



# JUST THE FACTS

## September 11th Victim Compensation Fund

Just the Facts clarifies some common misconceptions about the September 11th Victim Compensation Fund (VCF), including how it operates, who is eligible, how and when to register, how claims move through the process, and how awards are determined.



**VCF Toll-free Helpline: 1-855-885-1555.**

The VCF Helpline has representatives and interpreters available Monday through Friday from 8:30 a.m. to 5:00 p.m. Eastern Time to answer questions and help individuals file claims. Additional information is also available on [www.vcf.gov](http://www.vcf.gov) and in the [VCF's Policies and Procedures](#).

### **MYTH** The VCF is only for First Responders.

**FACT** The VCF is not limited to First Responders. Compensation is also available to those who participated in the response activity through work in construction, clean-up, and debris removal; as well as survivors, which includes those who lived, worked, went to school or daycare, or visited and spent time in the affected areas between September 11, 2001, and May 30, 2002.

### **MYTH** The VCF only compensates people who were at one of the 9/11 crash sites on September 11th.

**FACT** The VCF compensates individuals (or a personal representative of a deceased individual) who were present at the World Trade Center or the surrounding [New York City Exposure Zone](#); the Pentagon crash site; or the Shanksville, Pennsylvania crash site, at any point beginning on September 11, 2001, through May 30, 2002, and who have since been diagnosed with a 9/11-related physical health condition. You do not need to have been at one of the crash sites on 9/11 to be eligible for compensation.

### **MYTH** The WTC Health Program and the VCF are the same program.

**FACT** The VCF and the World Trade Center (WTC) Health Program are two separate programs, each of which has its own registration process, eligibility criteria, and mission. The [WTC Health Program](#) is administered by the U.S. Department of Health and Human Services and provides medical monitoring and treatment. The VCF is administered by the U.S. Department of Justice and provides financial compensation for those who have been diagnosed with an eligible 9/11-related illness, and who meet the VCF's eligibility criteria. Enrollment in the WTC Health Program does not register you with the VCF or file a claim on your behalf.

### **MYTH** You just have to ask and the VCF will expedite your claim.

**FACT** While the VCF has a system to expedite the processing of a claim, it is only used in very limited circumstances. You can request that we consider expediting your claim or amendment if you are facing terminal illness or significant financial hardship. The VCF considers "significant financial hardship" to include an imminent or pending foreclosure or eviction proceeding, utility cut off, or other similar circumstances, as demonstrated by appropriate documentation. Expedited claim status is considered on a case-by-case basis and must be officially requested by calling the VCF Helpline and uploading appropriate documentation to your claim. For more information on the expedite process, see Section 8 of the [VCF Policies and Procedures](#).



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**MYTH** If I don't register by July 29, 2021, I will not be able to file a VCF claim.

**FACT** The **registration deadline** varies according to individual circumstances, and the deadlines extend beyond July 29, 2021. There are many claimants who will be able to file a claim even if they register after July 29, 2021.

The July 29, 2021 deadline, which is two years from the date of enactment of the VCF Permanent Authorization Act, provides an opportunity for claimants who missed their earlier deadline. Because the registration deadline is based on individual circumstances, some claimants were required to register prior to July 29, 2019, and missed that deadline. The July 29, 2021, deadline gives them a second opportunity to register.

Detailed information on Registration Deadlines is available on [www.vcf.gov/deadlines](http://www.vcf.gov/deadlines).

**MYTH** I registered such a long time ago that I probably need to register again.

**FACT** Once you have registered with the VCF, you have preserved your right to file a claim in the future. You do not need to register again. If you are unsure if you are registered, or if you do not have the claim number that was assigned to you at registration, please contact our Helpline at 1-855-885-1555.

**MYTH** I need my certification from the WTC Health Program before I register with the VCF.

**FACT** You do not need a certification from the WTC Health Program in order to register with the VCF. So long as you have registered with the VCF by your **applicable deadline**, you will have preserved your right to file a claim. Once you have registered with the VCF, however, you do need your certification from the WTC Health Program before you submit your claim form.

**MYTH** I'm not sick so there is no reason to register with the VCF.

**FACT** By registering with the VCF – whether you are sick or not – you preserve your right to file a claim should you become sick. Registering does not waive any rights or commit you to filing a claim in the future. Registering is a simple first step in the VCF claim process that does not take much time. You can register online at [www.vcf.gov/how-file-claim](http://www.vcf.gov/how-file-claim) or you can register by phone by calling the VCF Helpline at 1-855-885-1555.

**MYTH** I need a lawyer to file my claim.

**FACT** You do not need an attorney to file a VCF claim, and there is no priority given to claims submitted by an attorney over those without an attorney. We evaluate all claims following the same guidelines and calculate all awards using the same methodology, regardless of whether an attorney is assisting with the claim. We have a number of resources available to assist individuals with filing a claim, including a toll-free Helpline with bilingual representatives, and interpreters available for any language. The Helpline can answer questions about the claim process, help you fill out the claim form, and explain the supporting documents you must submit with your claim. If you decide to hire an attorney to help you with your claim, the law limits the fee the attorney may charge you. Attorneys are not allowed to charge more than 10% of the amount of your VCF award.



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**MYTH** To prove I was there, I just need to provide two sworn affidavits from people who can confirm I was present at one of the 9/11 crash sites during the relevant time period.

**FACT** Proving that you were present at one of the 9/11 crash sites, in the VCF's [NYC Exposure Zone](#), or along routes of debris removal/clean-up at any time beginning on September 11, 2001, through May 30, 2002, is a key eligibility requirement to receive compensation from the VCF. We call this "proving presence." To prove presence, you must provide documents that contain as much **specific detail** as possible about: **where** you were located (specific address(es)), **when** you were there (specific dates and/or timeframes), and **why** you were there (activities you were doing). The VCF prefers independent third-party verification and contemporaneous documents as primary evidence of your presence. Affidavits or Witness Presence Statements are the **least preferred** documents to support your presence, but are accepted when primary proof is unavailable.

To determine which documents to submit based on your individual circumstances, you should review the [VCF's Policies and Procedures](#), and the [Claim Form Document Checklist](#) (Personal Injury or Deceased Claim).

**MYTH** Any doctor can give me the diagnosis information and paperwork I need to support my VCF claim.

**FACT** The VCF requires that you be certified for treatment by the WTC Health Program. We use the certification to confirm that you have an eligible physical health condition that is a result of the 9/11 attacks, or from exposure to the air during the subsequent debris removal and clean-up efforts. The VCF and the WTC Health Program work closely together and exchange information regarding conditions for which you have been certified for treatment. When you file your claim, you do not need to provide medical records to demonstrate that you have an eligible condition. In **very limited cases**, we may not require your condition to be certified by the WTC Health Program, and instead may allow you to request that your condition be verified through the VCF [Private Physician process](#).

**MYTH** Each unique certified condition means I am eligible for a higher award.

**FACT** The amount of your award is not tied to the number of conditions certified by the WTC Health Program. The award amount varies by type, severity, and the impact of condition(s) on your life. In other words, receiving additional certifications from the WTC Health Program *will not* necessarily mean a higher award. The law governing the VCF sets limits on the amount the VCF can award for the non-economic loss portion of your award (also referred to as "pain and suffering"). This part of the award is capped at \$90,000 for a non-cancer condition and \$250,000 for a cancer condition. This means that, except in rare circumstances where a claimant is certified with multiple cancers or with a cancer and a severe non-cancer condition, the Special Master does not have discretion to make a non-economic loss award above \$250,000.

For detailed information on how non-economic loss is calculated, see Section 2.1 of the [VCF's Policies and Procedures](#).

The WTC Health Program has received requests from people asking for appointments to get additional certifications because they have been told this will get them a higher VCF award. In most cases, this is not true – and in fact, it is placing a real burden on WTC Health Program providers. In addition, the WTC Health Program has received requests to change a certification from one condition to another condition for purposes of an individual's VCF claim. If you believe your certification should be updated, you should discuss your concern with your Clinical Center of Excellence (CCE)/Nationwide Provider Network (NPN). The individual CCE/NPN is responsible for selecting the appropriate condition code based on their evaluation of your condition and their medical findings. The CCE's/NPN's selection of a specific condition (or category of condition) for certification is based on their medical expertise, not on which condition or category receives a higher award from the VCF.





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### **MYTH** The WTC Volunteer Fund is part of the VCF.

**FACT** There is only one September 11th Victim Compensation Fund (VCF), which is funded by the federal government and administered through the U.S. Department of Justice. The [World Trade Center \(WTC\) Volunteer Fund](#) is not affiliated with the VCF. The WTC Volunteer Fund is administered by the New York State Workers' Compensation Board and was established in 2002 to provide benefits to volunteers who lost wages and developed health-related problems due to their volunteer work in the WTC rescue, recovery, and clean-up efforts.

### **MYTH** The VCF denied my claim. There is nothing more I can do.

**FACT** If the VCF is not able to confirm that you meet the specific requirements to be eligible for compensation, your claim will be denied. This does not mean, however, that you cannot be found eligible for compensation at some point in the future. The letter you receive will explain the specific reason(s) for the denial, and will include information about how to appeal the decision, or how to amend your claim in the future by submitting new information for the VCF to review.

**Note:** If your claim is denied for lack of proof of presence, it does not mean we do not believe that you were at the site or in the NYC Exposure Zone during the relevant timeframe. A denial means the documentation you submitted in support of your presence was not sufficient to meet the VCF's needs. If your claim is denied, we encourage you to request an appeal by following the directions in the letter so that you can provide testimony in support of your claim.

### **MYTH** The best way to get a fast payment is to only apply for non-economic loss - even if you know you will later claim economic loss - because you can always amend the claim later.

**FACT** By filing a claim only for non-economic loss ("pain and suffering" award) when you know there is a likelihood that you will amend that claim later to seek economic loss (such as lost wages), you could significantly delay your payment. If you know you will be filing a claim for economic loss, the best action to take is to submit your claim only when you have **all** the information needed to support the claim. For example, if you have a pending disability application, you should wait to receive the determination before filing your claim. Once your claim is picked up for review, we can process it significantly faster if we can evaluate all of your claimed losses at one time. If you file for non-economic loss only and receive an award, and then amend your claim for economic loss, your amendment will be prioritized for review based on the date it is submitted. This means the economic loss portion of your claim is effectively sent to the end of the line for consideration. This can delay your payment.