



***American Jewish Committee
A Century of Leadership***

Department of International Jewish Affairs

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Rabbi Andrew Baker, Director

February 4, 2008

Hon. Barney Frank
Chairman,
House Financial Services Committee
U.S. House of Representatives
Washington, DC 20515

Hon. Spencer Bachus
Ranking Minority Member,
House Financial Services Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Frank and Congressman Bachus,

As an official observer of the International Commission for Holocaust Era Insurance Claims, the American Jewish Committee is quite familiar with its efforts to identify policies and match them with claimants. The ICHEIC process was complicated and prolonged. It sought the records of participating insurance companies as well as other archival information and relied on victims' lists prepared by Yad Vashem in order to identify a large but likely list of policy holders that could then be shared via the internet. In the end thousands of claims were found and paid by participating insurers. Many other claims against now defunct companies were also paid by ICHEIC. Its additional humanitarian funds have been used to make small payments to those with only anecdotal evidence of insurance policies and to support welfare projects designed to assist needy Holocaust survivors.

No doubt some people believe that ICHEIC did not do everything it could to identify Holocaust-era policies, and a few even think that some insurance

companies willfully sought to hide documentation. But such views cannot be supported by our own observation of ICHEIC's operations.

H.R. 1746 would require insurance companies to provide extensive lists of prewar policies without any prior vetting to determine if they were held by Holocaust victims. It would also open the door to a new set of legal battles in American courts. As the American Gathering and the Claims Conference have noted, both these steps would actually be detrimental to the concerns of Holocaust survivors and their heirs. Such unvetted lists would only create false expectations among claimants. The new burdens imposed on the companies would effectively renege on the promise of "legal peace" that was instrumental in securing their participation in the first place. Such promises have also been a key to settling other Holocaust-era claims, and H.R. 1746 could adversely affect similar negotiations in the future.

Despite the fact that ICHEIC has closed its doors, participating insurance companies have agreed to continue to receive new claims. State insurance regulators should be vigilant to make sure that they live up to these promises. We understand that the State Department Office for Holocaust Issues is also prepared to intervene on behalf of individual claimants should that become necessary. Although not perfect, we believe these measures should be sufficient to address the concerns of individual survivors who may still have insurance claims to pursue.

Respectfully,

A handwritten signature in black ink, appearing to read "Andrew Baker", with a stylized, cursive script.

Andrew Baker