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Letters to the Editor
The New York Times

~~110 West Street~~

~~New York, NY 10036~~

Dear Sir:

I write to correct misconceptions concerning the International Commission on Holocaust Era Insurance Claims (ICHEIC) conveyed in articles published recently in The New York Times. ICHEIC is an organization established to address previously unpaid insurance claims of Holocaust victims and their heirs. I wish to explain why I support and believe in the mission of this organization, of which I am a member, and why I take personal offense to the assault on the reputation of Chairman Lawrence Eagleburger.

I am disturbed that press reports such as yours continue to cite a statistic indicating that ICHEIC has spent more in administrative expenses than it has paid in claims without the proper explanation as to the reason why this happened. Like any start-up organization, there were substantial initial costs incurred; for example, ICHEIC spent approximately \$10 million in an international outreach program in 1999 to alert potential claimants to ICHEIC's mission.

One must also understand that ICHEIC undertook something that was never attempted before. It was a monumental task to create a consensus and a full master plan to settle claims more than fifty years old involving the giants of the European insurance industry such as Allianz, Generali, Zurich, Winterthur, and AXA, all of whom had diversified interests and spheres of influence. However, they all had one thing in common ... strong reluctance to pay the old claims.

While it is accurate that to date ICHEIC has been responsible for claims payments of nearly \$50 million, with administrative expenses to date of approximately \$56 million, this figure ignores the more than \$132 million – in addition to the claims payments made – that ICHEIC has committed to funding global social welfare programs for needy Holocaust survivors.

It also ignores Chairman Eagleburger's testimony that nearly two-thirds of the ICHEIC claims filed, those that do not name a specific insurance company, will be evaluated and decisions rendered by Spring, 2004 through a process ICHEIC has created that is not available through any other course of action. Your articles also overlook Chairman Eagleburger's publicly stated commitment that of ICHEIC's approximately \$500 million in settlement funds, it will have spent more than 80% on direct claims payments and humanitarian needs by the time it closes shop.

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Your reporter also writes about "ICHEIC's decisions" on claims cases as if the Commission is the exclusive adjudicator on the 54,000 claims (falling within its jurisdictional scope) that it has received. In so characterizing ICHEIC, your reporter fails to recognize three fundamental truths. First, under ICHEIC's organizational documents, it is the insurance companies that have the initial responsibility for resolving claims against policies that they issued.

Second, only a small percentage of the claims received by ICHEIC name a specific insurance company as the issuing agency. Rather than rejecting such claims outright, ICHEIC established relaxed standards of proof that give claimants the benefit of the doubt. As relaxed as these standards are, there must still be some evidence, whether from the claimant or from the company's records, that connect the claimant to an unpaid policy. ICHEIC has diligently worked with companies on processes by which they will "match" information in their files with individual's claims, to increase evidence available on a given claim. A mere inquiry, while recorded on ICHEIC's records as a claim, often will not meet even this low threshold.

Third, the Commission spent considerable time in its early years establishing the process by which all claims would be handled and given that benefit of the doubt. It is only since November, 2002 that ICHEIC has finalized its valuation guidelines, and since this summer that it has completed settlement agreements with all ICHEIC companies and the German insurance industry. Thus, ICHEIC is only now at the stage where it can fully and fairly marshal all efforts to see that companies process claims with the necessary speed.

Let us not forget that ICHEIC represents claimants from around the world, not just survivors within the United States. Many of these claimants lack access to the legal channels that several American claimants have found so convenient. As I mentioned, there are a vast majority of instances where the claimants are unable to identify a specific insurance company, a basic requirement if they were to pursue their claim in the courts, instead of through ICHEIC.

Rather than being denied, ICHEIC has established an equitable process by which these claims will remain eligible for humanitarian payment funds. Of the \$500 million ICHEIC collected from global insurance companies, substantial sums will go to the neediest of recipients.

I wish there were more payments, more quickly. I absolutely wanted the companies involved in this process to work harder and faster since ICHEIC's inception. However, we are finally at a point where the Commission's full attention can be focused on getting claims decided and payments made promptly; putting aside attention that now will be diverted to the lawsuit filed in California against it.

As Chairman of an organization of Holocaust survivors, I can assure your readers and my fellow claimants of the good intentions of ICHEIC to seek justice and fair compensation on their behalf. ICHEIC is totally committed to meet these objectives.

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In Chairman Eagleburger, we have a leader with unimpeachable integrity, honorable intentions, and dedicated performance.

Very truly yours,

[Signature Removed]

Rohan Kent