

110TH CONGRESS  
1ST SESSION

# S. 1865

To provide for mandatory availability of life insurance that does not preclude future lawful travel, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 24, 2007

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To provide for mandatory availability of life insurance that does not preclude future lawful travel, and for other purposes.

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 “Life Insurance Fair-  
5 ness for Travelers Act of 2007”.

6 **SEC. 2. MANDATORY AVAILABILITY OF LIFE INSURANCE**

7 **THAT DOES NOT PRECLUDE FUTURE LAWFUL**

8 **TRAVEL.**

9 Section 103(c) of the Terrorism Risk Insurance Act  
10 of 2002 (15 U.S.C. 6701 note) is amended—

1           (1) in paragraph (1), by striking “and” at the  
2 end;

3           (2) in paragraph (2), by striking the period at  
4 the end and inserting “; and”; and

5           (3) by adding at the end the following:

6           “(3) shall make available, in all of its life insur-  
7 ance policies issued after the date of enactment of  
8 this paragraph, under which the insured person is a  
9 citizen of the United States or an alien lawfully ad-  
10 mitted for permanent residence in the United States,  
11 coverage that neither considers past, nor precludes  
12 future, lawful foreign travel by the person insured,  
13 and shall not decline such coverage based on past or  
14 future, lawful foreign travel by the person insured or  
15 charge a premium for such coverage that is excessive  
16 and not based on a good faith actuarial analysis, ex-  
17 cept that an insurer may decline or, upon inception  
18 or renewal of a policy, limit the amount of coverage  
19 provided under any life insurance policy based on  
20 plans to engage in future lawful foreign travel to  
21 occur within 12 months of such inception or renewal  
22 of the policy, but only if, at time of application—

23           “(A) such declination is based on, or such  
24 limitation applies only with respect to, travel to  
25 a foreign destination—

1 “(i) for which the Director of the Cen-  
2 ters for Disease Control and Prevention of  
3 the Department of Health and Human  
4 Services has issued a highest level alert or  
5 warning, including a recommendation  
6 against non-essential travel, due to a seri-  
7 ous health-related condition;

8 “(ii) in which there is an ongoing  
9 military conflict involving the armed forces  
10 of a sovereign nation other than the nation  
11 to which the insured person is traveling; or

12 “(iii)(I) that the insurer has specifi-  
13 cally designated in the terms of the life in-  
14 surance policy at the inception of the pol-  
15 icy or at renewal, as applicable; and

16 “(II) with respect to which the insurer  
17 has made a good faith determination  
18 that—

19 “(aa) a serious unlawful situation  
20 exists which is ongoing; and

21 “(bb) the credibility of informa-  
22 tion by which the insurer can verify  
23 the death of the insured person is  
24 compromised; and

1           “(B) in the case of any limitation of cov-  
2           erage, such limitation is specifically stated in  
3           the terms of the life insurance policy at the in-  
4           ception of the policy or at renewal, as applica-  
5           ble.”.

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