

SERFF Tracking Number: ACEH-125566357 State: Arkansas
Filing Company: Westchester Fire Insurance Company State Tracking Number: EFT \$50
Company Tracking Number: 08-AV-2007595
TOI: 22.0 Aircraft Sub-TOI: 22.0000 Aircraft
Product Name: 08-AV-2007595
Project Name/Number: Terrorism Risk Insurance Program Reauthorization Act of 2007(TRIPRA) /08-AV-2007595

Filing at a Glance

Company: Westchester Fire Insurance Company

Product Name: 08-AV-2007595

TOI: 22.0 Aircraft

Sub-TOI: 22.0000 Aircraft

Filing Type: Form

Effective Date Requested (New): 12/26/2007

Effective Date Requested (Renewal): 12/26/2007

SERFF Tr Num: ACEH-125566357 State: Arkansas

SERFF Status: Closed

Co Tr Num: 08-AV-2007595

Co Status:

Authors: Marlene Thomas, Renice Cox

Date Submitted: 03/21/2008

State Tr Num: EFT \$50

State Status: Fees verified and received

Reviewer(s): Betty Montesi, Llyweyia Rawlins, Brittany Yielding

Disposition Date: 03/31/2008

Disposition Status: Approved

Effective Date (New): 12/26/2007

Effective Date (Renewal): 12/26/2007

State Filing Description:

General Information

Project Name: Terrorism Risk Insurance Program Reauthorization Act of 2007(TRIPRA)

Project Number: 08-AV-2007595

Reference Organization:

Reference Title:

Filing Status Changed: 03/31/2008

State Status Changed: 03/31/2008

Corresponding Filing Tracking Number:

Filing Description:

This filing is in response to the Terrorism Risk Insurance Program Reauthorization Act of 2007 (TRIPRA). Specifically we are proposing to revise our existing Exception to Terrorism Exclusion form AC 165 (02-03). The title of this form has been changed to Amendment to Include Coverage for Certified Acts of Terrorism; Cap on Losses from Certified Acts of Terrorism. We believe this more clearly reflects the coverage provided.

Status of Filing in Domicile: Not Filed

Domicile Status Comments:

Reference Number:

Advisory Org. Circular:

Deemer Date:

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Company and Contact

Filing Contact Information

Renice Cox, Regulatory Specialist renice.cox@ace-ina.com
 436 Walnut Street, WB04G (215) 640-4876 [Phone]
 Philadelphia, PA 19106 (215) 640-4986[FAX]

Filing Company Information

Westchester Fire Insurance Company CoCode: 21121 State of Domicile: New York
 1133 Avenue of the Americas Group Code: 626 Company Type:
 New York, NY 10036 Group Name: State ID Number:
 (215) 640-2324 ext. [Phone] FEIN Number: 13-5481330

Filing Fees

Fee Required? Yes
 Fee Amount: \$50.00
 Retaliatory? No
 Fee Explanation:
 Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Westchester Fire Insurance Company	\$50.00	03/21/2008	18860388

SERFF Tracking Number: ACEH-125566357 State: Arkansas
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Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Llyweyia Rawlins	03/31/2008	03/31/2008

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Disposition

Disposition Date: 03/31/2008

Effective Date (New): 12/26/2007

Effective Date (Renewal): 12/26/2007

Status: Approved

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: ACEH-125566357 State: Arkansas
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Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	TRIPRA Form	Approved	Yes
Supporting Document	Supporting Documents	Approved	Yes
Supporting Document	Filing Memo	Approved	Yes
Form	Amendment To Include Coverage For Certified Acts Of Terrorism; Cap On Losses From Certified Acts Of Terrorism	Approved	Yes
Form	Disclosure Pursuant To Terrorism Risk Insurance Act	Approved	Yes

SERFF Tracking Number: ACEH-125566357 State: Arkansas
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 Product Name: 08-AV-2007595
 Project Name/Number: Terrorism Risk Insurance Program Reauthorization Act of 2007(TRIPRA) /08-AV-2007595

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Amendment To Include Coverage For Certified Acts Of Terrorism; Cap On Losses From Certified Acts Of Terrorism	AC 165	(02-08)	Endorsement/Amendment/Conditions		0.00	AC165 (02-08).pdf
Approved	Disclosure Pursuant To Terrorism Risk Insurance Act	TRIA11b	(1/08)	Endorsement/Amendment/Conditions		0.00	TRIA11b.pdf

This Endorsement effective
forms part of Policy Number
Issued to
By

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.
**AMENDMENT TO INCLUDE COVERAGE FOR CERTIFIED ACTS OF TERRORISM;
CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM**

This endorsement modifies the insurance coverage provided under your AIRCRAFT POLICY.

1. No exclusion of terrorism contained in this policy applies to a "certified act of terrorism".
2. In the event that:
 - (a) aggregate insured losses certified under the federal Terrorism Risk Insurance Act (hereafter TRIA) exceed \$100 billion in a Program Year (January 1 through December 31); and
 - (b) our insurer deductible under TRIA is met,

we are not liable for payment in relation to such losses that exceed \$100 billion.

In such case insured losses up to that amount will be pro-rated according to the procedures established by the Secretary of the Treasury of the United States of America.

3. "Certified act of terrorism" means an act certified by the Secretary of the Treasury, in concurrence with:
 - (a) the Secretary of State; and
 - (b) the Attorney General of the United States of America,to be an act of terrorism pursuant to TRIA.

The criteria for a "certified act of terrorism" include that the act:

- A. resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to TRIA; and
- B. is a violent act or an act that is dangerous to:
 - (a) human life; or
 - (b) property or infrastructureand is part of an effort to:
 - (c) coerce the civilian population of the United States of America; or
 - (d) influence the policy or affect the conduct of the United States Government by coercion.

Endorsement No.

This Endorsement effective
forms part of Policy Number
Issued to
By

4. Premium:

1. Aircraft Physical Damage (Policy Section Two)

Annual \$

Hereon \$

2. Liability To Others (Policy Section Three)

Annual \$

Hereon \$

Subject otherwise to all terms and conditions of the Policy to which this endorsement is attached.

Authorized Representative

Endorsement No.

AC 165 (02-08)

DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period to	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Disclosure Of Premium

In accordance with the federal Terrorism Risk Insurance Act, we are required to provide you with a notice disclosing the portion of your premium, if any, attributable to coverage for terrorist acts certified under the Terrorism Risk Insurance Act. The portion of your premium attributable to such coverage is shown in this endorsement or in the policy Declarations.

Disclosure Of Federal Participation In Payment Of Terrorism Losses

The United States Government, Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals 85% of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion.

Cap On Insurer Participation In Payment Of Terrorism Losses

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

Terrorism Risk Insurance Act premium: \$_____.

Authorized Agent

SERFF Tracking Number: ACEH-125566357 *State:* Arkansas
Filing Company: Westchester Fire Insurance Company *State Tracking Number:* EFT \$50
Company Tracking Number: 08-AV-2007595
TOI: 22.0 Aircraft *Sub-TOI:* 22.0000 Aircraft
Product Name: 08-AV-2007595
Project Name/Number: Terrorism Risk Insurance Program Reauthorization Act of 2007(TRIPRA) /08-AV-2007595

Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: ACEH-125566357 State: Arkansas
Filing Company: Westchester Fire Insurance Company State Tracking Number: EFT \$50
Company Tracking Number: 08-AV-2007595
TOI: 22.0 Aircraft Sub-TOI: 22.0000 Aircraft
Product Name: 08-AV-2007595
Project Name/Number: Terrorism Risk Insurance Program Reauthorization Act of 2007(TRIPRA) /08-AV-2007595

Supporting Document Schedules

Bypassed -Name: Uniform Transmittal Document-Property & Casualty	Review Status: Approved	03/31/2008
Bypass Reason: n/a		
Comments:		
Satisfied -Name: TRIPRA Form	Review Status: Approved	03/31/2008
Comments:		
Attachment: TRIPRA Expedited Filing Form-AR.pdf		
Satisfied -Name: Supporting Documents	Review Status: Approved	03/31/2008
Comments:		
Attachments: Comparison of AC165 (02-08) with Existing AC165 (02-03).pdf Comparison of TRIA11b with Existing TRIA11a.pdf TRIA15c.pdf TR19604c.pdf		
Satisfied -Name: Filing Memo	Review Status: Approved	03/31/2008
Comments:		
Attachment: FILING MEMO - FORM.pdf		

**EXPEDITED FILING TRANSMITTAL DOCUMENT
FOR TERRORISM RISK INSURANCE FORMS AND PRICING**

This page applies to the following state(s) AR

Indicate Type of Filing
<input type="checkbox"/> Filing Related to <i>Certified Losses</i>
<input type="checkbox"/> Filing Related to <i>Non-Certified Losses</i>
<input type="checkbox"/> Filing Applicable to Both Certified and Non-Certified Losses

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
Westchester Fire Insurance Company	NY	21121	13-5481330

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail
510 Walnut Street Philadelphia, PA 19106	215-640-4876	215-640-4986	Renice.cox@ace-ina.com

Filing information

Line of Insurance (see attachment)	22.0 Aircraft
Company Program Title (Marketing title) (if applicable)	Aircraft Program
Filing Type ** see note below	Forms
This application is used with:	AC 102 (11-98)
Effective Date Requested	12/26/2007
Filing date	03/21/2008
Company Tracking Number	08-AV-2007595
Date filing approved in domiciliary state, if applicable	

	<u>Component/Form Name /Description/Synopsis</u>	<u>Form # or Rate Page Include edition date</u>	<u>Replacement Or withdrawn?</u>	<u>If replacement, give form # or rate page(s) it replaces</u>	<u>Previous State Filing Number, if required by state</u>
01	Disclosure Pursuant To Terrorism Risk Insurance Act (Note: Mandatory when policyholder elects TRIA coverage)	TRIA11b (01/08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	TRIA11a (02/06)	
02	Amendment To Include Coverage For Certified Acts of Terrorism; Cap On Losses From Certified Acts Of Terrorism	AC 165 (02-08)	<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Neither		
03	Policyholder Disclosure Notice Of Terrorism Insurance Coverage (Note: Mandatory when policyholder rejects TRIA coverage)	TRIA15c (01/08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	TRIA15a (04/06)	

04	Policyholder Disclosure Notice Of Terrorism Insurance Coverage	TR-19604c (01/08)	<input type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input checked="" type="checkbox"/> Neither		
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To be complete, a filing must include the following:

- A completed Expedited Filing Transmittal Document for each insurer or advisory organization.
- One copy of each endorsement, disclosure form or other policy language, unless the insurer has given an advisory organization authorization to file them on its behalf.
- A copy of the rates, rating systems and supporting documentation.
- The appropriate filing fees, if required
- A postage-paid, self-addressed envelope **large enough to accommodate the return.**

The insurer(s) submitting this filing certifies that it:

- Is in compliance with the terms of the Terrorism Risk Insurance Act, as amended, and the laws of this state; and
- Is in compliance with the requirements of the bulletin containing the voluntary expedited filing procedures.

Renice Cox
Signature

Renice Cox
Print Name:

Regulatory Specialist
Title:

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

AMENDMENT TO INCLUDE COVERAGE FOR CERTIFIED ACTS OF TERRORISM; CAP ON LOSSES FROM CERTIFIED ACTS OF TERRORISM

Deleted: EXCEPTION
Deleted: TERRORISM EXCLUSION

This endorsement modifies the insurance coverage provided under your AIRCRAFT POLICY.

1. No exclusion of terrorism contained in this policy applies to a "certified act of terrorism".

Deleted: A. With respect to any
Deleted: Policy or attached to this Policy by endorsement, such exclusion does not apply

2. In the event that:

(a) aggregate insured losses certified under the federal Terrorism Risk Insurance Act (hereafter TRIA) exceed \$100 billion in a Program Year (January 1 through December 31); and

Deleted: That exclusion also does not apply to an act which meets the criteria set forth in Paragraph

(b) our insurer deductible under TRIA is met,

Deleted: of the definition of "

we are not liable for payment in relation to such losses that exceed \$100 billion.

Deleted: act of terrorism", when such act resulted in aggregate losses of \$5 million or less. ¶

In such case insured losses up to that amount will be pro-rated according to the procedures established by the Secretary of the Treasury of the United States of America.

Deleted: B. With respect to any one of more "certified acts of terrorism", we will not pay any amounts for which we are not responsible

3. "Certified act of terrorism" means an act certified by the Secretary of the Treasury, in concurrence with:

Deleted: terms of the

(a) the Secretary of State; and

Deleted: of 2002 (including subsequent acts of Congress pursuant to the Act) due to the application of any clause which results in a cap on our liability for payments for terrorism losses.

(b) the Attorney General of the United States of America,

Deleted: C

to be an act of terrorism pursuant to TRIA.

Deleted: that is

The criteria for a "certified act of terrorism" include that the act:

Deleted: , to be an act

A. resulted in insured losses in excess of \$5 million in the aggregate, attributable to all types of insurance subject to TRIA; and

Deleted: terrorism pursuant to the federal Terrorism Risk Insurance Act of 2002. The federal Terrorism Risk Insurance Act of 2002 sets forth the following criteria for a "certified act of terrorism":

B. is a violent act or an act that is dangerous to:

Deleted: . 1. .

(a) human life; or

Deleted: aggregate

(b) property or infrastructure

Deleted: 2. The act

and is part of an effort to:

Deleted: .

(c) coerce the civilian population of the United States of America; or

Deleted: committed by an individual or individuals acting on behalf of any foreign person or foreign interest, as

(d) influence the policy or affect the conduct of the United States Government by coercion.

Deleted: to

Endorsement No.

Deleted: D

AC 165 (02-08)

Deleted: 03)

This Endorsement effective
Forms part of Policy Number
Issued to
By Westchester Fire Insurance Company

4. Premium;

Deleted: for this endorsement

1. Aircraft Physical Damage (Policy Section Two)

Deleted: Coverages for

Annual \$

Deleted: Premium for this endorsement . . \$1

Hereon \$

2. Liability To Others (Policy Section Three)

Deleted: Coverages for

Annual \$

Deleted: Premium for this endorsement . . \$1

Hereon \$

Subject otherwise to all terms and conditions of the Policy to which this endorsement is attached.

Authorized Representative

Endorsement No.

Deleted: 03)

AC 165 (02-08)

Text Comparison

Documents Compared

TRIA11A.pdf - Adobe Acrobat Professional

TRIA11b.pdf - Adobe Acrobat Professional

Summary

316 word(s) added

380 word(s) deleted

To see where the changes are, scroll down.

~~**POLICYHOLDER DISCLOSURE NOTICE
OF TERRORISM INSURANCE COVERAGE**~~

Named Insured			Endorsement Number
Policy Symbol	Policy Number	Policy Period	Effective Date of Endorsement
Issued By (Name of Insurance Company)			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

~~You should be aware that under the Terrorism Risk Insurance Act (the Act), any losses resulting from certified acts of terrorism under your existing coverage may be partially reimbursed by the United States Government under a formula established by federal law (applicability is subject to the terms and conditions of each individual policy). The Act was specifically designed to address the ability of businesses and individuals to obtain property and casualty insurance for terrorism and to protect consumers by addressing market disruptions and ensure the continued availability of terrorism coverage.~~

~~Under the terms of the Act, you may now have the right to purchase insurance coverage for losses resulting from acts of terrorism. As defined in Section 102(1) of the Act, the term "act of terrorism" means any act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State, and the Attorney General of the United States to be an act of terrorism, to be a violent act or an act that is dangerous to human life, property, or infrastructure, to have resulted in damage within the United States, or outside the United States in the case of an air carrier or vessel or the premises of a United States mission, and to have been committed by an individual or individuals acting on behalf of any foreign person or foreign interest, as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.~~

~~Responsibility for Compensation under the Act is shared between insurance companies covered by the Act and the United States Government. Under the formula set forth in the Act, the United States Government pays 90% (85% in 2007) of covered terrorism losses exceeding the statutorily established deductible, which is paid by the insurance company providing the coverage.~~

~~We are providing you with the terrorism coverage required by the Act. The premium for the coverage is set forth below:~~

~~Terrorism Risk Insurance Act premium: \$ _____~~

~~Authorized Agent~~

DISCLOSURE PURSUANT TO TERRORISM RISK INSURANCE ACT

<u>Named Insured</u>			<u>Endorsement Number</u>
<u>Policy Symbol</u>	<u>Policy Number</u>	<u>Policy Period</u> to	<u>Effective Date of Endorsement</u>
<u>Issued By (Name of Insurance Company)</u>			

Insert the policy number. The remainder of the information is to be completed only when this endorsement is issued subsequent to the preparation of the policy.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Disclosure Of Premium

In accordance with the federal Terrorism Risk Insurance Act, we are required to provide you with a notice disclosing the portion of your premium, if any, attributable to coverage for terrorist acts certified under the Terrorism Risk Insurance Act. The portion of your premium attributable to such coverage is shown in this endorsement or in the policy Declarations.

Disclosure Of Federal Participation In Payment Of Terrorism Losses

The United States Government, Department of the Treasury, will pay a share of terrorism losses insured under the federal program. The federal share equals 85% of that portion of the amount of such insured losses that exceeds the applicable insurer retention. However, if aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31), the Treasury shall not make any payment for any portion of the amount of such losses that exceeds \$100 billion.

Cap On Insurer Participation In Payment Of Terrorism Losses

If aggregate insured losses attributable to terrorist acts certified under the Terrorism Risk Insurance Act exceed \$100 billion in a Program Year (January 1 through December 31) and we have met our insurer deductible under the Terrorism Risk Insurance Act, we shall not be liable for the payment of any portion of the amount of such losses that exceeds \$100 billion, and in such case insured losses up to that amount are subject to pro rata allocation in accordance with procedures established by the Secretary of the Treasury.

Terrorism Risk Insurance Act premium: \$ _____.

Authorized Agent



Insurance Company

Policyholder

Policy Number

Broker/Producer

POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE

You were notified that under the Terrorism Risk Insurance Act, as amended, that you have the right to purchase insurance coverage for losses resulting from acts of terrorism, *as defined in Section 102(1) of the Act*. The term "act of terrorism" means any act that is certified by the Secretary of the Treasury---in concurrence with the Secretary of State, and the Attorney General of the United States---to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, SUCH POLICIES MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85% OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, COVERAGE MAY BE REDUCED.

You elected **NOT** to purchase terrorism coverage under the Act at the price indicated. ACCORDINGLY, WE WILL **NOT** PROVIDE THIS COVERAGE AND YOU DO NOT OWE THE ADDITIONAL PREMIUM FOR THAT COVERAGE INDICATED BELOW.

Terrorism coverage described by the Act under your policy was made available to you for additional premium in the amount of \$_____, however you elected to decline such coverage.

**POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM
INSURANCE COVERAGE**

You are notified that under the Terrorism Risk Insurance Act, as amended, that you have a right to purchase insurance coverage for losses resulting from acts of terrorism, as defined in Section 102(1) of the Act. The term "act of terrorism" means any act that is certified by the Secretary of the Treasury---in concurrence with the Secretary of State, and the Attorney General of the United States---to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85% OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

Acceptance or Rejection of Terrorism Insurance Coverage

	I hereby elect to purchase terrorism coverage for a prospective premium of \$_____
	I hereby decline to purchase terrorism coverage for certified acts of terrorism. I understand that I will have no coverage for losses resulting from certified acts of terrorism.

Policyholder/Applicant's Signature

Insurance Company

Print Name

Policy Number

Date

FILING MEMORANDUM

AIRCRAFT PROGRAM

This filing is in response to the Terrorism Risk Insurance Program Reauthorization Act of 2007 (TRIPRA).

Specifically we are proposing to revise our existing Exception to Terrorism Exclusion form AC 165 (02-03). The title of this form has been changed to *Amendment to Include Coverage for Certified Acts of Terrorism; Cap on Losses from Certified Acts of Terrorism*. We believe this more clearly reflects the coverage provided. The new edition is AC 165 (02-08).

Finally, we are also proposing to revise our existing Disclosure Endorsement TRIA 11a with a new 'b' version. Changes to this form were necessary to reflect the new TRIPRA provisions.

Comparisons of existing and proposed forms are attached to assist you with your review. Please note we are attaching copies of our Disclosure Notices TR-19604c (01/08) and TRA-15c (01/08) for informational purposes only.

We intend to implement these changes to policies effective on and after 12/26/07 or the earliest permissible date.