

**(4) Reciprocal reciprocity**

Each of the States that satisfies paragraphs (1), (2), and (3) grants reciprocity to residents of all of the other States that satisfy such paragraphs.

**(d) Determination****(1) NAIC determination**

At the end of the 3-year period beginning on November 12, 1999, the National Association of Insurance Commissioners (hereafter in this subchapter referred to as the “NAIC”) shall determine, in consultation with the insurance commissioners or chief insurance regulatory officials of the States, whether the uniformity or reciprocity required by subsections (b) and (c) of this section has been achieved.

**(2) Judicial review**

The appropriate United States district court shall have exclusive jurisdiction over any challenge to the NAIC’s determination under this section and such court shall apply the standards set forth in section 706 of title 5 when reviewing any such challenge.

**(e) Continued application**

If, at any time, the uniformity or reciprocity required by subsections (b) and (c) of this section no longer exists, the provisions of this subchapter shall take effect 2 years after the date on which such uniformity or reciprocity ceases to exist, unless the uniformity or reciprocity required by those provisions is satisfied before the expiration of that 2-year period.

**(f) Savings provision**

No provision of this section shall be construed as requiring that any law, regulation, provision, or action of any State which purports to regulate insurance producers, including any such law, regulation, provision, or action which purports to regulate unfair trade practices or establish consumer protections, including countersignature laws, be altered or amended in order to satisfy the uniformity or reciprocity required by subsections (b) and (c) of this section, unless any such law, regulation, provision, or action is inconsistent with a specific requirement of any such subsection and then only to the extent of such inconsistency.

**(g) Uniform licensing**

Nothing in this section shall be construed to require any State to adopt new or additional licensing requirements to achieve the uniformity necessary to satisfy subsection (a)(1) of this section.

(Pub. L. 106–102, title III, §321, Nov. 12, 1999, 113 Stat. 1422.)

**§ 6752. National Association of Registered Agents and Brokers****(a) Establishment**

There is established the National Association of Registered Agents and Brokers (hereafter in this subchapter referred to as the “Association”).

**(b) Status**

The Association shall—

- (1) be a nonprofit corporation;
- (2) have succession until dissolved by an Act of Congress;
- (3) not be an agent or instrumentality of the United States Government; and
- (4) except as otherwise provided in this Act, be subject to, and have all the powers conferred upon a nonprofit corporation by the District of Columbia Nonprofit Corporation Act (D.C. Code, sec. 29y–1001 et seq.).

(Pub. L. 106–102, title III, §322, Nov. 12, 1999, 113 Stat. 1424.)

## REFERENCES IN TEXT

This Act, referred to in subsec. (b)(4), is Pub. L. 106–102, Nov. 12, 1999, 113 Stat. 1338, known as the Gramm-Leach-Bliley Act. For complete classification of this Act to the Code, see Short title of 1999 Amendment note set out under section 1811 of Title 12, Banks and Banking, and Tables.

The District of Columbia Nonprofit Corporation Act, referred to in subsec. (b)(4), is Pub. L. 87–569, Aug. 6, 1962, 76 Stat. 265, as amended, which is not classified to the Code.

**§ 6753. Purpose**

The purpose of the Association shall be to provide a mechanism through which uniform licensing, appointment, continuing education, and other insurance producer sales qualification requirements and conditions can be adopted and applied on a multistate basis, while preserving the right of States to license, supervise, and discipline insurance producers and to prescribe and enforce laws and regulations with regard to insurance-related consumer protection and unfair trade practices.

(Pub. L. 106–102, title III, §323, Nov. 12, 1999, 113 Stat. 1424.)

**§ 6754. Relationship to the Federal Government**

The Association shall be subject to the supervision and oversight of the NAIC.

(Pub. L. 106–102, title III, §324, Nov. 12, 1999, 113 Stat. 1424.)

**§ 6755. Membership****(a) Eligibility****(1) In general**

Any State-licensed insurance producer shall be eligible to become a member in the Association.

**(2) Ineligibility for suspension or revocation of license**

Notwithstanding paragraph (1), a State-licensed insurance producer shall not be eligible to become a member if a State insurance regulator has suspended or revoked such producer’s license in that State during the 3-year period preceding the date on which such producer applies for membership.

**(3) Resumption of eligibility**

Paragraph (2) shall cease to apply to any insurance producer if—

- (A) the State insurance regulator renews the license of such producer in the State in which the license was suspended or revoked;
- or