

111TH CONGRESS  
1ST SESSION

# H. R. 1583

To further competition in the insurance industry.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2009

Mr. DEFAZIO (for himself, Mr. TAYLOR, Ms. KAPTUR, Mr. BAIRD, Mr. HARE, and Mr. NADLER of New York) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce and Financial Services, 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

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## A BILL

To further competition in the insurance industry.

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 “Insurance Industry  
5 Competition Act of 2009”.

6 **SEC. 2. ANTITRUST ENFORCEMENT AUTHORITY.**

7 (a) IN GENERAL.—The Act of March 9, 1945 (59  
8 Stat. 33; 15 U.S.C. 1011 et seq.) (commonly known as  
9 the McCarran-Ferguson Act) is amended—

1 (1) in section 2(b) (15 U.S.C. 1012(b)), by—

2 (A) inserting “as it relates to unfair meth-  
3 ods of competition,” after “Commission Act, as  
4 amended,”; and

5 (B) striking “to the extent that such busi-  
6 ness is not regulated by State law” and insert-  
7 ing “The Federal Trade Commission Act, as it  
8 relates to areas other than unfair methods of  
9 competition, shall be applicable to the business  
10 of insurance to the extent that such business is  
11 not regulated by State law.”; and

12 (2) by striking section 3 (15 U.S.C. 1013).

13 (b) FEDERAL TRADE COMMISSION ACT.—Section 6  
14 of the Federal Trade Commission Act (15 U.S.C. 46) is  
15 amended by striking the third undesignated paragraph fol-  
16 lowing subsection (i).

17 **SEC. 3. JOINT ENFORCEMENT POLICY STATEMENT.**

18 The Department of Justice and the Federal Trade  
19 Commission may issue joint statements of their antitrust  
20 enforcement policies regarding joint activities in the busi-  
21 ness of insurance.

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