



TWIN TOWERS ALLIANCE

WHAT THE PEOPLE WANT — WHAT NEW YORK NEEDS — WHAT AMERICA DESERVES

December 23, 2009

Mr. Dennis Mullen, Director
Ms. Frances Walton, Director
New York Liberty Development Corporation
633 Third Avenue, 37th Floor
New York, NY 10017

3 pages by fax to 212-803-3995

Dear Mr. Mullen and Ms. Walton,

The LDC Board Meeting on Monday was depressing – not because we “lost” something we were not likely to win, but because of the adversarial way it was handled. Mr. Mullen’s smile was at odds with his attempt to limit the Donovan remarks to four minutes and to prevent Richard Hughes from speaking at all. As we pointed out when Mr. Mullen and Mr. Beyer approached us after the meeting, we are fellow citizens. *We are on the same side.* Our common enemies are the ones who hate the way our democracy works, who hate every form of freedom.

You handled the bond issue as if it were just another business maneuver, rather than recognizing that you had a unique opportunity to act on principle for the good of your city and country. You had obviously been given your instructions and were going to carry them out regardless. That was evidenced by the way our concerns were sidestepped, starting with the suggestion that our objections to the bond issuance were based on our displeasure with the *design* of the official plan, which we stated in both our hearing testimony and again yesterday was not the basis of our appeal.

You were very scrupulous in identifying what is properly in your purview and what is not. But we all have an overriding obligation to support our system of government and underlying everything related to the project is the fact that a notoriously corrupt and dishonest process is forcing an unpopular plan upon that most public of public properties. Nevertheless, what we were specifically challenging was the *timing* of the bond issue, not the propriety of the process or the design of the plan. We hoped you would respond to the merits of our concerns as public servants, not mere apparatchiks. We were disappointed, but not surprised.

We made you aware of the substantive cloud that hangs over the project you endorsed. We therefore asked you to wait to see if the Congressional reauthorization of the Liberty Zone Program will be made subject to the cost/benefit analysis that we have requested. And we shared the information we received from the Senate Finance Committee that assured us that if the Tax Extender’s Bill goes over into January, it will be passed and become effective on January 1st retroactively – just as has been the practice in three of the past five years, when the annual expiring tax programs were not voted on by the recess. Therefore, the rationale that was fed to the media, pretending that it had to be passed by year’s end for the good of the country had no basis. Public officials have no business planting blatantly misleading information in the press.

Based on what was in your purview, you *could* have acted to put a brake on an out-of-control project. You chose instead to recklessly enable it. Just because some officials have so far managed to keep this matter from being handled properly, none should assume that our representative democracy won't eventually respond to our good faith efforts, because that would be a bad bet. We will not give up fighting for something we believe is vitally important.

Even though the plan's design was not central to our objections, we should note that Ms. Walton's forecast that the proposed Trade Center will one day be as successful as the original Trade Center is not supported by the evidence. The current project was a bust in the boom. The markets have clearly spoken – in fact shouted – and the banks took notice. No one wants in on it because the Libeskind/Childs/Silverstein plan is quite literally a downer – the very opposite of the original WTC, which opened during a recession and went on to pull the whole city up with it.

Not only is the current design an actual downward spiral, but it even begins with an obelisk, a giant tombstone, whose profile dots cemeteries all over the world! Then it all leads down to a giant drain. Could it get more dismal? It could, when you add the roar of 40,000 tons of water an hour that would perpetuate the roar of the collapsing towers – that is, when the exorbitantly priced, operationally challenged falls are actually running. The unintended consequences of bad judgment are inevitable.

Why officials are impervious to the symbolism that is such a turn-off to the rest of us is a mystery, but it is not lost on businesses or the public. All the official blindness and wasteful spending in the world is not going to change that dynamic. The fundamental concept will always repel, instead of attract. Therefore, far from rivaling the success of the original WTC, it would become a legendary mistake. You did your part to bring that outcome closer. We will continue to do our part and will hope the awakening comes before, not after, all our choices for Ground Zero are in the past.

Honest people do have honest differences of opinion, but a sincere willingness to examine one another's point of view is the respectful way to differ. We understand where you are coming from. You have built careers on thinking inside the box. You likely don't have a clue where we are coming from, much less care, but we will tell you anyway. Five years ago, we decided that we had to try to do something about the terrible injustice taking place at the World Trade Center. At a time in our lives when we would be much better advised to consolidate our positions and prepare for a not-so-distant retirement, we decided to give this effort one year of our lives to see if we could make a difference.

But when the year was up, there was no way we could turn a deaf ear to the appeals from across the country and around the world that kept saying – and they continue to this day: "Please don't give up on the Twin Towers." There is no chance of that. As you probably could tell from our appearance before you, we are definitely not going to accept the unacceptable. We have spent thousands of hours and thousands of dollars because, as the famous line from *Mr. Smith Goes to Washington* reminds us, the lost causes are the only ones worth fighting for. We will not stop fighting for this one.

Fortunately, there is still a little time before the Christmas present you gave Mr. Silverstein can take the future World Trade Center that much farther in the wrong direction. We will continue to explore our options in the New Year. It will actually be in your best interests if we succeed. Otherwise, it is likely that the action you took on Monday – to rubberstamp a bond issue for a desperately ill project – will be a blunder second only to the original Bloomberg-Pataki decision to dump the design that "won" the "competition" – the twin-towered THINK plan – and go with the Libeskind claptrap.

Finally, the suggestion that the public is not on the hook for these bonds is ridiculous in 2009 America, where we all know too well who the guarantor of last resort is. Any bond issued by a public authority works on the principle that the government stands behind it and we all know what that means. You chose to ignore the fundamentals that are plain for all to see if they will look. Even with the bond money and what is left of the insurance proceeds, Silverstein Properties cannot finish what it starts without picking the public's pocket through extracting further Port Authority concessions and funding.

If the foreseen legal challenge to tapping Port Authority coffers on behalf of the Silverstein towers comes to pass and the project stalls, then the choice you made on Monday will be seen as pivotal. But even if the severely troubled plan is built and the bonds do not become a public burden, the taxes that won't be paid for the benefit of a billionaire developer are offensive. So is the refusal to even consider the common sense of common citizens. It was a very bad move.

Sincerely,

Handwritten signatures of Margaret L. Donovan and Richard C. Hughes in blue ink.

Margaret L. Donovan and Richard C. Hughes | The Twin Towers Alliance

cc: Governor David A. Paterson, Governor Jon S. Corzine, Governor-elect Chris Christie, Senate Majority Leader Reid, House Speaker Nancy Pelosi, White House Domestic Policy Advisor Melody Barnes, Sen. Jeff Bingaman, Sen. Jim Bunning, Sen. Maria Cantwell, Sen. Thomas Carper, Sen. Kent Conrad, Sen. John Cornyn, Sen. Mike Crapo, Sen. John Ensign, Sen. Mike Enzi, Sen. Orrin G. Hatch, Sen. John F. Kerry, Sen. Jon Kyl, Sen. Blanche I. Lincoln, Sen. Robert Menendez, Sen. Bill Nelson, Sen. Pat Roberts, Sen. John D. Rockefeller IV, Sen. Charles E. Schumer, Sen. Olympia J. Snowe, Sen. Debbie Stabenow, Sen. Ron Wyden, Sen. Kirsten Gillibrand, Sen. John McCain, Sen. Joseph Lieberman