NYC 9/11 Public Portal Document

DAILY NEWS, TUESDAY, NOVEMBER 27, 2001

Lawyer to speed victim payments

\By TIMOTHY J. BURGER
DAILY NEWS WASHINGTON BUREAU

WASHINGTON — Attorney General John Ashcroft picked prominent lawyer Kenneth Feinberg to run the federal government's victims compensation fund yesterday and ordered him to move quickly to aid cash-strapped relatives of terror victims.

"His responsibility will be, first and foremost, to see that the neediest of those who were injured by the Sept. 11 terrorist attacks receive relief as soon as possible," Ashcroft said.

Feinberg will ship advance payments while rules and regulations of the federal fund are written, the attorney general said:

Feinberg, a former aide to Sen. Edward Kennedy (D-Mass.) and a legal settlement expert, has worked on cases involving Holocaust victims and veterans exposed to Agent Orange.

Appearing at Ashcroft's side yesterday, he promised to "personally see and visit" as many victims' families as possible — and to cut red tape. "This program will be, to the best that I can do it, simple, efficient and clear," he said.

The open-ended government fund — the final cost to taxpayers is expected to run in the billions of dollars — was set up by Congress to encourage families not to sue companies tied to the terror attack. The only way families can participate in the program is to give up their right to sue for lost wages, hardship, negligence and other matters.

Tough decisions

The airlines whose planes were hijacked by the terrorists were considered particularly vulnerable to legal action.

Exactly how the fund will function is unclear.

Feinberg acknowledged that the federal law creating the fund "is complex [and] ambiguous in many places" and said it will be up to him, with Ashcroft's help, to make "the tough decisions."

Among the issues Feinberg must work out, as head of the fund, is whether other payments — from insurance companies and the American Red Cross, for example — to Sept. 11 victims will be counted to reduce federal payouts.

Feinberg's appointment was universally hailed.

"I have every reason to believe he will set up a fair procedure for the families, which will include full and fair compensatory damage awards," said lawyer Mitch Baumeister, who is representing many victims' families.

"He's a brilliant lawyer with broad and unique experience . . . in many other major cases of great importance to the nation," said Kennedy.

Feinberg gained prominence working on cases where he helped carve up $52 million in fees for lawyers who represented Holocaust survivors who sued companies for which they performed slave or forced labor.

He also served on an arbitration panel that awarded heirs of Abraham Zapruder $16 million for his film of the assassination of President John F. Kennedy. And he was the head of claims by Vietnam vets alleging health problems related to Agent Orange.

CITY_21MC100_011833271

NYC-WTC_000415167