

Policy Statement on Program Shutdown Schedule

Message from the Special Master, Mr. Kenneth R. Feinberg, on the Shutdown of the September 11th Victim Compensation Fund

The December 22, 2003 deadline for submission of claims to the September 11th Victim Compensation Fund has come and gone. I am gratified to announce that more than 98 percent of those eligible for compensation have indeed filed a claim with the Fund! In addition to those claims filed by survivors of those killed on September 11, the Victim Compensation Fund received over 4,300 physical injury claims. The number of claims filed demonstrates the dramatic success of the Fund. It stands as a source of swift and generous compensation to all eligible families and victims of the 9/11 terrorist attacks.

We now face the awesome task of reviewing, evaluating, and processing over 3,000 claims that we received during the several weeks leading up to the December 22, 2003 deadline. **The final day of operation of this Program will be June 15, 2004. This date will not be extended.** This means that claims will be either paid or authorized for payment by June 14, 2004.

It is imperative that everyone who has filed a claim, and who has been asked to supplement his or her file with additional, required information, do so immediately. I outline below my timetable for the completion of various Program objectives. I am hopeful that all claimants will comply with these objectives.

Program Objectives

The Interim Final Rule clearly states the following two program objectives:

- (1) To provide fair, predictable and consistent compensation to the victims of September 11 and their families; and
- (2) to do so in an expedited, efficient manner without unnecessary bureaucracy and needless demands on the victims. **Timelines for claim and document submission**, as well as **full payment completion** are a direct result of these objectives.

Program Shutdown Defined

With the passing of the statutory December 22, 2003 claim submission deadline and the internal processing January 22, 2004 supplemental information deadline, the Fund has transitioned from an "outreach operation" to a "processing operation." Since January 22, 2004, we have started to process the more than 3,000 claims that were received in the three months leading up to the December 22, 2003 claim submission deadline.

Effective Tuesday, June 15, 2004, the September 11th Victim Compensation Fund of 2001 will no longer be an “active” federal program. This means that the Fund will no longer be “open for business.” The Special Master’s goal is to render claim decisions including Track A appeals and Track B hearings, with claims being either paid or authorized for payment by June 14, 2004.

The Special Master will also render abandonment decisions on claims where we only have minimum claim submissions with insufficient supporting documentation. This abandonment decision will also include inactive claims, where claimants were unresponsive to numerous, systematic requests for information. Per the Final Rule, “Claims outstanding at the end of this Program because of the claimant’s failure to complete his or her filings shall be deemed abandoned.”¹

To continue to support the above objectives, the Special Master announces the following *Processing Outline and Schedule*.

Processing Outline and Schedule

- **Hearing Dates** – The Fund attempts to set hearing dates to accommodate both the claimants and hearing officers’ schedules. Once we have given you a date, it will not be rescheduled absent some serious exigent circumstance(s). You should consider your assigned hearing date as a court appointed date. Please do not ask for a rescheduling as you should make every reasonable effort to keep the scheduled hearing date unless there is a serious exigent circumstance(s).
- **Monday, March 15, 2004** – We **must** receive your request in writing to appeal a Personal Injury eligibility decision on or before this date.
- **Thursday, April 1, 2004** – Target date for the determination of all Track A awards for deceased victim claims only (See FAQs 10.20 and 10.21 on how supplemental documentation will be treated post January 22, 2004). Please note that if you do not have a complete claim by this date – confirmed by the receipt of a Substantially Complete, Presumed Award or Final Award determination letter – your claim may be denied or deemed abandoned. ***Please note that April 1, 2004 is a Target Date for deceased victim claims only. Personal Injury claims award determinations will be issued after April 1, 2004. Be advised that Track B award determinations and award determinations after appeals will all be issued after hearings. Hearings are currently scheduled through mid-May. If you submitted a deceased victim Track A claim and do not yet have an award determination, you will receive a letter within the next few weeks.***

¹ Federal Register, 28 CFR Part 104, September 11th Victim Compensation Fund of 2001, Final Rule, Wednesday, March 13, 2002, Section 104.35.

- **Tuesday, June 15, 2004** – Program shutdown. Fund staff will be reduced and / or transitioned to payment processing and program wrap up activities.

We continue to process claims. If you did not send us documentation on or before January 22, 2004, it is imperative that you get all requested documents to us as soon as possible to help ensure efficient processing of your claim.

Submission of Supplemental Documents

- All supplemental documents should be faxed or mailed to one of the following addresses:

Regular Mail

Victim Compensation Fund
PO Box 18698
Washington, DC 20036-8698

Overnight Mail

Victim Compensation Fund
1900 K Street, NW, Suite 900
Washington, DC 20006
202-822-4485

Fax: (703) 741-1273