

WTC Victims Compensation Fund - General Issues

1. General Issues

1.1 What is the September 11th Victim Compensation Fund?

The September 11th Victim Compensation Fund (VCF) is part of legislation passed by Congress and signed into law by the President to provide compensation for economic and non-economic loss to individuals or relatives of deceased individuals who were killed or physically injured as a result of the terrorist-related aircraft crashes of September 11, 2001. The original VCF operated from December 2001 until June 2004.

On January 2, 2011, President Obama signed into law the James Zadroga 9/11 Health and Compensation Act of 2010 (Zadroga Act), which reopens the September 11th Victim Compensation Fund of 2001. The Zadroga Act expanded the scope of the original VCF to enable more individuals who suffered physical injury or death as a result of the September 11th attacks to obtain compensation from the program.

The Fund is designed to provide a no-fault alternative to tort litigation for individuals who were physically injured or killed as a result of the aircraft hijackings and crashes on September 11, 2001. Others, who may have suffered losses as a result of those events (e.g., those without identifiable physical injuries but who lost employment), are not included in this special program. Compensation will be provided only for losses caused on account of personal physical injuries or death.

Like the initial VCF, the Act provides that an individual who elects compensation from the VCF waives his or her rights to pursue litigation to seek damages for the physical injury or death resulting from the September 11th attacks.

The new VCF is being administered by Special Master Sheila Birnbaum, who was appointed by the Attorney General of the United States.
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1.2 Who is eligible for the new VCF?

The Zadroga Act provides that individuals are eligible if they were present at the September 11th crash sites at the time of the crashes or between September 11, 2001 and May 30, 2002, and suffered physical harm as a direct result of the crashes or debris removal. Personal representatives of those who died as a result of the crashes or debris removal are eligible to bring claims on behalf of the deceased individual.

For those individuals who have suffered a physical injury, the VCF's final regulations define eligible physical harm to mean a physical injury to the body that was treated by a medical professional within a reasonable time from the date of discovering the harm. In addition, the physical injury must be verified by or at the direction of the medical professional who provided contemporaneous medical care.

In order to be covered by the VCF, your physical harm (or death) must have been a result of September 11th. Traumatic injuries incurred as a result of the attacks are eligible "physical harm." In addition, certain latent health conditions and diseases are eligible. The final regulations provide that initially, these presumptively covered health conditions and diseases will consist of the physical injuries that the World Trade Center (WTC) Health Program has determined to be WTC-related health conditions. The WTC Health Program is operated by the National Institute for Occupational Safety and Health (NIOSH) and provides medical treatment and monitoring for WTC-related health conditions.

Currently, the health conditions and diseases that are presumptively covered based on their inclusion in the WTC Health Program are:

Aerodigestive Disorders

- * Interstitial lung disease
- * Chronic Respiratory Disorder - fumes / vapors
- * Asthma
- * Reactive Airways Dysfunction Syndrome (RADS)
- * WTC-exacerbated Chronic Obstructive Pulmonary Disease (COPD)
- * Chronic cough syndrome
- * Upper airway hyper reactivity
- * Chronic rhino sinusitis
- * Chronic nasopharyngitis
- * Chronic laryngitis
- * Gastro-Esophageal Reflux Disorder (GERD)
- * Sleep apnea exacerbated by or related to the above conditions.

Musculoskeletal Disorders

- * Low back pain
- * Carpal tunnel syndrome (CTS)
- * Certain other musculoskeletal disorders defined as "a chronic or recurrent disorder of the musculoskeletal system caused by heavy lifting or repetitive strain on the joints or musculoskeletal system occurring during rescue or recovery efforts in the New York City disaster area in the aftermath of the September 11, 2001, terrorist attacks."

Claimants who have a traumatic physical injury or a presumptively covered health condition or disease (and representatives of individuals who have died as a result of such a traumatic injury or presumptively covered health condition or disease) that was caused as a result of September 11th and who are otherwise eligible may receive compensation from the VCF for economic and non-economic loss as defined in the regulations.

1.3 When will the VCF begin accepting claims?

The VCF is accepting registrations starting October 3, 2011. Claimants can register online using a web-based system. The registration process allows Claimants and representatives of Claimants to create an account that will be used for the purpose of filing claims and to provide certain information that will help the VCF start the claims review process. The VCF will provide access to claim forms after the

registration process commences. The VCF will provide claim forms for Claimants who have suffered a physical injury and representatives of Claimants who are deceased. The forms will be divided into "Eligibility" and "Compensation" sections.

The Eligibility portion of the claim forms will be available by the end of October 2011. Approximately one month after the Eligibility portion is released, the Compensation portion will be available. Claimants can, if they wish, complete the Compensation Form while awaiting a decision on the Eligibility Form - but Claimants may also wait for the Eligibility decision and complete the Compensation Form at a later date. As long as the Eligibility Form is timely submitted, the Claimant may file the Compensation Form at any time during the program.

Claimants can now begin the process of gathering the information and documentation that will be required for the Eligibility and Compensation Forms.

For a list of documents and information that will be required, please see the Document checklists <<http://www.vcf.gov/docChecklist.html>> that can be accessed on this website.

1.4 How long will I have to file a claim with the Fund?

In general, Claimants will have two years to submit an Eligibility Form. The Zadroga Act provides that a person who knows (or reasonably should have known of physical harm resulting from the September 11th attacks as of October 3, 2011 must file by October 3, 2013. If you subsequently learn of physical harm, you must file your claim within two years of the date you learn or reasonably should have known that you suffered a physical injury as a result of the attacks.

The Zadroga Act authorizes the VCF to receive claims for five years after it opens in 2011. Final payments will be made in 2016-17.

1.5 How is the VCF funded?

The VCF is a government program, funded by taxpayers. Congress has appropriated a fixed sum of money for the VCF. This fixed sum is \$2.775 billion. Congress has also determined that \$875 million of that total amount may be paid out in the first five years of the VCF program. The remainder may be paid in the sixth year.

The limitations on funding for the VCF means that in the first five years of the program, Claimants will receive only a portion of the compensation allowed under the rules of the VCF. Depending on the number and type of claims, and in order to ensure that all eligible Claimants receive an award, the Zadroga Act's cap on funding means that it is possible that Claimants' awards will be pro-rated.

The funds appropriated by Congress cover both awards made to Claimants and administrative costs. Because every dollar spent on administrative costs is a dollar that cannot be paid to Claimants, the VCF will provide a streamlined, efficient administrative process.

1.6 How is the VCF different than the World Trade Center Health Program?

The VCF is a compensation program. The Zadroga Act also created the World Trade Center (WTC) Health Program, which is operated by the National Institute for Occupational Safety and Health (NIOSH). The WTC Health Program commenced on July 1, 2011 and provides medical treatment and monitoring for WTC-related health conditions. For further questions about the World Trade Center Health Program, please contact the program by phone at 1-888-WTC-HP4U (1-888-982-4748), or on the web at <http://www.cdc.gov/niosh/topics/wtc>.

1.7 Where do I get and submit the appropriate forms for filing a claim with the Fund?

There are two different forms. Claimants who have suffered physical injuries as a result of the terrorist-related aircraft crashes of September 11, 2001 must complete the Eligibility and Compensation Form for Personal Injury Claimants. Personal Representatives of individuals who have died as a result of such aircraft crashes must complete the Eligibility and Compensation Form for Deceased Individuals.

Both forms will be accessible through the VCF website at www.vcf.gov<<http://www.vcf.gov>>. You may submit the claims through an online system, and to help ensure efficient processing and to maximize the funds paid to Claimants, all Claimants are strongly encouraged to help lower administrative costs by submitting their claims electronically through the VCF website. However, those Claimants who are unable to use the electronic process can get the proper form in hard copy by calling the toll free number 1-855-885-1555. Hard copy forms should be submitted as follows:

By mail to:

September 11th Victim Compensation Fund

P.O. Box 34500

Washington, D.C. 20043

By overnight mail to:

September 11th Victim Compensation Fund

Claims Processing Center

1100 L Street, N.W. - Suite 3000

Washington, DC 20005

1.8 Does it cost anything to file a claim?

No.

1.9 How will I know that my claim has been received?

Claimants who submit their claim electronically will receive email confirmation that their claim has been received. Claimants who submit hard copy claims will be notified by mail.

1.10 Can more than one person file a claim for the same individual?

No. The statute and regulations provide that only one Claimant is eligible to submit a claim. If the Special Master receives more than one claim form for the same individual, the Special Master will delay processing the claim until the appropriate Personal Representative is determined.

1.11 How do I find out who has submitted a claim?

The list of Claimants and deceased individuals for whom a claim has been filed will be posted on the website at www.vcf.gov <<http://www.vcf.gov>> for a period of 90 days after filing.

1.12 My business was impacted by the events of September 11th; can I get money from this fund?

No. The statute does not cover individuals who lost their businesses. The fund only applies to those who were physically injured or killed as result of the terrorist-related air crashes on September 11th or debris removal. Those without identifiable physical injuries are not eligible for the program.

1.13 Can I have someone else talk to the Special Master's office about my claim?

Yes. The registration process and the claim forms allow you to designate an authorized individual to talk to the Special Master's office. You will find this authorization in the "Attorney or Other Authorized Individual" section of the registration process.

1.14 I have heard that USIS|LABAT, Garretson Resolution Group, Lockheed Martin, and IBM are working for the Victim Compensation Fund. What do these companies do?

These organizations were selected by the U.S. Department of Justice and the Special Master of the Victim Compensation Fund to provide claims administration services. They have been engaged to support the Special Master in executing her responsibilities under the statute. These responsibilities include provision of claims intake services, document management, operation of a toll free call center, operation of a claims-processing center for the initial review of claim materials, creation of an information system to facilitate claims processing, operation of the website, and provision of hearing support to the Special Master.

1.15 Why are Claimant and Decedent names published on the DOJ website?

As provided in Sec. 104.22(b)(5) of the final regulations, the Special Master may publish a list of individuals who have filed with the September 11th Victim Compensation Fund and the names of the individuals for whom compensation is sought, but shall not publish the content of any such form.

The Special Master has determined that this list should be on the Department of Justice's Victim Compensation Fund website, www.vcf.gov<<http://www.vcf.gov>>. The purpose of this list of Claimants and deceased individuals is to notify all potential beneficiaries that a claim is being filed on behalf of a September 11th Claimant. This notice helps to ensure that the appropriate person submits the claim and that all potentially affected individuals are notified of the waiver of litigation rights that occurs upon submission of a substantially complete claim.

1.16 How can I get assistance with my claim?

The Special Master will provide assistance through scheduled seminars and through a web-based program. Please check the website for the dates and locations of these programs. In addition, you can contact the "help line" with specific questions. Also, some outside organizations may provide assistance to Claimants. Please check the website for information and dates.

2. Eligibility

2.1 Who is an eligible Claimant?

* Individuals present at a 9/11 crash site at the time of or in the immediate aftermath of the terrorist-related aircraft crashes and who suffered physical harm as a direct result of the crashes or debris removal. * The Personal Representatives of individuals who were present at a 9/11 crash site at the time of or in the immediate aftermath of the terrorist-related aircraft crashes and who died as a direct result of the crashes or debris removal.

2.2 What are the 9/11 crash sites?

Under the Zadroga Act and the final regulations, the 9/11 crash sites include:

* The World Trade Center site, the Pentagon site and the Shanksville, Pennsylvania site * The buildings or portions of buildings that were destroyed as a result of the terrorist-related airplane crashes of September 11, 2001

* The "NYC Exposure Zone" which consists of:

* The area in Manhattan south of the line that runs along Canal Street from the Hudson River to the intersection of Canal Street and East Broadway, north on East Broadway to Clinton Street, and east on Clinton Street to the East River; AND

* Any area related to, or along, routes of debris removal, such as barges and Fresh Kills

In rare circumstances, the Special Master may identify, based on additional evidence, additional areas that presented a demonstrable risk of physical harm resulting from the impact of the aircraft or any subsequent fire, explosions, or collapse of buildings (generally, the immediate area in which the impact occurred, fire occurred, portions of buildings fell, or debris fell upon and injured persons) as 9/11 crash sites.

2.3 What is the "immediate aftermath"? When must individuals have been present at the sites to be eligible?

In order to be eligible, individuals had to be present at one of the sites at the time of the crashes or in the immediate aftermath of the crashes. The immediate aftermath of the crashes means any time during the period beginning with the crashes and ending on May 30, 2002.

To be eligible, the Zadroga Act requires an individual's presence at a 9/11 crash site prior to May 30, 2002. An individual's eligibility will not be affected by whether he or she continued to be present at a site after that date. Once an individual is deemed to have been eligible based on presence during the relevant time period, it will not be necessary for the Fund to determine the precise date that the condition was caused.

2.4 How do I prove that the individual was present at the site?

You will need to provide documents that establish the presence of the Claimant or decedent at the site at the time or in the immediate aftermath of the attacks. Documentation sufficient to establish the Claimant's presence at a 9/11 crash site may include the following:

- * Employer records confirming employment with an organization or entity that was responsible for rescue and recovery, clean up, transportation of debris, and confirming that the Claimant or decedent was present at the site, including an official personnel roster, site credentials or a pay stub

- * Proof of residence in the area during the relevant time period - such as rent or mortgage receipts, utility bills and proof that the Claimant or decedent was physically present at the site between September 11, 2001 and May 30, 2002

- * Contemporaneous documentation of presence - such as orders, instructions, confirmation of tasks performed, contemporaneous medical records or contemporaneous records of federal, state, city or local government

- * School or day care records confirming enrollment or attendance during the period

- * Sworn and notarized affidavits (or unsworn statements complying with 28 U.S.C. 1746) regarding the presence of the Claimant or decedent from persons who can attest to the Claimant's or decedent's presence at a 9/11 crash site.

2.5 If I submit documents such as employer records or proof of residence, do I still need to submit affidavits regarding my presence at the site?

Yes. While employment records demonstrate that you worked for a certain organization and proof of residence demonstrates that you lived in a certain place, neither may necessarily show that you were actually present at the site during the relevant time. For example, you could have been assigned to a different location or been on vacation during this time. As a result, you will need to submit affidavits or some other proof that you were actually present at the site during the relevant period.

2.6 How many documents related to my presence at the site do I need to submit?

In general, the VCF requires two forms of proof with the following exception:

The VCF will accept a contemporaneous document from an employer confirming that the Claimant was at the site during the relevant time period.

2.7 What type of injury must a Claimant or decedent have suffered to be eligible for compensation?

The Zadroga Act requires an individual to have suffered "physical harm or death as a result of" one of the terrorist-related aircraft crashes of September 11, 2001 or debris removal. The VCF will compensate personal injury or death resulting from traumatic physical injuries that occurred as a result of the crashes or debris removal and in addition will compensate personal injury or death resulting from health conditions or diseases that the WTC Health Program has found to be WTC-related health conditions. As of October 3, 2011, the following are presumptively covered health conditions or diseases under the WTC Health Program:

- * Interstitial lung diseases
- * Chronic Respiratory Disorder - Fumes/Vapors
- * Asthma
- * Reactive Airways Dysfunction Syndrome (RADS)
- * WTC-exacerbated Chronic Obstructive Pulmonary Disease (COPD)
- * Chronic Cough Syndrome
- * Upper airway hyper reactivity
- * Chronic rhino sinusitis
- * Chronic nasopharyngitis
- * Chronic laryngitis
- * Gastro-Esophageal Reflux Disorder (GERD)
- * Sleep apnea exacerbated by or related to the above conditions.
- * Low back pain
- * Carpal tunnel syndrome (CTS)
- * Certain other musculoskeletal disorders defined as "a chronic or recurrent disorder of the musculoskeletal system caused by heavy lifting or repetitive strain on the joints or musculoskeletal system occurring during rescue or recovery efforts in the New York City disaster area in the aftermath of the September 11, 2001, terrorist attacks."

Please see Section 3 for more information about eligible conditions and injuries.

2.8 For purposes of the VCF, who is a Responder?

A "Responder" is defined as an individual who performed rescue, recovery, demolition, debris cleanup or other related services at a 9/11 crash site in response to the September 11, 2001 terrorist attacks, regardless of whether the individual was a state or federal employee or member of the National Guard or performed the services in some other capacity. Therefore, you may be considered a Responder even if you performed the listed services through a private employer or on a volunteer basis.

2.9 If I was not a Responder, am I eligible for the VCF?

Yes. You do not have to be a Responder to be eligible. Under the Zadroga Act, to receive a payment from the VCF, an individual must have been present at a 9/11 crash site between the time of the crashes and May 30, 2002, and have suffered physical harm or death as a result of the September 11th air crashes or debris removal.

2.10 What kind of medical documentation will be required for the VCF?

The type of medical documentation required will vary depending on the Claimant's particular injury or medical condition. In general, the Claimant must submit medical records that support the diagnosis, demonstrate the time of initial treatment, and provide information about the treatment of the condition and the effects of the condition on the Claimant's ability to work and provide household services, and the anticipated future effects of the condition. For conditions that have been certified for treatment by the the WTC Health Program that commenced on July 1, 2011, the VCF may accept medical examinations and certifications provided under that Program. Please see Section 3 below for more information on the physical injuries and conditions that are eligible for compensation.

If the individual has died as a result of a covered physical harm, the Personal Representative must also submit proof of the cause of death.

2.11 If I applied to the original VCF, can I apply again now?

Individuals who submitted claims in the original VCF and who did not receive compensation based on a determination that the individual would remain totally disabled for the remainder of his or her work life, may submit new claims in certain circumstances:

- * The individual suffered a new injury that is eligible under the new VCF;
- * The individual's prior eligible condition has substantially worsened, resulting in damages or loss that was not previously compensated;
- * The individual was not previously eligible for the VCF, but is now eligible as a result of changes contained in the Zadroga Act;
- * The individual's previous claim was based on a condition that was not previously covered by the VCF, but that is now covered.

2.12 If I participated or am currently participating in a lawsuit related to September 11th, can I participate in the VCF?

Yes, if you withdraw from the lawsuit or settled the lawsuit as described below. Therefore, if you or any dependent, spouse or beneficiary has filed a lawsuit or have been a party to a lawsuit in any Federal or State court relating to or arising out of damages sustained as a result of the terrorist-related aircraft crashes of September 11, 2001 or for damages arising from or related to debris removal (other than a lawsuit to recover collateral source obligations or a lawsuit against any person who is a knowing participant in any conspiracy to hijack or commit any terrorist act), you may be able to obtain compensation from the VCF if you meet the following conditions (and if you are otherwise eligible):

* Pending actions: Individuals who have filed a lawsuit described above or who are a party to such a lawsuit may not file a claim with the Special Master unless they withdraw from such lawsuit on or before January 2, 2012. You must submit proof of timely withdrawal with your claim.

* Settled actions: In the case of an individual who settled a lawsuit described above, such individual may not submit a claim with the VCF unless the lawsuit was commenced after December 22, 2003 and a release of all claims in such lawsuit was tendered by the individual, or by the individual's attorney (provided the attorney has authority to tender the release) prior to January 2, 2011. You must submit proof documenting the date of commencement and release of all claims with your claim. If an attorney signed and submitted the release on behalf of the individual or the individual's dependent, spouse or beneficiary, a copy of the retainer agreement with the attorney in the settled lawsuit must be submitted as proof that the attorney was authorized to sign the release.

If you have participated or are currently participating in such a lawsuit, you must certify on your claim form that the above conditions are satisfied.

2.13 Do I have to live in New York to participate in the VCF?

No. You do not have to live in New York to participate in the VCF.

2.14 If I do not live in New York, how can I participate in the VCF?

Claimants will be able to submit information to the VCF over the internet or through the mail. If a Claimant would like a hearing to appeal his or her award, the VCF will make every effort to accommodate long-distance hearings through video-conference or where necessary, telephone conferences.

2.15 Are foreign nationals or residents eligible for the VCF?

Yes. The Zadroga Act permits both U.S. citizens and foreign nationals who satisfy the VCF's eligibility criteria to participate in the VCF.

3. Physical Injuries or Conditions Eligible for Compensation for Personal Injury or Death

3.1 If I did not experience any physical injury or death as a result of September 11th, but I experienced emotional or mental harms as a result of the events, am I eligible for the VCF?

No. When Congress first created the VCF in 2001, it directed that only Claimants who have a "physical injury" can be eligible for the VCF, and then-Special Master Ken Feinberg interpreted that phrase to mean "a physical injury to the body," thus excluding claims for psychological conditions. In the Zadroga Act, Congress did not change how the VCF treats psychological conditions. As a result, the VCF is not able to accept claims solely for psychological conditions. This means that claims for Post Traumatic Stress Disorder are not eligible for compensation in the VCF.

The WTC Health Program does provide options for treatment of psychological conditions. For information about whether you may be eligible for treatment for emotional or mental harms by the WTC Health Program, you may contact them by phone at 1-888-WTC-HP4U (1-888-982-4748), or on the web at www.cdc.gov/niosh/topics/wtc<<http://www.cdc.gov/niosh/topics/wtc>>.

3.2 If I have a physical condition that was a result of September 11th but is not a common condition, am I eligible for the VCF?

Yes. Individuals who suffered injuries as a result of September 11th and who meet the other eligibility requirements may submit a claim, even if their condition is not common across the population.

The Special Master has identified an initial list of presumptively covered conditions. (See FAQ 1.2). Generally, these are the only non-traumatic physical injuries or conditions that the VCF will compensate. However, in rare, extraordinary circumstances, individuals with other physical conditions may also be eligible for an award.

3.3 I do not see my injury on the list of presumptively covered conditions. Will the list of covered conditions change?

The VCF will consider modifications to the list of presumptively covered conditions based on the determinations of the WTC Health Program. The VCF will examine the science to determine whether additional conditions (including specific types of cancer) can be covered.

3.4 Is cancer covered by the VCF?

The Zadroga Act did not include cancer in its initial list of conditions that are eligible for monitoring or treatment under the WTC Health Program. The final regulations provide that the VCF will consider modifications to the list of presumptively covered conditions based on the determinations of the WTC Health Program. The VCF will examine the science to determine whether additional conditions (including specific types of cancer) can be covered. The rules also state that if an individual submits a claim for a condition that is not

covered, and that condition later is added to the list, that individual may be eligible for payment.

3.5 If I have a physical condition that is on the list of presumptively covered conditions, does this mean I am definitely going to be compensated by the VCF?

No. In order to be eligible for compensation, individuals must establish that they were present at a 9/11 crash site (as defined in the regulations) between September 11, 2001 and May 30, 2002, that their physical harm is a direct result of the terrorist-related crashes or the debris removal, and that their physical injury was treated by a medical professional within a reasonable time from the date the injury was discovered. Thus, a Claimant who has one of the covered conditions will be eligible if these other conditions for compensation are met.

3.6 How will the VCF determine if a condition was a result of September 11th?

The VCF will apply guidelines consistent with those adopted by the WTC Health Program. The WTC Health Program relies on the best available science to determine whether a particular condition is related to September 11th and provides a protocol for doctors to determine whether a particular individual's condition is a WTC-related health condition.

3.7 How do I prove that my presumptively covered condition is a result of the crashes or debris removal?

If you have a condition that has been certified for treatment by the WTC Health Program that commenced on July 1, 2011, you will be deemed to have met this proof requirement for the condition that has been so certified. You will still need to satisfy all other eligibility requirements in order to be compensated by the VCF.

If you are being treated by another program or by another physician for a condition for which you are seeking compensation from the VCF, the VCF will provide you with forms that your treating physician must complete. You must provide certified contemporaneous medical records created by or at the direction of the medical professional who provided you the medical care. This includes medical records of hospitals, clinics, physicians, licensed medical staff, or registries maintained by Federal, State, or local governments.

3.8 How can I find out if I am eligible for treatment by the WTC Health Program that commenced on July 1, 2011?

Consult the WTC Health Program website at <http://www.cdc.gov/niosh/topics/wtc/> for information about the monitoring and treatment programs.

3.9 What if I am not being treated by the WTC Health Program that commenced on July 1, 2011? Can I still participate in the VCF?

Yes, you can still file a claim and seek to participate.

3.10 Do I need to submit my medical records to the VCF if my condition has been certified for treatment by the WTC Health Program that commenced on July 1, 2011?

If you are being treated for your claimed injury or condition through the WTC Health Program that commenced on July 1, 2011, the VCF will seek to obtain any necessary medical records directly. However, if you also were or are being treated for that injury or condition (or for another claimed injury or condition) outside of that program, you will need to submit certified medical records relating to those injuries or conditions.

3.11 What are "certified" medical records?

Certified medical records are records with a certificate attached, usually signed by the custodian of records for the particular office or facility, affirming that the pages are true and accurate copies of records in the patient's file.

3.12 If I first developed my presumptively covered condition before September 11th, 2001, but it has gotten worse since then, can I still participate in the VCF?

If you developed your condition before September 11, 2001, you may still be eligible for compensation if your condition has gotten worse since that time and the VCF determines that your exposure to airborne toxins, other hazards or adverse conditions resulting from the September 11, 2001 terrorist attacks is substantially likely to be a significant factor in aggravating the condition.

3.13 If I have suffered a physical injury as a result of September 11th, but I never sought medical treatment for the injury, am I eligible for the VCF?

The Zadroga Act and the final rules limit compensation individuals who were "treated by a medical professional within a reasonable time from the date of discovering" the physical harm. A "reasonable time" will be determined on a case-by-case basis.

3.14 If I have suffered a physical injury as a result of September 11th but am still able to work, am I eligible for the VCF?

Yes. Individuals who are still able to work may receive compensation for other economic losses they may have suffered, such as medical expenses, or for non-economic losses.

3.15 Will side effects from taking September 11th-related medications be covered by the VCF?

This may depend on the circumstances of your particular condition. The Zadroga Act provides for the VCF to base awards on the losses that each Claimant has suffered as a direct result of September 11th. Whether side effects arising out of medications taken to treat a covered condition are themselves directly related to September 11th will depend on the type of condition, the nature of the medication and the side effects, and other factors that may vary from individual to individual.

3.16 If I have multiple conditions as a result of September 11th, will the VCF cover all of them?

As long as each condition was caused as a direct result of September 11th, the VCF will consider all of the conditions suffered by each eligible Claimant in determining the economic and non-economic loss. However, the method for determining compensation will depend on proof of economic loss. The VCF will not provide multiple awards or awards for each condition.

3.17 If I am found eligible for the VCF, what treatments are covered?

The VCF does not provide treatment. The VCF will consider the cost of treatment - to the extent that it is not reimbursed - in determining economic loss.

3.18 What standards apply for an individual who has died?

The same standards regarding physical injury apply. That is, if an individual died as a result of a traumatic injury or a presumptively covered health condition or disease that was a direct result of the September 11th crashes, then the Personal Representative of that individual may file a claim with the VCF.

4. Application Process

4.1 What do I have to do to apply to the VCF? Which application form should I complete?

To apply for compensation from the VCF, you must complete one of two forms:

- * Claimants who have suffered personal injuries as a result of the aircraft crashes or debris removal should complete the Eligibility and Compensation Form for Personal Injury Claimants.

- * Personal Representatives of individuals who have died as a result of such aircraft crashes or debris removal must complete the Eligibility and Compensation Form for Deceased Individuals.

These forms will collect information about your eligibility for the program and about the amount of your economic and/or non-economic loss.

4.2 Where do I get the application form and how do I submit it?

The VCF will make the application forms available online and for those who do not have access to a computer, the VCF will mail a form upon request. In order to ensure efficient processing of your claim, the Special Master strongly encourages you to complete and submit the form electronically through the VCF's website at

www.vcf.gov<<http://www.vcf.gov>>. However, those Claimants who are unable to use the electronic process can get the proper form in hard copy by calling the toll free number 1-855-885-1555. Hard copy forms should be submitted as follows:

By mail to:

September 11th Victim Compensation Fund

P.O. Box 34500

Washington, D.C. 20043

By overnight mail to:

September 11th Victim Compensation Fund

Claims Processing Center

1100 L Street, N.W. - Suite 3000

Washington, DC 20005

4.3 When will claim forms be available?

The funding for the VCF went into effect on October 1, 2011. The Department of Justice and the Special Master have been working to prepare the claims administration process and now that funding is available, we can begin to implement the process. The DOJ and Special Master have developed claim forms and policy guidelines that are now being set up and implemented. The Eligibility Forms will be available by the end of October, 2011. The Compensation Forms will be available approximately one month later. In the meantime, Claimants are invited to register for the VCF and to collect documents in support of the claim. If you choose not to register at this time, you will still be able to file a claim when the claim forms are available.

4.4 What does it mean to register for the VCF?

The registration process allows individuals who may be interested in filing a claim to create an online account and begin the process of providing information that will be required to file a claim with the VCF. This registration process does not create a claim and you are not waiving any rights or claims by registering. By submitting the information requested, you will be registering with the VCF either as a potential claimant or a representative of a potential claimant, but you will not be making an official claim to the VCF. This registration process will help the VCF effectively manage resources.

The registration process will ask you to provide basic information on (i) the potential Claimant who was injured or harmed, or the deceased individual who died as a result of the air crashes of September 11, 2001 or the subsequent debris removal, (ii) if applicable, the authorized guardian or representative who would be filing the potential claim on behalf of such individual (such as the guardian of a minor child or Personal Representative of a deceased individual), and (iii) if applicable, the attorney or other individual who is assisting the potential Claimant or authorized representative. In addition, the registration form requests basic information about the status of the potential Claimant, including the potential Claimant's "presence" at a 9/11 crash site during the period between September 11, 2001 and May 30, 2002.

4.5 Will I be notified when full claims forms are available?

If you create an online account and register with the VCF (on or after October 3, 2011) you will be notified by email when the Eligibility and Compensation Forms are available. If you do not create an account and register, you should check the website or call the toll free number to check on the availability of forms.

4.6 Is there a deadline for filing the forms?

The Zadroga Act provides that a person who knows or reasonably should have known of physical harm resulting from the September 11th attacks as of October 3, 2011 must file his or her claim within two years - that is, by October 3, 2013. A person who learns of physical harm after October 3, 2011 must file his or her claim within two (2) years of the date that persons learned or should reasonably have known that he or she suffered a physical injury as a result of the attacks. To meet this deadline, the VCF must receive your complete Eligibility Form within the relevant two-year window.

The Zadroga Act authorizes the VCF to receive claims for five years after it opens in 2011. Final payments will be made in 2016-17.

4.7 Which application form should I complete if I am filing on behalf of somebody who suffered a physical injury as a result of the aircraft crashes or debris removal but has since died from an unrelated cause?

You should complete the Eligibility and Compensation Form for Personal Injury Claimants and explain the situation in Section I.B of that form.

4.8 Once I file the claim form, what will happen?

The VCF will begin reviewing and evaluating your claim once it receives your filed Eligibility Form and required signatures. If you are deemed ineligible, you will have the opportunity to appeal that decision to the Special Master. If you are deemed eligible, the VCF will begin reviewing and evaluating your Compensation Form once it is submitted. If you are eligible for an award, you have the option of accepting the award or appealing the award if you believe that the award is incorrect. After hearing your appeal, the Special Master will notify you of the final amount of your award. That decision is final and cannot be appealed.