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**RUSH TRANSCRIPT: MAYOR DE BLASIO HOLDS PRESS CONFERENCE TO DISCUSS INTRO.
866, IN RELATION TO REGULATION OF COOLING TOWERS**

Mayor Bill de Blasio: Part two – I’m going to give an update on Legionnaires. To begin, we’ll take questions on that, and then we’ll take questions on any other topics.

Most important point – for another day, we’re very happy to say no new cases with the onset of symptoms since August 3rd. So that remains unchanged. So, now it’s been two full weeks that we’ve had no new cases of Legionnaires in the impact zone. Updated numbers – there is one additional previous case that has been identified, bringing the total to 127. We have now additional discharged patients from the hospital. That number is now 102. So again – grand total of 127 cases, of which 102 individuals have been in the hospital, been treated, and have been discharged. The number of deaths remains the same at 12. So that is the overall update. Obviously, the legislation just signed goes into effect immediately. There will be a rule-making process with the legislation through the department of health. We are working to expedite that process. The goal is to get that done by the end of next month. And there’s a public hearing process – there’s a whole formal rule making process, but we’ll get that done quickly. In the meantime, the commissioner’s order obviously mandates all buildings to effectively do the same type of things and have the same kind of requirements that the legislation puts forward. So that is going on as we speak.

First, on Legionnaires – any questions? Yes?

Question: Which is the additional case that you’re now including –

Mayor: Again, it’s a previous case now identified. I don’t know if we have any details. Broadly, I know you’re not supposed to go into patient – for patient confidentiality, we obviously don’t get into a lot of detail about individual cases, but anything specific?

Unknown: No.

Mayor: Okay. So again – 127 – 102 discharged. Anything on Legionnaires? Yes?

Question: [inaudible] on the confirmation to publicly [inaudible]

Mayor: I’m sorry.

Question: Just wondering if any more information had come in about –

Mayor: In terms of when we expect the tests back from the state that’ll give us the bigger picture and the works of the disease detectives – do you want to give an update?

Commissioner Mary Bassett, Department of Health and Mental Hygiene: Sure. We’re –

Mayor: Hold on a sec –

Commissioner Bassett: It's a short update. We're still waiting for the findings. The labs are hard at work.

Question: I'm wondering what law prohibits you from commenting on giving information on the patient deaths and more details about who they are?

Mayor: On deaths? Well, what we were talking about a moment ago was a new active case, not a death.

Question: [inaudible] about deaths [inaudible]

Mayor: In terms of deaths? Well, Mary you can tell them how that works.

Commissioner Bassett: Well, we like to protect patient confidentiality. That obviously extends beyond the need to protect people's privacy by not giving their names, to the need to protect their privacy by not revealing potentially identifying information about them, like the ZIP code that they – it's under HIPAA regulations. These are all hospitalized patients, and our health department takes privacy very seriously because many people entrust their data to us and we want to continue to be worthy of that trust.

Mayor: In the back –

Question: Mr. Mayor, what will happen from today onto the next 30 days for the building owners [inaudible]

Mayor: Well, again, under the commissioner's order, that work is happening as we speak, obviously not just for private buildings, but for public buildings as well. We're getting great cooperation from building owners, from real estate organizations. Again, city, state, federal, port authority – everyone's working together to get all of their buildings evaluated and cleaned. So, so far the response has been very, very good. That will just continue until everyone is done. We obviously are going to use our public assets as well. We're going to use all of the agencies that participated in the response in the South Bronx, including, of course, health department, buildings department, DEP, FDNY, NYPD, OEM, to identify any and all buildings. If there's any situation where we're not getting a response from a building owner and we identify a cooling tower, we have the option of cleaning that tower ourselves, and of course billing the owner.

Question: By the time the city alerted the public on July 29th, there were already 31 cases identified. And it wasn't another five days until there was a community meeting in the Bronx. But when there was an outbreak in Queens in the spring, you went public after ten cases. So we're wondering why you waited so long? And couldn't some of the cases potentially have been avoided if people in the affected community had known?

Commissioner Bassett: Cooling towers, as I'm sure you're all familiar with now, are the cause of large outbreaks of Legionnaires' disease. In this case, as – because of the incubation period, meaning the time between when someone's exposed, becomes infected, and then develops symptoms, people will continue to present with illness, even if the source has been removed. So the ability to eliminate future cases is limited by the incubation period. And I'll turn to my mayor who will reinterpret that, perhaps. Thanks.

Mayor: Right. I think – look, again, this New York City public health department is legendary as the leading public health agency in any city in the country, and I think has a very strong history of, once it identifies something, making it public and taking the steps to get the information out. Obviously, although town hall meetings are important, the most important way we get information out is through the media. And we use all the tools we have – city government websites, 3-1-1, working with elected officials, working with community organizations. So that started immediately and that was very comprehensive, and the key message was if anyone had symptoms, to seek care immediately. But I think what we realized here is once we had the kind of information that told us that there was a potential outbreak, we immediately went at the buildings that were suspect, and, again, to this day, we believe fundamentally, it is one or more of those original five buildings that caused the outbreak, and they were disinfected right away. The public outreach work continued and deepened from there. But we had never seen an outbreak like this before, and so what it has caused us to do going forward

is to create a much larger outreach apparatus that's going to involve a lot of agencies and a lot of personnel, so that if we ever see anything like this in any area, we'll be able to reach a lot of people very quickly.

Yes.

Question: Mr. Mayor, does the legislation include standards for cleaning the cooling towers or is that up to the individual companies who do that? And then how does one check to see that that's being done?

Mayor: I'll let either or both commissioners speak to this. The legislation – I can say this as a layman – in our dealings so far with the real estate industry and with building owners and managers, we've actually had a very good response of people understanding what they were expected to do. These are professionals who understand what it means to evaluate and then clean a tower. And the companies they work with do as well. So we've had a very good response. Obviously we're expected professionals to do what they know how to do, but let's have either commissioner add to that.

Commissioner Bassett: So much of what you're asking will be part of the rule-making process, which will be proceeding over the coming month. The standards will draw heavily on the ASHRAE standards, which are –

Mayor: Say what that is.

Commissioner Bassett: I'm not sure that I'm going to – it's the American Society for Heating, Refrigeration, and Air-conditioning Engineers. And so they provide a comprehensive roadmap regarding all the elements that a comprehensive plan should include. Because every cooling tower is not a standardized piece of equipment, the maintenance plan needs to be tailored to that particular circumstance. And that's what the third party vendors will be skilled in doing. And we will be working out the details in the rule-making process.

Mayor: Yes.

Question: Could you address some of the discrepancies? There seem to be some small discrepancies between the city regulations signed into law today and the state regulations. And whether what the city sort of ultimately adopts will exactly mirror the state? And if not, then why not? My understanding is also that the state regulation would supersede whatever the city does –

Mayor: Yeah, I think from everything I know – and, commissioner, you may want to add – they're absolutely complimentary. They were obviously built together. There's some timeline issues, because we have the commissioner's order already in effect, which is not true in the rest of the state. There's a little bit of a timeline difference in the beginning. We already have the effective impact of the legislation operating right this minute through the commissioner's order. The rules, as I said, will be prepared at public hearings, etcetera. We hope to have all that completed by the end of next month. Then there'll be another cleaning cycle that will be activated when the rules are finalized. That'll put us and the state on a very, very similar timeline, but the state had to account for all of its jurisdictions outside the city that had not had that initial activity that's achieved through our commissioner's order. Otherwise, they are essentially identical. Anything else on Legionnaires'? Going once – yes.

Question: Correct me if I'm wrong, but isn't this an enormous challenge to do a citywide survey of where the towers are, get them cleaned in two weeks? And then what's the urgency of doing a tower, let's say, in Queens, when the outbreak was pretty much contained in the Bronx? Wouldn't it be better to send all the resources to the area where the crisis is?

Mayor: It's a fair question. So, first of all, the area where the crisis is has been fully cleaned. Every cooling tower – 38 buildings identified, obviously most tested negative, a number tested positive, all cleaned – done, and the outbreak overall contained – and the numbers make that clear. The goal of both the commissioner's order and the legislation is to treat this as a citywide challenge going forward. There was no precedent for this kind of outbreak. We're not going to wait to find out what the future brings. We're going to put up defenses

against any outbreak like this in every part of the city. Yes, it is a huge undertaking. It is going to require hundreds and hundreds of city workers, and all the agencies I just identified. We learned by creating a plan in the South Bronx – there had never been a reason to know where cooling towers were. It was not legally required. We had to create a model for locating every cooling tower using all the agencies I mentioned, including NYPD Aviation. That model now is going to be usable citywide. We'll have more to say on that in the next few days to give you a sense of how that architecture is working. But we're using all the capacity of this city government, and we will identify every building that has a cooling tower. Now, what's also different is we have now had the opportunity to work closely with building owners and managers, and with the organizations that represent them, which, again, have been very, very cooperative. So this time, people will be able to spread information, get everyone's feedback, get questions answered, etcetera. We expect, in the vast majority of cases, the building owners will be the ones, of course, to do the evaluation, do the cleaning, and report it. There may be some cases where a building owner is non-responsive for whatever reason. Again, we will go do that ourselves. But the goal here, the model we developed in the South Bronx is we will take matters into our own hands by making sure there are city officials looking for each and every tower so we have an absolute total universe – and we can do that for the whole city of New York. We have the capacity to do that. It will take a lot of work, but we can do it.

Legionnaires' – yes.

Question: [inaudible] extra it will cost the city budget?

Mayor: We can get you an estimate. Obviously, a lot of this is being done with existing resources – very, very consistent with the missions of the health department, buildings department, FDNY. This is consistent with a lot of what they do all day anyway. But in terms of any additional resources that we're putting into play, we can get you an update as we have that calculation.

Question: Is there any emphasis on –

Mayor: Louder.

Question: Is there going to be any emphasis on poor communities or communities that are more susceptible to the Legionella virus like the South Bronx was?

Mayor: Well, let me answer that in two ways. In terms of identifying and cleaning the towers, it's absolutely universal. It will be every neighborhood, every borough – 100 percent of the city. And then when the law is fully in effect, after the regulations come out, every building owner of every kind is absolutely legally liable, obviously with serious penalties attached. And we'll have a whole universe – part of why it's valuable for the public sector to play such an energetic role is to give us an absolute universe we can work from, going forward, then it'll be very easy to see who doesn't make the deadlines and what kind of penalties we need to exact, and also that we have the ability. One of the things we're going to guarantee in the process is that we the city, through agencies like health, buildings, HHC, fire, DEP have the capacity to test any buildings at any time, and either directly, or through contractors, have the ability to clean any cooling towers at any time. So, it's essentially a two-layered approach. To the extent the private sector does everything mandated under the law, that's ideal. Wherever we find a lack of responsiveness or a time lag, the public sector will have the ability to go in and do it directly. This is very much the model – as I've said before – we used with the housing department, with HPD, with landlords who don't provide heat and hot water. So, we have a good working model from another part of our government that we will utilize here. In terms of health disparities, which I think is the core to your question – there's a fundamental health disparity problem in this city. It is decades – decades in the making, and we don't accept that reality any more than we do any other inequality. We're going to be addressing it in a number of ways. The health department already over the last year and a half has undertaken a variety of efforts focused on communities that are suffering more because of those disparities, which bluntly are very much founded in economic reality. Poor people tend to get less healthcare, and we're going to apply our energies to addressing that problem, but it's not in isolation. It's directly related to the fact that we have to get people jobs with better benefits and wages. We have to get people more affordable housing. Everything is

interrelated when you take about inequality. So, in terms of testing and treatment of these towers – every neighborhood, every building, absolutely universal. In terms of addressing health disparities, that is ongoing work that we will engage in.

On this topic –

Question: This is for the commissioner – commissioner, I think –

Unknown: Which one?

Mayor: Health commissioner.

Question: The health commissioner, I'm sorry. So, you've spoken in the past about the scattered cases outside of the outbreak. Would you expect a reduction in the number of scattered cases around the city as a result of this universal cleaning and regulation of the cooling towers?

Commissioner Bassett: Well, we're certainly going to be watching to see if we had unrecognized connection to cooling towers accounting for some of what we call sporadic cases. But we don't have that information yet, and we don't have it available in the literature to learn from. So, we – it's very important to continue to make clear that we will continue to see sporadic cases of Legionnaires' disease, but that this effort will greatly reduce – we anticipate – the risk posed by cooling towers of outbreaks, going forward.

Mayor: Yes?

Question: Question for the building commissioner – so, despite covering the City Council hearing last week, I'm still a little bit confused about who bears the cost of what. So, I believe you had said that testing for the cooling towers – just testing for bacteria is just, you know, a few hundred dollars maybe a year for the owners. But on the issue of cleaning, do they have to bring in an outside person, or can they use their own people? Because you had said that a lot of bigger buildings had their own maintenance workers. So, can their own people clean it? Or do they have to hire one of these outside companies that was referred to in the Times article yesterday? And then when they do, it seems like they have the option of just dousing it with chemicals or doing a more thorough cleaning, so how is that going to work?

Commissioner Rick Chandler, Department of Buildings: Well, let me just emphasize what I said in my testimony – is that most buildings do have a program in place already, and the workers for a building will be able to demonstrate that the water has been treated, and they are required then to have it tested. Some building owners have a system within their own staff to be able to do that, but it needs to be satisfactory for the rules that will be developed. So, the rule making will determine that standard that they have to meet to demonstrate that their water quality and their water management program is meeting that appropriate standards.

Question: But do they have to hire a third party – an outside person to come in and do the testing and the treating? Or can it be their own staff?

Commissioner Chandler: I think that that's going to be undertaken with the rule making process. The details of that will be absolutely part of the rule making process.

Mayor: Okay. Any more questions? Yes?

Question: [inaudible] Bassett, do you know what percentage of Legionnaires infections come from cooling towers?

Mayor: Come from cooling towers? You mean –

Question: I'm sorry – the towers [inaudible]

Commissioner Bassett: Yeah, I can tell you what's been noted from experience elsewhere – that during – if you use as the denominator – outbreaks – so the number of cases of Legionnaires' disease attributable to outbreaks, cooling towers account for about 40 percent of outbreaks of Legionnaires' disease because cooling-tower associated outbreaks tend to be large. If you look at the number of patients who become infected with Legionnaires' disease related to an outbreak related to a cooling tower, they account about 60 percent. So, those are the best data that we have at the moment. We'll learn a lot more, going forward.

Mayor: So, put in non-medical terms – in terms of number of people affected, cooling towers are the number one concern.

Last call on Legionnaires – going once – going twice. Other topics? In the back.

Question: Mr. Mayor, I was wondering about your trip to –

Mayor: I'm sorry, louder.

Question: [inaudible] trip to the Vatican. A remark that you made about the [inaudible] wave of migrants going in Italy. Now, some people are sort of wondering about that remark –

Mayor: I don't think that's what I said. I'd like to show you the exact thing. What I said is –

Question: [inaudible]

Mayor: By the EU, correct?

Question: Yes.

Mayor: Yes, that's what I said.

Question: [inaudible] That being said, as far as the way immigrants are coming into New York [inaudible] some are wondering about the cost of services that are being used for these individuals as well. How much of the burden is left to the New York City taxpayer – can you talk about that please?

Mayor: Sure. Let's separate the two pieces – there's an immigration crisis in Europe. Everyone can see it with their own eyes, it's a humanitarian crisis, and the European Union does not have a coherent response, which is why I said – and I think it's something His Holiness has spoken to as well – the European Union has to take responsibility for something affecting so many of its nations, most especially the nations closest to where the immigrants are coming from. Italy is one of the prime examples. I think there is a parallel to our national situation here in the United States where we have to have a comprehensive national immigration reform. That's the only way we're going to deal with this issue justly, going forward. We know that's not happening immediately. What that means is that states and cities are left to fend for themselves. But it's our obligation to serve people. And this is a city of immigrants – it always has been a city of immigrants – and for people who are here, we will provide them with respect. Obviously, our ID card is one example of that. We'll try and help them live the lives that they should be able to live here, having the ability to sign a lease or get a bank account, for example, through the ID. But really the solution is not a patchwork of city and state policies. The solution is a national immigration reform, and that's what we'll keep working for. That's necessary to relieve the pressure on cities and states, just like action by the European Union is necessary to relieve the pressure on countries that are bearing the brunt.

Question: Just one last thing –

Mayor: Sure.

Question: As far as ICE is concerned, there's been the issue of sanctuary cities and how federal authorities are dealing with cities like New York and San Francisco. If New York City happens to have an individual who is under investigation by ICE and there is miscommunication or not communication at all, will New York City give up this individual to ICE if there is a criminal investigation of –

Mayor: Here we have a very different dynamic, I think, than many other places. The law that was passed delineated dozens of categories of crimes that trigger regular communication with ICE – violent crimes, obviously anything associated with terrorism, anything associated with substantial drug offenses. We have a constant dialog going between city agencies and ICE to make sure that there is not that kind miscommunication. And so, I think we're in a very strong position. And anyone who has committed one of the crimes delineated under the legislation passed by this city is the kind of person we want to make sure ICE is fully aware of and ICE is in a position to act on.

Question: The Daily News is writing about these women in Times Square that are topless. I'm wondering, have you seen the women? What do you think – would it be something that – if you were with your family, you know, what would you think if you were to see this?

Mayor: I think it's wrong. It's wrong. It's just – look, as a progressive who believes in civil liberties and believes in our first amendment, I understand the legal challenge here. But I don't think that's the end of the discussion. We are going to look for every appropriate way to regulate all activity that involves either begging, or asking people for a contribution based on, you know, the opportunity to take a picture, for example. We're going to enforce the law to the fullest, with any and all agencies. I'm not satisfied that we have used every tool in are arsenal yet. And I don't like the situation in Times Square and we're going to address it in a very aggressive manner.

Question: Across the river in New Jersey, there's a meeting today between federal transportation officials and Governor Christie. Governor Cuomo declined to go. But what do you think of the new Gateway project and how it would be funded? Because it certainly affects New York City.

Mayor: Sure. It's necessary. It's absolutely necessary for our future. Look, in a dynamic of global competition, we should not just be looking, you know, a year ahead or five years ahead. We should be looking 10, 20, 30 years ahead. That's what we tried to do with our OneNYC plan. And the Gateway tunnel is one of the things we accented in that plan as necessary for the future of this city and its economy. We're going to have an increasingly large metropolitan economy. We know the city is going to grow to 9 million people. But our surrounding metropolitan area is going to grow. And for folks to the west of the Hudson, there's just not enough access to the city. That's holding back New Jersey. That's also holding back New York. I think Senator Schumer did a great service by putting forward a vision of how we break through this. Clearly, the federal government has to be the leading contributor here. But this is something that is in the long-term interest of this region and of the nation. Remember, the economy of our metropolitan area is one of the strongest in the entire nation, and it has to keep growing, and this is one of the ways we can do it.

Question: So, is the governor right not to go? Because he's saying there should be more input from the feds –

Mayor: We – look, I think the senator is right to offer a proactive vision of where we need to go. The federal government needs to bring more to bare here. There's no two ways about it. Obviously, we're going to need both governors to be a part of the solution as well. Melissa.

Question: You mentioned begging activities and ways to regulate it. As you know, the women around Midtown are back with their babies on the street in this hot weather. Last year, you gave a response to some of our reports. There were two state proposals designed to address it since the police department says they don't have laws [inaudible] to actually enforce. So, State Senator Jeff Klein proposed legislation that would make it illegal to use a child in this way – making it enforceable. And the state [inaudible] child abuse hotline [inaudible] to now refer these calls, even if a caller can't provide a name or an address for these women, since they [inaudible]. What do you think of these two developments? Do you think there's a right approach to this?

Mayor: Well, the second one I certainly think is smart because if we think there's any chance that a child is being abused, that child should be reported – that situation should be reported. I've felt this for a long time going back to when I worked on child welfare issues as chair of the general welfare committee. We have got to intensify our reporting culture, so that anyone who sees a child who may be in danger reports it instantly, and we've got to make that easier. In terms of the legislation, I have not seen it. I think it is – I think, first of all, thank you for your reporting on this issue, because I think it's something that has to be addressed more creatively and aggressively. But I think we're in the same exact vein on some of the other things that we just talked about with Times Square. Our current laws do make it harder to enforce in the way we might like to. There is a first amendment protection for begging. There is a first amendment protection for painting yourself and displaying yourself in a certain fashion. It makes no sense, but I understand that is a first amendment protection. The fact is we have to respect the constitution in this process. That doesn't mean we can't find legislative and regulatory solutions that still fall within constitutional protections. And it doesn't mean there aren't other types of tools that we can use. Again, if there's a business transaction going on – let's face it, the women in Times Square, or the furry creatures in Times Square, are engaged in a business. We believe that that opens the door for us to enforce the way we would any other business. And we will do so, while still respecting constitutional rights.

Question: How about the woman [inaudible] with their children? Do you see that as a business?

Mayor: Again, it's obvious – I don't think that's the same definition. I think it's obvious there's a potential danger to those children we have to take very seriously. It's obvious there is an individual liberty question that has to be treated here. Again, I haven't seen the new legislation, so we have to make sure it would strike that balance. But I think the other piece – the child welfare piece to the equation is crucial. Remember, anyone who sees a child in danger should report it immediately. Anyone who sees a homeless person in distress should report it immediately – in this case, to 3-1-1, or if it's a clear and present danger, to 9-1-1. So, I think, as we intensify our follow-up in these situations, we'll be able to deal with a number of them. But in terms of a clean legislative solution, I don't know yet how perfect that will be, but I think putting more attention on it and particularly looking out for any situation where a child may be in danger is where we can have a bigger impact.

Question: Back to Times Square – there've been several suggestions on, as you mentioned, enforcement efforts. A Daily News editorial suggested that Times Square be made park area or parkland for enforceability. And there was a letter, or opinion, from [inaudible] about setting aside a particular area of Times Square for them. Is that doable? Is that feasible?

Mayor: We're going to – first of all, I thought that editorial was a helpful suggestion. I don't know if that's fully attainable, but we want all ideas on the table. And we certainly appreciate what the Times Square Association has put forward as well. This situation is going to change, this is what I'll guarantee you. I'm not going to tolerate it. We're going to change things. I think we have just begun to recognize all of the tools available here. But, you know, this is a situation that I don't accept, and we will deal with very aggressively.

Question: So, what's your timetable for enforcement to change?

Mayor: Soon. Soon. I think – look, again, I would say, whatever we find as we examine our enforcement capacity – again, particularly where there's a business dynamic – and in some cases, we're going to the need the cooperation of the City Council, and I hope we'll get it. I think there's some things we can do right away, some things that may need city legislation. I think the bigger challenge around first amendment rights, that's going to take more work because that's a thorny area. It's part of our national history. This has always been a thorny area. But I think there's other creative ideas about how we can address the physical reality, separate from the people that may make enforcement easier to do. So, we have a group of agencies, including obviously NYPD, including consumer affairs, and others that are working right now on a different vision on how to approach Times Square. And you will see changes – some of them starting quite soon. Yes, Grace.

Question: Mayor, do you consider that your day-to-day routine, including regular trips to the gym in Park Slope, might be leading some New Yorkers to question whether you're distracted from your day job or question your focus on it?

Mayor: I don't know anyone who has questioned that. The job – this job is a seven-day-a-week job. There is no such thing in this job as being off duty. I hope people know that. I think, as someone who watched my last four predecessors very carefully, I think it's quite clear to most New Yorkers that a mayor is on duty all the time. When I get in the car in the morning, I'm on the phone to members of this administration. I'm emailing with them from the beginning. Wherever I go, that's the case. So I think that's fairly well understood that – and I think if people look at the amount that's been achieved – crime is down, the number of jobs is up, test scores for our schools are up, the amount of affordable housing being created – I think people paying attention recognize that a lot of work is being done and done effectively. But my job is to be on top of all the subject matter all the time. That requires seven days a week. But it also requires figuring out what's going to help me be as effective as I can be. And I think a lot of CEOs will say to you, if you don't get exercise, you're not going to be as effective as you can be.

Unknown: Two more questions.

Question: I'm wondering how your administration's review of Trump contacts with the city is going and what a time table for getting –

Mayor: I'll have to get you an update on that. I really don't know the latest. We'll find out.

Question: You made several comments about [inaudible] you know, one way or another, you're kind of criticizing how the media is covering the administration. Why do you think the media is treating you unfairly?

Mayor: I really don't have anything to say on that right now. Let's stay on the substance of the day.

Question: Your – one of your top campaign donors – a very prominent lawyer, Roberta Kaplan – last year, emailed Avi Fink –

Mayor: Yeah, I know the situation from the story. I don't really know her personally. And it's normal that anybody who reaches out – look, I have constituents who walk up to me on the street all the time. I make sure their cases are followed up on. Anyone who reaches out to us, we're going to do all we can to make sure things are handled right in their situation. It's just normal. Thanks. Thanks, everyone.

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