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Chisam Favored to Manage 9/11 Compensation Fund

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It's been over a month since R. Blake Chisam walked away from his job as staff director of the House Ethics Committee, resigning after a busy few months in which he acted as the de facto prosecutor of two Democrats, Charles B. Rangel of New York, who was censured by the House, and Maxine Waters of California, whose case remains under consideration. The lawyer notorious for putting in 20-hour workdays said last week that he's just been "hanging around," spending time at home in Arlington, Va., as his wife recovers from surgery and doing "egg-headed lawyer stuff" such as writing law review articles. This downtime, though, may be short-lived.

If some influential lawmakers have their way, Chisam will soon be the "special master" running the compensation fund for first responders and victims of the Sept. 11 terrorist attacks. The fund was reopened through legislation Congress cleared in December -- legislation Chisam helped write when he was on staff at the House Judiciary Committee.

Several first-responder advocacy groups, as well as former Ethics Committee Chairwoman Zoe Lofgren and Judiciary Committee ranking Democrat John Conyers have been stumping for Chisam.

Lofgren likes Chisam for the new post because he's a workaholic who, she says, truly cares about the fund and finding the best way to run it. "Don't sleep. Don't eat. Move on," Chisam says of the way he moves through his workdays -- studying cases at 6 a.m., getting input from people in the afternoon, answering e-mails at midnight.

Whispers that he is favored on Capitol Hill as the pick for special master surprise Chisam, who says he hasn't sought the role and doesn't believe he will get it.

But for the man who ended up on Capitol Hill after receiving a call from the Judiciary panel in 2006 -- as he sat at his computer in Oklahoma, about to buy tickets to watch his alma mater, Auburn University, play in the Cotton Bowl -- being chosen without the need for self-promotion is nothing new.

Instead of going to the football game, Chisam listened to it on the radio as he took a cab to interview with Lofgren. When he accepted the offer to become congressional counsel, he thought it would be temporary, he said.

"I was coming to do work," he said. "Seemed like the right thing to do."

Leaving his private practice, Chisam began two-and-a-half years of commuting more than 1,000 miles to see his wife and two young sons. When it became evident the job with the committee would not, in fact, be temporary, his family moved to Arlington to join him in 2009.

That same year, Chisam was appointed staff director for the Ethics Committee, formally known as the Committee on Standards and Official Conduct. The post later put him under a fairly bright spotlight, as he was tasked with prosecuting Rangel and Waters, contentious cases where the media focus extended to the panel's own politics.

Now off the payroll and distanced from the controversy, Chisam will go back to being a lawyer if he isn't chosen to run the victims compensation fund, he said.

Challenges Ahead

Back in 2001, the job of special master for the original 9/11 fund Congress created (PL 107-42) went to Ken Feinberg, who then went on to manage payments made under the Troubled Asset Relief Program (TARP; PL 110-343) and now oversees compensation for those affected by the Deepwater Horizon oil spill in the Gulf of Mexico.

Sen. Charles Schumer has asked Feinberg to consider taking on management of the Sept. 11 victims compensation fund once again, much to the dismay of many interested parties in both the

oil spill and the 9/11 accounts, who argue Feinberg is already busy with payments from the BP disaster.

During a January hearing, Feinberg would not promise to turn down the 9/11 fund position. He did say, though, that he has enough trouble with the oil spill work -- and that his wife agrees his plate is full.

While Feinberg has been commended for his work running both funds he's managed, he has also faced criticism -- something Chisam said he expects if he is asked to head up the victims compensation account.

"Every job has a bit of going to the dentist," Chisam said. "This is important. It's important to the people who are hurt, it's important to the city of New York, and it's important to the defendants. People will have criticism. You're never going to please everyone."

As the years go by since 9/11, the complexity of the claims process increases, with people who may not have reported medical problems in the months immediately following the disaster now being diagnosed with illnesses linked to exposure to the attack sites. With the account set up to accept claims over a five-year period, deciding how much to allocate throughout the process will be difficult, due to the possibility of late-blooming cases arising, Chisam said.

James Melius, a doctor and administrator of the New York State Laborers' Health and Safety Trust Fund, said last week that the number of people exposed to the attack sites who now require lung transplants is on the rise. Considering the expense of the procedure, the inability to know whether the numbers will level off complicates the process, he said.

Another challenge lies in perfecting the limitations on legal fees that lawyers representing claimants can collect. Those fees need to be limited enough to ensure payments aren't absorbed by attorneys, but high enough to ensure that lawyers have an incentive to use the fund, rather than pushing for separate compensation lawsuits, Chisam said.

Duane Gibson, a consultant for the Washington-based Livingston Group who lobbied for business interests in the 9/11 fund legislation, said he was impressed with Chisam's ability to find creative solutions to complicated problems. Knowing the obstacles that will arise later in the life of the compensation fund will be key to whoever takes the job of managing it, he said.

"It can't just be anyone," Gibson said. "It's got to be someone steeped in this. And that's why I think Blake is so good."

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Emma Dumain contributed to this story.

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