JIM GIBBONS
*Governor*

MENDY K. ELLIOTT
*Director*

STATE OF NEVADA

ALICE A. MOLASKY-ARMAN
*Commissioner of Insurance*

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August 18, 2008

The Honorable Paul E. Kanjorski
Chairman, Subcommittee on Capital Markets,
Insurance, and Government Sponsored Enterprises
House Financial Services Committee
U.S. House of Representatives
2188 Rayburn House Office Building
Washington DC 20515-3811

RE: H.R. 5840
Insurance Information Act of 2008

Dear Congressman Kanjorski:

I am writing to express my concerns regarding the adverse effects the passage of H.R. 5840, in its present form, would have on the state regulation of insurance. Nevada has been, and remains in the forefront of fighting for the protection of our residents from fraudulent practices in the insurance industry. At the same time, Nevada recognizes the importance of consistent and fair regulation of our insurance licensees. The Nevada insurance laws are drafted and applied in such a way as to provide predictability and stability for licensees and consumers. To promote the arbitrary preemption of state statutes and regulations, based upon federal public policy, and applied by an administrative agency, as opposed to the judicial system and the process under the court system, would disrupt the insurance market and place at risk the insurance consumers in the state of Nevada. Preemption by a federal agency created for the primary purpose of preempting state insurance laws would adversely affect and completely undermine Nevada's progress and its continuing fight against fraudulent insurance practices across the United States.

In addition to the concerns identified above, I am also adopting the comments and concerns in a letter to you from the state of Maine, dated July 22, 2008, and signed by Mila Kofman, Superintendent of Insurance, and G. Steven Rowe, Attorney General.

Please contact me if you have questions or comments regarding my concern for the state of Nevada should H.R. 5840 be adopted in its present form.

Sincerely,

ALICE A. MOLASKY-ARMAN
Commissioner of Insurance