

[DISCUSSION DRAFT]

117TH CONGRESS
1ST SESSION

H. R. _____

To reform and reauthorize 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 reform and reauthorize 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 “National Flood Insurance Program Reauthorization Act
6 of 2021”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Congressional findings.

TITLE I—REAUTHORIZATION AND AFFORDABILITY

- Sec. 101. Program extension.
- Sec. 102. Demonstration program for policy affordability.
- Sec. 103. Premium and fees relief for families and small businesses.
- Sec. 104. Monthly installment payment of premiums.
- Sec. 105. State revolving loan funds for low-interest loans.
- Sec. 106. Use of replacement cost value in estimating premium rates.
- Sec. 107. Refund of Premiums.
- Sec. 108. Cap on annual premium increases.
- Sec. 109. Debt cancellation.

TITLE II—MAPPING

- Sec. 201. Reauthorization of appropriations for National Flood Mapping Program.
- Sec. 202. National Flood Mapping Program.
- Sec. 203. Flood mapping modernization and homeowner empowerment pilot program.
- Sec. 204. Mapping improvements and reach.
- Sec. 205. Refunds for properties inadvertently included in areas of special flood hazard.
- Sec. 206. Appeals and publication of projected special flood hazard areas.
- Sec. 207. Communication and outreach regarding changes to flood maps and flood risk data.
- Sec. 208. Adoption of partial flood maps and flood risk data.
- Sec. 209. New zone for levee-impacted areas.
- Sec. 210. Agricultural structures in special flood hazard zones.
- Sec. 211. Technical Mapping Advisory Council.

TITLE III—MITIGATION

- Sec. 301. Increased cost of compliance coverage.
- Sec. 302. Multiple-loss properties.
- Sec. 303. Premium rates for certain mitigated properties.
- Sec. 304. Coverage for cooperatives.
- Sec. 305. Voluntary community-based flood insurance pilot program.
- Sec. 306. Mitigation funding.
- Sec. 307. Community Rating System improvements.
- Sec. 308. Community assistance program for effective floodplain management.

TITLE II—MODERNIZATION

- Sec. 401. Effect of private flood insurance coverage on continuous coverage requirements.
- Sec. 402. Optional coverage for blanket property policies.
- Sec. 403. Annual independent actuarial study.
- Sec. 404. Data exchange program.
- Sec. 405. Elevation certificates.
- Sec. 406. Leveraging risk transfer opportunities for a sound financial framework.
- Sec. 407. Write-Your-Own arrangements.
- Sec. 408. Registration of adjusters; training of floodplain managers.
- Sec. 409. Study on increasing participation.

1 **SEC. 2. CONGRESSIONAL FINDINGS.**

2 The Congress finds that—

3 (1) since 2016, communities and families across
4 the United States have suffered over \$300 billion in
5 losses as a result of flooding;

6 (2) flooding disasters in the United States
7 present a threat to people, property, and taxpayers;

8 (3) the National Flood Insurance Program
9 (NFIP) is a key component of the Federal Govern-
10 ment's efforts to minimize the damage and financial
11 impact of floods;

12 (4) the NFIP is the principal provider of flood
13 insurance in the United States, covering over 5 mil-
14 lion households and businesses across the country;

15 (5) affordability of flood insurance coverage re-
16 mains a serious concern;

17 (6) investment in mitigation is a cost-effective
18 means of reducing risk;

19 (7) a policyholder's ability to pay for flood in-
20 surance coverage should be considered for premium
21 rate discounts; and

22 (8) in the absence of widespread private insur-
23 ance industry participation, and as a matter of na-
24 tional policy, the Federal Government must ensure
25 the availability and affordability of flood insurance.

1 **TITLE I—REAUTHORIZATION**
2 **AND AFFORDABILITY**

3 **SEC. 101. PROGRAM EXTENSION.**

4 (a) **FINANCING.**—Subsection (a) of section 1309 of
5 the National Flood Insurance Act of 1968 (42 U.S.C.
6 4016(a)) is amended by striking “September 30, 2021”
7 and inserting “September 30, 2026”.

8 (b) **PROGRAM EXPIRATION.**—Section 1319 of the Na-
9 tional Flood Insurance Act of 1968 (42 U.S.C. 4026) is
10 amended by striking “September 30, 2021” and inserting
11 “September 30, 2026”.

12 (c) **RETROACTIVE EFFECTIVE DATE.**—If this Act is
13 enacted after September 30, 2021, the amendments made
14 by subsections (a) and (b) shall take effect as if enacted
15 on September 30, 2021.

16 **SEC. 102. DEMONSTRATION PROGRAM FOR POLICY AF-**
17 **FORDABILITY.**

18 (a) **AUTHORITY.**—

19 (1) **IN GENERAL.**—The Administrator of the
20 Federal Emergency Management Agency shall estab-
21 lish and carry out a demonstration program under
22 this section to demonstrate the effectiveness of pro-
23 viding means-tested discounted rates for flood insur-
24 ance coverage made available under the National
25 Flood Insurance Act of 1968 for eligible households.

1 (2) CONSULTATION.—The Administrator may
2 consult with the Secretary of the Treasury and the
3 Secretary of Housing and Urban Development about
4 the implementation of the program established pur-
5 suant to paragraph (1).

6 (b) ELIGIBLE HOUSEHOLDS AND PROPERTIES.—The
7 Administrator may provide discounted premium rates pur-
8 suant to this section only for properties that are—

9 (1) 1- to 4-family residential properties;

10 (2) as of the date of the enactment of his Act,
11 covered by an existing policy for flood insurance
12 under the national flood insurance program; and

13 (3) the primary residence of a current policy-
14 holder under such program and household whose in-
15 come does not exceed 80 percent of the area median
16 income determined by the Secretary of Housing and
17 Urban Development for purposes of the United
18 States Housing Act of 1937.

19 (c) INCOME DETERMINATIONS.—For purposes of the
20 program under this section, the Administrator shall make
21 determinations of household income on an annual basis.

22 (d) PREMIUM DISCOUNTS.—Notwithstanding sec-
23 tions 1307 and 1308 of the National Flood Insurance Act
24 of 1968 (42 U.S.C. 4014, 4015), the chargeable premium
25 rate for flood insurance coverage made available under the

1 program under this section shall be an amount that is
2 equal to 2 percent of annual area median income for the
3 area within which is located the property for which the
4 coverage is provided, except that the chargeable premium
5 rate provided to a policyholder under this subsection shall
6 not exceed that of any rate that would otherwise be appli-
7 cable.

8 (e) DISCLOSURE OF FULL-RISK RATE.—The Admin-
9 istrator shall provide to each policyholder purchasing flood
10 insurance coverage under the program under this section
11 for a property, not later than the commencement of the
12 period of such coverage, a written statement setting forth
13 the full actuarial premium rate for coverage for such prop-
14 erty determined in accordance with section 1307(a) of the
15 National Flood Insurance Act of 1968 (42 U.S.C.
16 4014(a)), the amount of the premium discount for such
17 coverage, and any other information the Administrator
18 considers helpful to policyholders in understanding flood
19 insurance coverage and costs.

20 (f) GUIDANCE.—Not later than the expiration of the
21 12-month period beginning on the date of the enactment
22 of this Act, the Administrator shall issue guidance pro-
23 viding for the establishment of the demonstration program
24 under this section, which shall include—

1 (1) an estimation of the cost of such program
2 stated in terms of the aggregate of premium dis-
3 counts to be made available under the program;

4 (2) a description of how the Administrator will
5 determine eligibility for households to participate in
6 the program in accordance with the requirements for
7 eligibility in subsection (b); and

8 (3) any new requirements to which policy-
9 holders participating in such program will be sub-
10 ject; and

11 (4) the results of any consultation with the Sec-
12 retary of the Treasury or the Secretary of Housing
13 and Urban Development.

14 (g) REPORT TO CONGRESS.—

15 (1) COLLECTION OF INFORMATION.—The Ad-
16 ministrator shall collect by survey or other means,
17 for each participating community in the national
18 flood insurance program in which a policyholder
19 under such program resides who received a discount
20 under the demonstration program under this section
21 and regarding each year during the period beginning
22 5 years before implementation of the demonstration
23 program under this section and ending upon the ter-
24 mination date under subsection (i), the following in-
25 formation:

1 (A) The demographic characteristics of
2 households purchasing flood insurance coverage
3 under such program.

4 (B) The average median income of such
5 households under such program.

6 (C) The number of properties located in
7 areas for which a major disaster related to
8 flooding was declared pursuant to the Robert T.
9 Stafford Disaster Relief and Emergency Assist-
10 ance Act.

11 (D) The number of policies made available
12 under the national flood insurance program and
13 the number and aggregate amount of claims
14 submitted under such program.

15 (E) For all properties in such community
16 receiving discounted rates under the demonstra-
17 tion program under this section, the aggregate
18 amount of the premium rate for coverage that
19 is determined in accordance with section
20 1307(a) of the National Flood Insurance Act of
21 1968 (42 U.S.C. 4014(a)) and the aggregate
22 amount of premium discounts provided under
23 the demonstration program.

24 (F) For all properties in such community,
25 any changes to full actuarial premium rates due

1 to changes to flood maps and flood risk data or
2 other factors.

3 (2) REPORT TO CONGRESS.—Not later than the
4 expiration of the 5-year period beginning upon the
5 implementation of the demonstration program under
6 this section, the Administrator shall submit to the
7 Congress a report evaluating the effectiveness of the
8 assistance provided under such program, which shall
9 include—

10 (A) a statement of the number of house-
11 holds participating in the program and the
12 rates of participation by communities partici-
13 pating in the national flood insurance program,
14 including whether such rates of participation
15 have changed by year; and

16 (B) an estimate of the cost of the program
17 to the National Flood Insurance Fund under
18 section 1310 of the National Flood Insurance
19 Act of 1968 (42 U.S.C. 4017).

20 (h) DEFINITIONS.—For purposes of this section, the
21 following definitions shall apply:

22 (1) ADMINISTRATOR.—The term “Adminis-
23 trator” means the Administrator of the Federal
24 Emergency Management Agency.

1 (2) PREMIUM DISCOUNT.—The term “premium
2 discount” means, with respect to a policy for flood
3 insurance coverage under the national flood insur-
4 ance program made available under the program
5 under this section, the amount by which the full ac-
6 tual premium rate for coverage for such property
7 that is determined in accordance with section
8 1307(a)(1) of the National Flood Insurance Act of
9 1968 (42 U.S.C. 4014(a)(1)) exceeds the chargeable
10 premium rate for the coverage made available under
11 the program under this section.

12 (i) TERMINATION.—The authority under this section
13 to provide discounted premium rates for flood insurance
14 coverage shall terminate on May 31, 2026.

15 **SEC. 103. PREMIUM AND FEES RELIEF FOR FAMILIES AND**
16 **SMALL BUSINESSES.**

17 (a) REPEAL OF SURCHARGE.—

18 (1) REPEAL.—Section 1308A of the National
19 Flood Insurance Act of 1968 (42 U.S.C. 4015a) is
20 hereby repealed.

21 (2) CONFORMING AMENDMENTS.—The National
22 Flood Insurance Act of 1968 is amended—

23 (A) in section 1308(m) (42 U.S.C.
24 4015(m))—

1 (i) in paragraph (1), by striking “and
2 the surcharges required under section
3 1308A”; and

4 (ii) in paragraph (2), by striking “or
5 surcharges”; and

6 (B) in section 1310A(c) (42 U.S.C.
7 4017a(c)), by striking paragraph (4).

8 (b) **SMALL LOAN EXCEPTION TO MANDATORY PUR-**
9 **CHASE REQUIREMENT.**—Subparagraph (A) of section
10 102(c)(2) of the Flood Disaster Protection Act of 1973
11 (42 U.S.C. 4012a(c)(2)(A)) is amended by inserting be-
12 fore the semicolon the following: “in the case of a residen-
13 tial structure, or \$25,000 or less in the case of a non-
14 residential structure”.

15 **SEC. 104. MONTHLY INSTALLMENT PAYMENT OF PRE-**
16 **MIUMS.**

17 (a) **AUTHORITY.**—Subsection (g) of section 1308 of
18 the National Flood Insurance Act of 1968 (42 U.S.C.
19 4015(g)) is amended—

20 (1) by striking the subsection designation and
21 all that follows through “With respect” and insert-
22 ing the following:

23 “(g) **FREQUENCY OF PREMIUM COLLECTION.**—

24 “(1) **OPTIONS.**—With respect”; and

25 (2) by adding at the end the following:

1 “(2) MONTHLY INSTALLMENT PAYMENT OF
2 PREMIUMS.—

3 “(A) EXEMPTION FROM RULEMAKING.—

4 Until such time as the Administrator promul-
5 gates regulations implementing paragraph (1)
6 of this subsection, the Administrator may adopt
7 policies and procedures, notwithstanding any
8 other provisions of law and in alignment and
9 consistent with existing industry escrow and
10 servicing standards, necessary to implement
11 such paragraph without undergoing notice and
12 comment rulemaking and without conducting
13 regulatory analyses otherwise required by stat-
14 ute, regulation, or Executive order.

15 “(B) PILOT PROGRAM.—The Adminis-
16 trator may initially implement paragraph (1) of
17 this subsection as a pilot program that provides
18 for a gradual phase-in of implementation.

19 “(C) POLICYHOLDER PROTECTION.—The
20 Administrator may—

21 “(i) during the 12-month period be-
22 ginning on the date of the enactment of
23 this subparagraph, charge policyholders
24 choosing to pay premiums in monthly in-
25 stallments a fee for the total cost of the

1 monthly collection of premiums not to ex-
2 ceed \$25 annually; and

3 “(ii) after the expiration of the 12-
4 month period referred to in clause (i), ad-
5 just the fee charged annually to cover the
6 total cost of the monthly collection of pre-
7 miums as determined by the report sub-
8 mitted pursuant to subparagraph (D).

9 “(D) ANNUAL REPORTS.—On an annual
10 basis, the Administrator shall report to the
11 Committee on Financial Services of the House
12 of Representatives and the Committee on Bank-
13 ing, Housing, and Urban Affairs of the Senate
14 the ongoing costs associated with the monthly
15 payment of premiums.”.

16 (b) IMPLEMENTATION.—Clause (ii) of section
17 1307(a)(1)(B) of the National Flood Insurance Act of
18 1968 (42 U.S.C. 4014(a)(1)(B)(ii)) is amended by insert-
19 ing before “any administrative expenses” the following:
20 “the costs associated with the monthly collection of pre-
21 miums provided for in section 1308(g) (42 U.S.C.
22 4015(g)), but only if such costs exceed the operating costs
23 and allowances set forth in clause (i) of this subparagraph,
24 and”.

1 **SEC. 105. STATE REVOLVING LOAN FUNDS FOR LOW-INTER-**
2 **EST LOANS.**

3 Chapter I of the National Flood Insurance Act of
4 1968 (42 U.S.C. 4011 et seq.) is amended by adding at
5 the end the following new section:

6 **“SEC. 1326. STATE REVOLVING LOAN FUNDS FOR LOW-IN-**
7 **TEREST LOANS.**

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘Community Rating System’
10 means the community rating system carried out
11 under section 1315(b);

12 “(2) the term ‘intended use plan’ means a plan
13 prepared under subsection (d)(1);

14 “(3) the term ‘low-income geographic area’
15 means an area described in paragraph (1) or (2) of
16 section 301(a) of the Public Works and Economic
17 Development Act of 1965 (42 U.S.C. 3161(a));

18 “(4) the term ‘low-income homeowner’ means
19 the owner of a primary residence, the household in-
20 come of which in a taxable year is not more than 80
21 percent of the median income for the area in which
22 the residence is located;

23 “(5) the terms ‘participating State’ and ‘par-
24 ticipating tribal government’ mean a State or tribal
25 government, respectively, that—

1 “(A) has entered into an agreement under
2 subsection (b)(1); and

3 “(B) agrees to comply with the require-
4 ments of this section;

5 “(6) the term ‘pre-FIRM building’ means a
6 building for which construction or substantial im-
7 provement occurred before December 31, 1974, or
8 before the effective date of the initial flood map and
9 flood risk data published by the Administrator under
10 section 1360 for the area in which the building is lo-
11 cated, whichever is later;

12 “(7) the terms ‘State loan fund’ and ‘tribal gov-
13 ernment loan fund’ mean a flood mitigation assist-
14 ance revolving loan fund established by a partici-
15 pating State or participating tribal government, re-
16 spectively, under this section; and

17 “(8) the term ‘tribal government’ means the
18 governing body of any Indian or Alaska Native tribe,
19 band, nation, pueblo, village, or community that the
20 Secretary of the Interior acknowledges to exist as an
21 Indian tribe under the Federally Recognized Indian
22 Tribe List Act of 1994 (25 U.S.C. 479a et seq.)..

23 “(b) GENERAL AUTHORITY.—

24 “(1) IN GENERAL.—The Administrator may
25 enter into an agreement with an State or tribal gov-

1 ernment to provide a capitalization grant for the
2 State or tribal government to establish a revolving
3 fund that will provide funding assistance to help
4 homeowners, businesses, nonprofit organizations,
5 and communities reduce flood risk in order to de-
6 crease—

7 “(A) the loss of life and property;

8 “(B) the cost of flood insurance; and

9 “(C) Federal disaster payments.

10 “(2) TIMING OF DEPOSIT AND AGREEMENTS
11 FOR DISTRIBUTION OF FUNDS.—

12 “(A) IN GENERAL.—Not later than the
13 last day of the fiscal year following the fiscal
14 year in which a capitalization grant is made to
15 a participating State or participating tribal gov-
16 ernment under paragraph (1), the participating
17 State or participating tribal government shall—

18 “(i) deposit the grant in the State
19 loan fund of the State or the tribal loan
20 fund of the participating or participating
21 tribal government, as appropriate; and

22 “(ii) enter into one or more binding
23 agreements that provide for the State or
24 tribal government to distribute the grant

1 funds for purposes authorized under sub-
2 section (c) such that—

3 “(I) in the case of the initial
4 grant made under this section to a
5 State or tribal government, not less
6 than 75 percent of the amount of the
7 grant funds shall be distributed before
8 the expiration of the 24-month period
9 beginning upon deposit of such funds
10 in the State loan fund of the State or
11 tribal loan fund of the tribal govern-
12 ment, as appropriate; and

13 “(II) in the case of any subse-
14 quent grant made under this section
15 to a State or tribal government, not
16 less than 90 percent of the amount of
17 the grant funds made under the cap-
18 italization grant shall be distributed
19 before the expiration of the 12-month
20 period beginning upon deposit of such
21 funds in the State loan fund of the
22 State or the tribal loan fund of the
23 tribal government, as appropriate.

24 “(B) NONCOMPLIANCE.—Except as pro-
25 vided in subparagraph (C), if a participating

1 State or participating tribal government does
2 not comply with subparagraph (A) with respect
3 to a grant, the Administrator shall reallocate
4 the grant in accordance with paragraph (3)(B).

5 “(C) EXCEPTION.—The Administrator
6 may not reallocate any funds under subpara-
7 graph (B) to a participating State or tribal gov-
8 ernment hat violated subparagraph (A) with re-
9 spect to a grant made during the same fiscal
10 year in which the funds to be reallocated were
11 originally made available.

12 “(3) ALLOCATION.—

13 “(A) IN GENERAL.—The Administrator
14 shall allocate amounts made available to carry
15 out this section to participating States—

16 “(i) for the participating States to de-
17 posit in the State loan funds established by
18 the participating States; and

19 “(ii) except as provided in paragraph
20 (6), in accordance with the requirements
21 described in subparagraph (B).

22 “(B) REQUIREMENTS.—The requirements
23 described in this subparagraph are as follows:

24 “(i) Fifty percent of the total amount
25 made available under subparagraph (A)

1 shall be allocated so that each partici-
2 pating State receives the percentage
3 amount that is obtained by dividing the
4 number of properties that were insured
5 under the national flood insurance pro-
6 gram in that State in the fiscal year pre-
7 ceding the fiscal year in which the amount
8 is allocated by the total number of prop-
9 erties that were insured under the national
10 flood insurance program in the fiscal year
11 preceding the fiscal year in which the
12 amount is allocated.

13 “(ii) Fifty percent of the total amount
14 made available under subparagraph (A)
15 shall be allocated so that each partici-
16 pating State receives a percentage of funds
17 that is equal to the product obtained under
18 clause (iii)(IV) with respect to that partici-
19 pating State after following the procedures
20 described in clause (iii).

21 “(iii) The procedures described in this
22 clause are as follows:

23 “(I) Divide the total amount col-
24 lected in premiums for properties in-
25 sured under the national flood insur-

1 ance program in each participating
2 State during the previous fiscal year
3 by the number of properties insured
4 under the national flood insurance
5 program in that State for that fiscal
6 year.

7 “(II) Add together each quotient
8 obtained under subclause (I).

9 “(III) For each participating
10 State, divide the quotient obtained
11 under subclause (I) with respect to
12 that State by the sum obtained under
13 subclause (II).

14 “(IV) For each participating
15 State, multiply the amount that is 50
16 percent of the total amount made
17 available under subparagraph (A) by
18 the quotient obtained under subclause
19 (III).

20 “(iv) Except as provided in paragraph
21 (5), in a fiscal year—

22 “(I) a participating State may
23 not receive more than 15 percent of
24 the total amount that is made avail-

1 able under subparagraph (A) in that
2 fiscal year; and

3 “(II) if a participating State,
4 based on the requirements under
5 clauses (i) through (iii), would, but
6 for the limit under subclause (I) of
7 this clause, receive an amount that is
8 greater than the amount the State is
9 authorized to receive under that sub-
10 clause, the difference between the au-
11 thorized amount and the amount oth-
12 erwise due to the State under clauses
13 (i) through (iii) shall be allocated to
14 other participating States—

15 “(aa) that, in that fiscal
16 year, have not received an
17 amount under subparagraph (A)
18 that is more than the authorized
19 amount under subclause (I) of
20 this clause; and

21 “(bb) by using the require-
22 ments under clauses (i) through
23 (iii), except that a participating
24 State may receive an allocation
25 under this subclause only if the

1 allocation does not result in the
2 State receiving a total amount
3 for the fiscal year under subpara-
4 graph (A) that is greater than
5 the authorized amount under
6 subelause (I).

7 “(4) NO REVOLVING FUND REQUIRED.—

8 “(A) IN GENERAL.—Notwithstanding any
9 other provision of this section, and subject to
10 subparagraph (B), a participating State that
11 receives less than \$4,000,000 under paragraph
12 (3)(B) in a fiscal year may distribute the funds
13 directly in the form of grants or technical as-
14 sistance for a purpose described in subsection
15 (c)(2), without regard to whether the State has
16 established a State loan fund.

17 “(B) STATE MATCHING.—A participating
18 State that exercises the authority under sub-
19 paragraph (A) in a fiscal year shall provide
20 matching funds from non-Federal sources in an
21 amount that is equal to 15 percent of the
22 amount that the State receives under paragraph
23 (3)(B) in that fiscal year for purposes described
24 in subparagraph (A).

1 “(5) ALLOCATION OF REMAINING FUNDS.—
2 After allocating amounts made available to carry out
3 this section for a fiscal year in accordance with
4 paragraph (3), the Administrator shall allocate any
5 remaining amounts made available for that fiscal
6 year to participating States, using the procedures
7 described in clauses (i) through (iii) of paragraph
8 (3)(B).

9 “(6) ALLOCATION FOR TRIBAL GOVERNMENTS
10 AND INSULAR AREAS.—The Administrator shall re-
11 serve not less than 5.0 percent of the amount made
12 available to carry out this section in a fiscal year to
13 enter into grant agreements with tribal governments
14 and insular areas, with the grant funds to be distrib-
15 uted—

16 “(A) according to criteria established by
17 the Administrator; and

18 “(B) for a purpose described in subsection
19 (c)(2).

20 “(7) ADMINISTRATIVE COSTS; TECHNICAL AS-
21 SISTANCE.—The Administrator shall reserve not
22 more than 2.5 percent of the amount made available
23 to carry out this section in a fiscal year—

1 “(A) for administrative costs incurred by
2 the Federal Emergency Management Agency in
3 carrying out this section; and

4 “(B) to provide technical assistance to re-
5 cipients of grants under this section.

6 “(8) ENVIRONMENTAL REVIEW OF REVOLVING
7 LOAN FUND PROJECTS.—Notwithstanding any other
8 Federal law, related legal authority, or contrary pol-
9 icy or guidance of the Administrator, Federal envi-
10 ronmental review of the revolving loan fund projects
11 authorized under this section is hereby delegated to
12 the States and tribal governments receiving revolv-
13 ing loan fund grants, but only for the purposes of
14 carrying out the revolving loan fund program au-
15 thorized under this section. Recipients must set up
16 federal equivalency environmental review involving
17 considerations of alternatives, analysis of potential
18 impacts, opportunity for public notice and com-
19 ments, and compliance with Federal environmental
20 laws and Executive Orders, including the Endan-
21 gered Species Act and the National Historic Preser-
22 vation Act, as appropriate.

23 “(c) USE OF FUNDS.—

24 “(1) IN GENERAL.—Amounts deposited in a
25 State loan fund or tribal loan fund, including repay-

1 ments of loans made from the fund and interest
2 earned on the amounts in the fund, shall be used—

3 “(A) consistent with paragraphs (2) and
4 (3) and subsection (g), to provide financial as-
5 sistance for—

6 “(i) homeowners, businesses, and non-
7 profit organizations that are eligible to
8 participate in the national flood insurance
9 program;

10 “(ii) any local government that par-
11 ticipates in the national flood insurance
12 program; and

13 “(iii) any State government or tribal
14 agencies or subdivisions of any State or
15 tribal government that engage in floodplain
16 management activities;

17 “(B) as a source of revenue and security
18 for leveraged loans, the proceeds of which shall
19 be deposited in the State or tribal loan fund; or

20 “(C) for the sale of bonds as security for
21 payment of the principal and interest on rev-
22 enue or general obligation bonds issued by the
23 participating State or tribal government to pro-
24 vide matching funds under subsection (g), if the

1 proceeds from the sale of the bonds are depos-
2 ited in the State or tribal loan fund.

3 “(2) PURPOSES.—A recipient of financial as-
4 sistance provided through amounts from a State or
5 tribal loan fund—

6 “(A) shall use the amounts to reduce—

7 “(i) flood risk; or

8 “(ii) potential flood claims submitted
9 under the national flood insurance pro-
10 gram;

11 “(B) shall use the amounts in a cost-effec-
12 tive manner under requirements established by
13 the State or tribal government, which may re-
14 quire an applicant for financial assistance to
15 submit any information that the State or tribal
16 government considers relevant or necessary be-
17 fore the date on which the applicant receives
18 the assistance;

19 “(C) shall use the amounts for projects
20 that—

21 “(i) meet design and construction
22 standards established by the Adminis-
23 trator;

24 “(ii) are located in communities
25 that—

1 “(I) participate in the national
2 flood insurance program; and

3 “(II) have a local government
4 hazard mitigation plan that has been
5 approved by the Administrator under
6 section 1366, and the State in which
7 the community, or the tribal govern-
8 ment if applicable, each have a hazard
9 mitigation plan that has been ap-
10 proved by the Administrator under
11 section 1366;

12 “(iii)(I) address a repetitive-loss prop-
13 erty or a severe repetitive-loss property; or

14 “(II) address flood risk in the 500-
15 year floodplain, areas of residual flood risk,
16 or other areas of potential flood risk, as
17 identified by the Administrator; and

18 “(iv) address current risk and antici-
19 pate future risk, such as sea-level rise and
20 flood risk resulting from wildfire;

21 “(D) may use the amounts—

22 “(i) for projects relating to—

23 “(I) structural elevation;

24 “(II) floodproofing;

1 “(III) the relocation or removal
2 of buildings from the 100-year flood-
3 plain or other areas of flood risk, in-
4 cluding the acquisition of properties
5 for such a purpose;

6 “(IV) environmental restoration
7 activities that directly reduce flood
8 risk, including green infrastructure;

9 “(V) any eligible activity de-
10 scribed in subparagraphs (A) through
11 (G) of section 1366(e)(3); or

12 “(VI) other activities determined
13 appropriate by the Administrator;

14 “(ii) with respect to a project de-
15 scribed in clause (i), only for expenditures
16 directly related to a project described in
17 that clause, including expenditures for
18 planning, design, and associated pre-con-
19 struction activities; and

20 “(iii) to acquire, for the purposes of
21 permanent protection, land, buildings, or a
22 conservation easement from a willing seller
23 or grantor;

24 “(E) may not use the amounts—

1 “(i) to construct buildings or expand
2 existing buildings unless the activity is for
3 the purpose of flood mitigation;

4 “(ii) to improve any structure, unless
5 the recipient has obtained flood insurance
6 coverage in an amount at least equal to the
7 lesser of the eligible project costs or the
8 maximum insurable limit for the structure
9 under the national flood insurance pro-
10 gram coverage for the structure, which
11 coverage shall be maintained for the useful
12 life of the structure;

13 “(iii) to improve a residential property
14 with an appraised value that is not less
15 than 125 percent of the limitation on the
16 maximum original principal obligation of a
17 conventional mortgage that may be pur-
18 chased by the Federal National Mortgage
19 Association or the Federal Home Loan
20 Mortgage Corporation in the area in which
21 the property is located, as established
22 under section 302(b)(2) of the Federal Na-
23 tional Mortgage Association Charter Act
24 (12 U.S.C. 1717(b)(2)) and section
25 305(a)(2) of the Federal Home Loan

1 Mortgage Corporation Act (12 U.S.C.
2 1454(a)(2));

3 “(iv) for the direct benefit of a home-
4 owner if the annual household adjusted
5 gross income of the homeowner during the
6 previous fiscal year was not less than
7 \$200,000, as annually adjusted by the Ad-
8 ministrator to reflect changes in the Con-
9 sumer Price Index for All Urban Con-
10 sumers, as published by the Bureau of
11 Labor Statistics of the Department of
12 Labor and rounded to the nearest \$25; or

13 “(v) to acquire real property or an in-
14 terest in real property unless the property
15 is purchased from a willing seller; and

16 “(F) shall, in the use of such amounts,
17 give priority to the maximum extent practicable
18 to projects that assist low-income homeowners
19 and low-income geographical areas.

20 “(d) INTENDED USE PLANS.—

21 “(1) IN GENERAL.—After providing the oppor-
22 tunity for public review and comment, each partici-
23 pating State and participating tribal government
24 shall annually prepare a plan that identifies, for the
25 year following the date of issuance of the intended

1 use plan, the intended uses of the amounts available
2 in the State or tribal loan fund of the participating
3 State or tribal government.

4 “(2) CONSULTATION DURING PREPARATION.—
5 Each participating State and tribal government, in
6 preparing an intended use plan, shall ensure that
7 the State or tribal agency with primary responsi-
8 bility for floodplain management—

9 “(A) provides oversight with respect to the
10 preparation of the intended use plan; and

11 “(B) consults with any other appropriate
12 State agency, including agencies responsible for
13 coastal and environmental management, any
14 appropriate Federal agency, appropriate inter-
15 est groups, and to the extent possible, be inte-
16 grated with other ongoing State planning ef-
17 forts, including State mitigation plans as well
18 as other Federal Emergency Management
19 Agency mitigation programs and initiatives.

20 “(3) CONTENTS.—A participating State or trib-
21 al government shall, in each intended use plan—

22 “(A) include—

23 “(i) an explanation of the mitigation
24 and resiliency benefits the State or tribal

1 government intends to achieve, including
2 by—

3 “(I) reducing future damage and
4 loss associated with flooding;

5 “(II) reducing the number of se-
6 vere repetitive-loss properties and re-
7 petitive-loss properties in the State or
8 tribal lands;

9 “(III) decreasing the number of
10 flood insurance claims in the State or
11 tribal lands; and

12 “(IV) increasing the rating under
13 the Community Rating System for
14 communities in the State or tribal
15 lands;

16 “(ii) information with respect to the
17 availability of, and the application process
18 for receiving, financial assistance from the
19 State or tribal loan fund of the State or
20 tribal government;

21 “(iii) the criteria and methods estab-
22 lished for the distribution of amounts from
23 the State or tribal loan fund of the State
24 or tribal government;

1 “(iv) the amount of financial assist-
2 ance that the State or tribal government
3 anticipates allocating to—

4 “(I) local government projects;
5 and

6 “(II) projects for homeowners,
7 business, or nonprofit organizations;

8 “(v) the expected terms of the assist-
9 ance provided under clause (iv); and

10 “(vi) a description of the financial sta-
11 tus of the State or tribal loan fund and the
12 short-term and long-term goals of the
13 State or tribal loan fund; and

14 “(B) provide, to the maximum extent prac-
15 ticable, that priority for the use of amounts
16 from the State or tribal loan fund shall be given
17 to projects that—

18 “(i) address severe repetitive-loss
19 properties and repetitive-loss properties;

20 “(ii) assist low-income homeowners
21 and low-income geographic areas; and

22 “(iii) address flood risk for pre-FIRM
23 buildings.

24 “(4) PUBLICATION.—Each participating State
25 and tribal government shall publish and periodically

1 update a list of all projects receiving funding from
2 the State or tribal loan fund of the State or tribal
3 government, which shall include identification of—

4 “(A) the community in which the project is
5 located;

6 “(B) the type and amount of assistance
7 provided for each project; and

8 “(C) the expected funding schedule and
9 date of completion of each project.

10 “(e) FUND MANAGEMENT.—Amounts in a State or
11 tribal loan fund shall—

12 “(1) remain available for providing financial as-
13 sistance under this section until distributed;

14 “(2) if the amounts are not required for imme-
15 diate distribution or expenditure, be invested in in-
16 terest-bearing obligations; and

17 “(3) except as provided in subsection (i), in-
18 clude only—

19 “(A) amounts received from capitalization
20 grants made under this section;

21 “(B) repayments of loans made from the
22 fund; and

23 “(C) interest earned on amounts in the
24 fund.

25 “(f) MATCHING FUNDS.—

1 “(1) FULL GRANT.—On or before the date on
2 which a participating State or tribal government re-
3 ceives a capitalization grant, the State or tribal gov-
4 ernment shall deposit into the State or tribal loan
5 fund of the State or tribal government, in addition
6 to the amount of the capitalization grant, an amount
7 from non-Federal sources that is not less than 10
8 percent of the total amount of the capitalization
9 grant.

10 “(2) REDUCED GRANT.—Notwithstanding para-
11 graph (1), if a State or tribal government deposits
12 in the State or tribal loan fund of the State or tribal
13 government in connection a capitalization grant an
14 amount from non-Federal sources that is less than
15 10 percent of the total amount of the capitalization
16 grant that would otherwise be received by the State
17 or tribal government, the Administrator shall reduce
18 the amount of the capitalization grant received by
19 the State or tribal government to the amount that
20 is 10 times the amount so deposited and shall allo-
21 cate such remaining grant amounts under subsection
22 (b)(5) together with the amounts allocated under
23 such subsection.

24 “(g) TYPES OF ASSISTANCE.—Unless otherwise pro-
25 hibited by State or tribal law, a participating State or trib-

1 al government may use the amounts deposited into a State
2 or tribal loan fund under this section only—

3 “(1) to make a loan, on the condition that—

4 “(A) the interest rate for the loan is not
5 more than the market interest rate;

6 “(B) the recipient of the loan will begin
7 making principal and interest payments on the
8 loan not later than 1 year after the date on
9 which the project for which the loan was made
10 is completed;

11 “(C) the loan will be fully amortized not
12 later than 20 years after the date on which the
13 project for which the loan was made is com-
14 pleted, except that, in the case of a loan made
15 for a project in a low-income geographic area or
16 to a low-income homeowner, the State or tribal
17 government may provide a longer amortization
18 period for the loan if that longer period—

19 “(i) ends on a date that is not later
20 than 30 years after the date on which the
21 project is completed; and

22 “(ii) is not longer than the expected
23 design life of the project;

24 “(D) the recipient of the loan dem-
25 onstrates, based on verified and documented in-

1 formation that, at the time the loan is con-
2 summated, that the recipient has a reasonable
3 ability to repay the loan, according to its terms,
4 except that this subparagraph may not be con-
5 strued to authorize any reduction or limitation
6 in efforts to comply with the requirements of
7 subsection (c)(2)(E) (relating to priority for as-
8 sistance for low-income homeowners and low-in-
9 come geographical areas); and

10 “(E) payments of principal and interest
11 with respect to the loan will be deposited into
12 the State or tribal loan fund;

13 “(2) to buy or refinance the debt obligation of
14 a local government related to flood mitigation or re-
15 siliency activities, at an interest rate that is not
16 more than the market interest rate;

17 “(3) to guarantee, or purchase insurance for, a
18 local obligation, the proceeds of which finance a
19 project eligible for assistance under this section, if
20 the guarantee or purchase, as applicable, would—

21 “(A) improve credit market access; or

22 “(B) reduce the interest rate with respect
23 to the obligation;

24 “(4) as a source of revenue or as security for
25 the payment of principal and interest on revenue or

1 general obligation bonds issued by the State or tribal
2 government if the proceeds of the sale of the bonds
3 will be deposited into the State or tribal loan fund;
4 or

5 “(5) to earn interest on those amounts.

6 “(h) ASSISTANCE FOR LOW-INCOME HOMEOWNERS
7 AND LOW-INCOME GEOGRAPHIC AREAS.—

8 “(1) IN GENERAL.—Notwithstanding any other
9 provision of this section, if a participating State or
10 tribal government uses amounts from a State or
11 tribal loan fund to provide financial assistance under
12 subsection (c) in a low-income geographic area or to
13 a low-income homeowner, the State or tribal govern-
14 ment may provide additional subsidization to the re-
15 cipient of the assistance, including forgiveness of the
16 principal of a loan.

17 “(2) LIMITATION.—For each fiscal year, the
18 total amount of additional subsidization provided by
19 a participating State or tribal government under
20 paragraph (1) may not exceed 30 percent of the
21 amount of the capitalization grant allocated to the
22 State or tribal government or that fiscal year.

23 “(i) ADMINISTRATION OF FUND.—

24 “(1) IN GENERAL.—A participating State or
25 tribal government may combine the financial admin-

1 istration of a State or tribal loan fund with the fi-
2 nancial administration of any other revolving fund
3 established by the State or tribal government if—

4 “(A) combining the administration of the
5 funds would—

6 “(i) be convenient and avoid adminis-
7 trative costs; and

8 “(ii) not violate the law of the State
9 or tribal government; and

10 “(B) the Administrator determines that—

11 “(i) amounts obtained from a grant
12 made under this section, amounts obtained
13 from the repayment of a loan made from
14 a State or tribal loan fund, and interest
15 earned on amounts in a State or tribal
16 loan fund will be—

17 “(I) accounted for separately
18 from amounts from other revolving
19 funds; and

20 “(II) used only for purposes au-
21 thorized under this section; and

22 “(ii) after consulting with the appro-
23 priate State or tribal government agencies,
24 the authority to establish assistance prior-
25 ities and carry out oversight and related

1 activities, other than financial administra-
2 tion, with respect to flood assistance re-
3 mains with the State or tribal government
4 agency with primary responsibility for
5 floodplain management.

6 “(2) ADMINISTRATIVE AND TECHNICAL
7 COSTS.—

8 “(A) IN GENERAL.—For each fiscal year, a
9 participating State or tribal government may
10 use the amount described in subparagraph (B)
11 to—

12 “(i) pay the reasonable costs of ad-
13 ministration of the programs under this
14 section, including the recovery of reason-
15 able costs incurred in establishing a State
16 or tribal loan fund;

17 “(ii) provide appropriate oversight of
18 projects authorized under this section; and

19 “(iii) provide technical assistance and
20 outreach to recipients in the State or tribal
21 lands of amounts under this section, in-
22 cluding with respect to updating hazard
23 mitigation plans and participating in the
24 Community Rating System, in an amount
25 that is not more than 4 percent of the

1 funds made available to the State or tribal
2 government under this section.

3 “(B) DESCRIPTION.—The amount de-
4 scribed in this subparagraph is an amount
5 equal to the sum of—

6 “(i) any fees collected by a partici-
7 pating State or tribal government to re-
8 cover the costs described in subparagraph
9 (A)(i), regardless of the source; and

10 “(ii) the greatest of—

11 “(I) \$400,000;

12 “(II) 0.2 percent of the value of
13 the State or tribal loan fund of a
14 State or tribal government, as of the
15 date on which the valuation is made;
16 and

17 “(III) an amount equal to 7 per-
18 cent of all grant awards made to a
19 participating State or tribal govern-
20 ment for the State or tribal loan fund
21 of the State or tribal government
22 under this section for the fiscal year.

23 “(3) AUDIT AND REPORT.—

24 “(A) AUDIT REQUIREMENT.—Not less fre-
25 quently than biennially, each participating State

1 and tribal government shall conduct an audit of
2 the State or tribal loan fund of the State or
3 tribal government.

4 “(B) REPORT.—Each participating State
5 and tribal government shall submit to the Ad-
6 ministrator a biennial report regarding the ac-
7 tivities of the State or tribal government under
8 this section during the period covered by the re-
9 port, including—

10 “(i) the result of any audit conducted
11 by the State or tribal government under
12 subparagraph (A); and

13 “(ii) a review of the effectiveness of
14 the State or tribal loan fund of the State
15 or tribal government with respect to—

16 “(I) the intended use plans of the
17 State or tribal government; and

18 “(II) meeting the objectives de-
19 scribed in subsection (b)(1).

20 “(4) OVERSIGHT.—In conducting oversight with
21 respect to State and tribal loan funds established
22 under this section, the Administrator—

23 “(A) shall—

24 “(i) periodically audit the funds in ac-
25 cordance with procedures established by

1 the Comptroller General of the United
2 States; and

3 “(ii) not less frequently than once
4 every 4 years, review each State and tribal
5 loan fund to determine the effectiveness of
6 the fund in reducing flood risk; and

7 “(B) may, at any time—

8 “(i) make recommendations to a par-
9 ticipating State or tribal government with
10 respect to the administration of the State
11 or tribal loan fund of the State or tribal
12 government; or

13 “(ii) require specific changes with re-
14 spect to a State or tribal loan fund in
15 order to improve the effectiveness of the
16 fund.

17 “(j) LIABILITY PROTECTIONS.—The Federal Govern-
18 ment shall not be liable for any claim based upon the exer-
19 cise or performance of, or the failure to exercise or per-
20 form, a discretionary function or duty on the part of the
21 Federal agency, or an employee of the Federal Govern-
22 ment, in carrying out the provision of this section.

23 “(k) REGULATIONS.—The Administrator shall pro-
24 mulgate such guidance or regulations as may be necessary

1 to carry out this section, including guidance or regulations
2 that—

3 “(1) ensure that each participating State and
4 tribal government to which funds are allocated under
5 this section uses the funds as efficiently as possible;

6 “(2) reduce, to the maximum extent prac-
7 ticable, waste, fraud, and abuse with respect to the
8 implementation of this section; and

9 “(3) require any party that receives funds di-
10 rectly or indirectly under this section, including a
11 participating State or tribal government and a re-
12 cipient of amounts from a State or tribal loan fund,
13 to use procedures with respect to the management of
14 the funds that conform to generally accepted ac-
15 counting standards.

16 “(1) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$50,000,000 for each of fiscal years 2022 through 2026.”.

19 **SEC. 106. USE OF REPLACEMENT COST VALUE IN ESTI-**
20 **MATING PREMIUM RATES.**

21 Section 1307 of the National Flood Insurance Act of
22 1968 (42 U.S.C. 4014) is amended by adding at the end
23 the following new subsection:

24 “(i) USE OF REPLACEMENT COST VALUE.—In deter-
25 mining affordability for insurance provided under this

1 title, the Administrator may consider, where appropriate,
2 the impact of the inclusion of the replacement cost or
3 other settlement basis of the structure.”.

4 **SEC. 107. REFUND OF PREMIUMS.**

5 Chapter I of the National Flood Insurance Act of
6 1968 is amended by inserting after section 1307 (42
7 U.S.C. 4014) the following new section:

8 **“SEC. 1307A. REFUND OF PREMIUMS.**

9 “(a) **REQUIRED REFUND.**—Notwithstanding any
10 other provision of law, if at any time an insured under
11 a policy for flood insurance coverage for a property that
12 is made available under this title cancels such policy be-
13 cause other duplicate flood insurance coverage for the
14 same property has been obtained from a source other than
15 the National Flood Insurance Program under this title,
16 the Administrator shall refund to the former insured a
17 portion of the premiums paid for the coverage made avail-
18 able under this title, as determined consistent with indus-
19 try practice according to the portion of the term of the
20 policy that such coverage was in effect, but only if a copy
21 of declarations page of the new policy obtained from a
22 source other than the program under this title is provided
23 to the Administrator.

24 “(b) **EFFECTIVE DATE OF CANCELLATION.**—For
25 purposes of this section, a cancellation of a policy for cov-

1 erage made available under the National Flood Insurance
2 Program under this title, for the reason specified in sub-
3 section (a), shall be effective—

4 “(1) on the effective date of the new policy ob-
5 tained from a source other than the program under
6 this title, if the request for such cancellation was re-
7 ceived by the Administrator before the expiration of
8 the 6-month period beginning on the effective date
9 of the new policy; or

10 “(2) on the date of the receipt by the Adminis-
11 trator of the request for cancellation, if the request
12 for such cancellation was received by the Adminis-
13 trator after the expiration of the 6-month period be-
14 ginning on the effective date of the new policy.

15 “(c) PROHIBITION OF REFUNDS FOR PROPERTIES
16 RECEIVING INCREASED COST OF COMPLIANCE CLAIMS OR
17 FOR WHICH A CLAIM HAS BEEN PAID.—No premium
18 amounts paid for coverage made available under this title
19 may be refunded pursuant to this section—

20 “(1) with respect to coverage for any property
21 for which measures have been implemented using
22 amounts received pursuant to a claim under in-
23 creased cost of compliance coverage made available
24 pursuant to section 1304(b); or

1 “(2) if a claim has been paid or is pending
2 under the policy term for which the refund is
3 sought.”.

4 **SEC. 108. CAP ON ANNUAL PREMIUM INCREASES.**

5 (a) DEFINITION.—In this section, the term “covered
6 cost” means—

7 (1) the amount of an annual premium with re-
8 spect to any policy for flood insurance under the Na-
9 tional Flood Insurance Program;

10 (2) any surcharge imposed with respect to a
11 policy described in paragraph (1), including a sur-
12 charge imposed under—

13 (A) section 1304(b) of the National Flood
14 Insurance Act of 1968 (42 U.S.C. 4011(b)); or

15 (B) section 1308A(a) of the National
16 Flood Insurance Act of 1968 (42 U.S.C.
17 4015a(a)); and

18 (3) a fee described in paragraph (1)(B)(iii) or
19 (2) of section 1307(a) of the National Flood Insur-
20 ance Act of 1968 (42 U.S.C. 4014(a)).

21 (b) LIMITATION ON INCREASES.—During the 5-year
22 period beginning on the date of enactment of this Act, and
23 notwithstanding section 1308(e) of the National Flood In-
24 surance Act of 1968 (42 U.S.C. 4015(e)), the Adminis-
25 trator may not, in any year, increase the amount of any

1 covered cost by an amount that is more than 9 percent,
2 as compared with the amount of the covered cost during
3 the previous year.

4 (c) RULE OF CONSTRUCTION.—Nothing in sub-
5 section (b) may be construed as prohibiting the Adminis-
6 trator from reducing, in any year, the amount of any cov-
7 ered cost, as compared with the amount of the covered
8 cost during the previous year.

9 (d) AVERAGE HISTORICAL LOSS YEAR.—Section
10 1308 of the National Flood Insurance Act of 1968 (42
11 U.S.C. 4015) is amended by striking subsection (h) and
12 inserting the following:

13 “(h) RULE OF CONSTRUCTION.—For purposes of this
14 section, the calculation of an ‘average historical loss year’
15 shall be computed in accordance with generally accepted
16 actuarial principles.”.

17 (e) DISCLOSURE WITH RESPECT TO THE AFFORD-
18 ABILITY STANDARD.—Section 1308(j) of the National
19 Flood Insurance Act of 1968 (42 U.S.C. 4015(j)) is
20 amended, in the second sentence, by inserting “and shall
21 include in the report the number of those exceptions as
22 of the date on which the Administrator submits the report
23 and the location of each policyholder insured under those
24 exceptions, organized by county and State” after “of the
25 Senate”.

1 **SEC. 109. DEBT CANCELLATION.**

2 (a) FORGIVENESS.—Notwithstanding any other pro-
3 vision of law, all indebtedness of the Administrator of the
4 Federal Emergency Management Agency under any notes
5 or other obligations issued pursuant to section 1309(a) of
6 the National Flood Insurance Act of 1968 (42 U.S.C.
7 4016(a)) and section 15(e) of the Federal Insurance Act
8 of 1956 (42 U.S.C. 2414(e)), and outstanding as of the
9 date of the enactment of this Act, is hereby canceled, the
10 Administrator and the National Flood Insurance Fund are
11 relieved of all liability to the Secretary of the Treasury
12 under any such notes or other obligations, including for
13 any capitalized interest due under such notes or other obli-
14 gations and any other fees and charges payable in connec-
15 tion with such notes and obligations, and the total amount
16 of notes and obligations issued by the Administrator pur-
17 suant to such section shall be considered to be reduced
18 by such amount for purposes of the limitation on such
19 total amount under such section.

20 (b) TREATMENT OF CANCELED DEBT.— The amount
21 of the indebtedness canceled under subsection (a)—

22 (1) may be treated as a public debt of the
23 United States; and

24 (2) is designated as an emergency pursuant to
25 section 4(g) of the Statutory Pay-As-You-Go Act of
26 2010 (2 U.S.C. 933(g)).

1 **TITLE II—MAPPING**
2 **SEC. 201. REAUTHORIZATION OF APPROPRIATIONS FOR**
3 **NATIONAL FLOOD MAPPING PROGRAM.**

4 Subsection (f) of section 100216 of the Biggert-
5 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
6 4101(b)) is amended by striking “\$400,000,000 for each
7 of fiscal years 2013 through 2017” and inserting
8 “\$500,000,000 for each of fiscal years 2019 through
9 2023”.

10 **SEC. 202. NATIONAL FLOOD MAPPING PROGRAM.**

11 (a) INCLUSION OF CADASTRAL FEATURES IN FLOOD
12 MAPS AND FLOOD RISK DATA.—Section 100216(b)(3) of
13 the Biggert-Waters Flood Insurance Reform Act of 2012
14 (42 U.S.C. 4101b(b)(3)) is amended—

15 (1) in subparagraph (D), by striking “and” at
16 the end;

17 (2) in subparagraph (E), by striking the period
18 at the end and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(F) cadastral features.”.

21 (b) FORMAT OF FLOOD MAPS AND FLOOD RISK
22 DATA.—Section 100216(c)(2) of the Biggert-Waters
23 Flood Insurance Reform Act of 2012 (42 U.S.C.
24 4101b(c)(2)) is amended—

1 (1) in subparagraph (B), by striking “and” at
2 the end;

3 (2) in subparagraph (C), by striking the period
4 at the end and inserting “; and”; and

5 (3) by adding at the end the following:

6 “(D) spatially accurate in accordance with
7 the common protocols for geospatial data under
8 section 757 of the Geospatial Data Act of 2018
9 (43 U.S.C. 2806).”.

10 (c) ADDITIONAL CONSIDERATIONS.—Section 100216
11 of the Biggert-Waters Flood Insurance Reform Act of
12 2012 (42 U.S.C. 4101b) is amended—

13 (1) by redesignating subsection (f) as sub-
14 section (m); and

15 (2) by inserting after subsection (e) the fol-
16 lowing:

17 “(g) STREAM FLOW NETWORKS.—

18 “(1) IN GENERAL.—The Administrator shall co-
19 ordinate with the United States Geological Survey
20 for the sharing of data from stream flow networks
21 critical to the National Flood Insurance Program,
22 flood risk mapping, and flood risk assessments, to
23 ensure that—

1 “(A) the stream gage stations in such
2 stream flow networks are operational and use
3 modern hardware;

4 “(B) such stream flow networks are suffi-
5 ciently densified by adding new stream gage
6 stations in high-risk areas;

7 “(C) inactive critical stream gage stations
8 in such stream flow networks are reactivated;
9 and

10 “(D) the speed of the geospatial real-time
11 data feeds from such stream gage stations is in-
12 creased.

13 “(2) DEFINITIONS.—In this subsection:

14 “(A) STREAM FLOW NETWORK.—The term
15 ‘stream flow network’ means a network of
16 stream flow gages maintained under the direc-
17 tion of the United States Geological Survey and
18 its partners that is used to measure or record
19 the flow of water down a stream or river, or
20 through an entire watershed system, and trans-
21 mit such information using a geospatial real-
22 time data feed.

23 “(B) STREAM GAGE STATION.—The term
24 ‘stream gage station’ means a device installed
25 at the edge of a river or stream that measures

1 or records the flow of water down the stream
2 and additional information such as water
3 height, water chemistry, and water tempera-
4 ture.

5 “(3) RULE OF CONSTRUCTION.—The purpose
6 of this subsection is to require cooperation between
7 the Federal Emergency Management Agency and
8 United States Geological Survey and nothing in this
9 subsection may be construed to require or obligate
10 funding expenditures.

11 “(h) AVAILABILITY OF DATA TO PUBLIC.—The Ad-
12 ministrator shall make available to the public on the
13 website of the Federal Emergency Management Agency a
14 national geospatial data repository that—

15 “(1) provides access to the raw data used to in-
16 clude the cadastral features and parcel identification
17 data in National Flood Insurance Program flood
18 maps and flood risk data;

19 “(2) to the extent that such data is available,
20 allows users to view, query, and obtain such data at
21 multiple levels of detail, including down to the prop-
22 erty level;

23 “(3) allows users to view flood risks, flood in-
24 surance zones, and flood elevations;

1 “(4) provides access to flood mapping and re-
2 lated information such as—

3 “(A) hydrologic and hydraulic models used
4 in determining flood risk;

5 “(B) structure footprints where available
6 as part of a national structure inventory;

7 “(C) flood depth grids;

8 “(D) flood risk reports;

9 “(E) flood risk assessments (Hazus anal-
10 yses);

11 “(F) hazard mitigation plans; and

12 “(G) other flood risk products at the dis-
13 cretion of the Administrator; and

14 “(5) maintains and disseminates such data in a
15 consistent manner.

16 “(i) ENSURING CURRENT DATA.—Not less fre-
17 quently than once every 5 years, the Administrator shall
18 verify that each National Flood Insurance Program flood
19 map and flood risk data contains data that is current and
20 credible.

21 “(j) QUALIFICATIONS-BASED SELECTION CON-
22 TRACTING.—

23 “(1) IN GENERAL.—With respect to a contract
24 awarded by the Administrator under this Act, for ar-
25 chitectural and engineering services, such a contract

1 shall be awarded to a contractor selected in accord-
2 ance with the procedures described in section 1103
3 of title 40, United States Code (or an applicable
4 equivalent State qualifications-based statute). The
5 Administrator, or entity, as the case may be, shall
6 require such contractor, as a condition of such con-
7 tract, to award any subcontract for architectural and
8 engineering services in accordance with the proce-
9 dures described in the previous sentence, or the ap-
10 plicable equivalent State statute.

11 “(2) RELATIONSHIP TO STATE LAW.—Nothing
12 in this subsection shall supersede any applicable
13 State licensing law governing professional licensure.

14 “(3) DEFINITION OF ARCHITECTURAL AND EN-
15 GINEERING SERVICES.—In this subsection, the term
16 ‘architectural and engineering services’ has the
17 meaning given such term in section 1102 of title 40,
18 United States Code.

19 “(k) DEFINITION OF CADASTRAL FEATURE.—In this
20 section, the term ‘cadastral feature’ means the geographic
21 elements and features that are based upon public land
22 records and that show the extent of right and interests
23 in such land parcels.”.

1 **SEC. 203. FLOOD MAPPING MODERNIZATION AND HOME-**
2 **OWNER EMPOWERMENT PILOT PROGRAM.**

3 (a) IN GENERAL.—The Administrator of the Federal
4 Emergency Management Agency shall carry out a pilot
5 program to make grants to units of local government to
6 enhance the mapping of urban flooding and associated
7 property damage and the availability of such mapped data
8 to homeowners, businesses, and units of local government
9 to enable them to minimize the risk of such flooding.

10 (b) OBJECTIVES.—Amounts from grants made under
11 the pilot program under this section may be used only to
12 carry out activities to meet the following objectives:

13 (1) To develop a methodology for assessing
14 urban flood risk through the deployment of tech-
15 nology-based mapping tools that are easily under-
16 standable by the public and effectively convey infor-
17 mation regarding the level of flood risk.

18 (2) To provide structure-specific projections of
19 annual chance flood frequency.

20 (3) To provide structure-based flood-risk assess-
21 ments.

22 (4) To provide urban flood-risk mitigation pro-
23 gram design.

24 (5) To incorporate information regarding cli-
25 mate trends into urban flooding risk assessments.

1 (6) To make the information described in this
2 subsection publicly available on the internet through
3 a web-based portal so as to increase transparency re-
4 garding homeowner flood risks, except that the Ad-
5 ministrator may not disclose such information to the
6 public or to a private company in a manner that vio-
7 lates section 552a of title 5, United States Code, or
8 any regulation implementing that section.

9 (c) ELIGIBLE RECIPIENTS.—

10 (1) IN GENERAL.—Grants under the pilot pro-
11 gram under this section may be made only to units
12 of general local government located in urbanized
13 areas, as such term is used by the Bureau of the
14 Census of the Department of Commerce, having
15 populations exceeding 50,000 or to stormwater man-
16 agement authorities of such units of general local
17 government.

18 (2) ONE-TIME GRANTS.—A grant under the
19 pilot program under this section may not be made
20 to—

21 (A) any unit of general local governmental,
22 or stormwater management authority of a unit
23 of general government, that has previously re-
24 ceived a grant under the pilot program;

1 (B) any unit of general local government if
2 the stormwater management agency for such
3 unit has previously received a grant under the
4 pilot program; or

5 (C) any stormwater management agency of
6 a unit of general local government if such unit
7 has previously received a grant under the pilot
8 program.

9 (3) TREATMENT OF STORMWATER MANAGE-
10 MENT AUTHORITIES.—In the case of a stormwater
11 management authority that operates with respect to
12 more than one unit of general local government, the
13 application of such authority shall be considered for
14 purposes of paragraph (2) of this subsection and
15 subsections (e), (f), and (g)(1) to be made for the
16 largest unit of general local government for which
17 such authority operates. The preceding sentence
18 shall not limit the ability of such authority to carry
19 out activities under the demonstration project in any
20 other jurisdictions or unit of local government with
21 respect to which the authority operates.

22 (d) APPLICATIONS.—To be eligible for a grant under
23 this section a unit of general local government or
24 stormwater management agency shall submit to the Ad-

1 administrator an application in such form and containing
2 such information as the Administrator shall require.

3 (e) SELECTION OF RECIPIENTS.—

4 (1) ANNUAL SELECTION.—Subject to para-
5 graph (2) and to the submission of approvable appli-
6 cations, in each fiscal year for which amounts are
7 made available for grants under the pilot program
8 under this section the Administrator shall select,
9 from among applications submitted under subsection
10 (d) for such fiscal year, 3 units of general govern-
11 ment or stormwater management authorities to re-
12 ceive grants under the pilot program under this sec-
13 tion.

14 (2) AGGREGATE LIMIT.—Subject only to the
15 submission of approvable applications, the Adminis-
16 trator shall select, in the aggregate over the entire
17 duration of the pilot program under this section, 12
18 units of general government or stormwater manage-
19 ment authorities to receive grants under the pilot
20 program, as follows:

21 (A) TIER 1.—Three of the applicants se-
22 lected shall be units of general local govern-
23 ment, or stormwater management authorities
24 for such units, having a population exceeding
25 800,000, as follows:

1 (i) PELAGIC COASTAL CITY.—One
2 shall be a unit of general local government,
3 or stormwater authority for such a unit,
4 that is a pelagic unit.

5 (ii) NON-PELAGIC COASTAL CITY.—
6 One shall be unit of general local govern-
7 ment, or stormwater authority for such a
8 unit, that is a coastal unit, but not a pe-
9 lagic unit.

10 (iii) NON-COASTAL CITY.—One shall
11 be unit of general local government, or
12 stormwater authority for such a unit, that
13 is not a coastal unit.

14 (B) TIER 2.—Six of the applicants selected
15 shall be units of general local government, or
16 stormwater management authorities for such
17 units, having a population exceeding 200,000
18 but not exceeding 800,000, as follows:

19 (i) COASTAL CITIES.—Three shall be
20 units of general local government, or
21 stormwater management authorities for
22 such units, that are coastal units.

23 (ii) NON-COASTAL CITIES.—Three
24 shall be units of general local government,

1 or stormwater management authorities for
2 such units, that are not coastal units.

3 (C) TIER 3.—Three of the applicants se-
4 lected shall be units of general local govern-
5 ment, or stormwater management authorities
6 for such units, having a population exceeding
7 50,000 but not exceeding 200,000.

8 (f) PRIORITY.—

9 (1) IN GENERAL.—The Administrator shall se-
10 lect applicants for grants under the pilot program
11 under this section based on the extent to which their
12 applications will achieve the objectives set forth in
13 subsection (b).

14 (2) TIERS 2 AND 3.—In selecting applicants to
15 receive grants under the pilot program under this
16 section pursuant to subparagraphs (B) and (C) of
17 subsection (e)(2), the Administrator shall give pri-
18 ority to applicants—

19 (A) that are highly vulnerable to sea level
20 rise;

21 (B) within which are located a military in-
22 stallation or other facility relating to national
23 security concerns; or

24 (C) that have a population that is highly
25 vulnerable to urban flooding and have an un-

1 even capacity for flood mitigation and response
2 efforts resulting from socioeconomic factors.

3 (g) AMOUNT.—

4 (1) CONSIDERATIONS.—In determining the
5 amount of grant under the pilot program under this
6 section, the Administrator shall consider the popu-
7 lation of the grant recipient, which may be consid-
8 ered in terms of the tier under subsection (e)(2) of
9 the recipient.

10 (2) FEDERAL SHARE.—The amount of a grant
11 under the pilot program under this section may not
12 exceed 75 percent of the total cost of the activities
13 under subsection (b) to be carried out using the
14 grant amounts.

15 (h) DURATION.—The Administrator shall require
16 each recipient of a grant under the pilot program under
17 this section to complete the activities under subsection (b)
18 to be carried out using the grant amounts before the expi-
19 ration of the 18-month period beginning upon the initial
20 receipt of grant amounts under the pilot program.

21 (i) USE OF CENSUS DATA.—The Administrator shall
22 make all determinations under the pilot program regard-
23 ing population using the most recent available data from
24 the decennial census.

1 (j) GRANTEE REPORTS TO FEMA.—Each recipient
2 of a grant under the pilot program under this section
3 shall, not later than the expiration of the 30-month period
4 beginning upon the initial receipt of any such grant
5 amounts, submit to the Administrator a report that de-
6 scribes—

7 (1) the activities carried out with amounts from
8 the grant;

9 (2) how the activities carried out with such
10 grant amounts have met the objectives described in
11 subsection (b); and

12 (3) any lessons learned in carrying out such ac-
13 tivities and any recommendations for future map-
14 ping modernization efforts by the Federal Emer-
15 gency Management Agency.

16 (k) BIENNIAL REPORTS BY FEMA.—Not later than
17 the expiration of the 24-month period beginning on the
18 date of the enactment of this Act, and not later than the
19 expiration of each successive 24-month period thereafter
20 until the completion of all activities carried out with
21 amounts from grants under the pilot program under this
22 section, the Administrator shall submit to the Congress
23 and make available to the public on an internet website
24 a report that—

25 (1) describes—

1 (A) the progress of the activities carried
2 out with amounts from such grants; and

3 (B) the effectiveness of technology-based
4 mapping tools used in carrying out the activi-
5 ties described in subparagraph (A); and

6 (2) with respect to the final report that the Ad-
7 ministrator is required to submit under this sub-
8 section, includes recommendations to the Congress
9 and the executive branch of the Federal Government
10 for implementing strategies, practices, and tech-
11 nologies to mitigate the effects of urban flooding.

12 (I) SENSE OF CONGRESS.—It is the sense of the Con-
13 gress that, because the pilot program is limited with re-
14 spect to scope and resources, communities that participate
15 in the pilot program should acknowledge that the most
16 successful efforts to mitigate the effects of urban flood-
17 ing—

18 (1) take a structural-based mitigation approach
19 with respect to construction, which includes—

20 (A) recognizing any post-storm damage
21 that may occur; and

22 (B) pursuing designs that proactively mini-
23 mize future flood damage;

24 (2) make individuals in the community aware,
25 through any cost-effective and available means of

1 education, of the best approaches regarding the con-
2 struction of properties that are able to survive
3 floods, which reduces the cost of future repairs; and

4 (3) encourage home and property owners to
5 consider the measures described in paragraphs (1)
6 and (2), which are the most cost-effective and pru-
7 dent ways to reduce the impact of flooding, when
8 constructing or renovating building components.

9 (m) DEFINITIONS.—For purposes of this section, the
10 following definitions shall apply:

11 (1) ADMINISTRATOR.—The term “Adminis-
12 trator” means the Administrator of the Federal
13 Emergency Management Agency.

14 (2) COASTAL.—The term “coastal” means, with
15 respect to a unit of general local government, that
16 the unit borders a body of water that—

17 (A) exceeds 2,000 square miles in size; and

18 (B) is not a river.

19 (3) PELAGIC.—The term “pelagic” means, with
20 respect to a unit of general local government, that
21 the unit is a coastal unit and the body of water that
22 the unit borders is an ocean or other large, open
23 body of water (including bays and gulfs) that
24 empties into an ocean.

25 (4) URBAN FLOODING.—

1 (A) IN GENERAL.—The term “urban flood-
2 ing” means the inundation of property in a
3 built environment, particularly in more densely
4 populated areas, caused either by falling rain
5 collecting on impervious surfaces or increasing
6 the levels of nearby water bodies and over-
7 whelming the capacity of drainage systems,
8 such as storm sewers, including—

9 (i) situations in which stormwater en-
10 ters buildings through windows, doors, or
11 other openings;

12 (ii) water backup through sewer pipes,
13 showers, toilets, sinks, and floor drains;

14 (iii) seepage through walls and floors;

15 (iv) the accumulation of water on
16 property or public rights-of-way; and

17 (v) the overflow from water bodies,
18 such as rivers, lakes, and oceans.

19 (B) EXCLUSION.—Such term does not in-
20 clude flooding in undeveloped or agricultural
21 areas.

22 (n) FUNDING.—There is authorized to be appro-
23 priated for grants under the pilot program under this sec-
24 tion—

25 (1) \$1,200,000 for fiscal year 2020; and

1 (2) \$4,300,000 for fiscal year 2021, to remain
2 available through 2023.

3 **SEC. 204. MAPPING IMPROVEMENTS AND REACH.**

4 (a) EXPANDING MAPPING TO ALL AREAS OF THE
5 UNITED STATES.—Subparagraph (A) of section
6 100216(b)(1) of the Biggert-Waters Flood Insurance Re-
7 form Act of 2012 (42 U.S.C. 4101b(b)(1)(A)) is amend-
8 ed—

9 (1) in the matter preceding clause (i), by strik-
10 ing “National Flood Insurance Program rate maps”
11 and inserting “flood maps and flood risk data”;

12 (2) in clause (v), by striking “and” at the end;

13 (3) by redesignating clause (vi) as clause (vii);

14 and

15 (4) by inserting after clause (v) the following:

16 “(vi) all areas of the United States;
17 and”.

18 (b) USE OF OTHER FEDERAL AGENCIES AND
19 LIDAR.—Section 100216 of the Biggert-Waters Flood
20 Insurance Reform Act of 2012 (42 U.S.C. 4101b) is
21 amended—

22 (1) in subsection (b)(1)—

23 (A) by redesignating subparagraphs (B)
24 and (C) as subparagraphs (C) and (D), respec-
25 tively;

1 (B) by inserting after subparagraph (A)
2 the following:

3 “(B) as soon as practicable—

4 “(i) modernize the flood mapping in-
5 ventory for communities for which the Na-
6 tional Flood Insurance Program flood
7 maps and flood risk data have not been
8 modernized; and

9 “(ii) in coordination with commu-
10 nities, utilize the digital display environ-
11 ment established under subsection
12 (f)(1)(A) to produce, store, and dissemi-
13 nate any flood hazard data, models, and
14 flood maps and flood risk data generated
15 under clause (i) while ensuring that the
16 flood mapping inventory described in that
17 clause may be printed in order to carry
18 out—

19 “(I) floodplain management pro-
20 grams under the National Flood In-
21 surance Act of 1968 (42 U.S.C. 4001
22 et seq.); and

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

1 (C) in subparagraph (C), as so redesignated, by striking “and” at the end;

3 (D) in subparagraph (D), as so redesignated, by striking the period at the end and inserting “, and including the most current and most appropriate remote sensing or other geospatial mapping technology;”;

8 (E) by adding at the end the following:

9 “(E) when appropriate, partner with other
10 Federal agencies, States, communities, and private entities in order to meet the objectives of
11 the program; and
12

13 “(F) when appropriate, consult and coordinate with the Secretary of Defense, the Director of the United States Geological Survey, and the Administrator of the National Oceanic and Atmospheric Administration to obtain the most
14 up-to-date maps and other information of those
15 agencies, including information relating to topography, water flow, watershed characteristics,
16 and any other issues that are relevant to identifying, reviewing, updating, maintaining, and
17 publishing National Flood Insurance Program
18 flood maps and flood risk data.”;
19
20
21
22
23
24

1 (2) by inserting after subsection (e) the fol-
2 lowing new subsection:

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

6 “(1) ESTABLISHMENT.—

7 “(A) IN GENERAL.—Not later than 5 years
8 after the date of enactment of the National
9 Flood Insurance Program Reauthorization Act
10 of 2019, the Administrator, in consultation with
11 the Technical Mapping Advisory Council, shall
12 establish, as part of a national structure inven-
13 tory, a dynamic, database-derived digital dis-
14 play environment for flood hazard and risk
15 data, models, maps, and assessments.

16 “(B) CONSULTATION WITH STATES AND
17 COMMUNITIES.—In designing and constructing
18 the digital display environment under subpara-
19 graph (A), the Administrator shall—

20 “(i) leverage and partner with States
21 and communities that have successfully im-
22 plemented the same approach; and

23 “(ii) consider adopting the techniques
24 and technologies used by the States and
25 communities described in clause (i) and ap-

1 plying those techniques and technologies
2 nationwide.

3 “(2) DIGITAL DISPLAY SYSTEM.—

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

9 “(i) be prompted through dynamic
10 querying of a spatial, relational flood haz-
11 ard and risk database;

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

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

18 “(I) flood hazard and risk assess-
19 ment determinations;

20 “(II) flood insurance; and

21 “(III) flood risk mitigation ef-
22 forts;

23 “(iv) be constructed in a manner that
24 facilitates coordination with digital display
25 systems that—

1 “(I) have been developed by
2 State and community partners; and

3 “(II) the Administrator finds are
4 acceptable;

5 “(v) include the capability to print
6 physical copies of flood maps and flood
7 risk data; and

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

11 “(B) PRIVACY REQUIREMENTS.—The Ad-
12 ministrator may not disseminate the database
13 described in subparagraph (A)(i), including any
14 data used to create that database, to the public
15 or to a private company in a manner that vio-
16 lates section 552a of title 5, United States
17 Code, or any regulation implementing that sec-
18 tion.”;

19 (3) by inserting after subsection (k), as added
20 by the preceding provisions of this Act, the fol-
21 lowing:

22 “(l) ANNUAL REPORT.—The Administrator, in co-
23 ordination with the Technical Mapping Advisory Council
24 established under section 100215 of this Act, shall submit
25 to the Committee on Financial Services of the House of

1 Representatives and the Committee on Banking, Housing,
2 and Urban Affairs of the Senate an annual report regard-
3 ing progress achieved in the mapping program under this
4 section, including the digital display and structure-specific
5 information required under subsection (f), which shall in-
6 clude recommendations to reduce the cost and improve the
7 implementation of that subsection.”.

8 (c) FUTURE FLOOD RISK.—Section 100216(d) of the
9 Biggert-Waters Flood Insurance Reform Act of 2012 (42
10 U.S.C. 4101b) is amended by adding at the end the fol-
11 lowing:

12 “(3) FUTURE FLOOD RISK.—The Administrator
13 shall, in consultation with the Technical Mapping
14 Council established under section 100215, provide fi-
15 nancial and technical assistance to communities to
16 incorporate future flood hazard conditions as an in-
17 formational layer on their Flood Insurance flood
18 maps and flood risk data.”.

19 **SEC. 205. REFUNDS FOR PROPERTIES INADVERTENTLY IN-**
20 **CLUDED IN AREAS OF SPECIAL FLOOD HAZ-**
21 **ARD.**

22 Section 1307A of the National Flood Insurance Act
23 of 1968, as added by the preceding provisions of this Act,
24 is amended by adding at the end the following new sub-
25 section:

1 “(c) REFUNDS FOR PROPERTIES IN ADVERTENTLY
2 INCLUDED IN AREAS OF SPECIAL FLOOD HAZARD.—

3 “(1) IN GENERAL.—Notwithstanding any other
4 provision of law, the Administrator shall cancel a
5 policy for flood insurance made available under this
6 Act if—

7 “(A) the Administrator issues a final de-
8 termination based on updated scientific or tech-
9 nical information that demonstrates the insured
10 property was inadvertently included in a des-
11 ignated area of special flood hazard;

12 “(B) the updated scientific and technical
13 information is not based on any alteration of
14 topography caused by human modification of
15 the environment subsequent to the initial des-
16 ignation of the area of special flood hazard for
17 the insured property;

18 “(C) the insured property was covered by
19 Federal flood insurance required as a condition
20 of any Federal requirement to obtain and main-
21 tain flood insurance on the date of the deter-
22 mination satisfying subparagraph (A);

23 “(D) no claims have been paid or are
24 pending for the insured property prior to the
25 determination satisfying subparagraph (A); and

1 “(E) the policyholder requests cancellation
2 of the flood insurance policy within 12 months
3 of the determination satisfying subparagraph
4 (A).

5 “(2) REFUNDS.—Upon cancellation of a policy
6 pursuant to paragraph (1), the Administrator shall
7 refund the premiums and surcharges assessed under
8 【section 1308B 1304(b)】 for the current policy year
9 and two consecutive prior years for the policy.”.

10 **SEC. 206. APPEALS AND PUBLICATION OF PROJECTED SPE-**
11 **CIAL FLOOD HAZARD AREAS.**

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

14 (1) in subsection (b), by striking the first and
15 second sentences and inserting the following: “After
16 first notifying the affected local governments, the
17 Administrator shall publish notification of flood ele-
18 vation determinations and designations of areas hav-
19 ing special flood hazards in a prominent local news-
20 paper or other legal format that the Administrator
21 determines is functionally equivalent. Any owner or
22 lessee of real property within the community who be-
23 lieves their property rights to be adversely affected
24 by the Administrator’s proposed determination may
25 submit a notice of appeal of such determination to

1 the local government [no later than 30 days as set
2 forth in the publication notice]. The appellant shall
3 have 150 days from the commencement of the ap-
4 peal period to submit a completed appeal, which
5 shall include all data and analysis in support of the
6 appeal.”;

7 (2) in subsection (c)—

8 (A) by inserting before “Appeals” the fol-
9 lowing: “Within the 30-day appeal period speci-
10 fied in the notification required under sub-
11 section (a), the community shall submit a notice
12 of appeal to the Administrator indicating
13 whether it intends to appeal the proposed deter-
14 mination.”; and

15 (B) in the last sentence, by striking “com-
16 munity’s appeal” and all that follows through
17 “Administrator’s notification” and inserting the
18 following: “community’s complete appeal or a
19 copy of its decision not to appeal shall be filed
20 with the Administrator within 150 days from
21 the commencement of the appeal period as set
22 forth in the notification”;

23 (3) in the first sentence of subsection (d)—

24 (A) by striking “receive an” and inserting
25 “receive a completed”;

1 (B) by striking “ninety” and inserting
2 “150”; and

3 (C) by striking “subsection (e)” and in-
4 serting “subsection (f)”;

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

7 (5) 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 notices of appeals, upon expiration of the 90-
12 day appeal period established under subsection (b) of this
13 section the Administrator’s proposed determination shall
14 become final upon the expiration of the 14-day period be-
15 ginning upon expiration of the 30-day appeal period. The
16 community shall be given a reasonable time after the Ad-
17 ministrator’s final determination in which to adopt local
18 land use and control measures consistent with the Admin-
19 istrator’s determination.”.

20 (b) PUBLICATION.—Subsection (a) of section 1363 of
21 the National Flood Insurance Act of 1968 (42 U.S.C.
22 4104(a)) is amended by striking “in the Federal Reg-
23 ister”.

1 **SEC. 207. COMMUNICATION AND OUTREACH REGARDING**
2 **CHANGES TO FLOOD MAPS AND FLOOD RISK**
3 **DATA.**

4 Paragraph (1) of section 100216(d) of the Biggert-
5 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
6 4101b(d)(1)) is amended—

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

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

11 **SEC. 208. ADOPTION OF PARTIAL FLOOD MAPS AND FLOOD**
12 **RISK DATA.**

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

16 “If the Administrator proposes to update flood hazard de-
17 terminations and a complete appeal is filed, the Adminis-
18 trator may consider the determination final with respect
19 to the areas that the Administrator determines are not
20 related to the issues or hydrologically connected, or hy-
21 draulically connected, or both, to the areas raised in the
22 appeals.”.

23 **SEC. 209. NEW ZONE FOR LEVEE-IMPACTED AREAS.**

24 Section 1360 of the National Flood Insurance Act of
25 1968 (42 U.S.C. 4101), as amended by the preceding pro-

1 visions of this Act, is further amended by adding at the
2 end the following:

3 “(l) LEVEE-IMPACTED AREAS.—

4 “(1) IN GENERAL.—To facilitate the implemen-
5 tation of subparagraph (A)(iii) of section
6 100216(b)(1) of the Biggert-Waters Flood Insur-
7 ance Reform Act of 2012 (42 U.S.C. 4101b(b)(1)),
8 the Administrator shall—

9 “(A) separately identify and designate
10 areas of residual flood risk in a manner that
11 the Administrator determines adequately com-
12 municates both the flood risk reduction and the
13 remaining risk associated with each levee; and

14 “(B) for communities participating in the
15 National Flood Insurance Program, make flood
16 insurance available to properties located within
17 those areas identified pursuant to subparagraph
18 (A) at rates that reflect the remaining flood
19 risk.

20 “(2) TRANSITION.—Until such time as the Ad-
21 ministrator establishes insurance rates in accordance
22 with paragraph (1), structures located such areas
23 shall be eligible for rates associated with areas of
24 moderate flood hazards.”.

1 **SEC. 210. AGRICULTURAL STRUCTURES IN SPECIAL FLOOD**
2 **HAZARD ZONES.**

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

8 “(3) ALLOWABLE LOCAL VARIANCES FOR CER-
9 TAIN AGRICULTURAL STRUCTURES.—

10 “(A) REQUIREMENT.—Notwithstanding
11 any other provision of this Act—

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

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

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

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

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

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

24 “(I) that neither floodproofing
25 nor elevation of the new structure to

1 the base flood elevation nor an alter-
2 native location for the new structure
3 are practicable; and

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

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

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

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

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

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

22 “(II) if such structure is located
23 within a designated regulatory flood-
24 way, such official has determined that
25 the repair or improvement does not

1 result in any increase in base flood
2 levels during the base flood discharge.

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

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

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

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

22 “(ii) FLOODPROOFING.—The term
23 ‘floodproofing’ means, with respect to an
24 agricultural structure, any combination of
25 structural and non-structural additions,

1 changes, or adjustments to the structure,
2 including attendant utilities and equip-
3 ment, that reduce or eliminate potential
4 flood damage to real estate or improved
5 real property, water and sanitary facilities,
6 structures, or their 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 areas established under section
19 1360(l).”.

20 (c) UPDATED GUIDANCE.—Not later than the expira-
21 tion of the 8-month period beginning on the date of the
22 enactment of this Act, the Administrator of the Federal
23 Emergency Management Agency shall update the guid-
24 ance entitled “Wet Floodproofing Requirements for Struc-
25 tures Located in Special Flood Hazard Areas in accord-

1 ance with the National Flood Insurance Program” (Tech-
2 nical Bulletin 7-93) to reflect the changes to such program
3 made by the amendments made by this section.

4 **SEC. 211. TECHNICAL MAPPING ADVISORY COUNCIL.**

5 Subparagraph (E) of section 100215(b)(1) of the
6 Biggert-Waters Flood Insurance Reform Act of 2012 (42
7 U.S.C. 4101a(b)(1)(E)) is amended—

8 (1) in the matter preceding clause (i), by strik-
9 ing “16” and inserting “17”;

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

12 (3) in clause (xiv), by striking the period at the
13 end and inserting “; and”; and—

14 (4) by adding at the end the following new
15 clause:

16 “(xv) a member of a recognized pro-
17 fessional real estate brokerage associa-
18 tion.”.

19 **TITLE III—MITIGATION**

20 **SEC. 301. INCREASED COST OF COMPLIANCE COVERAGE.**

21 Section 1304(b) of the National Flood Insurance Act
22 of 1968 (42 U.S.C. 4011(b)) is amended—

23 (1) in paragraph (4), by redesignating subpara-
24 graphs (A) through (D) as clauses (i) through (iv),
25 respectively;

1 (2) by redesignating paragraphs (1) through
2 (3) as subparagraphs (A) through (C), respectively
3 (and by adjusting the margins accordingly);

4 (3) in subparagraph (C) as so redesignated, by
5 striking the period at the end and inserting a semi-
6 colon;

7 (4) by redesignating paragraph (4) as subpara-
8 graph (E) (and by adjusting the margin accord-
9 ingly);

10 (5) by inserting after subparagraph (C), as so
11 redesignated, the following:

12 “(D) properties identified by the Adminis-
13 trator as priorities for mitigation activities be-
14 fore the occurrence of damage to or loss of
15 property which is covered by flood insurance;
16 and”;

17 (6) by inserting before “The national flood in-
18 surance program” the following;

19 “(1) IN GENERAL.—”.

20 (7) by striking “The Administrator” and insert-
21 ing the following:

22 “(2) PREMIUM.—The Administrator”; and

23 (9) by adding at the end the following new
24 paragraphs:

1 “(3) MAXIMIZATION OF COVERAGE.—The Ad-
2 ministrators shall make insurance coverage under this
3 subsection available in an amount that maximizes
4 the amount of coverage available, subject to para-
5 graph (2), generally accepted actuarial principles,
6 and any other provision of this Act.

7 “(4) ELIGIBLE MITIGATION ACTIVITIES.—

8 “(A) IN GENERAL.—Eligible mitigation
9 methods the cost of which is covered by cov-
10 erage provided under this subsection shall in-
11 clude—

12 “(i) alternative methods of mitigation
13 identified in the guidelines issued pursuant
14 to section 1361(d); and

15 “(ii) costs associated with the pur-
16 chase, clearing, and stabilization of prop-
17 erty that is part of an acquisition or relo-
18 cation program that complies with sub-
19 paragraph (B).

20 “(B) ACQUISITION AND RELOCATION
21 PROJECT ELIGIBILITY AND REQUIREMENTS.—

22 “(i) IN GENERAL.—An acquisition or
23 relocation project shall be eligible to re-
24 ceive assistance pursuant to subparagraph
25 (A)(iii) only if—

1 “(I) any property acquired, ac-
2 cepted, or from which a structure will
3 be removed shall be dedicated and
4 maintained in perpetuity for a use
5 that is compatible with open space,
6 recreational, or wetlands management
7 practices; and

8 “(II) any new structure erected
9 on such property will be—

10 “(aa) a public facility that is
11 open on all sides and functionally
12 related to a designated open
13 space;

14 “(bb) a restroom; or

15 “(cc) a structure that the
16 Administrator approves in writ-
17 ing before the commencement of
18 the construction of the structure.

19 “(ii) FURTHER ASSISTANCE.—If an
20 acquisition or relocation project is assisted
21 pursuant to subparagraph (A)(iii)—

22 “(I) no person may apply to a
23 Federal entity for disaster assistance
24 with regard to any property acquired,
25 accepted, or from which a structure

1 was removed as part of such acquisi-
2 tion or relocation project; and

3 “(II) no Federal entity may pro-
4 vide disaster assistance for such prop-
5 erty.

6 “(C) PRE-DISASTER MITIGATION
7 PROJECTS.—

8 “(i) AUTHORITY.—The Administrator
9 may, in the Administrator’s discretion,
10 provide that the cost of pre-disaster miti-
11 gation projects for eligible structures shall
12 be eligible for coverage under this sub-
13 section, except that the Administrator shall
14 not make a payment under this authority
15 for any property that has not yet been in-
16 sured by a flood insurance policy made
17 available under this title for at least two
18 years prior to submission of such claim.

19 “(ii) ADDITIONAL TERMS AND CONDI-
20 TIONS.—The Administrator may prescribe
21 such additional terms and conditions as
22 the Administrator may consider appro-
23 priate with respect to a claim under cov-
24 erage provided pursuant to this subsection
25 for a property that has not suffered flood

1 damage, including as provided in clause
2 (iii).

3 “(iii) AUTHORITY TO REQUIRE MAIN-
4 TENANCE OF FLOOD INSURANCE COV-
5 ERAGE.—If the Administrator provides
6 pursuant to clause (i) that such projects
7 are eligible for coverage under this sub-
8 section, the Administrator may require
9 that—

10 “(I) flood insurance coverage for
11 such project shall be maintained for
12 such period as the Administrator may
13 provide; and

14 “(II) in any case in which such
15 coverage is not so maintained, that
16 the owner reimburse the Adminis-
17 trator in the amount of the claim for
18 the cost of the pre-disaster mitigation
19 project.

20 “(iv) NONCOMPLIANCE.—Notwith-
21 standing any other provision of law, no
22 Federal disaster relief assistance may be
23 used to make a payment (including any 7
24 loan assistance payment) to a person for
25 repair, replacement, or restoration for

1 damage to any personal, residential, or
2 commercial property if such person failed
3 to comply with the requirements of sub-
4 clauses (I) and (II) of clause (iii).

5 “(v) AUTHORITY TO REQUIRE ADDI-
6 TIONAL ASSESSMENTS.—If the Adminis-
7 trator provides pursuant to clause (i) that
8 such projects are eligible for coverage
9 under this subsection, the Administrator
10 may require that the policyholder be re-
11 quired to agree to an additional assess-
12 ment for such period as the Administrator
13 may provide as a condition of receiving
14 such assistance. The aggregate amount of
15 assessments collected shall not exceed the
16 amount of voluntary claim payments for
17 the property.

18 “(D) ASSIGNMENT OF CLAIMS FOR MITIGA-
19 TION GRANT RECIPIENTS.—

20 “(i) IN GENERAL.—A policyholder
21 may assign the rights or benefits of the
22 coverage made available under this sub-
23 section to satisfy a required non-Federal
24 contribution for a flood-related mitigation
25 project funded by mitigation assistance

1 programs described in clauses (i) through
2 (iii) of paragraph (1)(E).

3 “(ii) ELIGIBLE EXPENSES.—If a pol-
4 icyholder assigns rights or benefits of cov-
5 erage pursuant to clause (i), a required
6 non-Federal contribution for a flood-re-
7 lated mitigation project funded by mitiga-
8 tion assistance programs described in
9 clauses (i) through (iii) of paragraph
10 (1)(E) shall be an eligible expense for cov-
11 erage made available under this subsection.

12 “(iii) TERMS AND CONDITIONS.—The
13 Administrator may adopt procedures for
14 assigning rights or benefits of coverage
15 pursuant to clause (i)..

16 “(E) ELIGIBLE STRUCTURE DEFINED.—
17 For purposes of this paragraph, the term ‘eligi-
18 ble structure’ means any structure that—

19 “(i) was constructed in compliance
20 with the flood map and flood risk data and
21 local building and zoning codes in effect at
22 the date of construction of the structure;
23 and

1 “(ii) has not previously been altered,
2 improved, replaced, or repaired using as-
3 sistance provided under this subsection.

4 “(5) TREATMENT OF COVERAGE LIMITS.—Any
5 amount of coverage for a property provided pursuant
6 to this subsection shall not be considered or counted
7 for purposes of any limitation on coverage applicable
8 to such property under section 1306(b) (42 U.S.C.
9 4013(b)) and any claim on such coverage shall not
10 be considered a claim for purposes of section
11 1307(h) or subsection (a)(3) or (h)(3) of section
12 1366.

13 “(6) ANNUAL REPORTS.—The Administrator
14 shall submit a report to the Congress annually, and
15 shall make such report publicly available, that sets
16 forth detailed information regarding the fees and
17 surcharges for coverage under this subsection, the
18 amount of revenue received from such fees and sur-
19 charges during the most recently completed fiscal
20 year, and how such revenue was used, including the
21 types of mitigation activities funded with such
22 amounts.

23 “(7) IMPLEMENTATION.—Notwithstanding any
24 other provision of law, the Administrator may imple-
25 ment this subsection by adopting one or more stand-

1 ard endorsements to the Standard Flood Insurance
2 Policy by publication of such standards in the Fed-
3 eral Register, or by comparable means.”.

4 **SEC. 302. MULTIPLE-LOSS PROPERTIES.**

5 (a) FINANCIAL ASSISTANCE.—Section 1361 of the
6 National Flood Insurance Act of 1968 (42 U.S.C. 4102)
7 is amended by adding at the end the following new sub-
8 section:

9 “(e) MULTIPLE-LOSS PROPERTIES.—In making de-
10 terminations regarding financial assistance under the au-
11 thorities of this Act, the Administrator may consider the
12 extent to which a community is working to remedy prob-
13 lems with addressing multiple-loss properties.”.

14 (b) DEFINITIONS.—Subsection (a) of section 1370 of
15 the National Flood Insurance Act of 1968 (42 U.S.C.
16 4121) is amended—

17 (1) by redesignating paragraphs (8) through
18 (15) as paragraphs (11) through (18), respectively;
19 and

20 (2) by striking paragraph (7) and inserting the
21 following new paragraphs:

22 “(7) MULTIPLE-LOSS PROPERTY.—The term
23 ‘multiple-loss property’ means any property that is a
24 repetitive-loss property, a severe repetitive-loss prop-
25 erty, or an extreme repetitive-loss property.

1 “(8) REPETITIVE-LOSS PROPERTY.—The term
2 ‘repetitive-loss property’ means a structure that has
3 incurred flood-related damage for which 2 or more
4 separate claims payments of any amount in excess
5 of the loss-deductible for damage to the covered
6 structure have been made under flood insurance cov-
7 erage under this title.

8 “(9) SEVERE REPETITIVE-LOSS PROPERTY.—
9 The term ‘severe repetitive-loss property’ means a
10 structure that has incurred flood-related damage for
11 which—

12 “(A) 4 or more separate claims payments
13 have been made under flood insurance coverage
14 under this title, with the amount of each such
15 claim exceeding \$5,000, and with the cumu-
16 lative amount of such claims payments exceed-
17 ing \$20,000; or

18 “(B) at least 2 separate claims payments
19 have been made under flood insurance coverage
20 under this title, with the cumulative amount of
21 such claims payments exceeding the value of the
22 structure.

23 “(10) EXTREME REPETITIVE-LOSS PROP-
24 PERTY.—The term ‘extreme repetitive-loss property’
25 means a structure that has incurred flood-related

1 damage for which at least 2 separate claims have
2 been made under flood insurance coverage under
3 this title, with the cumulative amount of such claims
4 payments exceeding 150 percent of the maximum
5 coverage amount available for the structure.”.

6 (c) CONFORMING AMENDMENTS.—The National
7 Flood Insurance Act of 1968 is amended—

8 (1) in section 1304(b)(1)(A) (42 U.S.C.
9 4011(b)(1)(A)), as amended by section 301 of this
10 Act, by striking “repetitive loss structures” and in-
11 serting “repetitive-loss properties”;

12 (2) in section 1307 (42 U.S.C. 4014)—

13 (A) in subsection (a)(2)(B), by striking
14 “repetitive loss property” and inserting “repet-
15 itive-loss property”;

16 (B) in subsection (g)(2)(B), by striking
17 clauses (i) and (ii) and inserting the following:

18 “(i) an extreme repetitive-loss prop-
19 erty; or

20 “(ii) a severe repetitive-loss prop-
21 erty.”;

22 (C) by striking subsection (h); and

23 (D) by redesignating subsection (i), as
24 added by the preceding provisions of this Act,
25 as subsection (h);

1 (3) in section 1315(a)(2)(A)(i) (42 U.S.C.
2 4022(a)(2)(A)(i)), by striking “repetitive loss struc-
3 ture” and inserting “repetitive-loss property”; and

4 (4) in section 1366 (42 U.S.C. 4104c)—

5 (A) in subsection (a)(2), by striking “re-
6 petitive loss structures” and inserting “repet-
7 itive-loss properties”;

8 (B) in subsection (c)(2)(A)(ii), by striking
9 “repetitive loss structures” and inserting “mul-
10 tiple-loss properties”;

11 (C) in subsection (d)—

12 (i) in paragraph (1)—

13 (I) in the paragraph heading, by
14 striking “REPETITIVE LOSS STRUC-
15 TURES” and inserting “REPETITIVE-
16 LOSS AND EXTREME REPETITIVE LOSS
17 PROPERTIES”; and

18 (II) in the matter preceding sub-
19 paragraph (A), by striking “repetitive
20 loss structures” and inserting “repet-
21 itive-loss properties or extreme repet-
22 itive-loss properties”; and

23 (ii) in paragraph (2)—

24 (I) in the paragraph heading, by
25 striking “REPETITIVE LOSS STRUC-

1 TURES” and inserting “REPETITIVE-
2 LOSS PROPERTIES”; and

3 (II) by striking “repetitive loss
4 structures” and inserting “repetitive-
5 loss properties”; and

6 (D) in subsection (h), by striking para-
7 graphs (2) and (3).

8 **SEC. 303. PREMIUM RATES FOR CERTAIN MITIGATED PROP-**
9 **ERTIES.**

10 (a) MITIGATION STRATEGIES.—Paragraph (1) of sec-
11 tion 1361(d) of the National Flood Insurance Act of 1968
12 (42 U.S.C. 4102(d)(1)) is amended—

13 (1) in subparagraph (A), by striking “and” at
14 the end;

15 (2) in subparagraph (B), by striking “and” at
16 the end; and

17 (3) by inserting after subparagraph (B) the fol-
18 lowing new subparagraphs:

19 “(C) with respect to buildings in dense
20 urban environments, methods that can be de-
21 ployed on a block or neighborhood scale; and

22 “(D) elevation of mechanical or other crit-
23 ical systems; and”.

1 (b) MITIGATION CREDIT.—Subsection (k) of section
2 1308 of the National Flood Insurance Act of 1968 (42
3 U.S.C. 4015(k)) is amended—

4 (1) by striking “shall take into account” and
5 inserting the following: “shall—

6 “(1) take into account”;

7 (2) in paragraph (1), as so designated by the
8 amendment made by paragraph (1) of this sub-
9 section, by striking the period at the end and insert-
10 ing “; and”; and

11 (3) by adding at the end the following new
12 paragraph:

13 “(2) offer a reduction of the risk premium rate
14 charged to a policyholder based on the estimated re-
15 duction in flood damage, as determined by the Ad-
16 ministrator, if the policyholder implements any miti-
17 gation method described in paragraph (1).”.

18 **SEC. 304. COVERAGE FOR COOPERATIVES.**

19 (a) EQUAL TREATMENT WITH CONDOMINIUMS.—
20 Section 1306 of the National Flood Insurance Act of 1968
21 (42 U.S.C. 4013), as amended by the preceding provisions
22 of this Act is further amended by adding at the end the
23 following:

24 “(f) COOPERATIVE BUILDINGS.—Notwithstanding
25 any other provision of law, the Administrator shall make

1 flood insurance coverage available to any individual with
2 a membership interest and occupancy agreement in a co-
3 operative housing project on the same terms as any owner
4 of a condominium unit.”.

5 (b) PAYMENT OF CLAIMS.—Section 1312 of the Na-
6 tional Flood Insurance Act of 1968 (42 U.S.C. 4019) is
7 amended—

8 (1) in subsection (c)—

9 (A) by striking “flood insurance to condo-
10 minium owners” and inserting the following:

11 “flood insurance—

12 “(1) to condominium owners”; and

13 (B) by striking the period at the end and
14 inserting “; or”; and

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

16 “(2) to individuals with a membership interest
17 and occupancy agreement in a cooperative housing
18 project who purchased such flood insurance separate
19 and apart from the flood insurance purchased by the
20 cooperative association in which such individual is a
21 member, based solely, or in any part, on the flood
22 insurance coverage of the cooperative association or
23 others on the overall property owned by the coopera-
24 tive association.”; and

25 (2) by adding at the end the following:

1 “(d) DEFINITIONS.—For purposes of this section and
2 section 1306(e), the terms ‘cooperative association’ and
3 ‘cooperative housing project’ shall have such meaning as
4 the Administrator shall provide.”.

5 **SEC. 305. VOLUNTARY COMMUNITY-BASED FLOOD INSUR-**
6 **ANCE PILOT PROGRAM.**

7 (a) ESTABLISHMENT.—The Administrator of the
8 Federal Emergency Management Agency (in this section
9 referred to as the “Administrator”) shall carry out a com-
10 munity-based flood insurance pilot program to make avail-
11 able, for purchase by participating communities, a single,
12 community-wide flood insurance policy under the National
13 Flood Insurance Program that—

14 (1) covers all residential and non-residential
15 properties within the community; and

16 (2) satisfies, for all such properties within the
17 community, the mandatory purchase requirements
18 under section 102 of the Flood Disaster Protection
19 Act of 1973 (42 U.S.C. 4012a).

20 (b) PARTICIPATION.—Participation by a community
21 in the pilot program under this section shall be at the sole
22 discretion of the community.

23 (c) REQUIREMENTS FOR COMMUNITY-WIDE POLI-
24 CIES.—The Administrator shall ensure that a community-
25 wide flood insurance policy made available under the pilot

1 program under this section incorporates the following re-
2 quirements:

3 (1) A mapping requirement for properties cov-
4 ered by the policy.

5 (2) A deductible.

6 (3) Certification or accreditation of mitigation
7 infrastructure when available and appropriate.

8 (4) A community audit.

9 (5) A method of preventing redundant claims
10 payments by the National Flood Insurance Program
11 in the case of a claim by an individual property
12 owner who is covered by a community-wide flood in-
13 surance policy and an individual policy obtained
14 through the Program.

15 (6) Coverage for damage arising from flooding
16 that complies with the standards under the National
17 Flood Insurance Program appropriate to the nature
18 and type of property covered.

19 (d) **TIMING.**—The Administrator shall establish the
20 demonstration program under this section not later than
21 the expiration of the 180-day period beginning on the date
22 of the enactment of this Act and the program shall termi-
23 nate on September 30, 2026.

24 (e) **DEFINITION OF COMMUNITY.**—For purposes of
25 this section, the term “community” means any unit of

1 local government, within the meaning given such term
2 under the laws of the applicable State.

3 **SEC. 306. MITIGATION FUNDING.**

4 For each of the first 5 fiscal years beginning after
5 following the date of the enactment of this Act, there is
6 authorized to be appropriated \$200,000,000 to carry out
7 the flood mitigation assistance grant program under sec-
8 tion 1366 of the National Flood Insurance Act of 1968
9 (42 U.S.C. 4104c).

10 **SEC. 307. COMMUNITY RATING SYSTEM IMPROVEMENTS.**

11 (a) PROVISION OF COMMUNITY RATING SYSTEM
12 PREMIUM CREDITS TO MAXIMUM NUMBER OF COMMU-
13 NITIES ELIGIBLE.—Subsection (b) of section 1315 of the
14 National Flood Insurance Act of 1968 (42 U.S.C.
15 4022(b)) is amended—

16 (1) in paragraph (2), by striking “may” and in-
17 serting “shall”; and

18 (2) in paragraph (3), by inserting “, and the
19 Administrator shall provide credits to the maximum
20 number of communities eligible” after “under this
21 program”.

22 (b) GRANTS FOR COMMUNITY RATING SYSTEM PRO-
23 GRAM COORDINATORS.—Section 1315 of the National
24 Flood Insurance Act of 1968 (42 U.S.C. 4022) is amended
25 by adding at the end the following new subsection:

1 “(d) GRANTS FOR COMMUNITY RATING SYSTEM
2 PROGRAM COORDINATORS.—

3 “(1) AUTHORITY.—The Administrator shall
4 carry out a program to make grants to consortia of
5 States and communities for use only for costs of em-
6 ploying or otherwise retaining an individual or indi-
7 viduals to coordinate and carry out training, tech-
8 nical assistance, and assistance with application to
9 the community rating system program under sub-
10 section (b) for States and communities that are
11 members of such consortia.

12 “(2) ELIGIBILITY.—The Administrator shall es-
13 tablish such criteria as the Administrator considers
14 appropriate for a consortium of States and commu-
15 nities to be eligible for grants under this subsection,
16 which shall include requiring a consortium to provide
17 evidence to the Administrator that the consortium
18 has sufficient authority and administrative capability
19 to use grant amounts in accordance with this sub-
20 section on behalf of its member jurisdictions.

21 “(3) TIMING.—A consortium receiving a grant
22 under this section shall establish the position or po-
23 sitions described in paragraph (1), and employ or
24 otherwise retain an individual or individuals to fill

1 such position or positions, not later than the date
2 that all such grant amounts are expended.

3 “(4) APPLICATIONS.—The Administrator shall
4 provide for consortia of States and communities to
5 submit applications for grants under this subsection,
6 which shall include—

7 “(A) the evidence referred to in paragraph
8 (2);

9 “(B) such assurances as the Administrator
10 shall require to ensure compliance with the re-
11 quirement under paragraph (3);

12 “(C) such assurances as the Administrator
13 shall require to ensure that the consortia will
14 provide funding sufficient to continue the posi-
15 tion or positions funded with the grant
16 amounts, in the same annual amount as under
17 such grant funding, after such grant funds are
18 expended; and

19 “(D) such other information as the Admin-
20 istrator may require.

21 “(5) SELECTION.—From among eligible con-
22 sortia of States and communities submitting applica-
23 tions pursuant to paragraph (3), the Administrator
24 shall select consortia to receive grants under this
25 subsection in accordance with such competitive cri-

1 teria for such section as the Administrator shall es-
2 tablish.

3 “(6) DEFINITION OF COMMUNITY.—For pur-
4 poses of this section, the term ‘community’ has the
5 meaning given such term in section 1366(h) (42
6 U.S.C. 4104c(h)), except that such term includes
7 counties and regional planning authorities that do
8 not have zoning and building code jurisdiction.

9 “(7) AUTHORIZATION OF APPROPRIATIONS.—
10 There is authorized to be appropriated for grants
11 under this subsection—

12 “(A) \$7,000,000 for the first fiscal year
13 commencing after the expiration of the 4-month
14 period beginning on the date of the enactment
15 of this Act; and

16 “(B) \$7,000,000 for each of the four con-
17 secutive fiscal years thereafter.”.

18 **SEC. 308. COMMUNITY ASSISTANCE PROGRAM FOR EFFEC-**
19 **TIVE FLOODPLAIN MANAGEMENT.**

20 (a) IN GENERAL.—Chapter I of the National Flood
21 Insurance Act of 1968 (42 U.S.C. 4011 et seq.), as
22 amended by the preceding provisions of this Act, is further
23 amended by adding at the end the following:

1 **“SEC. 1327. COMMUNITY ASSISTANCE PROGRAM FOR EF-**
2 **FECTIVE FLOODPLAIN MANAGEMENT.**

3 “(a) IN GENERAL.—The Administrator shall estab-
4 lish a community assistance program under this section
5 to increase the capacity and capability of States, Indian
6 tribes, and communities to effectively manage flood risk
7 and participate in the national flood insurance program,
8 including the community rating system program under
9 section 1315(b), by providing financial and technical as-
10 sistance to States, tribes and communities.

11 “(b) COMPONENTS.—The community assistance pro-
12 gram under this program shall include—

13 “(1) making community assistance grants
14 under subsection (c) to States;

15 “(2) conducting periodic assessments, not less
16 often than once every 5 years, of the technical as-
17 sistance and training needs of States, Indian tribes,
18 and communities;

19 “(3) providing technical assistance and training
20 to States, Indian tribes, and communities in accord-
21 ance with the needs identified by such assessments;

22 “(4) conducting periodic reviews of State, In-
23 dian tribe, and community floodplain management
24 standards by the Administrator to promote contin-
25 uous improvement in building and maintaining effec-

1 tive State floodplain management programs (as such
2 term is defined in subsection (d));

3 “(5) conducting periodic estimates of the losses
4 avoided nationally due to the adoption of qualifying
5 floodplain management standards by States, Indian
6 tribes and communities;

7 “(6) in coordination with each State receiving a
8 grant under subsection (c), developing and executing
9 a strategy to—

10 “(A) provide technical assistance to com-
11 munities, including small and rural commu-
12 nities, and Indian tribes within the State; and

13 “(B) encourage greater participation in the
14 community rating system program; and

15 “(7) establishing goals for States participating
16 in the program and incentives for exceeding such
17 goals.

18 “(c) COMMUNITY ASSISTANCE GRANTS TO
19 STATES.—

20 “(1) IN GENERAL.—Under the program under
21 this section the Administrator may award grants to
22 States, which shall be used only—

23 “(A) to increase the capacity and capa-
24 bility of the State and communities and Indian
25 tribes in the State to effectively manage flood

1 risk and to fully participate in the national
2 flood insurance program, including the commu-
3 nity rating system program; and

4 “(B) for activities related to implementa-
5 tion, administration, oversight, and enforcement
6 of the national flood insurance program at the
7 State and local and tribal levels.

8 “(2) GUIDELINES.—The Administrator shall es-
9 tablish guidelines governing the use of grant funds
10 under this subsection, including setting forth activi-
11 ties eligible to be funded with such amounts.

12 “(3) ELIGIBILITY.—To be eligible to receive a
13 grant under this subsection, a State shall—

14 “(A) demonstrate, to the satisfaction of
15 the Administrator, that the State has in effect
16 qualifying State floodplain management stand-
17 ards for the State;

18 “(B) agree to submit such reports, certifi-
19 cations, and information to the Administrator
20 as the Administrator shall require, including
21 those required under paragraph (5); and

22 “(C) meet any additional eligibility require-
23 ments as the Administrator may require.

24 “(4) APPLICATION; SELECTION CRITERIA.—The
25 Administrator shall provide for States to submit ap-

1 plications for grants under this subsection, which
2 shall include such information, assurances, and cer-
3 tifications as the Administrator may require, and
4 may establish criteria for selection of qualifying ap-
5 plications to be selected for grants under this sub-
6 section.

7 “(5) ONGOING REVIEW OF FLOODPLAIN MAN-
8 AGEMENT STANDARDS.—Each State that is awarded
9 funds under this section shall provide periodic re-
10 reports, certifications, and information regarding the
11 floodplain management standards of such State as
12 the Administrator may require for the duration of
13 the use of grant amounts.

14 “(d) DEFINITIONS.—For purposes of this section:

15 “(1) INDIAN TRIBE.—The term ‘Indian tribe’
16 has the meaning given such term in section 4 of the
17 Native American Housing Assistance and Self-De-
18 termination Act of 1996 (25 U.S.C. 4103).

19 “(2) QUALIFYING STATE FLOODPLAIN MANAGE-
20 MENT STANDARDS.—The term ‘qualifying State
21 floodplain management standards’ means the flood-
22 plain management standards of a State that—

23 “(A) are specifically authorized under
24 State law and do not conflict with or inhibit the

1 implementation of the National Flood Insur-
2 ance Act of 1968;

3 “(B) designate an entity responsible for co-
4 ordinating the national flood insurance program
5 in the State;

6 “(C) identify State resources and programs
7 to manage floodplains and reduce flood risk;

8 “(D) address on a long-term basis—

9 “(i) integration of floodplain manage-
10 ment activities with other State functions
11 and activities;

12 “(ii) identification of flood hazards;

13 “(iii) management of natural flood-
14 plain functions and resources;

15 “(iv) elimination of adverse impacts of
16 development on the floodplain;

17 “(v) flood mitigation and recovery
18 strategies for the State;

19 “(vi) strategies for informing commu-
20 nities and citizens about flood risk and
21 mitigation options; and

22 “(vii) measures for evaluating the ef-
23 fectiveness of State floodplain management
24 efforts;

1 “(E) include a long-term plan that will fa-
2 cilitate the prioritization and provision of train-
3 ing and technical assistance to communities and
4 Indian tribes in the State to increase local and
5 tribal capacity and capability for floodplain
6 management, including the capacity and capa-
7 bility to participate in the national flood insur-
8 ance program and the community rating system
9 program;

10 “(F) provide for oversight, administration
11 and enforcement of the national flood insurance
12 program at the State and community levels;
13 and

14 “(G) meet such other requirements as the
15 Administrator may establish.

16 “(e) FUNDING.—

17 “(1) AUTHORIZATION OF APPROPRIATIONS.—

18 There is authorized to be appropriated \$20,000,000
19 for each of fiscal years 2022 through 2027 for the
20 National Flood Insurance Fund for carrying out this
21 section. Any amounts appropriated pursuant to this
22 subsection shall remain available until expended.

23 “(2) SET-ASIDES.—From any amounts made
24 available for grants under this section, the Adminis-

1 trator may reserve such amount as the Adminis-
2 trator considers appropriate—

3 “(A) for community assistance grants
4 under subsection (c) to States; and

5 “(B) for additional assistance only for
6 States exceeding the goals established pursuant
7 to subsection (b)(7).”.

8 (b) USE OF NATIONAL FLOOD INSURANCE FUND
9 AMOUNTS.—Subsection (a) of section 1310 of the Na-
10 tional Flood Insurance Act of 1968 (42 U.S.C. 4017(a))
11 is amended—

12 (1) in paragraph (7), by striking “and” at the
13 end;

14 (2) in paragraph (8), by striking the period at
15 the end and inserting “; and”; and

16 (3) by adding at the end the following:

17 “(9) for carrying out the community assistance
18 program for effective floodplain management under
19 section 1327.”.

20 **TITLE II—MODERNIZATION**

21 **SEC. 401. EFFECT OF PRIVATE FLOOD INSURANCE COV-** 22 **ERAGE ON CONTINUOUS COVERAGE RE-** 23 **QUIREMENTS.**

24 Section 1308 of the National Flood Insurance Act of
25 1968 (42 U.S.C. 4015), as amended by the preceding pro-

1 visions of this Act, is further amended by adding at the
2 end the following:

3 “(o) EFFECT OF PRIVATE FLOOD INSURANCE COV-
4 ERAGE ON CONTINUOUS COVERAGE REQUIREMENTS.—
5 For purposes of applying any statutory, regulatory, or ad-
6 ministrative continuous coverage requirement, including
7 under section 1307(g)(1), the Administrator shall consider
8 any period during which a property was continuously cov-
9 ered by a flood insurance policy, either offered through
10 the national flood insurance program or private market,
11 that was used to satisfy the requirements under sub-
12 sections (a) and (b) of section 102 of the Flood Disaster
13 Protection Act of 1973 (42 U.S.C. 4012a) to be a period
14 of continuous coverage.”.

15 **SEC. 402. OPTIONAL COVERAGE FOR BLANKET PROPERTY**
16 **POLICIES.**

17 Subsection (b) of section 1306 of the National Flood
18 Insurance Act of 1968 (42 U.S.C. 4013(b)), is amended—

19 (1) in paragraph (4), by striking “and” at the
20 end;

21 (2) in paragraph (5), by striking the period at
22 the end and inserting “; and”; and

23 (3) by adding at the end the following new
24 paragraph:

1 “(6) the Administrator may provide that, in the
2 case of any commercial property or other residential
3 property, including multifamily rental property and
4 agricultural property, one blanket property policy be
5 made available to every insured upon renewal and
6 every applicant with multiple structures on the same
7 property, except that—

8 “(A) purchase of such coverage shall be at
9 the option of the insured; and

10 “(B) any such coverage shall be made
11 available only at chargeable rates that are not
12 less than the estimated premium rates for such
13 coverage determined in accordance with section
14 1307(a)(1).”.

15 **SEC. 403. ANNUAL INDEPENDENT ACTUARIAL STUDY.**

16 Part C of chapter II of the National Flood Insurance
17 Act of 1968 (42 U.S.C. 4081 et seq.) is amended by add-
18 ing at the end the following new section:

19 **“SEC. 1349. ANNUAL INDEPENDENT ACTUARIAL STUDY.**

20 “The Administrator shall provide for an independent
21 actuarial study of the National Flood Insurance Program
22 to be conducted annually, which shall analyze the financial
23 position of the Program. The Administrator shall submit
24 a report annually to the Congress describing the results
25 of such study and assessing the financial status of the

1 Program. The report shall recommend adjustments to un-
2 derwriting standards, program participation, or pre-
3 miums, if necessary, to ensure that the Program remains
4 financially sound. The report shall also include an evalua-
5 tion of the quality control procedures and accuracy of in-
6 formation utilized in the process of underwriting National
7 Flood Insurance Program policies. Such evaluation shall
8 include a review of the risk characteristics of policies.”.

9 **SEC. 404. DATA EXCHANGE PROGRAM.**

10 Section 1313 of the National Flood Insurance Act of
11 1968 (42 U.S.C. 4020) is amended—

12 (1) by inserting after the section enumerator
13 the following: “(a) AVAILABILITY OF FLOOD INSUR-
14 ANCE INFORMATION.—”; and

15 (2) by adding at the end the following new sub-
16 sections:

17 “(b) DATA EXCHANGE PROGRAM.—

18 “(1) IN GENERAL.—The Administrator shall
19 disclose policy and claims information described in
20 paragraph (2) to an insurance company, as such
21 term is defined in subsection (f), if such insurance
22 company has entered into a data sharing agreement
23 with the Administrator pursuant to paragraph (3).

24 “(2) DATA ELIGIBLE FOR SHARING.—The Ad-
25 ministrator shall disclose the following claims and

1 policy information, obtained in connection with a
2 flood insurance policy made available under this title
3 or through a data sharing agreement executed pur-
4 suant to paragraph (3), pursuant to paragraph (1):

5 “(A) The location of the insured property,
6 by address and latitude and longitude).

7 “(B) Amount of coverage in force.

8 “(C) Dates of loss.

9 “(D) The amount paid on claims.

10 “(E) Any other claims and policy informa-
11 tion the Administrator determines necessary
12 and appropriate.

13 “(3) DATA SHARING AGREEMENT.—A data
14 sharing agreement entered into pursuant to para-
15 graph (1) shall include—

16 “(A) the terms and conditions under which
17 insurance companies may use, share, store, and
18 account for the data, which shall at minimum
19 include provisions ensuring that—

20 “(i) the insurance company may only
21 use information provided under the agree-
22 ment for the purposes of underwriting, es-
23 tablishing premium rates, and adjusting
24 claims; and

1 “(ii) the insurance company may not
2 use the information provided as part of the
3 agreement for marketing purposes;

4 “(B) an agreement by the insurance com-
5 pany to provide to the Administrator the insur-
6 ance company’s policy and claims data in a
7 form prescribed by the Administrator; and

8 “(C) any other terms and conditions the
9 Administrator determines are necessary and ap-
10 propriate.

11 “(c) ACCESS TO FLOOD INSURANCE INFORMA-
12 TION.—Upon the request of a purchaser, lessee, or current
13 owner of a property, the Administrator shall provide to
14 the purchaser, lessee, or current owner of the property in-
15 formation pertaining to the property the purchaser or les-
16 see is under contract to buy or lease, respectively, or the
17 current owner’s property, as follows:

18 “(1) The number and dollar value of claims
19 filed for the property, over the life of the property,
20 known to the Administrator, including claims made
21 under—

22 “(A) a flood insurance policy made avail-
23 able under this Act; and

24 “(B) a private flood insurance policy.

1 “(2) Information on whether the property
2 owner may be required to purchase flood insurance
3 coverage due to previous receipt of Federal disaster
4 assistance subject to the mandatory purchase re-
5 quirement under section 102 of the Flood Disaster
6 Protection Act of 1973.

7 “(3) Such other available information about the
8 property as determined by the Administrator to ac-
9 curately and adequately characterize the true flood
10 risk to the property.

11 “(d) PRIVACY PROTECTION.—Disclosure of informa-
12 tion contained within a system of records (as such term
13 is defined in section 552a(a)(5) of title 5, United States
14 Code) as authorized in subsections (b) and (c) of this sec-
15 tion shall be considered a routine use for the purposes of
16 section 552a(3) of title 5, United States Code.

17 “(e) FEE.—

18 “(1) IN GENERAL.—To carry out subsections
19 (b) and (c), the Administrator may charge a fee to
20 participating insurance companies under subsection
21 (b) and purchasers or lessees requesting flood insur-
22 ance information under subsection (c). The Adminis-
23 trator shall not charge a fee to the current owner re-
24 questing flood insurance information under sub-
25 section (c).

1 “(2) DEPOSIT.—The Administrator shall de-
2 posit the fee collected under this subsection into the
3 National Flood Insurance Fund established under
4 section 1310.

5 “(f) DEFINITION.—For the purposes of this section
6 the following definitions shall apply:

7 “(1) INSURANCE COMPANY.—The term ‘insur-
8 ance company’ means an insurance company that
9 meets the requirements of subparagraph (A) of sec-
10 tion 102(b)(7) of the Flood Disaster Protection Act
11 of 1973 (42 U.S.C. 4012a(b)(7)(A).

12 “(2) LESSEE.—The term ‘lessee’ means a per-
13 son who enters into an agreement to lease, rent, or
14 sublease a property.

15 “(3) PURCHASER.—The term ‘purchaser’
16 means a person who enters into an agreement to
17 purchase an interest in a property.”.

18 **SEC. 405. ELEVATION CERTIFICATES.**

19 Chapter I of the National Flood Insurance Act of
20 1968 (42 U.S.C. 4011 et seq.), as amended by the pre-
21 ceding provisions of this Act, is further amended by add-
22 ing at the end the following:

23 **“SEC. 1328. ELEVATION CERTIFICATES.**

24 “Surveyed elevation data and other information relat-
25 ing to a building that is recorded on a National Flood

1 Insurance Program Elevation Certificate by an individual
2 licensed to record that information shall continue to be
3 in effect, and the Elevation Certificate shall not expire,
4 until the date on which there is an alteration in the build-
5 ing.”.

6 **SEC. 406. LEVERAGING RISK TRANSFER OPPORTUNITIES**
7 **FOR A SOUND FINANCIAL FRAMEWORK.**

8 (a) IN GENERAL.—Subsection (e) of section 1345 of
9 the National Flood Insurance Act of 1968 (42 U.S.C.
10 4081(e)) is amended—

11 (1) by striking “(e) RISK TRANSFER.—The Ad-
12 ministrator” and inserting the following:

13 “(e) LEVERAGING RISK TRANSFER OPPORTUNITIES
14 FOR A SOUND FINANCIAL FRAMEWORK.—

15 “(1) AUTHORITY.—The Administrator”; and

16 (2) by adding at the end the following:

17 “(2) LEVERAGING RISK TRANSFER OPPORTUNI-
18 TIES.—On an annual basis, the Administrator shall
19 evaluate ceding a portion of the risk of the flood in-
20 surance program under this title to the private rein-
21 surance or capital markets, or any combination
22 thereof, if the Administrator determines—

23 “(A) the rates and terms are reasonable
24 and appropriate; and

1 “(B) doing so would further the develop-
2 ment and maintenance of a sound financial
3 framework for the National Flood Insurance
4 Program.”.

5 (b) **EFFECTIVE DATE.**—The amendments made by
6 subsection (a) shall become effective upon the expiration
7 of the 18-month period that begins upon the date of the
8 enactment of this Act.

9 **SEC. 407. WRITE-YOUR-OWN ARRANGEMENTS.**

10 Section 1345 of the National Flood Insurance Act of
11 1968 (42 U.S.C. 4081) is amended by adding at the end
12 the following new subsections:

13 “(f) **AUTHORITY TO TERMINATE WRITE YOUR OWN**
14 **ARRANGEMENTS.**—The Administrator may cancel any
15 Write Your Own (as such term is defined in section
16 100202(a) of the Biggert-Waters Flood Insurance Reform
17 Act of 2012 (42 U.S.C. 4004)) arrangement in its entirety
18 upon 30 days written notice to the Write Your Own com-
19 pany involved by certified mail stating one of the following
20 reasons for such cancellation:

21 “(1) Fraud or misrepresentation by the com-
22 pany after the inception of the arrangement.

23 “(2) Nonpayment to the Administrator of any
24 amount due.

1 “(3) Material failure to comply with the re-
2 quirements of the arrangement or with the written
3 standards, procedures, or guidance issued by the Ad-
4 ministrator relating to the National Flood Insurance
5 Program and applicable to the company.

6 “(g) STANDARDIZED FEE AUTHORITY.—The Admin-
7 istrator may establish and implement a standardized fee
8 schedule for all engineering services provided in connection
9 with flood insurance coverage provided under this title by
10 means of a Write Your Own arrangement.”.

11 **SEC. 408. REGISTRATION OF ADJUSTERS; TRAINING OF**
12 **FLOODPLAIN MANAGERS.**

13 (a) REGISTRATION OF ADJUSTERS.—Section 1345 of
14 the National Flood Insurance Act of 1968 (42 U.S.C.
15 4081), as amended by the preceding provisions of this Act,
16 is further amended by adding at the end the following new
17 subsection:

18 “(h) REGISTRATION OF ADJUSTERS.—

19 “(1) IN GENERAL.—The Administrator shall
20 not authorize a person to adjust a claim made under
21 a flood insurance policy sold pursuant to this Act in
22 the capacity of an adjuster or similar position unless
23 such person is registered by the Administrator.

1 “(2) REGISTRATION REQUIREMENTS.—The Ad-
2 ministrators shall not register a person pursuant to
3 paragraph (1) unless the person—

4 “(A) completes a training course conducted
5 in compliance with paragraph (3) at least once
6 in every 12-month period;

7 “(B) pays a fee to the Administrator im-
8 posed pursuant to paragraph (5);

9 “(C) complies with any other requirements
10 determined by the Administrator to be reason-
11 able and appropriate to support the effective
12 implementation of the National Flood Insur-
13 ance Program.

14 “(3) TRAINING REQUIREMENTS.—A training
15 course required by paragraph (2)(A) shall comply
16 with following requirements:

17 “(A) COURSE CONTENT.—The training
18 course shall include material relevant to the ad-
19 justment of claims under flood insurance made
20 available pursuant to this Act, such as the fol-
21 lowing:

22 “(i) POLICY TERMS AND CONDI-
23 TIONS.—The coverages, exclusions, and
24 other terms and conditions of the policy

1 forms and endorsements sold pursuant to
2 this Act.

3 “(ii) CLAIMS.—The policyholder’s re-
4 sponsibilities following a flood loss and how
5 the National Flood Insurance Program in-
6 vestigates, approves, and pays claims, in-
7 cluding conducting substantial damage and
8 substantial improvement determinations.

9 “(iii) APPEAL AND JUDICIAL RE-
10 VIEW.—How a policyholder may—

11 “(I) appeal a claim denial to the
12 Federal Emergency Management
13 Agency; and

14 “(II) seek judicial review fol-
15 lowing a claim denial.

16 “(iv) OTHER TOPICS.—Any other ap-
17 propriate topics as determined by the Ad-
18 ministrator.

19 “(B) METHOD OF DELIVERY.— A training
20 course required by paragraph (2) may be con-
21 ducted in-person or remotely by the Federal
22 Emergency Management Agency.

23 “(4) RULE OF CONSTRUCTION.—This sub-
24 section may not be construed to—

1 “(A) affect the Administrator’s liability
2 under a flood insurance policy made available
3 pursuant to this Act; or

4 “(B) create a private right of action not
5 otherwise established by law.

6 “(5) REGISTRATION FEE.—The Administrator
7 may require a person seeking registration under this
8 subsection to pay a fee sufficient to cover the Ad-
9 ministrator’s expense associated with the implemen-
10 tation of this subsection, but such fee shall not ex-
11 ceed \$100 per year.

12 “(6) REGISTRATION DENIAL, NONRENEWAL, OR
13 REVOCATION.—The Administrator may place on pro-
14 bation, suspend, revoke, or refuse to issue or renew
15 a registration issued pursuant to this subsection for
16 any one of more of the following causes:

17 “(A) Providing incorrect, misleading, in-
18 complete, or materially untrue information in
19 the registration application.

20 “(B) Violating any regulation, guidance, or
21 other requirement adopted by the Adminis-
22 trator.

23 “(C) Obtaining or attempting to obtain a
24 registration through misrepresentation or fraud.

1 “(D) Improperly withholding, misappropriating or converting any monies or properties
2 received in the course of doing insurance business.
3 received in the course of doing insurance business.
4 ness.

5 “(E) Intentionally misrepresenting the
6 terms of an actual or proposed insurance contract or application for insurance.
7 contract or application for insurance.

8 “(F) Having admitted or been found to
9 have committed any insurance unfair trade
10 practice or fraud.

11 “(G) Failing to comply with all applicable
12 laws regarding professional licensure and conduct.
13 conduct.

14 “(H) Any other cause of so serious or compelling a nature that it affects the person’s
15 present responsibility.”.

17 (b) TRAINING OPPORTUNITIES FOR FLOODPLAIN
18 MANAGERS.—

19 (1) IN GENERAL.—Section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C.
20 4102), as amended by the preceding provisions of
21 this Act, is further amended by adding at the end
22 the following new subsection:
23 the following new subsection:

24 “(f) TRAINING OPPORTUNITIES FOR FLOODPLAIN
25 MANAGERS.—The Administrator shall—

1 “(1) make available training courses and other
2 guidance materials for local floodplain managers
3 with respect to—

4 “(A) implementing and enforcing the flood-
5 plain management requirements necessary to
6 remain in compliance with the National Flood
7 Insurance Program; and

8 “(B) being better prepared to recover from
9 future disasters; and

10 “(2) work with applicable State agencies to pro-
11 vide the training described in paragraph (1) and
12 verify that local floodplain managers are completing
13 the training.’”.

14 (2) EFFECTIVE DATE.—Subsection (f) of sec-
15 tion 1361 of the National Flood Insurance Act of
16 1968, as added by the amendment made by para-
17 graph (1), shall take effect upon the expiration of
18 the 12-month period beginning on the date of the
19 enactment of this Act.

20 **SEC. 409. STUDY ON INCREASING PARTICIPATION.**

21 (a) IN GENERAL.—The Comptroller General of the
22 United States shall conduct a study that proposes to ad-
23 dress, through programmatic and regulatory changes, how
24 to increase participation in flood insurance coverage.

1 (b) ISSUES.—In conducting the study under sub-
2 section (a), the Comptroller General shall consider the fol-
3 lowing:

4 (1) Expanding participation in flood insurance
5 coverage, beyond areas having special flood hazards,
6 to areas of moderate or minimal flood hazard risk.

7 (2) Automatically enrolling consumers in flood
8 insurance while providing consumers the opportunity
9 to decline enrollment.

10 (3) Bundling flood insurance coverage that di-
11 versifies risk across all or multiple-peril forms.

12 (c) DETERMINATIONS.—In conducting the study
13 under subsection (a), the Comptroller General shall deter-
14 mine the following:

15 (1) The percentage of properties with federally
16 backed mortgages located in an area having special
17 flood hazards that are covered by flood insurance
18 that satisfies the requirement under section 102(b)
19 of the Flood Disaster Protection Act of 1973 (42
20 U.S.C. 4012a(b)).

21 (2) The percentage of properties with federally
22 backed mortgages located in the 500-year floodplain
23 that are covered by flood insurance that would sat-
24 isfy the requirement described in paragraph (1) if
25 that requirement applied to such properties.

1 (d) REPORT.—Not later than 18 months after the
2 date of enactment of this Act, the Comptroller General
3 of the United States shall submit a report on the study
4 conducted under subsection (a) to the Committee on Fi-
5 nancial Services of the House of Representatives and the
6 Committee on Banking, Housing, and Urban Affairs of
7 the Senate.

8 (e) DEFINITIONS.—For purposes of this section—

9 (1) the term “500-year floodplain” has the
10 meaning given the term in section 100202(a) of the
11 Biggert-Waters Flood Insurance Reform Act of
12 2012 (40 U.S.C. 4004(a));

13 (2) the terms “Federal agency lender”, “im-
14 proved real estate”, and “regulated lending institu-
15 tion” have the meanings given such terms in section
16 3(a) of the Flood Disaster Protection Act of 1973
17 (42 U.S.C. 4003(a)); and

18 (3) the term “property with a federally backed
19 mortgage” means improved real estate or a mobile
20 home securing a loan that was—

21 (A) made by a regulated lending institu-
22 tion or Federal agency lender; or

23 (B) purchased by the Federal National
24 Mortgage Association or the Federal Home
25 Loan Mortgage Corporation.