

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7128
OFFERED BY MR. ROSE OF TENNESSEE**

Page 1, line 7, strike “‘2034’” and insert “‘the date that is 5 years after the date of the enactment of the TRIA Program Reauthorization Act of 2026’”.

Add at the end the following:

1 SEC. 5. INSURED LOSS SHARED COMPENSATION.

2 (a) IN GENERAL.—Section 103(e)(1) of the Ter-
3 rorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note)
4 is amended—

5 (1) in subparagraph (A), by striking “equal to
6 85 percent and beginning on January 1, 2016, shall
7 decrease by 1 percentage point per calendar year
8 until equal to 80 percent of that portion of the
9 amount of such insured losses that exceeds the ap-
10 plicable insurer deductible required to be paid during
11 such calendar year.” and inserting the following:
12 “equal to 75 percent and beginning on the date of
13 the enactment of the TRIA Program Reauthoriza-
14 tion Act of 2026, shall decrease by 1 percentage
15 point per calendar year until equal to 70 percent of



1 that portion of the amount of such insured losses
2 that exceeds the applicable insurer deductible re-
3 quired to be paid during such calendar year.”; and

4 (2) in subparagraph (B)—

5 (A) in clause (v), by striking “and” at the
6 end;

7 (B) in clause (vi), by striking “in calendar
8 year 2020 and any calendar year thereafter.”
9 and inserting “in calendar year 2020, 2021,
10 2022, 2023, 2024, and 2025;”; and

11 (C) by adding at the end the following:

12 “(vii) \$210,000,000, with respect to
13 such insured losses occurring in calendar
14 year 2026;

15 “(viii) \$220,000,000, with respect to
16 such insured losses occurring in calendar
17 year 2027;

18 “(ix) \$230,000,000, with respect to
19 such insured losses occurring in calendar
20 year 2028;

21 “(x) \$240,000,000, with respect to
22 such insured losses occurring in calendar
23 year 2029;





1 that participate in the Program in an amount that
2 would generate \$500,000,000 in aggregate fees;

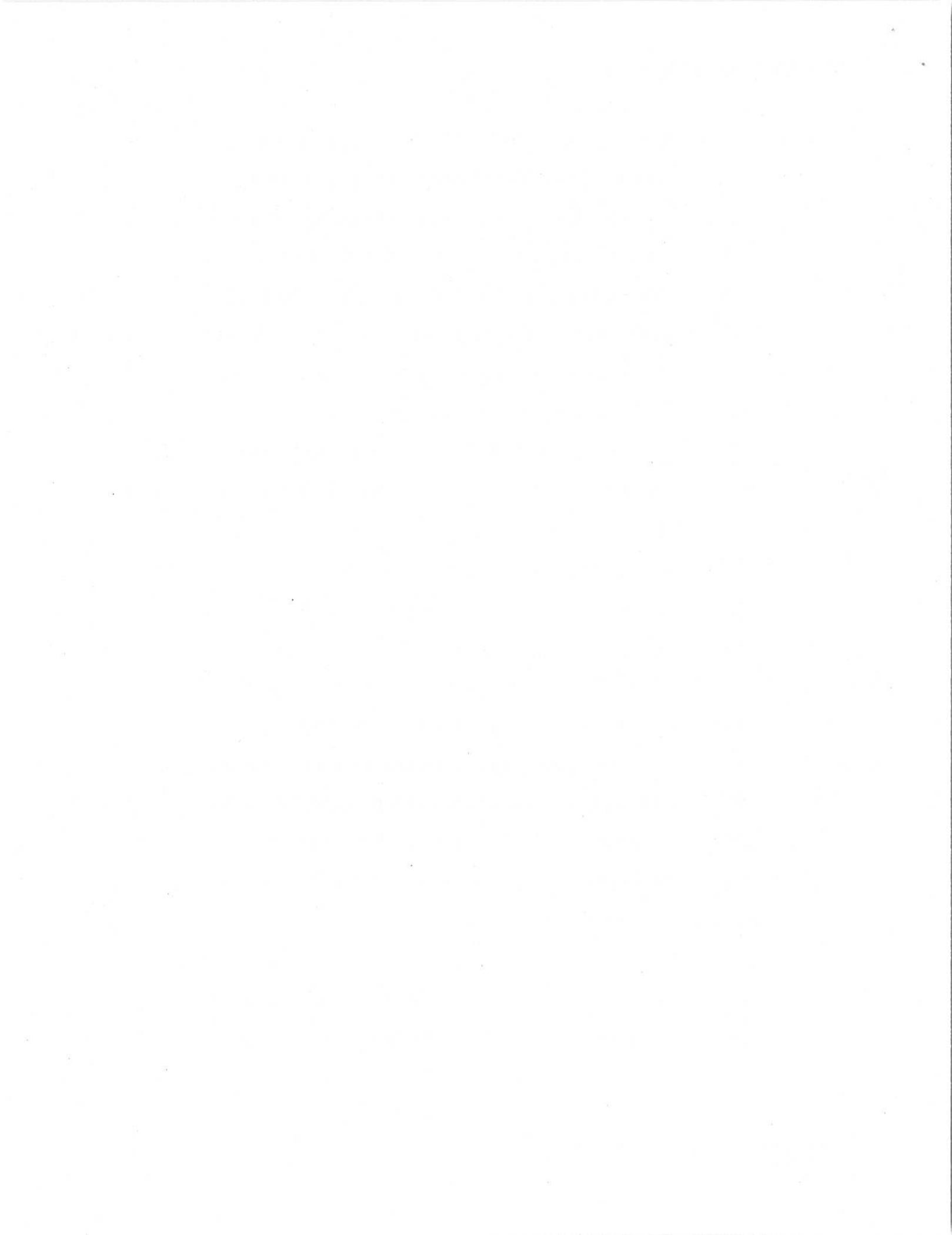
3 (3) the feasibility and advisability of estab-
4 lishing a dedicated fund in the Treasury of the
5 United States, that would hold such annual partici-
6 pation fees, and be used solely to pay future Federal
7 outlays, reimbursements, or other expenses associ-
8 ated with the Program; and

9 (4) the feasibility, design, and potential effects
10 of allowing small insurers to opt-out from the man-
11 datory availability requirement under section 103(e)
12 of the Terrorism Risk Insurance Act of 2002, in-
13 cluding any implications for the long-term health
14 and functioning of the Program.

15 (b) REQUIREMENTS.—When conducting the study re-
16 quired under subsection (a), the Secretary shall—

17 (1) evaluate annual participation fee structures
18 that are proportionate to insurer size, direct earned
19 premiums, and other risk-based measures designed
20 to minimize undue burden on small and regional in-
21 surers;

22 (2) analyze how the depositing of such annual
23 participation fees in a dedicated fund within the
24 Treasury could enhance the long-term stability of



1 the Program and reduce expected future Federal
2 outlays associated with terrorism-related losses; and

3 (3) assess the potential benefits and risks to the
4 long-term health of the Program of making all three
5 of the following changes to the Program—

6 (A) imposing an annual participation fee
7 on insurers that participate in the Program;

8 (B) depositing such fees in a dedicated
9 fund in the Treasury; and

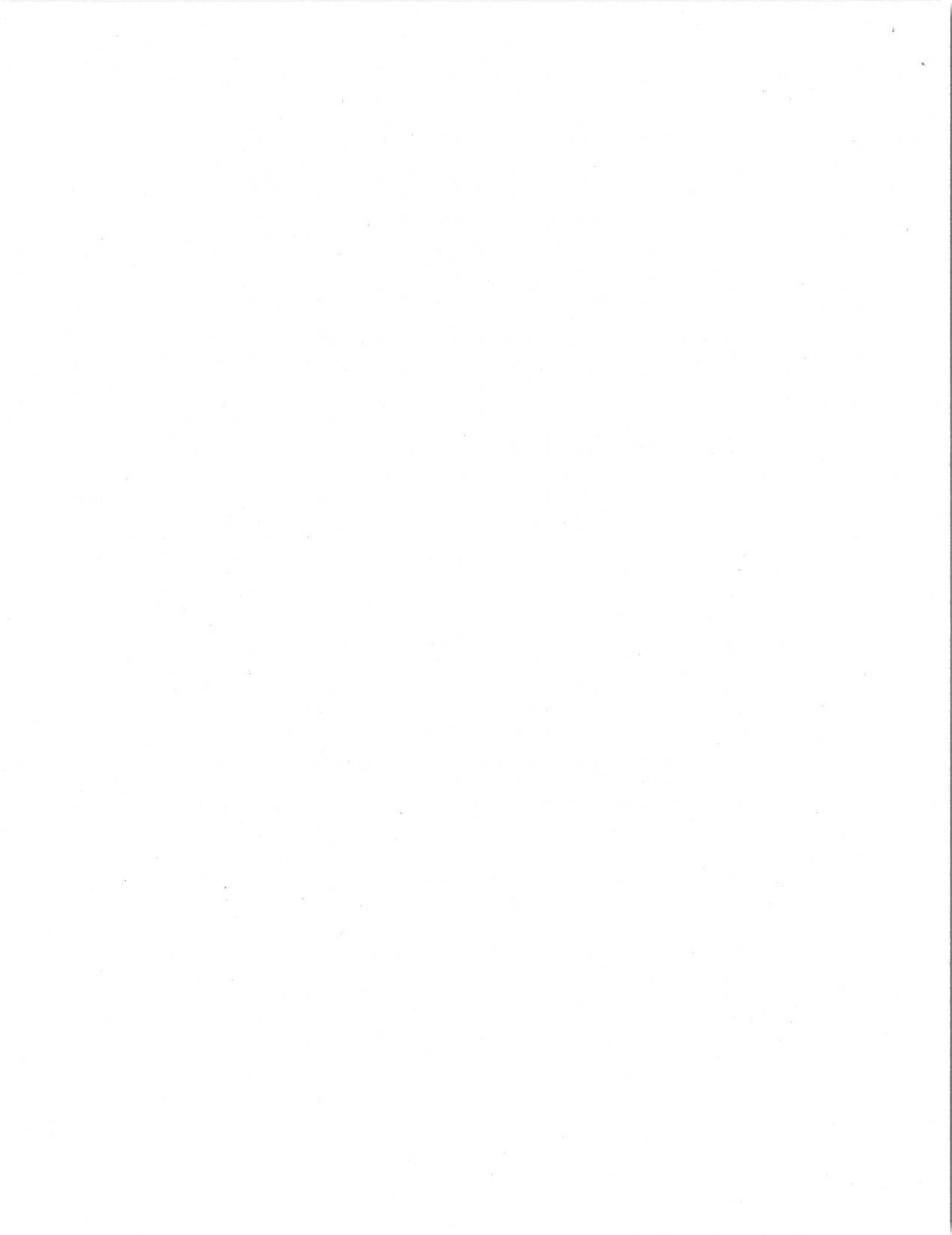
10 (C) allowing small insurers to opt-out from
11 the mandatory availability requirement under
12 section 103(e) of the Terrorism Risk Insurance
13 Act of 2002.

14 (e) REPORT.—Not later than 180 days after the date
15 of enactment of this Act, the Secretary shall submit to
16 the Committee on Financial Services of the House of Rep-
17 resentatives and the Committee on Banking, Housing, and
18 Urban Affairs of the Senate a report that contains—

19 (1) the findings of the study conducted by the
20 Secretary under subsection (a); and

21 (2) recommendations, including legislative op-
22 tions, with respect to whether and how to—

23 (A) impose an annual participation fee on
24 insurers that participate in the Program;



1 (B) deposit such fees in a dedicated fund
2 in the Treasury; and

3 (C) allow small insurers to opt-out from
4 the mandatory availability requirement under
5 section 103(c) of the Terrorism Risk Insurance
6 Act of 2002.

7 (d) DEFINITIONS.—In this section:

8 (1) SECRETARY.—The “Secretary” means the
9 Secretary of the Treasury.

10 (2) PROGRAM.—The “Program” means the
11 Terrorism Risk Insurance Program established
12 under section 103 of the Terrorism Risk Insurance
13 Act of 2002.



