

U.S. Victims of State Sponsored Terrorism Fund

Payment Calculation Explanation for 9/11-Related Claims

Fifth Distribution — December 2024

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. § 20144¹ (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 USVSST Fund Clarification Act, passed in November 2019, amended some of the Act’s provisions regarding payment calculations. First, it required the USVSST Fund to divide the total amount of funds available for the third and any subsequent 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 fifth round, the USVSST Fund allocated a total of \$1.035 billion for the entire distribution. Accordingly, when calculating fifth-round payments, the USVSST Fund allocated \$517.5 million for eligible 9/11-related claimants, and \$517.5 million for eligible non-9/11-related claimants.²

In addition, the Clarification Act made other significant changes to the calculation methodology for 9/11-related claimants’ awards beginning in the third round. The Clarification Act removed a statutory provision that previously precluded USVSST Fund payments to otherwise eligible claimants if they had received an award or award determination from the 9/11 Victim Compensation Fund (VCF) under section 405 of the Air Transportation Safety and System Stabilization Act. Accordingly, under the Clarification Act, if a 9/11 victim or immediate family member has a qualifying claim, he or she may receive compensation from the USVSST Fund regardless of whether he or she did or did not apply to the VCF. In the initial and second round of distributions, some otherwise eligible claimants could not receive payment from the USVSST Fund due to the superseded statutory provision relating to the VCF. Beginning in

¹ The statute incorporates the Justice for United States Victims of State Sponsored Terrorism Act, Pub. L. No. 114-113, div. O, title IV, § 404 (Dec. 18, 2015), as amended by the United States Victims of State Sponsored Terrorism Fund Clarification Act, Pub. L. No. 116-69, div. B, title VII, § 1701 (Nov. 21, 2019); the Sudan Claims Resolution Act, Pub. L. No. 116-260, Div. FF, title XVII, § 1705 (Dec. 27, 2020); and the Fairness for 9/11 Families Act, Pub. L. No. 117-328, div. MM (Dec. 29, 2022).

² 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 third round, these claimants could be included in payment calculations, along with all other eligible 9/11-related claimants.³

The Act also places limits on the amount of compensatory damages included in the USVSST Fund's payment calculations. As explained below with examples, in the event any applicant is awarded a judgment with gross compensatory damages that exceed \$20 million, the Special Master will treat that 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 Clarification Act mandated different family caps for 9/11-related victims and their families than for non-9/11-related victims and their families. Accordingly, in the third and subsequent rounds of distributions, 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. *Id.* at (d)(3)(A)(ii)(IV). This lower cap applies to, for example, non-dependent parents or siblings of 9/11 victims. 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. These amended family caps for 9/11-related claims in the Clarification Act meant that some eligible 9/11-related claimants from the initial and second rounds of distributions were or became subject to different family groupings and caps beginning in the third round than in the initial and second rounds.

The sections below explain further how the USVSST Fund calculated awards to allocate the \$517.5 million available for fifth-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 subsection (d), titled "Payments." In general, the USVSST Fund pays eligible claimants *pro rata*⁵ based on the compensatory damage award in qualifying judgments.⁶ Only eligible claims with "amounts outstanding and unpaid" are included in the calculation.

³ The Clarification Act provided that the amendments it made to the USVSST Fund's statute "take effect on the date of the enactment of this Act [Nov. 21, 2019.]" Pub. L. No. 116-69, div. B, title VII, § 1701(d) (Nov. 21, 2019). Therefore, the Clarification Act's provisions affecting calculation of 9/11-related claimants' awards did not affect the initial and second-round distributions. Moreover, the Clarification Act included a specific provision that the Special Master's previous determinations regarding treating VCF award amounts as controlling (before the enactment) "shall not prejudice a claim of a 9/11 victim, 9/11 spouse, or 9/11 dependent." *Id.* at (c).

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 "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).

⁶ *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

Certain provisions of the Act limit payments if compensatory damage amounts exceed certain amounts: \$20 million for individuals, and then one of two different family caps for 9/11-related claims: a \$35 million cap for family groups comprised of 9/11 victims, 9/11 spouses, and 9/11 dependents; and a \$20 million cap for family groups comprised of 9/11 family members who are not 9/11 victims, 9/11 spouses, or 9/11 dependents.⁷ 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.

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

*Example:*⁸ An individual claimant's compensatory damage amount is \$25 million in the judgment. 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.

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).

⁷ As explained more fully below, the USVSST Fund applies the individual cap before applying the family cap.

⁸ 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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	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

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.

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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 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,

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\$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.⁹ 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.”¹⁰ This is determined using the amount of payments from other sources and the

⁹ “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. As one example, if the claimant is deceased, life insurance payments paid on personally secured policies must be identified as a source other than the Fund, but will not affect claimants’ awards. Moreover, money claimants received from the VCF, whether as an award, award determination, or estate distribution, is not considered in USVSST Fund award calculations. 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.

¹⁰ “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 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).

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compensatory damages (or the capped amounts described above, if applicable). The USVSST Fund cannot include these claimants in its payment calculations, because no claimants have yet received, nor will any claimants after the fifth round of payments have received, payments of 30 percent of their compensatory damages from the USVSST Fund. For 9/11-related claimants, the payment percentages for the five rounds of payments combined total 19.3 percent.¹¹

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.¹² The subsection requires the USVSST Fund to account for claimants' payments from sources other than this Fund when calculating awards from the USVSST Fund.¹³

As explained in the methodology below, the USVSST Fund will calculate the “maximum potential payment amount” due from the USVSST Fund. Claimants who have received some compensation from other sources will have their award amounts reduced from this maximum to reflect these payments from other sources. Claimants who have received more than the maximum potential payout amount 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 fundamental methodology of calculating awards.

¹¹ The payment percentage for the initial round of payments was 13.6561 percent (generally rounded to 13.66 percent in USVSST Fund communications). The payment percentage for the second round of payments was 4.1955 percent (rounded to 4.2 percent). Beginning in the third round, the payment percentages for 9/11-related claimants differ from those for non-9/11-related claimants. For 9/11-related claimants in those rounds, the payment percentage for the third round of payments was 0.7568 percent (rounded to 0.76 percent), for the fourth round was 0.0626 percent (rounded to 0.06 percent), and for the fifth round is 0.6168 (rounded to 0.62). The payment percentage total for all five rounds for 9/11-related claimants is 19.2878 percent, rounded here to 19.3 percent. (The payment percentage total for all five rounds for non-9/11-related claimants is 26.38 percent. *See* “Payment Calculation Explanation for Non-9/11-Related Claims.”)

¹² “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).

¹³ Money claimants received from the VCF, whether as an award, award determination, or estate distribution, is not considered an offset and is not considered in USVSST Fund award calculations. *See* FAQ 4.8 on the USVSST Fund’s website.

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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 claimants¹⁴ divided by their compensatory damages after accounting for the individual cap of \$20 million, and the family caps (either \$35 million or \$20 million), compensation from sources other than this Fund, and certain prior payments from the USVSST Fund (see below). **For fifth-round payments, the USVSST Fund payment percentage for 9/11-related claimants is 0.62 percent.**¹⁵

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 this Fund, and certain prior payments from the USVSST Fund)

Maximum potential USVSST Fund award amount: When performing payment calculations, the USVSST Fund also calculates a maximum potential USVSST Fund award amount for each 9/11-related claimant. The maximum potential USVSST Fund award amount is the payment percentage of the claimant’s compensatory damages *after* applying the caps. For 9/11-related claimants participating in only the fifth round, this is the fifth-round payment percentage (0.62 percent) multiplied by the claimants’ compensatory damages *after* applying the caps. For 9/11-related claimants who also participated in third and fourth-round payments, this is the total payment percentage from all three rounds (1.44 percent) multiplied by the claimants’ compensatory damages *after* applying the caps. Thereafter, the USVSST Fund will offset the compensation from other sources and third and fourth-round USVSST Fund payments,¹⁶ if any, to determine the USVSST Fund award payment.

¹⁴ The USVSST Fund allocated \$517.5 million for fifth-round payments to eligible 9/11-related claimants.

¹⁵ The USVSST Fund has rounded this from the 0.6168 percent figure used in the actual calculations. (Note that the payment percentage for non-9/11-related claimants in the fifth round of payments is 2.28 percent.)

¹⁶ In light of the Clarification Act, the third-round payment calculations for 9/11-related claimants were conducted *de novo*, just as the original distribution had been done for all claimants (at that time, a single pool that included all 9/11-related and non-9/11-related claimants). The USVSST Fund does not incorporate payments to 9/11-related claimants in the initial and second-round distributions in payment calculations for third and subsequent round distributions, but does track initial and second-round payments to ensure that no claimants’ total USVSST Fund payments exceed their eligible claims amounts. The USVSST Fund made lump sum catch-up payments (LSCUPs), authorized after the fourth-round distribution, to certain 9/11-related victims, pursuant to the statute. *See* Act § (d)(4)(C). These LSCUPs also are not incorporated in payment calculations for the fifth round, but the USVSST Fund does track them to ensure that no claimants’ total USVSST Fund payments exceed their eligible claim amounts.

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The basic USVSST Fund payment calculation methodology is the same for all eligible 9/11-related claimants.¹⁷ There are seven 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 award amount (before accounting for compensation from other sources and from the USVSST Fund¹⁸).
5. Determine the amount of compensation received from sources other than the USVSST Fund.¹⁹
6. Determine the amount of compensation received from the USVSST Fund in the third and fourth rounds.
7. Compute the USVSST Fund award payment (maximum potential Fund award amount less compensation from sources other than this Fund and payment received from the USVSST Fund in the third and fourth distributions).

Note: For 9/11-related claimants who are not subject to the individual or family caps, and do not have any payments from sources other than the USVSST Fund, their USVSST Fund payment amounts in any round equal the payment round's payment percentage of their eligible compensatory damage awards. In the initial round, these claimants received 13.66 percent of their compensatory damage awards. In the second round, these claimants received 4.2 percent of their compensatory damage awards. In the third round, these 9/11-related claimants received 0.76 percent of their damages. In the fourth round, these 9/11-related claimants received 0.06 percent of their damages. In the fifth round, these 9/11-related claimants will receive 0.62 percent of their compensatory damage awards. Nevertheless, their payments are calculated using this multi-step methodology.

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 fifth 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.

¹⁷ A limited number of claimants' changed circumstances may require individualized adjustments to this calculation methodology.

¹⁸ As noted above, the USVSST Fund does not incorporate payments to 9/11-related claimants in the initial and second-round distributions in payment calculations, nor does it incorporate LSCUPs. See n.16, *supra*.

¹⁹ As noted earlier, VCF awards are not considered "sources other than the USVSST Fund" in this calculation. See n.13, *supra*.

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In these examples, a **10 percent total payment percentage for the third and fourth round, and a 5 percent payment percentage for the fifth round are used to simplify the arithmetic.** The actual payment percentage for 9/11-related claimants was 0.76 percent in the third round and 0.06 percent in the fourth round; it is 0.62 percent in the fifth round

The examples show calculations for four situations:

1. Claimant in Rounds Three, Four, and Five with No Payment from Other Sources
2. Claimant in Rounds Three, Four, and Five with Payment from Other Sources
3. Claimant in Round Five Only with No Payment from Other Sources
4. Claimant in Round Five Only with Payment from Other Sources

Example 1:

Claimant in Rounds Three, Four, and Five with No Payment from Other Sources	
Gross Compensatory Damage Amount (no caps apply)	\$ 10,000,000
Amount Received from Other Sources	\$ -
Percent of Gross Compensatory Damages	0%
Prior-round payments; 10% of damages = \$1M	\$ 1,000,000
Fifth-Round Calculation:	
Payment Round Claimant First Appeared	Third round
Effective Payment Percent (Equals the sum of Prior and Fifth-Round payment percentage, 10% + 5%)	15%
Maximum Potential Payment Amount Due From USVSST (Equals Effective Payment Percentage of gross compensatory damages)	\$ 1,500,000
Less: Amount Already Received from Prior USVSST Payments	\$ 1,000,000
Less: Amount Received from Other Sources	\$ -
Equals: Amount Received from USVSST in Fifth Round	\$ 500,000

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Example 2:

Claimant in Rounds Three, Four, and Five with Payment from Other Sources	
Gross Compensatory Damage Amount (no caps apply)	\$ 10,000,000
Amount Received from Other Sources Percent of Gross Compensatory Damages	\$ 1,200,000 12%
Claimant receives no earlier-round payment; 10% of damages = \$1M Claimant's \$1.2M in other-source payments exceeds this	
Fifth-Round Calculation:	
Payment Round Claimant First Appeared Effective Payment Percent (Equals the sum of Prior and Fifth-Round payment percentage, 10% + 5%)	Third round 15%
Maximum Potential Payment Amount Due From USVSST (Equals Effective Payment Percentage of gross compensatory damages) Less: Amount Already Received from Prior USVSST Payments Less: Amount Received from Other Sources Equals: Amount Received from USVSST in Fifth Round	\$ 1,500,000 \$ - \$ 1,200,000 \$ 300,000

Example 3:

Claimant in Round Five Only with No Payment from Other Sources	
Gross Compensatory Damage Amount (no caps apply)	\$ 10,000,000
Amount Received from Other Sources Percent of Gross Compensatory Damages	\$ - 0%
Claimant receives no prior-round payment; did not participate	
Fifth-Round Calculation:	
Payment Round Claimant First Appeared Effective Payment Percent (Fifth-Round only payment percentage, 5%)	Fifth round 5%
Maximum Potential Payment Amount Due From USVSST (Equals Effective Payment Percentage of gross compensatory damages) Less: Amount Already Received from Prior USVSST Payments Less: Amount Received from Other Sources Equals: Amount Received from USVSST in Fifth Round	\$ 500,000 \$ - \$ - \$ 500,000

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Example 4:

Claimant in Round Five Only with Payment from Other Sources	
Gross Compensatory Damage Amount (no caps apply)	\$ 10,000,000
Amount Received from Other Sources Percent of Gross Compensatory Damages	\$ 1,200,000 12%
Claimant receives no prior-round payment; did not participate	
Fifth-Round Calculation:	
Payment Round Claimant First Appeared	Fifth round
Effective Payment Percent (Fifth-Round only payment percentage, 5%)	5%
Maximum Potential Payment Amount Due From USVSST (Equals Effective Payment Percentage of gross compensatory damages)	\$ 500,000
Less: Amount Already Received from Prior USVSST Payments	\$ -
Less: Amount Received from Other Sources	\$ 1,200,000
Equals: Amount Received from USVSST in Fifth Round	\$ -