

Pressure to Open 9/11 Victims' Fund Growing

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Shaikh Mohammed, an Islamic extremist accused of organizing the Sept. 11, 2001, terror attacks on the World Trade Center and Pentagon.

"She asked us to begin to look at the legislative options," said David Rhemes, a lobbyist and lawyer with Covington & Burling who represents Mariane Pearl.

The lobbying effort by Pearl's widow is sure to draw new attention to efforts on Capitol Hill by other victims of al Qaeda terrorism who hope to gain access to the \$6 billion compensation fund.

But Pearl's efforts also could threaten legislation sponsored by Sen. Arlen Specter (R-Pa.).

Specter hopes to move legislation through the Judiciary Committee next month that would expand the fund to include the 37 Americans killed by al Qaeda attacks on the World Trade Center in 1993, the U.S. embassies in Kenya and Tanzania in 1998 and the USS Cole in 2000.

However, Specter's legislation excludes financial compensation for other victims of terrorism, including the two U.S. Postal Service employees killed in the unsolved anthrax at-

tacks in late 2001 and — perhaps more significantly — the scores of Americans killed in the Oklahoma City bombings nine years ago this week.

By adding yet another person to the 9/11 Fund, Pearl and her lobbyists could encourage other victims of terrorism to add their own exemptions to the eligibility requirements — including a huge class of victims of the Oklahoma City tragedy.

"Adding Oklahoma City into the bill is tantamount to killing it," said James Cooper-Hill, a lawyer who represents the 17 sailors who died when al Qaeda operatives in Yemen slammed a boatload of explosives into the Cole. "Once you add in the 168 victims of Oklahoma City then you have a bill that requires a special appropriation — and the bill is dead."

At an average payout of \$1.4 million per victim, supporters of the Specter bill say it would cost the U.S. Treasury about \$50 million to cover those included in his legislation. Adding the Oklahoma City victims could increase that cost fourfold — perhaps more if the legislation includes payments for the injured as well as the deceased.

Still, there also are risks that come with leaving the Oklahoma City victims out of the

legislation.

The last time the Senate Judiciary Committee tried to approve the legislation it faltered when Sen. Don Nickles (R-Okla.) insisted that it include the victims in his home state.

As a result, Pearl's new effort has elicited only a tepid response from those pressing the cases of other al Qaeda victims.

"If that bill goes to markup and someone says 'Let's add Ms. Pearl,' you will not hear a word of opposition from me. But I'm not going to bat for her," Cooper-Hill said.

Karen Hastie Williams, who represents victims of the bombings in Kenya, said she would support including Pearl as long as the legislation is not expanded to include all victims of terrorism.

"I believe that anyone who is a victim of al Qaeda should be able to make a case," said Williams, a lobbyist with Crowell & Moring. "But I don't think that it follows that you open it up to any kind of terrorism case. Al Qaeda must be responsible."

The September 11th Victims Compensation Fund was created by Congress shortly after the terrorist attacks in Washington and New York to head off billions of dollars in lawsuits

against the U.S. airline industry.

Nearly all victims of the terrorist attacks or their families applied for the fund's \$6 billion in reparations by the Dec. 31 deadline.

In March, the fund's administrator, Kenneth Feinberg, rejected Mariane Pearl's application on the grounds that Congress created the fund to compensate only those who died in New York, Virginia or Pennsylvania as a result of terrorism on Sept. 11, 2001.

Soon after the death of her husband, Mariane Pearl retained Covington & Burling to get her financial house in order and to "help her pursue justice for Danny in terms of investigating the cause of his death and holding those who caused it answerable," according to her attorney, Rhemes.

"Money was not an issue for her until she had done all she felt she could do, and then she began looking to the future and taking care of her infant son in a situation where she can no longer rely on Danny's salary," he added.

Rhemes, who is working pro bono, said he is looking at several legislative options on Capitol Hill.

"At this point we haven't determined what we will do," Rhemes said. "We are looking at all of the options."

Handbook Offers Tips on Avoiding Travel Scandals

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study of separate Congressional sex scandals involving former Rep. Gary Condit (D-Calif.) and current Rep. Barney Frank (D-Mass.).

Condit lost his re-election in 2002 after it was revealed he had a relationship with missing Washington intern Chandra Levy, who later turned up dead in Rock Creek Park. Condit denied having anything to do with her disappearance or murder.

The scandal involving Frank emerged in 1989 when news emerged that he was engaged in a gay relationship with a convicted felon who was running a prostitution service out of Frank's Capitol Hill apartment.

But Fitch points out that Frank's survival and Condit's demise had more to do with how they confronted their respective crises than the facts of the matters themselves.

For one, Frank issued a full letter of apology to his constituents, admitting that what he did "was wrong" and made it clear that he accepted responsibility for his actions. He not only cooperated with an investigation into the debacle by the House Committee on Standards and Official Conduct, Fitch adds, he requested it and dealt with the media regularly, holding long news conferences and telling his side of what had happened.

Condit, by contrast, refused to take responsibility for his actions, acted defensively, not apologetically, and appeared to be unhelpful in investigations launched by both the police



File Photos

Brad Fitch's book provides case studies of the scandals surrounding Rep. Barney Frank and ex-Rep. Gary Condit (right).

and private investigators hired by the Levy family.

Fitch suggested that Condit might have been able to save his own hide had he stuck to two basic tenets — "full disclosure early" and "be motivated by public interest, not private interest."

The "Crisis" chapter also has helpful hints for helping lawmakers to avoid travel scandals. Some of Fitch's key points:

- Don't go anywhere sunny or fun;



- Don't go anywhere outside the United States with indoor plumbing;
- Don't go anywhere with spouses;
- Don't use government planes or helicopters for personal use; and
- Don't go on any trip without a full itinerary.

Chapter seven, "Dealing With the Principal," provides an amusing and candid portrait of the types of bosses one might encounter on the Hill (or elsewhere) and how to deal with

them as a public relations professional.

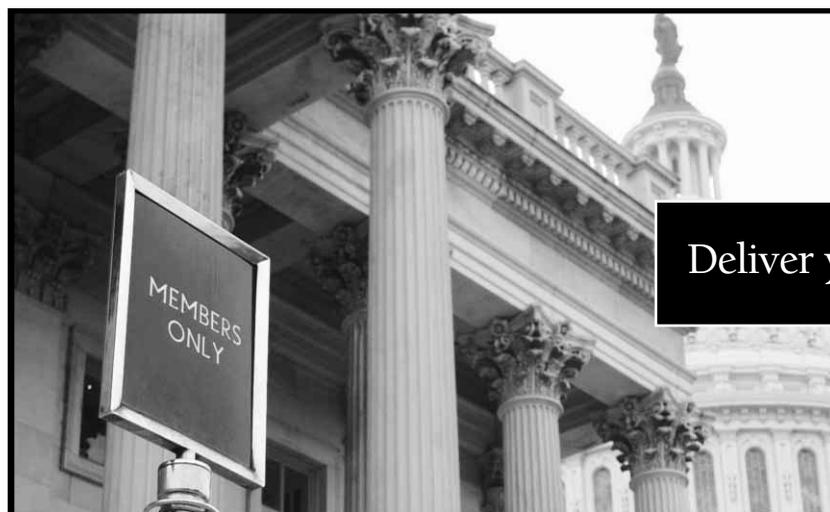
Fitch describes the "They're Out to Get Me" boss who is paranoid when it comes to the media. He also vividly explains the challenges of working with the "media hog" or the "media mouse," and he outlines how to "defuse the exploding principal."

"Let the principal vent on you," Fitch suggests. "It's much better if the congressman blows a gasket at his press secretary than the editor of a local paper. Allow the principal to vent his frustrations. This might be all he needs to get it out of his system."

Then again, some lawmakers might need the "join the rage" approach.

"I knew a member of Congress who would blow up at small slights in one newspaper. At first his press secretary argued with the member point by point, defending the news organization and showing how the coverage was actually balanced. This only made the member even madder and led him to question the loyalty of the press secretary," Fitch wrote.

"After many battles, the press secretary tried a different tactic. If the member hit 6.0 on the Richter Scale, the press secretary hit a 7.0. If the member raised his voice, the press secretary shouted and flapped his arms," the book noted. "This led to a reversal of roles, with the member trying to calm down the press secretary, worried that his spokesman was about to do something rash to ruin his reputation with the newspaper."



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