

118TH CONGRESS
1ST SESSION

S. 3153

To amend the National Flood Insurance Act of 1968 to establish a pilot program to increase the allowable amounts of advance payments under the National Flood Insurance Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 2023

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the National Flood Insurance Act of 1968 to establish a pilot program to increase the allowable amounts of advance payments under the National Flood Insurance Program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Emergency Advance
5 Payments Modernization Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) advance payments made by the Federal
2 Emergency Management Agency (referred to in this
3 section as “FEMA”) have proven to be beneficial to
4 those impacted by disasters;

5 (2) FEMA has provided millions of dollars in
6 advance payments to policyholders under the Na-
7 tional Flood Insurance Program who have started
8 the claims process under that Program;

9 (3) the payments described in paragraph (2)
10 are critical in helping policyholders as they begin to
11 clean up and repair homes that have been devastated
12 by natural disasters;

13 (4) while advance payments have proven to be
14 beneficial to those impacted by disasters, there are
15 still significant limitations to the process; and

16 (5) there are technological advances that can
17 enhance the advance payments program, and FEMA
18 should harness those advances to improve the cus-
19 tomer experience and streamline FEMA’s payments
20 program with the overall goal of easing burdens on
21 those whose lives have been shattered by natural dis-
22 asters.

1 **SEC. 3. PILOT PROGRAM FOR REMOTE NATIONAL FLOOD**
2 **INSURANCE PROGRAM CLAIMS.**

3 Part C of chapter II of the National Flood Insurance
4 Act of 1968 (42 U.S.C. 4081 et seq.) is amended by add-
5 ing at the end the following:

6 **“SEC. 1349. ADVANCE PAYMENTS PILOT PROGRAM.**

7 “(a) DEFINITIONS.—In this section:

8 “(1) COVERED DATA.—The term ‘covered data’
9 means real-time, rapid monitoring data, including
10 data obtained through remote sensing technology.

11 “(2) COVERED PROPERTY.—The term ‘covered
12 property’ means a property for which the Adminis-
13 trator has received covered data indicating that
14 flooding has occurred.

15 “(3) ELIGIBLE POLICYHOLDER.—The term ‘eli-
16 gible policyholder’ means a person holding coverage
17 made available under the national flood insurance
18 program, where the property that is the subject of
19 that coverage is a covered property.

20 “(b) PILOT PROGRAM.—

21 “(1) ESTABLISHMENT.—Not later than 180
22 days after the date of enactment of this section, the
23 Administrator shall establish a pilot program that
24 uses covered data to—

1 “(A) increase the speed with which claims
2 payments under the national flood insurance
3 program are delivered to eligible policyholders;

4 “(B) increase the amount, and enhance the
5 delivery, of advance claims payments under the
6 national flood insurance program made to eligi-
7 ble policyholders; and

8 “(C) further explore how covered data can
9 be used to enhance customer service and effi-
10 ciency with respect to the claims process under
11 the national flood insurance program.

12 “(2) TERMINATION.—The pilot program estab-
13 lished under paragraph (1) shall terminate on the
14 date that is 1 year after the date on which the Ad-
15 ministrator establishes the pilot program.

16 “(c) REPORT.—Not later than 180 days after the
17 date on which the pilot program established under sub-
18 section (b) terminates, the Administrator shall submit to
19 Congress a report that describes any measurable changes
20 that such pilot program has had on—

21 “(1) administrative costs with respect to the na-
22 tional flood insurance program; or

23 “(2) the timeliness with which the Adminis-
24 trator pays claims under the national flood insur-
25 ance program.

1 “(d) OVERPAYMENT FORGIVENESS.—Notwith-
2 standing any provision of section 1310, the Administrator
3 may use amounts in the National Flood Insurance Fund
4 to forgive any amounts overpaid to an eligible policyholder
5 as a result of a pre-inspection advance payment provided
6 under this section.”.

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