

STILL WAITING... Chicago Jewish News

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When families of World Trade Center victims discover they must wait several months to receive compensation, the public is outraged. But, U.S. Rep. Jan Schakowsky (D-Ill.) says, Holocaust survivors and their families have been waiting more than 50 years for insurance money that is rightfully theirs.

And Schakowsky is outraged.

Her 9th District includes Skokie, which is believed to have the largest concentration of Holocaust survivors in the country.

At a recent hearing of the House Government Reform Committee, she pointed out that while 1,100 Illinois survivors or their heirs have filed claims for insurance restitution, only 14 have received offers for payment.

Schakowsky and other lawmakers want the claims filing deadline of Jan. 31, 2002 extended and hope to see changes within the International Commission of Holocaust Era Insurance Claims, known as ICHEIC, she said during a post-hearing telephone interview.

The hearing was held at the request of Schakowsky, ranking House Democratic member Henry Waxman (D-Calif.) and others to examine the status of insurance restitution for survivors and their heirs.

Nat Shapo, director of the Illinois Department of Insurance who has done much work on issues relating to Holocaust survivors, was among those who testified before the committee. A number of survivors also appeared.

One, Israel Arbeiter, told the committee that his father, a tailor in Poland, faithfully paid premiums on a life insurance policy. But Arbeiter has heard nothing since he filed a claim with ICHEIC.

Another survivor, Arthur Falk, testified that in 1936, as a teenager, he witnessed his mother purchasing an annuity policy from a Swiss insurance company. In a letter that another family member still has, his mother referred to the policy. When Falk filed a claim with ICHEIC, the insurance company acknowledged the policy's existence but denied the claim because, it said, the premium payments had lapsed. The reason: Falk's mother died in a concentration camp. ICHEIC filed his case as a "fast track" claim, but he has not yet received any payments.

Alluding to these and other horror stories, Waxman said during the hearing that "ICHEIC is simply not working well." He faulted the panel for the low percentage of claims filed and for failing to force German insurance companies to follow agreed-upon procedures.

He also charged that the commission was poorly managed and has spent \$40 million on administrative expenses while offering only \$21.9 million to survivors.

Less than two percent of all claims submitted have been paid, according to a background memo released before the hearing. <P< 1998.He said that some of the problems are not ICHEIC's fault, such as the fact that 80 percent of the claimants aren't sure of the name of the relevant insurance company.

However, according to the background memo, publication of policyholders' names by companies "would be a significant step toward addressing this problem. Concerns have been raised that companies have not released exhaustive lists (of policyholders) from their archives," the memo stated.

Eagleburger said that, in addition, about a third of the claims filed with the commission have been found ineligible because they relate not to insurance issues but to other Holocaust matters, such as slave labor.

Other issues that the hearing was designed to address included the possibility that the upcoming deadline may foreclose legitimate claims, and the perceived inadequacy of the review process.

Lack of money is apparently not the problem, the commission's critics say. A fund worth some \$260 million is available for payment of insurance claims, but ICHEIC and a German insurance association have to agree on procedures before the money can be disbursed. Procedures include audit of claims, costs of the insurance, appeals, and the publication of policyholder names.

Schakowsky said ICHEIC urgently needs to speed up the process. In her statement at the hearing, she said, "Survivors are an aging population and the fact that so many issues remain unresolved and so many survivors and heirs have yet to receive a dime is reprehensible."

Four years ago, she said, she participated in a hearing in Skokie on insurance issues where "we heard compelling testimony from people like Erna Gans, a leader in the survivor community who never received payment for the dowry insurance her father purchased for her when she was born. Unfortunately, Erna and so many others have already passed away."

One of her goals, Schakowsky said, is to remove the Jan. 31 deadline for filing claims. "Is a deadline really necessary?" she asked at the hearing. "Isn't it unfair, if only symbolically, to give survivors such a short time to apply when these companies have been stalling for a lifetime?"

After the hearing, Schakowsky told Chicago Jewish News that another of her goals is to ensure that all of ICHEIC's meetings are open ones. The commission "needs more transparency and public scrutiny," she said. She has proposed the creation of an independent monitoring mechanism within ICHEIC, she said, and has also introduced legislation that would require insurance companies to disclose the names of policyholders or face civil penalties and fines. But "the legislation hasn't moved" out of committee, she said.

Schakowsky said it's agonizing to realize that so many survivors or their families "have to appeal a rejection they never should have gotten in the first place.

"The hearings are so painful-you get survivors coming in and telling their stories, and then nothing happens. There is so much frustration, and we have to do more than just keep talking about it," she said.

At the hearing, she said, although no "substantive solutions" were adopted, "a whole lot of members (of Congress) came and expressed their impatience and dissatisfaction. It was the first time there seemed to be such a unanimity of opinion among members of Congress. We told (the commission), 'This is just not going to do.' I'm hoping it will help."

Back home in Illinois, Schakowsky said her prime goal is to increase awareness of the commission among survivors and their families. She said she and her staff are working closely with Jewish community leaders and organizations to identify survivors and their heirs who might be eligible to file claims but have not done so.

She encourages anyone who believes they may have a Holocaust-era insurance claim and have not yet filed, to call her district office, (847) 328-3399, or visit her Web page, www.house.gov/schakowsky/, which has a link to a claim form.