

BEYOND GROUND ZERO

Asian American Legal Defense and Education Fund • Chinese Staff and Workers Association • Lower Manhattan Residents Relief Coalition
• National Mobilization Against SweatShops • Puerto Rican Legal Defense and Education Fund • Urban Justice Center • Workers Awaaz

The Beyond Ground Zero network

The Beyond Ground Zero network – formed in the wake of September 11th by low-income, working people who work and/or live near Ground Zero – works to address the common problems that we face after 9-11. We are garment workers, public housing residents, service workers, full-time mothers, injured workers, and senior citizens.

Impact on Our Communities

Eight months after September 11th, the government continues to willfully ignore the needs of low-income people who live and/or work in Lower Manhattan. Instead of taking responsibility for the disastrous effects of this national emergency on our communities, the government has continued to deny assistance to thousands of families and to cover-up the hazardous air quality that affects all of us living and working in New York City.

Tens of thousands of us have been displaced from our jobs. For example, over 10,000 thousand garment workers – who lost their jobs after September 11th when hundreds of factories were forced to lay off their employees or close altogether – have not received any disaster relief assistance.¹ Thousands of service workers – including restaurant workers, car-service drivers, and hotel workers – have similarly been unable to obtain government assistance due to the government's failure to recognize the conditions we are in.

Tens of thousands of us suffer serious health problems due to post 9-11 toxic air. The government's cover-up of the dangerous air quality has exacerbated our health problems and have made our recovery much more difficult. While some residents of Lower Manhattan have received air purifiers and have had our apartments cleaned, most of us have not received any assistance. We have been forced to stay in buildings that are still dirty. Ventilation systems need to be cleaned. We can't open windows or use air conditioners. These environmental issues need to be addressed; however, the most direct human impact – the disastrous effects on our health – has been totally neglected. More and more of us are suffering from new or worsened respiratory problems. Eight months after September 11th, we are even more anxious and concerned with the long-term consequences of the toxic air. While physical property can be cleaned, the effect of the fallout will have a permanent and lasting effect on our health.

¹ Due to the lock down of the area streets and bridges, trucks could not pick up finished garments or deliver new work orders. As a result, manufacturers pulled work out of garment factories. Many factories were forced to close down during one of the busiest times of the year – as orders are typically filled between September and December for the holiday season.

Many of us living and/or working in the Lower East Side and Chinatown have incurred countless costs since September 11th. However, we haven't received any compensation for the many expenses that accompany these new health and economic problems. We continue to be saddled with soaring medical costs, transportation costs, and loss of time on the job and in school. For residents living on the West Side, these types of expenses were considered by the government to be "involuntary" and "unavoidable." For the tens of thousands of us working and/or living on the East Side, we incurred these same unavoidable costs at our own expense.

The thousands of us on the East Side who are now suffering health problems and receive welfare or have fixed-incomes have been among the hardest hit by the World Trade Center disaster. The government has cruelly left us to either spend the little money we have to deal with these involuntary health and economic expenses or not doing anything because we can't afford to.

We don't only have to deal with the trauma of losing our jobs and our health; we must also contend with a government that is unwilling to take responsibility for a disaster that continues to destroy our lives.

Problems with Existing Government Assistance

The government's policy for dealing with this national emergency intends only to compensate wealthy businesses and residents for the damage to their property – the health and lives of low-income people of color have not been a primary concern. The federal government has given billions of dollars to corporations to persuade them to stay in Lower Manhattan. The government has given very little to the residents and workers of the Lower East Side and Chinatown to ensure that we stay in our homes and live healthy lives. While money is funneled to employers and "job training" programs in the name of assisting workers, the majority of us have been left unemployed and without disaster assistance, or forced to seek jobs in which bosses exploit the WTC disaster by abusing desperate workers more than ever.

FEMA Mortgage and Rental Assistance (MRA) Program

According to FEMA's own sources, only several hundred affected workers have received continued assistance available from the MRA program. The government's narrow definition of "direct result" excludes tens of thousands of workers whose employment suffered directly due to the World Trade Center disaster, but did not suffer due to physical damage or lack of physical access.² For its own purposes, FEMA instituted a

² The government narrowly defines people who have suffered as a "direct result" of the disaster as those people who whose employer: (1) suffered economic loss due to physical damage to the workplace, or (2) suffered economic loss due to limited physical access to workplace, or (3) suffered economic loss due to limited access to another business upon which the employer relied for commerce. For its own purposes, FEMA instituted a default geographical boundary at Houston Street to determine who has been "directly impacted." However, FEMA subsequently has denied

default geographical boundary at Houston Street to determine who has been “directly impacted.” However, FEMA subsequently has denied assistance to many affected workers who lost employment north of Canal and south of Houston Street. The overly strict and arbitrarily implemented criteria fails to take into account the myriad ways in which workers were affected as a direct result of the World Trade Center disaster. For example, one group of garment workers employed at a midtown factory had their wages withheld and then lost their jobs because their employer suffered an acute loss of business immediately following September 11th.

Moreover, those of us who were unemployed before September 11th and unable to show “loss of income” are suffering an even more disastrous “direct impact”; we can’t find jobs, we are ineligible for disaster assistance, and we must also face new health problems, the threat of displacement, and continued economic difficulties.

Other eligibility rules have prevented thousands of workers from qualifying for benefits. For instance, an applicant must show that her household has lost at least 25% of its income as a result of the disaster. Many low-income families have a difficult time showing this loss when the spouse who earned less income was displaced and collects unemployment insurance.³ This has been the reality of thousands of women garment workers who lost their jobs and whose families have been unable to qualify for the MRA program.

Applicants must also document their loss of income by obtaining proof of displacement as a “direct result” of the disaster from their employer. Most employers are unwilling to provide such verification due to their frequent violations of labor law. It has been impossible to get in contact with others. In some cases, employers only provided the needed verification if applicants promised to give a percentage of the relief assistance in return.⁴ By requiring employer verification of loss of income, many applicants are either unable to obtain MRA assistance or are at the mercy of unscrupulous bosses who can easily abuse the process.⁵

Applicants are also required to obtain a letter from their landlord verifying the rent owed. In low-income neighborhoods such as Chinatown, most rent is paid in cash, and landlords refuse to provide documentation because they often under-report their rental income to the government. Additionally, many affected residents, afraid of being evicted, borrow money to pay the rent instead of applying through an MRA program that offers no guarantee of payment.

assistance to many affected workers who lost employment south of Houston Street, due to lack of employer verification.

³ In cases where the lower-earning spouse loses her job and subsequently collects unemployment benefits – typically fifty percent of weekly wages – the household generally will not be able to show the twenty-five percent loss necessary to qualify for the Mortgage and Rental Assistance (MRA) program.

⁴ Evidence shows that some employers have even written letters for friends, family members – even themselves – to qualify for assistance, instead of verifying loss of income for those who worked for them and suffered most.

⁵ Garment workers have been forced to buy checks from their employers in order to maintain their health coverage from the union.

Many applicants didn't qualify because of these numerous obstacles. Many applicants lost their homes. Many applicants who needed to move to another location after September 11th were subsequently disqualified because of their change of address.⁶ Thousands of others did not even return the applications because they saw that the government was more interested in investigating them than helping them.

FEMA Rental Assistance

While many residents of the West Side were encouraged to move to other locations immediately after September 11th so as to avoid the concentration of toxic air in Lower Manhattan, residents of the Lower East Side or Chinatown were told that the air was safe and, as a result, most did not apply, or failed to qualify, for FEMA's rental assistance program.

Reimbursement for Health and Medical Costs

There has been no currently existing program that directly addresses the health problems of those of us who breathe the toxic air everyday at home and/or at work. The government first claimed that the air was completely safe. It has only recently begun to recognize the need to deal with the toxic air quality, but has continued to ignore the effects of the polluted air on the people of the Lower East Side and Chinatown, instituting a limited EPA clean up of West Side buildings. Furthermore, the government has shown itself completely unwilling to address the long-term dangers of the air on the health of all of us in New York.

The government has taken no responsibility for compensating us for the numerous health and economic costs that we have incurred. The Individual and Family Grant (IFG) program, designed to reimburse these costs, has been virtually inoperative. Families receiving public assistance that incurred expenses related to health problems, such as medical costs, transportation costs, and moving expenses, were either ineligible for or uninformed about any government assistance.

Proposed Policy Changes

The government should not only recognize property loss but more importantly, the human loss of health and well-being. In the last eight months, the government has not only failed to inform the public about health risks resulting from the World Trade Center disaster, it went to lengths to cover up this problem. As a result, many of our families were exposed to the toxic air without having taken proper precautions or seeking appropriate medical treatment. For many years to come, it will deteriorate our health and affect our lives. The government must take responsibility for having allowed thousands of families to be put at risk, and must be accountable to those people who have suffered from this disaster.

⁶ In some cases, applicants who are denied MRA at their new residences were originally forced to move because they did not receive MRA and were unable to pay the rent.

The government must also take responsibility for allowing the deterioration of our communities. By directing billions of dollars of federal recovery funds to wealthy corporations, developers, and landlords rather than to the tens of thousands of working people who lost factory jobs, the government has contributed to the large scale displacement of New York City's only vibrant manufacturing sector: the garment industry. In making it nearly impossible for thousands of workers to obtain Mortgage and Rental Assistance, the government is contributing to large-scale displacement of low-income families.

The definition of who has suffered as a "direct result" of the World Trade Center disaster must be changed both in new and existing programs to cover all those who suffered health or economic loss in any way, as a result of the disaster. All programs should be applied retroactively. For example, someone who did not submit an application previously due to harsh government policy but applies today should be eligible for assistance covering the period after September 11th in which she was displaced from her job and unemployed.

Creation of new disaster assistance programs

The government and private relief agencies, such as the American Red Cross, must recognize that workers and residents affected by September 11th have not only had difficulty paying the rent, but have found it extremely difficult to make ends meet after paying for the numerous unavoidable expenses resulting from the disaster. Early on, some private relief agencies recognized the many other expenses applicants were contending with – such as paying for food, utility bills, and medical treatment and medication costs – and made limited cash assistance immediately available to those who worked South of Canal Street.

- We demand that the government and private relief agencies create a new program to address our urgent need to pay for the numerous health costs and living expenses we continue to incur by providing guaranteed assistance to those of us affected by the disaster.

Reparations

The government must compensate all of us living and working in New York for the irreversible health damage and unnecessary suffering caused by the toxic air and the government's cover-up of this problem. This should include, but not be limited to:

- 1) Monetary compensation
- 2) Long-term health coverage through an expanded Family Health Plus program with broader, more inclusive eligibility criteria
- 3) Special clinical programs and research studies addressing the immediate and long-term health problems related to our exposure to the toxic air