

106TH CONGRESS  
1ST SESSION

# H. R. 126

To provide for the recovery of insurance issued for victims of the Holocaust.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. ENGEL introduced the following bill; which was referred to the Committee  
on Commerce

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## A BILL

To provide for the recovery of insurance issued for victims  
of the Holocaust.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Holocaust Victims In-  
5       surance Act”.

6       **SEC. 2. STATUS OF POLICIES.**

7       (a) REPORT.—Any person engaged in the business of  
8       insurance in the United States directly or through a relat-  
9       ed company during the period 1920 to 1945 shall, within  
10      90 days of the enactment of this Act, report to the Sec-  
11      retary of the Commerce on—

1           (1) the number of insurance policies issued dur-  
2       ing such period;

3           (2) the holder, beneficiary, and current status  
4       of those policies;

5           (3) the attempts made by such person to locate  
6       the beneficiaries of such policies for which no claim  
7       of benefits has been made;

8           (4) a comparison of the names of the holders  
9       and beneficiaries of such policies and the names of  
10      the victims of the Holocaust;

11          (5) the reason such person is unable, after rea-  
12      sonable and good faith efforts, to provide informa-  
13      tion described in paragraphs (1) through (4); and

14          (6) any money contributed to a fund established  
15      to compensate victims of the Holocaust as discussed  
16      in section 3(b) of this Act.

17      (b) PENALTY.—Any person who does not file a report  
18      as required by subsection (a) shall be subject to a civil  
19      penalty of \$1,000 for each day such a report is not filed  
20      as required.

21      (c) TRANSMISSION OF REPORT.—The Secretary of  
22      Commerce shall immediately upon receipt transmit the re-  
23      port required by subsection (a) to the Committees on  
24      Commerce of the House of Representatives and the Sen-  
25      ate.

1 **SEC. 3. PAYMENT OF PROCEEDS OF INSURANCE.**

2 (a) PAYMENTS.—If such a person engaged in the  
3 business of insurance determines that it issued insurance  
4 policies to individuals who were victims of the Holocaust,  
5 such person shall pay to the beneficiaries or descendants  
6 of the victims the proceeds of such policies.

7 (b) FUND.—Any such person who does not have  
8 records of the individuals to whom it issued life insurance  
9 policies during the period 1920 to 1945 is strongly encour-  
10 aged to establish a substantial monetary fund to com-  
11 pensate victims of the Holocaust. Such fund should be de-  
12 rived from sources including the policies for which there  
13 is no one entitled to its proceeds because the holder and  
14 all beneficiaries perished in the Holocaust.

15 **SEC. 4. REPORT.**

16 The Secretary of Commerce, in consultation with  
17 State insurance commissioners, shall, within 180 days of  
18 the enactment of this Act, report to the Committees on  
19 Commerce of the House of Representatives and the Sen-  
20 ate, to the extent possible, on—

21 (1) the number of individuals who were victims  
22 of the Holocaust who held life insurance policies  
23 during the period 1920 to 1945;

24 (2) the number of such individuals for whom  
25 payment was made under such policies and the  
26 amount of such payments;

1           (3) the number of such policies for which no  
2       payment has been made;

3           (4) the number of such policies for which pay-  
4       ment was made to persons other than the policy  
5       holder or their beneficiaries;

6           (5) the names of the companies which issued  
7       such policies; and

8           (6) the relationship (if any) between such com-  
9       panies and the governments of Germany, Italy, Aus-  
10      tria, Croatia, Vichy France, Hungary, Romania,  
11      Switzerland, and other provisional governments in  
12      Nazi occupied countries.

13 **SEC. 5. REGISTRY.**

14       The United States Holocaust Memorial Museum shall  
15      develop a registry of those who died in the Holocaust  
16      which shall be made available to the general public, includ-  
17      ing insurance companies preparing a report under section  
18      2(a). Such sums as may be necessary are authorized to  
19      be appropriated for this purpose.

20 **SEC. 6. STATUTE OF LIMITATIONS.**

21       Any action brought by Holocaust victim or heir or  
22      beneficiary of a Holocaust victim, seeking proceeds of such  
23      policies issued or in effect between 1920 and 1945 shall  
24      not be dismissed for failure to comply with the applicable

1 statute of limitations or laches provided the action is com-  
2 menced on or before December 31, 2010.

3 **SEC. 7. DEFINITIONS.**

4 For the purpose of this Act:

5 (1) RELATED COMPANY.—The term “related  
6 company” means any parent, subsidiaries, or affili-  
7 ated companies at least 50 percent of whose stock  
8 is in common ownership with an insurance carrier  
9 doing business in the United States.

10 (2) VICTIM OF THE HOLOCAUST.—The term  
11 “victim of the Holocaust” means any person who  
12 lost his or her life or property as a result of dis-  
13 criminatory laws, policies, or actions targeted  
14 against discrete groups of persons between April  
15 1933 and May 1945 in Nazi Germany, areas occu-  
16 pied by Nazi Germany, and or countries allied with  
17 Nazi Germany.

18 (3) INSURANCE POLICIES.—The term “insur-  
19 ance policies” means, but is not limited to, life in-  
20 surance, property insurance, dowry, or education  
21 policies.

22 (4) PROCEEDS OF SUCH POLICIES.—The term  
23 “proceeds of such policies” means the face or other  
24 payout value of policies and annuities plus reason-  
25 able interest to date of payment without diminution

- 1 for wartime or immediate postwar currency devalu-
- 2 ation.

