

Fact Sheet on HR. 1786/ S.928
Why the September 11th Victim Compensation Fund Needs to Stay Open

Currently, the September 11th Victim Compensation Fund (VCF) is scheduled to close on October 3rd, 2016. HR 1786/ S. 928, would keep the VCF open and ensure that it is funded to provide full compensation for economic damages and loss for injured and ill responders, survivors, and the families of those who died from their injuries due to the toxins at Ground Zero.

Numerous responders and survivors have become injured as a result of their exposure to toxins at Ground Zero. Many are disabled and unable to support themselves and their families. The VCF was reopened in 2011, to give financial assistance to those who can prove that they have suffered economic losses as a result of injuries caused by the September 11th attacks. It is open to responders and survivors at Ground Zero and responders to the Pentagon and the Shanksville crash site.

The VCF weighs proof of 9/11-related disability and proof of financial losses, and makes an award to try to put the claimant in the same financial position they would be in had they not become disabled by the terror attacks. To do this, the Fund looks at what a claimant earned before disability, subtracts the amount of disability payments received from sources such as workers compensation and Social Security, and then issues an award intended to make up the difference, if any, so that the claimant can continue to pay their family's bills, rent, mortgage, tuition, and other living expenses.

Reauthorization is critical for two reasons:

First, it will fully fund the VCF. When the VCF was reopened in 2011, it was already underfunded and then Congress went and reduced the amount available by over \$200 million because of the "Sequester". Without Congress acting, injured responders and survivors will only receive a fraction of what they were promised, perhaps as much as 60% less than what they were determined by the VCF they should receive to compensate them for their 9/11 injuries. Without full funding, the people that the Zadroga Act was intended to help will find themselves in the same dire financial situation they were in before the Act was passed.

Secondly, under the legislation the VCF will remain open for people who are newly diagnosed in the future with devastating and disabling illnesses. Going forward, the only newly diagnosed injuries likely to be eligible for VCF compensation will be certain lung diseases and certain cancers for responders and survivors with significant exposure to Ground Zero toxins.

These are illnesses that may not be diagnosed for many years. In fact, cancer related to asbestos exposure at Ground Zero has a minimum latency beginning in September, 2015, just a year before the VCF is set to close. Reauthorization of the Act will assure that responders and survivors diagnosed with the most serious illnesses after October 3, 2016 will be able to seek financial assistance. This program is similar to the existing compensation programs for nuclear workers (*EEOICPA*) and coal miners (*Black Lung*) that are both permanent.

Unlike those programs, which cover new nuclear workers and new coal miners, the population exposed to toxins at Ground Zero is fixed. While there will be many more cases of illnesses

among the population that was exposed, there are no new exposures, unlike the other programs.

To date, the September 11 Victim Compensation Fund, which is run by the U.S. Department of Justice, has received 20,622 eligibility claims.

Of those claims submitted it has found 12,150 eligible, has denied eligibility on 1,688 claims and has made compensation decisions for 6,285 injured and ill 9/11 responders and survivors or their surviving families who were deemed eligible for a total of over \$1.4 billion in proposed compensation.

Without this legislation, injured 9/11 responders will face having their compensation reduced by as much as 60% and those who are diagnosed with cancer in future years would have NO compensation available at all.

More information on the impact of closing the VCF can be found here:

<http://www.renew911health.org/the-september-11-victim-compensation-fund-is-a-financial-lifesaver-for-responders-and-rescue-workers-rendered-disabled-by-world-trade-center-related-illnesses/>