

TRIA PROGRAM REAUTHORIZATION ACT OF 2026

MARCH 19, 2026.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. HILL of Arkansas, from the Committee on Financial Services, submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 7128]

The Committee on Financial Services, to whom was referred the bill (H.R. 7128) to extend the Terrorism Risk Insurance Program, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

| | Page |
|---|------|
| Purpose and Summary | 2 |
| Background and Need for Legislation | 3 |
| Committee Consideration | 3 |
| Related Hearings | 4 |
| Committee Votes | 4 |
| Committee Oversight Findings | 10 |
| Performance Goals and Objectives | 10 |
| Committee Cost Estimate | 10 |
| New Budget Authority and CBO Cost Estimate | 10 |
| Unfunded Mandates Statement | 10 |
| Earmark Statement | 10 |
| Federal Advisory Committee Act Statement | 11 |
| Applicability to the Legislative Branch | 11 |
| Duplication of Federal Programs | 11 |
| Section-by-Section Analysis of the Legislation | 11 |
| Changes in Existing Law Made by the Bill, as Reported | 11 |
| Documents Included by Unanimous Consent | 26 |
| Dissenting Views | 41 |

The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “TRIA Program Reauthorization Act of 2026”.

SEC. 2. EXTENSION.

Section 108(a) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking “2027” and inserting “2034”.

SEC. 3. IMPROVEMENTS TO CERTIFICATION PROCESS.

Section 102(1) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

- (1) in subparagraph (B)—
 - (A) in clause (i), by striking “or” at the end;
 - (B) in clause (ii), by striking “exceed \$5,000,000.” and inserting: “exceed—
 - “(I) with respect to an act that occurred in a year before 2029, \$5,000,000; and
 - “(II) with respect to an act that occurred in 2029, or any year thereafter, \$10,000,000; or”; and
 - (C) by adding at the end the following:
 - “(iii) the Secretary did not certify such act as an act of terrorism before the expiration of the 90-day period following the publication of a notice in the Federal Register under subparagraph (D)(i).”; and
- (2) by striking subparagraph (D) and inserting the following:

“(D) NOTICE REQUIREMENTS.—

 - “(i) IN GENERAL.—The Secretary shall, not later than 30 days after beginning the process of determining whether to certify an act as an act of terrorism, publish a notice in the Federal Register that informs the public that the Secretary is in the process of determining whether to certify the act as an act of terrorism.
 - “(ii) ADDITIONAL NOTICE PERMITTED.—The Secretary may, as the Secretary determines appropriate, notify the public, through publication in the Federal Register, or otherwise, that an act is not being evaluated by the Secretary to determine whether it should be certified as an act of terrorism.”

SEC. 4. TECHNICAL AMENDMENTS.

(a) IN GENERAL.—Section 103(e)(7)(E)(i) of the Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended—

- (1) in subclause (I)—
 - (A) by striking “2022” and inserting “2029”; and
 - (B) by striking “2024” and inserting “2031”;
- (2) in subclause (II)—
 - (A) by striking “2023” and inserting “2030”;
 - (B) by striking “2029” and inserting “2036”; and
 - (C) by striking “2024” and inserting “2031”; and
- (3) in subclause (III)—
 - (A) by striking “2029” and inserting “2036”; and
 - (B) by striking “2024” and inserting “2031”.

(b) TECHNICAL CORRECTION.—The Terrorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note) is amended by striking “Terrorism Insurance Program” each place it appears in text and headings and inserting “Terrorism Risk Insurance Program”.

PURPOSE AND SUMMARY

H.R. 7128, the *TRIA Program Reauthorization Act of 2026*, was introduced on January 16, 2026, by Republican Representative Mike Flood (NE–01). This bill amends the *Terrorism Risk Insurance Act of 2002* to extend Treasury’s Terrorism Insurance Program for an additional seven years through the end of 2034. The bill also increases the minimum threshold for certification of an act of terrorism to \$10 million from \$5 million beginning in 2029. Additionally, the bill codifies an existing regulation for Treasury to provide a public disclosure in the Federal Register within 30 days of commencing the process to determine if an act can be certified

under the program, as well as requires Treasury to issue any certification final determination within 90 days of that notice.

BACKGROUND AND NEED FOR LEGISLATION

In the aftermath of the September 11 terrorist attacks, which resulted in approximately \$45 billion in insured losses, insurers and reinsurers recognized that they lacked the data necessary to reliably model or price terrorism risk. In response, many substantially increased premiums for terrorism coverage or excluded it altogether. The widespread use of costly standalone terrorism policies disrupted insurance markets, particularly for new construction projects and employers with large, centralized workforces in higher-risk locations such as New York City, Atlanta, and San Francisco.

To address the market demand, Congress enacted the *Terrorism Risk Insurance Act* (TRIA) in 2002 as a temporary federal backstop to stabilize pricing and restore market capacity while the private sector rebuilt capital and improved terrorism risk modeling. Since enactment, Congress has periodically reauthorized the program (in 2005, 2007, 2015, and 2019) in recognition that terrorism risk remains difficult to predict, highly correlated, and potentially catastrophic in ways that challenge purely private insurance solutions. As a result, TRIA has remained an important stabilizing mechanism that supports the availability of terrorism risk insurance across key sectors of the economy. It is important to note that uncertainty surrounding the program's future can lead to higher premiums, reduced coverage availability, or delayed investment decisions long before an actual lapse occurs. This legislation addresses that risk by extending TRIA for seven years providing much needed certainty for insurers and policyholders alike.

The bill increases the program's qualifying loss threshold from \$5 million to \$10 million beginning in 2029 providing certainty to policyholders regarding the payment of future claims and ensuring the federal backstop applies only to truly noteworthy events. It also benefits policyholders through codification of the regulatory requirement that Treasury provide public notice whenever it begins considering whether to certify an act under TRIA as well as establishing a 90-day deadline from that notice for Treasury to issue any final certification determination. Both changes would increase program transparency and eliminate harmful delays that prevent policyholders from having their insurance claims paid.

COMMITTEE CONSIDERATION

119TH CONGRESS

On January 16, 2026, Representative Flood introduced H.R. 7128, the *TRIA Program Reauthorization Act of 2026*, with Representative Andrew Garbarino (R-NY) as original cosponsor. Representatives Emanuel Cleaver (D-MO), Nydia Velazquez (D-NY), and Ayanna Pressley (D-MA) were added subsequently as cosponsors.

The bill was referred solely to the Committee on Financial Services. A discussion draft version of the bill was attached to the September 17, 2025, hearing titled "The Reauthorization of the Terrorism Risk Insurance Act of 2002."

On January 22, 2026, the Committee on Financial Services met in open session to consider, among others, H.R. 7128. The Committee ordered H.R. 7128, as amended, to be reported with a favorable recommendation to the House of Representatives.

RELATED HEARINGS

Pursuant to clause 3(c)(6) of rule XIII of the Rules of the House of Representatives, the following hearing was used to develop H.R. 7128:

On September 17, 2025, the Subcommittee on Housing and Insurance held a hearing titled, “The Reauthorization of the Terrorism Risk Insurance Act of 2002.” The Subcommittee heard testimony from: Mr. Baird Webel, Specialist in Financial Economics, Congressional Research Service; Mrs. Elizabeth Heck, Chairman, President, and CEO, Greater New York Insurance Companies, on behalf of the National Association of Mutual Insurance Companies; Ms. Michelle Sartain, President, Marsh U.S. and Canada; Mr. Jason Schupp, Founder and Managing Member, Centers of Better Insurance, LLC; and Commissioner Andrew N. Mais, Connecticut Insurance Department, on behalf of the National Association of Insurance Commissioners.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee Report to include record votes on the motion to report legislation and amendments thereto.

On January 22, 2026, the Committee ordered H.R. 7128, as amended, to be reported with a favorable recommendation to the House by a recorded vote of 51 yeas and 2 nays, a quorum being present. (Record Vote No. FC–234).

The Committee considered the following amendments to H.R. 7128:

- Representative Flood offered an amendment in the nature of a substitute, which changes the proposed minimum threshold for certification of an act of terrorism from \$25 million to \$10 million, and made minor edits and technical changes. This amendment was adopted by a voice vote.
- Representative John Rose (R–TN) offered an amendment (No. 1), designated ROSETN_045. This amendment shortens the reauthorization of the Terrorism Risk Insurance Act from seven years to five years, decreases the federal cost share to 70 percent, increases the program trigger to \$250 million, and requires a study on charging insurers an annual participation fee. This amendment failed by a recorded vote of 2 yeas and 49 nays, a quorum being present. (Record Vote No. FC–231).
- Representative Sylvia Garcia (D–TX) offered an amendment (No. 2), designated TRIA_AMEND_1. This amendment requires the Treasury Secretary to cover costs of damages incurred by a U.S. citizen as a result of actions taken by U.S. Immigration and Customs Enforcement, if a court determines such actions violated the law. This amendment failed by a recorded vote of 18 yeas and 34 nays, a quorum being present. (Record Vote No. FC–232).

- Ranking Member Waters offered an amendment (No. 3), designated TRIA_AMEND_2. This amendment requires the Treasury Secretary to cover the costs of damages incurred by a U.S. citizen as a result of the invocation of the Insurrection Act by the President. This amendment failed by a recorded vote of 18 yeas and 34 nays, a quorum being present. (Record Vote No. FC-233).

Committee on Financial Services

Markup 10

Bill: **H.R. 7128**

January 22, 2026

Measure: **ANS to H.R. 7128**

Amdt/Designated: **1. ROSETN_045 [Rose 1]**

Record Vote No.

Motion: **to adopt the amendment**

FC-231

Disposition:

NOT AGREED TO (2-49)

| Member | Yea | Nay | Not Recorded | Member | Yea | Nay | Not Recorded |
|-------------------|-----|-----|--------------|-----------------------|-----|-----|--------------|
| Chairman Hill | | X | | Ranking Member Waters | | X | |
| Mr. Lucas | | X | | Ms. Velázquez | | X | |
| Mr. Sessions | | X | | Mr. Sherman | | X | |
| Mr. Huizenga | | X | | Mr. Meeks | | | X |
| Mrs. Wagner | | X | | Mr. Scott | | X | |
| Mr. Barr | | X | | Mr. Lynch | | X | |
| Mr. Williams (TX) | | X | | Mr. Green (TX) | | X | |
| Mr. Emmer | | X | | Mr. Cleaver | | X | |
| Mr. Loudermilk | | X | | Mr. Himes | | X | |
| Mr. Davidson | | X | | Mr. Foster | | X | |
| Mr. Rose | X | | | Mrs. Beatty | | X | |
| Mr. Steil | | X | | Mr. Vargas | | X | |
| Mr. Timmons | | X | | Mr. Gottheimer | | X | |
| Mr. Stutzman | | X | | Mr. Gonzalez | | X | |
| Mr. Norman | X | | | Mr. Casten | | X | |
| Mr. Meuser | | X | | Ms. Pressley | | X | |
| Mrs. Kim | | X | | Ms. Tlaib | | X | |
| Mr. Donalds | | X | | Mr. Torres (NY) | | X | |
| Mr. Garbarino | | X | | Ms. Garcia (TX) | | X | |
| Mr. Fitzgerald | | X | | Ms. Williams of GA | | X | |
| Mr. Flood | | X | | Ms. Pettersen | | X | |
| Mr. Lawler | | X | | Mr. Fields | | X | |
| Ms. De La Cruz | | X | | Ms. Bynum | | | X |
| Mr. Ogles | | | X | Mr. Liccardo | | X | |
| Mr. Nunn | | X | | | | | |
| Mrs. McClain | | X | | | | | |
| Ms. Salazar | | X | | | | | |
| Mr. Downing | | X | | | | | |
| Mr. Haridopolos | | X | | | | | |
| Mr. Moore (NC) | | X | | | | | |
| | 2 | 27 | 1 | | 0 | 22 | 2 |

Committee Totals:

| | | |
|------|------|------------|
| 2 | 49 | 3 |
| Yeas | Nays | Not Voting |

Committee on Financial Services

Markup 10

Bill: **H.R. 7128**

January 22, 2026

Measure: **ANS to H.R. 7128**

Amdt/Designated: **2. TRIA_AMEND_1 [Garcia 1]**

Record Vote No.

Motion: **to adopt the amendment**

FC-232

Disposition:

NOT AGREED TO (18-34)

| Member | Yea | Nay | Not Recorded | Member | Yea | Nay | Not Recorded |
|-------------------|-----|-----|--------------|-----------------------|-----|-----|--------------|
| Chairman Hill | | X | | Ranking Member Waters | X | | |
| Mr. Lucas | | X | | Ms. Velázquez | X | | |
| Mr. Sessions | | X | | Mr. Sherman | X | | |
| Mr. Huizenga | | X | | Mr. Meeks | X | | |
| Mrs. Wagner | | X | | Mr. Scott | X | | |
| Mr. Barr | | X | | Mr. Lynch | X | | |
| Mr. Williams (TX) | | X | | Mr. Green (TX) | X | | |
| Mr. Emmer | | X | | Mr. Cleaver | X | | |
| Mr. Loudermilk | | X | | Mr. Himes | | X | |
| Mr. Davidson | | X | | Mr. Foster | | X | |
| Mr. Rose | | X | | Mrs. Beatty | X | | |
| Mr. Steil | | X | | Mr. Vargas | X | | |
| Mr. Timmons | | X | | Mr. Gottheimer | | X | |
| Mr. Stutzman | | X | | Mr. Gonzalez | | X | |
| Mr. Norman | | X | | Mr. Casten | | X | |
| Mr. Meuser | | X | | Ms. Pressley | X | | |
| Mrs. Kim | | X | | Ms. Tlaib | X | | |
| Mr. Donalds | | X | | Mr. Torres (NY) | X | | |
| Mr. Garbarino | | X | | Ms. Garcia (TX) | X | | |
| Mr. Fitzgerald | | X | | Ms. Williams of GA | X | | |
| Mr. Flood | | X | | Ms. Pettersen | X | | |
| Mr. Lawler | | X | | Mr. Fields | X | | |
| Ms. De La Cruz | | X | | Ms. Bynum | | | X |
| Mr. Ogles | | | X | Mr. Liccardo | X | | |
| Mr. Nunn | | X | | | | | |
| Mrs. McClain | | X | | | | | |
| Ms. Salazar | | X | | | | | |
| Mr. Downing | | X | | | | | |
| Mr. Haridopolos | | X | | | | | |
| Mr. Moore (NC) | | X | | | | | |
| | 0 | 29 | 1 | | 18 | 5 | 1 |

Committee Totals:

| | | |
|-----------|-----------|------------|
| 18 | 34 | 2 |
| Yeas | Nays | Not Voting |

Committee on Financial Services

Markup 10

Bill: **H.R. 7128**

January 22, 2026

Measure: **ANS to H.R. 7128**

Amdt/Designated: **3. TRIA_AMEND_2 [Waters 1]**

Record Vote No.

Motion: **to adopt the amendment**

FC-233

Disposition: **NOT AGREED TO (18-34)**

| Member | Yea | Nay | Not Recorded | Member | Yea | Nay | Not Recorded |
|-------------------|-----|-----|--------------|-----------------------|-----|-----|--------------|
| Chairman Hill | | X | | Ranking Member Waters | X | | |
| Mr. Lucas | | X | | Ms. Velázquez | X | | |
| Mr. Sessions | | X | | Mr. Sherman | X | | |
| Mr. Huizenga | | X | | Mr. Meeks | X | | |
| Mrs. Wagner | | X | | Mr. Scott | X | | |
| Mr. Barr | | X | | Mr. Lynch | X | | |
| Mr. Williams (TX) | | X | | Mr. Green (TX) | X | | |
| Mr. Emmer | | X | | Mr. Cleaver | X | | |
| Mr. Loudermilk | | X | | Mr. Himes | | X | |
| Mr. Davidson | | X | | Mr. Foster | | X | |
| Mr. Rose | | X | | Mrs. Beatty | X | | |
| Mr. Steil | | X | | Mr. Vargas | X | | |
| Mr. Timmons | | X | | Mr. Gottheimer | | X | |
| Mr. Stutzman | | X | | Mr. Gonzalez | | X | |
| Mr. Norman | | X | | Mr. Casten | | X | |
| Mr. Meuser | | X | | Ms. Pressley | X | | |
| Mrs. Kim | | X | | Ms. Tlaib | X | | |
| Mr. Donalds | | X | | Mr. Torres (NY) | X | | |
| Mr. Garbarino | | X | | Ms. Garcia (TX) | X | | |
| Mr. Fitzgerald | | X | | Ms. Williams of GA | X | | |
| Mr. Flood | | X | | Ms. Pettersen | X | | |
| Mr. Lawler | | X | | Mr. Fields | X | | |
| Ms. De La Cruz | | X | | Ms. Bynum | | | X |
| Mr. Ogles | | | X | Mr. Liccardo | X | | |
| Mr. Nunn | | X | | | | | |
| Mrs. McClain | | X | | | | | |
| Ms. Salazar | | X | | | | | |
| Mr. Downing | | X | | | | | |
| Mr. Haridopolos | | X | | | | | |
| Mr. Moore (NC) | | X | | | | | |
| | 0 | 29 | 1 | | 18 | 5 | 1 |

Committee Totals:

| | | |
|------|------|------------|
| 18 | 34 | 2 |
| Yeas | Nays | Not Voting |

Committee on Financial Services

Markup 10

Bill: **H.R. 7128**

January 22, 2026

Measure: **H.R. 7128 (as amended)**

Amdt/Designated:

Record Vote No.

Motion: **to report favorably**

FC-234

Disposition:

AGREED TO (51-2)

| Member | Yea | Nay | Not Recorded | Member | Yea | Nay | Not Recorded |
|-------------------|-----|-----|--------------|-----------------------|-----|-----|--------------|
| Chairman Hill | X | | | Ranking Member Waters | X | | |
| Mr. Lucas | X | | | Ms. Velázquez | X | | |
| Mr. Sessions | X | | | Mr. Sherman | X | | |
| Mr. Huizenga | X | | | Mr. Meeks | X | | |
| Mrs. Wagner | X | | | Mr. Scott | X | | |
| Mr. Barr | X | | | Mr. Lynch | X | | |
| Mr. Williams (TX) | X | | | Mr. Green (TX) | X | | |
| Mr. Emmer | X | | | Mr. Cleaver | X | | |
| Mr. Loudermilk | X | | | Mr. Himes | X | | |
| Mr. Davidson | X | | | Mr. Foster | X | | |
| Mr. Rose | | X | | Mrs. Beatty | X | | |
| Mr. Steil | X | | | Mr. Vargas | X | | |
| Mr. Timmons | X | | | Mr. Gottheimer | X | | |
| Mr. Stutzman | X | | | Mr. Gonzalez | X | | |
| Mr. Norman | | X | | Mr. Casten | X | | |
| Mr. Meuser | X | | | Ms. Pressley | X | | |
| Mrs. Kim | X | | | Ms. Tlaib | X | | |
| Mr. Donalds | X | | | Mr. Torres (NY) | X | | |
| Mr. Garbarino | X | | | Ms. Garcia (TX) | X | | |
| Mr. Fitzgerald | X | | | Ms. Williams of GA | X | | |
| Mr. Flood | X | | | Ms. Pettersen | X | | |
| Mr. Lawler | X | | | Mr. Fields | X | | |
| Ms. De La Cruz | X | | | Ms. Bynum | X | | |
| Mr. Ogles | | | X | Mr. Liccardo | X | | |
| Mr. Nunn | X | | | | | | |
| Mrs. McClain | X | | | | | | |
| Ms. Salazar | X | | | | | | |
| Mr. Downing | X | | | | | | |
| Mr. Haridopolos | X | | | | | | |
| Mr. Moore (NC) | X | | | | | | |
| | 27 | 2 | 1 | | 24 | 0 | 0 |

Committee Totals:

| | | |
|-----------|----------|------------|
| 51 | 2 | 1 |
| Yeas | Nays | Not Voting |

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c) of rule XIII of the Rules of the House of Representatives, the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives are incorporated in the descriptive portions of this report.

PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the goal of H.R. 7128 is to extend and improve the government's private-sector insured terrorism loss risk sharing plan created by the Terrorism Risk Insurance Act of 2002.

COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 7128. The Committee has requested but not received a cost estimate from the Director of the Congressional Budget Office. However, pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee will adopt as its own the cost estimate by the Director of the Congressional Budget Office once it has been prepared.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the *Congressional Budget Act of 1974* and with respect to requirements of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee will adopt as its own the cost estimate for the bill prepared by the Director of the Congressional Budget Office. However, a cost estimate was not made available to the Committee in time for the filing of this report. The Chairman of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

UNFUNDED MANDATES STATEMENT

The Committee has requested but not received from the Director of the Congressional Budget Office an estimate of the Federal mandates pursuant to section 423 of the *Unfunded Mandates Reform Act*. The Chairman of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

EARMARK STATEMENT

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of rule XXI.

FEDERAL ADVISORY COMMITTEE ACT STATEMENT

No advisory committees within the meaning of section 5(b) of the *Federal Advisory Committee Act* were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the *Congressional Accountability Act*.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that no provision of the bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of the Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

Section 1 provides the short title is the “TRIA Program Reauthorization Act of 2026”.

Section 2. Extension

Section 2 extends the authorization period for the program from 2027 through the end of 2034.

Section 3. Improvements to certification process

Section 3 increases the minimum threshold for certification of an act of terrorism from \$5 million to \$10 million in 2029. It also codifies the existing regulation that the Secretary shall, not later than 30 days after beginning the process of determining whether to certify an act as an act of terrorism, publish a notice in the Federal Register that informs the public such a process has begun. Additionally, it requires that any final decision to certify an act must be made within 90 days of that public notice.

Section 4 Technical amendments

Section 4 updates the dates for the timing of mandatory recoupment that, if the Secretary is required to collect terrorism loss risk-spreading premiums under the Act, by which such payments must be received. It also adjusts previous references in statute to the “Terrorism Insurance Program” to correctly read as the “Terrorism Risk Insurance Program.”

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics,

and existing law in which no change is proposed is shown in roman):

TERRORISM RISK INSURANCE ACT OF 2002

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Terrorism Risk Insurance Act of 2002”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—~~[TERRORISM INSURANCE PROGRAM]~~ *TERRORISM RISK INSURANCE PROGRAM*

* * * * *

Sec. 103. ~~[Terrorism Insurance Program]~~ *Terrorism Risk Insurance Program.*

* * * * *

TITLE I—~~[TERRORISM INSURANCE PROGRAM]~~ *TERRORISM RISK INSURANCE PROGRAM*

* * * * *

SEC. 102. DEFINITIONS.

In this title, the following definitions shall apply:

(1) **ACT OF TERRORISM.**—

(A) **CERTIFICATION.**—The term “act of terrorism” means any act that is certified by the Secretary, in consultation with the Secretary of Homeland Security, and the Attorney General of the United States—

- (i) to be an act of terrorism;
- (ii) to be a violent act or an act that is dangerous to—

- (I) human life;
- (II) property; or
- (III) infrastructure;

(iii) to have resulted in damage within the United States, or outside of the United States in the case of—

- (I) an air carrier or vessel described in paragraph (5)(B); or
- (II) the premises of a United States mission; and

(iv) to have been committed by an individual or individuals, as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

(B) **LIMITATION.**—No act shall be certified by the Secretary as an act of terrorism if—

- (i) the act is committed as part of the course of a war declared by the Congress, except that this clause shall not apply with respect to any coverage for workers’ compensation; **[or]**

(ii) property and casualty insurance losses resulting from the act, in the aggregate, do not **【exceed \$5,000,000.】** exceed—

(I) with respect to an act that occurred in a year before 2029, \$5,000,000; and

(II) with respect to an act that occurred in 2029, or any year thereafter, \$10,000,000; or

(iii) the Secretary did not certify such act as an act of terrorism before the expiration of the 90-day period following the publication of a notice in the Federal Register under subparagraph (D)(i).

(C) DETERMINATIONS FINAL.—Any certification of, or determination not to certify, an act as an act of terrorism under this paragraph shall be final, and shall not be subject to judicial review.

【(D) TIMING OF CERTIFICATION.—Not later than 9 months after the report required under section 107 of the Terrorism Risk Insurance Program Reauthorization Act of 2015 is submitted to the appropriate committees of Congress, the Secretary shall issue final rules governing the certification process, including establishing a timeline for which an act is eligible for certification by the Secretary on whether an act is an act of terrorism under this paragraph.】

(D) NOTICE REQUIREMENTS.—

(i) IN GENERAL.—The Secretary shall, not later than 30 days after beginning the process of determining whether to certify an act as an act of terrorism, publish a notice in the Federal Register that informs the public that the Secretary is in the process of determining whether to certify the act as an act of terrorism.

(ii) ADDITIONAL NOTICE PERMITTED.—The Secretary may, as the Secretary determines appropriate, notify the public, through publication in the Federal Register, or otherwise, that an act is not being evaluated by the Secretary to determine whether it should be certified as an act of terrorism.

(E) NONDELEGATION.—The Secretary may not delegate or designate to any other officer, employee, or person, any determination under this paragraph of whether, during the effective period of the Program, an act of terrorism has occurred.

(2) AFFILIATE.—The term “affiliate” means, with respect to an insurer, any entity that controls, is controlled by, or is under common control with the insurer.

(3) CONTROL.—

(A) IN GENERAL.—An entity has “control” over another entity, if—

(i) the entity directly or indirectly or acting through 1 or more other persons owns, controls, or has power to vote 25 percent or more of any class of voting securities of the other entity;

(ii) the entity controls in any manner the election of a majority of the directors or trustees of the other entity; or

(iii) the Secretary determines, after notice and opportunity for hearing, that the entity directly or indirectly exercises a controlling influence over the management or policies of the other entity.

(B) RULE OF CONSTRUCTION.—An entity, including any affiliate thereof, does not have “control” over another entity, if, as of the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2015, the entity is acting as an attorney-in-fact, as defined by the Secretary, for the other entity and such other entity is a reciprocal insurer, provided that the entity is not, for reasons other than the attorney-in-fact relationship, defined as having “control” under subparagraph (A).

(4) DIRECT EARNED PREMIUM.—The term “direct earned premium” means a direct earned premium for property and casualty insurance issued by any insurer for insurance against losses occurring at the locations described in subparagraphs (A) and (B) of paragraph (5).

(5) INSURED LOSS.—The term “insured loss” means any loss resulting from an act of terrorism (including an act of war, in the case of workers’ compensation) that is covered by primary or excess property and casualty insurance issued by an insurer if such loss—

(A) occurs within the United States; or

(B) occurs to an air carrier (as defined in section 40102 of title 49, United States Code), to a United States flag vessel (or a vessel based principally in the United States, on which United States income tax is paid and whose insurance coverage is subject to regulation in the United States), regardless of where the loss occurs, or at the premises of any United States mission.

(6) INSURER.—The term “insurer” means any entity, including any affiliate thereof—

(A) that is—

(i) licensed or admitted to engage in the business of providing primary or excess insurance in any State;

(ii) not licensed or admitted as described in clause (i), if it is an eligible surplus line carrier listed on the Quarterly Listing of Alien Insurers of the NAIC, or any successor thereto;

(iii) approved for the purpose of offering property and casualty insurance by a Federal agency in connection with maritime, energy, or aviation activity;

(iv) a State residual market insurance entity or State workers’ compensation fund; or

(v) any other entity described in section 103(f), to the extent provided in the rules of the Secretary issued under section 103(f);

(B) that receives direct earned premiums for any type of commercial property and casualty insurance coverage, other than in the case of entities described in sections 103(d) and 103(f); and

(C) that meets any other criteria that the Secretary may reasonably prescribe.

(7) INSURER DEDUCTIBLE.—The term “insurer deductible” means—

(A) the value of an insurer’s direct earned premiums during the immediately preceding calendar year, multiplied by 20 percent; and

(B) notwithstanding subparagraph (A), for any calendar year, if an insurer has not had a full year of operations during the calendar year immediately preceding such calendar year, such portion of the direct earned premiums of the insurer as the Secretary determines appropriate, subject to appropriate methodologies established by the Secretary for measuring such direct earned premiums.

(8) NAIC.—The term “NAIC” means the National Association of Insurance Commissioners.

(9) PERSON.—The term “person” means any individual, business or nonprofit entity (including those organized in the form of a partnership, limited liability company, corporation, or association), trust or estate, or a State or political subdivision of a State or other governmental unit.

(10) PROGRAM.—The term “Program” means the **【Terrorism Insurance Program】** *Terrorism Risk Insurance Program* established by this title.

(11) PROPERTY AND CASUALTY INSURANCE.—The term “property and casualty insurance”—

(A) means commercial lines of property and casualty insurance, including excess insurance, workers’ compensation insurance, and directors and officers liability insurance; and

(B) does not include—

(i) Federal crop insurance issued or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), or any other type of crop or livestock insurance that is privately issued or reinsured;

(ii) private mortgage insurance (as that term is defined in section 2 of the Homeowners Protection Act of 1998 (12 U.S.C. 4901)) or title insurance;

(iii) financial guaranty insurance issued by monoline financial guaranty insurance corporations;

(iv) insurance for medical malpractice;

(v) health or life insurance, including group life insurance;

(vi) flood insurance provided under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.);

(vii) reinsurance or retrocessional reinsurance;

(viii) commercial automobile insurance;

(ix) burglary and theft insurance;

(x) surety insurance;

(xi) professional liability insurance; or

(xii) farm owners multiple peril insurance.

(12) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(13) STATE.—The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, each of the United States Vir-

gin Islands, and any territory or possession of the United States.

(14) UNITED STATES.—The term “United States” means the several States, and includes the territorial sea and the continental shelf of the United States, as those terms are defined in the Violent Crime Control and Law Enforcement Act of 1994 (18 U.S.C. 2280, 2281).

(15) RULE OF CONSTRUCTION FOR DATES.—With respect to any reference to a date in this title, such day shall be construed—

- (A) to begin at 12:01 a.m. on that date; and
- (B) to end at midnight on that date.

SEC. 103. [TERRORISM INSURANCE PROGRAM] TERRORISM RISK INSURANCE PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—There is established in the Department of the Treasury the [Terrorism Insurance Program] *Terrorism Risk Insurance Program*.

(2) AUTHORITY OF THE SECRETARY.—Notwithstanding any other provision of State or Federal law, the Secretary shall administer the Program, and shall pay the Federal share of compensation for insured losses in accordance with subsection (e).

(3) MANDATORY PARTICIPATION.—Each entity that meets the definition of an insurer under this title shall participate in the Program.

(b) CONDITIONS FOR FEDERAL PAYMENTS.—No payment may be made by the Secretary under this section with respect to an insured loss that is covered by an insurer, unless—

(1) the person that suffers the insured loss, or a person acting on behalf of that person, files a claim with the insurer;

(2) the insurer provides clear and conspicuous disclosure to the policyholder of the premium charged for insured losses covered by the Program and the Federal share of compensation for insured losses under the Program—

(A) in the case of any policy that is issued before the date of enactment of this Act, not later than 90 days after that date of enactment;

(B) in the case of any policy that is issued within 90 days of the date of enactment of this Act, at the time of offer and renewal of the policy; and

(C) in the case of any policy that is issued more than 90 days after the date of enactment of this Act, on a separate line item in the policy, at the time of offer and renewal of the policy;

(3) in the case of any policy that is issued after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the insurer provides clear and conspicuous disclosure to the policyholder of the existence of the \$100,000,000,000 cap under subsection (e)(2), at the time of offer, purchase, and renewal of the policy;

(4) the insurer processes the claim for the insured loss in accordance with appropriate business practices, and any reasonable procedures that the Secretary may prescribe; and

(5) the insurer submits to the Secretary, in accordance with such reasonable procedures as the Secretary may establish—

- (A) a claim for payment of the Federal share of compensation for insured losses under the Program;
 - (B) written certification—
 - (i) of the underlying claim; and
 - (ii) of all payments made for insured losses; and
 - (C) certification of its compliance with the provisions of this subsection.
- (c) MANDATORY AVAILABILITY.—During each calendar year, each entity that meets the definition of an insurer under section 102—
- (1) shall make available, in all of its property and casualty insurance policies, coverage for insured losses; and
 - (2) shall make available property and casualty insurance coverage for insured losses that does not differ materially from the terms, amounts, and other coverage limitations applicable to losses arising from events other than acts of terrorism.
- (d) STATE RESIDUAL MARKET INSURANCE ENTITIES.—
- (1) IN GENERAL.—The Secretary shall issue regulations, as soon as practicable after the date of enactment of this Act, that apply the provisions of this title to State residual market insurance entities and State workers' compensation funds.
 - (2) TREATMENT OF CERTAIN ENTITIES.—For purposes of the regulations issued pursuant to paragraph (1)—
 - (A) a State residual market insurance entity that does not share its profits and losses with private sector insurers shall be treated as a separate insurer; and
 - (B) a State residual market insurance entity that shares its profits and losses with private sector insurers shall not be treated as a separate insurer, and shall report to each private sector insurance participant its share of the insured losses of the entity, which shall be included in each private sector insurer's insured losses.
 - (3) TREATMENT OF PARTICIPATION IN CERTAIN ENTITIES.—Any insurer that participates in sharing profits and losses of a State residual market insurance entity shall include in its calculations of premiums any premiums distributed to the insurer by the State residual market insurance entity.
- (e) INSURED LOSS SHARED COMPENSATION.—
- (1) FEDERAL SHARE.—
 - (A) IN GENERAL.—The Federal share of compensation under the Program to be paid by the Secretary for insured losses of an insurer during each calendar year shall be equal to 85 percent and beginning on January 1, 2016, shall decrease by 1 percentage point per calendar year until equal to 80 percent of that portion of the amount of such insured losses that exceeds the applicable insurer deductible required to be paid during such calendar year.
 - (B) PROGRAM TRIGGER.—In the case of certified acts of terrorism occurring after March 31, 2006, no compensation shall be paid by the Secretary under subsection (a), unless the aggregate industry insured losses resulting from such certified acts of terrorism exceed—
 - (i) \$100,000,000, with respect to such insured losses occurring in calendar year 2015;
 - (ii) \$120,000,000, with respect to such insured losses occurring in calendar year 2016;

- (iii) \$140,000,000, with respect to such insured losses occurring in calendar year 2017;
- (iv) \$160,000,000, with respect to such insured losses occurring in calendar year 2018;
- (v) \$180,000,000, with respect to such insured losses occurring in calendar year 2019; and
- (vi) \$200,000,000, with respect to such insured losses occurring in calendar year 2020 and any calendar year thereafter.

(C) PROHIBITION ON DUPLICATIVE COMPENSATION.—The Federal share of compensation for insured losses under the Program shall be reduced by the amount of compensation provided by the Federal Government to any person under any other Federal program for those insured losses.

(2) CAP ON ANNUAL LIABILITY.—

(A) IN GENERAL.—Notwithstanding paragraph (1) or any other provision of Federal or State law, if the aggregate insured losses exceed \$100,000,000,000, during a calendar year—

- (i) the Secretary shall not make any payment under this title for any portion of the amount of such losses that exceeds \$100,000,000,000; and
- (ii) no insurer that has met its insurer deductible shall be liable for the payment of any portion of the amount of such losses that exceeds \$100,000,000,000.

(B) INSURER SHARE.—

(i) IN GENERAL.—For purposes of subparagraph (A), the Secretary shall determine the pro rata share of insured losses to be paid by each insurer that incurs insured losses under the Program, except that, notwithstanding paragraph (1) or any other provision of Federal or State law, no insurer may be required to make any payment for insured losses in excess of its deductible under section 102(7) combined with its share of insured losses under paragraph (1)(A) of this subsection.

(ii) REGULATIONS.—Not later than 240 days after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Secretary shall issue final regulations for determining the pro rata share of insured losses under the Program when insured losses exceed \$100,000,000,000, in accordance with clause (i).

(iii) REPORT TO CONGRESS.—Not later than 120 days after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Secretary shall provide a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing the process to be used by the Secretary for determining the allocation of pro rata payments for insured losses under the Program when such losses exceed \$100,000,000,000.

(3) NOTICE TO CONGRESS.—The Secretary shall notify the Congress if estimated or actual aggregate insured losses exceed

\$100,000,000,000 during any calendar year. The Secretary shall provide an initial notice to Congress not later than 15 days after the date of an act of terrorism, stating whether the Secretary estimates that aggregate insured losses will exceed \$100,000,000,000.

(4) FINAL NETTING.—The Secretary shall have sole discretion to determine the time at which claims relating to any insured loss or act of terrorism shall become final.

(5) DETERMINATIONS FINAL.—Any determination of the Secretary under this subsection shall be final, unless expressly provided, and shall not be subject to judicial review.

(6) INSURANCE MARKETPLACE AGGREGATE RETENTION AMOUNT.—

(A) IN GENERAL.—For purposes of paragraph (7), the insurance marketplace aggregate retention amount shall be the lesser of—

(i) \$27,500,000,000, as such amount is revised pursuant to this paragraph; and

(ii) the aggregate amount, for all insurers, of insured losses during such calendar year.

(B) REVISION OF INSURANCE MARKETPLACE AGGREGATE RETENTION AMOUNT.—

(i) PHASE-IN.—Beginning in the calendar year of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2015, the amount set forth under subparagraph (A)(i) shall increase by \$2,000,000,000 per calendar year until equal to \$37,500,000,000.

(ii) FURTHER REVISION.—Beginning in the calendar year that follows the calendar year in which the amount set forth under subparagraph (A)(i) is equal to \$37,500,000,000, the amount under subparagraph (A)(i) shall be revised to be the amount equal to the annual average of the sum of insurer deductibles for all insurers participating in the Program for the prior 3 calendar years, as such sum is determined by the Secretary under subparagraph (C).

(C) RULEMAKING.—Not later than 3 years after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2015, the Secretary shall—

(i) issue final rules for determining the amount of the sum described under subparagraph (B)(ii); and

(ii) provide a timeline for public notification of such determination.

(7) RECOUPMENT OF FEDERAL SHARE.—

(A) MANDATORY RECOUPMENT AMOUNT.—For purposes of this paragraph, the mandatory recoupment amount shall be the difference between—

(i) the insurance marketplace aggregate retention amount under paragraph (6); and

(ii) the aggregate amount, for all insurers, of insured losses during such period that are not compensated by the Federal Government because such losses—

(I) are within the insurer deductible for the insurer subject to the losses; or

(II) are within the portion of losses of the insurer that exceed the insurer deductible, but are not compensated pursuant to paragraph (1).

(B) [Reserved.]

(C) MANDATORY ESTABLISHMENT OF SURCHARGES TO RECOUP MANDATORY RECOUPMENT AMOUNT.—The Secretary shall collect, for repayment of the Federal financial assistance provided in connection with all acts of terrorism (or acts of war, in the case of workers compensation), terrorism loss risk-spreading premiums in an amount equal to 140 percent of any mandatory recoupment amount as calculated under subparagraph (A) for such period.

(D) DISCRETIONARY RECOUPMENT OF REMAINDER OF FINANCIAL ASSISTANCE.—To the extent that the amount of Federal financial assistance provided exceeds any mandatory recoupment amount, the Secretary may recoup, through terrorism loss risk-spreading premiums, such additional amounts that the Secretary believes can be recouped, based on—

(i) the ultimate costs to taxpayers of no additional recoupment;

(ii) the economic conditions in the commercial marketplace, including the capitalization, profitability, and investment returns of the insurance industry and the current cycle of the insurance markets;

(iii) the affordability of commercial insurance for small- and medium-sized businesses; and

(iv) such other factors as the Secretary considers appropriate.

(E) TIMING OF MANDATORY RECOUPMENT.—

(i) IN GENERAL.—If the Secretary is required to collect terrorism loss risk-spreading premiums under subparagraph (C)—

(I) for any act of terrorism that occurs on or before December 31, [2022] 2029, the Secretary shall collect all required premiums by September 30, [2024] 2031;

(II) for any act of terrorism that occurs between January 1 and December 31, [2023] 2030, the Secretary shall collect 35 percent of any required premiums by September 30, [2024] 2031, and the remainder by September 30, [2029] 2036; and

(III) for any act of terrorism that occurs on or after January 1, [2024] 2031, the Secretary shall collect all required premiums by September 30, [2029] 2036.

(ii) REGULATIONS REQUIRED.—Not later than 180 days after the date of enactment of this subparagraph, the Secretary shall issue regulations describing the procedures to be used for collecting the required premiums in the time periods referred to in clause (i).

(F) NOTICE OF ESTIMATED LOSSES.—Not later than 90 days after the date of an act of terrorism, the Secretary shall publish an estimate of aggregate insured losses, which shall be used as the basis for determining whether

mandatory recoupment will be required under this paragraph. Such estimate shall be updated as appropriate, and at least annually.

(8) POLICY SURCHARGE FOR TERRORISM LOSS RISK-SPREADING PREMIUMS.—

(A) POLICYHOLDER PREMIUM.—Any amount established by the Secretary as a terrorism loss risk-spreading premium shall—

(i) be imposed as a policyholder premium surcharge on property and casualty insurance policies in force after the date of such establishment;

(ii) begin with such period of coverage during the year as the Secretary determines appropriate; and

(iii) be based on a percentage of the premium amount charged for property and casualty insurance coverage under the policy.

(B) COLLECTION.—The Secretary shall provide for insurers to collect terrorism loss risk-spreading premiums and remit such amounts collected to the Secretary.

(C) PERCENTAGE LIMITATION.—A terrorism loss risk-spreading premium collected on a discretionary basis pursuant to paragraph (7)(D) may not exceed, on an annual basis, the amount equal to 3 percent of the premium charged for property and casualty insurance coverage under the policy.

(D) ADJUSTMENT FOR URBAN AND SMALLER COMMERCIAL AND RURAL AREAS AND DIFFERENT LINES OF INSURANCE.—

(i) ADJUSTMENTS.—In determining the method and manner of imposing terrorism loss risk-spreading premiums, including the amount of such premiums, the Secretary shall take into consideration—

(I) the economic impact on commercial centers of urban areas, including the effect on commercial rents and commercial insurance premiums, particularly rents and premiums charged to small businesses, and the availability of lease space and commercial insurance within urban areas;

(II) the risk factors related to rural areas and smaller commercial centers, including the potential exposure to loss and the likely magnitude of such loss, as well as any resulting cross-subsidization that might result; and

(III) the various exposures to terrorism risk for different lines of insurance.

(ii) RECOUPMENT OF ADJUSTMENTS.—Any mandatory recoupment amounts not collected by the Secretary because of adjustments under this subparagraph shall be recouped through additional terrorism loss risk-spreading premiums, in accordance with the timing requirements of paragraph (7)(E).

(E) TIMING OF PREMIUMS.—The Secretary may adjust the timing of terrorism loss risk-spreading premiums to provide for equivalent application of the provisions of this title to policies that are not based on a calendar year, or to

apply such provisions on a daily, monthly, or quarterly basis, as appropriate.

(f) CAPTIVE INSURERS AND OTHER SELF-INSURANCE ARRANGEMENTS.—The Secretary may, in consultation with the NAIC or the appropriate State regulatory authority, apply the provisions of this title, as appropriate, to other classes or types of captive insurers and other self-insurance arrangements by municipalities and other entities (such as workers' compensation self-insurance programs and State workers' compensation reinsurance pools), but only if such application is determined before the occurrence of an act of terrorism in which such an entity incurs an insured loss and all of the provisions of this title are applied comparably to such entities.

(g) REINSURANCE TO COVER EXPOSURE.—

(1) OBTAINING COVERAGE.—This title may not be construed to limit or prevent insurers from obtaining reinsurance coverage for insurer deductibles or insured losses retained by insurers pursuant to this section, nor shall the obtaining of such coverage affect the calculation of such deductibles or retentions.

(2) LIMITATION ON FINANCIAL ASSISTANCE.—The amount of financial assistance provided pursuant to this section shall not be reduced by reinsurance paid or payable to an insurer from other sources, except that recoveries from such other sources, taken together with financial assistance for the calendar year provided pursuant to this section, may not exceed the aggregate amount of the insurer's insured losses for the calendar year. If such recoveries and financial assistance for the calendar year exceed such aggregate amount of insured losses for the calendar year and there is no agreement between the insurer and any reinsurer to the contrary, an amount in excess of such aggregate insured losses shall be returned to the Secretary.

(h) GROUP LIFE INSURANCE STUDY.—

(1) STUDY.—The Secretary shall study, on an expedited basis, whether adequate and affordable catastrophe reinsurance for acts of terrorism is available to life insurers in the United States that issue group life insurance, and the extent to which the threat of terrorism is reducing the availability of group life insurance coverage for consumers in the United States.

(2) CONDITIONAL COVERAGE.—To the extent that the Secretary determines that such coverage is not or will not be reasonably available to both such insurers and consumers, the Secretary shall, in consultation with the NAIC—

(A) apply the provisions of this title, as appropriate, to providers of group life insurance; and

(B) provide such restrictions, limitations, or conditions with respect to any financial assistance provided that the Secretary deems appropriate, based on the study under paragraph (1).

(i) STUDY AND REPORT.—

(1) STUDY.—The Secretary, after consultation with the NAIC, representatives of the insurance industry, and other experts in the insurance field, shall conduct a study of the potential ef-

fects of acts of terrorism on the availability of life insurance and other lines of insurance coverage, including personal lines.

(2) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary shall submit a report to the Congress on the results of the study conducted under paragraph (1).

* * * * *

SEC. 108. TERMINATION OF PROGRAM.

(a) TERMINATION OF PROGRAM.—The Program shall terminate on December 31, ~~2027~~ 2034.

(b) CONTINUING AUTHORITY TO PAY OR ADJUST COMPENSATION.—Following the termination of the Program, the Secretary may take such actions as may be necessary to ensure payment, recoupment, reimbursement, or adjustment of compensation for insured losses arising out of any act of terrorism occurring during the period in which the Program was in effect under this title, in accordance with the provisions of section 103 and regulations promulgated thereunder.

(c) REPEAL; SAVINGS CLAUSE.—This title is repealed on the final termination date of the Program under subsection (a), except that such repeal shall not be construed—

(1) to prevent the Secretary from taking, or causing to be taken, such actions under subsection (b) of this section, paragraph (4), (5), (6), (7), or (8) of section 103(e), or subsection (a)(1), (c), (d), or (e) of section 104, as in effect on the day before the date of such repeal, or applicable regulations promulgated thereunder, during any period in which the authority of the Secretary under subsection (b) of this section is in effect; or

(2) to prevent the availability of funding under section 104(g) during any period in which the authority of the Secretary under subsection (b) of this section is in effect.

(d) STUDY AND REPORT ON THE PROGRAM.—

(1) STUDY.—The Secretary, in consultation with the NAIC, representatives of the insurance industry and of policy holders, other experts in the insurance field, and other experts as needed, shall assess the effectiveness of the Program and the likely capacity of the property and casualty insurance industry to offer insurance for terrorism risk after termination of the Program, and the availability and affordability of such insurance for various policyholders, including railroads, trucking, and public transit.

(2) REPORT.—The Secretary shall submit a report to the Congress on the results of the study conducted under paragraph (1) not later than June 30, 2005.

(e) ANALYSIS OF MARKET CONDITIONS FOR TERRORISM RISK INSURANCE.—

(1) IN GENERAL.—The President's Working Group on Financial Markets, in consultation with the National Association of Insurance Commissioners, representatives of the insurance industry, representatives of the securities industry, and representatives of policy holders, shall perform an ongoing analysis regarding the long-term availability and affordability of insurance for terrorism risk.

(2) REPORT.—Not later than September 30, 2006, and thereafter in 2010 and 2013, the President’s Working Group on Financial Markets shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on its findings pursuant to the analysis conducted under paragraph (1).

(f) INSURANCE FOR NUCLEAR, BIOLOGICAL, CHEMICAL, AND RADIOLOGICAL TERRORIST EVENTS.—

(1) STUDY.—The Comptroller General of the United States shall examine—

(A) the availability and affordability of insurance coverage for losses caused by terrorist attacks involving nuclear, biological, chemical, or radiological materials;

(B) the outlook for such coverage in the future; and

(C) the capacity of private insurers and State workers compensation funds to manage risk associated with nuclear, biological, chemical, and radiological terrorist events.

(2) REPORT.—Not later than 1 year after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Comptroller General shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing a detailed statement of the findings under paragraph (1), and recommendations for any legislative, regulatory, administrative, or other actions at the Federal, State, or local levels that the Comptroller General considers appropriate to expand the availability and affordability of insurance for nuclear, biological, chemical, or radiological terrorist events.

(g) AVAILABILITY AND AFFORDABILITY OF TERRORISM INSURANCE IN SPECIFIC MARKETS.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to determine whether there are specific markets in the United States where there are unique capacity constraints on the amount of terrorism risk insurance available.

(2) ELEMENTS OF STUDY.—The study required by paragraph (1) shall contain—

(A) an analysis of both insurance and reinsurance capacity in specific markets, including pricing and coverage limits in existing policies;

(B) an assessment of the factors contributing to any capacity constraints that are identified; and

(C) recommendations for addressing those capacity constraints.

(3) REPORT.—Not later than 180 days after the date of enactment of the Terrorism Risk Insurance Program Reauthorization Act of 2007, the Comptroller General shall submit a report on the study required by paragraph (1) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(h) STUDY OF SMALL INSURER MARKET COMPETITIVENESS.—

(1) IN GENERAL.—Not later than June 30, 2017, and every other June 30 thereafter, the Secretary shall conduct a study of small insurers (as such term is defined by regulation by the Secretary) participating in the Program, and identify any competitive challenges small insurers face in the terrorism risk insurance marketplace, including—

(A) changes to the market share, premium volume, and policyholder surplus of small insurers relative to large insurers;

(B) how the property and casualty insurance market for terrorism risk differs between small and large insurers, and whether such a difference exists within other perils;

(C) the impact of the Program’s mandatory availability requirement under section 103(c) on small insurers;

(D) the effect of increasing the trigger amount for the Program under section 103(e)(1)(B) on small insurers;

(E) the availability and cost of private reinsurance for small insurers; and

(F) the impact that State workers compensation laws have on small insurers and workers compensation carriers in the terrorism risk insurance marketplace.

(2) REPORT.—The Secretary shall submit a report to the Congress setting forth the findings and conclusions of each study required under paragraph (1).

* * * * *

DOCUMENTS INCLUDED BY UNANIMOUS CONSENT



Kirsten Sutton
Executive Vice President
Congressional Relations & Legislative Affairs
202-663-5356
ksutton@aba.com

January 21, 2026

Chairman Mike Flood
U.S. House of Representatives
343 Cannon House Office Building
Washington, DC 20515

Chairman Andrew Garbarino
U.S. House of Representatives
2344 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Flood and Chairman Garbarino:

The American Bankers Association (ABA)¹ writes today in support of H.R. 7128, the TRIA Program Reauthorization Act of 2026. Since the program's inception in 2002, the ABA has encouraged the program's continuous reauthorization as the best method for ensuring the availability of commercial insurance policies in U.S. markets.

In the wake of the September 2001 terrorist attacks, when reinsurers and primary insurers abandoned the terrorism risk insurance marketplace, the Terrorism Risk Insurance Program (TRIPRA) proved critical in stabilizing those markets. This critical legislation allows commercial building owners to secure affordable and comprehensive insurance coverage and is one of the reasons our economy has avoided a commercial credit availability crisis. Commercial real estate markets and the lenders that serve them value contractual certainty, and predictable and affordable terrorism coverage enhances that certainty to the benefit of policyholders and lenders alike.

Past TRIA reauthorizations have benefited from strong bipartisan support, and the last reauthorization passed the House Financial Services Committee unanimously. We encourage all Committee members to provide predictability to the market by unanimously supporting this long-term reauthorization.

Sincerely,

A handwritten signature in cursive script that reads 'Kirsten Sutton'.

¹ The American Bankers Association is the voice of the nation's \$25.1 trillion banking industry, which is composed of small, regional and large banks that together employ over 2 million people, safeguard \$19.7 trillion in deposits and extend \$13.2 trillion in loans.



January 21, 2026

The Honorable French Hill
 Chairman
 Committee on Financial Services
 U.S. House of Representatives
 Washington, DC 20515

The Honorable Maxine Waters
 Ranking Member
 Committee on Financial Services
 U.S. House of Representatives
 Washington, DC 20515

Dear Chairman Hill and Ranking Member Waters:

The Council of Insurance Agents and Brokers (The Council) appreciates the opportunity to express our support for H.R. 7128, the TRIA Program Reauthorization Act, which would extend the Terrorism Risk Insurance Program until December 31, 2034. We applaud the Committee's timely action to advance the Amendment in Nature of a Substitute for markup.

By way of background, The Council represents the largest and most successful property/casualty and employee benefits agencies and brokerage firms. Council member firms annually place more than \$300 billion in commercial insurance business in the United States and abroad, conduct business in some 30,000 locations, and employ upwards of 350,000 people worldwide. In addition, Council member firms specialize in a wide range of insurance products and risk management services for business, industry, government, and the public.

We commend the Committee for recognizing TRIA's pivotal role in maintaining a stable and functioning terrorism insurance risk marketplace. The seven-year reauthorization will provide long-term stability for the Program and the private market, and by acting now, the Committee will provide certainty for the commercial clients of our member firms and minimize market disruptions associated with last-minute reauthorizations.

The Council thanks you for your leadership on this critical legislation and looks forward to working with you as it moves through the legislative process. We urge all members of the House Committee on Financial Services to support this important measure.

Sincerely,

Joel Wood
 President/Chief Executive Officer
 The Council of Insurance Agents and Brokers
 701 Pennsylvania Avenue NW, Suite 750
 Washington, DC 20004

cc: Members of the House Committee on Financial Services



Contact: Eileen Gilligan

Email: eileen.gilligan@apci.org

Phone: 202-828-7142

FOR RELEASE ON RECEIPT

January 21, 2026

APCIA Supports Continued Consideration of the TRIA Program Reauthorization Act of 2026

WASHINGTON – The American Property Casualty Insurance Association (APCIA) released the following statement in support of continued consideration of the TRIA Program Reauthorization Act of 2026. The following statement may be attributed to Sam Whitfield, APCIA’s senior vice president of federal government relations and political engagement.

“APCIA supports the House Financial Services Committee’s consideration of H.R. 7128, the TRIA Program Reauthorization Act, which would extend the Terrorism Risk Insurance Program for 7 years and preserve the program’s vital economic protection against acts of terrorism that so many companies rely on. We appreciate that the Committee is acting early in the process. By moving now, it helps prevent the uncertainty and confusion that would occur if Congress waited until 2027. We thank Chairman Hill, Ranking Member Waters, Subcommittee Chair Flood, Subcommittee Ranking Member Cleaver, and Congressman Garbarino for their leadership on this critical legislation. We urge the Committee to pass H.R. 7128 and look forward to working with lawmakers to perfect the bill as it moves through the legislative process.”

The American Property Casualty Insurance Association (APCIA) is the primary national trade association for home, auto, and business insurers. APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers, with a legacy dating back 150 years. APCIA members represent all sizes, structures, and regions—protecting families, communities, and businesses in the U.S. and across the globe.

###



Contact Us

GOVT@BOMA.org
1101 15th Street NW
Suite 800
Washington, DC 20005
Phone: 202-326-6300
Fax: 202-326-6377

BOMA Leadership

Chair & Chief Elected Officer

Luci Smith
BOMA Fellow, RPA®, FMA®
Link Logistics
Orlando, FL

Chair-Elect

Kjersten Jaeb
RPA®, LEEDGA
UnitedHealth Group
Minneapolis, MN

Vice Chair

Glen Good
BOMA Fellow, FMA®, RPA®,
LEEDGA
The Good Group
San Francisco, CA

Secretary/Treasurer

Don Fairgrieve-Park
BOMA Fellow, RPA®
QuadReal Property Group
Vancouver, BC

Immediate Past Chair & CEO

Manuel Moreno
BOMA Fellow
PJM Commercial, Inc.
Pleasanton, CA

President and COO

Mary Lee Peck

BOMA 2026

BOMA International
Conference & Expo
June 27-30, 2026
Long Beach
Convention &
Entertainment Center
Long Beach, CA

January 21, 2026

Chairman French Hill
Ranking Member Maxine Waters
House Financial Services Committee
2129 Rayburn House Office Building
Washington, D.C. 20515

Chairman Tim Scott
Ranking Member Elizabeth Warner
Senate Banking, Housing and Urban Affairs Committee
534 Dirksen Senate Office Building
Washington, D.C. 20510

Re: BOMA Supports the TRIA Program Reauthorization Act (HR 7128)

Dear Chairmen Hill and Scott, and Ranking Members Waters and Warren:

With the Second Session of the 119th Congress now underway, the 18,000+ members of the Building Owners and Managers Association (BOMA) International respectfully urge you to advance the TRIA Program Reauthorization Act (HR 7128) in 2026.

BOMA is encouraged by and is appreciative of the introduction of the TRIA Program Reauthorization Act (HR 7128), by Congressmen Mike Flood (R-NE) and Andrew Garbarino (R-NY) and its consideration at a House Financial Services Committee Mark-Up scheduled for January 22. The bill, while making minor changes to the program, would reauthorize the program through 2034, achieving the long-term certainty our members need to operate and plan for the future.

Reauthorization of TRIA is important for many reasons, but the threat of terrorism and economic volatility top the list of reauthorization concerns. Nearly 25 years following 9/11, the United States and its citizens continue to face credible terrorist threats, evidenced by the FBI's recent announcements of three foiled attacks¹ planned for Michigan, Southern California and North Carolina within the last 90 days. The suspects arrested in the various incidents planned on targeting government and military entities, logistics centers, grocery stores, restaurants, bars, clubs, and crowded public venues. These persistent risks underscore the importance of maintaining TRIA as a critical safety net should future attacks go undetected.

Equally as pressing are the economic consequences attributed to not reauthorizing TRIA in a timely fashion. TRIA is essential for ongoing investment, development, and economic activity. For many building owners and managers across the country, financial institutions require TRIA insurance in order to finance general business operations. Without it, building owners and managers lose access to capital to help run and grow their businesses.

The current iteration of the law (P.L. 116-94) is set to expire December 31, 2027. Although that date may appear distant, the timing is far more urgent when considering how insurance policies are written and purchased. Without a timely TRIA reauthorization, many commercial real estate property owners renewing their policies in 2027 may unexpectedly face language to find language indicating that terrorism coverage will lapse as of December 31.

Such a scenario would create confusion and consternation across the commercial real estate landscape for office buildings, rural and urban hospitals, shopping centers, entertainment, sports venues, and multi-family housing. For many of these properties, financial institutions require TRIA coverage as a condition for financing or ongoing business operations.

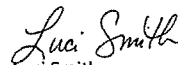
This is why reauthorization is in 2026. Allowing the Act to approach expiration, as occurred in the 2014-2015 lapse creates unnecessary, uncertainty, instability, and market disruption for the commercial real estate industry. During that two-week lapse in reauthorization, borrowers faced technical loan defaults, financing delays, investment interruptions and billions in commercial mortgage-backed securities (CMBS) were put at risk. Historical data following 9/11 and prior to TRIA enactment – affirms the severity of these potential disruptions.

Founded in 1907, BOMA is a federation of 80 U.S. local associations whose 18,000+ members are in nearly every congressional district across the United States. As the leading trade association for commercial real estate professionals, BOMA represents owners, managers, service providers, and other property professionals for all commercial building types, including office, industrial, medical, corporate, data centers, and mixed-use. U.S. private-sector office buildings served by BOMA's local associations represent 8.6 billion square feet of office space, support 1.7 million jobs, generate \$75 billion in salaries and income and contributes \$148 billion to the national economy.

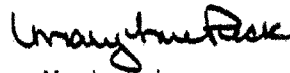
To ensure stability for this vital sector, BOMA respectfully requests that Congress passes a long-term reauthorization of the program, the same long-term reauthorization that is achieved by the TRIA Program Reauthorization Act (HR 7128).

We stand with you to provide certainty for the commercial real estate sector and taxpayers, alike. If we can provide any additional information or serve as a resource, please do not hesitate to contact us. We thank you all for your time and your consideration.

Respectfully,



Luci Smith
Chair & Chief Elected Officer
BOMA International



Mary Lue Peck
President & Chief Operating Officer
BOMA International

cc: Senate Banking and Housing Committee members
House Financial Services Committee members

¹ <https://www.nbcnews.com/politics/justice-department/fbi-says-foiled-terrorist-attack-planned-north-carolina-new-years-eve-rcna251929>



REINSURANCE ASSOCIATION OF AMERICA
1445 New York Avenue, N.W. 7th Floor, Washington, D.C. 20005

Telephone: (202) 638-3690
<http://www.reinsurance.org>

January 22, 2026

The Honorable French Hill
Chairman
Committee on Financial Services
U.S. House of Representatives
2129 Rayburn House Office Building
Washington, DC 20515

The Honorable Maxine Waters
Ranking Member
Committee on Financial Services
U.S. House of Representatives
2129 Rayburn House Office Building
Washington, DC 20515

The Honorable Mike Flood
Chairman
Subcommittee on Housing and Insurance
Committee on Financial Services
U.S. House of Representatives
343 Cannon House Office Building
Washington, DC 20515

The Honorable Emanuel Cleaver
Ranking Member
Subcommittee on Housing and Insurance
Committee on Financial Services
U.S. House of Representatives
2217 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Hill, Ranking Member Waters, Chairman Flood, and Ranking Member Cleaver:

The Reinsurance Association of America (RAA) supports the "TRIA Program Reauthorization Act of 2026" (H.R. 7128), as amended by the Amendment in the Nature of a Substitute, and urges Committee members to support it. The bill would reauthorize the Terrorism Risk Insurance Program (TRIP) for seven years, through 2034. Thank you for your leadership and taking early action to reauthorize the program.

TRIP is an essential risk-sharing plan to help pay insured claims in the event of a terrorist attack. Congress created the program in the aftermath of the attacks of September 11, and it remains essential today. TRIP has been a stabilizing force for the insurance market and allows a market for terrorism insurance so that primary insurers can provide coverage and reinsurers can reinsure terrorism risk.

RAA looks forward to continuing to work with you, your colleagues in Congress, and the Administration to build broad support for a long-term TRIP reauthorization and secure enactment at least one year in advance of its December 31, 2027, expiration. Early action provides certainty and a safety net for our economy, employers, and workers.

Sincerely,

Tracey Laws
President and CEO

The RAA is the leading trade association of property and casualty reinsurers doing business in the United States. Its membership includes reinsurance underwriters and intermediaries licensed in the U.S. and those that conduct business on a cross-border basis. The RAA represents its members before state, federal, and international bodies.



ADVOCACY GROUP
Shannon McGahn
Chief Advocacy Officer

January 15, 2026

The Honorable French Hill
Chairman, Committee on Financial
Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Mike Flood
Chairman, Subcommittee on Housing and
Insurance
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Maxine Waters
Ranking Member, Committee on Financial
Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Emanuel Cleaver
Ranking Member, Subcommittee on
Housing and Insurance
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

Re: Support for the "TRIA Program Reauthorization Act of 2025" (discussion draft posted for the September 17, 2025 hearing)

Dear Chairman Hill, Chairman Flood, Ranking Member Waters, and Ranking Member Cleaver:

On behalf of the National Association of REALTORS®, we strongly support the "TRIA Program Reauthorization Act of 2025," which would extend the Terrorism Risk Insurance Act (TRIA) through 2035.

NAR's membership spans every sector of commercial real estate: development; sales of industrial, office, and retail properties; hospitality and resort transactions; commercial property management; and leasing of properties of all kinds. Terrorism risk insurance is a financing prerequisite across these markets, enabling property transactions, new construction, and business expansion that create jobs and attract investment in communities nationwide.

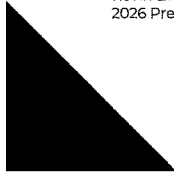
TRIA is essential to maintaining stability and affordability in the commercial property insurance market. When uncertainty arises or coverage is unavailable, private insurers have withdrawn or restricted terrorism policies, leaving borrowers exposed and putting commercial property owners at risk of technical default. The federal backstop provided by TRIA keeps coverage available and affordable, protecting property owners, lenders, and the broader economy.

Thank you for your leadership and for holding a hearing well in advance of the program's expiration on this critical issue for the real estate industry. We urge swift committee passage of this eight-year extension measure to prevent market disruption and safeguard economic security.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Brown'.

Kevin Brown
2026 President, National Association of Realtors®





January 21, 2026

The Honorable French Hill
Chairman
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Maxine Waters
Ranking Member
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Hill and Ranking Member Waters:

The Coalition to Insure Against Terrorism (CIAT) strongly supports the TRIA Program Reauthorization Act of 2026 (H.R. 7128). We urge the Financial Services Committee to advance this legislation to the full House without delay.

CIAT is a broad coalition of commercial insurance consumers, formed immediately after 9/11 to ensure American businesses could access comprehensive terrorism coverage. Our diverse membership includes commercial real estate, banking, energy, construction, hospitality, retail, higher education, manufacturing, transportation, entertainment, major league sports and racing, as well as public-sector insurance buyers.

For more than 20 years—and through multiple reauthorizations—Congress has recognized TRIA's essential role in sustaining a viable terrorism risk insurance market. This seven-year reauthorization will provide long-term certainty for that marketplace. Acting in 2026 will also prevent the uncertainty and potential market disruptions that have occurred when reauthorization extends into the final year of an existing authorization.

CIAT thanks you for your leadership on this critical legislation and looks forward to working with you as it moves through the legislative process. We urge all Committee Members to support this important measure.

Sincerely,

The Coalition to Insure Against Terrorism

cc: Members of the House Committee on Financial Services



317.875.5250 | f 317.879.8408
 3601 Vincennes Road, Indianapolis, Indiana 46268
 202.628.1558 | f 202.628.1601
 20 F Street N.W., Suite 510 | Washington, D.C. 20001

January 22, 2026

The Honorable French Hill
 Chairman, House Committee on
 Financial Services
 2129 Rayburn House Office Building
 Washington D.C. 20515

The Honorable Maxine Waters
 Ranking Member, House Committee on
 Financial Services
 4340 O'Neill House Building
 Washington D.C. 20515

On behalf of the National Association of Mutual Insurance Companies [NAMIC], I write to express our enthusiastic support for H.R. 7128 – **The TRIA Program Reauthorization Act of 2026** that the Committee prepares to advance tomorrow with an Amendment in the Nature of a Substitute.

In September of 2025, former NAMIC Board Chair Elizabeth Heck, also the chair, president and CEO of Greater New York Insurance Companies, appeared before this committee asking for swift action on a long-term reauthorization of the Terrorism Risk Insurance Program (TRIA.) We are grateful to have been heard, and commend the Committee for striving to quickly advance TRIA reauthorization to prevent market disruptions and promote economic resiliency.

After the September 11th attacks, terrorism insurance became largely unavailable, bringing commercial real estate finance to a virtual halt and negatively impacting the economy. As such, Congress rightly responded with TRIA, a public-private partnership to ensure affordable and available terrorism insurance coverage at virtually no cost to the taxpayers. As we look back nearly 25 years after 9/11, it is important to recognize the economic development TRIA has supported, while at the same time acknowledging terrorism threats unfortunately have not dissipated. We commend the Committee, especially the leadership of Chairman Hill, Ranking Member Waters, Subcommittee Chair Flood, and Subcommittee Ranking Member Cleaver for their work to closely examine the need for TRIA reauthorization through a hearing last September and now working to refine and advance it forward.

NAMIC is committed to working with policymakers to further TRIA as a critical partnership in the functioning of the market and recommends Congress move without delay to reauthorize the program on a long-term basis.

Sincerely,

Jimi Grande
 Senior Vice President – Federal & Political Affairs



U.S. Chamber of Commerce

1615 H Street, NW
Washington, DC 20082-2000
uschamber.com

January 22, 2026

The Honorable French Hill
Chairman
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Maxine Waters
Ranking Member
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Hill and Ranking Member Waters:

The U.S. Chamber of Commerce appreciates the Committee holding the markup scheduled for January 22, 2026. We write to express our support for several bills the Committee will be considering.

The Chamber commends the Committee for its continued work to advance capital formation legislation and to improve the financial regulatory architecture in the United States. The Chamber looks forward to working with the Committee as these bills advance through the legislative process.

The Chamber supports the following bills:

H.R. 7085, to repeal certain disclosure requirements related to conflict minerals

The Chamber continues to support full repeal of Section 1502 of the Dodd-Frank Act, better known as the “conflict minerals” rule. The decades-old human rights crisis in the Democratic Republic of the Congo needs to be resolved. However, the conflict minerals rule fails to do so while imposing substantial reporting requirements upon companies—despite parts of the disclosure being struck down as violating the First Amendment. Some evidence even suggests that the conflict minerals rule has worsened the situation on the ground in the DRC.¹ The experience with this rule makes a compelling case that the federal securities laws should never be used to solve a complex geopolitical issue. Congress should fully repeal this ill-advised and harmful mandate from the Dodd-Frank Act.

H.R. 4171, the Small Entrepreneurs Empowerment and Development (SEED) Act of 2025

This bill provides an exemption from state and federal registration requirements for “micro-offerings” that do not exceed \$250,000 in the aggregate. This exemption

¹ <https://www.sec.gov/comments/statement-013117/cil2-1648731-148501.pdf>

would benefit entrepreneurs who are looking to raise relatively small amounts of capital and cannot afford costly legal and registration requirements. Importantly, this bill would also prevent bad actors from participating in such offerings.

H.R. 1799, the Financial Reporting Threshold Modernization Act

This legislation is a critical step toward modernizing outdated financial reporting thresholds, which have not been adjusted to reflect economic growth and inflation over the decades. By raising the automatic domestic currency transaction report (CTR) threshold from \$10,000 to \$30,000 and indexing it to inflation every five years, the bill ensures that financial institutions can focus their resources on truly suspicious and high-risk activities. These updates will reduce unnecessary regulatory burdens on businesses while maintaining robust safeguards against fraud and illicit financial activities.

H.R. 7056, the Community Bank Regulatory Tailoring Act

By indexing asset-based thresholds to nominal GDP, this legislation ensures that regulatory requirements evolve alongside economic growth, preventing outdated thresholds from constraining these vital financial institutions. Tailored regulation is essential to maintaining a competitive and resilient banking ecosystem, allowing community banks and credit unions to better serve small businesses, families, and local economies. This bill promotes fairness and flexibility, enabling these institutions to focus on their core mission of driving economic opportunity and supporting underserved communities.

H.R. 7127, the Restoring Secondary Market Trading Act

This bill would provide legal certainty for small public companies and prevent duplicative regulation for the secondary trading of certain stocks. Currently, a patchwork of state regulation negatively affects the trading liquidity and efficiency of small company stocks. The legislation would rightfully constitute a national market for these stocks which will facilitate capital formation and enhanced investor protection.

H.R. 7128, the Terrorism Risk Insurance Act of 2026

This legislation, which reauthorizes the Department of the Treasury's Terrorism Insurance Program through 2034, includes changes to the event certification process and other technical adjustments. While the Chamber would prefer a clean reauthorization, we believe that the reauthorization of the Terrorism Risk Insurance Act is vital to ensuring financial safety and stability, providing businesses with the necessary support to manage risks associated with terrorism-related events.

We thank the Committee for their work on these bills and look forward to serving as a resource for members and their staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Flood", written in a cursive style.

Mike Flood
Senior Vice President
Center for Capital Markets Competitiveness
U.S. Chamber of Commerce

cc: Members of the House Committee on Financial Services



ADVOCACY GROUP
Shannon McGahn
Chief Advocacy Officer

January 21, 2026

The Honorable French Hill
Chairman, Committee on Financial
Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Mike Flood
Chairman, Subcommittee on Housing and
Insurance
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Maxine Waters
Ranking Member, Committee on Financial
Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Emanuel Cleaver
Ranking Member, Subcommittee on
Housing and Insurance
Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

Re: Support for the Amendment in the Nature of a Substitute to H.R. 7128, the TRIA Program Reauthorization Act of 2026

Dear Chairmen Hill and Flood, Ranking Members Waters and Cleaver:

The National Association of REALTORS® (NAR) supports the Amendment in the Nature of a Substitute (ANS) to the TRIA Program Reauthorization Act of 2026 (H.R. 7128), which would reauthorize the Terrorism Risk Insurance Act (TRIA) for seven years, through 2034.

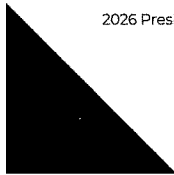
A long-term reauthorization of TRIA is essential to maintaining the availability of terrorism risk insurance, a financing prerequisite across much of the commercial real estate market. When terrorism coverage becomes uncertain or unavailable, lenders may restrict credit and owners can face technical defaults—disruptions the federal backstop was designed to prevent. Multi-year reauthorization helps preserve stable capacity and pricing, supporting transactions, construction, and jobs nationwide.

The ANS also improves transparency in Treasury's event-certification process by requiring public notice within 30 days of initiating a review and establishing a 90-day window for certification decisions. It further updates the statutory threshold from \$5 million to \$10 million to ensure the certification process focuses on larger events. Clearer, time-bound signals from Treasury help reduce post-incident uncertainty and support prudent market risk management.

NAR supports the amendment and urges approval of the TRIA Program Reauthorization Act as amended. Reauthorizing TRIA now while strengthening certification transparency will promote market confidence and help keep terrorism coverage available and affordable, safeguarding investment and economic activity across the country.

Sincerely,

Kevin Brown
2026 President, National Association of REALTORS®





January 22, 2026

The Honorable French Hill
Chairman, Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Maxine Waters
Ranking Member, Committee on Financial Services
U.S. House of Representatives
Washington, DC 20515

Re: The TRIA Program Reauthorization Act of 2026

Dear Chairman Hill and Ranking Member Waters:

We write on behalf of the Insurance Coalition ("the Coalition"), a diverse cross-section of insurance providers that share a common interest in federal laws and regulations affecting the insurance industry. The group was formed during congressional negotiations on the Dodd-Frank Act and has been the force behind several important legislative and regulatory victories.

The Coalition appreciates the Committee's efforts to address the Terrorism Risk Insurance Program (TRIP) well in advance of its expiration at the end of 2027 and encourages Congress to provide a long-term reauthorization of TRIP. H.R. 7128, the TRIA Program Reauthorization Act, would provide vital stability to the market by extending TRIP for an additional seven years through the end of 2034.

In the aftermath of the tragic attacks of September 11, 2001, market participants were unable to obtain terrorism risk coverage, as insurers were unable to price the extremely unpredictable and potentially massive risks associated with acts of terror.

Congress passed the Terrorism Risk Insurance Act (TRIA) to provide a federal reinsurance backstop for extreme losses resulting from terrorist attacks. The passage of TRIA provided certainty to the market and helped unfreeze terrorism risk coverage. Congress subsequently passed multiple reauthorizations of TRIA on a bipartisan basis.

While the TRIA reinsurance backstop has fortunately never been triggered, the program continues to play an important role in ensuring the availability of coverage. Terrorism remains an unpredictable risk which insurers cannot appropriately model for. If TRIP were to sunset, terrorism risk coverage would once again become unavailable, potentially resulting in significant harm to the economy.

TRIP has served an invaluable role in ensuring economic security at minimal cost to taxpayers. The Coalition reiterates its support for providing a long-term reauthorization of the program and commends the Committee for its timely focus on this important issue.

Thank you for the opportunity to provide these comments and we appreciate your consideration of our views. We would be pleased to engage in further discussion on these matters.

Sincerely,

mindsetdc.com



Lisa Peto and Chris Brown
Executive Directors
The Insurance Coalition

DISSENTING VIEWS

Too often, Congress reflexively renews sprawling federal backstops that the market no longer needs—quietly gambling with taxpayers’ exposure to potentially massive losses while ignoring the absence of any real market breakdown. This TRIA reauthorization fits the pattern perfectly: another automatic green light for an open-ended federal guarantee, despite no evidence of a genuine market failure.

I think it’s important to recall exactly what Congress intended when it created the Terrorism Risk Insurance Act, or TRIA. The statute laid out that the program was established as “. . . a temporary federal program that provides for a transparent system of shared public and private compensation for insured losses resulting from acts of terrorism, in order to (1) protect consumers by addressing market disruptions and ensure the continued widespread availability and affordability of property and casualty insurance for terrorism risk; and (2) allow for a transitional period for the private markets to stabilize, resume pricing of such insurance, and build capacity to absorb any future losses, while preserving State insurance regulation and consumer protections.”

That’s the law’s own language—and the key phrase here is “temporary federal program.” TRIA was never meant to be permanent. It was designed to give the private market time to adjust, mature, and ultimately take full responsibility for insuring against terrorism risk. Yet here we are, twenty plus years later, marking up another long-term reauthorization that continues to rely on federal involvement instead of meaningfully reducing it.

I have great respect for my colleagues who have worked hard on this proposal, but I believe that H.R. 7128 misses an opportunity. Rather than putting TRIA on a path toward less government exposure and greater private-sector responsibility, this bill extends the federal backstop until December 31, 2034—nearly nine years from now. That’s hardly consistent with the statute’s intent of providing a “transitional” program.

I also believe that H.R. 7128 violates the spirit—if not the letter—of the House Republican floor protocols for the 119th Congress, particularly the requirement that federal programs be subject to a sunset “not later than seven years” after spending is first authorized or continued. Under Section 2, H.R. 7128 does not merely “add seven years” to a distant end date; it strikes “2027” and inserts “2034,” making this authorization effective as soon as the bill is enacted and keeping TRIA in force through the end of 2034.

In my view, the proper way to apply our Conference’s seven-year sunset standard is to measure from when the reauthorized program actually takes effect—namely, when this bill is signed into law and TRIA’s federal backstop is once again authorized. In other words, the “clock” should start when we newly authorize or con-

tinue the program, not from the old termination date written in prior law. Viewed that way, characterizing H.R. 7128 as a simple seven-year extension obscures the reality that Congress would be reauthorizing a significant federal program for nearly a decade at once, in tension with our Conference's stated commitment to regular review and reconsideration of federal spending and backstop authorities.

This is especially concerning given that, to date, TRIA has never been activated. In the 20 plus years since TRIA was enacted, there has not been a single Treasury-certified act of terrorism that met the program's financial trigger. Not once has the federal government been required to step in under TRIA.

Meanwhile, the private insurance industry has not just done well in this space—it has thrived under the shelter of a taxpayer-funded guarantee. According to the Treasury Department, from 2003 to 2023 insurers collected roughly \$56.7 billion in terrorism risk premiums.

That is not the profile of a fragile market in need of permanent federal protection; it is evidence that insurers have the experience, capital, and appetite to keep cashing premium checks while the public absorbs the worst-case downside risks. In effect, taxpayers provide free reinsurance so that insurance carriers can book steady revenue and protect record surpluses—a classic example of privatized gains and socialized risk. Given this track record, the question is no longer whether insurance companies can begin to shoulder more of the risk, but why they have been allowed to avoid doing so for this long.

Yet instead of taking any meaningful steps to scale down taxpayer exposure or establish a serious glide path for an eventual federal exit, this bill simply extends the program nearly as-is. I find that deeply disappointing, because I do not believe the federal government should be in the business of permanently backstopping risks that the private sector is clearly capable of handling on its own.

It did not have to be this way. I offered an amendment that I believe would have greatly improved this bill by beginning the long-overdue process of shifting more terrorism risk off taxpayers and back onto the well-capitalized insurance industry where it belongs.

First, my amendment would have reduced the federal cost share. Under current law, the federal government covers 80 percent of covered losses above insurer deductibles. My amendment would have reset that share to 75 percent and then ratcheted it down by 1 percentage point a year until it reached 70 percent. This would have created a gradual, predictable glide path that would give insurers time to adjust while steadily reducing federal exposure and putting more responsibility back on the private market where it belongs.

Second, my amendment would have reduced the circumstances under which taxpayers are forced to step in. Under current law, the program trigger remains frozen at \$200 million. My amendment would have raised that trigger by \$10 million per year until it reached \$250 million, and then indexed it to inflation using a benchmark selected by the Treasury Secretary through a rule-

making process. That approach would have kept the trigger aligned with economic reality instead of shrinking in real terms and quietly expanding the federal role, ensuring that more of the risk stays with insurers rather than being shifted to taxpayers.

Third, my amendment would have shortened the length of the reauthorization by changing the program termination date to five years after enactment. Five years provides ample certainty for markets, but it also respects the fact that TRIA was supposed to be temporary, and that Congress should regularly revisit the scope of federal involvement.

Fourth, my amendment would have forced Treasury to do the serious homework this bill avoids, laying out how, within a few years, we could dramatically reduce taxpayer risk and make the industry shoulder a larger share of the costs. It would have directed Treasury to study how an annual participation fee on insurers in TRIA could be structured, including options that generate substantial aggregate fees and deposit them into a dedicated fund at Treasury that can be used solely to cover future federal outlays or reimbursements under the program. The study would have been required to examine fee designs that are proportionate to insurer size and premiums, so that large national carriers shoulder the largest share while small and regional insurers are not disproportionately burdened.

It also would have evaluated whether a carefully designed opt-out for small insurers from the mandatory availability requirement could work without undermining the long-term health of the program. Treasury would then have been required to report back to this Committee with concrete findings and legislative options, giving us real data to build a system that shifts more risk off taxpayers and onto the well-capitalized insurance companies that benefit from TRIA.

My amendment would not have pulled the rug out from under anyone; it simply asked the insurance industry to start standing on its own two feet. It took modest, measured steps to ratchet down the federal share, raise and index the trigger, shorten a long-term reauthorization, and finally force a serious conversation about a participation fee and dedicated fund that would put taxpayers ahead of industry convenience.

When Congress tells the public a program will be temporary, we incur more than a procedural obligation—we make a promise. In TRIA's case, there is no ambiguity about that promise: the statute itself describes it as a temporary federal program. The Members of Congress considering this legislation have, in my view, a covenant with our predecessors who first authorized TRIA on that basis. To honor that covenant, we must either set this program on a genuine path of reform, as my amendment would have done, or have the courage to let it expire. A long-term extension with only minimal changes does not satisfy that obligation.

I want to thank Chairman Flood and Chairman Hill for their leadership and for their efforts to maintain stability in this space, and I appreciate their willingness to engage in this important discussion. But when we shrink from doing the difficult things; when we refuse to challenge an industry all too eager to cash terrorism insurance premium checks backed by taxpayers; when we cannot

even agree on modest, common-sense reforms to a backstop that has never once been triggered, we miss a rare opportunity to leave the terrorism insurance marketplace stronger and more accountable than we found it. For all of these reasons, I must oppose H.R. 7128 in its current form.

Sincerely,

JOHN ROSE,
Member of Congress.

○