I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise today to debate H.R. 749, the ''Eliminate Privacy Notice Confusion Act,'' which seeks to eliminate wasteful and unnecessarily duplicative privacy notification requirements for financial institutions.

More specifically, H.R. 749 would amend the Gramm-Leach-Bliley Act to exempt from its annual privacy policy notice requirement any financial institution that:

(1) Provides nonpublic personal information only in accordance with specified requirements, and

(2) Has not changed its policies and practices with regard to disclosing nonpublic personal information from those disclosed in the most recent disclosure sent to consumers.''

Under current law, financial institutions are required to give notices to customers that delineate their information-sharing practices. The Gramm-Leach-Bliley (GLB) Act of 1999 attempted to balance the information privacy interests of consumers with the need for financial institutions to share information for ordinary business purposes.

To that end, GLB required financial institutions to inform their customers, in the form of a privacy notice, about the types of information they collect as well as the types of businesses that may be provided that information.

In order to give the customer the choice of determining whether he or she is comfortable with the sharing of their information, the privacy notice is required to be issued upon the opening of a new account as well as once a year.

Financial institutions collect basic information from customers, such as your name, phone number, address, income, and details about your assets. Moreover, in determining whether someone qualifies for a particular product, such as a loan, a financial institution may collect additional details from other sources, such as credit reports from credit bureaus. Furthermore, some financial institutions track your use of products like credit cards and record information such as how much you borrow, how much you buy, where you shop, and whether you pay your balance in a timely fashion.

Some financial institutions share this collected information with other entities, including unaffiliated companies like retailers and telemarketers. This is why it is particularly important that customers know the privacy policies of their financial institutions; customers must make a determination as to whether they are comfortable with how their bank intends to share their information.

However, requiring financial institutions to submit annual privacy notices to customers when they remain unchanged can be considered wasteful. Moreover, because the notices must be issued with regularity, it may have the effect of lowering awareness on the part of consumers when a change to a privacy policy is in fact made.

H.R. 749 intends to eliminate this waste and potential for diminished customer awareness by removing the annual notification requirement for financial institutions, so long as the policy remains unchanged from the last notification and the financial institution otherwise complies with the requirements for notification.

For that reason, Members ought to copsider H.R. 749 in contemplation of the intent of the notification requirements in Gramm-Leach-Bliley.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 749.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS

Mr. LUETKEMEYER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1035) to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator of the Federal Emergency Management Agency shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) REPORT BY COMPTROLLER GENERAL.—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. LUETKEMEYER) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri.

GENERAL LEAVE

Mr. LUETKEMEYER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 1035.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LUETKEMEYER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1035, legislation introduced by my Financial Services Committee colleague, Congresswoman GWEN MOORE, and chairman emeritus, SPENCER BACHUS.

H.R. 1035 would require the Federal Emergency Management Agency, the agency which administers the National Flood Insurance Program, or NFIP, to conduct a study on the advantages and disadvantages of providing voluntary community-based flood insurance through the NFIP and report its recommendations for implementation to Congress within 18 months.

Additionally, H.R. 1035 requires the Government Accountability Office to analyze FEMA's report and submit its comments or recommendations to Congress within 6 months.

Community-based flood insurance is an insurance technique where a risk assessment is made for all the buildings in the community, and then premiums to cover that risk are paid collectively by that community, rather than the current practice of assessing each building individually and having each individual owner pay a premium.

This innovative tool may represent a new and better way for some communities at risk of flooding to take the necessary steps to protect their citizens. In fact, FEMA has stated in congressional testimony that voluntary community-based flood insurance could help NFIP better account for the full cost of flood risk, as well as provide incentives to encourage communities to implement greater flood mitigation measures.

Thus, we think that it is appropriate to commission this study of the community-based flood insurance concept so that FEMA can understand how it could be put to its greatest benefit.

Congresswoman MOORE's community-based flood insurance study provision was originally included as part of H.R. 1309, the Flood Insurance Reform Act of 2011, the bipartisan, long-term NFIP reauthorization that passed the House with over 400 votes in 2011. It was also included as part of the long-term NFIP reauthorization efforts that passed the House three other times in different bills in 2012.

An identical bill passed as a standalone on September 10, 2012, by a vote of 346–11, so I think you can see that we've had this issue before us many times. It's always been supported. I urge the support for H.R. 1035.

I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I would love to express my appreciation to my original cosponsors of this bill, chair emeritus, House Financial Service Committee Representative SPENCER BACHUS, for his support, and my other cosponsor and friend on the committee, Representative HINOJOSA.

I believe that a community-based flood insurance option may eventually provide a cost-saving option for communities within the larger framework of the overall National Flood Insurance Program. The potential for savings and community empowerment certainly merits a study.

Now, as Mr. LUETKEMEYER has indicated, this bipartisan bill has passed in various forms, the latest being in the 112th Congress, as H.R. 6186 last September, 364–11, so this is nothing new; and I would submit that we should support it here today.

This approach has merit because its potential lower rates are due to the streamlined underwriting, increased participation, the critical mass of citizens that are involved, and incentives for the community to mitigate future flood risk. There's also an option of providing lower-income households the use of vouchers to purchase flood insurance as part of the group.

An analogy for the concept applied is group or employee health insurance coverage versus individual coverage. We all understand that group coverage is less expensive than individual coverage due to many advantages of economies of scale.

Now, in this case, a community, rather than an individual, would be the policyholder. This brings me to another very important potential benefit of this approach, the increased incentives for communities to take preemptive action to mitigate future financial threats from floods in the community. Whereas an individual flood insurance holder has no incentive, nor means to build stronger levees or dikes, a community policyholder would have the means and incentives to take those kinds of precautions.

In theory, the homeowner would pay insurance, like a utility bill, on a monthly or quarterly basis, which also makes it easy to administer. This bill only asks FEMA to examine the costs and benefits of using this approach on an ongoing basis as an option for communities.

We need to continue to seek creative, market-based solutions to problems; and this study is the first good step toward new tools to strengthen the National Flood Insurance Program.

Seeing no other Democratic Members wishing to speak, I urge my colleagues to support H.R. 1035; I yield back the balance of my time.

□ 1720

Mr. LUETKEMEYER. I want to again congratulate and thank the gentlelady from Wisconsin for her hard work on this issue. I know that it's something near and dear to her heart, and I think it's absolutely something that is a good way to approach this issue from the standpoint of let's get a study done to see if this is a viable option. If it is, it can be a really beneficial tool to a lot of our communities that are in some difficult positions because of the flood situations they may be in.

With that, Mr. Speaker, I yield back the balance of my time.

Mrs. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1035, a bill ''To require a study of voluntary community-based flood insurance option and how such options could be incorporated into the national flood insurance program, and for other purposes.''

More specifically, this bill directs FEMA to study options, methods, and strategies for making voluntary community-based flood insurance policies available through the National Flood Insurance Program. Moreover, this study would include a strategy to implement options that would encourage communities to undertake flood mitigation activities.

Flooding is the most common and costly natural disaster in the United States. 90 percent of all presidential-declared U.S. natural disasters involve flooding. Flooding occurs in all 50 states and chronically impacts many communities, including my constituents in the 18th district of Texas.

In Houston, there are a number of areas which are frequently flooded from excessive rainwater in bayous. These areas include the Buffalo Bayou, the Greens Bayou, and the Halls Bayou. These areas, and others across this nation, could greatly benefit greatly from this study.

In 1968, the U.S. Congress established the National Flood Insurance Program, NFIP, to address the nation's flood hazard exposure and challenges inherent in financing and managing flood risks in the private sector.

The program has played a central role in U.S. flood risk management policy; that is, the prevention and recovery from flooding disasters. Under the NFIP, the federal government (1) identifies areas of flood risk; (2) encourages communities to implement measures to mitigate against the risk of flood loss; and (3) provides financial assistance, through contracts of insurance, to help individuals and small businesses recover rapidly from flood disasters.

Until 1986, the NFIP was financially self-supporting from policy premium revenue and fees that covered all expenses and claim payments.

However, because of its below-market insurance rates and catastrophic hurricane-related floods in recent years, the NFIP has accrued a substantial debt that as of September 30, 2011, stands at $17.75 billion. Under current law, the funds borrowed from the U.S. Treasury must be repaid with interest.

Because the NFIP cannot charge risk-based premiums for all of its policies, hold loss reserve funds to offset unusually catastrophic losses, or purchase reinsurance, the program faces a constant risk of financial insolvency.

The NFIP currently covers approximately 5.6 million households and businesses across the country for a total of $1.25 trillion in exposure.

The National Flood Insurance Program, NFIP, was established in response to increasing Federal Government spending for disaster relief.

Standard homeowners insurance does not cover flooding and therefore offers no protection from floods associated with hurricanes, tropical storms, heavy rains and other conditions. The NFIP mandates that federally regulated or insured lenders require flood insurance on properties that are located in areas that have a high risk of flooding.

Unlike private insurance programs, the NFIP is not actuarially sound; it is not designed to ensure that its premiums will cover the average claims and expenses expected over the long run. By law, some NFIP policyholders receive insurance at rates that are subsidized. Such subsidies are mainly granted to property owners whose properties were built before their communities joined the program and are intended to encourage communities to participate in the program and thus mitigate potential losses.

H.R. 1035 would study the means by which communities can enhance their own ability to recover from flooding. Giving communities the opportunity to effectively become the policyholder of a flood insurance program, rather than individual property owners, renters, or businesses, would potentially yield several benefits.

The study produced by H.R. 1035 would explore the policy of community-based flood insurance to find ways to incentivize communities to mitigate future flood losses, as well as to provide them with a greater role in determining flood risk assessment, mapping, and insurance pricing.

Furthermore, the study would allow communities to implement mandatory flood insurance purchase requirements tailored to a community's individual needs.

Moreover, the study would reveal the extent to which community-based flood insurance may produce economies of scale for a community, streamlined underwriting, as well as reduced administrative costs for the insurer.

Community-based flood insurance programs have the potential for the development of synergies between local communities and the National Flood Insurance Program.

For these reasons, I urge my colleagues to support the H.R. 1035, which directs FEMA to study how to improve our national system of disaster insurance with respect to community-based flood insurance. This bill is a timely response to recent flooding disasters wrought by Hurricane Sandy, as well as sensible way to address future floods that occur in communities across our country.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill, H.R. 1035.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LUETKEMEYER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 21 minutes p.m.), the House stood in recess.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STUTZMAN) at 6 o'clock and 31 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 890, PRESERVING THE WELFARE WORK REQUIREMENT AND TANF EXTENSION ACT OF 2013

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 113–15) on the resolution (H. Res. 107) providing for consideration of the bill (H.R. 890) to prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM CHAIR OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Permanent Select Committee on Intelligence:

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, March 12, 2013.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

Dear Mr. Speaker: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that the Permanent Select Committee on Intelligence has been served with a criminal trial subpoena for documents, issued by the United States District Court for the District of Arizona.

After consultation with the Office of General Counsel, the Committee has determined under Rule VIII that the documents sought are not ''material and relevant,'' and that the subpoena is not ''consistent with the privileges and rights of the House.'' Accordingly, the Committee intends to move to quash the subpoena.

Sincerely,

MIKE ROGERS,
Chairman.

STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1035) to require a study of voluntary community-based flood insurance options and how such options could be incorporated into the national flood insurance program, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 397, nays 17, not voting 17, as follows:

[Roll No. 63]

YEAS—397

Aderholt
Amodei
Andrews
Bachmann
Bachus
Barber
Barletta
Barr
Barrow (GA)
Barton
Bass
Beatty
Becerra
Benishek
Bera (CA)
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Camp
Campbell
Cantor
Capito
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter
Cartwright
Cassidy
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman
Cohen
Cole
Collins (NY)
Conaway
Connolly
Conyers
Cook
Cooper
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Daines
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Doyle
Duckworth
Duffy
Edwards
Ellison
Ellmers
Engel
Enyart
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garcia
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Goodlatte
Gosar
Granger
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guthrie
Gutierrez
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Higgins
Himes
Hinojosa
Holding
Holt
Honda
Horsford
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee
Jeffries
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kirkpatrick
Kline
Kuster
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
Latta
Levin
Lewis
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Maffei
Maloney, Carolyn
Maloney, Sean
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meadows
Meehan
Meeks
Messer
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Moran
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Negrete McLeod
Neugebauer
Noem
Nolan
Nugent
Nunes
Nunnelee
O'Rourke
Olson
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters (CA)
Peters (MI)
Peterson
Petri
Pingree (ME)
Pittenger
Pitts