NYC 9/11 Public Portal Document

The City of New York

Department of Environmental Protection

59-17 Junction Boulevard
Flushing, New York
11373-5108

Christopher O. Ward
Commissioner

Mark D. Hoffer
General Counsel

Bureau of Legal Affairs

Tel (718) 595-6555
Fax (718) 595-6543
www.ci.nyc.ny.us/dep

MEMORANDUM

TO [redacted] Bob Avaltroni
Doug Greeley

FROM: Mark D. Hoffer MDH

DATE: 5/13/03

RE: National Institute of Standards and Technology (NIST) - Investigation of Collapse of World Trade Center

Attached is a memo I just received from Ken Becker at the Law Department, alerting us to the fact that NIST is conducting an investigation into the World Trade Center collapse and may be reaching out to individual agencies for documents and/or interviews.

As the City is involved in substantial and complex litigation concerning the events of 9/11 and their aftermath, it is important that the City's interests be protected and that any response to NIST be coordinated through the Law Department.

Therefore, as the heads of the two Bureaus most closely involved with DEP's response to 9/11, I would appreciate your alerting staff that if they are contacted by NIST, or by counsel for NIST, and are asked to provide documents of any kind, or are asked to respond to questions (either written or oral) or to attend interviews, they should immediately contact Jay Cohen (212-341-3687), Deputy Chief of the Law Department's WTC Unit, before providing any information, answering questions, or agreeing to interviews. Likewise, if they have already received any such requests, and/or provided any information to NIST, they should alert Mr. Cohen and provide him with copies of the request(s) and any responses.

Many thanks for your help and cooperation on this.

MDH:mdh
nist.wpd
Enc.

NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP
www.nyc.gov/dep
(718) DEP-HELP

NYC-WTC_000164649

NYC 9/11 Public Portal Document

cc w/enc.: Commissioner Ward
D. Tweedy
S. Grob
A. McCarthy
L. Tazzi
R. Levine
F. Schiano

NYC-WTC_000164650

Hoffer, Mark

From: Becker, Kenneth [kbecker@law.nyc.gov]
Sent: Tuesday, May 13, 2003 5:50 PM
To: 'dzoland@gw.nypd.org'; 'clintod@fdny.nyc.gov'; 'lyee@oem.nyc.gov'; 'varolid@ddc.nyc.gov'; 'phyllisa@buildings.nyc.gov'; 'markh@dep.nyc.gov'; 'wlopez@health.nyc.gov'
Cc: Cohen, Jay
Subject: NIST Investigation of WTC Disaster

To: Counsel for NYPD; FDNY; OEM; DDC; DoB; DEP; DoHMH
The National Institute of Standards and Technology (NIST) is investigating the collapse of World Trade Center Towers 1 and 2 and World Trade Center 7. As part of this investigation, NIST has requested a large volume of materials concerning the World Trade Center disaster from a number of City agencies. Some of the requested material is the subject of litigation between the City and the New York Times under FOIL and other material concerns the thousands of claims against the City arising from the attack on the World Trade Center.
To insure that all City agencies take a consistent position on requests from NIST and that information and documents provided by the City do not adversely impact pending or future litigation, it is important that all requests by NIST be forwarded to the Law Department and that no information or documentation be provided to NIST before our review. Please submit any requests from NIST (and any past requests or agency responses that were not previously supplied) to Jay Cohen, Deputy Chief of the WTC Unit (jcohen@law.nyc.gov; (212) 341-3687).
NIST is also intending to interview employees of your agencies. If your agency is contacted by NIST to arrange any interviews, please inform Jay immediately.
Thank you for your attention and cooperation.
Kenneth A. Becker
Chief, World Trade Center Unit
New York City Law Department
100 Church Street
New York, NY 10007
Tel: (212) 788-0514
Fax: (212) 676-2600