers' compensation, regardless of whether a death certificate has been issued. This will relieve families from having to prove their missing loved one is actually deceased. It will also enable the Board to process claims and award benefits and will allow insurers to

DRAFT

commence payments. Families will be required to sign statements indicating that they are indeed dependents instead of being compelled to testify.

- more -

In addition, the Governor's office is working with bar associations to assemble a group of experienced Surrogate's Court practitioners who will be available to provide free legal assistance to the families.

The Governor's Executive Order also provides help so families can get quick access to needed assets that may be in bank accounts held in the name of their relative who was a victim of September 11's horrific events. A victim's spouse, or if there is no spouse, the guardian or care-giver to the victim's children, will be able to make withdrawals from the victim's bank accounts and money market mutual fund accounts by submitting affidavits (on Banking Department forms) to the financial institutions holding such accounts. Spouses and guardians/caregivers will be able to withdraw up to an aggregate total of \$15,000 from all such accounts.

The Governor also announced that family members should be aware that: (1) if they have joint bank accounts with the victims, they can access those funds immediately to take care of the victims and their families, and (2) if the decedent's estate is \$20,000 or less, they will be able to settle the estate with little court involvement.

###

DRAFT

No.

EXECUTIVE ORDER

TEMPORARY SUSPENSION AND MODIFICATION OF PROVISIONS RELATING TO ACCESS
TO PROCEEDINGS IN SURROGATE'S COURT AND TO BANK ACCOUNTS AND MONEY
MARKET ACCOUNTS BY CERTAIN INDIVIDUALS AS THE RESULT OF TERRORIST ACTS
OF SEPTEMBER 11, 2001

WHEREAS, on September 11, 2001, I issued Executive Order
Number 113 declaring a disaster emergency in the State of New York;

NOW, THEREFORE, I, GEORGE E. PATAKI, Governor of the State
of New York, by virtue of the authority vested in me by the
Constitution and Laws of the State of New York, do hereby continue
Executive Order No. 113, dated September 11, 2001, except that such
Executive Order is amended to read as follows:

FURTHER, pursuant to the authority vested in me by Section
23-a of Article 2-B of the Executive Law to temporarily suspend, alter
or modify specific provisions of any statute, local law, ordinance,
orders rules or regulations, or parts thereof, of any agency during a
State disaster emergency, if compliance with such provisions would
prevent, hinder or delay action necessary to cope with the disaster, I
hereby temporarily suspend, alter and modify for the period from the
date of this Executive Order until further notice, the following laws:

Sections 2401 and 2402 of the Surrogate's Court Procedure Act, so
far as those sections require the payment of filing fees in any matter
relating to the estates or affairs of persons missing or deceased as a
result of the terrorist attacks on September 11, 2001;

Section 205 of the Surrogate's Court Procedure Act, so far as it
provides that the next of kin of persons missing or deceased as a
result of the terrorist attacks on September 11, 2001 are required to
file Surrogate's Court proceedings in the county of the decedent's
domicile at the time of death; and section 205 is modified and altered
to allow the next of kin to file in any county of their own choosing;

Section 902 of the Surrogate's Court Procedure Act, so far as it
requires service of process to persons missing or deceased as a result
of the terrorist attacks on September 11, 2001;

Subdivision (c) of Section 4-104 of the New York Uniform
Commercial Code, so far as it relates to a customer that was either
employed in the World Trade Center or the Pentagon, or was in such
buildings, or in the immediate vicinity, when the terrorist attacks of
September 11, 2001 occurred, or was a crew member or passenger on any
of the airline flights involved in the disasters on that date, or was
a police officer, fire fighter, emergency medical service provider, or

DRAFT

rescue volunteer at one of those building sites on that date who is missing or deceased; and for such a customer, the definition of "customer" in subdivision (c) of Section 4-104 of the New York Uniform Commercial Code is modified and altered to include within such definition any person who has presented an affidavit (in a form to be determined by the Superintendent of Banks) by which such person states: (i) that he or she is the spouse of such a customer, or if there shall be no spouse, the legal guardian of such customer's minor children, or if there shall be no spouse and no legal guardian shall have been appointed, the person with whom such customer's minor children shall reside; and (ii) that he or she has not sought payment of an item or items, together with any redemptions of money market mutual fund shares, with respect to accounts held solely in the name of such customer, in excess of \$15,000 in the aggregate;

Section 4-405 of the New York Uniform Commercial Code, to the extent that the death of a customer would revoke the authority of a bank to pay the item or items on the order of the person who presents an affidavit by which such person states that he or she is the spouse of a customer, the legal guardian of such customer's minor children, or the person with whom such customer's minor children shall reside, as provided for in the suspension and modification of subdivision (c) of Section 4-104 of the New York Uniform Commercial Code by this Order above;

Section 8-107(a) (i) of the New York Uniform Commercial Code in order to alter and modify the definition of "appropriate person" for the purpose of redemption of money market mutual fund shares of a person that was either employed in the World Trade Center or the Pentagon, or was in such buildings, or in the immediate vicinity, when the events of September 11, 2001 occurred, or was a crew member or passenger on any of the airline flights involved in the disasters on that date, or was a police officer, fire fighter, emergency medical service provider, or rescue volunteer at one of those building sites on that date who is missing or deceased, to the extent New York Law applies, in order to include, with respect to an indorsement, instruction or entitlement order, any person who has presented an affidavit (in a form to be determined by the Superintendent of Banks) by which such person states: (i) that he or she is the spouse of the person specified by a security certificate, the registered owner of an uncertificated security, or the entitlement holder, as applicable, or if there shall be no spouse of such person, the legal guardian of such person's minor children, or if there shall be no spouse and no legal guardian shall have been appointed, the person with whom such person's minor children shall reside; and (ii) that such indorsement, instruction or entitlement order, as applicable, and all such indorsements, instructions and entitlement orders, together with any items paid as provided for in the suspension and modification of subdivision (e) of Section 4-104 of the New York Uniform Commercial Code by this Order above, with respect to accounts held solely in the name of such person, shall be for a sum or sums not in excess of \$15,000 in the aggregate.

G I V E N under my hand and the

Privy Seal of the State in the

City of Albany this day of

in the year two thousand.

BY THE GOVERNOR

Secretary to the Governor

SEP-19-2001 12:27

718 237 8737 P.02/06



111 LIVINGSTON STREET, BROOKLYN, N.Y. 11201 TEL: (718) 237-2000 FAX: (718) 237-8737 www.legal-aid.org

September 19, 2001

The Honorable Rudolph Giuliani
Mayor of the City of New York
City Hall
New York, New York 10007

Daniel L. Greenberg
*President and
Attorney-in-Chief*

Criminal Defense Division
Michelle Maxian
Attorney-in-Charge

Kings County Office
Dawn C. Ryan
Attorney-in-Charge

Dear Mayor Giuliani:

Let me begin by conveying our appreciation for the quality of leadership you have shown in this time of crisis. With the whole world watching, you have demonstrated for all of us the spirit of determination and compassion with which we can move forward.

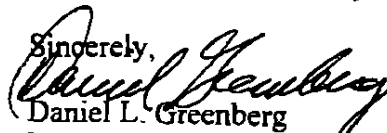
In the past, the Administration has turned to The Legal Aid Society at times when our distinctive skills and capacities were needed by the City, as in resolving the situation of the deaf Mexicans and dealing with rent regulations. I believe another such occasion is upon us and, sadly, in much larger dimension. As the City assembles resources to facilitate recovery, legal services are a critical component, and The Legal Aid Society is uniquely positioned to provide them.

As you know, The Legal Aid Society has offices in every borough of the City, so we can serve families in the community where they live. Despite damage to our downtown facilities, our civil offices are open for business throughout the City. Our vigorous civil practice embraces virtually all of the specializations that will be in greatest demand, and our criminal and juvenile practices are easily accessed as necessary to address legal issues that extend beyond traditional civil practice. We are not only familiar with the relevant legal issues, but also can access sufficient staff to permit us to undertake a project of this magnitude. Legal Aid's connections to the private bar, to the law schools, and other organizations are unparalleled; we have already been fielding large numbers of inquiries from those who want to help, and our pro bono system is fully capable of managing a major volunteer effort.

The attached description further details our current thinking. We are of course prepared to consider other approaches, to discuss other working relationships, and otherwise to mold our thinking in response to others' needs.

You may follow up with me or Elaine Kurtz at our Brooklyn office at (718) 237-2000, or leave a message at (718) 636-8573. Thank you for your consideration of this proposal. I look forward to discussing it further with you.

Sincerely,


Daniel L. Greenberg
President and Attorney-in-Chief

cc: Michael Hess, Corporation Counsel
Dennison Young, Jr., Counsel to the Mayor
Laurence Levy

The Legal Aid Society Disaster Recovery Plan for Survivors

The Legal Aid Society, with offices in every borough of New York City, is in a unique position to address the multiplicity of legal needs of survivors of the World Trade Center tragedy. As the country's largest legal services provider, with substantial civil and juvenile practices in addition to our role in criminal defense, our staff is qualified and experienced in precisely the areas of the law expected to be in greatest demand. The legal issues are so diverse -- banking, death benefits, health and other insurance, immigration, custody, guardianship, small business recovery, and many others -- that the Society's capacity to provide comprehensive services will be of enormous benefit to those struggling to go forward in the aftermath. The Society has significant numbers of staff we can dedicate to this crisis intervention and recovery effort, as well as deep ties with the private bar which will give us access to pro bono assistance. The following is a broad outline of our proposal and the assumptions upon which it is based.

The Clients

Several thousand lower income individuals working in or near the World Trade Center -- cleaning staff, waitresses, vendors, messengers, small shop owners, and others -- were injured or presumably killed, and left devastated families and loved ones behind. Additional thousands are now without financial reserves and at least temporarily unemployed because their employers are dislocated or because they simply no longer have an employer. Small business owners need help with business recovery, bankruptcy, and other issues. In the coming months, there also are likely to be additional layoffs affecting clients in related industries as has already happened with several major airlines. Some of these individuals, families, and small entrepreneurs were previously income-eligible for our services, but did not need them; others who could not qualify for Legal Aid on Monday, September 10th, became eligible overnight. The Legal Aid Society has the unusual breadth of legal expertise, experience, and resources in each borough to reach out and serve all of these clients on the fullest range of their legal problems. This is a proposal to do just that.

The Services

This crisis has given rise to a multitude of legal problems. Clients face particularly complex circumstances because so many have to contend with several, interdependent issues. Among the great strengths of The Legal Aid Society's staff members are not only their expertise but their ability to patiently help clients sort their problems, prioritize them, help complete confusing paper work, and give complete relief to the distraught and pained. some of the predictable issues include:

- **Basic necessities.** Families need to access bank accounts in the name of the missing and presumed deceased, and the ability to deal with credit cards and other bills. They will have a host of basic questions about probating wills, applying for Letters of Administration, securing benefits, and filing claims. We give practical

advice and solutions, make all policies and forms comprehensible, and try to show clients how they can cope.

- **Housing.** One of the most immediate disaster-related issues is maintaining housing. Loss of income will jeopardize the ability to make mortgage or rent payments, and without appropriate intervention these families could become homeless. The Legal Aid Society can provide advice and assistance on housing issues, and initiate appropriate interventions as necessary to help families stay in their homes.
- **Family.** The death of a parent or other caregiver gives rise to child custody, adoption, and guardianship matters, and to needed financial assistance for those now giving care, all of which should get urgent attention. The Legal Aid Society's Civil and Juvenile Rights practices are prepared to address this need, including meeting with the Surrogate and Administrative Judge of the Family Court to consider practices and procedures appropriate to these unique circumstances.
- **Benefits.** Some of the benefits likely to be sought are:

Death Benefits. Families of those who died in the crisis may have recourse to Social Security, insurance, and other benefits, but little sophistication to access these resources.

Unemployment Benefits. Service workers for the World Trade Center, the businesses associated with it, and for businesses in the surrounding area will be without employment. Many of them have no reasonable expectation of re-employment by those former employers.

Income Continuation Benefits. Individuals who are displaced from the workforce and who were not otherwise eligible for unemployment benefits will find themselves in need of income continuation benefits, emergency welfare, food stamps, and other forms of assistance.

Health Benefits. Individuals who were injured in the crisis, as well as the families of deceased individuals are likely to need information about health benefits coverage, either through the family member's employer, or through Medicaid or other government programs. The Legal Aid Society knows the intricacies of Benefits Law and has working relationships with nearly every service agency. We explain procedures to clients, expedite service, and help complete various forms. The Legal Aid Society has an active healthcare and benefits practice throughout the City. Staff work daily with the Department of Labor, Human Resources Administration, health insurance providers, and others.

Immigration. Individuals whose immigration status was contingent on specific employment arrangements may find themselves unable to comply with these arrangements because the employer no longer exists or can no longer retain them. The Legal Aid Society's Immigration lawyers have expertise in arranging the interventions that would be needed to help these clients.

Small Businesses. The area around the World Trade Center included many small businesses whose survival is thrown into question by the disaster of last week. Insurance claims, small business loans, access to SBA and emergency resources, and filing for bankruptcy are just a few of the business-related issues that small entrepreneurs will need to consider. For some there will be a host of (re)start-up issues. Small businesses in other parts of the city may also be affected as for instance where suppliers or distribution systems are interrupted. The Legal Aid Society's expertise includes business law experience in providing advice and counsel to small businesses.

The Resources

While the scope of the project is not entirely clear at this point, we suggest as a starting point support for a mixed group of 35 attorneys and paralegals at an average cost in salaries and fringe benefits of \$75,000 for a fiscal year. This totals approximately \$2.5 million. Because we have an apparent State budget shortfall of approximately that amount for this fiscal year, we have some ability over the course of the year to absorb this adjustment in the nature of our work. We can begin immediately with a citywide hotline operation, to be backed up by a strong commitment in each borough and in a special unit to be established. We expect to build our resource commitment as quickly as possible, beginning immediately, with the expectation that the intensity of this effort will be reduced later in the year. Our cost estimates do not include facilities, equipment, and other overhead, since we are already operational and have taken these costs into consideration.

Service Delivery Plan

Telephone Hotline. This can be set up very quickly, wherever we are able to get equipment connected. We will fully staff the hotline on an extended hours schedule to provide immediate advice and referral on very basic issues, with follow-up by our own staff or pro bono help as needed.

In the Borough Offices. We can begin very quickly after the hotline is in operation to advertise and provide services in our neighborhood offices in each of the boroughs. Services would be delivered through drop-in counseling, community education programs, assistance with forms and procedures, as well as telephone advice as appropriate.

Lower Manhattan Crisis Center. Through our private bar connections we may be able to establish a new temporary assistance center in lower Manhattan near the site of the crisis for the benefit of individuals whose businesses were or are located there, and who come into the area seeking help of all kinds. Obviously, if the City is establishing an emergency center, we would be pleased to be part of it along with other service organizations.

Pro Bono Services. The Legal Aid Society's pro bono relationships with the private bar have already generated many calls offering legal assistance to survivors. They are looking to us to take the leadership to organize them to usefully assist. Our proposal includes conducting triage on the issues that come to us, referring clients in need of fuller interventions to private attorneys who would take their cases on a pro bono basis under the auspices of The Legal Aid Society.

The Legal Aid Society has a unique capacity to provide comprehensive assistance to families and entrepreneurs who otherwise will have to attempt to handle an array of problems piecemeal at a time of overwhelming grief and pain. We hope to be able to make this valuable contribution in the way we are best skilled to help this City and aid WTC survivors to begin to reassemble their lives.

FAX

Date

9/21/01

Number of pages including
cover sheet

5

TO:

Denny Young

212 556-4732

Phone

Fax Phone

FROM:

PATRICK LALLY

DIRECTOR

The City of New York

Washington Office

1301 Pennsylvania Ave., NW

Suite 350

Washington, DC 20004

Phone

(212) 226-5188 NY LINE

(202) 624-5900

Fax Phone

(212) 925-3066

(202) 624-5926

REMARKS:

☒ Urgent☐ For your review☐ Reply ASAP☐ Please Comment

Copy of Supplemental language
per your request.

Pat

SEP-21 01 15:51 FROM:NYC WASH. OFFICE 202-624-5926
09/14/01 13:48 FAX

TO: 912129564732

PAGE: 002
002

Sep-14-01 08:09am From-

T-007 P.02/08 P-539

107th CONGRESS
1st Session

H.R. 2888

Making emergency supplemental appropriations for fiscal year 2001 for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

September 14, 2001

Mr. Young of Florida introduced the following bill; which was referred to the Committee on Appropriations.

A BILL

Making emergency supplemental appropriations for fiscal year 2001 for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for fiscal year 2001, namely:

SEP-21 01 15:51 FROM:NYC WASH. OFFICE
09/14/01 13:48 FAX

202-624-5926

TO:912129564732

PAGE:003
GROUP

Sep-14-01 08:06am From

T-007 P.03/08 F-538

**EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS
APPROPRIATED TO THE PRESIDENT
EMERGENCY RESPONSE FUND
(INCLUDING TRANSFERS OF FUNDS)**

For emergency expenses to respond to the terrorist attacks on the United States that occurred on September 11, 2001, to provide assistance to the victims of the attacks, and to deal with other consequences of the attacks, \$40,000,000,000, to remain available until expended, including for the costs of (1) providing Federal, State, and local preparedness for mitigating and responding to the attacks, (2) providing support to counter, investigate, or prosecute domestic or international terrorism, (3) providing increased transportation security, (4) repairing public facilities and transportation systems damaged by the attacks, and (5) supporting national security: *Provided*, That these funds may be transferred to any authorized Federal Government activity to meet the purposes of this Act: *Provided further*, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That \$40,000,000,000 shall be available only to the extent that an official budget request, that includes designation of the \$40,000,000,000 as an emergency requirement as defined in the

SEP-21 01 15:51 FROM:NYC WASH. OFFICE
09/14/01 13:47 FAX

202-624-5926

TO: 912129564732

PAGE: 004

Sep-14-01 08:10am From-

T-007 P.04/09 F-538

Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress: *Provided further*, That the President shall consult with the chairmen and ranking minority members of the Committees on Appropriations prior to the transfer of these funds: *Provided further*, That of the \$40,000,000,000 made available herein, \$10,000,000,000 shall not be available for transfer to any Department or Agency until 15 days after the Director of the Office of Management and Budget has submitted to the House and Senate Committees on Appropriations a proposed allocation and plan for use of the funds for that Department or Agency; \$20,000,000,000 may be obligated only when enacted in a subsequent emergency appropriations bill, in response to the terrorist acts on September 11, 2001: *Provided further*: That the President shall transmit an amended budget request proposing an allocation of funds: *Provided further*, That not less than one-half of the \$40,000,000,000 shall be for disaster recovery activities and assistance related to the terrorist acts in New York, Virginia and Pennsylvania on September 11, 2001, as authorized by law: *Provided further*, That the Director of the Office of Management and Budget shall provide quarterly reports to the Committees on Appropriations on the use of these funds, beginning not later than January 2, 2002: *Provided further*, That the President shall submit to the Congress as soon as practicable detailed requests to meet any further funding requirements for the purposes specified in this Act.

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09/14/01 13:47 FAX

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TO:912129564732

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Sep-14-01 08:10am From-

T-007 P.08/08 P-539

GENERAL PROVISIONS

SEC. 1. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 2. Funds appropriated by this Act, or made available by the transfer of funds in this Act, may be obligated and expended notwithstanding section 10 of Public Law 91-672, section 313 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995, and section 15 of the State Department Basic Authorities Act of 1956.

This Act may be cited as the "2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States".

9/23

DY

Mike Hess

Annexed is information from Jeff Friedlander re. Succession and proposed changes by the Assembly to the death benefits bill.

Also annexed is a proposed Executive Order by the Gov. to make the Surrogate Court Process easier and to give people access to \$15,000 of bank accounts in the sole name of a deceased spouse. We should coordinate this action with RWG's announcement regarding death certificates.

Further, McGuire has a guy working with the City on Pension law changes, i.e. getting EMS the same benefits as uniformed. The state guy has worked through Skip, rather than directly with the law department. Do you want information to continue to flow that way?

Lawyer information will not be pulled together until Monday. We need to talk to key players at the Bar that I am having difficulty reaching today.

I have put two extra copies of the documents in DY's folder for whomever.

Call if I can be of help.

Larry

MAR-14-2000 03:35

P.01



THE CITY OF NEW YORK
OFFICE OF THE MAYOR

ANTHONY P. PISCITELLI
DIRECTOR
STATE LEGISLATIVE AFFAIRS

75 Park Place
New York, NY 10007
(212) 786-2619

311 Washington Avenue
Albany, New York 12210
(518) 447-5200

DATE 9/21/2001

TO: Martha Mann FAX# 917-510-1150

FROM: Jeff Kaye
Skip 212 999-7057
Gina 212 956-4732

SENDERS TEL. # (518) 447-5200 * (212) 226-7400 * 7500

NUMBER OF PAGES FOLLOWING COVER SHEET: _____

Mayor #15- Attached please find Assembly
proposed change to death benefits bill.

Please advise if acceptable.

Ingrid.

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MAR-14-2000 03:35

P.02

Draft-Draft-Draft

Amend the Retirement and social security law by adding a new article

Article 21. Death benefit enhancement for employees of New York State, public authorities, commissions or public benefit corporations who died as a result of the terrorist attack on New York City on September 11, 2001.

1101. Definitions

(a). The term "surviving spouse" for the purposes of this article shall be deemed to include the employee's domestic partner if a named beneficiary under the retirement system, or a covered dependent under group health benefits made available from the state benefits chosen by the employee or has been duly registered as a domestic partner on a registry maintained by the locality where the employee resided.

(b). The term "eligible member" for the purposes of this article shall mean a member of the retirement system, or an employee who would have been eligible to join such retirement system, and who, in the performance of his or her duties on September 11, 2001 at or near the site of the terrorist attack on New York city died as a result of their presence at the work site or died in a rescue or relief effort required as a result of such terrorist act.

1102. Supplemental death benefit.

Notwithstanding any other provision of law, the comptroller shall make an award to the surviving spouse of an eligible member after determining such employee died in the discharge of duty in connection with the attack on the World Trade Center on September 11, 2001 or the aftermath of such attack.

a. Such award shall be in the amount of the annual salary of such employee at the time of death of such employee or twenty-five thousand dollars, whichever is greater.

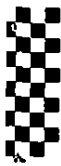
b. Such award shall be made in one payment as soon after the death of such employee as may be possible and shall be in addition to any pension, award or other allowances authorized by law.

c. In case there shall be no surviving spouse, the award shall be made to the minor child or children surviving such employee.

d. In case there shall be no surviving spouse or child surviving the eligible member, the award shall be made to the mother, father or other dependents of such member.

TOTAL P.02

TOTAL P.02



To Jeff Friedlander + Kate Anson
212 956 4732

From MARTHA MANN ALFARO

We will send more material
as we find it.

Steps for Return to Occupancy

A. Structural Stability Assessment

**** Licensed professional engineers must conduct these assessments**

- Building structure (examples)
 - Assess strength and stability
 - Check impact of fire, flooding
 - Ensure stability/accessibility of egress stairs
- Façade (examples)
 - Check for unmoored brick, falling parapet, glass
- Minor work (examples)
 - Check broken windows, doors

B. Utility Work

- Gas – *must coordinate with Con Ed*
 - Ensure restoration of service – approximately 200 buildings with gas turned off require Con Ed integrity test
- Electricity – *must coordinate with Con Ed*
 - Inspect potential flooding conditions, especially in area of main panel
 - Check for any exposed wires, damaged fixtures
- Water – *must coordinate with DEP*
 - Ensure building has potable water for drinking, sewage purposes
 - Flush all systems (roof tanks, drinking water, waste water), and clean as necessary and appropriate
- Steam – *must coordinate with Con Ed*
 - Ensure service can be restored when appropriate

C. Hazardous Materials Assessment

- Hazardous materials and particulate matter – *DEP available to assist and coordinate*
 - Visually inspect interiors, conduct air monitoring and remediation as needed
 - If hazardous material is detected, licensed contractors must perform appropriate regulatory cleanup

D. Mechanical

- HVAC
 - If hazardous material is detected, licensed contractors should perform appropriate cleanup
 - Mechanical cleaning should begin before interior cleaning, lest the building interior become re-contaminated by the restart of mechanical system

D. Interior Clean-Up

- Debris and dust
 - Remove all non-hazardous debris and dust; for hazardous materials, licensed contractors should perform appropriate cleanup, such as HEPA vacuuming, damp wiping, and wet mopping

E. Communication with Occupants

- Education and Outreach
 - Clearly explain to tenants and building users all procedures and measures taken to prepare building for re-occupancy and prevent re-contamination