

U.S. Victims of State Sponsored Terrorism Fund

Payment Calculation Explanation for 9/11-Related Claims

Sixth Distribution — December 2025

Important Note: *This explanation does NOT apply to non-9/11-related claims. Please refer to the separate “Payment Calculation Explanation for Non-9/11-Related Claims.”*

This explanation shows how the U.S. Victims of State Sponsored Terrorism Fund (USVSST Fund) applies the governing statute, 34 U.S.C. § 20144 (Act), to determine eligible **9/11-related** claimants’ award amounts. It includes discussion of the most relevant subsections of the Act, a description of the methodology, and calculation examples. The frequently asked questions (FAQs), available on the USVSST Fund’s website at www.usvsst.com, provide additional information.

The Act requires the USVSST Fund to divide the total amount of funds available for distributions in half, and to allocate one-half to 9/11-related claimants and the other half to non-9/11-related claimants. Act § (d)(3)(A)(i). For the sixth round, the USVSST Fund allocated a total of \$2.825 billion for the entire distribution. Accordingly, when calculating sixth-round payments, the USVSST Fund allocated \$1,412,500,000 for eligible 9/11-related claimants, and \$1,412,500,000 for eligible non-9/11-related claimants.¹

The sections below explain further how the USVSST Fund calculated awards to allocate the \$1,412,500,000 available for sixth-round payments to eligible 9/11-related claimants, incorporating the requirements in the Act.

I. Payments are *Pro Rata*

The key sections of the Act that govern the calculation of an eligible claimant’s compensation are found in section (d), titled “Payments.” In general, the USVSST Fund pays eligible claimants *pro rata*² based on the compensatory damage award in qualifying judgments.³ Only eligible claims with “amounts outstanding and unpaid” are included in the calculation.

¹ In the first two rounds of distribution, a single calculation methodology applied to all claimants. The USVSST Fund allocated all funds to eligible claimants in a single *pro rata* calculation, subject to the statutory limitations. The Clarification Act, passed in 2019, changed the methodology for the third and subsequent rounds, including, among other things, the requirement to divide the funds available.

² “Except as provided in subparagraph (B) and subject to the limitations described in clause (ii), the Special Master shall carry out paragraph (1), by ... dividing the funds ... on a pro rata basis, based on the amounts outstanding and unpaid on eligible claims...” Act § (d)(3)(A)(i)(II)-(III).

³ See also Act § (c)(1)-(2).

Act § (d)(3)(A)(i). Claimants who have already received full payment of their compensatory damages will not receive any compensation from the USVSST Fund.

II. Individual and Family Caps for 9/11-Related Claims

The Act places limits on the amount of compensatory damages included in the USVSST Fund's payment calculations. In the event claimants are awarded judgments with gross compensatory damages that exceed \$20 million, the Special Master will treat their claim as if the compensatory award were \$20 million. Act § (d)(3)(A)(ii)(I). This \$20 million individual cap applies to all claimants (9/11-related and non-9/11-related), and has been in effect since the USVSST Fund's inception.

The Act applies family-based limitations on awards, in addition to the individual cap. The Act mandates different family caps for 9/11-related victims and their families than for non-9/11-related victims and their families. A \$35 million cap⁴ applies to family groups comprised of 9/11 victims, 9/11 spouses, and 9/11 dependents. Act § (d)(3)(A)(ii)(III); *see also* § (j)(10)-(14) (defining terms). A lower \$20 million cap applies to family groups comprised of 9/11 family members who are not 9/11 victims, 9/11 spouses, or 9/11 dependents. Act § (d)(3)(A)(ii)(IV). This lower cap applies to, for example, non-dependent parents or siblings of 9/11 victims. The USVSST Fund groups 9/11-related claimants according to these statutory requirements. Specifically, 9/11-related claimants are assigned to family groups based on their status as 9/11 victims or their relationships to a 9/11 victim as a 9/11 spouse, 9/11 dependent, or 9/11 family member, as defined in the Act.

As shown in the examples below, the USVSST Fund applies the \$20 million individual cap before applying the relevant family cap (\$35 million or \$20 million), and then uses these adjusted amounts when calculating payments.

Individual cap: If an individual claimant has an eligible compensatory damage award amount of more than \$20 million, the USVSST Fund will calculate the claimant's award as if the amount were \$20 million.

*Example:*⁵ An individual claimant's compensatory damage amount is \$25 million. When calculating payments, the USVSST Fund must treat this claim as the statutory maximum for an individual claim: \$20 million.

Family Cap – 9/11 Victim, Spouse, and Dependents: Groups of 9/11 victims, 9/11 spouses, and 9/11 dependents whose total compensatory damages in qualifying judgments add up to more than \$35 million are subject to a separate family cap. The USVSST Fund will calculate their awards after adjusting the damage amounts so that the total eligible compensatory damage amounts for the 9/11 victim, 9/11 spouse, and 9/11 dependent do not exceed \$35 million.

⁴ The \$35 million family cap for non-9/11-related claimants has been in effect since the inception of the USVSST Fund and is explained further in the separate "Payment Calculation Explanation for Non-9/11-Related Claims."

⁵ The USVSST Fund does not disclose information about individual claimants. The examples in this document illustrate how the USVSST Fund calculates awards – they do not represent actual claims.

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Example: Five claimants in this type of 9/11 family group have individual judgments of \$10 million each. (See chart below). The family group’s total damages are therefore \$50 million, which exceeds the Act’s cap of \$35 million for a 9/11 victim, 9/11 spouse, and 9/11 dependents. When calculating payments, the USVSST Fund must allocate the \$35 million family cap for these claims among them in proportion to their individual compensatory damage awards. Therefore, the USVSST Fund must treat each claim as if it is \$7 million (\$35 million allocated among the five family members’ equal claims).

	9/11 Victim	9/11 Spouse	9/11 Dependent A	9/11 Dependent B	9/11 Dependent C	Group Total
Judgment Award Amount	\$10 million	\$10 million	\$10 million	\$10 million	\$10 million	\$50 million
After Family Cap	\$7 million	\$7 million	\$7 million	\$7 million	\$7 million	\$35 million

Family Cap – 9/11 Family Members: There is a different, lower cap for groups of 9/11 family members who are *not* 9/11 victims, spouses, or dependents. Depending on individual families’ circumstances, these 9/11 family member groups could include, for example, 9/11 victims’ non-dependent siblings or parents. If these 9/11 family member groups’ total compensatory damages in qualifying judgments add up to more than \$20 million, they are subject to this cap. The USVSST Fund will calculate their awards after adjusting the damage amounts so that the total eligible compensatory damage amounts for the 9/11 family members’ claims do not exceed \$20 million.

Example: Five claimants in this type of 9/11 family group have individual judgments of \$10 million each. (See chart below). The family group’s total damages are therefore \$50 million, which exceeds the Act’s cap of \$20 million for groups of 9/11 family members. When calculating payments, the USVSST Fund must allocate the \$20 million family cap for these claims among them in proportion to their individual compensatory damage awards. Therefore, the USVSST Fund must treat each claim as if it is \$4 million (\$20 million allocated among the five equal claims).

	9/11 Family Member A	9/11 Family Member B	9/11 Family Member C	9/11 Family Member D	9/11 Family Member E	Family Group Total
Judgment Award Amount	\$10 million	\$10 million	\$10 million	\$10 million	\$10 million	\$50 million
After Family Cap	\$4 million	\$4 million	\$4 million	\$4 million	\$4 million	\$20 million

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The Individual Cap Applies Before the Family Cap: The USVSST Fund will apply the individual cap first, and then the relevant family cap. For some family groups, applying the individual cap may mean that the group’s total compensatory damages no longer exceed the family cap.

Example: A 9/11 victim, spouse, and dependent have judgments: the victim has a \$45 million damage amount; the spouse and dependent each have \$5 million judgments. *See chart below.* The USVSST Fund must treat the 9/11 victim’s individual claim of \$45 million as the statutory individual maximum, \$20 million. After applying the individual cap, reducing the 9/11 victim’s \$45 million damage amount to \$20 million, the relevant 9/11 family group cap is not triggered.

	9/11 Victim	9/11 Spouse	9/11 Dependent	Group Total
Judgment Award Amount	\$45 million	\$5 million	\$5 million	\$55 million
After Individual Cap	\$20 million	\$5 million	\$5 million	\$30 million

For other family groups, some individuals may have their gross compensatory damage award amounts capped at \$20 million, and then further reduced when the family cap is applied.

Example: A 9/11 victim, spouse, and dependent have judgments; the 9/11 victim has a \$45 million damage amount; the spouse has \$25 million; and the dependent has \$10 million. *See chart below.* The USVSST Fund must treat the 9/11 victim’s claim of \$45 million as the statutory maximum for individuals, \$20 million. The USVSST Fund must also treat the 9/11 spouse’s claim of \$25 million as the statutory maximum, \$20 million. After applying the individual cap, the family group cap is triggered because the total still exceeds the statutory maximum of \$35 million. The USVSST Fund allocates the \$35 million family cap among the family group members in proportion to their individual compensatory damage awards, after applying the individual caps.

	9/11 Victim	9/11 Spouse	9/11 Dependent	Group Total
Judgment Award Amount	\$45 million	\$25 million	\$10 million	\$80 million
After Individual Cap	\$20 million	\$20 million	\$10 million	\$50 million
After Family Group Cap	\$14 million	\$14 million	\$7 million	\$35 million

The same processes would reduce the awards of 9/11 family members who are not 9/11 victims, spouses, or dependents – however, those family groups are subject to the lower \$20 million cap. If a group of 9/11 family members had the same award amounts shown in the

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chart above, their awards would first be reduced by the individual cap, and then be reduced to meet the lower \$20 million cap for 9/11 family member groups.

Example: A group of three 9/11 family members has judgments: 9/11 Family Member A has a \$45 million damage amount; 9/11 Family Member B has \$25 million; and 9/11 Family Member C has \$10 million. *See* chart below. The USVSST Fund must treat 9/11 Family Member A’s claim of \$45 million as the statutory maximum for individuals, \$20 million. The USVSST Fund must also treat 9/11 Family Member B’s claim of \$25 million as the statutory maximum, \$20 million. After applying the individual cap, the family group cap is triggered because the total still exceeds the statutory maximum of \$20 million. The USVSST Fund allocates the \$20 million family cap among the family group members in proportion to their individual compensatory damage awards, after applying the individual caps.

	9/11 Family Member A	9/11 Family Member B	9/11 Family Member C	Group Total
Judgment Award Amount	\$45 million	\$25 million	\$10 million	\$80 million
After Individual Cap	\$20 million	\$20 million	\$10 million	\$50 million
After Family Group Cap	\$8 million	\$8 million	\$4 million	\$20 million

III. Payments from Other Sources

Certain provisions of the Act limit payments to eligible claimants – both 9/11-related and non-9/11-related – who have received payments from sources other than this Fund.⁶ They do not apply to eligible claimants who have *not* received any such payments.

One subsection applies only to claimants who have received 30 percent or more of their compensatory damages from sources other than this Fund. It provides that these claimants “shall not receive any payment from the USVSST Fund until such time as all other eligible applicants have received from the USVSST Fund an amount equal to 30 percent of the compensatory damages.”⁷ This is determined using the amount of payments from other sources and the

⁶ “The term ‘source other than this Fund’ means all collateral sources, including life insurance, pension funds, death benefit programs, payments by Federal, State, or local governments, and court awarded compensation related to the act of international terrorism that gave rise to a claimant’s final judgment, except that the term does not include payments received in connection with an international claims agreement to which the United States is a state party or any other settlement of terrorism-related claims against Sudan.” Act § (j)(6). All USVSST Fund applicants must identify all such other sources. The Special Master retains discretion in assessing any identified source other than this Fund and determining how it will factor into an award calculation. *See* FAQ 4.8 on the USVSST Fund’s website. Throughout this paper, “payments from sources other than this Fund” refers exclusively to those payments included in the calculations.

⁷ “Any applicant with an eligible claim described in subsection (c)(2) who has received, or is entitled or scheduled to receive, any payment that is equal to, or in excess of, 30 percent of the total compensatory damages owed to such applicant on the applicant’s claim from any source other than this Fund shall not receive any payment from the Fund until such time as all other eligible applicants have received from the Fund an amount equal to 30 percent of the

compensatory damages amount. The USVSST Fund cannot include these claimants in its payment calculations because all other eligible claimants have not received from the USVSST Fund an amount equal to 30 percent of the compensatory damages awarded to those claimants under their final judgments.

Example: A claimant has compensatory damages of \$10 million, and received \$4 million from sources other than this Fund. Because this claimant has received 40 percent of the damages, she will not receive a payment from the USVSST Fund.

A separate subsection applies to claimants who have received some payments from sources other than the USVSST Fund, but these payments do not total 30 percent or more of their gross compensatory damages.⁸ The subsection requires the USVSST Fund to account for claimants' payments from sources other than this Fund when calculating awards from the USVSST Fund.

As explained in the methodology below, claimants who have received compensation from other sources will have their award amounts reduced to reflect these payments from other sources. Claimants who have received more than the payment percentage from sources other than the USVSST Fund will not receive payments. *See also* Section V, calculation examples, below.

IV. Methodology for Calculating Payments

The sections of the Act discussed above mandate the methodology for the award calculations. The funds available for 9/11-related claimants must be distributed *pro rata* to these eligible claimants after accounting for the individual cap of \$20 million, the family cap of either \$35 million or \$20 million, and compensation from sources other than the USVSST Fund. This section explains the methodology of calculating awards.⁹

Payment Percentage: For purposes of the USVSST Fund's calculations, a "payment percentage" is computed. The payment percentage is the amount of funds available to pay to all 9/11-related eligible claimants¹⁰ divided by their compensatory damages after accounting for the individual cap of \$20 million, the family caps (either \$35 million or \$20 million), and

compensatory damages awarded to those applicants pursuant to their final judgments or to claims under subsection (c)(2)(B) or (c)(2)(C). For purposes of calculating the pro rata amounts for these payments, the Special Master shall not include the total compensatory damages for applicants excluded from payment by this subparagraph." Act § (d)(3)(B)(i).

⁸ "To the extent that an applicant with an eligible claim has received less than 30 percent of the compensatory damages owed that applicant under a final judgment or claim described in subsection (c)(2) from any source other than this Fund, such applicant may apply to the Special Master for the difference between the percentage of compensatory damages the applicant has received from other sources and the percentage of compensatory damages to be awarded other eligible applicants from the Fund." Act § (d)(3)(B)(ii).

⁹ Beginning in the sixth distribution, the USVSST Fund implemented the current methodology for all claimants, yielding the same payment amounts as the most recent methodology.

¹⁰ The USVSST Fund allocated \$1.4125 billion for sixth-round payments to eligible 9/11-related claimants.

compensation from sources other than this Fund. **For sixth-round payments, the USVSST Fund payment percentage for 9/11-related claimants is 1.64 percent.**¹¹

Payment Percentage = Total Amount of Funds Available for Distribution to 9/11-Related Eligible Claimants

Divided by

Compensatory Damages (after accounting for the individual and family caps and compensation from sources other than the USVSST Fund)

The basic USVSST Fund payment calculation methodology is the same for all eligible 9/11-related claimants.¹² There are five steps in this basic calculation.

1. Determine the amount of gross compensatory damages.
2. Apply the \$20 million individual cap, if applicable.
3. Apply the \$35 million or \$20 million family cap, if applicable.
4. Compute the maximum potential USVSST Fund payment amount using the payment percentage.
5. Account for compensation received from sources other than the USVSST Fund, if any.¹³

Although prior-round payments are not directly included in the calculation methodology, the USVSST Fund tracks them to ensure that no eligible claimant receives more than their gross compensatory damages, adjusted for the individual and family caps. Additionally, the USVSST Fund tracks compensation from other sources not used to reduce prior-round and sixth-round payments; these remaining amounts will be included in payment calculations for future rounds, if any.

V. Illustrative Examples of the Calculations Used to Determine USVSST Fund Payments to Eligible 9/11-Related Claimants Under Varying Circumstances

The illustrative examples show model calculations used to determine a USVSST Fund award payment for 9/11-related claimants participating in the sixth round of payments. The USVSST Fund does not disclose information about individual claimants. The examples in this document illustrate how the USVSST Fund calculates awards – they do not represent actual claims.

These examples use a 10 percent payment percentage to simplify the arithmetic. The actual payment percentage for 9/11-related claimants was 1.64 percent in the sixth round.

¹¹ The USVSST Fund has rounded this from the 1.6375 percent figure used in the actual calculations. (Note that the payment percentage for non-9/11-related claimants in the sixth round of payments is 5.24 percent.)

¹² A limited number of claimants' changed circumstances may require individualized adjustments to this calculation methodology.

¹³ This includes newly reported amounts as well as any remaining amounts of previously reported sources that have not already been deducted in prior rounds, if any.

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The examples show calculations for two situations:

1. Claimant with No Payment from Other Sources
2. Claimant with Payment from Other Sources

Example 1:

Claimant with No Payment from Other Sources	
Gross Compensatory Damage Amount (after caps, if applicable)	\$ 10,000,000
Amount Received from Sources Other than the USVSST Fund	\$ -
Maximum Potential Payment Amount from USVSST Fund (Equals Payment Percentage (10 percent) of gross compensatory damages)	\$ 1,000,000
Less: Amount Received from Other Sources	\$ -
Equals: Actual Payment Amount from USVSST Fund	\$ 1,000,000

Example 2:

Claimant with Payment from Other Sources	
Gross Compensatory Damage Amount (after caps, if applicable)	\$ 10,000,000
Amount Received from Other Sources	\$ 500,000
Maximum Potential Payment Amount from USVSST Fund (Equals Payment Percentage (10 percent) of gross compensatory damages)	\$ 1,000,000
Less: Amount Received from Sources Other than the USVSST Fund	\$ 500,000
Equals: Actual Payment Amount from USVSST Fund	\$ 500,000