



*U.S. Department of
Justice*

September 11th Victim Compensation Fund

FY 2022 Budget &
Performance Plan

May 2021

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I. Overview of the September 11th Victim Compensation Fund

The September 11th Victim Compensation Fund (“VCF” or “Fund”) was created to provide compensation for any individual (or a personal representative of a deceased individual) who suffered physical harm or was killed as a result of the terrorist-related aircraft crashes of September 11, 2001, or the debris removal efforts that took place in the immediate aftermath of those crashes.

The VCF operates under a Special Master appointed by the Attorney General, with the operational and administrative support of the Department of Justice’s Civil Division. As of December 31, 2020, the VCF has awarded nearly \$7.8 billion in compensation to over 34,400 individuals who have suffered physical health conditions (including the families of over 1,700 people who have died), as a result of their exposure to the terrorist attacks in New York City, at the Pentagon, and in Shanksville, Pennsylvania. Those compensated include first responders; people who worked or volunteered in rescue, recovery, clean-up, construction, or debris removal at the three sites; as well as people who lived, worked, or went to school in the affected areas of New York City and were exposed to toxins resulting from the attacks, the airline crashes, and the building collapses.

In acknowledgment of the continuing need for compensation among 9/11 responders and survivors, and in a show of confidence in the work of the VCF, on July 29, 2019, The Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund, Public Law No. 116-34 (“Permanent Authorization Act”) was signed into law. The Act extends the VCF’s claim filing deadline to October 1, 2090, and appropriates such funds as may be necessary in each fiscal year (FY) through FY 2092 to pay all eligible claims. Re-invigorated by the passage of the Permanent Authorization Act, with its guarantee of sufficient funding to pay all eligible claims, the VCF continued its efforts to transition the program to its new long-term status, with the continuation of the VCF Transformation Process (“VTP”). VTP is focused on setting VCF up for long-term success with redesigned processes and a new, best-in-class claims management system needed to replace the current antiquated system.

The VCF maintains a robust website, www.vcf.gov, which includes information about the claim filing process including the policies and procedures that apply to the determination of eligibility and compensation, forms and other resources, as well as public reporting and statistics regarding the program. VCF claims are filed online through a web portal, although hard copy claim forms are available if needed. The VCF also maintains a telephone Helpline, 1-855-885-1555, to answer claimant and attorney questions during regular business hours.

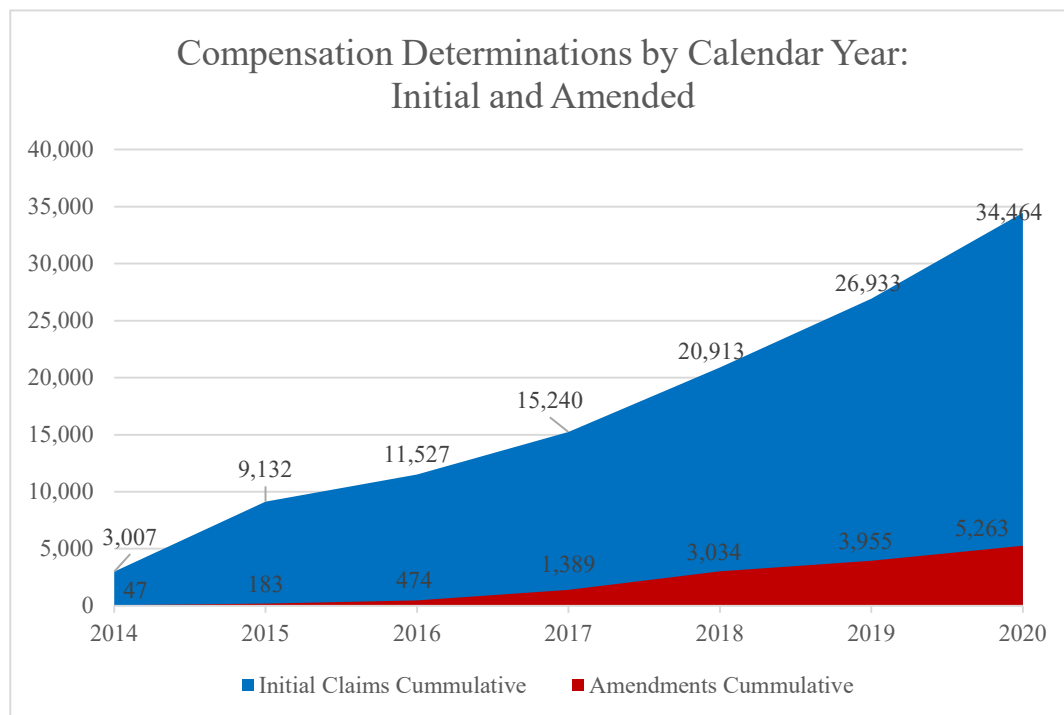
FY 2022 Estimate

The VCF estimates that approximately \$2.0 billion will be needed for the September 11th Victim Compensation Fund in FY 2022, which is an increase of \$309.1 million over the FY 2021 Enacted new authority, net of sequestration.

Significant Achievements

Over 34,400 Claimants with Awards

As of December 31, 2020, the VCF has received a total of 59,073 claims, and found 36,095 claimants eligible for compensation. The VCF has made initial award determinations on 34,464 eligible claims (see chart below), and has issued at least one amended award determination on 5,263 of those claims, where the claimant amended the claim to provide new information to the VCF after the initial award was communicated. Nearly \$7.8 billion has been awarded through December 31, 2020.



This chart reflects updated prior year data stemming from VCF redefining its statistical data elements in FY 2020.

Improved Efficiency and Continued Robust Routine Operations including Appeals and Expedited Claims

Each month, the VCF's dedicated Helpline receives nearly 4,000 incoming calls, and the VCF mails approximately 15,000 letters to claimants and their attorneys, processes an average of 2,500 pieces of incoming mail, and, on average, receives more than 800 new claims or amendments. The VCF also continues to work to expedite the timeframe in which claims are decided, shortening claim determination times from over two years in 2016, to between 16 and 18 months at present. In Calendar Year (CY) 2020, despite shifting the typically in-person appeals process to virtually as a result of the COVID-19 pandemic, the VCF conducted 379 appeal hearings. The VCF also remains committed to expediting claims in cases involving terminal illness or significant financial hardship. Claims, for which an expedited status is granted, can go from claim filing to payment in less than three weeks. In CY 2020, the VCF expedited 454 claims for processing on either initial or amended review, out of 7,481 total claims and 2,182 amendments submitted in CY 2020.

Expanded Outreach

The VCF continued strategic efforts to provide basic information about the Fund and its eligibility requirements to communities affected by September 11th, in particular by leveraging partnerships with the World Trade Center (“WTC”) Health Program and 9/11 advocacy groups, piggybacking on their planned outreach events. VCF leadership meets regularly with 9/11-related organizations, including the WTC Health Program Responders Steering Committee, the WTC Health Program Survivors Steering Committee, Voices of 9/11, 9/11 Environmental Action, 9/11 Health Watch, and the 9/11 Memorial and Museum, in an effort to provide training and resources to their staff or support their efforts to educate the broader community about the VCF. To adapt to the coronavirus pandemic, the VCF engaged with the 9/11 community through a variety of virtual events. Additionally, the VCF will partner with the National Institute for Occupational Safety and Health (“NIOSH”) on outreach efforts focused on the upcoming 20th anniversary of 9/11 in September 2021, as both programs reach the same populations.

II. Summary of Program Changes

Item Name	Description				Pg.
		Pos.	FTE	Dollars (\$000)	
Program Increase – VCF	Funding for Civil’s VCF program to pay eligible claims.	0	0	\$308,749	18
Program Decrease – VCF	2022 Sequester Cut	0	0	-\$2,719	20

III. Appropriations Language and Analysis of Appropriations Language

The FY 2022 budget request does not include proposed changes in the appropriations language.

IV. Program Activity Justification

Mission Statement: The VCF is committed to issuing determinations on eligibility and compensation claims in a manner that is faithful to its statute, fair to claimants, and defensible to taxpayers.

<i>Victims Compensation Fund</i>	Direct Pos.	Estimate FTE	Amount (\$000s)
2020 Enacted	[37]	[29]	\$0*
2021 Enacted	[37]	[37]	\$1,728,455
Adjustments to Base and Technical Adjustments	0	0	\$3,082
2022 Current Services	[37]	[37]	\$1,731,537
2022 Program Increases	0	0	\$308,749
2022 Program Offsets	0	0	-\$2,719
2022 Request	[37]	[37]	\$2,037,567
Total Change 2021-2022	0	0	\$309,112

* Additional new authority was not needed in FY 2020, due to lower than anticipated claim filings.

Program Description

In 2001, immediately following the attacks of September 11, 2001, Congress created the September 11th Victim Compensation Fund, which provided compensation for economic and non-economic loss to individuals, or the personal representative of individuals, who were killed or physically injured as a result of the terrorist attacks. As established by Congress, the VCF provides a no-fault alternative to tort litigation; any individual who chooses to seek compensation from the VCF waives the right to sue for damages for 9/11-related physical injury or death. The original VCF ("VCF1"), under the direction of Special Master Kenneth Feinberg, closed in 2004, having paid over \$7.0 billion to personal representatives of 2,880 people who died in the attacks and to 2,680 claimants who were injured in the attacks or the rescue efforts conducted immediately thereafter.

On January 2, 2011, President Obama signed into law the James Zadroga 9/11 Health and Compensation Act of 2010 (Pub. Law No. 111-347) ("Zadroga Act"). Title I of the Zadroga Act created the WTC Health Program, which is operated by the NIOSH and provides medical treatment and monitoring for 9/11-related health conditions. Title II of the Zadroga Act reopened the VCF and expanded the eligibility criteria to include those who took part in the debris removal efforts during the immediate aftermath of the attacks. The Zadroga Act originally authorized the VCF to accept claims for five years, starting in October 2011, and ending in October 2016, with final payments to be made by October 2017.

On December 18, 2015, President Obama signed into law the James Zadroga 9/11 Victim Health and Compensation Reauthorization Act (Pub. Law No. 114-113) ("Reauthorization Act"), which included the reauthorization of the VCF. The Reauthorization Act extended the VCF for five

additional years, allowing claims to be filed until December 18, 2020, and included important changes to the VCF's policies and procedures for evaluating claims and calculating each claimant's loss.

On July 29, 2019, President Trump signed into law the Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act (Pub. Law No. 116-34), which once again extended the VCF's claim filing deadline, this time until October 1, 2090.

Eligibility Requirements: To be eligible for compensation from the VCF, an individual must meet the following requirements: (1) timely register to file a claim by his or her applicable registration deadline; (2) have a 9/11-related physical health condition certified for treatment or verified by the World Trade Center ("WTC") Health Program; and (3) demonstrate that he or she was present at a 9/11 crash site or the New York City Exposure Zone¹ at any time between September 11, 2001, and May 30, 2002, when the official clean-up effort ended. In addition, when applicable, the following requirements also must be met: (1) if the individual is filing a claim on a victim's behalf, he or she must show the proper legal authority to file the claim; (2) if the individual was a party to a 9/11-related lawsuit he or she must show the lawsuit was properly settled, dismissed, withdrawn, or otherwise properly resolved; and (3) if already compensated under VCF1 (the VCF that operated from 2001-2004), the individual must be able to show a new condition or new loss not previously compensated. If the VCF denies a claim as ineligible, the claimant has 30 days from the date of the letter, per the statute, to file an administrative appeal of the decision.

¹ The "NYC Exposure Zone" is defined as "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 the routes of debris removal, such as barges and Fresh Kills landfill. <https://www.vcf.gov/nycExposureMap.html>

NYC Map of Exposure Zone

The NYC Exposure Zone is defined as 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 the routes of debris removal, such as barges and Fresh Kills landfill.



Calculation of Awards: All VCF awards are individually calculated and are comprised of three components: non-economic loss (typically referred to as “pain and suffering”); (2) economic loss, which includes loss of past and/or future earnings and employment benefits, replacement services loss, and/or out-of-pocket medical expenses related to the eligible condition; and (3) collateral offsets, which are benefits or payments received from other sources for the eligible condition, which the VCF is required by statute to subtract from the calculated amount of loss.

There is no cap on the total amount of an individual’s VCF award. There are, however, statutory caps on the amount of non-economic loss that can be awarded as well as a gross annual income limit (currently \$200,000 but subject to periodic adjustment by the Special Master for inflation) applicable to economic loss claims. Non-economic loss awards are capped at \$90,000 for non-cancer conditions and \$250,000 for a cancer condition. Non-economic loss awards are not based on the number of conditions an individual may have, but are based on the severity of the condition(s) and the collective impact of the conditions on the individual’s quality of life. Under current policy, non-economic awards range between \$10,000 (for claimants with the least severe physical health conditions) and \$340,000 (for claimants with multiple cancers or with cancer and a severe non-cancer condition). Economic loss awards require a third-party finding of occupational disability on the basis of a VCF-eligible condition and that the claimant

demonstrate that he or she lost earnings or employment-related benefits as a result of the condition. Economic loss awards compensate for past and future losses and consider factors such as age, income, percentage of disability (e.g., whether the disability is partially attributable to ineligible conditions), date of onset of disability, and employer-provided benefits. All awards include a 30-day appeal right and the individual may file an administrative appeal if they believe that the VCF made an error in calculating the award. Claims may be amended, even after an award is paid, if the claimant has a new eligible condition or suffers a new compensable loss.

Payments: VCF claims are paid in full in a lump sum payment. The statute requires the Special Master to authorize payment within 20 days of the date the award is determined to be final either as a result of the lack of an appeal, or based on a post-appeal determination.

As stated in the statute, the Special Master's determinations on eligibility and compensation are final and not subject to judicial review.

Funding History

Unlike the 2001-2004 VCF1, which had no cap on funding, the 2011 Zadroga Act, as amended, provided VCF2 with a limited appropriation – originally \$2.8 billion, with \$875.0 million available in the first five years – to provide compensation to claimants and to cover the Fund's administrative costs. Awards under the 2011 Zadroga Act were paid on a pro rata basis, with all claimants receiving 10 percent of their award determinations, with the remainder to be paid out of the remaining available funds at the close of the program in October 2016. As of December, 2015, the VCF had made 9,131 award determinations, totaling over \$1.8 billion, but had paid only \$145.6 million of that value.

In December 2015, with passage of the Reauthorization Act, an additional \$4.6 billion was appropriated, to bring the VCF's total funding to \$7.4 billion. The Reauthorization Act required the VCF, as soon as practicable, to pay the remaining value of the awards already determined and then, beginning October 1, 2016, pay new awards at full value. As of December 31, 2020 the VCF has made awards to 34,464 individuals (some more than once due to an amendment) totaling \$7.8 billion, and paid out over \$7.1 billion.²

All of the VCF's administrative funding comes from the VCF's total appropriation, *see* Public Law No. 112-10 (Apr. 15, 2011), and, as such, is part of the same pool of funds available for awards to claimants. For that reason, the VCF is committed to keeping administrative costs down while also minimizing the burden placed on claimants and their representatives, and maximizing claims processing speed and efficiency. For FY 2020, the VCF's administrative costs were less than three percent of total award funding issued.

Under the Zadroga Act as amended by the Reauthorization Act, the Attorney General has the authority to accept contributions made to the VCF, with the Act specifying that any such accepted contributions should be used to pay awards before the VCF returns to the use of

² It is typical for there to be some gap between the total amount the VCF has awarded and the total amount paid. Payments can be delayed pending appeals, the need to secure missing documentation required for payment, or, for deceased victims, due to requirements relating to orders issued by probate or surrogates' courts relating to the proper administration of the decedent's estate.

appropriated funding. In March 2018, the Special Master, exercising this authority as delegated from the Attorney General, petitioned the United States Attorney for the Northern District of Illinois to remit \$6.2 million in funds to the VCF that had been held in the account of a member of al-Qaeda maintained by a Chicago brokerage company and that had been forfeited to the United States in a civil enforcement proceeding. *United States v. All Funds on Deposit with R.J. O'Brien & Associates, Held in the Name of Bridge Investment, S.L. Bearing Account Numbers XXX-X3931 and XXX-X1784, Maintained at Harris Bank, Account Number XXX-171-6*, Civil Action No. 1:11-cv-04175 (N.D. Ill.) ("Bridge"). The Special Master asserted a claim for the forfeited Bridge funds on behalf of the VCF's claimants, all of whom suffer as a result of the terrorist attacks of September 11, 2001, orchestrated and carried out by al-Qaeda, and sought to use those funds to provide compensation for economic and non-economic losses of VCF claimants under the VCF's standard policies and procedures. In April 2019, this petition was granted by the United States Attorney acting in conjunction with the Department of Justice's Criminal Division and under applicable regulations governing the remission of forfeited funds, the funding was transferred to the VCF by the United States Marshals Service in July 2019. As required by law, the VCF began disbursement of the funding immediately and it was exhausted by July 19, 2019.

Because of the limited funding available to the VCF, the 2015 Reauthorization Act included a requirement that the Special Master conduct an annual reassessment of the VCF's policies and procedures to ensure that: (1) funding is prioritized for those individuals who suffer from the most debilitating physical conditions; and (2) funds are not obligated in excess of the \$7.4 billion appropriation. Under the law, if, as a result of this annual reassessment, the Special Master determined that these requirements are not met, the Special Master is required to take actions or make modifications to VCF policies and procedures as necessary to achieve these statutory requirements.

On February 25, 2019, the Special Master met the statutory obligation to periodically assess the financial solvency of the VCF and determined that the existing funding would be insufficient to pay all pending or projected claims. Accordingly, reductions ranging between 50 and 70 percent were implemented for awards issued after February 25, 2019. Nearly 1,700 claims were impacted by these reductions.

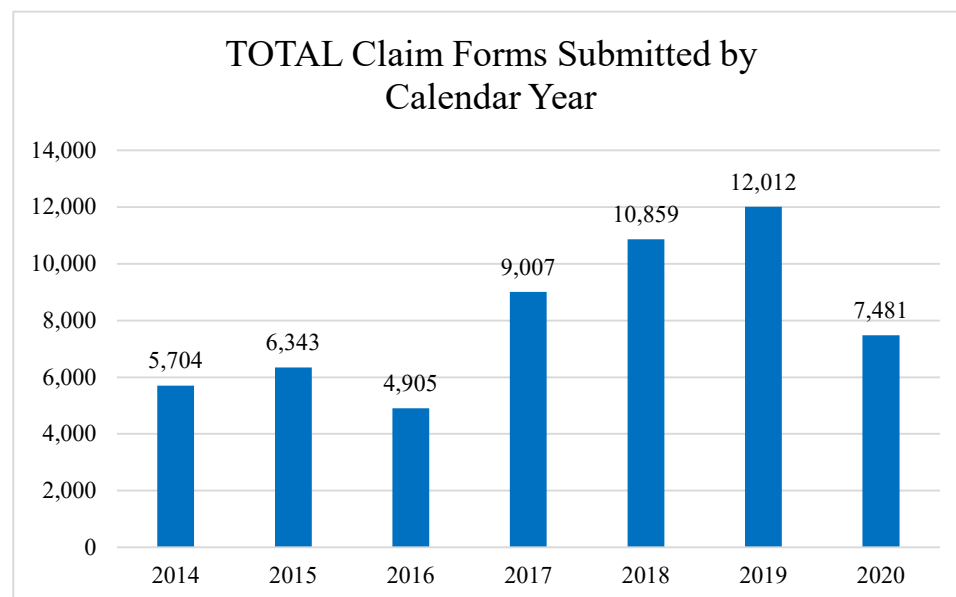
The 2019 Permanent Authorization Act fully funded the VCF; it appropriates "such funds as may be necessary" in each fiscal year, starting in FY 2019 through FY 2092, to compensate all eligible claims. The Act also requires the VCF to restore all previously reduced awards. The VCF notified all claimants (whose claims could be paid) of their unreduced awards by September 11, 2019, and the payments followed.

Historical Claims Statistics and Trends

There is no accurate count of how many people might have been exposed to toxins stemming from the attacks, and there is considerable uncertainty about the number of individuals who ultimately will fall ill due to the long latency periods that can elapse before manifestation of the cancers determined to be related to exposure of the 9/11 events. The VCF also has suffered from an information gap; in the early years of the program, many eligible individuals were not aware

that the VCF was an available resource, assuming it was meant only for New York City first responders.

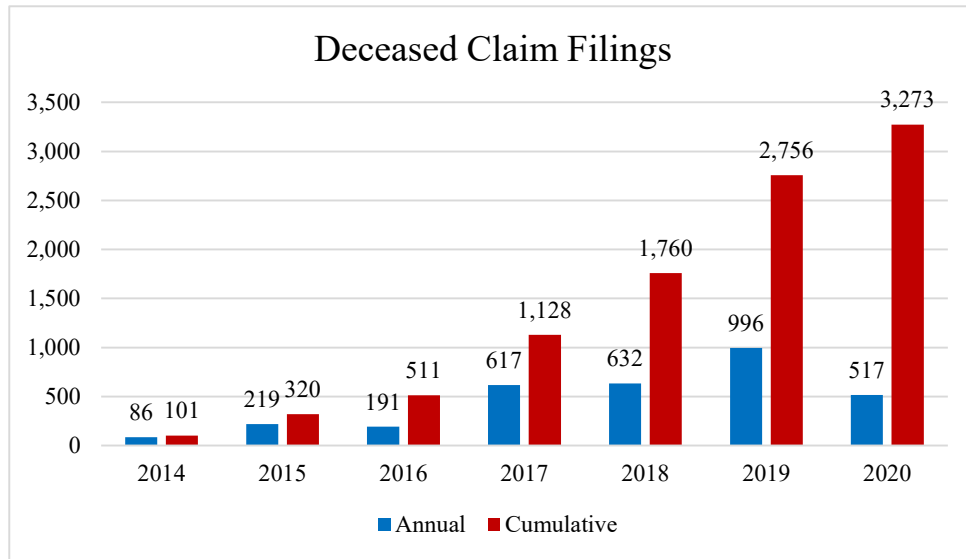
As a result of increased outreach, not only by the VCF, but by victims' advocacy groups, by the World Trade Center Health Program, and by the lawyers who represent over 80 percent of VCF claimants, and also as a harbinger of the increasing seriousness of 9/11-related illnesses, the VCF received a record number of new claims in CY 2018, and surpassed that record in CY 2019. For perspective, in the first five years of the Fund, through December 31, 2016, roughly 19,000 claim forms were filed. In the two years after that, through December 2018, almost 20,000 additional claim forms were filed, with an additional 12,011 claim forms filed in CY 2019 and 7,481 claims filed in CY 2020. Although CY 2020 filings were a reduction from prior years, it is still higher than the average between 2014 and 2016. The VCF does not have enough data yet to determine if the reduction in the number of claims submitted in CY 2020 is due to external factors, such as the disruptions caused by the COVID-19 pandemic, or if it is the start of a new trend, where the number of annual claim submissions either leveled off to a reduced rate or will continue to decline.



This chart reflects updated prior year data stemming from VCF redefining its statistical data elements in FY 2020.

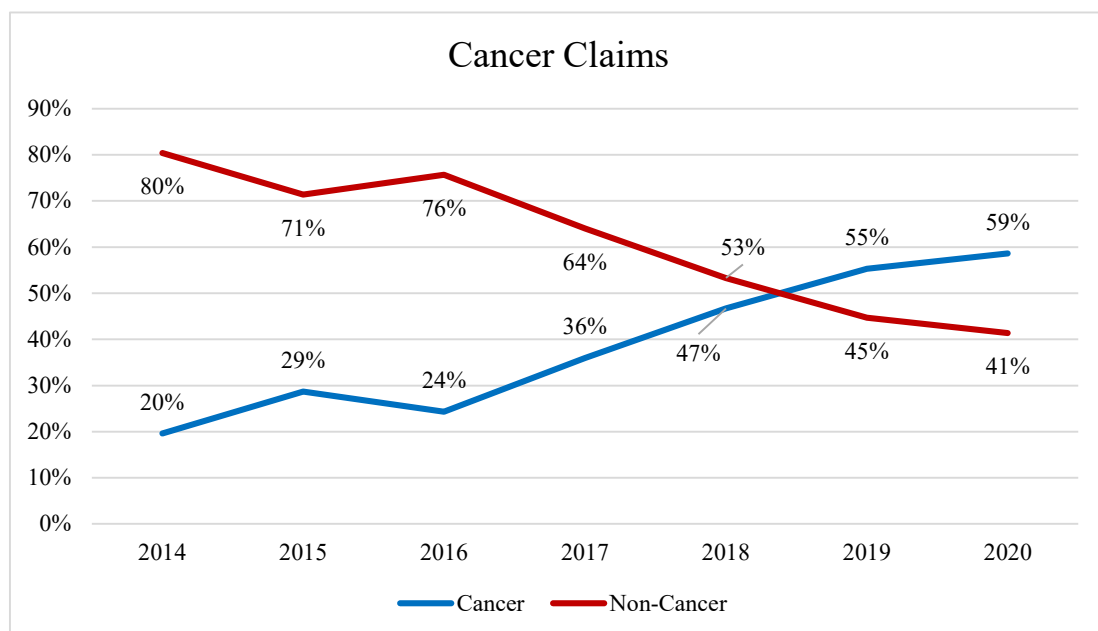
In addition to the increased outreach efforts, the overall increase in claim filings since 2016 has been influenced by a number of factors, including significant changes to the composition of the VCF's claimant population in the last four years, in terms of the types of claims filed, the types of conditions claimed, and the types of claimants filing claims. Notably, we have seen:

- A dramatic increase in deceased claim filings, meaning claims filed on behalf of those who have died as a result of their 9/11-related physical health condition. At the end of 2015, the VCF had received a total of 320 deceased claims; in CY 2020, 517 deceased claims were filed.



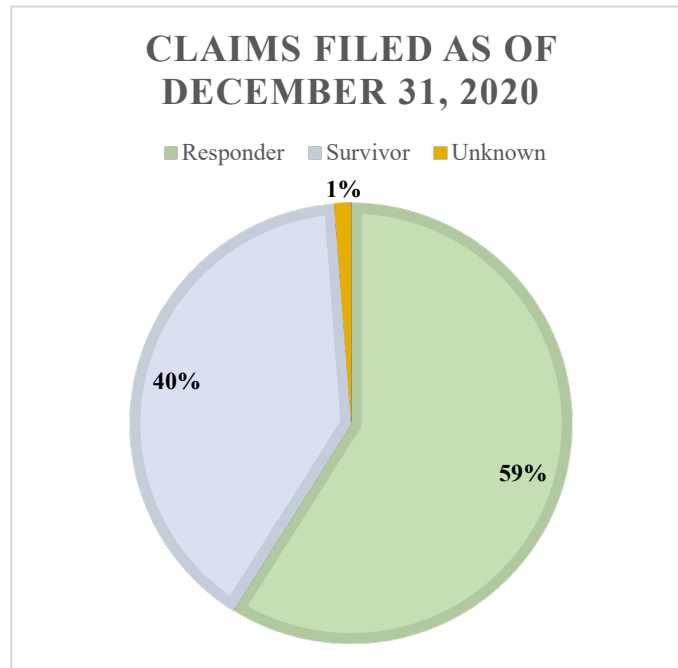
This chart reflects updated prior year data stemming from VCF redefining its statistical data elements in FY 2020.

- A substantial increase in cancer claims. As of December 31, 2020, the VCF has awarded compensation to over 15,000 individuals who have an eligible cancer condition. The chart below shows the percentage of claims with communicated award determinations (either initial or amended) for which cancer is one of the eligible conditions. Each claim is counted only one time and is reflected in the year in which the most recent award determination was communicated.



This chart reflects updated prior year data stemming from VCF redefining its statistical data elements in FY 2020.

- A marked increase in claims from the survivor population, meaning those who lived, worked, or went to school in the area. In December 2015, just over 17 percent of all VCF claims were filed by survivors. In CY 2020, 50 percent of claims filed were from this population. In total, as of the end of CY 2020, survivors represent 40 percent of all claim submissions.



This chart reflects updated prior year data stemming from VCF redefining its statistical data elements in FY 2020.

It should be noted, deceased claims and cancer claims tend to be higher value awards.

The VCF's actual and anticipated outlays through FY 2022 are set out below:

SEPTEMBER 11th VICTIM COMPENSATION FUND Claims Filed and Approved (Dollars in Thousands)						
	Program Totals as of Beginning FY 2018 (2011- October 1, 2017)	FY 2018 Actuals	FY 2019 Actuals	FY 2020 Actuals	FY 2021 Estimate	FY 2022 Estimate
Claim Forms Filed	30,081	8,421	13,217	7,481	7,500	8,600
Eligibility Decisions Rendered	21,899	3,507	4,782	12,090	10,000	10,000
Eligibility Decisions Pending	7,374	10,048	13,914	9,305	6,805	5,405
Claim Forms Filed	26,549	9,076	13,998	7,481	7,500	8,600
Count of Claims with at Least one Compensation Determination	19,724	5,402	4,594	8,396	9,000	10,000
Original Compensation Determinations Pending	8,881	10,612	14,651	13,736	12,236	10,836
Total Dollar Value of Compensation Decisions*	\$3,096,867	\$1,287,679	\$1,289,030	\$1,514,035	\$2,010,001	\$1,992,585
Administrative Costs	\$101,300	\$25,851	\$31,145	\$36,246	\$50,982	\$44,982
Total Dollar Value Expended	\$3,198,167	\$1,313,530	\$1,320,175	\$1,550,280	\$2,060,983	\$2,037,567

*Includes all awards issued on the claims, original or revised due to amendment or appeal.

This chart reflects updated prior year data stemming from VCF redefining its statistical data elements in FY 2020.

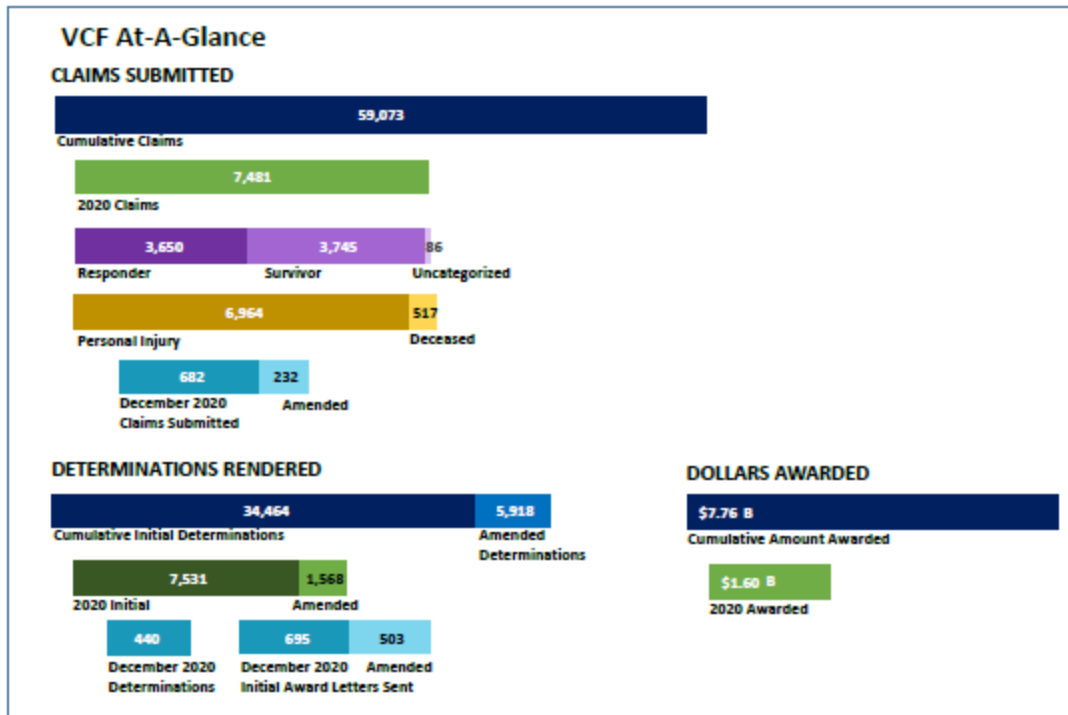
Program Sunset

Under the 2019 Permanent Authorization Act, all claims, or amendments to existing claims, must be submitted on or before the VCF's claim filing deadline of October 1, 2090. Any claims received after that date will be barred. On October 1, 2092, or at such time thereafter as all funds are expended, the Victim Compensation Fund shall be permanently closed.

Claims Data

The VCF's most recent monthly program statistics report is set out below, and includes data for calendar year 2020.

VCF Program Statistics As of December 31, 2020



This chart reflects updated prior year data stemming from VCF redefining its statistical data elements in FY 2020.

Performance and Resources Tables

Decision Unit: September 11th Victim Compensation Fund

RESOURCES		Target		Actual		Projected		Changes		Requested (Total)	
		2020		2020		2021		Current Services Adjustments and FY 2022 Program Changes		FY 2022 Request	
Total Costs and FTE (reimbursable FTE are included, but reimbursable costs are bracketed and not included in the total)		FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000	FTE	\$000
		[37]	0	[29]	0	[37]	1,728,455	0	309,112	[37]	2,037,567
			0		0		0		0		
Type	Performance	FY 2020		FY 2020		FY 2021		Current Services Adjustments		FY 2022 Request	
September 11th Victim Compensation Fund											
Performance Measure	1. Number of total award decisions (initial and/or revised) issued each year.	8,000		9,383		8,250		N/A		8,500	
Performance Measure	2. Number of outreach events conducted to raise awareness among potential claimants.	5		10		5		N/A		5	
Performance Measure	3. Percentage of claims with an award determination issued within 120 days of the claim being deemed "Substantially Complete."	95%		95%		95%		N/A		95%	
Performance Measure	4. Percentage of claims authorized for payment within 20 days of the claimant accepted the award (i.e. 31 days post-award letter and no appeal); or following notification of a post-appeal final award determination.	95%		99%		95%		N/A		95%	

Data Definition, Validation, Verification, and Limitations: INFORMATION REQUIRED: Data is collected from the VCF's Claims Management System.

History of Performance						
Decision Unit: Civil Division - Legal Representation						
Performance Report and Performance Plan Targets		FY 2020		FY 2021	FY 2022	FY 2023
		Target	Actual	Target	Target	Target
Performance Measure	1. Number of total award decisions (initial and/or revised) issued each year.	8,000	9,383	8,250	8,500	8,500
Performance Measure	2. Number of outreach events conducted to raise awareness among potential claimants.	5	10	5	5	5
Performance Measure	3. Percentage of claims with an award determination issued within 120 days of the claim being deemed "Substantially Complete."	95%	95%	95%	95%	95%
Performance Measure	4. Percentage of claims authorized for payment within 20 days of the claimant accepted the award (i.e. 31 days post-award letter and no appeal); or following notification of a post-appeal final award determination.	95%	99%	95%	95%	95%

Data Definition, Validation, Verification, and Limitations: INFORMATION REQUIRED: Data is collected from the VCF's Claims Management System.

Performance, Resources, and Strategies

The VCF has two offices – one in Washington, D.C., and the other in New York City. The Washington, D.C., office is the hub of the Program’s claim review activity and the various activities that support end-to-end claims processing. The VCF Claims Processing Center (“CPC”) is located in Washington, D.C., as is the Special Master. The CPC includes the following teams and activities: Helpline, Document Intake, File Management, Claim Review, Correspondence, Payment, Claims Management System development and maintenance, Quality Review, Claim Review Support, and Data and Analytics.

The VCF New York Office is the primary location of the VCF’s appeals process and outreach activities, and serves a critical role in maintaining a strong VCF presence where so many of the claimants still reside.

a. Performance Plan and Report for Outcomes

The Program’s primary objective is to implement civil justice reform initiatives to resolve categories of claims for which traditional litigation has proven ineffective and to administer compensation programs enacted by Congress that offer non-litigation solutions for claimants.

b. Strategies to Accomplish Outcomes

The Program will employ the following strategies to accomplish this mission:

- In order to communicate efforts regarding implementation and improvements to the VCF, relevant stakeholders are kept informed of VCF messages, news, enhancements, and program data through weekly postings of detailed program statistics on the VCF website, quarterly reports of VCF activity, and a comprehensive annual status report. Postings and reports contain accurate data and analysis and compelling narratives.
- Claims are reviewed and processed in accordance with statutory requirements and published procedures, with eligibility and compensation determinations rendered in established priority order (first in, first out, except for claims for which an expedited status is granted on the basis of a terminal illness or significant financial hardship). Claimants are notified in writing of the calculated amount. Payment is authorized to claimants within 20 days after the claimant accepts the presumed award or a final award is determined after a hearing on appeal.
- Procedures are implemented to prevent and detect fraud in the administration of the Victim Compensation Fund. Procedures are developed and implemented in accordance with statute to ensure that the total expenditures do not exceed the funds deposited into the Victim Compensation Fund. Periodic quality control audits are conducted in accordance with established procedures to evaluate accuracy of submissions and payments.
- Resources are managed to effectively administer the VCF in partnership with stakeholders, including through cooperative relationships, data exchanges, and outreach events. Outreach events include presentations, speaking engagements, and training

seminars. Quality indicators of success include improved awareness and understanding by attendees of the topic presented.

V. Program Increase:

Item Name: Victim Compensation Fund (VCF)

Budget Decision Unit(s): Victim Compensation Fund

Organizational Program: Civil Division, September 11th Victim Compensation Fund

Program Increase: Positions 0 Atty 0 FTE 0 \$308,749,000

Description of Item

The Civil Division seeks a program increase of \$308,749,000 from the FY 2021 requested level to pay September 11th Victim Compensation Fund (VCF) claims and administrative expenses in Fiscal Year (FY) 2022.

Justification

In FY 2022, the Civil Division anticipates needing similar total budgetary resources as in FY 2021.

Impact on Performance

The Civil Division is required by law to pay valid VCF claims. Without new authority in FY 2022, Civil will not have the funds available to pay the anticipated claims.

1. Base Funding

<i>FY 2020 Enacted</i>				<i>FY 2021 Enacted</i>				<i>FY 2022 Current Services</i>			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
[37]	[31]	[37]	\$0*	[37]	[31]	[37]	\$1,728,455	[37]	[31]	[37]	\$1,731,537

* Additional new authority was not needed in FY 2020, due to lower than anticipated claim filings.

2. Personnel Increase/Reduction Cost Summary

Not applicable.

3. Non-personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
VCF Claims	\$308,749	N/A	N/A	\$0	\$0
Total Non-Personnel	\$308,749	N/A	N/A	\$0	\$0

4. Justification for Non-Personnel Authorizations

Not applicable.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non- Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	[37]	[31]	[37]	\$6,374	\$1,725,163	\$1,731,537	\$0	\$0
Increases	0	0	0	\$0	\$308,749	\$308,749	\$0	\$0
Grand Total	[37]	[31]	[37]	\$6,374	\$2,033,912	\$2,040,286	\$0	\$0

6. Affected Crosscuts

Not applicable.

VI. Program Decrease:

Item Name: 2022 Sequester Cut

Budget Decision Unit(s): Victim Compensation Fund

Organizational Program: Civil Division, September 11th Victim Compensation Fund

Program Decrease: Positions 0 Atty 0 FTE 0 -\$2,719,000

Description of Item

The September 11th Victim Compensation Fund (VCF) is subject to sequestration. The Civil Division anticipates a sequestration of -\$2.7 million in FY 2022.

Justification

In FY 2022, the Civil Division anticipates a sequestration cut being applied to the VCF account. Since the VCF is considered a Limited Indefinite Appropriation, it is subject to permanent Sequestration (5.7 percent) on the Administrative costs requested.

Impact on Performance

This reduction will have no impact on the Civil Division's ability to process and pay out valid VCF claims.

1. Base Funding

<i>FY 2020 Enacted</i>				<i>FY 2021 Enacted</i>				<i>FY 2022 Current Services</i>			
Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)	Pos	Agt/ Atty	FTE	\$(000)
[37]	[31]	[37]	\$0*	[37]	[31]	[37]	\$1,728,455	[37]	[31]	[37]	\$1,731,537

* Additional new authority was not needed in FY 2020, due to lower than anticipated claim filings.

2. Personnel Increase/Reduction Cost Summary

Not applicable.

3. Non-personnel Increase/Reduction Cost Summary

Non-Personnel Item	FY 2022 Request (\$000)	Unit Cost (\$000)	Quantity	Annualizations (\$000)	
				FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
2022 Sequester Cut	-\$2,719	N/A	N/A	\$0	\$0
Total Non-Personnel	-\$2,719	N/A	N/A	\$0	\$0

4. Justification for Non-Personnel Authorizations

Not applicable.

5. Total Request for this Item

Category	Positions			Amount Requested (\$000)			Annualizations (\$000)	
	Count	Agt/ Atty	FTE	Personnel	Non-Personnel	Total	FY 2023 (net change from 2022)	FY 2024 (net change from 2023)
Current Services	[37]	[31]	[37]	\$6,374	\$1,725,163	\$1,731,537	\$0	\$0
Decreases	0	0	0	\$0	-\$2,719	-\$2,719	\$0	\$0
Grand Total	[37]	[31]	[37]	\$6,374	\$1,722,444	\$1,728,818	\$0	\$0

6. Affected Crosscuts

Not applicable.

B. Summary of Requirements

Summary of Requirements

Victims Compensation Fund
Salaries and Expenses
(Dollars in Thousands)

	FY 2022 Request		
	Positions	Estimate FTE	Amount
2020 Enacted 1/	[37]	[29]	0
Total 2020 Enacted with Rescissions 1/	[37]	[29]	0
2021 Enacted	[37]	[37]	1,731,537
2021 Sequester Cut	0	0	-3,082
Total 2021 Enacted	[37]	[37]	1,728,455
Technical Adjustments			
FY 2021 Sequester Cut Available in FY 2022	0	0	3,082
Total Technical Adjustments	0	0	3,082
Base Adjustments			
Total Technical and Base Adjustments	0	0	3,082
2022 Current Services	[37]	[37]	1,731,537
Program Changes			
Increases:			
Victims Compensation Fund	0	0	308,749
Subtotal, Increases	0	0	308,749
Offsets:			
2022 Sequester Cut	0	0	-2,719
Subtotal, Offsets	0	0	-2,719
Total Program Changes	0	0	306,030
2022 Total Request	[37]	[37]	2,037,567
2021 - 2022 Total Change	0	0	309,112

^{1/} FY 2020 FTE is actual

Summary of Requirements

Victims Compensation Fund
Salaries and Expenses
(Dollars in Thousands)

Program Activity	FY 2020 Enacted			FY 2021 Enacted			FY 2022 Technical and Base Adjustments			FY 2022 Current Services		
	Positions	Actual FTE	Amount	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount
Victim Compensation Fund	[37]	[29]	0	[37]	[37]	1,728,455	0	0	3,082	[37]	[37]	1,731,537
Total Direct	[37]	[29]	0	[37]	[37]	1,728,455	0	0	3,082	[37]	[37]	1,731,537
Balance Rescission			0			0			0			0
Total Direct with Rescission			0			1,728,455			3,082			1,731,537
Reimbursable FTE		0			0			0			0	
Total Direct and Reimb. FTE		[29]			[37]			0			[37]	
Other FTE:												
LEAP		0			0			0			0	
Overtime		0			0			0			0	
Grand Total, FTE		[29]			[37]			0			[37]	

Program Activity	2022 Increases			2022 Offsets			2022 Request		
	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount	Positions	Est. FTE	Amount
Victim Compensation Fund	0	0	308,749	0	0	-2,719	[37]	[37]	2,037,567
Total Direct	0	0	308,749	0	0	-2,719	[37]	[37]	2,037,567
Balance Rescission			0			0			0
Total Direct with Rescission			308,749			-2,719			2,037,567
Reimbursable FTE		0			0			0	
Total Direct and Reimb. FTE		0			0			[37]	
Other FTE:									
LEAP		0			0			0	
Overtime		0			0			0	
Grand Total, FTE		0			0			[37]	

FY 2022 Program Increases/Offsets by Decision Unit

Victims Compensation Fund

Salaries and Expenses

(Dollars in Thousands)

Program Increases	Location of Description by Program Activity	Victim Compensation Fund				Total Increases			
		Positions	Agt./Atty.	Est. FTE	Amount	Positions	Agt./Atty.	Est. FTE	Amount
Victims Compensation Fund Claims	18	0	0	0	308,749	0	0	0	308,749
Total Program Increases		0	0	0	308,749	0	0	0	308,749

Program Offsets	Location of Description by Program Activity	Victim Compensation Fund				Total Offsets			
		Positions	Agt./Atty.	Est. FTE	Amount	Positions	Agt./Atty.	Est. FTE	Amount
2022 Sequester Cut	20	0	0	0	-2,719	0	0	0	-2,719
Total Program Offsets		0	0	0	-2,719	0	0	0	-2,719

Resources by Department of Justice Strategic Goal and Objective

Victims Compensation Fund

Salaries and Expenses

(Dollars in Thousands)

Strategic Goal and Strategic Objective	FY 2020 Enacted		FY 2021 Enacted	
	Direct & Reimb FTE	Direct Amount	Direct & Reimb FTE	Direct Amount
Goal 4 Promote Rule of Law, Integrity, and Good Government				
4.1 Uphold the rule of law and integrity in the proper administration of justice	[29]	0	[37]	1,728,455
Subtotal, Goal 4	[29]	0	[37]	1,728,455
TOTAL	[29]	0	[37]	1,728,455

E. Justifications for Technical and Base Adjustments

Justifications for Technical and Base Adjustments

Victims Compensation Fund
Salaries and Expenses
(Dollars in Thousands)

	Positions	Estimate FTE	Amount
Technical Adjustments			
1 FY2021 Sequester Cut Available in FY2022 Restoration of 2021 Sequester	0	0	3,082
Subtotal, Technical Adjustments	0	0	3,082
TOTAL DIRECT TECHNICAL and BASE ADJUSTMENTS	0	0	3,082

Crosswalk of 2020 Availability

Victims Compensation Fund

Salaries and Expenses

(Dollars in Thousands)

Program Activity	FY 2020 Enacted			Reprogramming/Transfers			Carryover	Recoveries/ Refunds	FY 2020 Availability		
	Position s	Actual FTE	Amount	Position s	Actual FTE	Amount	Amount	Amount	Position s	Actual FTE	Amount
Victim Compensation Fund	[37]	[29]	0	0	0	0	1,881,992	798	[37]	[29]	1,882,790
Total Direct	[37]	[29]	0	0	0	0	1,881,992	798	[37]	[29]	1,882,790
Balance Rescission			0			0	0	0			0
Total Direct with Rescission			0			0	1,881,992	798			1,882,790
Reimbursable FTE		0			0					0	
Total Direct and Reimb. FTE		[29]			0					[29]	
Other FTE:											
LEAP FTE		0			0					0	
Overtime		0			0					0	
Grand Total, FTE		[29]			0					[29]	

Carryover:

VCF carried forward \$1,881,992,000 in unobligated balances from FY 2019 to FY 2020.

Recoveries/Refunds:

VCF recovered a total of \$798,000 in FY 2020.

Crosswalk of 2021 Availability

Victims Compensation Fund

Salaries and Expenses

(Dollars in Thousands)

Program Activity	FY 2021 Enacted			Reprogramming/Transfers			Carryover	Recoveries/ Refunds	FY 2021 Availability		
	Position s	Est. FTE	Amount	Position s	Est. FTE	Amount	Amount	Amount	Position s	Est. FTE	Amount
Victim Compensation Fund	[37]	[37]	1,728,455	0	0	0	332,528	0	[37]	[37]	2,060,983
Total Direct	[37]	[37]	1,728,455	0	0	0	332,528	0	[37]	[37]	2,060,983
Balance Rescission			0			0	0	0			0
Total Direct with Rescission			1,728,455			0	332,528	0			2,060,983
Reimbursable FTE		0			0					0	
Total Direct and Reimb. FTE		[37]			0					[37]	
Other FTE:											
LEAP FTE		0			0					0	
Overtime		0			0					0	
Grand Total, FTE		[37]			0					[37]	

Carryover:

VCF carried forward \$332,528,000 in unobligated balances from FY 2020 to FY 2021.

Detail of Permanent Positions by Category

Victims Compensation Fund

Salaries and Expenses

(Dollars in Thousands)

Category	FY 2020 Enacted		FY 2021 Enacted		FY 2022 Request				
	Direct Pos.	Reimb. Pos.	Direct Pos.	Reimb. Pos.	ATBs	Program Increases	Program Offsets	Total Direct Pos.	Total Reimb. Pos.
Attorneys (905)	[31]	0	[31]	0	0	0	0	[31]	0
Others	[6]	0	[6]	0	0	0	0	[6]	0
Total	[37]	0	[37]	0	0	0	0	[37]	0
Headquarters Washington D.C.	[34]	0	[34]	0	0	0	0	[34]	0
US Fields	[3]	0	[3]	0	0	0	0	[3]	0
Foreign Field	0	0	0	0	0	0	0	0	0
Total	[37]	0	[37]	0	0	0	0	[37]	0

Financial Analysis of Program Changes

Victims Compensation Fund

Salaries and Expenses

(Dollars in Thousands)

Grades	Victim Compensation Fund				Total Program Changes	
	Program Increases		Program Decreases			
	Positions	Amount	Positions	Amount	Positions	Amount
No grades	0	0	0	0	0	0
Total Positions and Annual Amount	0	0	0	0	0	0
Lapse (-)	0	901	0	0	0	901
11.5 Other Personal Compensation		0		0		0
Total FTEs and Personnel Compensation	0	901	0	0	0	901
12.1 - Civilian personnel benefits		-125		0		-125
21.0 Travel and Transportation of Persons		182		0		182
22.0 Transportation of Things		128		0		128
23.1 Rental Payments to GSA		1		0		1
23.2 Rental Payments to Others		69		0		69
23.3 Communications, Utilities, and Misc. Charges		374		0		374
24.0 - Government Reproduced Materials (Public)		-17		0		-17
25.1 Advisory and Assistance Services		-5960		-2719		-8679
25.2 Other Services from Non-Federal Sources		96		0		96
25.3 Other Goods and Services from Federal Sources		-877		0		-877
25.4 Operation and Maintenance of Facilities		-1		0		-1
25.6 Medical Care		1		0		1
25.7 - Operation and maintenance of equipment		-105		0		-105
26.0 - Supplies and materials		-38		0		-38
31.0 - Equipment		-20		0		-20
42.0 - Insurance claims and indemnities		314140		0		314140
Total Program Change Requests	0	308,749	0	-2,719	0	306,030

Summary of Requirements by Object Class

Victims Compensation Fund

Salaries and Expenses

(Dollars in Thousands)

Object Class	FY 2020 Actual		FY 2021 Enacted		FY 2022 Request		Increase/Decrease	
	Act. FTE	Amount	Direct FTE	Amount	Direct FTE	Amount	Direct FTE	Amount
11.1 - Full-time permanent	[29]	3,864	[37]	4,423	[37]	5,324	0	901
11.3 - Other than full-time permanent	0	289	0	283	0	196	0	-87
11.5 - Other personnel compensation	0	109	0	163	0	166	0	3
<i>Overtime</i>	0	0	0	0	0	0	0	0
<i>Other Compensation</i>	0	0	0	0	0	0	0	0
11.8 Special Personnel Services Payments	0	0	0	0	0	0	0	0
11.5 Other Personal Compensation	0	0	0	0	0	0	0	0
<i>Overtime</i>	0	0	0	0	0	0	0	0
<i>Other Compensation</i>	0	0	0	0	0	0	0	0
Total	[29]	4,263	[37]	4,869	[37]	5,686	0	817
Other Object Classes								
12.1 - Civilian personnel benefits		1,322		1,534		1,716	0	182
21.0 - Travel and transportation of persons		59		60		188	0	128
22.0 - Transportation of things		0		0		1	0	1
23.1 - Rental payments to GSA		188		190		259	0	69
23.2 - Rental payments to others		9		10		17	0	7
23.3 - Communications, utilities, and miscellaneous charges		80		153		527	0	374
24.0 - Government Reproduced Materials (Public)		17		17				-17
25.1 - Advisory and assistance services		28,652		42,016		35,399	0	-6,617
25.2 - Other services from non-federal sources		9		10		106	0	96
25.3 - Other goods and services from federal sources		1,245		1,727		850	0	-877
25.4 - Operation and maintenance of facilities		34		34		33	0	-1
25.6 - Medical care		0		0		1	0	1
25.7 - Operation and maintenance of equipment		155		157		52	0	-105
26.0 - Supplies and materials		46		46		8	0	-38
31.0 - Equipment		148		159		139	0	-20
42.0 - Insurance claims and indemnities		1,514,035		2,010,001		1,992,585	0	-17,416
Total Obligations		1,550,262		2,060,983		2,037,567	0	-23,416
Net of:								
Unobligated Balance, Start-of-Year		-1,881,992		-332,528		0	0	332,528
Transfers/Reprogramming				0		0	0	0
Recoveries/Refunds		-798		0		0	0	0
Unobligated End-of-Year, Available		332,528		0		0	0	0
Unobligated End-of-Year, Expiring		0		0		0	0	0
Total Direct Requirements		0		1,728,455		2,037,567		309,112
Reimbursable FTE								
Full-Time Permanent	0		0		0		0	0

1/ Non-SES/SLT Salary

3,699

4,307

4,423

2/ Non-SES/SLT Award

71

125

128