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September 9, 2026

Administrator Lee Zeldin
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Lieutenant General William H. Graham, Jr.
56th Chief of Engineers and Commanding General
U.S. Army Corps of Engineers
441 G Street, N.W.
Washington, DC 20314

Dear Administrator Zeldin and Lieutenant General Graham Jr.,

I write regarding the ongoing Niagara and Erie County Radiological Assessment (NECRA) and the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers' (USACE) roles in the response to the discovery and investigation of elevated levels of radioactive material on private properties in Niagara and Erie Counties in New York State. I recognize the inherent technical complexities of the work the EPA, the New York State Department of Environmental Conservation (DEC), and the New York State Department of Health (DOH) are navigating to investigate high levels of radioactive material. However, as the elected federal representative of the families directly affected by this situation, I am deeply concerned that the pace, transparency, and scope of the joint federal and state response have not adequately matched the urgent concerns facing affected residents.

My office has remained in regular communication with affected residents and with the EPA, DEC, and DOH throughout this process. I have heard directly from families who received notices that elevated levels of radioactive material may be present on their properties and are now living with profound uncertainty about the safety of their homes, their health, and their financial futures. These families deserve clear answers, timely action, and confidence that all levels of their government are doing everything possible to protect them. With this in mind, I respectfully request that you provide written responses to the following questions:

Geographic Scope and Extent of Contamination

1. What is the current geographic scope of the NECRA investigation, and what criteria are being used to determine which properties and areas require additional investigation?
2. Are there areas that have not yet been surveyed but warrant investigation based on historical land use, aerial survey data, or other evidence?
3. What additional testing or investigation does the EPA anticipate will be necessary before the agency can establish the full scope of the contamination?

Pace of Sampling, Testing, and Risk Assessment

1. What is the current status of sampling and laboratory analysis for the properties identified for cursory screening or more intensive investigation?

2. What is the current timeline between initial sample collection, laboratory analysis, completion of risk assessments, and notification of affected property owners?
3. What steps is EPA taking, if any, to expedite this process, including with laboratories, contractors, and other federal or state partners?
4. Will EPA commit to providing affected residents with regular, plain-language updates regarding the status of testing on their properties, even when final results are not yet available?
5. Does the EPA have a targeted completion date for the NECRA project?

Health and Safety Protections for Residents

1. What specific measures are currently being recommended or implemented to protect residents while testing and risk assessments remain ongoing?
2. What criteria is EPA using to determine whether a property presents an unacceptable risk to its occupants?
3. If contamination is identified at levels warranting additional protective measures, what immediate actions are being taken to protect residents, including access restrictions, temporary relocation, or other safeguards?

Relocation and Housing Assistance

My office has been informed that under the Unified Command framework initiated by EPA and New York State, the U.S. Army Corps of Engineers (USACE) is providing voluntary, temporary relocation assistance to affected households. It is my understanding that USACE specialists are working directly with families and local realtors to identify safe and suitable housing, coordinate necessary relocation expenses, and provide on-the-ground assistance throughout the transition.

This support is critically important, and I am encouraged that federal resources are being brought to bear to help alleviate the immediate burdens facing these families. At the same time, the circumstances facing these households remain fluid, and relocation timelines may extend depending on housing availability, inspections, testing, and the progression of the radiological assessment. Accordingly:

1. What is the current capacity of the USACE relocation assistance program, and what resources have been made available to support affected households for as long as necessary?
2. What systems are in place to ensure that necessary relocation expenses, including moving costs, temporary or replacement furnishings, specialized moving requirements, and other reasonable household needs do not create an additional financial burden for affected residents?
3. How will EPA and USACE ensure continuity of housing assistance if the radiological assessment, risk assessment, or remediation process extends beyond the anticipated timeline for a temporary relocation?
4. What parameters are being used by EPA, USACE, DEC, and DOH to determine when, or whether, it is safe for affected residents to return to their properties?
5. For households that cannot safely return to their properties, what federal authorities and resources are available to support long-term relocation?
6. What safeguards are in place to ensure that no family is obligated to return to a property before the scientific evidence establishes that doing so is safe?

Property Values and Financial Impacts

Identifying potential radioactive contamination can substantially impact a homeowner's ability to sell, refinance, insure, or otherwise derive value from their property. Under no circumstances should my constituents be left financially responsible for the consequences of contamination they did not cause and were not made aware of at the time of purchase.

1. What assessment has EPA made of the potential economic and property-value impacts associated with the NECRA investigation?
2. What federal programs or authorities could be used to mitigate financial losses suffered by property owners as a result of unsafe levels of contamination?
3. If a property requires remediation, what federal assistance will be available so that the cost of remediation does not fall on the affected homeowner?
4. What financial safeguards, if any, exist for families whose property values are diminished because of contamination?

Origins of Radioactive Contamination

Finally, the public deserves to understand where this radioactive material came from and who is responsible for addressing the consequences.

1. What does EPA currently know about the origin, historical movement, and disposal of the radiological material under investigation?
2. What historical industrial, governmental, commercial, or other activities are being examined as potential sources?
3. Is EPA investigating whether any private or governmental parties may bear legal or financial responsibility for the contamination?
4. At what point does EPA anticipate being able to provide affected communities with greater clarity regarding the source of the material and potential responsible parties?
5. If responsible parties are identified, what authorities will EPA pursue to ensure that the costs of cleanup, relocation, and other necessary protections are borne by those responsible rather than by affected families or taxpayers?

I recognize that a scientifically sound investigation takes time. However, scientific rigor and urgency are not mutually exclusive. The federal government can conduct a careful investigation while simultaneously communicating clearly with residents, expediting testing, providing appropriate protections, and preparing the resources necessary for when action is required. My constituents should not have to wonder whether their soil, water, or home is safe, or whether they will be financially devastated by circumstances entirely outside of their control.

For these reasons, I urge EPA to treat the NECRA response as a top priority and do everything within its authority to ensure affected families are informed, protected, and supported throughout this process. I will continue to engage directly with the relevant agencies as well as the residents I represent so that this project moves forward expeditiously and thoroughly. At the same time, I will continue to explore every possible legislative option available to ensure this issue is addressed with the health, well-being, and financial security of affected families at the forefront.

Thank you for your attention to this urgent matter. I look forward to your prompt response.

Sincerely,



Timothy M. Kennedy
Member of Congress