

**Opening Statement**  
**Chairman Mike Oxley**

**Manager's Amendment**  
**Committee Markup: H.R. 3210 "Terrorism Risk Protection Act"**  
**November 7, 2001**

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Following introduction of the Terrorism Risk Protection Act last week, we have worked on additional improvements to the legislation, which are reflected in the substitute amendment. I would like to thank all members who have been involved in this process, but in particular, I would like to thank my Democratic colleagues, Mr. Bentsen, Mr. Maloney, and Mr. Pomeroy of the Ways & Means Committee, for their leadership and support. Many of the changes in the revised substitute are technical in nature, but I would like to point out a few of the substantive improvements to the bill.

We have provided more specific authority for the Administrator to adjust the assessments or surcharge to prevent any undue burden on small business. The Administrator is also given authority to audit insurance loss claims. A sense of the Congress is included that the Secretary of the Treasury should be designated as the Administrator to carry out the majority of responsibilities under the Act.

Finally, while the legislation still utilizes a \$1 billion industry wide loss as a triggering mechanism for assistance to the entire industry, assistance resulting from the second smaller trigger is made company specific. If a particular company experiences a loss of 10% of its capital surplus and 10% of its premium coupled with a \$100 million industry aggregate loss, Federal assistance will be provided to that company only, with a deductible for that company of 10% of premiums before any Federal assistance is provided. We believe this strikes a better balance in protecting small insurers while strengthening the threshold before the Federal government has to be involved.

These are important changes and I urge your support for this amendment.