

108TH CONGRESS
1ST SESSION

H. R. 3129

To permit States to require insurance companies to disclose Holocaust-era insurance information.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2003

Mr. SCHIFF introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To permit States to require insurance companies to disclose Holocaust-era insurance information.

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 Fairness Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Holocaust occurred between 1933 and
9 1945 and involved the systematic, bureaucratic, and
10 State-sponsored persecution and murder of approxi-

1 mately six million Jews by the Nazi regime and its
2 collaborators.

3 (2) Before and during this period of time, mil-
4 lions of European Jews purchased life insurance
5 policies from certain European insurance companies
6 as a form of savings and investment.

7 (3) After World War II, insurance companies
8 rejected many claims presented by Holocaust sur-
9 vivors or heirs of Holocaust victims because the
10 claimants lacked the requisite documentation, such
11 as death certificates, that had been confiscated by
12 the Nazi regime.

13 (4) Since the end of the war several years ago,
14 only a small fraction of Holocaust victims and their
15 families have been able to collect on their policies.

16 (5) In 1998, the International Commission on
17 Holocaust Era Insurance Claims (ICHEIC) was es-
18 tablished to address the issue of unpaid insurance
19 policies and to expedite payouts to Holocaust vic-
20 tims.

21 (6) To date, companies holding Holocaust-era
22 insurance policies continue to withhold names on
23 thousands of policies and more than 80 percent of
24 claims applications filed with the ICHEIC remain

1 unresolved due to the inability of claimants to iden-
2 tify the company holding the policy.

3 (7) States should be allowed to collect Holo-
4 caust-era insurance information from foreign-based
5 insurance companies that want to do business in the
6 State.

7 **SEC. 3. AUTHORIZATION FOR STATES TO REQUIRE DISCLO-**
8 **SURE OF HOLOCAUST-ERA INSURANCE IN-**
9 **FORMATION.**

10 (a) IN GENERAL.—Any State may implement a law
11 that—

12 (1) requires insurance companies conducting
13 business in the State to disclose (and to make pub-
14 licly available) details regarding some or all covered
15 policies described in subsection (b)(1) that were
16 issued by that company or by any related company;
17 and

18 (2) provides for appropriate penalties and sanc-
19 tions for noncompliance.

20 (b) DEFINITIONS.—For purposes of this section:

21 (1) COVERED POLICY.—A covered policy de-
22 scribed in this paragraph is a property, liability,
23 health, annuity, dowry, educational, or casualty in-
24 surance policy that was issued to a policyholder
25 domiciled in the area of the European Continent

1 that was occupied or controlled by Nazi Germany or
2 by any ally or sympathizer of Nazi Germany and
3 that was in effect at any time during the period be-
4 tween 1933 and 1945.

5 (2) RELATED COMPANY.—The term “related
6 company” includes, with respect to an insurance
7 company, any parent, subsidiary, reinsurer, suc-
8 cessor in interest, managing general agent, or affil-
9 iate company, whether or not the company was re-
10 lated during the time when a covered policy was
11 sold.

12 (c) CONGRESSIONAL DISAPPROVAL.—Any Executive
13 branch policy or agreement that preempts State efforts to
14 collect Holocaust-era insurance information to resolve out-
15 standing claims is explicitly disapproved by the Congress.

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