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August 12, 2008

The Honorable Condoleezza Rice  
Secretary  
United States Department of State  
2201 C Street, NW  
Washington, DC 20520

Dear Madam Secretary:

I am writing you in regard to the August 1, 2008 letter from United States Court of Appeals for the Second Circuit addressed to you. The letter relates to *In re Assicurazioni Generali, Docket No. 05-5602, et. al.* and solicits a statement of the Executive Branch on the question of whether adjudication of claims dealing with Holocaust-era insurance policies held by insurers from countries with whom the United States does not have executive agreements with, would be in conflict with the foreign policy of the United States.

Answering the question above in the positive would significantly exceed any established legal precedent and would serve as a detriment to the rights of the Holocaust survivors and family members of victims in their ability to bring their claims to courts in the United States.

As you know, I have the honor of representing a district in South Florida that is home to one of the largest communities of Holocaust-survivors in the nation. Many of the survivors have approached me expressing concerns and frustration that the International Commission on Holocaust Era Insurance Claims (ICHEIC) has failed to adequately address the ongoing problem of settling WWII-era insurance policies. Despite the efforts of the ICHEIC process, which ended in March of 2007, only a small fraction of the Holocaust-era insurance policies have been addressed, primarily due to the failure of the European insurance companies to adequately disclose the names of Holocaust-era insurance policy holders, as well as the failure to settle claims.

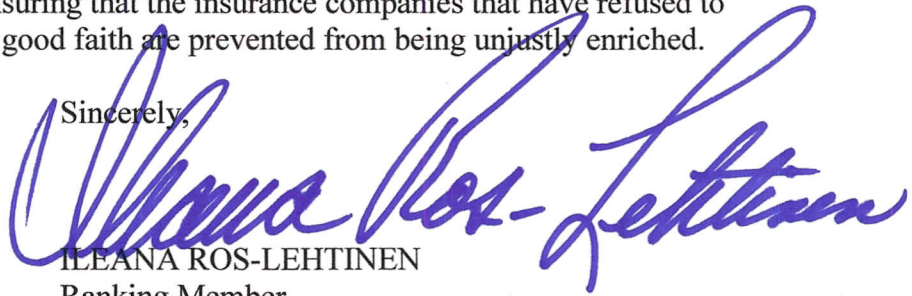
It is my belief, as well as the belief of many of my colleagues in Congress, that survivors and family members of victims should have a right to bring their claims to court, particularly in light

of the significant shortcomings of the ICHEIC process and the fact that ICHEIC is no longer accepting claims.

I believe that the Court's request presents very important issues on which Congress has held multiple hearings on and is currently working on passing H.R. 1746, the Holocaust Insurance Accountability Act, which I introduced. The bill aims to restore the rights of Holocaust survivors and family members of victims to bring their claims in U.S. courts and recover under their policies. The bill would also require insurance companies to disclose the names of Holocaust-era insurance policy holders, something that the insurance companies have refused to do for over 60 years.

Given the importance of the question being asked by the Court, I respectfully request an opportunity to speak with you on this subject before any response is sent to the Court. I look forward to working with you on bringing long-awaited justice to the Holocaust survivors and family members of the victims and in ensuring that the insurance companies that have refused to settle Holocaust-era insurance claims in good faith are prevented from being unjustly enriched.

Sincerely,



ILEANA ROS-LEHTINEN  
Ranking Member