



## U.S. Department of Justice September 11<sup>th</sup> Victim Compensation Fund

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As you may know, the September 11<sup>th</sup> Victim Compensation Fund of 2001 (Fund) is closing. Per my *Policy Statement on Program Shutdown* posted to the Fund's website on February 20, 2004, the **final day of operation of the Fund will be June 15, 2004 and this date will not be extended.**

You have elected to receive a portion of the award for your claim in the form of periodic payments. You have either recently received or will soon receive a final award determination from the Fund. **Due to the complexity of processing a periodic payment award, the Fund requires that you meet certain deadlines set out below or the award will be paid by the Fund in a lump sum.**

To that end, I outline several new deadlines the Fund has implemented in order to meet the June 15 deadline for the successful processing of periodic payment claims. Please note that these dates do not supercede the dates in my shutdown statement, but rather are an addendum to those dates.

### Deadlines

1. **May 3, 2004 – Deadline for Final Distribution Plan** - If you have not yet sent in a final distribution plan to us for review, including a list of all beneficiaries / distributees of the final award along with their social security numbers and dates of birth, please do so immediately. We must receive your final distribution plan on or before this date.

### **Required Distribution Plan Information**

- Guidance on the Distribution of the Economic and Non-Economic Portion of the Final Award: We need percentages for the economic and non-economic portion of the final award for each beneficiary if the distribution of these percentages does not follow the wrongful death and intestate laws for the victim's state of domicile.
- Consent Agreement: We need a signed and **notarized** consent agreement from all beneficiaries if the proposed plan includes adult beneficiaries. Please note that if you do not send in a consent agreement we will pay the Personal Representative (PR) in a lump sum unless your proposed distribution plan is consistent with a state's wrongful death and intestate laws.
- Collateral Offset Allocation: Any special request for the consideration of reallocation of collateral offsets by the Special Master, must be submitted to the Special Master in writing. See FAQ 5.66 for more information on the treatment of collateral offsets.



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If we do not have final distribution plan information by the **May 3** deadline, your periodic payment request will not be granted. The payment will be made in a lump sum. In addition, we will pay the award to the PR in his or her capacity as PR. The PR is obligated to distribute the award in accordance with applicable state law. To assist you in the completion of your final distribution plan, please reference our website at [http://www.usdoj.gov/victimcompensation/distribution\\_plan.html](http://www.usdoj.gov/victimcompensation/distribution_plan.html). It provides information on the wrongful death and intestate laws, as well as a complete overview of distribution plans.

- 2. May 14, 2004 – Deadline for Receipt of Court Order for Appointment of Guardian of the Property** - If you have elected for a minor to receive periodic payments, an adult must be appointed by a court of competent jurisdiction as the guardian of the minor's property. **If you have not received such an appointment yet, please do so immediately.** Proof of this appointment must also be **received** by our office on or before this date. This appointment is required for all children who are set to receive periodic payments in their lifetime, **even if there is a parent who is the natural guardian.** You will need to submit a document demonstrating the appointment of a guardian of the minor's property before the Fund will issue the final periodic payment to the claimant for signatures. If you fail to send in the appropriate guardian documentation or are unable to be appointed as guardian of the minor's property by a court of competent jurisdiction, you will receive your payment as a lump sum.

Please note that if you miss the **May 3** distribution plan and the **May 14** proof of guardianship deadlines, the Special Master will deny your request for periodic payments.

There are several steps that you must immediately take to insure that the Fund will be able to process periodic payments for your claim.

- If you have not recently visited the Fund's website, please take some time to review the section on periodic payments available at <http://www.usdoj.gov/victimcompensation/faq11.pdf>.
- Please review the Award Determination Periodic Payment Agreement template the Fund uses to assign the obligation to make periodic payments. We have enclosed a hard copy for your review and an electronic version is available at [http://www.usdoj.gov/victimcompensation/forms\\_deceased.html](http://www.usdoj.gov/victimcompensation/forms_deceased.html). We also enclosed a "Helpful Hints" document you should reference when completing the agreement. It is the claimant's responsibility to draft an appropriate periodic



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payment agreement and **submit it to the Fund immediately after the claimant receives his award and final distribution letter.**

- Payment Method – We need to know if you would like to be paid via the direct deposit / Automated Clearing House (ACH) process. If so, you will need to complete the enclosed ACH Payment Information form. Please be sure it is completed properly. For example, we will need the **Tax Identification Number (TIN)** for the Assignment Company along with its account information and deposit instructions.

If you have already submitted the requested documentation to us, please do not resend it. However, if you need to submit documentation to us by one of the deadlines mentioned above, please send it (be sure to reference your claim number with your submission) to one of the following addresses:

**By regular mail:**

Victim Compensation Fund  
P.O. Box 18698  
Washington, DC 20036-8698  
Fax: (703) 741-1273

**By overnight mail:**

Victim Compensation Fund  
1900 K Street, NW  
Suite 900  
Washington, DC 20006  
Fax: (703) 741-1273

Please note that these dates are hard deadlines. **There will be no extensions or exceptions to these deadlines.** Please make every effort to send us the information we need so that we can meet our processing deadlines. Again, thank you for your continued patience and understanding as we process your claim.

If you have any questions about the above schedule, please feel free to call the toll-free Helpline at 1-888-714-3385, 1-888-560-0844 for the hearing impaired (TDD); from outside the United States, please call collect at 301-519-8739.

Sincerely,

Kenneth R. Feinberg  
Special Master  
September 11th Victim Compensation Fund