

[DISCUSSION DRAFT]

116TH CONGRESS
1ST SESSION

H. R. _____

To improve the processes for establishing and appealing flood insurance rate maps under the National Flood Insurance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the Committee on _____

A BILL

To improve the processes for establishing and appealing flood insurance rate maps under the National Flood Insurance Program, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “_____ Act of 2019”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 2. Reauthorization of appropriations for National Flood Mapping Program.
- Sec. 3. Mapping accuracy and reach.
- Sec. 4. Appeals regarding existing flood maps.
- Sec. 5. Appeals and publication of projected special flood hazard areas.
- Sec. 6. Communication and outreach regarding map changes.
- Sec. 7. Adoption of partial flood maps.
- Sec. 8. New zone for levee-impacted areas.
- Sec. 9. Agricultural structures in special flood hazard zones.
- Sec. 10. Technical mapping advisory council.

1 **SEC. 2. REAUTHORIZATION OF APPROPRIATIONS FOR NA-**
2 **TIONAL FLOOD MAPPING PROGRAM.**

3 Subsection (f) of section 100216 of the Biggert-
4 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
5 4101(b)) is amended by striking “\$400,000,000 for each
6 of fiscal years 2013 through 2017” and inserting
7 “\$400,000,000 for each of fiscal years 2019 through
8 2023”.

9 **SEC. 3. MAPPING IMPROVEMENTS AND REACH.**

10 (a) EXPANDING MAPPING TO ALL AREAS OF THE
11 UNITED STATES.—Subparagraph (A) of section
12 100216(b)(1) of the Biggert-Waters Flood Insurance Re-
13 form Act of 2012 (42 U.S.C. 4101b(b)(1)(A)) is amend-
14 ed—

15 (1) in clause (v), by striking “and” at the end;

16 (2) by redesignating clause (vi) as clause (vii);

17 and

18 (3) by inserting after clause (v) the following:

19 “(vi) all areas of the United States;

20 and”.

1 (b) USE OF OTHER FEDERAL AGENCIES AND
2 LIDAR.—Section 100216 of the Biggert-Waters Flood
3 Insurance Reform Act of 2012 (42 U.S.C. 4101b) is
4 amended—

5 (1) in subsection (b)—

6 (A) in paragraph (1)—

7 (i) by redesignating subparagraphs
8 (B) and (C) as subparagraphs (C) and
9 (D), respectively;

10 (ii) by inserting after subparagraph
11 (A) the following:

12 “(B) as soon as practicable—

13 “(i) modernize the flood mapping in-
14 ventory for communities for which the Na-
15 tional Flood Insurance Program rate maps
16 have not been modernized; and

17 “(ii) in coordination with commu-
18 nities, utilize the digital display environ-
19 ment established under subsection
20 (f)(1)(A) to produce, store, and dissemi-
21 nate any flood hazard data, models, and
22 maps generated under clause (i) while en-
23 suring that the flood mapping inventory
24 described in that clause may be printed in
25 order to carry out—

1 “(I) floodplain management pro-
2 grams under the National Flood In-
3 surance Act of 1968 (42 U.S.C. 4001
4 et seq.); and

5 “(II) other purposes of the Na-
6 tional Flood Insurance Program;”;

7 (iii) in subparagraph (C), as so redes-
8 ignated, by striking “and” at the end;

9 (iv) in subparagraph (D), as so redes-
10 ignated, by striking the period at the end
11 and inserting “, including the most current
12 and most appropriate remote sensing or
13 other geospatial mapping technology; and”;
14 and

15 (v) by adding at the end the following:

16 “(E) when appropriate, partner with other
17 Federal agencies, States, communities, and pri-
18 vate entities in order to meet the objectives of
19 the program.”; and

20 (B) in paragraph (3)(C), by inserting
21 “urban flooding,” after “changing lake levels,”;

22 (2) by redesignating subsection (f), as amended
23 by section 2 of this Act, as subsection (h); and

24 (3) by inserting after subsection (e) the fol-
25 lowing:

1 “(f) DIGITAL DISPLAY ENVIRONMENT AND BUILD-
2 ING-SPECIFIC FLOOD HAZARD AND RISK INFORMA-
3 TION.—

4 “(1) ESTABLISHMENT.—

5 “(A) IN GENERAL.—Not later than 5 years
6 after the date of enactment of this subsection,
7 the Administrator, in consultation with the
8 Technical Mapping Advisory Council, shall es-
9 tablish a dynamic, database-derived digital dis-
10 play environment for flood hazard and risk
11 data, models, maps, and assessments.

12 “(B) CONSULTATION WITH STATES AND
13 COMMUNITIES.—In designing and constructing
14 the digital display environment under subpara-
15 graph (A), the Administrator shall—

16 “(i) leverage and partner with States
17 and communities that have successfully im-
18 plemented the same approach; and

19 “(ii) consider adopting the techniques
20 and technologies used by the States and
21 communities described in clause (i) and ap-
22 plying those techniques and technologies
23 nationwide.

24 “(2) DIGITAL DISPLAY SYSTEM.—

1 “(A) IN GENERAL.—In carrying out para-
2 graph (1), the Administrator, in consultation
3 with the Technical Mapping Advisory Council,
4 shall establish a national digital display system
5 that shall—

6 “(i) be prompted through dynamic
7 querying of a spatial, relational flood haz-
8 ard and risk database;

9 “(ii) as permissible under law, be
10 made available to the public;

11 “(iii) to the extent feasible, and where
12 sufficient data is available, provide infor-
13 mation, with respect to individual struc-
14 tures, regarding—

15 “(I) flood hazard and risk assess-
16 ment determinations, including the
17 depth of potential flooding and the
18 cost of damage repair for a range of
19 flood frequencies;

20 “(II) flood insurance premiums;
21 and

22 “(III) flood risk mitigation op-
23 tions and associated costs;

1 “(iv) be constructed in a manner that
2 facilitates coordination with digital display
3 systems that—

4 “(I) have been developed by
5 State and community partners; and

6 “(II) the Administrator finds are
7 acceptable;

8 “(v) include the capability to print
9 physical copies of maps; and

10 “(vi) where feasible, allow for the
11 maintenance and storage of elevation cer-
12 tificates.

13 “(B) PRIVACY REQUIREMENTS.—When
14 disseminating information under subparagraph
15 (A), the Administrator may not disclose person-
16 ally identifiable information to the public or to
17 a private company in a manner that violates
18 section 552a of title 5, United States Code, or
19 any regulation implementing that section.

20 “(3) DATA PROCUREMENT.—The Administrator
21 shall consider methods to obtain any data necessary
22 to establish the digital display environment described
23 in paragraph (1), including—

24 “(A) requiring a community that is partici-
25 pating in the National Flood Insurance Pro-

1 gram to supply information, including building
2 footprints, cadastral, and elevation data, for
3 each structure—

4 “(i) with respect to which the commu-
5 nity possesses that information; and

6 “(ii) that obtains a construction or
7 other development permit within—

8 “(I) a special flood hazard area;

9 or

10 “(II) an advisory special flood
11 hazard area adopted by the commu-
12 nity;

13 “(B) issuing guidelines and standards, as
14 determined by the Administrator;

15 “(C) partnering, contracting, or entering
16 into agreements with other Federal, State,
17 local, and private stakeholders to the greatest
18 extent possible to obtain and share existing
19 data that meets or exceeds the standards deter-
20 mined by the Administrator under subpara-
21 graph (B);

22 “(D) contracting with private companies to
23 obtain new data collections, such as building
24 footprints, cadastral data, and elevation certifi-

1 cates, if that data may be included in the envi-
2 ronment established under paragraph (1);

3 “(E) when reviewing and updating Na-
4 tional Flood Insurance Program rate maps, giv-
5 ing priority or other incentives to communities
6 that provide the Administrator data or analysis
7 needed for the digital display environment;

8 “(F) leveraging the efficient acquisition of
9 the most up-to-date, high resolution topographic
10 data, such as Light Detection and Ranging
11 (commonly known as ‘LiDAR’) data; and

12 “(G) using any other approach that allows
13 for the acquisition of data necessary for the
14 digital display environment for buildings con-
15 structed or substantially improved on or before
16 December 31, 1974, or before the effective date
17 of an initial flood insurance rate map published
18 by the Administrator under section 1360 for
19 the area in which a building is located.

20 “(4) REMOVAL OF LOW-RISK STRUCTURES
21 FROM FLOOD HAZARD AREAS.—

22 “(A) ESTABLISHMENT OF STANDARDS AND
23 PROCEDURES.—The Administrator, in consulta-
24 tion with the Technical Mapping Advisory
25 Council, shall develop standards and procedures

1 to remove low-risk structures en masse from
2 areas having special flood hazards.

3 “(B) CONTENT.—Such standards and pro-
4 cedures shall—

5 “(i) require the removal of multiple
6 structures at one time, instead of relying
7 on individual property owners to submit
8 elevation certificates;

9 “(ii) leverage the efficient acquisition
10 of the most up-to-date, high resolution
11 topographic data, such as Light Detection
12 and Ranging (commonly known as
13 ‘LiDAR’) data;

14 “(iii) where data is not available, use
15 the most current and efficient remote sens-
16 ing or other geospatial mapping technology
17 to obtain the data necessary to support
18 mass letters of map amendment; and

19 “(iv) be added as a stage to the flood
20 mapping process under the National Flood
21 Mapping Program.

22 “(C) REQUIREMENTS.—In developing such
23 standards and procedures, the Administrator
24 shall—

1 “(i) consult and coordinate with
2 States and communities that have imple-
3 mented successful approaches to remove
4 low-risk structures en masse from areas
5 having special flood hazards;

6 “(ii) consider adopting successful ap-
7 proaches in pilot programs funded by the
8 Federal Emergency Management Agency;
9 and

10 “(iii) integrate the standards and pro-
11 cedures established in subparagraph (A) as
12 a stage in the flood mapping process under
13 the National Flood Mapping Program.

14 “(g) ANNUAL REPORT.—The Administrator, in co-
15 ordination with the Technical Mapping Advisory Council
16 established under section 100215 of this Act, shall submit
17 to the Committee on Financial Services of the House of
18 Representatives and the Committee on Banking, Housing,
19 and Urban Affairs of the Senate an annual report regard-
20 ing progress achieved in the mapping program under this
21 section, including the digital display and structure-specific
22 information required under subsection (f), which shall in-
23 clude recommendations to reduce the cost and improve the
24 implementation of that subsection.”.

1 (c) FUTURE FLOOD RISK.—Subparagraph (A) of
2 section 100216(c)(1) of the Biggert-Waters Flood Insur-
3 ance Reform Act of 2012 (42 U.S.C. 4101b(c)(1)(A)) is
4 amended—

5 (1) in clause (i), by striking “and” at the end;
6 and

7 (2) by adding at the end the following new
8 clause:

9 “(iii) identifying future flood risk;
10 and”.

11 **SEC. 4. APPEALS REGARDING EXISTING FLOOD MAPS.**

12 (a) IN GENERAL.—Section 1360 of the National
13 Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended
14 by adding at the end the following new subsection:

15 “(k) APPEALS OF EXISTING MAPS.—

16 “(1) RIGHT TO APPEAL.—Subject to paragraph
17 (6), a State or local government, or the owner or les-
18 see of real property, who has made a formal request
19 to the Administrator to update a flood map that the
20 Administrator has denied may at any time appeal
21 such a denial as provided in this subsection.

22 “(2) BASIS FOR APPEAL.—The basis for appeal
23 under this subsection shall be the possession of
24 knowledge or information that—

1 “(A) the base flood elevation level or des-
2 ignation of any aspect of a flood map is sci-
3 entifically or technically inaccurate; or

4 “(B) factors exist that mitigate the risk of
5 flooding, including ditches, banks, walls, vegeta-
6 tion, levees, lakes, dams, reservoirs, basin, re-
7 tention ponds, and other natural or manmade
8 topographical features.

9 “(3) APPEALS PROCESS.—

10 “(A) ADMINISTRATIVE ADJUDICATION.—

11 An appeal under this subsection shall be deter-
12 mined by a final adjudication on the record,
13 and after opportunity for an administrative
14 hearing.

15 “(B) RIGHTS UPON ADVERSE DECISION.—

16 If an appeal pursuant to subparagraph (A) does
17 not result in a decision in favor of the State,
18 local government, owner, or lessee, such party
19 may appeal the adverse decision to the Sci-
20 entific Resolution Panel provided for in section
21 1363A, which shall recommend a non-binding
22 decision to the Administrator.

23 “(4) RELIEF.—

24 “(A) WHOLLY SUCCESSFUL APPEALS.—In
25 the case of a successful appeal resulting in a

1 policyholder's property being removed from a
2 special flood hazard area, such policyholder may
3 cancel the policy at any time within the current
4 policy year, and the Administrator shall provide
5 such policyholder a refund in the amount of any
6 premiums paid for such policy year, plus any
7 premiums paid for flood insurance coverage
8 that the policyholder was required to purchase
9 or maintain during the 2-year period preceding
10 such policy year.

11 “(B) PARTIALLY SUCCESSFUL APPEALS.—
12 In the case of any appeal in which mitigating
13 factors were determined to have reduced, but
14 not eliminated, the risk of flooding, the Admin-
15 istrator shall reduce the amount of flood insur-
16 ance coverage required to be maintained for the
17 property concerned by the ratio of the success-
18 ful portion of the appeal as compared to the en-
19 tire appeal. The Administrator shall refund to
20 the policyholder any payments made in excess
21 of the amount necessary for such new coverage
22 amount, effective from the time when the miti-
23 gating factor was created or the beginning of
24 the second policy year preceding the determina-
25 tion of the appeal, whichever occurred later.

1 “(C) ADDITIONAL RELIEF.—The Adminis-
2 trator may provide additional refunds in excess
3 of the amounts specified in subparagraphs (A)
4 and (B) if the Administrator determines that
5 such additional amounts are warranted.

6 “(5) RECOVERY OF COSTS.—When, incident to
7 any appeal which is successful in whole or part re-
8 garding the designation of the base flood elevation
9 or any aspect of the flood map, including elevation
10 or designation of a special flood hazard area, the
11 community, or the owner or lessee of real property,
12 as the case may be, incurs expense in connection
13 with the appeal, including services provided by sur-
14 veyors, engineers, and scientific experts, the Admin-
15 istrator shall reimburse such individual or commu-
16 nity for reasonable expenses to an extent measured
17 by the ratio of the successful portion of the appeal
18 as compared to the entire appeal, but not including
19 legal services, in the effecting of an appeal based on
20 a scientific or technical error on the part of the Fed-
21 eral Emergency Management Agency. No reimburse-
22 ment shall be made by the Administrator in respect
23 to any fee or expense payment, the payment of
24 which was agreed to be contingent upon the result
25 of the appeal. The Administrator may use such

1 amounts from the National Flood Insurance Fund
2 established under section 1310 as may be necessary
3 to carry out this paragraph.

4 “(6) GUIDANCE.—The Administrator shall
5 issue guidance to implement this subsection, which
6 shall not be subject to the notice and comment re-
7 quirements under section 553 of title 5, United
8 States Code.”.

9 (b) DEADLINE.—The Administrator of the Federal
10 Emergency Management Agency shall issue the guidance
11 referred to section 1360(k)(6) of the National Flood In-
12 surance Act of 1968 (42 U.S.C. 4101(k)(7)), as added by
13 the amendment made by subsection (a) of this section, not
14 later than the expiration of the 6-month period beginning
15 on the date of the enactment of this Act.

16 **SEC. 5. APPEALS AND PUBLICATION OF PROJECTED SPE-**
17 **CIAL FLOOD HAZARD AREAS.**

18 (a) APPEALS.—Section 1363 of the National Flood
19 Insurance Act of 1968 (42 U.S.C. 4104) is amended—

20 (1) in subsection (b), by striking the second
21 sentence and inserting the following: “Any owner or
22 lessee of real property within the community who be-
23 lieves the owner’s or lessee’s rights to be adversely
24 affected by the Administrator’s proposed determina-
25 tion may appeal such determination to the local gov-

1 ernment no later than 90 days after the date of the
2 second publication.”;

3 (2) in subsection (d), by striking “subsection
4 (e)” and inserting “subsection (f)”;

5 (3) by redesignating subsections (e), (f), and
6 (g) as subsections (f), (g), and (h), respectively; and

7 (4) by inserting after subsection (d) the fol-
8 lowing new subsection:

9 “(e) DETERMINATION BY ADMINISTRATOR IN THE
10 ABSENCE OF APPEALS.—If the Administrator has not re-
11 ceived any appeals, upon expiration of the 90-day appeal
12 period established under subsection (b) of this section the
13 Administrator’s proposed determination shall become
14 final. The community shall be given a reasonable time
15 after the Administrator’s final determination in which to
16 adopt local land use and control measures consistent with
17 the Administrator’s determination.”.

18 (b) PUBLICATION.—Subsection (a) of section 1363 of
19 the National Flood Insurance Act of 1968 (42 U.S.C.
20 4104(a)) is amended by striking “in the Federal Reg-
21 ister”.

1 **SEC. 6. COMMUNICATION AND OUTREACH REGARDING MAP**
2 **CHANGES.**

3 Paragraph (1) of section 100216(d) of the Biggert-
4 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
5 4101b(d)(1)) is amended—

6 (1) in subparagraph (B), by inserting “max-
7 imum” before “30-day period”; and

8 (2) in subparagraph (C), by inserting “max-
9 imum” before “30-day period”.

10 **SEC. 7. ADOPTION OF PARTIAL FLOOD MAPS.**

11 Subsection (f) of section 1360 of the National Flood
12 Insurance Act of 1968 (42 U.S.C. 4101(f)) is amended
13 by adding at the end the following new flush matter:

14 “Panels of the revised flood insurance rate maps for which
15 no appeal has been submitted during the 90-day period
16 referred to in subsection (b) shall be considered final.”.

17 **SEC. 8. NEW ZONE FOR LEVEE-IMPACTED AREAS.**

18 Section 1360 of the National Flood Insurance Act of
19 1968 (42 U.S.C. 4101), as amended by section 4 of this
20 Act, is further amended by adding at the end the fol-
21 lowing:

22 “(1) LEVEE-IMPACTED AREAS.—

23 “(1) IN GENERAL.—Subject to full implementa-
24 tion of subparagraphs (A)(iii) and (B) of section
25 100216(b)(1) of the Biggert-Waters Flood Insur-
26 ance Reform Act of 2012 (42 U.S.C. 4101b(b)(1))

1 and notwithstanding any other provision of law, if a
2 community applies to the Administrator for the re-
3 mapping of a levee-impacted area in which the perti-
4 nent levee system fails to meet the minimum design,
5 operation, and maintenance standards of the Na-
6 tional Flood Insurance Program required for levee
7 accreditation on a flood insurance rate map in ac-
8 cordance with the Levee Analysis Mapping Proce-
9 dure initiated by the Administrator to replace the
10 ‘without levees’ approach to a Flood Insurance
11 Study, the Administrator shall—

12 “(A) establish flood risk zones for those
13 levee-impacted areas on such maps, to be
14 known as ‘AL-E zones’, that have an estab-
15 lished elevation for community floodplain man-
16 agement; and

17 “(B) make flood insurance available to
18 properties located within those levee-impacted
19 areas.

20 “(2) **TRANSITION.**—During the period begin-
21 ning on the date of enactment of this subsection and
22 ending on the date on which the Administrator de-
23 velops rates for the various AL-E zones, a structure
24 located in a portion of a community that is located
25 within a levee-impacted area described in paragraph

1 (1) shall be eligible for rates associated with areas
2 of moderate flood hazards.”.

3 **SEC. 9. AGRICULTURAL STRUCTURES IN SPECIAL FLOOD**
4 **HAZARD ZONES.**

5 (a) REQUIREMENTS FOR STATE AND LOCAL LAND
6 USE CONTROLS.—Subsection (a) of section 1315 of the
7 National Flood Insurance Act of 1968 (42 U.S.C.
8 4022(a)) is amended by adding at the end the following
9 new paragraph:

10 “(3) ALLOWABLE LOCAL VARIANCES FOR CER-
11 TAIN AGRICULTURAL STRUCTURES.—

12 “(A) REQUIREMENT.—Notwithstanding
13 any other provision of this Act—

14 “(i) the land use and control meas-
15 ures adopted pursuant to paragraph (1)
16 may not, for purposes of such paragraph,
17 be considered to be inadequate or incon-
18 sistent with the comprehensive criteria for
19 land management and use under section
20 1361 because such measures provide that,
21 in the case of any agricultural structure
22 that is located in an area having special
23 flood hazards, a variance from compliance
24 with the requirements to elevate or
25 floodproof such a structure and meeting

1 the requirements of subparagraph (B) may
2 be granted; and

3 “(ii) the Administrator may not sus-
4 pend a community from participation in
5 the national flood insurance program, or
6 place such a community on probation
7 under such program, because such land
8 use and control measures provide for such
9 a variance.

10 This subparagraph shall not limit the ability of
11 the Administrator to take enforcement action
12 against a community that does not adopt ade-
13 quate variance criteria or establish proper en-
14 forcement mechanisms.

15 “(B) VARIANCE; CONSIDERATIONS.—The
16 requirements of this subparagraph with respect
17 to a variance are as follows:

18 “(i) The variance is granted by an of-
19 ficial from a duly constituted State or local
20 zoning authority, or other authorized pub-
21 lic body responsible for regulating land de-
22 velopment or occupancy in flood-prone
23 areas.

24 “(ii) In the case of new construction,
25 such official has determined—

1 “(I) that neither floodproofing
2 nor elevation of the new structure to
3 the base flood elevation is practicable;
4 and

5 “(II) that the structure is not lo-
6 cated in—

7 “(aa) a designated regu-
8 latory floodway;

9 “(bb) an area riverward of a
10 levee or other flood control struc-
11 ture; or

12 “(cc) an area subject to high
13 velocity wave action or seaward
14 of flood control structures.

15 “(iii) In the case of existing struc-
16 tures—

17 “(I) if such structure is substan-
18 tially damaged or in need of substan-
19 tial repairs or improvements, such of-
20 ficial has determined that neither
21 floodproofing nor elevation to the base
22 flood elevation is practicable; and

23 “(II) if such structure is located
24 within a designated regulatory flood-
25 way, such official has determined that

1 the repair or improvement does not
2 result in any increase in base flood
3 levels during the base flood discharge.

4 “(iv) Such official has determined
5 that the variance will not result in in-
6 creased flood heights, additional threats to
7 public safety, extraordinary public expense,
8 create nuisances, cause fraud on or victim-
9 ization of the public, or conflict with exist-
10 ing local laws or ordinances.

11 “(v) Not more than one claim pay-
12 ment exceeding \$1,000 has been made for
13 the structure under flood insurance cov-
14 erage under this title within any period of
15 10 consecutive years at any time prior to
16 the granting of the variance.

17 “(C) DEFINITIONS.—For purposes of this
18 paragraph, the following definitions shall apply:

19 “(i) AGRICULTURAL STRUCTURE.—
20 The term ‘agricultural structure’ has the
21 meaning given such term in paragraph
22 (2)(D).

23 “(ii) FLOODPROOFING.—The term
24 ‘floodproofing’ means, with respect to a
25 structure, any combination of structural

1 and non-structural additions, changes, or
2 adjustments to the structure that reduce
3 or eliminate potential flood damage to real
4 estate or improved real property, water
5 and sanitary facilities, structures, or their
6 contents.”.

7 (b) PREMIUM RATES.—Section 1308 of the National
8 Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended
9 by adding at the end the following new subsection:

10 “(n) PREMIUM RATES FOR CERTAIN AGRICULTURAL
11 STRUCTURES WITH VARIANCES.—Notwithstanding any
12 other provision of this Act, the chargeable premium rate
13 for coverage under this title for any structure provided a
14 variance pursuant to section 1315(a)(3) shall be the same
15 as the rate that otherwise would apply to such structure
16 if the structure had been dry floodproofed or a comparable
17 actuarial rate based upon the risk associated with struc-
18 tures within the applicable AL zone established under sec-
19 tion 1360(k).”.

20 (c) LEVEE-IMPACTED AREAS.—Section 1360 of the
21 National Flood Insurance Act of 1968 (42 U.S.C. 4101)
22 is amended by adding at the end the following new sub-
23 section:

24 “(k) LEVEE-IMPACTED AREAS.—

1 “(1) IN GENERAL.—Subject only to full imple-
2 mentation of subparagraphs (A)(iii) and (B) of sec-
3 tion 100216(b)(1) of the Biggert-Waters Flood In-
4 surance Reform Act of 2012 (42 U.S.C.
5 4101b(b)(1)) and notwithstanding any other provi-
6 sion of law, if a community that applies to the Ad-
7 ministrator for the remapping of a levee-impacted
8 area in which the pertinent levee system fails to
9 meet the national flood insurance program’s min-
10 imum design, operation, and maintenance standards
11 required for levee accreditation on a flood insurance
12 rate map—

13 “(A) the Administrator shall establish
14 flood risk zones for those areas on such maps
15 to be known as AL zones; and

16 “(B) flood insurance shall be made avail-
17 able to properties located within such zones at
18 actuarial rates based upon the risk associated
19 with structures within the applicable AL zones.

20 “(2) TRANSITION.—Before the Administrator
21 has developed actuarial rates for the various AL
22 zones, covered structures within the portions of the
23 community located within the levee-impacted area
24 shall be eligible for rates associated with areas of
25 moderate flood hazards.”.

1 (d) MULTIPLE AGRICULTURAL STRUCTURE POLICY
2 PILOT PROGRAM.—

3 (1) AUTHORITY.—The Administrator of the
4 Federal Emergency Management Agency (in this
5 subsection referred to as the “Administrator”) shall
6 carry out a pilot program under this subsection that
7 provides for the sale of contracts for flood insurance
8 coverage under the National Flood Insurance Act of
9 1968 that cover multiple non-residential agricultural
10 structures, as such term is defined in section
11 1315(a)(2)(D) of such Act (42 U.S.C.
12 4022(a)(2)(D)), under a single flood insurance pol-
13 icy.

14 (2) AVAILABILITY IN REGULAR PROGRAM COM-
15 MUNITIES.—The Administrator may provide cov-
16 erage under the pilot program only for properties lo-
17 cated in communities for which a flood insurance
18 rate map is in effect and in which the full limits of
19 coverage under the National Flood Insurance Act of
20 1968 are available.

21 (3) LIMIT OF COVERAGE.—Coverage provided
22 under the pilot program shall not exceed \$500,000
23 aggregate liability per policy for coverage of struc-
24 tures and \$500,000 aggregate liability per policy for
25 coverage of contents.

1 (4) APPLICABLE WAITING PERIODS.—Coverage
2 provided under the pilot program shall comply with
3 subsection (c) of section 1306 of the National Flood
4 Insurance Act of 1968 (42 U.S.C. 4013(c)).

5 (5) SUBSTANTIAL CONFORMANCE WITH GEN-
6 ERAL POLICY FORM.—

7 (A) REQUIREMENTS.—Coverage provided
8 under the pilot program shall be consistent
9 with, and as substantially identical as possible
10 to, the terms, conditions, and exclusions found
11 in the General Property Form of the Standard
12 Flood Insurance Policy, as set forth in Appen-
13 dix A(2) to Part 61 of title 44, Code of Federal
14 Regulations.

15 (B) IMPLEMENTATION.—Notwithstanding
16 any applicable rulemaking requirements, to the
17 extent necessary to implement the pilot pro-
18 gram under this subsection, the Administrator
19 may issue endorsements to the General Policy
20 Form of the Standard Flood Insurance Policy,
21 as set forth in the Appendix referred to in para-
22 graph (1), except that no such endorsement
23 may be issued before the expiration of the 6-
24 month period beginning upon publication of
25 such endorsement in the Federal Register.

1 (6) EXCLUSIVE USE OF DIRECT SERVICING
2 AGENT.—Notwithstanding any other provision of
3 law, or arrangements entered into under section
4 1340 of the National Flood Insurance Act of 1968
5 (42 U.S.C. 4071), the Administrator shall sell con-
6 tracts for coverage under the pilot program under
7 this subsection only through the facilities of the Ad-
8 ministrator’s direct serving agent for the national
9 flood insurance program.

10 (7) LIMITATION ON REFORMATION OF EXISTING
11 POLICIES.—The Administrator may not sell a con-
12 tract for coverage under the pilot program under
13 this subsection for a structure that covers any period
14 during which the structure is covered under another
15 contract for insurance coverage made available
16 under the National Flood Insurance Act of 1968.

17 (8) RULE OF CONSTRUCTION.—Nothing in this
18 subsection may be construed to limit or restrict the
19 Administrator’s authority to provide, by regulation,
20 for general terms and conditions of flood insurance
21 for multiple structures under one flood insurance
22 policy pursuant to sections 1305 and 1306 of the
23 National Flood Insurance Act of 1968 (42 U.S.C.
24 4012, 4013).

1 (9) IMPLEMENTATION.—The Administrator
2 may not sell any policy for flood insurance coverage
3 under the pilot program under this subsection before
4 the expiration of the 6-month period beginning upon
5 publication in the Federal Register of notice describ-
6 ing the pilot program and setting forth the general
7 terms and conditions of endorsements to be sold
8 under the program.

9 (10) TERMINATION.—The pilot program under
10 this subsection shall terminate upon, and the Ad-
11 ministrator may not sell any policy for flood insur-
12 ance coverage under the pilot program after, the ex-
13 piration of the 6-year period beginning upon the
14 date of the enactment of this Act.

15 (11) REPORT TO CONGRESS.—Not later than
16 the expiration of the 5-year period beginning on the
17 date of the enactment of this Act, the Administrator
18 shall submit a report to the Congress describing and
19 evaluating the pilot program under this subsection.

20 **SEC. 10. TECHNICAL MAPPING ADVISORY COUNCIL.**

21 Subsection (b)(1) of section 100215 of the Moving
22 Ahead for Progress in the 21st Century Act (42 U.S.C.
23 4101a) is amended—

24 (1) by striking “16 additional members” and
25 inserting “17 additional members”; and a

1 (2) in subparagraph (E)—

2 (A) in clause (xiii), by striking “and” at
3 the end;

4 (B) in clause (xiv), by striking the period
5 at the end and inserting “; and”; and

6 (C) by adding after clause (xiv) the fol-
7 lowing:

8 “(xv) a member of a recognized pro-
9 fessional real estate association or organi-
10 zation.”.