

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 2761  
OFFERED BY MR. MANZULLO OF ILLINOIS**

Page 56, after line 11, insert the following:

1           (4) in section 106, by adding at the end the fol-  
2           lowing new subsection:

3           “(c) NBCR MAKE-AVAILABLE EXCEPTIONS.—A  
4 State may exempt an insurer that is a small business con-  
5 cern (as such term is defined for purposes of section 3  
6 of the Small Business Act (15 U.S.C. 632)) from the re-  
7 quirements of subparagraph (B) of section 103(c)(1) with  
8 respect to a particular offer or group of offers if the State  
9 finds that the ‘make available’ requirements in such sub-  
10 paragraph would severely reduce the underlying avail-  
11 ability of coverage with respect to losses other than for  
12 acts of NBCR terror, or if such requirements would risk  
13 impairment of such insurer.”; and