

## S 2600

Terrorism Risk Insurance Act of 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** Senate

**Policy Area:** Finance and Financial Sector

**Introduced:** Jun 7, 2002

**Current Status:** See also H.R. 3210.

**Latest Action:** See also H.R. 3210. (Jul 25, 2002)

**Official Text:** <https://www.congress.gov/bill/107th-congress/senate-bill/2600>

### Sponsor

**Name:** Sen. Dodd, Christopher J. [D-CT]

**Party:** Democratic • **State:** CT • **Chamber:** Senate

### Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Reid, Harry [D-NV]	D · NV		Jun 7, 2002
Sen. Sarbanes, Paul S. [D-MD]	D · MD		Jun 7, 2002
Sen. Schumer, Charles E. [D-NY]	D · NY		Jun 7, 2002
Sen. Corzine, Jon S. [D-NJ]	D · NJ		Jun 12, 2002
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jun 13, 2002
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jun 18, 2002

### Committee Activity

*No committee referrals or activity are recorded for this bill.*

### Subjects & Policy Tags

**Policy Area:**

Finance and Financial Sector

### Related Bills

Bill	Relationship	Last Action
107 HR 3210	Related bill	<b>Nov 26, 2002:</b> Became Public Law No: 107-297.

Terrorism Risk Insurance Act of 2002 - Establishes in the Department of the Treasury the Terrorism Insured Loss Shared Compensation Program, administered by the Secretary of the Treasury, who shall have general Program authorities and pay the Federal share of compensation for insured losses.

(Sec. 4) Prescribes guidelines for: (1) mandatory insurance company participation in the Program; and (2) mandatory availability of property and casualty insurance for insured losses that does not differ materially from coverage limitations applicable to losses arising from events other than terrorism.

Predicates Program participation by certain governmental or quasi-governmental entities upon a determination made by the Secretary before the occurrence of an act of terrorism in which the entity incurs an insured loss.

Sets forth a formula for shared insurance loss coverage that includes: (1) a Federal share of compensation that is either 80 percent of aggregate insured losses of less than \$10 billion, or 90 percent of aggregate insured losses that exceed \$10 billion; and (2) a cap on the annual liability of the Federal share of compensation.

Denies judicial review of the Secretary's determination.

(Sec. 6) Terminates the Program one year after the date of enactment. Prescribes conditions for Program extension.

Expresses the sense of Congress that the Secretary should make any determination regarding either Program extension or termination in sufficient time to enable participating insurance companies to include coverage for acts of terrorism in their policies for the second year of the Program, if extended.

Mandates studies and reports to Congress on: (1) insurance coverage availability coupled with insurance industry capacity to absorb future losses resulting from acts of terrorism taking into account profitability; (2) the potential effects of acts of terrorism on the availability of life insurance and other insurance coverage; and (3) terrorism risk insurance premium rates charged by participating insurance companies for insured losses.

(Sec. 8) Expresses the sense of the Congress that the insurance industry should build capacity and aggregate risk to provide affordable property and casualty insurance coverage for terrorism risk.

(Sec. 9) Authorizes appropriations.

(Sec. 10) Establishes a Federal cause of action for property damage, personal injury, or death arising out of or resulting from an act of terrorism which shall preempt State action, and which shall be the exclusive cause of action and remedy for claims (except for claims against terrorists or aiders and abettors, including governments and other entities).

(Sec. 11) Provides for satisfaction of judgments from frozen assets of terrorists, terrorist organizations, and state sponsors of terrorism. Exempts certain property subject to the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations.

Amends the Victims of Trafficking and Violence Protection Act of 2000 to set forth a special rule for cases against Iran with respect to distribution of foreign military sales funds inadequate to satisfy the amount of compensatory awards against Iran.

## Actions Timeline

---

- **Jul 25, 2002:** Senate incorporated this measure in H.R. 3210 as an amendment.
- **Jul 25, 2002:** See also H.R. 3210.
- **Jun 19, 2002:** Message on Senate action sent to the House.
- **Jun 19, 2002:** Received in the House.
- **Jun 19, 2002:** Held at the desk.
- **Jun 18, 2002:** Considered by Senate. (consideration: CR S5643-5650, S5662, S5656-5659, S5662-5663, S5664-5673)
- **Jun 18, 2002:** Cloture on the bill invoked in Senate by Yea-Nay Vote. 65 - 31. Record Vote Number: 156.
- **Jun 18, 2002:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 84 - 14. Record Vote Number: 157.(text as passed Senate: CR S5669-5673)
- **Jun 18, 2002:** Passed Senate with amendments by Yea-Nay Vote. 84 - 14. Record Vote Number: 157. (text as passed Senate: CR S5669-5673)
- **Jun 17, 2002:** Considered by Senate. (consideration: CR S5624-5627)
- **Jun 14, 2002:** Considered by Senate. (consideration: CR S5573-5574, S5575-5577)
- **Jun 14, 2002:** Cloture motion on the measure presented in Senate.
- **Jun 13, 2002:** Measure laid before Senate by unanimous consent. (consideration: CR S5472-5501, S5503-5513, S5514-5528)
- **Jun 10, 2002:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 410.
- **Jun 7, 2002:** Introduced in Senate
- **Jun 7, 2002:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.