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9/11 Families Reject 'Bribe,' Sue U.S

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By Tim Harper

Toronto Star

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Families sue U.S., reject 9/11 'bribe', ignore deadline for compensation. Payouts average \$1.8 million.

WASHINGTON For some, it's blood money, a repugnant payoff they feel they have no choice but to accept.

For a handful of others, the process of claiming compensation is too painful: they find themselves paralyzed by grief and unable to reopen emotional wounds barely healed from the deaths of their loved ones in the Sept. 11, 2001, terrorist attacks.

But as many as 73 families see the process of U.S. government compensation as an attempt to protect those who should be held accountable for what they believe was mass murder.

They ignored a midnight deadline last night, their last chance to apply for government cash.

And today, they begin a new stage in an arduous odyssey and will sue their government, airlines and state and local authorities.

"This may be uncharted waters, but I was thrown in a pool on Sept. 11, 2001 and had to learn to swim," said Monica Gabrielle, who lost her husband Richard in the World Trade Center attack.

"I am doing this for my husband. He was a gentle man, and he was alive, trying to get out of that building that day. The dead. The dying. The smoke. The terror. No one should have suffered like that. I want accountability. I need answers."

The compensation fund has been controversial since President George W. Bush signed it into law 13 days after the attacks. For those who lost family members, it was always about protecting airlines, federal, state and local authorities from billions of dollars of lawsuits.

To receive the federal money, recipients must sign a waiver giving up their right to sue anyone involved in the worst terrorist attacks in U.S. history.

A late surge of claims on deadline yesterday meant close to 95 per cent of the 2,976 families who lost loved ones in New York, Washington and Pennsylvania were expected to finally take the money.

To get there, they had to accept a monetary value on the lives of those closest to them, after making a case based on birth and marriage licences, diplomas and degrees, even videos. They will, on average, receive \$1.8 million (all figures U.S.) each.

Families of 24 Canadian victims are eligible for compensation and most have applied.

Brian Alexander, a New York lawyer representing a portion of the victims who have

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launched the lawsuit, said he knew of no Canadians involved.

He said those who have chosen to sue have put no dollar figure on awards and each claim will be individually tailored.

"A widow who is 80 years old is not in the same category as a widow who lost her husband at age 30 and has four kids at home," he said.

Some \$1.5 billion had been paid from the government fund by the weekend. Compensation for individual deaths has ranged from \$250,000 to \$6.9 million. Those physically injured as a result of the attacks have received compensation ranging from \$500 to \$7.9 million.

"Only in America could there be a program like this," fund administrator Kenneth Feinberg told CNN yesterday.

"You wouldn't find a program paying an average \$1.8 million tax-free to eligible families. This is an unprecedented, unique program and exhibits I think the best in the American people."

Yet Gabrielle says it is a bribe by the government so victims can be coerced into washing their hands of the affair.

She is also resentful that the government is determining the worth of loved ones.

"This is about mass murder," she said. "I want to know who was responsible.

"No one has been fired. No one has been demoted. The same people who are guarding us today on an elevated security alert are the same people who were working that day."

Gabrielle said she is looking at a special 9/11 commission headed by former New Jersey governor Thomas Kean to answer the question of responsibility.

Kean has battled the White House, New York and aviation authorities for access to documents. He has a May deadline.

"There are people that, if I was doing the job, would certainly not be in the position they were in at that time because they failed. They simply failed," Kean told CBS last week.

He said later he was talking of lower level officials, but Gabrielle and others want to know more about the safety of the buildings and airport security.

Even those who have accepted the money see it only as the lesser of two evils.

Irene Golinski, 53, whose husband died in the Pentagon attack, was still grappling with the decision to put 9/11 behind her or continue with a lawsuit.

"It's almost like it's a payoff to save the airlines and not hold any of those people responsible for what happened," she said.

Feinberg's office detailed some awards. The beneficiary of a 36-year-old project manager earning \$231,000 and with one dependent was paid \$3.48 million, while the beneficiary of a 26-year-old military officer with no dependents and a \$44,000 salary got \$1.84 million.

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