

***Minimum Age Requirement for Individual Economic Loss and
Seafood Program Seafood Crew Claimants***

1. ***Introduction.*** On 10/16/12, the Claims Administrator presented to the Parties for input the issue of whether claimants who were under the age of 16 and legally working at the time of the Spill should be eligible for payment on Individual Economic Loss (IEL) claims and Seafood Program Seafood Crew claims. Upon the agreement of the Parties, the Claims Administrator has adopted a policy to allow eligibility for claimants under the age of 16 on 4/20/10, if the claimant was working lawfully in their state. This Alert explains the minimum age requirement changes.
2. ***Minimum Age Requirement for IEL and Seafood Crew Claimants.*** Settlement Agreement Exhibit 8A for IEL claims and Exhibit 10 for Seafood Program Seafood Crew Claims require that claimants submit:

Evidence the Claimant was at least 16 years of age as of April 20, 2010. Acceptable evidence includes a copy of a valid driver's license, a valid passport, a certified copy of the Claimant's birth certificate, or a print out from a public database providing the same information as would be provided by the original document.

The Claims Administrator frequently receives claims from claimants who were under 16 years of age on 4/20/10. These claimants contend that the state law in their state allows persons to work legally at age 14 (or younger, in certain circumstances). The Claims Administrator, with input from the Parties, agreed that such claimants are eligible if, as of 4/20/10, the claimant was of an age permitted to work in the claimant's job under applicable state law. Instead of automatically denying a claim if the claimant was under 16 years of age on 4/20/10, the Claims Administrator will review the claim to determine if the claimant was working legally on 4/20/10.

3. ***Proof of Age.*** On 9/24/12, the Claims Administrator, with input from the Parties, decided that IEL claimants are no longer required to submit documents to prove their age. The Claims Administrator determines the claimant's age from the date of birth provided by the claimant in a Registration Form or, if not provided in that Form, in a Sworn Written Statement (SWS-32) signed by the claimant.
4. ***Questions.*** If you have any questions regarding the policy changes discussed in this Alert, please email Questions@dhecc.com.