



URGENT BULLETIN

November 6, 2007

A vital piece of legislation, the Holocaust Insurance Claims Accountability Act (HR 1746), is trying to work its way through Congress. This legislation would require insurance companies doing business in the United States to publicly disclose all Holocaust-era insurance policies. HR 1746 recognizes that less than 3% of the number and value of insurance policies owned by Jews at the beginning of World War II have been satisfied through the International Commission on Holocaust Era Insurance Claims (“ICHEIC”) process, which ended last spring. The bill would require insurance companies doing business in the U.S. to open their books and fully disclose the names of all World War II-era policyholders so that Holocaust survivors and their relatives can pursue legitimate claims. HR 1746, if enacted into law, will give survivors the only reasonable chance they will have to obtain insurance policy information withheld for decades and obtain judicial relief.

Prior court decisions supporting the German insurance industry and the Italian insurer, Assicurazioni Generali SpA, prevented survivors whose ICHEIC claims were denied or who never filed claims because they were unable to obtain policy documentation from seeking redress in the courts. Without the passage of HR 1746, those survivors’ rights are finished and they, together with their heirs and beneficiaries, will have no chance to realize a full accounting or “fair compensation” for policies sold to their families.

HR 1746 would force insurers who profited from the Holocaust to be accountable for their actions. The bill would inject transparency into the claims process and allow survivors to sue insurers in federal court to recover payouts from those policies. Not surprisingly, the insurance industry is working diligently to quash Congress’ good faith effort to provide survivors with a genuine platform to recover billions of dollars stolen from their families by those insurers. That effort is actively backed by the German Government, which falsely claimed in a letter to Representative Tom Lantos, Chairman of the House Committee on International Relations, where the bill is under consideration, that HR 1746 “would do nothing to improve the lot of the majority of Holocaust survivors”.

Two Jewish organizations, who claimed to speak on behalf of the survivor community, expressly authorized the German Government to speak on those organizations’ behalf in opposing HR 1746 and grant those insurers “**legal peace**”. As Klaus Scharioth, the German Ambassador to the U.S., wrote in his October 19, 2007 letter to Rep. Lantos:

"The German Government does not have any evidence that millions of insurance holders' names have been withheld. Rather, the German government's (sic) view is that there are no significant numbers of unresolved insurance claims remaining open. Those involved in the ICHEIC process, including Secretary Eagleburger, the Jewish (sic) **Claims Conference**, and the **American Gathering of Jewish Holocaust Survivors** share this assessment. At ICHEIC's final session on 20 March 2007 there was overall agreement that German insurers have fulfilled all obligations under the ICHEIC trilateral agreement and have therefore deserved permanent and all-embracing legal peace. . .Secretary Eagleburger and others have confirmed that the participating companies have fully cooperated with ICHEIC. In exchange these companies were promised to be granted legal peace."

That stance by these organizations not only hinders the justice that has been denied for decades to survivors and their families, but is morally outrageous. Those organizations' siding with the insurers' and German Government's chilling push to block the passage of HR 1746 puts them squarely in the path of survivors' rights to fair compensation and, all too disturbingly, promotes the persecution visited on survivors because they were born the wrong religion. It is intolerable that the only citizens currently denied their right of legal recourse in American courts are Holocaust survivor families.

GSI is a free-standing, independent and established organization and global network of second and third generation groups and individuals, survivors, and Holocaust institutions and organizations, with the common goals of preserving and honoring our legacy, sharing resources and programming ideas, and tackling issues of mutual interest. Since its inception five years ago, **GSI** has not stood under the umbrella of any other organization and has not authorized any other organization to speak for **GSI**. **GSI's** independence demands that we speak out against the bizarre, disturbing alliance that has only recently arisen, an alliance that, ironically, threatens the rights and standing of survivors.

“Legal peace”? No one has the moral authority to grant Germany, or any company or organization enriched by participating in the Holocaust, “legal peace”. Despite any self-serving declarations, no single organization has the authority to speak on behalf of all survivors. It is morally reprehensible for German interests to demand “peace” before the survivors have legal and moral peace. Only when the survivors have legal and moral peace may the insurance companies begin to line up and ask for their own legal peace.

We URGE you to call, fax and write all of your elected representatives to encourage their support of HR 1746.

Sign and send this Bulletin. Please do it now. Before it's too late. For the survivors.

For U.S. House representatives: <http://www.house.gov/house/MemberWWW.shtml>
For the U.S. Senate: http://www.senate.gov/general/contact_information/senators_cfm.cfm
For state & local gov't representatives: <http://www.loc.gov/rr/news/stategov/stategov.html>)