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Oil Spill Claims Manager Takes Heat in Senate for 9/11 Compensation Fund Rumors

By Jennifer Scholtes, CQ Staff

For months, some lawmakers have been eying Ken Feinberg, the administrator of Gulf Coast oil spill claims, as a possible manager for payments made under the Sept. 11 first-responder health and compensation package enacted earlier this month. But representatives from both funds have made it clear that they are not interested in a tug of war for his attention.

During a Thursday markup session, Sen. [David Vitter](#), R-La., told Feinberg, the attorney appointed as special master in charge of the \$20 billion fund BP set up to cover damage from the Deepwater Horizon spill, that he owes it to the people of the Gulf Coast to finish what he started before dividing his attention with another task.

Vitter pressured Feinberg to promise he would turn down any offer to run another program while the oil spill compensation fund's activities are still ongoing. Louisiana's other senator, Democrat [Mary L. Landrieu](#), backed Vitter.

But Feinberg declined to make the promise, saying he wants to wait to see how things unfold over the next few weeks. Afterward, Feinberg said Vitter's question was an unexpected curveball. "I must say, Sen. Vitter makes a good point," he said. "It's a lot of work. The president and BP asked me to do this program, and this program has enough challenges. But I'm a public servant like all of you and a citizen, so let's see what happens. I thought it would have been very inappropriate for me to have said right then and there, 'No.' I mean, how do you say no to the attorney general?"

Feinberg may not need to say no to the attorney general or let the Louisiana senators down, though.

Sen. [Charles E. Schumer](#), D-N.Y., has been urging Feinberg to consider heading the reopened compensation fund for those harmed responding to the 9/11 attack on the World Trade Center and subsequent debris removal. Schumer was a primary sponsor of the legislation ([PL 111-347](#)) enacted in early January that reopened the fund, and Feinberg administered payments when the compensation program was first created in 2001.

But advocates for the Sept. 11 fund, including John Feal, a member of the steering committee for the 9/11 responder bill, have said some bad sentiments still linger from Feinberg's tenure. Another name has been floated for the post and is seen as a favorite — Blake Chisam, former staff director for the House Ethics Committee and a prosecutor in the panel's trials against [Charles B. Rangel](#), D-N.Y., and [Maxine Waters](#), D-Calif. Chisam also served as a public defender in New York before working on Capitol Hill.

Although the decision of who to appoint as special master of the Sept. 11 compensation fund is up to the Justice Department, several members of Congress sent a letter to Attorney General Eric H. Holder Jr. earlier this week requesting a meeting to discuss the appointment. The letter was signed by New York lawmakers Schumer, Republican Rep. [Peter T. King](#), Democratic Reps. [Jerrold Nadler](#) and [Carolyn B. Maloney](#), and Democratic Sen. [Kirsten Gillibrand](#).

Feal, a demolition supervisor who lost much of his left foot on 9/11 who now serves as president of the nonprofit FealGood Foundation, created to spread awareness about the health effects the terrorist attacks had on responders, said that through meetings with Chisam, he thinks he would serve well as special master of the fund.

Feal said he agrees with Vitter that Feinberg's plate is too full.

"I can't see Ken Feinberg doing two things at once," he said. "He better finish what he started. These are lives we're talking about." Regardless of who is chosen, the decision needs to be made quickly, Feal said.

"Whoever he or she may be, the attorney general's got to appoint them sooner than later because the anxiety and the panic and the unsettle is at an all-time high in the 9/11 community. And we need answers," Feal said, adding that he and other first-responders could plan rallies at the Capitol if they think the process is moving too slowly. "I'll give them until April 1. They owe it to us to have a special master in place."

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