

Union Calendar No. 623

115TH CONGRESS
2^D SESSION

H. R. 4537

[Report No. 115–804, Part I]

To preserve the State-based system of insurance regulation and provide greater oversight of and transparency on international insurance standards setting processes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 4, 2017

Mr. DUFFY (for himself, Mr. HECK, Mr. SHERMAN, Mr. ROSS, Mr. BUDD, Mr. CAPUANO, Mr. ROTHFUS, and Ms. TENNEY) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY 3, 2018

Additional sponsors: Mr. ZELDIN, Mrs. LOVE, Mr. WILLIAMS, Mr. MESSER, and Mr. YOUNG of Iowa

JULY 3, 2018

Reported from the Committee on Financial Services with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JULY 3, 2018

Committee on Rules discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on December 4, 2017]

A BILL

To preserve the State-based system of insurance regulation and provide greater oversight of and transparency on international insurance standards setting processes, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “International Insurance*
5 *Standards Act of 2018”.*

6 **SEC. 2. CONGRESSIONAL FINDINGS.**

7 *The Congress finds the following:*

8 *(1) The State-based system for insurance regula-*
9 *tion in the United States has served American con-*
10 *sumers well for more than 150 years and has fostered*
11 *an open and competitive marketplace with a diversity*
12 *of insurance products to the benefit of policyholders*
13 *and consumers.*

14 *(2) Protecting policyholders by regulating to en-*
15 *sure an insurer’s ability to pay claims has been the*
16 *hallmark of the successful United States system and*
17 *should be the paramount objective of domestic pruden-*
18 *tial regulation and emerging international standards.*

19 *(3) The Dodd-Frank Wall Street Reform and*
20 *Consumer Protection Act (Public Law 111–203) re-*
21 *affirmed the State-based insurance regulatory system.*

22 **SEC. 3. REQUIREMENT THAT INSURANCE STANDARDS RE-**
23 **FLECT UNITED STATES POLICY.**

24 *(a) REQUIREMENT.—Parties representing the Federal*
25 *Government in any international regulatory, standard-set-*

1 *ting, or supervisory forum or in any negotiations of any*
2 *international agreements relating to the prudential aspects*
3 *of insurance shall not agree to, accede to, accept, or estab-*
4 *lish, and shall use their voice and shall vote to oppose, any*
5 *proposed agreement or standard, including proposals devel-*
6 *oped by the International Association of Insurance Super-*
7 *visors (or a successor entity), unless such proposed agree-*
8 *ment or standard—*

9 (1) *is consistent with and reflective of the exist-*
10 *ing United States system of insurance regulation, in-*
11 *cluding the primacy of policyholder protection in sol-*
12 *vency regulation; and*

13 (2) *recognizes the existing United States system*
14 *of insurance regulation as satisfying such proposals.*

15 (b) **FEDERAL INSURANCE OFFICE FUNCTIONS.**—Sub-
16 *paragraph (E) of section 313(c)(1) of title 31, United States*
17 *Code, is amended by inserting “Department of the Treasury*
18 *of the” before “United States”.*

19 (c) **NEGOTIATIONS.**—*Nothing in this section shall be*
20 *construed to prevent participation in negotiations of any*
21 *proposed agreement or standard.*

22 **SEC. 4. STATE INSURANCE REGULATOR INVOLVEMENT IN**
23 **INTERNATIONAL STANDARD SETTING.**

24 *In developing international insurance standards pur-*
25 *suant to section 3, and throughout the negotiations of such*

1 *standards, parties representing the Federal Government*
2 *shall, on matters related to insurance, closely consult, co-*
3 *ordinate with, and include in such meetings, State insur-*
4 *ance commissioners or, at the option of the State insurance*
5 *commissioners, designees of the insurance commissioners*
6 *acting at their direction.*

7 **SEC. 5. CONSULTATIONS.**

8 (a) *CONSULTATION WITH CONGRESS.—Before initi-*
9 *ating negotiations to enter into an agreement under section*
10 *3, during such negotiations, and before entering into any*
11 *such agreement, parties representing the Federal Govern-*
12 *ment shall provide written notice to and consult with the*
13 *Committee on Financial Services of the House of Represent-*
14 *atives and the Committee on Banking, Housing, and Urban*
15 *Affairs of the Senate, and any other relevant committees*
16 *of jurisdiction, regarding—*

17 (1) *the intention of the United States to partici-*
18 *part in or enter into such negotiations;*

19 (2) *the nature and objectives of the negotiations;*

20 (3) *the implementation of the agreement, includ-*
21 *ing how it is consistent with and does not materially*
22 *differ from or otherwise affect Federal or State laws*
23 *or regulations;*

24 (4) *the impact on the competitiveness of United*
25 *States insurers; and*

1 (5) *the impact on United States consumers.*

2 (b) *CONSULTATION WITH FEDERAL ADVISORY COM-*
3 *MITTEE ON INSURANCE.—Before entering into an agree-*
4 *ment under section 3, the Secretary of the Treasury shall*
5 *consult with the Federal Advisory Committee on Insurance*
6 *formed pursuant to section 313(h) of title 31, United States*
7 *Code.*

8 (c) *SUBMISSION AND LAYOVER PROVISIONS.—Parties*
9 *representing the Federal Government may not sign the final*
10 *text or otherwise agree to, accept, or establish an agreement*
11 *under section 3 that would not have the force and effect*
12 *of law before—*

13 (1) *such parties submit to the committees speci-*
14 *fied in subsection (a), on a day in which both Houses*
15 *of Congress are in session, a copy of the final legal*
16 *text of the agreement; and*

17 (2) *the later of—*

18 (A) *the expiration of 90-day period begin-*
19 *ning on the date on which the copy of the final*
20 *legal text of the agreement is submitted to the*
21 *congressional committees under paragraph (1);*

22 *or*

23 (B) *if the President has vetoed a joint reso-*
24 *lution described in section 6(b) relating to the*

1 *agreement, the expiration of the 15-day period*
2 *described in section 6(a)(2).*

3 *(d) DELIVERY OF DOCUMENTS TO BOTH HOUSES.—*

4 *Whenever, pursuant to this section, written notice or a doc-*
5 *ument is required to be transmitted to the Congress, copies*
6 *of such notice or document shall be delivered to both Houses*
7 *of Congress on the same day and shall be delivered to the*
8 *Clerk of the House of Representatives if the House is not*
9 *in session and to the Secretary of the Senate if the Senate*
10 *is not in session.*

11 **SEC. 6. CONGRESSIONAL REVIEW.**

12 *(a) DISAPPROVAL.—*

13 *(1) IN GENERAL.—In the case of any agreement*
14 *under section 3 that would not have the force and ef-*
15 *fect of law, the United States shall not be considered*
16 *a party to such agreement if, before the expiration of*
17 *the 90-day period beginning on the day that the final*
18 *legal text of the agreement is submitted to the Con-*
19 *gress pursuant to section 5(c)(1), a joint resolution*
20 *described in subsection (b) is enacted into law.*

21 *(2) VETO.—If the President vetoes the joint reso-*
22 *lution, the joint resolution shall be treated as enacted*
23 *into law before the end of the 90-day period under*
24 *paragraph (1) if both Houses of Congress vote to over-*
25 *ride such veto on or before the later of—*

1 (A) *the last day of such 90-day period; or*

2 (B) *the last day of the 15-day period (ex-*
3 *cluding any day described in subsection (h)) be-*
4 *ginning on the date the Congress receives the veto*
5 *message from the President.*

6 (b) *CONTENTS OF RESOLUTION.—For purposes of this*
7 *section, the term “resolution” means only a joint resolution*
8 *of the two Houses of the Congress, that is introduced during*
9 *the 60-day period beginning upon the submission to the*
10 *Congress pursuant to section 5(c)(1) of the agreement to*
11 *which such resolution relates, and the matter after the re-*
12 *solving clause of which is as follows: “That the Congress*
13 *does not approve the agreement transmitted to the Congress*
14 *pursuant to section 5(c)(1) of the International Insurance*
15 *Standards Act of 2017, on _____.”, the blank space*
16 *being filled with the appropriate date.*

17 (c) *REFERENCE TO COMMITTEES.—All resolutions in-*
18 *troduced in the House of Representatives shall be referred*
19 *to the Committee on Financial Services and all resolutions*
20 *introduced in the Senate shall be referred to the Committee*
21 *on Banking, Housing, and Urban Affairs.*

22 (d) *DISCHARGE OF COMMITTEES.—*

23 (1) *IN GENERAL.—If the committee of either*
24 *House to which a resolution has been referred has not*
25 *reported it at the end of 30 days after its introduc-*

1 *tion, not counting any day which is excluded under*
2 *subsection (h), it is in order to move either to dis-*
3 *charge the committee from further consideration of the*
4 *resolution or to discharge the committee from further*
5 *consideration of any other resolution introduced with*
6 *respect to the same matter, except that a motion to*
7 *discharge—*

8 *(A) may only be made on the second legisla-*
9 *tive day after the calendar day on which the*
10 *Member making the motion announces to the*
11 *House his intention to do so; and*

12 *(B) is not in order after the committee has*
13 *reported a resolution with respect to the same*
14 *matter.*

15 *(2) PRIVILEGE.—A motion to discharge under*
16 *paragraph (1) may be made only by an individual*
17 *favoring the resolution, and is highly privileged in the*
18 *House and privileged in the Senate; and debate there-*
19 *on shall be limited to not more than 1 hour, the time*
20 *to be divided in the House equally between those fa-*
21 *voring and those opposing the resolution, and to be*
22 *divided in the Senate equally between, and controlled*
23 *by, the majority leader and the minority leader or*
24 *their designees. An amendment to the motion is not*
25 *in order, and it is not in order to move to reconsider*

1 *the vote by which the motion is agreed to or disagreed*
2 *to.*

3 *(e) FLOOR CONSIDERATION IN THE HOUSE.—*

4 *(1) IN GENERAL.—A motion in the House of*
5 *Representatives to proceed to the consideration of a*
6 *resolution shall be highly privileged and not debat-*
7 *able. An amendment to the motion shall not be in*
8 *order, nor shall it be in order to move to reconsider*
9 *the vote by which the motion is agreed to or disagreed*
10 *to.*

11 *(2) DEBATE; NO RECONSIDERATION.—Debate in*
12 *the House of Representatives on a resolution shall be*
13 *limited to not more than 20 hours, which shall be di-*
14 *vided equally between those favoring and those oppos-*
15 *ing the resolution. A motion further to limit debate*
16 *shall not be debatable. No amendment to, or motion*
17 *to recommit, the resolution shall be in order. It shall*
18 *not be in order to move to reconsider the vote by*
19 *which a resolution is agreed to or disagreed to.*

20 *(3) CONSIDERATION OF OTHER MOTIONS.—Mo-*
21 *tions to postpone, made in the House of Representa-*
22 *tives with respect to the consideration of a resolution,*
23 *and motions to proceed to the consideration of other*
24 *business, shall be decided without debate.*

1 (4) *APPEALS TO DECISIONS OF CHAIR.*—All ap-
2 peals from the decisions of the Chair relating to the
3 application of the Rules of the House of Representa-
4 tives to the procedure relating to a resolution shall be
5 decided without debate.

6 (5) *APPLICABILITY OF RULES.*—Except to the ex-
7 tent specifically provided in the preceding provisions
8 of this subsection, consideration of a resolution in the
9 House of Representatives shall be governed by the
10 Rules of the House of Representatives applicable to
11 other resolutions in similar circumstances.

12 (f) *FLOOR CONSIDERATION IN THE SENATE.*—

13 (1) *MOTION TO PROCEED.*—A motion in the Sen-
14 ate to proceed to the consideration of a resolution
15 shall be privileged. An amendment to the motion shall
16 not be in order, nor shall it be in order to move to
17 reconsider the vote by which the motion is agreed to
18 or disagreed to.

19 (2) *DEBATE ON RESOLUTION.*—Debate in the
20 Senate on a resolution, and all debatable motions and
21 appeals in connection therewith, shall be limited to
22 not more than 20 hours, to be equally divided be-
23 tween, and controlled by, the majority leader and the
24 minority leader or their designees.

1 (3) *DEBATE ON MOTION OR APPEAL.*—*Debate in*
2 *the Senate on any debatable motion or appeal in con-*
3 *nection with a resolution shall be limited to not more*
4 *than 1 hour, to be equally divided between, and con-*
5 *trolled by, the mover and the manager of the resolu-*
6 *tion, except that in the event the manager of the reso-*
7 *lution is in favor of any such motion or appeal, the*
8 *time in opposition thereto, shall be controlled by the*
9 *minority leader or his designee. Such leaders, or ei-*
10 *ther of them, may, from time under their control on*
11 *the passage of a resolution, allot additional time to*
12 *any Senator during the consideration of any debat-*
13 *able motion or appeal.*

14 (4) *MOTION TO LIMIT DEBATE.*—*A motion in the*
15 *Senate to further limit debate on a resolution, debat-*
16 *able motion, or appeal is not debatable. No amend-*
17 *ment to, or motion to recommit, a resolution is in*
18 *order in the Senate.*

19 (g) *PROCEDURES IN THE SENATE.*—

20 (1) *PROCEDURES.*—*Except as otherwise provided*
21 *in this section, the following procedures shall apply in*
22 *the Senate to a resolution to which this section ap-*
23 *plies:*

24 (A)(i) *Except as provided in clause (ii), a*
25 *resolution that has passed the House of Rep-*

1 *representatives shall, when received in the Senate,*
2 *be referred to the Committee on Banking, Hous-*
3 *ing, and Urban Affairs for consideration in ac-*
4 *cordance with this section.*

5 *(ii) If a resolution to which this section ap-*
6 *plies was introduced in the Senate before receipt*
7 *of a resolution that has passed the House of Rep-*
8 *resentatives, the resolution from the House of*
9 *Representatives shall, when received in the Sen-*
10 *ate, be placed on the calendar. If this clause ap-*
11 *plies, the procedures in the Senate with respect*
12 *to a resolution introduced in the Senate that*
13 *contains the identical matter as the resolution*
14 *that passed the House of Representatives shall be*
15 *the same as if no resolution had been received*
16 *from the House of Representatives, except that*
17 *the vote on passage in the Senate shall be on the*
18 *resolution that passed the House of Representa-*
19 *tives.*

20 *(B) If the Senate passes a resolution before*
21 *receiving from the House of Representatives a*
22 *joint resolution that contains the identical mat-*
23 *ter, the joint resolution shall be held at the desk*
24 *pending receipt of the joint resolution from the*
25 *House of Representatives. Upon receipt of the*

1 *joint resolution from the House of Representa-*
2 *tives, such joint resolution shall be deemed to be*
3 *read twice, considered, read the third time, and*
4 *passed.*

5 (2) *NON-IDENTICAL RESOLUTIONS.*—*If the texts*
6 *of joint resolutions described in this section con-*
7 *cerning any matter are not identical—*

8 (A) *the Senate shall vote passage on the res-*
9 *olution introduced in the Senate; and*

10 (B) *the text of the joint resolution passed by*
11 *the Senate shall, immediately upon its passage*
12 *(or, if later, upon receipt of the joint resolution*
13 *passed by the House), be substituted for the text*
14 *of the joint resolution passed by the House of*
15 *Representatives, and such resolution, as amend-*
16 *ed, shall be returned with a request for a con-*
17 *ference between the two Houses.*

18 (3) *CONSIDERATION OF VETO MESSAGE.*—*Con-*
19 *sideration in the Senate of any veto message with re-*
20 *spect to a joint resolution described in subsection (b),*
21 *including consideration of all debatable motions and*
22 *appeals in connection therewith, shall be limited to 10*
23 *hours, to be equally divided between, and controlled*
24 *by, the majority leader and the minority leader or*
25 *their designees.*

1 (h) *COMPUTATION OF PERIOD.*—For purposes of sub-
2 section (a)(1) of this section and subsection (c)(2) of section
3 5, the 90-day period referred to in such subsections shall
4 be computed by excluding—

5 (1) *the days on which either House is not in ses-*
6 *sion because of an adjournment of more than 3 days*
7 *to a day certain or an adjournment of the Congress*
8 *sine die; and*

9 (2) *any Saturday and Sunday, not excluded*
10 *under paragraph (1), when either House is not in ses-*
11 *sion.*

12 (i) *EXERCISE OF RULEMAKING POWER.*—This section
13 *is enacted by the Congress—*

14 (1) *as an exercise of the rulemaking power of the*
15 *House of Representatives and the Senate, respectively,*
16 *and as such they are deemed a part of the rules of*
17 *each House, respectively, but applicable only with re-*
18 *spect to the procedure to be followed in that House in*
19 *the case of resolutions described in subsection (b); and*
20 *they supersede other rules only to the extent that they*
21 *are inconsistent therewith; and*

22 (2) *with full recognition of the constitutional*
23 *right of either House to change the rules (so far as re-*
24 *lating to the procedure of that House) at any time,*

1 *in the same manner and to the same extent as in the*
2 *case of any other rule of that House.*

3 *(j) RULE OF CONSTRUCTION.—This section, and any*
4 *failure to enact a resolution under this section, shall not*
5 *be construed to be an endorsement of or to establish or ex-*
6 *pand any authority to enter into or implement an agree-*
7 *ment described in section 3 that is not otherwise provided*
8 *for under Federal law.*

9 **SEC. 7. COVERED AGREEMENTS.**

10 *(a) PREEMPTION OF STATE INSURANCE MEASURES.—*
11 *Subsection (f) of section 313 of title 31, United States Code,*
12 *is amended by striking “Director” each place such term ap-*
13 *pears and inserting “Secretary”.*

14 *(b) DEFINITION.—Paragraph (2) of section 313(r) of*
15 *title 31, United States Code, is amended—*

16 *(1) in subparagraph (A), by striking “and” at*
17 *the end;*

18 *(2) in subparagraph (B), by striking the period*
19 *at the end and inserting “; and”; and*

20 *(3) by adding at the end the following new sub-*
21 *paragraph:*

22 *“(C) applies only on a prospective basis.”.*

23 *(c) CONSULTATION; SUBMISSION AND LAYOVER; CON-*
24 *GRESSIONAL REVIEW.—Section 314 of title 31, United*
25 *States Code is amended—*

1 (1) *in subsection (b)—*

2 (A) *in paragraph (2)(C), by striking “laws”*
3 *and inserting the following: “and Federal law,*
4 *and the nature of any changes in the laws of the*
5 *United States or the administration of such laws*
6 *that would be required to carry out a covered*
7 *agreement”;* and

8 (B) *by adding at the end the following new*
9 *paragraph:*

10 “(3) *ACCESS TO NEGOTIATING TEXTS AND OTHER*
11 *DOCUMENTS.—Congressional committees and staff*
12 *with proper security clearances shall be given access*
13 *to United States negotiating proposals, consolidated*
14 *draft texts, and other pertinent documents related to*
15 *the negotiations, including classified materials.”;*

16 (2) *in subsection (c)—*

17 (A) *in the matter preceding paragraph (1),*
18 *by striking “only if—” and inserting the fol-*
19 *lowing: “only if, before signing the final legal*
20 *text or otherwise entering into the agreement—*
21 *”;*

22 (B) *in paragraph (1), by striking “congres-*
23 *sional committees specified in subsection (b)(1)”*
24 *and inserting “congressional committees and to*
25 *staff with proper security clearances”;* and

1 (C) by striking paragraph (2) and inserting
2 the following new paragraph:

3 “(2)(A) the 90-day period beginning on the date
4 on which the copy of the final legal text of the agree-
5 ment is submitted under paragraph (1) to the con-
6 gressional committees and staff has expired; and

7 “(B) if the President has vetoed a joint resolu-
8 tion described in subsection (d)(2) relating to the
9 agreement, the 15-day period described in subsection
10 (d)(1)(B)(ii) has expired.”; and

11 (3) by adding at the end the following new sub-
12 sections:

13 “(d) CONGRESSIONAL REVIEW.—

14 “(1) DISAPPROVAL.—

15 “(A) IN GENERAL.—A covered agreement
16 shall have no force and effect in the United
17 States if, before the expiration of the 90-day pe-
18 riod beginning on the day that the final legal
19 text of the agreement is submitted to the Congress
20 pursuant to subsection (c), a joint resolution de-
21 scribed in paragraph (2) is enacted into law.

22 “(B) VETO.—If the President vetoes the
23 joint resolution, the joint resolution shall be
24 treated as enacted into law before the end of the
25 90-day period under subparagraph (A) if both

1 *Houses of Congress vote to override such veto on*
2 *or before the later of—*

3 “(i) *the last day of such 90-day period;*

4 *or*

5 “(ii) *the last day of the 15-day period*
6 *(excluding any day described in paragraph*
7 *(8)) beginning on the date the Congress re-*
8 *ceives the veto message from the President.*

9 “(2) *CONTENTS OF RESOLUTIONS.—For purposes*
10 *of this subsection, the term ‘resolution’ means only a*
11 *joint resolution of the two Houses of the Congress,*
12 *that is introduced during the 60-day period beginning*
13 *upon the submission to the Congress pursuant to sub-*
14 *section (c) of the covered agreement to which such res-*
15 *olution relates, and the matter after the resolving*
16 *clause of which is as follows: ‘That the Congress does*
17 *not approve the covered agreement transmitted to the*
18 *Congress pursuant to section 314(c) of title 31,*
19 *United States Code, on _____.’, the blank*
20 *space being filled with the appropriate date.*

21 “(3) *REFERENCE TO COMMITTEES.—All resolu-*
22 *tions introduced in the House of Representatives shall*
23 *be referred to the Committee on Financial Services*
24 *and all resolutions introduced in the Senate shall be*

1 referred to the Committee on Banking, Housing, and
2 Urban Affairs.

3 “(4) DISCHARGE OF COMMITTEES.—

4 “(A) IN GENERAL.—If the committee of ei-
5 ther House to which a resolution has been re-
6 ferred has not reported it at the end of 30 days
7 after its introduction, not counting any day
8 which is excluded under paragraph (8), it is in
9 order to move either to discharge the committee
10 from further consideration of the resolution or to
11 discharge the committee from further consider-
12 ation of any other resolution introduced with re-
13 spect to the same matter, except that a motion
14 to discharge—

15 “(i) may only be made on the second
16 legislative day after the calendar day on
17 which the Member making the motion an-
18 nounces to the House his intention to do so;
19 and

20 “(ii) is not in order after the com-
21 mittee has reported a resolution with respect
22 to the same matter.

23 “(B) PRIVILEGE.—A motion to discharge
24 under subparagraph (A) may be made only by
25 an individual favoring the resolution, and is

1 *highly privileged in the House and privileged in*
2 *the Senate; and debate thereon shall be limited to*
3 *not more than 1 hour, the time to be divided in*
4 *the House equally between those favoring and*
5 *those opposing the resolution, and to be divided*
6 *in the Senate equally between, and controlled by,*
7 *the majority leader and the minority leader or*
8 *their designees. An amendment to the motion is*
9 *not in order, and it is not in order to move to*
10 *reconsider the vote by which the motion is agreed*
11 *to or disagreed to.*

12 “(5) *FLOOR CONSIDERATION IN THE HOUSE.—*

13 “(A) *IN GENERAL.—A motion in the House*
14 *of Representatives to proceed to the consideration*
15 *of a resolution shall be highly privileged and not*
16 *debatable. An amendment to the motion shall not*
17 *be in order, nor shall it be in order to move to*
18 *reconsider the vote by which the motion is agreed*
19 *to or disagreed to.*

20 “(B) *DEBATE; NO RECONSIDERATION.—De-*
21 *bate in the House of Representatives on a resolu-*
22 *tion shall be limited to not more than 20 hours,*
23 *which shall be divided equally between those fa-*
24 *vorizing and those opposing the resolution. A mo-*
25 *tion further to limit debate shall not be debat-*

1 *able. No amendment to, or motion to recommit,*
2 *the resolution shall be in order. It shall not be*
3 *in order to move to reconsider the vote by which*
4 *a resolution is agreed to or disagreed to.*

5 “(C) *CONSIDERATION OF OTHER MO-*
6 *TIONS.—Motions to postpone, made in the House*
7 *of Representatives with respect to the consider-*
8 *ation of a resolution, and motions to proceed to*
9 *the consideration of other business, shall be de-*
10 *ecided without debate.*

11 “(D) *APPEALS TO DECISIONS OF CHAIR.—*
12 *All appeals from the decisions of the Chair relat-*
13 *ing to the application of the Rules of the House*
14 *of Representatives to the procedure relating to a*
15 *resolution shall be decided without debate.*

16 “(E) *APPLICABILITY OF RULES.—Except to*
17 *the extent specifically provided in the preceding*
18 *provisions of this paragraph, consideration of a*
19 *resolution in the House of Representatives shall*
20 *be governed by the Rules of the House of Rep-*
21 *resentatives applicable to other resolutions in*
22 *similar circumstances.*

23 “(6) *FLOOR CONSIDERATION IN THE SENATE.—*

24 “(A) *MOTION TO PROCEED.—A motion in*
25 *the Senate to proceed to the consideration of a*

1 *resolution shall be privileged. An amendment to*
2 *the motion shall not be in order, nor shall it be*
3 *in order to move to reconsider the vote by which*
4 *the motion is agreed to or disagreed to.*

5 “(B) *DEBATE ON RESOLUTION.*—*Debate in*
6 *the Senate on a resolution, and all debatable mo-*
7 *tions and appeals in connection therewith, shall*
8 *be limited to not more than 20 hours, to be*
9 *equally divided between, and controlled by, the*
10 *majority leader and the minority leader or their*
11 *designees.*

12 “(C) *DEBATE ON MOTION OR APPEAL.*—*De-*
13 *bate in the Senate on any debatable motion or*
14 *appeal in connection with a resolution shall be*
15 *limited to not more than 1 hour, to be equally*
16 *divided between, and controlled by, the mover*
17 *and the manager of the resolution, except that in*
18 *the event the manager of the resolution is in*
19 *favor of any such motion or appeal, the time in*
20 *opposition thereto, shall be controlled by the mi-*
21 *nority leader or his designee. Such leaders, or ei-*
22 *ther of them, may, from time under their control*
23 *on the passage of a resolution, allot additional*
24 *time to any Senator during the consideration of*
25 *any debatable motion or appeal.*

1 “(D) *MOTION TO LIMIT DEBATE.*—*A motion*
2 *in the Senate to further limit debate on a resolu-*
3 *tion, debatable motion, or appeal is not debat-*
4 *able. No amendment to, or motion to recommit,*
5 *a resolution is in order in the Senate.*

6 “(7) *PROCEDURES IN THE SENATE.*—

7 “(A) *PROCEDURES.*—*Except as otherwise*
8 *provided in this section, the following procedures*
9 *shall apply in the Senate to a resolution to*
10 *which this subsection applies:*

11 “(i)(I) *Except as provided in subclause*
12 *(II), a resolution that has passed the House*
13 *of Representatives shall, when received in*
14 *the Senate, be referred to the Committee on*
15 *Banking, Housing, and Urban Affairs for*
16 *consideration in accordance with this sub-*
17 *section.*

18 “(II) *If a resolution to which this sub-*
19 *section applies was introduced in the Sen-*
20 *ate before receipt of a resolution that has*
21 *passed the House of Representatives, the res-*
22 *olution from the House of Representatives*
23 *shall, when received in the Senate, be placed*
24 *on the calendar. If this subclause applies,*
25 *the procedures in the Senate with respect to*

1 *a resolution introduced in the Senate that*
2 *contains the identical matter as the resolu-*
3 *tion that passed the House of Representa-*
4 *tives shall be the same as if no resolution*
5 *had been received from the House of Rep-*
6 *resentatives, except that the vote on passage*
7 *in the Senate shall be on the resolution that*
8 *passed the House of Representatives.*

9 “(ii) *If the Senate passes a resolution*
10 *before receiving from the House of Rep-*
11 *resentatives a joint resolution that contains*
12 *the identical matter, the joint resolution*
13 *shall be held at the desk pending receipt of*
14 *the joint resolution from the House of Rep-*
15 *resentatives. Upon receipt of the joint reso-*
16 *lution from the House of Representatives,*
17 *such joint resolution shall be deemed to be*
18 *read twice, considered, read the third time,*
19 *and passed.*

20 “(B) *NON-IDENTICAL RESOLUTIONS.—If the*
21 *texts of joint resolutions described in this sub-*
22 *section concerning any matter are not iden-*
23 *tical—*

24 “(i) *the Senate shall vote passage on*
25 *the resolution introduced in the Senate; and*

1 “(ii) the text of the joint resolution
2 passed by the Senate shall, immediately
3 upon its passage (or, if later, upon receipt
4 of the joint resolution passed by the House),
5 be substituted for the text of the joint resolu-
6 tion passed by the House of Representatives,
7 and such resolution, as amended, shall be
8 returned with a request for a conference be-
9 tween the two Houses.

10 “(C) CONSIDERATION OF VETO MESSAGE.—
11 Consideration in the Senate of any veto message
12 with respect to a joint resolution described in
13 paragraph (2), including consideration of all de-
14 batable motions and appeals in connection there-
15 with, shall be limited to 10 hours, to be equally
16 divided between, and controlled by, the majority
17 leader and the minority leader or their designees.

18 “(8) COMPUTATION OF PERIOD.—For purposes of
19 paragraph (1)(A) of this subsection and paragraph
20 (2)(A) of subsection (c), the 90-day period referred to
21 in such paragraph shall be computed by excluding—

22 “(A) the days on which either House is not
23 in session because of an adjournment of more
24 than 3 days to a day certain or an adjournment
25 of the Congress sine die; and

1 “(B) any Saturday and Sunday, not ex-
2 cluded under subparagraph (A), when either
3 House is not in session.

4 “(9) *EXERCISE OF RULEMAKING POWER.*—This
5 subsection is enacted by the Congress—

6 “(A) as an exercise of the rulemaking power
7 of the House of Representatives and the Senate,
8 respectively, and as such they are deemed a part
9 of the rules of each House, respectively, but ap-
10 plicable only with respect to the procedure to be
11 followed in that House in the case of resolutions
12 described in paragraph (2); and they supersede
13 other rules only to the extent that they are incon-
14 sistent therewith; and

15 “(B) with full recognition of the constitu-
16 tional right of either House to change the rules
17 (so far as relating to the procedure of that
18 House) at any time, in the same manner and to
19 the same extent as in the case of any other rule
20 of that House.

21 “(e) *REQUIREMENTS FOR CONSULTATIONS.*—Through-
22 out the negotiations of a covered agreement, parties rep-
23 resenting the Federal Government shall closely consult and
24 coordinate with, and include in such meetings, State insur-
25 ance commissioners or, at the option of the State insurance

- 1 *commissioners, designees of the insurance commissioners*
- 2 *acting at their direction.”.*

Union Calendar No. 623

115TH CONGRESS
2D SESSION

H. R. 4537

[Report No. 115-804, Part I]

A BILL

To preserve the State-based system of insurance regulation and provide greater oversight of and transparency on international insurance standards setting processes, and for other purposes.

JULY 3, 2018

Reported from the Committee on Financial Services with
an amendment

JULY 3, 2018

Committee on Rules discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed