

116TH CONGRESS
1ST SESSION

H. R. 3167

To reform and reauthorize the National Flood Insurance Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 2019

Ms. WATERS introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 2019”.

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.

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. Appeals regarding existing flood maps.
- Sec. 206. Appeals and publication of projected special flood hazard areas.
- Sec. 207. Communication and outreach regarding map changes.
- Sec. 208. Adoption of partial flood maps.
- 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 IV—MODERNIZATION

- Sec. 401. Effect of Private Flood Insurance Coverage on Continuous Coverage Requirements.
- Sec. 402. Optional coverage for umbrella policies.
- Sec. 403. Annual independent actuarial study.

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;

1 (3) the National Flood Insurance Program
2 (NFIP) is a key component of the Federal Govern-
3 ment’s efforts to minimize the damage and financial
4 impact of floods;

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

8 (5) affordability of flood insurance coverage re-
9 mains a serious concern;

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

12 (7) a policyholder’s ability to pay for flood in-
13 surance coverage should be considered for premium
14 rate discounts; and

15 (8) in the absence of widespread private insur-
16 ance industry participation, and as a matter of na-
17 tional policy, the Federal Government must ensure
18 the availability and affordability of flood insurance.

19 **TITLE I—REAUTHORIZATION** 20 **AND AFFORDABILITY**

21 **SEC. 101. PROGRAM EXTENSION.**

22 (a) FINANCING.—Subsection (a) of section 1309 of
23 the National Flood Insurance Act of 1968 (42 U.S.C.
24 4016(a)) is amended by striking “September 30, 2019”
25 and inserting “September 30, 2024”.

1 (b) PROGRAM EXPIRATION.—Section 1319 of the Na-
2 tional Flood Insurance Act of 1968 (42 U.S.C. 4026) is
3 amended by striking “September 30, 2019” and inserting
4 “September 30, 2024”.

5 (c) RETROACTIVE EFFECTIVE DATE.—If this Act is
6 enacted after September 30, 2019, the amendments made
7 by subsections (a) and (b) shall take effect as if enacted
8 on September 30, 2019.

9 **SEC. 102. DEMONSTRATION PROGRAM FOR POLICY AF-**
10 **FORDABILITY.**

11 (a) AUTHORITY.—

12 (1) IN GENERAL.—The Administrator of the
13 Federal Emergency Management Agency shall estab-
14 lish and carry out a demonstration program under
15 this section to demonstrate the effectiveness of pro-
16 viding means-tested discounted rates for flood insur-
17 ance coverage made available under the National
18 Flood Insurance Act of 1968 for eligible households.

19 (2) CONSULTATION.—The Administrator may
20 consult with the Secretary of the Treasury and the
21 Secretary of Housing and Urban Development about
22 the implementation of the program established pur-
23 suant to paragraph (1).

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

- 4 (1) 1- to 4-family residential properties; and
5 (2) the primary residence of a household whose
6 income does not exceed 80 percent of the area me-
7 dian income, as determined by the Administrator in
8 consultation with the Secretary of Housing and
9 Urban Development.

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

13 (d) PREMIUM DISCOUNTS.—Notwithstanding any
14 provision of the National Flood Insurance Act of 1968,
15 the chargeable premium rate for flood insurance coverage
16 made available under the program under this section shall
17 be an amount that does not exceed 2 percent of annual
18 area median income for the area within which is located
19 the property for which the coverage is provided.

20 (e) DISCLOSURE OF FULL-RISK RATE.—The Admin-
21 istrator shall provide to each policyholder purchasing flood
22 insurance coverage under the program under this section
23 for a property, not later than the commencement of the
24 period of such coverage, a written statement setting forth
25 the full actuarial premium rate for coverage for such prop-

1 erty determined in accordance with section 1307(a)(1) of
2 the National Flood Insurance Act of 1968 (42 U.S.C.
3 4014(a)(1)), the amount of the premium discount for such
4 coverage, and any other information the Director con-
5 siders helpful to policyholders in understanding flood in-
6 surance coverage and costs.

7 (f) GUIDANCE.—Not later than the expiration of the
8 12-month period beginning on the date of the enactment
9 of this Act, the Administrator shall issue guidance pro-
10 viding for the establishment of the demonstration program
11 under this section, which shall include—

12 (1) an estimation of the cost of the program
13 stated in terms of the aggregate of premium dis-
14 counts to be made available under the program;

15 (2) a description of how the Administrator will
16 determine eligibility for households to participate in
17 the program;

18 (3) any new requirements to which policy-
19 holders participating in the program will be subject;

20 (4) the results of any consultation with the Sec-
21 retary of the Treasury or the Secretary of Housing
22 and Urban Development.

23 (g) REPORT TO CONGRESS.—

24 (1) COLLECTION OF INFORMATION.—The Ad-
25 ministrator shall collect by survey or other means,

1 for each participating community in the national
2 flood insurance program and regarding each year
3 during the period beginning 5 years before imple-
4 mentation of the demonstration program under this
5 section and ending upon the termination date under
6 subsection (j), the following information:

7 (A) The demographic characteristics of
8 households purchasing flood insurance coverage
9 under such program.

10 (B) The average median income of such
11 households.

12 (C) The number of properties located in
13 areas for which a major disaster related to
14 flooding was declared pursuant to the Robert T.
15 Stafford Disaster Relief and Emergency Assist-
16 ance Act.

17 (D) The number of policies made available
18 under the national flood insurance program and
19 the number and aggregate amount of claims
20 submitted under such program.

21 (E) For all properties in such community
22 receiving discounted coverage under the dem-
23 onstration program under this section, the ag-
24 gregate amount of the full actuarial premium
25 rate for coverage that is determined in accord-

1 ance with section 1307(a)(1) of the National
2 Flood Insurance Act of 1968 (42 U.S.C.
3 4014(a)(1)) and the aggregate amount of pre-
4 mium discounts provided under the demonstra-
5 tion program.

6 (F) For all properties in such community,
7 any changes to such full actuarial premium
8 rates due to mapping changes or other factors.

9 (2) REPORT TO CONGRESS.—Not later than the
10 expiration of the 5-year period beginning upon the
11 implementation of the demonstration program under
12 this section, the Administrator shall submit to the
13 Congress a report evaluating the effectiveness of the
14 assistance provided under the program, which shall
15 include—

16 (A) a statement of the number of house-
17 holds participating in the program and the
18 rates of participation by communities partici-
19 pating in the national flood insurance program,
20 including whether such rates of participation
21 have changed by year; and

22 (B) an estimate of the cost of the program
23 to the National Flood Insurance Fund under
24 section 1310 of the National Flood Insurance
25 Act of 1968 (42 U.S.C. 4017).

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

3 (1) ADMINISTRATOR.—The term “Adminis-
4 trator” means the Administrator of the Federal
5 Emergency Management Agency.

6 (2) PREMIUM DISCOUNT.—The term “premium
7 discount” means, with respect to a policy for flood
8 insurance coverage under the national flood insur-
9 ance program made available under the program
10 under this section, the amount by which the full ac-
11 tuarial premium rate for coverage for such property
12 that is determined in accordance with section
13 1307(a)(1) of the National Flood Insurance Act of
14 1968 (42 U.S.C. 4014(a)(1)) exceeds the chargeable
15 premium rate for the coverage made available under
16 the program under this section.

17 (i) TERMINATION.—The authority under this section
18 to provide discounted premium rates for flood insurance
19 coverage shall terminate on May 31, 2024.

20 **SEC. 103. PREMIUM AND FEES RELIEF FOR FAMILIES AND**
21 **SMALL BUSINESSES.**

22 (a) REPEAL OF SURCHARGE.—

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

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

3 (A) in section 1308(m) (42 U.S.C.
4 4015(m))—

5 (i) in paragraph (1), by striking “and
6 the surcharges required under
7 section 1308A’ ”; and

8 (ii) in paragraph (2), by striking “or
9 surcharges”; and

10 (B) in section 1310A(c) (42 U.S.C.
11 4017a(c)), by striking paragraph (4).

12 (b) SMALL LOAN EXCEPTION TO MANDATORY PUR-
13 CHASE REQUIREMENT.—Subparagraph (A) of section
14 102(c)(2) of the Flood Disaster Protection Act of 1973
15 (42 U.S.C. 4012a(c)(2)(A)) is amended by striking
16 “\$5,000” and inserting “\$25,000”.

17 **SEC. 104. MONTHLY INSTALLMENT PAYMENT OF PRE-**
18 **MIUMS.**

19 (a) AUTHORITY.—Subsection (g) of section 1308 of
20 the National Flood Insurance Act of 1968 (42 U.S.C.
21 4015(g)) is amended—

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

25 “(g) FREQUENCY OF PREMIUM COLLECTION.—

1 “(1) OPTIONS.—With respect”; and

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

3 “(2) MONTHLY INSTALLMENT PAYMENT OF
4 PREMIUMS.—

5 “(A) EXEMPTION FROM RULEMAKING.—

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

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

21 “(C) POLICYHOLDER PROTECTION.—The
22 Administrator may—

23 “(i) during the 12-month period be-
24 ginning on the date of the enactment of
25 this subparagraph, charge policyholders

1 choosing to pay premiums in monthly in-
2 stallments a fee for the total cost of the
3 monthly collection of premiums not to ex-
4 ceed \$25 annually; and

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

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

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

1 and allowances set forth in clause (i) of this subparagraph,
2 and”.

3 **SEC. 105. STATE REVOLVING LOAN FUNDS FOR LOW-INTER-**
4 **EST LOANS.**

5 Chapter I of the National Flood Insurance Act of
6 1968 (42 U.S.C. 4011 et seq.) is amended by adding at
7 the end the following new section:

8 **“SEC. 1326. STATE REVOLVING LOAN FUNDS FOR LOW-IN-**
9 **TEREST LOANS.**

10 “(a) DEFINITIONS.—In this section—

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

14 “(2) the term ‘eligible State’ means a State, the
15 District of Columbia, and the Commonwealth of
16 Puerto Rico;

17 “(3) the term ‘insular area’ means—

18 “(A) Guam;

19 “(B) American Samoa;

20 “(C) the Commonwealth of the Northern
21 Mariana Islands;

22 “(D) the Federated States of Micronesia;

23 “(E) the Republic of the Marshall Islands;

24 “(F) the Republic of Palau; and

25 “(G) the United States Virgin Islands;

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

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

7 “(6) the term ‘low-income homeowner’ means
8 the owner of a primary residence, the household in-
9 come of which in a taxable year is not more than 80
10 percent of the median income for the area in which
11 the residence is located;

12 “(7) the term ‘participating State’ means an el-
13 igible State that—

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

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

18 “(8) the term ‘pre-FIRM building’ means a
19 building for which construction or substantial im-
20 provement occurred before the effective date of the
21 initial Flood Insurance Rate Map published by the
22 Administrator under section 1360 for the area in
23 which the building is located;

24 “(9) the term ‘repetitive loss structure’ has the
25 meaning given the term in section 1370(a);

1 “(10) the term ‘severe repetitive loss property’
2 has the meaning given the term in section 1307(h);

3 “(11) the term ‘State loan fund’ means a flood
4 mitigation assistance revolving loan fund established
5 by an eligible State under this section; and

6 “(12) the term ‘tribal government’ means the
7 recognized government of an Indian tribe, or the
8 governing body of an Alaska Native regional or vil-
9 lage corporation, that has been determined eligible
10 to receive services from the Bureau of Indian Af-
11 fairs.

12 “(b) GENERAL AUTHORITY.—

13 “(1) IN GENERAL.—The Administrator may
14 enter into an agreement with an eligible State to
15 provide a capitalization grant for the eligible State
16 to establish a revolving fund that will provide fund-
17 ing assistance to help homeowners, businesses, non-
18 profit organizations, and communities reduce flood
19 risk in order to decrease—

20 “(A) the loss of life and property;

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

22 “(C) Federal disaster payments.

23 “(2) TIMING OF DEPOSIT AND AGREEMENTS
24 FOR DISTRIBUTION OF FUNDS.—

1 “(A) IN GENERAL.—Not later than the
2 last day of the fiscal year following the fiscal
3 year in which a capitalization grant is made to
4 a participating State under paragraph (1), the
5 participating State shall—

6 “(i) deposit the grant in the State
7 loan fund of the State; and

8 “(ii) enter into one or more binding
9 agreements that provide for the State to
10 distribute the grant funds for purposes au-
11 thorized under subsection (c) such that—

12 “(I) in the case of the initial
13 grant made under this section to a
14 State, not less than 75 percent of the
15 amount of the grant funds shall be
16 distributed before the expiration of
17 the 24-month period beginning upon
18 deposit of such funds in the State
19 loan fund of the State; and

20 “(II) in the case of any subse-
21 quent grant made under this section
22 to a State, not less than 90 percent of
23 the amount of the grant funds made
24 under the capitalization grant shall be
25 distributed before the expiration of

1 the 12-month period beginning upon
2 deposit of such funds in the State
3 loan fund of the State.

4 “(B) NONCOMPLIANCE.—Except as pro-
5 vided in subparagraph (C), if a participating
6 State does not comply with subparagraph (A)
7 with respect to a grant, the Administrator shall
8 reallocate the grant in accordance with para-
9 graph (3)(B).

10 “(C) EXCEPTION.—The Administrator
11 may not reallocate any funds under subpara-
12 graph (B) to a participating State that violated
13 subparagraph (A) with respect to a grant made
14 during the same fiscal year in which the funds
15 to be reallocated were originally made available.

16 “(3) ALLOCATION.—

17 “(A) IN GENERAL.—The Administrator
18 shall allocate amounts made available to carry
19 out this section to participating States—

20 “(i) for the participating States to de-
21 posit in the State loan funds established by
22 the participating States; and

23 “(ii) except as provided in paragraph
24 (6), in accordance with the requirements
25 described in subparagraph (B).

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

3 “(i) Fifty percent of the total amount
4 made available under subparagraph (A)
5 shall be allocated so that each partici-
6 pating State receives the percentage
7 amount that is obtained by dividing the
8 number of properties that were insured
9 under the national flood insurance pro-
10 gram in that State in the fiscal year pre-
11 ceding the fiscal year in which the amount
12 is allocated by the total number of prop-
13 erties that were insured under the national
14 flood insurance program in the fiscal year
15 preceding the fiscal year in which the
16 amount is allocated.

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

1 “(iii) The procedures described in this
2 clause are as follows:

3 “(I) Divide the total amount col-
4 lected in premiums for properties in-
5 sured under the national flood insur-
6 ance program in each participating
7 State during the previous fiscal year
8 by the number of properties insured
9 under the national flood insurance
10 program in that State for that fiscal
11 year.

12 “(II) Add together each quotient
13 obtained under subclause (I).

14 “(III) For each participating
15 State, divide the quotient obtained
16 under subclause (I) with respect to
17 that State by the sum obtained under
18 subclause (II).

19 “(IV) For each participating
20 State, multiply the amount that is 50
21 percent of the total amount made
22 available under subparagraph (A) by
23 the quotient obtained under subclause
24 (III).

1 “(iv) Except as provided in paragraph
2 (5), in a fiscal year—

3 “(I) a participating State may
4 not receive more than 15 percent of
5 the total amount that is made avail-
6 able under subparagraph (A) in that
7 fiscal year; and

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

20 “(aa) that, in that fiscal
21 year, have not received an
22 amount under subparagraph (A)
23 that is more than the authorized
24 amount under subclause (I) of
25 this clause; and

1 “(bb) by using the require-
2 ments under clauses (i) through
3 (iii), except that a participating
4 State may receive an allocation
5 under this subclause only if the
6 allocation does not result in the
7 State receiving a total amount
8 for the fiscal year under subpara-
9 graph (A) that is greater than
10 the authorized amount under
11 subclause (I).

12 “(4) NO REVOLVING FUND REQUIRED.—

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

22 “(B) STATE MATCHING.—A participating
23 State that exercises the authority under sub-
24 paragraph (A) in a fiscal year shall provide
25 matching funds from non-Federal sources in an

1 amount that is equal to 15 percent of the
2 amount that the State receives under paragraph
3 (3)(B) in that fiscal year for purposes described
4 in subparagraph (A).

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

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

20 “(A) according to criteria established by
21 the Administrator; and

22 “(B) for a purpose described in subsection
23 (c)(2).

24 “(7) ADMINISTRATIVE COSTS; TECHNICAL AS-
25 SISTANCE.—The Administrator shall reserve not

1 more than 2.5 percent of the amount made available
2 to carry out this section in a fiscal year—

3 “(A) for administrative costs incurred in
4 carrying out this section; and

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

7 “(c) USE OF FUNDS.—

8 “(1) IN GENERAL.—Amounts deposited in a
9 State loan fund, including repayments of loans made
10 from the fund and interest earned on the amounts
11 in the fund, shall be used—

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

15 “(i) homeowners, businesses, and non-
16 profit organizations that are eligible to
17 participate in the national flood insurance
18 program; and

19 “(ii) any local government that par-
20 ticipates in the national flood insurance
21 program;

22 “(B) as a source of revenue and security
23 for leveraged loans, the proceeds of which shall
24 be deposited in the State loan fund; or

1 “(C) for the sale of bonds as security for
2 payment of the principal and interest on rev-
3 enue or general obligation bonds issued by the
4 participating State to provide matching funds
5 under subsection (g), if the proceeds from the
6 sale of the bonds are deposited in the State
7 loan fund.

8 “(2) PURPOSES.—A recipient of financial as-
9 sistance provided through amounts from a State
10 loan fund—

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

12 “(i) flood risk; or

13 “(ii) potential flood claims submitted
14 under the national flood insurance pro-
15 gram;

16 “(B) shall use the amounts in a cost-effec-
17 tive manner under requirements established by
18 the State, which may require an applicant for
19 financial assistance to submit any information
20 that the State considers relevant or necessary
21 before the date on which the applicant receives
22 the assistance;

23 “(C) shall use the amounts for projects
24 that—

1 “(i) meet design and construction
2 standards established by the Adminis-
3 trator;

4 “(ii) are located in communities
5 that—

6 “(I) participate in the national
7 flood insurance program; and

8 “(II) have developed a State,
9 local, or tribal government hazard
10 mitigation plan that has been ap-
11 proved by the Administrator under
12 section 1366;

13 “(iii)(I) address a repetitive loss
14 structure or a severe repetitive loss prop-
15 erty; or

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

20 “(iv) address current risk and antici-
21 pate future risk, such as sea-level rise;

22 “(D) may use the amounts—

23 “(i) for projects relating to—

24 “(I) structural elevation;

25 “(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;

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 shall annually prepare a plan that iden-
24 tifies, for the year following the date of issuance of
25 the intended use plan, the intended uses of the

1 amounts available in the State loan fund of the par-
2 ticipating State.

3 “(2) CONSULTATION DURING PREPARATION.—

4 Each participating State, in preparing an intended
5 use plan, shall ensure that the State agency with
6 primary responsibility for floodplain management—

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

9 “(B) consults with any other appropriate
10 State agency, including agencies responsible for
11 coastal and environmental management.

12 “(3) CONTENTS.—A participating State shall,
13 in each intended use plan—

14 “(A) include—

15 “(i) an explanation of the mitigation
16 and resiliency benefits the State intends to
17 achieve, including by—

18 “(I) reducing future damage and
19 loss associated with flooding;

20 “(II) reducing the number of se-
21 vere repetitive loss properties and re-
22 petitive loss structures in the State;

23 “(III) decreasing the number of
24 flood insurance claims in the State;
25 and

1 “(IV) increasing the rating under
2 the Community Rating System for
3 communities in the State;

4 “(ii) information with respect to the
5 availability of, and the application process
6 for receiving, financial assistance from the
7 State loan fund of the State;

8 “(iii) the criteria and methods estab-
9 lished for the distribution of amounts from
10 the State loan fund of the State;

11 “(iv) the amount of financial assist-
12 ance that the State anticipates allocating
13 to—

14 “(I) local government projects;
15 and

16 “(II) projects for homeowners,
17 business, or nonprofit organizations;

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

20 “(vi) a description of the financial sta-
21 tus of the State loan fund and the short-
22 term and long-term goals of the State loan
23 fund; and

24 “(B) provide, to the maximum extent prac-
25 ticable, that priority for the use of amounts

1 from the State loan fund shall be given to
2 projects that—

3 “(i) address severe repetitive loss
4 properties and repetitive loss structures;

5 “(ii) assist low-income homeowners
6 and low-income geographic areas; and

7 “(iii) address flood risk for pre-FIRM
8 buildings.

9 “(4) PUBLICATION.—Each participating State
10 shall publish and periodically update a list of all
11 projects receiving funding from the State loan fund
12 of the State, which shall include identification of—

13 “(A) the community in which the project is
14 located;

15 “(B) the type and amount of assistance
16 provided for each project; and

17 “(C) the expected funding schedule and
18 date of completion of each project.

19 “(e) FUND MANAGEMENT.—Amounts in a State loan
20 fund shall—

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

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

1 “(3) except as provided in subsection (i), in-
2 clude only—

3 “(A) amounts received from capitalization
4 grants made under this section;

5 “(B) repayments of loans made from the
6 fund; and

7 “(C) interest earned on amounts in the
8 fund.

9 “(f) MATCHING FUNDS.—

10 “(1) FULL GRANT.—On or before the date on
11 which a participating State receives a capitalization
12 grant, the State shall deposit into the State loan
13 fund of the State, in addition to the amount of the
14 capitalization grant, an amount from non-Federal
15 sources that is not less than 10 percent of the total
16 amount of the capitalization grant.

17 “(2) REDUCED GRANT.—Notwithstanding para-
18 graph (1), if a State deposits in the State loan fund
19 of the State in connection a capitalization grant an
20 amount from non-Federal sources that is less than
21 10 percent of the total amount of the capitalization
22 grant that would otherwise be received by the State,
23 the Administrator shall reduce the amount of the
24 capitalization grant received by the State to the
25 amount that is 10 times the amount so deposited

1 and shall allocate such remaining grant amounts
2 under subsection (b)(5) together with the amounts
3 allocated under such subsection.

4 “(g) TYPES OF ASSISTANCE.—Unless otherwise pro-
5 hibited by State law, a participating State may use the
6 amounts deposited into a State loan fund under this sec-
7 tion only—

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

9 “(A) the interest rate for the loan is not
10 more than the market interest rate;

11 “(B) the recipient of the loan will begin
12 making principal and interest payments on the
13 loan not later than 1 year after the date on
14 which the project for which the loan was made
15 is completed;

16 “(C) the loan will be fully amortized not
17 later than 20 years after the date on which the
18 project for which the loan was made is com-
19 pleted, except that, in the case of a loan made
20 for a project in a low-income geographic area or
21 to a low-income homeowner, the State may pro-
22 vide a longer amortization period for the loan if
23 that longer period—

1 “(i) ends on a date that is not later
2 than 30 years after the date on which the
3 project is completed; and

4 “(ii) is not longer than the expected
5 design life of the project;

6 “(D) the recipient of the loan dem-
7 onstrates, based on verified and documented in-
8 formation that, at the time the loan is con-
9 summated, that the recipient has a reasonable
10 ability to repay the loan, according to its terms,
11 except that this subparagraph may not be con-
12 strued to authorize any reduction or limitation
13 in efforts to comply with the requirements of
14 subsection (c)(2)(E) (relating to priority for as-
15 sistance for low-income homeowners and low-in-
16 come geographical areas); and

17 “(E) payments of principal and interest
18 with respect to the loan will be deposited into
19 the State loan fund;

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

24 “(3) to guarantee, or purchase insurance for, a
25 local obligation, the proceeds of which finance a

1 project eligible for assistance under this section, if
2 the guarantee or purchase, as applicable, would—

3 “(A) improve credit market access; or

4 “(B) reduce the interest rate with respect
5 to the obligation;

6 “(4) as a source of revenue or as security for
7 the payment of principal and interest on revenue or
8 general obligation bonds issued by the State if the
9 proceeds of the sale of the bonds will be deposited
10 into the State loan fund; or

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

12 “(h) ASSISTANCE FOR LOW-INCOME HOMEOWNERS
13 AND LOW-INCOME GEOGRAPHIC AREAS.—

14 “(1) IN GENERAL.—Notwithstanding any other
15 provision of this section, if a participating State uses
16 amounts from a State loan fund to provide financial
17 assistance under subsection (c) in a low-income geo-
18 graphic area or to a low-income homeowner, the
19 State may provide additional subsidization to the re-
20 cipient of the assistance, including forgiveness of the
21 principal of a loan.

22 “(2) LIMITATION.—For each fiscal year, the
23 total amount of additional subsidization provided by
24 a participating State under paragraph (1) may not

1 exceed 30 percent of the amount of the capitaliza-
2 tion grant allocated to the State for that fiscal year.

3 “(i) ADMINISTRATION OF FUND.—

4 “(1) IN GENERAL.—A participating State may
5 combine the financial administration of a State loan
6 fund with the financial administration of any other
7 revolving fund established by the State if—

8 “(A) combining the administration of the
9 funds would—

10 “(i) be convenient and avoid adminis-
11 trative costs; and

12 “(ii) not violate the law of the State;
13 and

14 “(B) the Administrator determines that—

15 “(i) amounts obtained from a grant
16 made under this section, amounts obtained
17 from the repayment of a loan made from
18 a State loan fund, and interest earned on
19 amounts in a State loan fund will be—

20 “(I) accounted for separately
21 from amounts from other revolving
22 funds; and

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

1 “(ii) after consulting with the appro-
2 priate State agencies, the authority to es-
3 tablish assistance priorities and carry out
4 oversight and related activities, other than
5 financial administration, with respect to
6 flood assistance remains with the State
7 agency with primary responsibility for
8 floodplain management.

9 “(2) ADMINISTRATIVE AND TECHNICAL
10 COSTS.—

11 “(A) IN GENERAL.—For each fiscal year, a
12 participating State may use the amount de-
13 scribed in subparagraph (B) to—

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

19 “(ii) provide appropriate oversight of
20 projects authorized under this section; and

21 “(iii) provide technical assistance and
22 outreach to recipients in the State of
23 amounts under this section, including with
24 respect to updating hazard mitigation
25 plans and participating in the Community

1 Rating System, in an amount that is not
2 more than 4 percent of the funds made
3 available to the State under this section.

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

7 “(i) any fees collected by a partici-
8 pating State to recover the costs described
9 in subparagraph (A)(i), regardless of the
10 source; and

11 “(ii) the greatest of—

12 “(I) \$400,000;

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

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

22 “(3) AUDIT AND REPORT.—

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

1 shall conduct an audit of the State loan fund of
2 the State.

3 “(B) REPORT.—Each participating State
4 shall submit to the Administrator a biennial re-
5 port regarding the activities of the State under
6 this section during the period covered by the re-
7 port, including—

8 “(i) the result of any audit conducted
9 by the State under subparagraph (A); and

10 “(ii) a review of the effectiveness of
11 the State loan fund of the State with re-
12 spect to—

13 “(I) the intended use plans of the
14 State; and

15 “(II) meeting the objectives de-
16 scribed in subsection (b)(1).

17 “(4) OVERSIGHT.—In conducting oversight with
18 respect to State loan funds established under this
19 section, the Administrator—

20 “(A) shall—

21 “(i) periodically audit the funds in ac-
22 cordance with procedures established by
23 the Comptroller General of the United
24 States; and

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

5 “(B) may, at any time—

6 “(i) make recommendations to a par-
7 ticipating State with respect to the admin-
8 istration of the State loan fund of the
9 State; or

10 “(ii) require specific changes with re-
11 spect to a State loan fund in order to im-
12 prove the effectiveness of the fund.

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

19 “(k) REGULATIONS.—The Administrator shall pro-
20 mulgate such guidance or regulations as may be necessary
21 to carry out this section, including guidance or regulations
22 that—

23 “(1) ensure that each participating State to
24 which funds are allocated under this section uses the
25 funds as efficiently as possible;

1 Flood Insurance Reform Act of 2012 (42 U.S.C.
2 4101b(b)(3)) is amended—

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

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

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

8 “(F) cadastral features, including, for each
9 cadastral feature—

10 “(i) the associated parcel identifica-
11 tion data for such cadastral feature; and

12 “(ii) to the maximum extent prac-
13 ticable, using public and private sector ad-
14 dress data, the address of such cadastral
15 feature.”.

16 (b) FORMAT OF RATE MAPS.—Section 100216(c)(2)
17 of the Biggert-Waters Flood Insurance Reform Act of
18 2012 (42 U.S.C. 4101b(c)(2)) is amended—

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

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

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

24 “(D) spatially accurate in accordance with
25 the common protocols for geospatial data under

1 section 757 of the Geospatial Data Act of 2018
2 (43 U.S.C. 2806).”.

3 (c) ADDITIONAL CONSIDERATIONS.—Section 100216
4 of the Biggert-Waters Flood Insurance Reform Act of
5 2012 (42 U.S.C. 4101b) is amended—

6 (1) by redesignating subsection (f) as sub-
7 section (m); and

8 (2) by inserting after subsection (e) the fol-
9 lowing:

10 “(g) STREAM FLOW NETWORKS.—

11 “(1) IN GENERAL.—The Administrator shall co-
12 ordinate with the United States Geological Survey
13 for the sharing of data from stream flow networks
14 critical to the National Flood Insurance Program,
15 flood risk mapping, and flood risk assessments, to
16 ensure that—

17 “(A) the stream gage stations in such
18 stream flow networks are operational and use
19 modern hardware;

20 “(B) such stream flow networks are suffi-
21 ciently densified by adding new stream gage
22 stations in high-risk areas;

23 “(C) inactive critical stream gage stations
24 in such stream flow networks are reactivated;
25 and

1 “(D) the speed of the geospatial real-time
2 data feeds from such stream gage stations is in-
3 creased.

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

5 “(A) STREAM FLOW NETWORK.—The term
6 ‘stream flow network’ means a network of
7 stream flow gages maintained under the direc-
8 tion of the United States Geological Survey and
9 its partners that is used to measure or record
10 the flow of water down a stream or river, or
11 through an entire watershed system, and trans-
12 mit such information using a geospatial real-
13 time data feed.

14 “(B) STREAM GAGE STATION.—The term
15 ‘stream gage station’ means a device installed
16 at the edge of a river or stream that measures
17 or records the flow of water down the stream
18 and additional information such as water
19 height, water chemistry, and water tempera-
20 ture.

21 “(3) RULE OF CONSTRUCTION.—The purpose
22 of this subsection is to require cooperation between
23 the Federal Emergency Management Agency and
24 the United States Geological Survey and nothing in

1 this subsection may be construed to require or obli-
2 gate funding expenditures.

3 “(h) AVAILABILITY OF DATA TO PUBLIC.—The Ad-
4 ministrators shall make available to the public on the
5 website of the Federal Emergency Management Agency a
6 national geospatial data repository that—

7 “(1) provides access to the raw data used to in-
8 clude the cadastral features and parcel identification
9 data in National Flood Insurance Program rate
10 maps;

11 “(2) to the extent that such data is available,
12 allows users to view, query, and obtain such data at
13 multiple levels of detail, including down to the prop-
14 erty level;

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

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

19 “(A) hydrologic and hydraulic models used
20 in determining flood risk;

21 “(B) structure footprints where available
22 as part of a national structure inventory;

23 “(C) flood depth grids;

24 “(D) flood risk reports;

1 “(E) flood risk assessments (Hazard anal-
2 yses);

3 “(F) hazard mitigation plans; and

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

6 “(5) maintains and disseminates such data in a
7 consistent manner.

8 “(i) ENSURING CURRENT DATA.—Not less fre-
9 quently than once every 5 years, the Administrator shall
10 verify that each National Flood Insurance Program rate
11 map contains data that is current and credible.

12 “(j) QUALIFICATIONS-BASED SELECTION CON-
13 TRACTING.—

14 “(1) IN GENERAL.—With respect to a contract
15 awarded by the Administrator under this Act, or by
16 an entity receiving a grant under this Act, for pro-
17 gram management, architectural and engineering
18 services, or surveying and mapping, such a contract
19 shall be awarded to a contractor selected in accord-
20 ance with the procedures described in section 1103
21 of title 40, United States Code (or an applicable
22 equivalent State qualifications-based statute). The
23 Administrator, or entity, as the case may be, shall
24 require such contractor, as a condition of such con-
25 tract, to award any subcontract for program man-

1 agement, architectural and engineering services, or
2 surveying and mapping in accordance with the pro-
3 cedures described in the previous sentence, or the
4 applicable equivalent State statute.

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

8 “(3) DEFINITIONS.—In this subsection:

9 “(A) ARCHITECTURAL AND ENGINEERING
10 SERVICES.—The term ‘architectural and engi-
11 neering services’ has the meaning given that
12 term in section 1102 of title 40, United States
13 Code.

14 “(B) SURVEYING AND MAPPING.—The
15 term ‘surveying and mapping’ includes
16 geospatial activities associated with measuring,
17 locating, and preparing maps, charts, or other
18 graphical or digital presentations depicting nat-
19 ural and man-made physical features, phe-
20 nomena, and legal boundaries of the earth, in-
21 cluding the following:

22 “(i) Topographic Engineering Sur-
23 veying, including acquisition of topographic
24 oriented surveying and mapping data for
25 design, construction, master planning, op-

1 erations, as-built conditions, precise struc-
2 ture stability studies using conventional
3 and electronic instrumentation, photo-
4 grammetric, LiDAR, remote sensing, iner-
5 tial, satellite, and other manned and un-
6 manned survey methods as applicable.

7 “(ii) Hydrographic Engineering Sur-
8 veying, including acquisition of hydro-
9 graphic oriented surveying and mapping
10 data for design, construction, dredging,
11 master planning, operations, and as-built
12 conditions using conventional and elec-
13 tronic instrumentation, and photo-
14 grammetric, remote sensing, inertial, sat-
15 ellite, side scan sonar, subbottom profiling,
16 and other surveying methods, as applica-
17 ble.

18 “(iii) Land Surveying, including prop-
19 erty and boundary surveys,
20 monumentation, marking and posting, and
21 preparation of tract descriptions, using
22 conventional, electronic instrumentation,
23 photogrammetric, inertial, satellite, and
24 other survey methods, as applicable.

1 “(iv) Geodetic Surveying, including
2 first, second, and third order horizontal
3 and vertical control surveys, geodetic as-
4 tronomy, gravity and magnetic surveys
5 using conventional, electronic instrumenta-
6 tion, photogrammetric, inertial, satellite,
7 and other survey methods, as applicable.

8 “(v) Cartographic Surveying, includ-
9 ing acquisition of topographic and hydro-
10 graphic oriented surveying and mapping
11 data for construction of maps, charts, and
12 similar products for planning, flood anal-
13 ysis, and general use purposes using con-
14 ventional and electronic instrumentation,
15 photogrammetric, inertial, satellite, mobile,
16 terrestrial, and other survey methods, as
17 applicable.

18 “(vi) Mapping, charting, and related
19 geospatial database development, including
20 the design, compilation, digitizing, attrib-
21 uting, scribing, drafting, printing and dis-
22 semination of printed or digital map,
23 chart, and related geospatial database
24 products associated with planning, engi-
25 neering, operations, and related real estate

1 activities using photogrammetric, geo-
2 graphic information systems, and other
3 manual and computer assisted methods, as
4 applicable.

5 “(k) DEFINITIONS.—In this section:

6 “(1) CADASTRAL FEATURE.—The term ‘cadas-
7 tral feature’ means the geographic elements and fea-
8 tures—

9 “(A) that are independent of elevation,
10 such as roads, structure footprints, and rivers
11 and lakes;

12 “(B) which are represented on maps to
13 show the true location and size of the elements
14 in relationship to each other, as they are seen
15 from the air; and

16 “(C) that are mapped from LiDAR or aer-
17 ial photography by employing basic photo-
18 grammetry.

19 “(2) PARCEL IDENTIFICATION DATA.—The
20 term ‘parcel identification data’ means the informa-
21 tion associated with a parcel of land, including the
22 geographic location, unique parcel identifier, bound-
23 aries, structures contained within the parcel, zoning
24 classification, and owner.”.

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.

5 (c) ELIGIBLE RECIPIENTS.—

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

14 (2) ONE-TIME GRANTS.—A grant under the
15 pilot program under this section may not be made
16 to—

17 (A) any unit of general local governmental,
18 or stormwater management authority of a unit
19 of general government, that has previously re-
20 ceived a grant under the pilot program;

21 (B) any unit of general local government if
22 the stormwater management agency for such
23 unit has previously received a grant under the
24 pilot program; or

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

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

18 (d) APPLICATIONS.—To be eligible for a grant under
19 this section a unit of general local government or
20 stormwater management agency shall submit to the Ad-
21 ministrator an application in such form and containing
22 such information as the Administrator shall require.

23 (e) SELECTION OF RECIPIENTS.—

24 (1) ANNUAL SELECTION.—Subject to para-
25 graph (2) and to the submission of approvable appli-

1 cations, in each fiscal year for which amounts are
2 made available for grants under the pilot program
3 under this section the Administrator shall select,
4 from among applications submitted under subsection
5 (d) for such fiscal year, 3 units of general govern-
6 ment or stormwater management authorities to re-
7 ceive grants under the pilot program under this sec-
8 tion.

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

16 (A) TIER 1.—Three of the applicants se-
17 lected shall be units of general local govern-
18 ment, or stormwater management authorities
19 for such units, having a population exceeding
20 800,000, as follows:

21 (i) PELAGIC COASTAL CITY.—One
22 shall be a unit of general local government,
23 or stormwater authority for such a unit,
24 that is a pelagic unit.

1 (ii) NON-PELAGIC COASTAL CITY.—

2 One shall be unit of general local govern-
3 ment, or stormwater authority for such a
4 unit, that is a coastal unit, but not a pe-
5 lagic unit.

6 (iii) NON-COASTAL CITY.—One shall
7 be unit of general local government, or
8 stormwater authority for such a unit, that
9 is not a coastal unit.

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

15 (i) COASTAL CITIES.—Three shall be
16 units of general local government, or
17 stormwater management authorities for
18 such units, that are coastal units.

19 (ii) NON-COASTAL CITIES.—Three
20 shall be units of general local government,
21 or stormwater management authorities for
22 such units, that are not coastal units.

23 (C) TIER 3.—Three of the applicants se-
24 lected shall be units of general local govern-
25 ment, or stormwater management authorities

1 for such units, having a population exceeding
2 50,000 but not exceeding 200,000.

3 (f) PRIORITY.—

4 (1) IN GENERAL.—The Administrator shall se-
5 lect applicants for grants under the pilot program
6 under this section based on the extent to which their
7 applications will achieve the objectives set forth in
8 subsection (b).

9 (2) TIERS 2 AND 3.—In selecting applicants to
10 receive grants under the pilot program under this
11 section pursuant to subparagraphs (B) and (C) of
12 subsection (e)(2), the Administrator shall give pri-
13 ority to applicants—

14 (A) that are highly vulnerable to sea level
15 rise;

16 (B) within which are located a military in-
17 stallation or other facility relating to national
18 security concerns; or

19 (C) that have a population that is highly
20 vulnerable to urban flooding and have an un-
21 even capacity for flood mitigation and response
22 efforts resulting from socioeconomic factors.

23 (g) AMOUNT.—

24 (1) CONSIDERATIONS.—In determining the
25 amount of grant under the pilot program under this

1 section, the Administrator shall consider the popu-
2 lation of the grant recipient, which may be consid-
3 ered in terms of the tier under subsection (e)(2) of
4 the recipient.

5 (2) FEDERAL SHARE.—The amount of a grant
6 under the pilot program under this section may not
7 exceed 75 percent of the total cost of the activities
8 under subsection (b) to be carried out using the
9 grant amounts.

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

16 (i) USE OF CENSUS DATA.—The Administrator shall
17 make all determinations under the pilot program regard-
18 ing population using the most recent available data from
19 the decennial census.

20 (j) GRANTEE REPORTS TO FEMA.—Each recipient
21 of a grant under the pilot program under this section
22 shall, not later than the expiration of the 30-month period
23 beginning upon the initial receipt of any such grant
24 amounts, submit to the Administrator a report that de-
25 scribes—

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

3 (2) how the activities carried out with such
4 grant amounts have met the objectives described in
5 subsection (b); and

6 (3) any lessons learned in carrying out such ac-
7 tivities and any recommendations for future map-
8 ping modernization efforts by the Federal Emer-
9 gency Management Agency.

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

19 (1) describes—

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

22 (B) the effectiveness of technology-based
23 mapping tools used in carrying out the activi-
24 ties described in subparagraph (A); and

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

7 (1) SENSE OF CONGRESS.—It is the sense of the Con-
8 gress that, because the pilot program is limited with re-
9 spect to scope and resources, communities that participate
10 in the pilot program should acknowledge that the most
11 successful efforts to mitigate the effects of urban flood-
12 ing—

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

15 (A) recognizing any post-storm damage
16 that may occur; and

17 (B) pursuing designs that proactively mini-
18 mize future flood damage;

19 (2) make individuals in the community aware,
20 through any cost-effective and available means of
21 education, of the best approaches regarding the con-
22 struction of properties that are able to survive
23 floods, which reduces the cost of future repairs; and

24 (3) encourage home and property owners to
25 consider the measures described in paragraphs (1)

1 and (2), which are the most cost-effective and pru-
2 dent ways to reduce the impact of flooding, when
3 constructing or renovating building components.

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

6 (1) ADMINISTRATOR.—The term “Adminis-
7 trator” means the Administrator of the Federal
8 Emergency Management Agency.

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

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

13 (B) is not a river.

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

20 (4) URBAN FLOODING.—

21 (A) IN GENERAL.—The term “urban flood-
22 ing” means the inundation of property in a
23 built environment, particularly in more densely
24 populated areas, caused either by falling rain
25 collecting on impervious surfaces or increasing

1 the levels of nearby water bodies and over-
2 whelming the capacity of drainage systems,
3 such as storm sewers, including—

4 (i) situations in which stormwater en-
5 ters buildings through windows, doors, or
6 other openings;

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

9 (iii) seepage through walls and floors;

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

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

14 (B) EXCLUSION.—Such term does not in-
15 clude flooding in undeveloped or agricultural
16 areas.

17 (n) FUNDING.—There is authorized to be appro-
18 priated for grants under the pilot program under this sec-
19 tion—

20 (1) \$1,200,000 for fiscal year 2020; and

21 (2) \$4,300,000 for fiscal year 2021, to remain
22 available through 2023.

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

24 (a) EXPANDING MAPPING TO ALL AREAS OF THE
25 UNITED STATES.—Subparagraph (A) of section

1 100216(b)(1) of the Biggert-Waters Flood Insurance Re-
2 form Act of 2012 (42 U.S.C. 4101b(b)(1)(A)) is amend-
3 ed—

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

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

6 and

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

8 “(vi) all areas of the United States;
9 and”.

10 (b) USE OF OTHER FEDERAL AGENCIES AND
11 LIDAR.—Section 100216 of the Biggert-Waters Flood
12 Insurance Reform Act of 2012 (42 U.S.C. 4101b) is
13 amended—

14 (1) in subsection (b)(1)—

15 (A) by redesignating subparagraphs (B)
16 and (C) as subparagraphs (C) and (D), respec-
17 tively; and

18 (B) by inserting after subparagraph (A)
19 the following:

20 “(B) as soon as practicable—

21 “(i) modernize the flood mapping in-
22 ventory for communities for which the Na-
23 tional Flood Insurance Program rate maps
24 have not been modernized; and

1 “(ii) in coordination with commu-
2 nities, utilize the digital display environ-
3 ment established under subsection
4 (f)(1)(A) to produce, store, and dissemi-
5 nate any flood hazard data, models, and
6 maps generated under clause (i) while en-
7 suring that the flood mapping inventory
8 described in that clause may be printed in
9 order to carry out—

10 “(I) floodplain management pro-
11 grams under the National Flood In-
12 surance Act of 1968 (42 U.S.C. 4001
13 et seq.); and

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

16 (i) in subparagraph (C), as so redesis-
17 gnated, by striking “and” at the end;

18 (ii) in subparagraph (D), as so redesis-
19 gnated, by striking the period at the end
20 and inserting “, including the most current
21 and most appropriate remote sensing or
22 other geospatial mapping technology; and”;
23 and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(E) when appropriate, partner with other
2 Federal agencies, States, communities, and pri-
3 vate entities in order to meet the objectives of
4 the program.”;

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

7 “(f) DIGITAL DISPLAY ENVIRONMENT AND BUILD-
8 ING-SPECIFIC FLOOD HAZARD AND RISK INFORMA-
9 TION.—

10 “(1) ESTABLISHMENT.—

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

20 “(B) CONSULTATION WITH STATES AND
21 COMMUNITIES.—In designing and constructing
22 the digital display environment under subpara-
23 graph (A), the Administrator shall—

1 “(i) leverage and partner with States
2 and communities that have successfully im-
3 plemented the same approach; and

4 “(ii) consider adopting the techniques
5 and technologies used by the States and
6 communities described in clause (i) and ap-
7 plying those techniques and technologies
8 nationwide.

9 “(2) DIGITAL DISPLAY SYSTEM.—

10 “(A) IN GENERAL.—In carrying out para-
11 graph (1), the Administrator, in consultation
12 with the Technical Mapping Advisory Council,
13 shall establish a national digital display system
14 that shall—

15 “(i) be prompted through dynamic
16 querying of a spatial, relational flood haz-
17 ard and risk database;

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

20 “(iii) to the extent feasible, and where
21 sufficient data is available, provide infor-
22 mation, with respect to individual struc-
23 tures, regarding—

24 “(I) flood hazard and risk assess-
25 ment determinations;

1 “(II) flood insurance; and

2 “(III) flood risk mitigation ef-
3 forts;

4 “(iv) be constructed in a manner that
5 facilitates coordination with digital display
6 systems that—

7 “(I) have been developed by
8 State and community partners; and

9 “(II) the Administrator finds are
10 acceptable;

11 “(v) include the capability to print
12 physical copies of maps; and

13 “(vi) where feasible, allow for the
14 maintenance and storage of elevation cer-
15 tificates.

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

24 (3) by inserting after subsection (k) as added
25 by the preceding provisions of this Act:

1 “(1) ANNUAL REPORT.—The Administrator, in co-
2 ordination with the Technical Mapping Advisory Council
3 established under section 100215 of this Act, shall submit
4 to the Committee on Financial Services of the House of
5 Representatives and the Committee on Banking, Housing,
6 and Urban Affairs of the Senate an annual report regard-
7 ing progress achieved in the mapping program under this
8 section, including the digital display and structure-specific
9 information required under subsection (f), which shall in-
10 clude recommendations to reduce the cost and improve the
11 implementation of that subsection.”.

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

16 “(3) FUTURE FLOOD RISK.—The Administrator
17 shall, in consultation with the Technical Mapping
18 Council established under section 100215, provide fi-
19 nancial and technical assistance to communities to
20 incorporate future flood hazard conditions as an in-
21 formational layer on their Flood Insurance Rate
22 Maps.”.

1 **SEC. 205. APPEALS REGARDING EXISTING FLOOD MAPS.**

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

5 “(k) APPEALS OF EXISTING MAPS.—

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

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

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

18 “(B) factors exist that mitigate the risk of
19 flooding, including ditches, banks, walls, vegeta-
20 tion, levees, lakes, dams, reservoirs, basin, re-
21 tention ponds, and other natural or manmade
22 topographical features.

23 “(3) APPEALS PROCESS.—

24 “(A) ADMINISTRATIVE ADJUDICATION.—
25 An appeal under this subsection shall be deter-
26 mined by a final adjudication on the record,

1 and after opportunity for an administrative
2 hearing.

3 “(B) RIGHTS UPON ADVERSE DECISION.—

4 If an appeal pursuant to subparagraph (A) does
5 not result in a decision in favor of the State,
6 local government, owner, or lessee, such party
7 may appeal the adverse decision to the Sci-
8 entific Resolution Panel provided for in section
9 1363A, which shall recommend a non-binding
10 decision to the Administrator.

11 “(4) RELIEF.—

12 “(A) WHOLLY SUCCESSFUL APPEALS.—In
13 the case of a successful appeal resulting in a
14 policyholder’s property being removed from a
15 special flood hazard area, such policyholder may
16 cancel the policy at any time within the current
17 policy year, and the Administrator shall provide
18 such policyholder a refund in the amount of any
19 premiums paid for such policy year, plus any
20 premiums paid for flood insurance coverage
21 that the policyholder was required to purchase
22 or maintain during the 2-year period preceding
23 such policy year.

24 “(B) PARTIALLY SUCCESSFUL APPEALS.—

25 In the case of any appeal in which mitigating

1 factors were determined to have reduced, but
2 not eliminated, the risk of flooding, the Admin-
3 istrator shall reduce the amount of flood insur-
4 ance coverage required to be maintained for the
5 property concerned by the ratio of the success-
6 ful portion of the appeal as compared to the en-
7 tire appeal. The Administrator shall refund to
8 the policyholder any payments made in excess
9 of the amount necessary for such new coverage
10 amount, effective from the time when the miti-
11 gating factor was created or the beginning of
12 the second policy year preceding the determina-
13 tion of the appeal, whichever occurred later.

14 “(C) ADDITIONAL RELIEF.—The Adminis-
15 trator may provide additional refunds in excess
16 of the amounts specified in subparagraphs (A)
17 and (B) if the Administrator determines that
18 such additional amounts are warranted.

19 “(5) RECOVERY OF COSTS.—When, incident to
20 any appeal which is successful in whole or part re-
21 garding the designation of the base flood elevation
22 or any aspect of the flood map, including elevation
23 or designation of a special flood hazard area, the
24 community, or the owner or lessee of real property,
25 as the case may be, incurs expense in connection

1 with the appeal, including services provided by sur-
2 veyors, engineers, and scientific experts, the Admin-
3 istrator shall reimburse such individual or commu-
4 nity for reasonable expenses to an extent measured
5 by the ratio of the successful portion of the appeal
6 as compared to the entire appeal, but not including
7 legal services, in the effecting of an appeal based on
8 a scientific or technical error on the part of the Fed-
9 eral Emergency Management Agency. No reimburse-
10 ment shall be made by the Administrator in respect
11 to any fee or expense payment, the payment of
12 which was agreed to be contingent upon the result
13 of the appeal. The Administrator may use such
14 amounts from the National Flood Insurance Fund
15 established under section 1310 as may be necessary
16 to carry out this paragraph.

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

22 (b) DEADLINE.—The Administrator of the Federal
23 Emergency Management Agency shall issue the guidance
24 referred to section 1360(k)(6) of the National Flood In-
25 surance Act of 1968 (42 U.S.C. 4101(k)(7)), as added by

1 the amendment made by subsection (a) of this section, not
2 later than the expiration of the 6-month period beginning
3 on the date of the enactment of this Act.

4 **SEC. 206. APPEALS AND PUBLICATION OF PROJECTED SPE-**
5 **CIAL FLOOD HAZARD AREAS.**

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

8 (1) in subsection (b), by striking the second
9 sentence and inserting the following: “Any owner or
10 lessee of real property within the community who be-
11 lieves the owner’s or lessee’s rights to be adversely
12 affected by the Administrator’s proposed determina-
13 tion may appeal such determination to the local gov-
14 ernment no later than 90 days after the date of the
15 second publication.”;

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

18 (3) by redesignating subsections (e), (f), and
19 (g) as subsections (f), (g), and (h), respectively; and

20 (4) by inserting after subsection (d) the fol-
21 lowing new subsection:

22 “(e) DETERMINATION BY ADMINISTRATOR IN THE
23 ABSENCE OF APPEALS.—If the Administrator has not re-
24 ceived any appeals, upon expiration of the 90-day appeal
25 period established under subsection (b) of this section the

1 Administrator’s proposed determination shall become
2 final. The community shall be given a reasonable time
3 after the Administrator’s final determination in which to
4 adopt local land use and control measures consistent with
5 the Administrator’s determination.”.

6 (b) PUBLICATION.—Subsection (a) of section 1363 of
7 the National Flood Insurance Act of 1968 (42 U.S.C.
8 4104(a)) is amended by striking “in the Federal Reg-
9 ister”.

10 **SEC. 207. COMMUNICATION AND OUTREACH REGARDING**
11 **MAP CHANGES.**

12 Paragraph (1) of section 100216(d) of the Biggert-
13 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
14 4101b(d)(1)) is amended—

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

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

19 **SEC. 208. ADOPTION OF PARTIAL FLOOD MAPS.**

20 Subsection (f) of section 1360 of the National Flood
21 Insurance Act of 1968 (42 U.S.C. 4101(f)) is amended
22 by adding at the end the following new flush matter:
23 “Panels of the revised flood insurance rate maps for which
24 no appeal has been submitted during the 90-day period
25 referred to in subsection (b) shall be considered final.”.

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

2 Section 1360 of the National Flood Insurance Act of
3 1968 (42 U.S.C. 4101), as amended by section 4 of this
4 Act, is further amended by adding at the end the fol-
5 lowing:

6 “(l) LEVEE-IMPACTED AREAS.—

7 “(1) IN GENERAL.—Subject to full implementa-
8 tion of subparagraphs (A)(iii) and (B) of section
9 100216(b)(1) of the Biggert-Waters Flood Insur-
10 ance Reform Act of 2012 (42 U.S.C. 4101b(b)(1))
11 and notwithstanding any other provision of law, if a
12 community applies to the Administrator for the re-
13 mapping of a levee-impacted area in which the perti-
14 nent levee system fails to meet the minimum design,
15 operation, and maintenance standards of the Na-
16 tional Flood Insurance Program required for levee
17 accreditation on a flood insurance rate map in ac-
18 cordance with the Levee Analysis Mapping Proce-
19 dure initiated by the Administrator to replace the
20 ‘without levees’ approach to a Flood Insurance
21 Study, the Administrator shall—

22 “(A) establish flood risk zones for those
23 levee-impacted areas on such maps, to be
24 known as ‘AL–E zones’, that have an estab-
25 lished elevation for community floodplain man-
26 agement; and

1 “(B) make flood insurance available to
2 properties located within those levee-impacted
3 areas.

4 “(2) TRANSITION.—During the period begin-
5 ning on the date of enactment of this subsection and
6 ending on the date on which the Administrator de-
7 velops rates for the various AL–E zones, a structure
8 located in a portion of a community that is located
9 within a levee-impacted area described in paragraph
10 (1) shall be eligible for rates associated with areas
11 of moderate flood hazards.”.

12 **SEC. 210. AGRICULTURAL STRUCTURES IN SPECIAL FLOOD**
13 **HAZARD ZONES.**

14 (a) REQUIREMENTS FOR STATE AND LOCAL LAND
15 USE CONTROLS.—Subsection (a) of section 1315 of the
16 National Flood Insurance Act of 1968 (42 U.S.C.
17 4022(a)) is amended by adding at the end the following
18 new paragraph:

19 “(3) ALLOWABLE LOCAL VARIANCES FOR CER-
20 TAIN AGRICULTURAL STRUCTURES.—

21 “(A) REQUIREMENT.—Notwithstanding
22 any other provision of this Act—

23 “(i) the land use and control meas-
24 ures adopted pursuant to paragraph (1)
25 may not, for purposes of such paragraph,

1 be considered to be inadequate or incon-
2 sistent with the comprehensive criteria for
3 land management and use under section
4 1361 because such measures provide that,
5 in the case of any agricultural structure
6 that is located in an area having special
7 flood hazards, a variance from compliance
8 with the requirements to elevate or
9 floodproof such a structure and meeting
10 the requirements of subparagraph (B) may
11 be granted; and

12 “(ii) the Administrator may not sus-
13 pend a community from participation in
14 the national flood insurance program, or
15 place such a community on probation
16 under such program, because such land
17 use and control measures provide for such
18 a variance.

19 This subparagraph shall not limit the ability of
20 the Administrator to take enforcement action
21 against a community that does not adopt ade-
22 quate variance criteria or establish proper en-
23 forcement mechanisms.

1 “(B) VARIANCE; CONSIDERATIONS.—The
2 requirements of this subparagraph with respect
3 to a variance are as follows:

4 “(i) The variance is granted by an of-
5 ficial from a duly constituted State or local
6 zoning authority, or other authorized pub-
7 lic body responsible for regulating land de-
8 velopment or occupancy in flood-prone
9 areas.

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

12 “(I) that neither floodproofing
13 nor elevation of the new structure to
14 the base flood elevation is practicable;
15 and

16 “(II) that the structure is not lo-
17 cated in—

18 “(aa) a designated regu-
19 latory floodway;

20 “(bb) an area riverward of a
21 levee or other flood control struc-
22 ture; or

23 “(cc) an area subject to high
24 velocity wave action or seaward
25 of flood control structures.

1 “(iii) In the case of existing struc-
2 tures—

3 “(I) if such structure is substan-
4 tially damaged or in need of substan-
5 tial repairs or improvements, such of-
6 ficial has determined that neither
7 floodproofing nor elevation to the base
8 flood elevation is practicable; and

9 “(II) if such structure is located
10 within a designated regulatory flood-
11 way, such official has determined that
12 the repair or improvement does not
13 result in any increase in base flood
14 levels during the base flood discharge.

15 “(iv) Such official has determined
16 that the variance will not result in in-
17 creased flood heights, additional threats to
18 public safety, extraordinary public expense,
19 create nuisances, cause fraud on or victim-
20 ization of the public, or conflict with exist-
21 ing local laws or ordinances.

22 “(v) Not more than one claim pay-
23 ment exceeding \$1,000 has been made for
24 the structure under flood insurance cov-
25 erage under this title within any period of

1 10 consecutive years at any time prior to
2 the granting of the variance.

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

5 “(i) AGRICULTURAL STRUCTURE.—
6 The term ‘agricultural structure’ has the
7 meaning given such term in paragraph
8 (2)(D).

9 “(ii) FLOODPROOFING.—The term
10 ‘floodproofing’ means, with respect to a
11 structure, any combination of structural
12 and non-structural additions, changes, or
13 adjustments to the structure, including at-
14 tendant utilities and equipment, that re-
15 duce or eliminate potential flood damage to
16 real estate or improved real property,
17 water and sanitary facilities, structures, or
18 their contents.”.

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

22 “(n) PREMIUM RATES FOR CERTAIN AGRICULTURAL
23 STRUCTURES WITH VARIANCES.—Notwithstanding any
24 other provision of this Act, the chargeable premium rate
25 for coverage under this title for any structure provided a

1 variance pursuant to section 1315(a)(3) shall be the same
2 as the rate that otherwise would apply to such structure
3 if the structure had been dry floodproofed or a comparable
4 actuarial rate based upon the risk associated with struc-
5 tures within the applicable AL–E zone established under
6 section 1360(l).”.

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

8 Paragraph (1) of section 100215(b) of the Biggert-
9 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
10 4101a(b)(1)) is amended—

11 (1) by redesignating subparagraphs (A) through
12 (E) as subparagraphs (B) through (F), respectively;

13 (2) by inserting before subparagraph (B), as so
14 redesignated by subparagraph (A) of this paragraph,
15 the following new subparagraph:

16 “(A) the Director of the United States Ge-
17 ological Survey;”;

18 (3) in subparagraph (F), as so redesignated by
19 subparagraph (A) of this paragraph—

20 (A) in the matter preceding clause (i), by
21 striking “16” and inserting “17”;

22 (B) in clause (xiii), by striking “and” at
23 the end;

24 (C) in clause (xiv), by striking the period
25 at the end and inserting “; and”; and

1 (D) by adding at the end the following new
2 clause:

3 “(xv) a member of a recognized pro-
4 fessional real estate brokerage associa-
5 tion.”.

6 **TITLE III—MITIGATION**

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

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

10 (1) in paragraph (4), by redesignating subpara-
11 graphs (A) through (D) as clauses (i) through (iv),
12 respectively;

13 (2) by redesignating paragraphs (1) through
14 (3) as subparagraphs (A) through (C), respectively;

15 (3) in subparagraph (C) as so redesignated, by
16 striking the period at the end and inserting a semi-
17 colon;

18 (4) by redesignating paragraph (4) as subpara-
19 graph (E);

20 (5) by inserting after subparagraph (C), as so
21 redesignated, the following:

22 “(D) properties identified by the Adminis-
23 trator as priorities for mitigation activities be-
24 fore the occurrence of damage to or loss of

1 property which is covered by flood insurance;
2 and”;

3 (6) by inserting before “The national flood in-
4 surance program” the following: “(1) IN GEN-
5 ERAL.—”;

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

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

9 (8) by adding at the end the following new
10 paragraphs:

11 “(3) AMOUNT OF COVERAGE.—Each policy for flood
12 insurance coverage made available under this title shall
13 provide coverage under this subsection having an aggre-
14 gate liability for any single property of \$60,000.

15 “(4) ELIGIBLE MITIGATION ACTIVITIES.—

16 “(A) IN GENERAL.—Eligible mitigation meth-
17 ods the cost of which is covered by coverage provided
18 under this subsection shall include—

19 “(i) alternative methods of mitigation iden-
20 tified in the guidelines issued pursuant to sec-
21 tion 1361(d);

22 “(ii) pre-disaster mitigation projects for el-
23 igible structures (as such term is defined in
24 subparagraph (C)); and

1 “(iii) costs associated with the purchase,
2 clearing, and stabilization of property that is
3 part of an acquisition or relocation program
4 that complies with subparagraph (B).

5 “(B) ACQUISITION AND RELOCATION PROJECT
6 ELIGIBILITY AND REQUIREMENTS.—

7 “(i) IN GENERAL.—An acquisition or relo-
8 cation project shall be eligible to receive assist-
9 ance pursuant to subparagraph (A)(iii) only
10 if—

11 “(I) any property acquired, accepted,
12 or from which a structure will be removed
13 shall be dedicated and maintained in per-
14 petuity for a use that is compatible with
15 open space, recreational, or wetlands man-
16 agement practices; and

17 “(II) any new structure erected on
18 such property will be—

19 “(aa) a public facility that is
20 open on all sides and functionally re-
21 lated to a designated open space;

22 “(bb) a restroom; or

23 “(cc) a structure that the Admin-
24 istrator approves in writing before the

1 commencement of the construction of
2 the structure.

3 “(ii) FURTHER ASSISTANCE.—If an acqui-
4 sition or relocation project is assisted pursuant
5 to subparagraph (A)(iii)—

6 “(I) no person may apply to a Federal
7 entity for disaster assistance with regard
8 to any property acquired, accepted, or
9 from which a structure was removed as
10 part of such acquisition or relocation
11 project; and

12 “(II) no Federal entity may provide
13 disaster assistance for such property.

14 “(iii) REQUIREMENT TO MAINTAIN FLOOD
15 INSURANCE COVERAGE.—

16 “(I) IN GENERAL.—Notwithstanding
17 any other provision of law, any assisted
18 structure (as such term is defined in sub-
19 clause (III)) shall, at all times, maintain
20 insurance against flood damage, in accord-
21 ance with Federal law, for the life of such
22 structure.

23 “(II) TRANSFER OF PROPERTY.—

24 “(aa) DUTY TO NOTIFY.—If any
25 part of a property on which an as-

1 sisted structure is located is trans-
2 ferred, the transferor shall, not later
3 than the date on which such transfer
4 occurs, notify the transferee in writ-
5 ing, including in all documents evi-
6 dencing the transfer of ownership of
7 the property of the requirements, that
8 such transferee is required to—

9 “(AA) obtain flood insur-
10 ance in accordance with applica-
11 ble Federal law with respect to
12 such assisted structure, if such
13 structure is not so insured on the
14 date on which the structure is
15 transferred; and

16 “(BB) maintain flood insur-
17 ance in accordance with applica-
18 ble Federal law with respect to
19 such structure.

20 “(bb) FAILURE TO NOTIFY.—If a
21 transferor fails to make a notification
22 in accordance with item (aa) and such
23 assisted structure is damaged by a
24 flood disaster, the transferor shall pay
25 the Federal Government an amount

1 equal to the amount of any disaster
2 relief provided by the Federal govern-
3 ment with respect to such assisted
4 structure.

5 “(III) ASSISTED STRUCTURE DE-
6 FINED.—For the purposes of this clause,
7 the term ‘assisted structure’ means a
8 structure on property that is part of an ac-
9 quisition or relocation project assisted pur-
10 suant to subparagraph (A) that was, as
11 part of such acquisition or relocation
12 project—

13 “(aa) altered;

14 “(bb) improved;

15 “(cc) replaced;

16 “(dd) repaired; or

17 “(ee) restored.

18 “(C) ELIGIBLE STRUCTURE DEFINED.—For
19 purposes of this paragraph, the term ‘eligible struc-
20 ture’ means any structure that—

21 “(i) was constructed in compliance with
22 the Flood Insurance Rate Map and local build-
23 ing and zoning codes in effect at the date of
24 construction of the structure; and

1 “(ii) has not previously been altered, im-
2 proved, replaced, or repaired using assistance
3 provided under this subsection.

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

12 “(6) IMPLEMENTATION.—Notwithstanding any other
13 provision of law, the Administrator may implement this
14 subsection by adopting one or more standard endorse-
15 ments to the Standard Flood Insurance Policy by publica-
16 tion of such standards in the Federal Register, or by com-
17 parable means.”.

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

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

23 “(e) MULTIPLE-LOSS PROPERTIES.—In making de-
24 terminations regarding financial assistance under the au-
25 thorities of this Act, the Administrator may consider the

1 extent to which a community is working to remedy prob-
2 lems with addressing multiple-loss properties.

3 “(1) DEFINITIONS.—For purposes of this sub-
4 section, the following definitions shall apply:

5 “(A) MULTIPLE-LOSS PROPERTY.—The
6 term ‘multiple-loss property’ means any prop-
7 erty that is a repetitive-loss property, a severe
8 repetitive-loss property, or an extreme repet-
9 itive-loss property.

10 “(B) REPETITIVE-LOSS PROPERTY.—The
11 term ‘repetitive-loss property’ means a struc-
12 ture that has incurred flood-related damage for
13 which 2 or more separate claims payments of
14 any amount have been made under flood insur-
15 ance coverage under this title.

16 “(C) SEVERE REPETITIVE-LOSS PROP-
17 erty.—The term ‘severe repetitive-loss prop-
18 erty’ means a structure that has incurred flood-
19 related damage described in subparagraph (B)
20 of section 1307(h)(1).

21 “(D) EXTREME REPETITIVE-LOSS PROP-
22 erty.—The term ‘extreme repetitive-loss prop-
23 erty’ means a structure that has incurred flood-
24 related damage for which at least 2 separate
25 claims have been made under flood insurance

1 coverage under this title, with the cumulative
2 amount of such claims payments exceeding 150
3 percent of the maximum coverage amount avail-
4 able for the structure.”.

5 (b) DEFINITIONS.—Subsection (a) of section 1370 of
6 the National Flood Insurance Act of 1968 (42 U.S.C.
7 4121) is amended—

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

11 (2) by striking paragraph (7) and inserting the
12 following new paragraphs:

13 “(7) MULTIPLE-LOSS PROPERTY.—The term
14 ‘multiple-loss property’ means any property that is a
15 repetitive-loss property, a severe repetitive-loss prop-
16 erty, or an extreme repetitive-loss property.

17 “(8) REPETITIVE-LOSS PROPERTY.—The term
18 ‘repetitive-loss property’ means a structure that has
19 incurred flood-related damage for which 2 or more
20 separate claims payments of any amount have been
21 made under flood insurance coverage under this
22 title.

23 “(9) SEVERE REPETITIVE-LOSS PROPERTY.—
24 The term ‘severe repetitive-loss property’ means a

1 structure that has incurred flood-related damage de-
2 scribed in subparagraph (B) of section 1307(h)(1).

3 “(10) EXTREME REPETITIVE-LOSS PROP-
4 ERTY.—The term ‘extreme repetitive-loss property’
5 means a structure that has incurred flood-related
6 damage for which at least 2 separate claims have
7 been made under flood insurance coverage under
8 this title, with the cumulative amount of such claims
9 payments exceeding 150 percent of the maximum
10 coverage amount available for the structure.”.

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

13 (1) in section 1304(b)(1) (42 U.S.C.
14 4011(b)(1)), by striking “repetitive loss structures”
15 and inserting “repetitive-loss properties”;

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

17 (A) in subsection (a)(2)(B), by striking
18 “repetitive loss property” and inserting “repet-
19 itive-loss property”;

20 (B) in subsection (g)(2)(B), by striking
21 “repetitive loss property” each place such term
22 appears and inserting “repetitive-loss prop-
23 erty”; and

24 (C) by striking 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 “repetitive-loss
7 properties”;

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

17 (II) in the matter preceding sub-
18 paragraph (A), by striking “repetitive
19 loss structures” and inserting “repetitive-loss
20 properties”; and

21 (ii) in paragraph (2)—

22 (I) in the paragraph heading, by
23 striking “REPETITIVE LOSS STRUC-
24 TURES” and inserting “REPETITIVE-
25 LOSS PROPERTIES”; and

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

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

6 **SEC. 303. PREMIUM RATES FOR CERTAIN MITIGATED PROP-**
7 **ERTIES.**

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

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

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

15 (3) by inserting after subparagraph (B) the fol-
16 lowing new subparagraphs:

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

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

22 (b) MITIGATION CREDIT.—Subsection (k) of section
23 1308 of the National Flood Insurance Act of 1968 (42
24 U.S.C. 4015(k)) is amended—

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

3 “(1) take into account”;

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

8 (3) by adding at the end the following new
9 paragraph:

10 “(2) offer a reduction of the risk premium rate
11 charged to a policyholder, as determined by the Ad-
12 ministrator, if the policyholder implements any miti-
13 gation method described in paragraph (1).”.

14 **SEC. 304. COVERAGE FOR COOPERATIVES.**

15 (a) EQUAL TREATMENT WITH CONDOMINIUMS.—
16 Section 1306 of the National Flood Insurance Act of 1968
17 (42 U.S.C. 4013) is amended by adding at the end the
18 following:

19 “(e) COOPERATIVE BUILDINGS.—Notwithstanding
20 any other provision of law, the Administrator shall make
21 flood insurance coverage available to any individual with
22 a membership interest and occupancy agreement in a co-
23 operative housing project on the same terms as any owner
24 of a condominium.”.

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

4 (1) in subsection (c)—

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

7 “flood insurance—

8 “(1) to condominium owners”;

9 (B) by striking the period at the end and
10 inserting “; or”;

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

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

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

22 “(d) DEFINITIONS.—For purposes of this section and
23 section 1306(e), the terms ‘cooperative association’ and
24 ‘cooperative housing project’ shall have such meaning as
25 the Secretary shall provide.”.

1 **SEC. 305. VOLUNTARY COMMUNITY-BASED FLOOD INSUR-**
2 **ANCE PILOT PROGRAM.**

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

10 (1) covers all residential and non-residential
11 properties within the community; and

12 (2) satisfies, for all such properties within the
13 community, the mandatory purchase requirements
14 under section 102 of the Flood Disaster Protection
15 Act of 1973 (42 U.S.C. 4012a).

16 (b) PARTICIPATION.—Participation by a community
17 in the pilot program under this section shall be at the sole
18 discretion of the community.

19 (c) REQUIREMENTS FOR COMMUNITY-WIDE POLI-
20 CIES.—The Administrator shall ensure that a community-
21 wide flood insurance policy made available under the pilot
22 program under this section incorporates the following re-
23 quirements:

24 (1) A mapping requirement for properties cov-
25 ered by the policy.

26 (2) A deductible.

1 (3) Certification or accreditation of mitigation
2 infrastructure when available and appropriate.

3 (4) A community audit.

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

10 (6) Coverage for damage arising from flooding
11 that complies with the standards under the National
12 Flood Insurance Program appropriate to the nature
13 and type of property covered.

14 (d) **TIMING.**—The Administrator may establish the
15 demonstration program under this section not later than
16 the expiration of the 180-day period beginning on the date
17 of the enactment of this Act and the program shall termi-
18 nate on September 30, 2022.

19 (e) **DEFINITION OF COMMUNITY.**—For purposes of
20 this section, the term “community” means any unit of local
21 government, within the meaning given such term under
22 the laws of the applicable State.

23 **SEC. 306. MITIGATION FUNDING.**

24 For each of the first 5 fiscal years beginning after
25 following the date of the enactment of this Act, there is

1 authorized to be appropriated \$200,000,000 to carry out
2 the flood mitigation assistance grant program under sec-
3 tion 1366 of the National Flood Insurance Act of 1968
4 (42 U.S.C. 4104c).

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

6 (a) PROVISION OF COMMUNITY RATING SYSTEM
7 PREMIUM CREDITS TO MAXIMUM NUMBER OF COMMU-
8 NITIES PRACTICABLE.—Subsection (b) of section 1315 of
9 the National Flood Insurance Act of 1968 (42 U.S.C.
10 4022(b)) is amended—

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

13 (2) in paragraph (3), by inserting “, and the
14 Administrator shall provide credits to the maximum
15 number of communities practicable” after “under
16 this program”.

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

21 “(c) GRANTS FOR COMMUNITY RATING SYSTEM PRO-
22 GRAM COORDINATORS.—

23 “(1) AUTHORITY.—The Administrator shall
24 carry out a program to make grants to consortia of
25 States and communities for use only for costs of em-

1 employing or otherwise retaining an individual or indi-
2 viduals to coordinate and carry out responsibilities
3 relating to participation in the community rating
4 system program under subsection (b) for States and
5 communities that are members of such consortia.

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

15 “(3) TIMING.—A consortium receiving a grant
16 under this section shall establish the position or po-
17 sitions described in paragraph (1), and employ or
18 otherwise retain an individual or individuals to fill
19 such position or positions, not later than the date
20 that all such grant amounts are expended.

21 “(4) APPLICATIONS.—The Administrator shall
22 provide for consortia of States and communities to
23 submit applications for grants under this subsection,
24 which shall include—

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

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

6 “(C) such assurances as the Administrator
7 shall require to ensure that the consortia will
8 provide funding sufficient to continue the posi-
9 tion or positions funded with the grant
10 amounts, in the same annual amount as under
11 such grant funding, after such grant funds are
12 expended; and

13 “(D) such other information as the Admin-
14 istrator may require.

15 “(5) SELECTION.—From among eligible con-
16 sortia of States and communities submitting applica-
17 tions pursuant to paragraph (3), the Administrator
18 shall select consortia to receive grants under this
19 subsection in accordance with such competitive cri-
20 teria for such section as the Administrator shall es-
21 tablish.

22 “(6) DEFINITION OF COMMUNITY.—For pur-
23 poses of this section, the term ‘community’ has the
24 meaning given such term in section 1366(h) (42
25 U.S.C. 4104e(h)), except that such term includes

1 counties and regional planning authorities that do
2 not have zoning and building code jurisdiction.

3 “(7) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated for grants
5 under this subsection—

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

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

12 **SEC. 308. COMMUNITY ASSISTANCE PROGRAM FOR EFFEC-**
13 **TIVE FLOODPLAIN MANAGEMENT.**

14 (a) IN GENERAL.—Chapter I of the National Flood
15 Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amend-
16 ed by adding at the end the following:

17 **“SEC. 1326. COMMUNITY ASSISTANCE PROGRAM FOR EF-**
18 **FFECTIVE FLOODPLAIN MANAGEMENT.**

19 “(a) IN GENERAL.—The Administrator shall estab-
20 lish a community assistance program under this section
21 to increase the capacity and capability of States, Indian
22 tribes, and communities to effectively manage flood risk
23 and participate in the national flood insurance program,
24 including the community rating system program under

1 section 1315(b), by providing financial and technical as-
2 sistance to States, tribes and communities.

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

5 “(1) making community assistance grants
6 under subsection (c) to States;

7 “(2) conducting periodic assessments, not less
8 often than once every 5 years, of the technical as-
9 sistance and training needs of States, Indian tribes,
10 and communities;

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

14 “(4) conducting periodic reviews of State, In-
15 dian tribe, and community floodplain management
16 standards by the Administrator to promote contin-
17 uous improvement in building and maintaining effec-
18 tive State floodplain management programs (as such
19 term is defined in subsection (d));

20 “(5) conducting periodic estimates of the losses
21 avoided nationally due to the adoption of qualifying
22 floodplain management standards by States, Indian
23 tribes and communities;

1 “(6) in coordination with each State receiving a
2 grant under subsection (c), developing and executing
3 a strategy to—

4 “(A) provide technical and financial assist-
5 ance to communities, including small and rural
6 communities, and Indian tribes within the
7 State; and

8 “(B) encourage greater participation in the
9 community rating system program; and

10 “(7) establishing goals for States participating
11 in the program and incentives for exceeding such
12 goals.

13 “(c) COMMUNITY ASSISTANCE GRANTS TO
14 STATES.—

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

18 “(A) to increase the capacity and capa-
19 bility of the State and communities and Indian
20 tribes in the State to effectively manage flood
21 risk and to fully participate in the national
22 flood insurance program, including the commu-
23 nity rating system program; and

24 “(B) for activities related to implementa-
25 tion, administration, oversight, and enforcement

1 of the national flood insurance program at the
2 State and local and tribal levels.

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

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

9 “(A) demonstrate, to the satisfaction of
10 the Administrator, that the State has in effect
11 qualifying State floodplain management stand-
12 ards for the State;

13 “(B) agree to submit such reports, certifi-
14 cations, and information to the Administrator
15 as the Administrator shall require, including
16 those required under paragraph (5); and

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

19 “(4) APPLICATION; SELECTION CRITERIA.—The
20 Administrator shall provide for States to submit ap-
21 plications for grants under this subsection, which
22 shall include such information, assurances, and cer-
23 tifications as the Administrator may require, and
24 may establish criteria for selection of qualifying ap-

1 plications to be selected for grants under this sub-
2 section.

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

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

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

15 “(2) QUALIFYING STATE FLOODPLAIN MANAGE-
16 MENT STANDARDS.—The term ‘qualifying State
17 floodplain management standards’ means the flood-
18 plain management standards of a State that—

19 “(A) are specifically authorized under
20 State law and do not conflict with or inhibit the
21 implementation of the National Flood Insur-
22 ance Act of 1968;

23 “(B) designate an entity responsible for co-
24 ordinating the national flood insurance program
25 in the State;

1 “(C) identify State resources and programs
2 to manage floodplains and reduce flood risk;
3 “(D) address on a long-term basis—
4 “(i) integration of floodplain manage-
5 ment activities with other State functions
6 and activities;
7 “(ii) identification of flood hazards;
8 “(iii) management of natural flood-
9 plain functions and resources;
10 “(iv) elimination of adverse impacts of
11 development on the floodplain;
12 “(v) flood mitigation and recovery
13 strategies for the State;
14 “(vi) strategies for informing commu-
15 nities and citizens about flood risk and
16 mitigation options; and
17 “(vii) measures for evaluating the ef-
18 fectiveness of State floodplain management
19 efforts;
20 “(E) include a long-term plan that will fa-
21 cilitate the prioritization and provision of train-
22 ing and technical assistance to communities and
23 Indian tribes in the State to increase local and
24 tribal capacity and capability for floodplain
25 management, including the capacity and capa-

1 bility to participate in the national flood insur-
2 ance program and the community rating system
3 program;

4 “(F) provide for oversight, administration
5 and enforcement of the national flood insurance
6 program at the State and community levels;
7 and

8 “(G) meet such other requirements as the
9 Administrator may establish.

10 “(e) FUNDING.—

11 “(1) AUTHORIZATION OF APPROPRIATIONS.—

12 There is authorized to be appropriated \$20,000,000
13 for each of fiscal years 2019 through 2024 for the
14 National Flood Insurance Fund for carrying out this
15 section. Any amounts appropriated pursuant to this
16 subsection shall remain available until expended.

17 “(2) SET-ASIDES.—From any amounts made
18 available for grants under this section, the Adminis-
19 trator may reserve such amount as the Adminis-
20 trator considers appropriate—

21 “(A) for community assistance grants
22 under subsection (c) to States; and

23 “(B) for additional assistance only for
24 States exceeding the goals established pursuant
25 to subsection (b)(8).”.

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

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

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

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

10 “(9) for carrying out the community assistance
 11 program for effective floodplain management under
 12 section 1326.”.

13 **TITLE IV—MODERNIZATION**

14 **SECTION 401. EFFECT OF PRIVATE FLOOD INSURANCE**

15 **COVERAGE ON CONTINUOUS COVERAGE RE-** 16 **QUIREMENTS.**

17 Section 1308 of the National Flood Insurance Act of
 18 1968 (42 U.S.C. 4015) is amended by adding at the end
 19 the following:

20 “(n) **EFFECT OF PRIVATE FLOOD INSURANCE COV-**
 21 **ERAGE ON CONTINUOUS COVERAGE REQUIREMENTS.—**

22 For purposes of applying any statutory, regulatory, or ad-
 23 ministrative continuous coverage requirement, including
 24 under section 1307(g)(1), the Administrator shall consider
 25 any period during which a property was continuously cov-

1 ered by a flood insurance policy, either offered through
2 the national flood insurance program or private market,
3 that was used to satisfy the requirements under section
4 102(a) of the Flood Disaster Protection Act of 1973 (42
5 U.S.C. 4012a(a)) to be a period of continuous coverage.”.

6 **SEC. 402. OPTIONAL COVERAGE FOR UMBRELLA POLICIES.**

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

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

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

13 (3) by adding at the end the following new
14 paragraph:

15 “(5) the Administrator may provide that, in the
16 case of any commercial property or other residential
17 property, including multifamily rental property and
18 agricultural property, one umbrella policy be made
19 available to every insured upon renewal and every
20 applicant with multiple structures on the same prop-
21 erty, except that—

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

24 “(B) any such coverage shall be made
25 available only at chargeable rates that are not

1 less than the estimated premium rates for such
2 coverage determined in accordance with section
3 1307(a)(1).”.

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

5 Part C of chapter 2 of the National Flood Insurance
6 Act of 1968 (42 U.S.C. 4081 et seq.) is amended by add-
7 ing at the end the following new section:

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

9 “The Administrator shall provide for an independent
10 actuarial study of the National Flood Insurance Program
11 to be conducted annually, which shall analyze the financial
12 position of the Program. The Administrator shall submit
13 a report annually to the Congress describing the results
14 of such study and assessing the financial status of the
15 Program. The report shall recommend adjustments to un-
16 derwriting standards, program participation, or pre-
17 miums, if necessary, to ensure that the Program remains
18 financially sound. The report shall also include an evalua-
19 tion of the quality control procedures and accuracy of in-
20 formation utilized in the process of underwriting National
21 Flood Insurance Program policies. Such evaluation shall
22 include a review of the risk characteristics of policies.”.

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