[DISCUSSION DRAFT]

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. ______ introduced the following bill; which was referred to the Committee on ____________________

A BILL

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

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “National Flood Insurance Program Reauthorization Act of 2021”.

(b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Congressional findings.
TITLE I—REAUTHORIZATION AND AFFORDABILITY

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

TITLE II—MAPPING

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

TITLE III—MITIGATION

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

TITLE II—MODERNIZATION

Sec. 401. Effect of private flood insurance coverage on continuous coverage requirements.
Sec. 402. Optional coverage for blanket property policies.
Sec. 403. Annual independent actuarial study.
Sec. 404. Data exchange program.
Sec. 405. Elevation certificates.
Sec. 406. Leveraging risk transfer opportunities for a sound financial framework.
Sec. 407. Write-Your-Own arrangements.
Sec. 408. Registration of adjusters; training of floodplain managers.
Sec. 409. Study on increasing participation.
SEC. 2. CONGRESSIONAL FINDINGS.

The Congress finds that—

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

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

(3) the National Flood Insurance Program (NFIP) is a key component of the Federal Government’s efforts to minimize the damage and financial impact of floods;

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

(5) affordability of flood insurance coverage remains a serious concern;

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

(7) a policyholder’s ability to pay for flood insurance coverage should be considered for premium rate discounts; and

(8) in the absence of widespread private insurance industry participation, and as a matter of national policy, the Federal Government must ensure the availability and affordability of flood insurance.
TITLE I—REAUTHORIZATION AND AFFORDABILITY

SEC. 101. PROGRAM EXTENSION.

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

(b) Program Expiration.—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking “September 30, 2021” and inserting “September 30, 2026”.

(c) Retroactive Effective Date.—If this Act is enacted after September 30, 2021, the amendments made by subsections (a) and (b) shall take effect as if enacted on September 30, 2021.

SEC. 102. DEMONSTRATION PROGRAM FOR POLICY AFFORDABILITY.

(a) Authority.—

(1) In General.—The Administrator of the Federal Emergency Management Agency shall establish and carry out a demonstration program under this section to demonstrate the effectiveness of providing means-tested discounted rates for flood insurance coverage made available under the National Flood Insurance Act of 1968 for eligible households.
(2) CONSULTATION.—The Administrator may consult with the Secretary of the Treasury and the Secretary of Housing and Urban Development about the implementation of the program established pursuant to paragraph (1).

(b) ELIGIBLE HOUSEHOLDS AND PROPERTIES.—The Administrator may provide discounted premium rates pursuant to this section only for properties that are—

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

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

(3) the primary residence of a current policyholder under such program and household whose income does not exceed 80 percent of the area median income determined by the Secretary of Housing and Urban Development for purposes of the United States Housing Act of 1937.

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

(d) PREMIUM DISCOUNTS.—Notwithstanding sections 1307 and 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4014, 4015), the chargeable premium rate for flood insurance coverage made available under the
program under this section shall be an amount that is equal to 2 percent of annual area median income for the area within which is located the property for which the coverage is provided, except that the chargeable premium rate provided to a policyholder under this subsection shall not exceed that of any rate that would otherwise be applicable.

(e) Disclosure of Full-Risk Rate.—The Administrator shall provide to each policyholder purchasing flood insurance coverage under the program under this section for a property, not later than the commencement of the period of such coverage, a written statement setting forth the full actuarial premium rate for coverage for such property determined in accordance with section 1307(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)), the amount of the premium discount for such coverage, and any other information the Administrator considers helpful to policyholders in understanding flood insurance coverage and costs.

(f) Guidance.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall issue guidance providing for the establishment of the demonstration program under this section, which shall include—
(1) an estimation of the cost of such program stated in terms of the aggregate of premium discounts to be made available under the program;

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

(3) any new requirements to which policyholders participating in such program will be subject; and

(4) the results of any consultation with the Secretary of the Treasury or the Secretary of Housing and Urban Development.

(g) REPORT TO CONGRESS.—

(1) COLLECTION OF INFORMATION.—The Administrator shall collect by survey or other means, for each participating community in the national flood insurance program in which a policyholder under such program resides who received a discount under the demonstration program under this section and regarding each year during the period beginning 5 years before implementation of the demonstration program under this section and ending upon the termination date under subsection (i), the following information:
(A) The demographic characteristics of households purchasing flood insurance coverage under such program.

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

(C) The number of properties located in areas for which a major disaster related to flooding was declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

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

(E) For all properties in such community receiving discounted rates under the demonstration program under this section, the aggregate amount of the premium rate for coverage that is determined in accordance with section 1307(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)) and the aggregate amount of premium discounts provided under the demonstration program.

(F) For all properties in such community, any changes to full actuarial premium rates due
to changes to flood maps and flood risk data or
other factors.

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

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

(B) an estimate of the cost of the program
to the National Flood Insurance Fund under
section 1310 of the National Flood Insurance

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

(1) ADMINISTRATOR.—The term “Adminis-
trator” means the Administrator of the Federal
Emergency Management Agency.
(2) PREMIUM DISCOUNT.—The term “premium discount” means, with respect to a policy for flood insurance coverage under the national flood insurance program made available under the program under this section, the amount by which the full actuarial premium rate for coverage for such property that is determined in accordance with section 1307(a)(1) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(1)) exceeds the chargeable premium rate for the coverage made available under the program under this section.

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

SEC. 103. PREMIUM AND FEES RELIEF FOR FAMILIES AND SMALL BUSINESSES.

(a) REPEAL OF SURCHARGE.—

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

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

(A) in section 1308(m) (42 U.S.C. 4015(m))—
(i) in paragraph (1), by striking “and the surcharges required under section 1308A”; and
(ii) in paragraph (2), by striking “or surcharges”; and
(B) in section 1310A(c) (42 U.S.C. 4017a(c)), by striking paragraph (4).

(b) SMALL LOAN EXCEPTION TO MANDATORY PURCHASE REQUIREMENT.—Subparagraph (A) of section 102(c)(2) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(c)(2)(A)) is amended by inserting before the semicolon the following: “in the case of a residential structure, or $25,000 or less in the case of a non-residential structure”.

SEC. 104. MONTHLY INSTALLMENT PAYMENT OF PREMIUMS.

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

(1) by striking the subsection designation and all that follows through “With respect” and inserting the following:

“(g) FREQUENCY OF PREMIUM COLLECTION.—

“(1) OPTIONS.—With respect”; and

(2) by adding at the end the following:
“(2) MONTHLY INSTALLMENT PAYMENT OF PREMIUMS.—

“(A) EXEMPTION FROM RULEMAKING.—

Until such time as the Administrator promulgates regulations implementing paragraph (1) of this subsection, the Administrator may adopt policies and procedures, notwithstanding any other provisions of law and in alignment and consistent with existing industry escrow and servicing standards, necessary to implement such paragraph without undergoing notice and comment rulemaking and without conducting regulatory analyses otherwise required by statute, regulation, or Executive order.

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

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

“(i) during the 12-month period beginning on the date of the enactment of this subparagraph, charge policyholders choosing to pay premiums in monthly installments a fee for the total cost of the
monthly collection of premiums not to exceed $25 annually; and

“(ii) after the expiration of the 12-month period referred to in clause (i), adjust the fee charged annually to cover the total cost of the monthly collection of premiums as determined by the report submitted pursuant to subparagraph (D).

“(D) ANNUAL REPORTS.—On an annual basis, the Administrator shall report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate the ongoing costs associated with the monthly payment of premiums.”.

(b) IMPLEMENTATION.—Clause (ii) of section 1307(a)(1)(B) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(1)(B)(ii)) is amended by inserting before “any administrative expenses” the following: “the costs associated with the monthly collection of premiums provided for in section 1308(g) (42 U.S.C. 4015(g)), but only if such costs exceed the operating costs and allowances set forth in clause (i) of this subparagraph, and”.

SEC. 105. STATE REVOLVING LOAN FUNDS FOR LOW-INTEREST LOANS.

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

“SEC. 1326. STATE REVOLVING LOAN FUNDS FOR LOW-INTEREST LOANS.

“(a) DEFINITIONS.—In this section—

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

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

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

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

“(5) the terms ‘participating State’ and ‘participating tribal government’ mean a State or tribal government, respectively, that—
“(A) has entered into an agreement under subsection (b)(1); and

“(B) agrees to comply with the requirements of this section;

“(6) the term ‘pre-FIRM building’ means a building for which construction or substantial improvement occurred before December 31, 1974, or before the effective date of the initial flood map and flood risk data published by the Administrator under section 1360 for the area in which the building is located, whichever is later;

“(7) the terms ‘State loan fund’ and ‘tribal government loan fund’ mean a flood mitigation assistance revolving loan fund established by a participating State or participating tribal government, respectively, under this section; and

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

“(b) GENERAL AUTHORITY.—

“(1) IN GENERAL.—The Administrator may enter into an agreement with an State or tribal gov-
ernment to provide a capitalization grant for the State or tribal government to establish a revolving fund that will provide funding assistance to help homeowners, businesses, nonprofit organizations, and communities reduce flood risk in order to decrease—

“(A) the loss of life and property;
“(B) the cost of flood insurance; and
“(C) Federal disaster payments.

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

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

“(i) deposit the grant in the State loan fund of the State or the tribal loan fund of the participating or participating tribal government, as appropriate; and
“(ii) enter into one or more binding agreements that provide for the State or tribal government to distribute the grant
funds for purposes authorized under subsection (c) such that—

“(I) in the case of the initial grant made under this section to a State or tribal government, not less than 75 percent of the amount of the grant funds shall be distributed before the expiration of the 24-month period beginning upon deposit of such funds in the State loan fund of the State or tribal loan fund of the tribal government, as appropriate; and

“(II) in the case of any subsequent grant made under this section to a State or tribal government, not less than 90 percent of the amount of the grant funds made under the capitalization grant shall be distributed before the expiration of the 12-month period beginning upon deposit of such funds in the State loan fund of the State or the tribal loan fund of the tribal government, as appropriate.

“(B) NONCOMPLIANCE.—Except as provided in subparagraph (C), if a participating
State or participating tribal government does not comply with subparagraph (A) with respect to a grant, the Administrator shall reallocate the grant in accordance with paragraph (3)(B).

“(C) EXCEPTION.—The Administrator may not reallocate any funds under subparagraph (B) to a participating State or tribal government that violated subparagraph (A) with respect to a grant made during the same fiscal year in which the funds to be reallocated were originally made available.

“(3) ALLOCATION.—

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

“(i) for the participating States to deposit in the State loan funds established by the participating States; and

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

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

“(i) Fifty percent of the total amount made available under subparagraph (A)
shall be allocated so that each participating State receives the percentage amount that is obtained by dividing the number of properties that were insured under the national flood insurance program in that State in the fiscal year preceding the fiscal year in which the amount is allocated by the total number of properties that were insured under the national flood insurance program in the fiscal year preceding the fiscal year in which the amount is allocated.

“(ii) Fifty percent of the total amount made available under subparagraph (A) shall be allocated so that each participating State receives a percentage of funds that is equal to the product obtained under clause (iii)(IV) with respect to that participating State after following the procedures described in clause (iii).

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

“(I) Divide the total amount collected in premiums for properties insured under the national flood insur-
ance program in each participating State during the previous fiscal year by the number of properties insured under the national flood insurance program in that State for that fiscal year.

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

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

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

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

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

“(II) if a participating State, based on the requirements under clauses (i) through (iii), would, but for the limit under subclause (I) of this clause, receive an amount that is greater than the amount the State is authorized to receive under that subclause, the difference between the authorized amount and the amount otherwise due to the State under clauses (i) through (iii) shall be allocated to other participating States—

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

“(bb) by using the requirements under clauses (i) through (iii), except that a participating State may receive an allocation under this subclause only if the
allocation does not result in the State receiving a total amount for the fiscal year under subparagraph (A) that is greater than the authorized amount under subclause (I).

“(4) NO REVOLVING FUND REQUIRED.—

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

“(B) STATE MATCHING.—A participating State that exercises the authority under subparagraph (A) in a fiscal year shall provide matching funds from non-Federal sources in an amount that is equal to 15 percent of the amount that the State receives under paragraph (3)(B) in that fiscal year for purposes described in subparagraph (A).
“(5) Allocation of remaining funds.—

After allocating amounts made available to carry out this section for a fiscal year in accordance with paragraph (3), the Administrator shall allocate any remaining amounts made available for that fiscal year to participating States, using the procedures described in clauses (i) through (iii) of paragraph (3)(B).

“(6) Allocation for tribal governments and insular areas.—The Administrator shall reserve not less than 5.0 percent of the amount made available to carry out this section in a fiscal year to enter into grant agreements with tribal governments and insular areas, with the grant funds to be distributed—

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

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

“(7) Administrative costs; technical assistance.—The Administrator shall reserve not more than 2.5 percent of the amount made available to carry out this section in a fiscal year—
“(A) for administrative costs incurred by
the Federal Emergency Management Agency in
carrying out this section; and

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

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

“(c) USE OF FUNDS.—

“(1) IN GENERAL.—Amounts deposited in a
State loan fund or tribal loan fund, including repay-
ments of loans made from the fund and interest earned on the amounts in the fund, shall be used—

“(A) consistent with paragraphs (2) and (3) and subsection (g), to provide financial assistance for—

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

“(ii) any local government that participates in the national flood insurance program; and

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

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

“(C) for the sale of bonds as security for payment of the principal and interest on revenue or general obligation bonds issued by the participating State or tribal government to provide matching funds under subsection (g), if the
proceeds from the sale of the bonds are deposited in the State or tribal loan fund.

“(2) PURPOSES.—A recipient of financial assistance provided through amounts from a State or tribal loan fund—

“(A) shall use the amounts to reduce—

“(i) flood risk; or

“(ii) potential flood claims submitted under the national flood insurance program;

“(B) shall use the amounts in a cost-effective manner under requirements established by the State or tribal government, which may require an applicant for financial assistance to submit any information that the State or tribal government considers relevant or necessary before the date on which the applicant receives the assistance;

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

“(i) meet design and construction standards established by the Administrator;

“(ii) are located in communities that—
“(I) participate in the national flood insurance program; and

“(II) have a local government hazard mitigation plan that has been approved by the Administrator under section 1366, and the State in which the community, or the tribal government if applicable, each have a hazard mitigation plan that has been approved by the Administrator under section 1366;

“(iii)(I) address a repetitive-loss property or a severe repetitive-loss property; or

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

“(iv) address current risk and anticipate future risk, such as sea-level rise and flood risk resulting from wildfire;

“(D) may use the amounts—

“(i) for projects relating to—

“(I) structural elevation;

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

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

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

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

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

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

“(E) may not use the amounts—
“(i) to construct buildings or expand existing buildings unless the activity is for the purpose of flood mitigation;

“(ii) to improve any structure, unless the recipient has obtained flood insurance coverage in an amount at least equal to the lesser of the eligible project costs or the maximum insurable limit for the structure under the national flood insurance program coverage for the structure, which coverage shall be maintained for the useful life of the structure;

“(iii) to improve a residential property with an appraised value that is not less than 125 percent of the limitation on the maximum original principal obligation of a conventional mortgage that may be purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation in the area in which the property is located, as established under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the Federal Home Loan
Mortgage Corporation Act (12 U.S.C. 1454(a)(2));

“(iv) for the direct benefit of a homeowner if the annual household adjusted gross income of the homeowner during the previous fiscal year was not less than $200,000, as annually adjusted by the Administrator to reflect changes in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics of the Department of Labor and rounded to the nearest $25; or

“(v) to acquire real property or an interest in real property unless the property is purchased from a willing seller; and

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

“(d) INTENDED USE PLANS.—

“(1) IN GENERAL.—After providing the opportunity for public review and comment, each participating State and participating tribal government shall annually prepare a plan that identifies, for the year following the date of issuance of the intended
use plan, the intended uses of the amounts available
in the State or tribal loan fund of the participating
State or tribal government.

“(2) Consultation during preparation.—
Each participating State and tribal government, in
preparing an intended use plan, shall ensure that
the State or tribal agency with primary responsi-

bility for floodplain management—

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

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

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

“(A) include—

“(i) an explanation of the mitigation
and resiliency benefits the State or tribal
government intends to achieve, including

by—

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

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

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

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

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

“(iii) the criteria and methods estab-
lished for the distribution of amounts from
the State or tribal loan fund of the State
or tribal government;
“(iv) the amount of financial assistance that the State or tribal government anticipates allocating to—

“(I) local government projects; and

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

“(v) the expected terms of the assistance provided under clause (iv); and

“(vi) a description of the financial status of the State or tribal loan fund and the short-term and long-term goals of the State or tribal loan fund; and

“(B) provide, to the maximum extent practicable, that priority for the use of amounts from the State or tribal loan fund shall be given to projects that—

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

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

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

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

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

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

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

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

“(1) remain available for providing financial assistance under this section until distributed;

“(2) if the amounts are not required for immediate distribution or expenditure, be invested in interest-bearing obligations; and

“(3) except as provided in subsection (i), include only—

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

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

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

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

“(2) REDUCED GRANT.—Notwithstanding paragraph (1), if a State or tribal government deposits in the State or tribal loan fund of the State or tribal government in connection a capitalization grant an amount from non-Federal sources that is less than 10 percent of the total amount of the capitalization grant that would otherwise be received by the State or tribal government, the Administrator shall reduce the amount of the capitalization grant received by the State or tribal government to the amount that is 10 times the amount so deposited and shall allocate such remaining grant amounts under subsection (b)(5) together with the amounts allocated under such subsection.

“(g) TYPES OF ASSISTANCE.—Unless otherwise prohibited by State or tribal law, a participating State or trib-
The government may use the amounts deposited into a State or tribal loan fund under this section only—

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

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

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

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

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

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

“(D) the recipient of the loan demonstrates, based on verified and documented in-
information that, at the time the loan is consummated, that the recipient has a reasonable ability to repay the loan, according to its terms, except that this subparagraph may not be construed to authorize any reduction or limitation in efforts to comply with the requirements of subsection (c)(2)(E) (relating to priority for assistance for low-income homeowners and low-income geographical areas); and

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

“(2) to buy or refinance the debt obligation of a local government related to flood mitigation or resiliency activities, at an interest rate that is not more than the market interest rate;

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

“(A) improve credit market access; or

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

“(4) as a source of revenue or as security for the payment of principal and interest on revenue or
general obligation bonds issued by the State or tribal
government if the proceeds of the sale of the bonds
will be deposited into the State or tribal loan fund;
or
“(5) to earn interest on those amounts.
“(h) ASSISTANCE FOR LOW-INCOME HOMEOWNERS
AND LOW-INCOME GEOGRAPHIC AREAS.—
“(1) IN GENERAL.—Notwithstanding any other
provision of this section, if a participating State or
tribal government uses amounts from a State or
tribal loan fund to provide financial assistance under
subsection (c) in a low-income geographic area or to
a low-income homeowner, the State or tribal govern-
ment may provide additional subsidization to the re-
cipient of the assistance, including forgiveness of the
principal of a loan.
“(2) LIMITATION.—For each fiscal year, the
total amount of additional subsidization provided by
a participating State or tribal government under
paragraph (1) may not exceed 30 percent of the
amount of the capitalization grant allocated to the
State or tribal government or that fiscal year.
“(i) ADMINISTRATION OF FUND.—
“(1) IN GENERAL.—A participating State or
tribal government may combine the financial admin-
istration of a State or tribal loan fund with the financial administration of any other revolving fund established by the State or tribal government if—

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

“(i) be convenient and avoid administrative costs; and

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

“(B) the Administrator determines that—

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

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

“(II) used only for purposes authorized under this section; and

“(ii) after consulting with the appropriate State or tribal government agencies, the authority to establish assistance priorities and carry out oversight and related
activities, other than financial administration, with respect to flood assistance remains with the State or tribal government agency with primary responsibility for floodplain management.

“(2) Administrative and technical costs.—

“(A) In general.—For each fiscal year, a participating State or tribal government may use the amount described in subparagraph (B) to—

“(i) pay the reasonable costs of administration of the programs under this section, including the recovery of reasonable costs incurred in establishing a State or tribal loan fund;

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

“(iii) provide technical assistance and outreach to recipients in the State or tribal lands of amounts under this section, including with respect to updating hazard mitigation plans and participating in the Community Rating System, in an amount that is not more than 4 percent of the
funds made available to the State or tribal
government under this section.

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

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

“(ii) the greatest of—

“(I) $400,000;

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

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

“(3) AUDIT AND REPORT.—

“(A) AUDIT REQUIREMENT.—Not less fre-
quently than biennially, each participating State
and tribal government shall conduct an audit of
the State or tribal loan fund of the State or
tribal government.

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

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

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

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

“(II) meeting the objectives de-
dscribed in subsection (b)(1).

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

“(A) shall—

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

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

“(B) may, at any time—

“(i) make recommendations to a participating State or tribal government with respect to the administration of the State or tribal loan fund of the State or tribal government; or

“(ii) require specific changes with respect to a State or tribal loan fund in order to improve the effectiveness of the fund.

“(j) LIABILITY PROTECTIONS.—The Federal Government shall not be liable for any claim based upon the exercise or performance of, or the failure to exercise or perform, a discretionary function or duty on the part of the Federal agency, or an employee of the Federal Government, in carrying out the provision of this section.

“(k) REGULATIONS.—The Administrator shall promulgate such guidance or regulations as may be necessary
to carry out this section, including guidance or regulations that—

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

“(2) reduce, to the maximum extent practicable, waste, fraud, and abuse with respect to the implementation of this section; and

“(3) require any party that receives funds directly or indirectly under this section, including a participating State or tribal government and a recipient of amounts from a State or tribal loan fund, to use procedures with respect to the management of the funds that conform to generally accepted accounting standards.

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

SEC. 106. USE OF REPLACEMENT COST VALUE IN ESTIMATING PREMIUM RATES.

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

“(i) USE OF REPLACEMENT COST VALUE.—In determining affordability for insurance provided under this
title, the Administrator may consider, where appropriate, the impact of the inclusion of the replacement cost or other settlement basis of the structure.”.

SEC. 107. REFUND OF PREMIUMS.

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

“SEC. 1307A. REFUND OF PREMIUMS.

“(a) REQUIRED REFUND.—Notwithstanding any other provision of law, if at any time an insured under a policy for flood insurance coverage for a property that is made available under this title cancels such policy because other duplicate flood insurance coverage for the same property has been obtained from a source other than the National Flood Insurance Program under this title, the Administrator shall refund to the former insured a portion of the premiums paid for the coverage made available under this title, as determined consistent with industry practice according to the portion of the term of the policy that such coverage was in effect, but only if a copy of declarations page of the new policy obtained from a source other than the program under this title is provided to the Administrator.

“(b) EFFECTIVE DATE OF CANCELLATION.—For purposes of this section, a cancellation of a policy for cov-
verage made available under the National Flood Insurance Program under this title, for the reason specified in subsection (a), shall be effective—

“(1) on the effective date of the new policy obtained from a source other than the program under this title, if the request for such cancellation was received by the Administrator before the expiration of the 6-month period beginning on the effective date of the new policy; or

“(2) on the date of the receipt by the Administrator of the request for cancellation, if the request for such cancellation was received by the Administrator after the expiration of the 6-month period beginning on the effective date of the new policy.

“(c) Prohibition of Refunds for Properties Receiving Increased Cost of Compliance Claims or for Which a Claim Has Been Paid.—No premium amounts paid for coverage made available under this title may be refunded pursuant to this section—

“(1) with respect to coverage for any property for which measures have been implemented using amounts received pursuant to a claim under increased cost of compliance coverage made available pursuant to section 1304(b); or
“(2) if a claim has been paid or is pending under the policy term for which the refund is sought.”.

SEC. 108. CAP ON ANNUAL PREMIUM INCREASES.

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

(1) the amount of an annual premium with respect to any policy for flood insurance under the National Flood Insurance Program;

(2) any surcharge imposed with respect to a policy described in paragraph (1), including a surcharge imposed under—

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

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

(3) a fee described in paragraph (1)(B)(iii) or (2) of section 1307(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)).

(b) LIMITATION ON INCREASES.—During the 5-year period beginning on the date of enactment of this Act, and notwithstanding section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)), the Administrator may not, in any year, increase the amount of any
covered cost by an amount that is more than 9 percent, as compared with the amount of the covered cost during the previous year.

(c) Rule of Construction.—Nothing in subsection (b) may be construed as prohibiting the Administrator from reducing, in any year, the amount of any covered cost, as compared with the amount of the covered cost during the previous year.

(d) Average Historical Loss Year.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended by striking subsection (h) and inserting the following:

“(h) Rule of Construction.—For purposes of this section, the calculation of an ‘average historical loss year’ shall be computed in accordance with generally accepted actuarial principles.”.

(e) Disclosure With Respect to the Affordability Standard.—Section 1308(j) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(j)) is amended, in the second sentence, by inserting “and shall include in the report the number of those exceptions as of the date on which the Administrator submits the report and the location of each policyholder insured under those exceptions, organized by county and State” after “of the Senate”.
SEC. 109. DEBT CANCELLATION.

(a) Forgiveness.—Notwithstanding any other provision of law, all indebtedness of the Administrator of the Federal Emergency Management Agency under any notes or other obligations issued pursuant to section 1309(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) and section 15(e) of the Federal Insurance Act of 1956 (42 U.S.C. 2414(e)), and outstanding as of the date of the enactment of this Act, is hereby canceled, the Administrator and the National Flood Insurance Fund are relieved of all liability to the Secretary of the Treasury under any such notes or other obligations, including for any capitalized interest due under such notes or other obligations and any other fees and charges payable in connection with such notes and obligations, and the total amount of notes and obligations issued by the Administrator pursuant to such section shall be considered to be reduced by such amount for purposes of the limitation on such total amount under such section.

(b) Treatment of Canceled Debt.—The amount of the indebtedness canceled under subsection (a)—

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

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

SEC. 201. REAUTHORIZATION OF APPROPRIATIONS FOR NATIONAL FLOOD MAPPING PROGRAM.

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

SEC. 202. NATIONAL FLOOD MAPPING PROGRAM.

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

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

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

(3) by adding at the end the following:

“(F) cadastral features.”.

(b) FORMAT OF FLOOD MAPS AND FLOOD RISK DATA.—Section 100216(c)(2) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b(c)(2)) is amended—
(1) in subparagraph (B), by striking “and” at
the end;
(2) in subparagraph (C), by striking the period
at the end and inserting “; and”; and
(3) by adding at the end the following:
“(D) spatially accurate in accordance with
the common protocols for geospatial data under
section 757 of the Geospatial Data Act of 2018
(43 U.S.C. 2806).”.

(c) ADDITIONAL CONSIDERATIONS.—Section 100216
of the Biggert-Waters Flood Insurance Reform Act of
2012 (42 U.S.C. 4101b) is amended—
(1) by redesignating subsection (f) as sub-
section (m); and
(2) by inserting after subsection (e) the fol-
lowing:
“(g) STREAM FLOW NETWORKS.—
“(1) IN GENERAL.—The Administrator shall co-
ordinate with the United States Geological Survey
for the sharing of data from stream flow networks
critical to the National Flood Insurance Program,
flood risk mapping, and flood risk assessments, to
ensure that—
“(A) the stream gage stations in such stream flow networks are operational and use modern hardware;

“(B) such stream flow networks are sufficiently densified by adding new stream gage stations in high-risk areas;

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

“(D) the speed of the geospatial real-time data feeds from such stream gage stations is increased.

“(2) DEFINITIONS.—In this subsection:

“(A) STREAM FLOW NETWORK.—The term ‘stream flow network’ means a network of stream flow gages maintained under the direction of the United States Geological Survey and its partners that is used to measure or record the flow of water down a stream or river, or through an entire watershed system, and transmit such information using a geospatial real-time data feed.

“(B) STREAM GAGE STATION.—The term ‘stream gage station’ means a device installed at the edge of a river or stream that measures
or records the flow of water down the stream and additional information such as water height, water chemistry, and water temperature.

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

“(h) AVAILABILITY OF DATA TO PUBLIC.—The Administrator shall make available to the public on the website of the Federal Emergency Management Agency a national geospatial data repository that—

“(1) provides access to the raw data used to include the cadastral features and parcel identification data in National Flood Insurance Program flood maps and flood risk data;

“(2) to the extent that such data is available, allows users to view, query, and obtain such data at multiple levels of detail, including down to the property level;

“(3) allows users to view flood risks, flood insurance zones, and flood elevations;
“(4) provides access to flood mapping and related information such as—

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

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

“(C) flood depth grids;

“(D) flood risk reports;

“(E) flood risk assessments (Hazus analyses);

“(F) hazard mitigation plans; and

“(G) other flood risk products at the discretion of the Administrator; and

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

“(i) Ensuring Current Data.—Not less frequently than once every 5 years, the Administrator shall verify that each National Flood Insurance Program flood map and flood risk data contains data that is current and credible.

“(j) Qualifications-Based Selection Contracting.—

“(1) In General.—With respect to a contract awarded by the Administrator under this Act, for architectural and engineering services, such a contract
shall be awarded to a contractor selected in accord-
ance with the procedures described in section 1103
of title 40, United States Code (or an applicable
equivalent State qualifications-based statute). The
Administrator, or entity, as the case may be, shall
require such contractor, as a condition of such con-
tract, to award any subcontract for architectural and
engineering services in accordance with the proce-
dures described in the previous sentence, or the ap-
plicable equivalent State statute.

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

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

“(k) DEFINITION OF CADASTRAL FEATURE.—In this
section, the term ‘cadastral feature’ means the geographic
elements and features that are based upon public land
records and that show the extent of right and interests
in such land parcels.”.
SEC. 203. FLOOD MAPPING MODERNIZATION AND HOMEOWNER EMPOWERMENT PILOT PROGRAM.

(a) In General.—The Administrator of the Federal Emergency Management Agency shall carry out a pilot program to make grants to units of local government to enhance the mapping of urban flooding and associated property damage and the availability of such mapped data to homeowners, businesses, and units of local government to enable them to minimize the risk of such flooding.

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

(1) To develop a methodology for assessing urban flood risk through the deployment of technology-based mapping tools that are easily understandable by the public and effectively convey information regarding the level of flood risk.

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

(3) To provide structure-based flood-risk assessments.

(4) To provide urban flood-risk mitigation program design.

(5) To incorporate information regarding climate trends into urban flooding risk assessments.
(6) To make the information described in this subsection publicly available on the internet through a web-based portal so as to increase transparency regarding homeowner flood risks, except that the Administrator may not disclose such information to the public or to a private company in a manner that violates section 552a of title 5, United States Code, or any regulation implementing that section.

(e) Eligible Recipients.—

(1) In general.—Grants under the pilot program under this section may be made only to units of general local government located in urbanized areas, as such term is used by the Bureau of the Census of the Department of Commerce, having populations exceeding 50,000 or to stormwater management authorities of such units of general local government.

(2) One-time grants.—A grant under the pilot program under this section may not be made to—

(A) any unit of general local governmental, or stormwater management authority of a unit of general government, that has previously received a grant under the pilot program;
(B) any unit of general local government if the stormwater management agency for such unit has previously received a grant under the pilot program; or

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

(3) TREATMENT OF STORMWATER MANAGEMENT AUTHORITIES.—In the case of a stormwater management authority that operates with respect to more than one unit of general local government, the application of such authority shall be considered for purposes of paragraph (2) of this subsection and subsections (e), (f), and (g)(1) to be made for the largest unit of general local government for which such authority operates. The preceding sentence shall not limit the ability of such authority to carry out activities under the demonstration project in any other jurisdictions or unit of local government with respect to which the authority operates.

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

(c) SELECTION OF RECIPIENTS.—

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

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

(A) TIER 1.—Three of the applicants se-
lected shall be units of general local govern-
ment, or stormwater management authorities
for such units, having a population exceeding
800,000, as follows:
(i) **PELAGIC COASTAL CITY.**—One shall be a unit of general local government, or stormwater authority for such a unit, that is a pelagic unit.

(ii) **NON-PELAGIC COASTAL CITY.**—One shall be unit of general local government, or stormwater authority for such a unit, that is a coastal unit, but not a pelagic unit.

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

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

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

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

(C) TIER 3.—Three of the applicants selected shall be units of general local government, or stormwater management authorities for such units, having a population exceeding 50,000 but not exceeding 200,000.

(f) PRIORITY.—

(1) IN GENERAL.—The Administrator shall select applicants for grants under the pilot program under this section based on the extent to which their applications will achieve the objectives set forth in subsection (b).

(2) TIER 2 AND 3.—In selecting applicants to receive grants under the pilot program under this section pursuant to subparagraphs (B) and (C) of subsection (c)(2), the Administrator shall give priority to applicants—

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

(B) within which are located a military installation or other facility relating to national security concerns; or

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

(g) AMOUNT.—

(1) CONSIDERATIONS.—In determining the amount of grant under the pilot program under this section, the Administrator shall consider the population of the grant recipient, which may be considered in terms of the tier under subsection (e)(2) of the recipient.

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

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

(i) USE OF CENSUS DATA.—The Administrator shall make all determinations under the pilot program regarding population using the most recent available data from the decennial census.
(j) Grantee Reports to FEMA.—Each recipient of a grant under the pilot program under this section shall, not later than the expiration of the 30-month period beginning upon the initial receipt of any such grant amounts, submit to the Administrator a report that describes—

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

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

(3) any lessons learned in carrying out such activities and any recommendations for future mapping modernization efforts by the Federal Emergency Management Agency.

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

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

(B) the effectiveness of technology-based mapping tools used in carrying out the activities described in subparagraph (A); and

(2) with respect to the final report that the Administrator is required to submit under this subsection, includes recommendations to the Congress and the executive branch of the Federal Government for implementing strategies, practices, and technologies to mitigate the effects of urban flooding.

(l) SENSE OF CONGRESS.—It is the sense of the Congress that, because the pilot program is limited with respect to scope and resources, communities that participate in the pilot program should acknowledge that the most successful efforts to mitigate the effects of urban flooding—

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

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

(B) pursuing designs that proactively minimize future flood damage;

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

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

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

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

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

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

(B) is not a river.

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

(4) URBAN FLOODING.—
(A) IN GENERAL.—The term “urban flooding” means the inundation of property in a built environment, particularly in more densely populated areas, caused either by falling rain collecting on impervious surfaces or increasing the levels of nearby water bodies and overwhelming the capacity of drainage systems, such as storm sewers, including—

(i) situations in which stormwater enters buildings through windows, doors, or other openings;

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

(iii) seepage through walls and floors;

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

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

(B) EXCLUSION.—Such term does not include flooding in undeveloped or agricultural areas.

(n) FUNDING.—There is authorized to be appropriated for grants under the pilot program under this section—

(1) $1,200,000 for fiscal year 2020; and
(2) $4,300,000 for fiscal year 2021, to remain available through 2023.

SEC. 204. MAPPING IMPROVEMENTS AND REACH.

(a) EXPANDING MAPPING TO ALL AREAS OF THE UNITED STATES.—Subparagraph (A) of section 100216(b)(1) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b(b)(1)(A)) is amended—

(1) in the matter preceding clause (i), by striking “National Flood Insurance Program rate maps” and inserting “flood maps and flood risk data”;

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

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

and

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

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

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

(1) in subsection (b)(1)—

(A) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;
(B) by inserting after subparagraph (A) the following:

“(B) as soon as practicable—

“(i) modernize the flood mapping inventory for communities for which the National Flood Insurance Program flood maps and flood risk data have not been modernized; and

“(ii) in coordination with communities, utilize the digital display environment established under subsection (f)(1)(A) to produce, store, and disseminate any flood hazard data, models, and flood maps and flood risk data generated under clause (i) while ensuring that the flood mapping inventory described in that clause may be printed in order to carry out—

“(I) floodplain management programs under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.); and

“(II) other purposes of the National Flood Insurance Program;”;

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

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

(E) by adding at the end the following:

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

“(F) when appropriate, consult and coordinate with the Secretary of Defense, the Director of the United States Geological Survey, and the Administrator of the National Oceanic and Atmospheric Administration to obtain the most up-to-date maps and other information of those agencies, including information relating to topography, water flow, watershed characteristics, and any other issues that are relevant to identifying, reviewing, updating, maintaining, and publishing National Flood Insurance Program flood maps and flood risk data.”;
(2) by inserting after subsection (e) the following new subsection:

“(f) Digital Display Environment and Building-specific Flood Hazard and Risk Information.—

“(1) Establishment.—

“(A) In General.—Not later than 5 years after the date of enactment of the National Flood Insurance Program Reauthorization Act of 2019, the Administrator, in consultation with the Technical Mapping Advisory Council, shall establish, as part of a national structure inventory, a dynamic, database-derived digital display environment for flood hazard and risk data, models, maps, and assessments.

“(B) Consultation with States and Communities.—In designing and constructing the digital display environment under subparagraph (A), the Administrator shall—

“(i) leverage and partner with States and communities that have successfully implemented the same approach; and

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

“(2) DIGITAL DISPLAY SYSTEM.—

“(A) IN GENERAL.—In carrying out paragraph (1), the Administrator, in consultation with the Technical Mapping Advisory Council, shall establish a national digital display system that shall—

“(i) be prompted through dynamic querying of a spatial, relational flood hazard and risk database;

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

“(iii) to the extent feasible, and where sufficient data is available, provide information, with respect to individual structures, regarding—

“(I) flood hazard and risk assessment determinations;

“(II) flood insurance; and

“(III) flood risk mitigation efforts;

“(iv) be constructed in a manner that facilitates coordination with digital display systems that—
“(I) have been developed by State and community partners; and

“(II) the Administrator finds are acceptable;

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

“(vi) where feasible, allow for the maintenance and storage of elevation certificates.

“(B) Privacy Requirements.—The Administrator may not disseminate the database described in subparagraph (A)(i), including any data used to create that database, to the public or to a private company in a manner that violates section 552a of title 5, United States Code, or any regulation implementing that section.”;

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

“(l) Annual Report.—The Administrator, in coordination with the Technical Mapping Advisory Council established under section 100215 of this Act, shall submit to the Committee on Financial Services of the House of
Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate an annual report regarding progress achieved in the mapping program under this section, including the digital display and structure-specific information required under subsection (f), which shall include recommendations to reduce the cost and improve the implementation of that subsection.”.

(c) Future Flood Risk.—Section 100216(d) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b) is amended by adding at the end the following:

“(3) Future Flood Risk.—The Administrator shall, in consultation with the Technical Mapping Council established under section 100215, provide financial and technical assistance to communities to incorporate future flood hazard conditions as an informational layer on their Flood Insurance flood maps and flood risk data.”.

SEC. 205. REFUNDS FOR PROPERTIES INADVERTENTLY INCLUDED IN AREAS OF SPECIAL FLOOD HAZARD.

Section 1307A of the National Flood Insurance Act of 1968, as added by the preceding provisions of this Act, is amended by adding at the end the following new subsection:
“(c) Refunds for Properties in Advertently Included in Areas of Special Flood Hazard.—

“(1) In general.—Notwithstanding any other provision of law, the Administrator shall cancel a policy for flood insurance made available under this Act if—

“(A) the Administrator issues a final determination based on updated scientific or technical information that demonstrates the insured property was inadvertently included in a designated area of special flood hazard;

“(B) the updated scientific and technical information is not based on any alteration of topography caused by human modification of the environment subsequent to the initial designation of the area of special flood hazard for the insured property;

“(C) the insured property was covered by Federal flood insurance required as a condition of any Federal requirement to obtain and maintain flood insurance on the date of the determination satisfying subparagraph (A);

“(D) no claims have been paid or are pending for the insured property prior to the determination satisfying subparagraph (A); and
“(E) the policyholder requests cancellation of the flood insurance policy within 12 months of the determination satisfying subparagraph (A).

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

SEC. 206. APPEALS AND PUBLICATION OF PROJECTED SPECIAL FLOOD HAZARD AREAS.

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

(1) in subsection (b), by striking the first and second sentences and inserting the following: “After first notifying the affected local governments, the Administrator shall publish notification of flood elevation determinations and designations of areas having special flood hazards in a prominent local newspaper or other legal format that the Administrator determines is functionally equivalent. Any owner or lessee of real property within the community who believes their property rights to be adversely affected by the Administrator’s proposed determination may submit a notice of appeal of such determination to
the local government [no later than 30 days as set forth in the publication notice]. The appellant shall have 150 days from the commencement of the appeal period to submit a completed appeal, which shall include all data and analysis in support of the appeal.”;

(2) in subsection (e)—

(A) by inserting before “Appeals” the following: “Within the 30-day appeal period specified in the notification required under subsection (a), the community shall submit a notice of appeal to the Administrator indicating whether it intends to appeal the proposed determination.”; and

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

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

(A) by striking “receive an” and inserting “receive a completed”;
(B) by striking “ninety” and inserting “150”; and
(C) by striking “subsection (e)” and inserting “subsection (f)”;
(4) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and
(5) by inserting after subsection (d) the following new subsection:

“(e) DETERMINATION BY ADMINISTRATOR IN THE ABSENCE OF APPEALS.—If the Administrator has not received any notices of appeals, upon expiration of the 90-day appeal period established under subsection (b) of this section the Administrator’s proposed determination shall become final upon the expiration of the 14-day period beginning upon expiration of the 30-day appeal period. The community shall be given a reasonable time after the Administrator’s final determination in which to adopt local land use and control measures consistent with the Administrator’s determination.”.

(b) PUBLICATION.—Subsection (a) of section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(a)) is amended by striking “in the Federal Register”.

SEC. 207. COMMUNICATION AND OUTREACH REGARDING CHANGES TO FLOOD MAPS AND FLOOD RISK DATA.

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

(1) in subparagraph (B), by inserting “maximum” before “30-day period”; and

(2) in subparagraph (C), by inserting “maximum” before “30-day period”.

SEC. 208. ADOPTION OF PARTIAL FLOOD MAPS AND FLOOD RISK DATA.

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

“If the Administrator proposes to update flood hazard determinations and a complete appeal is filed, the Administrator may consider the determination final with respect to the areas that the Administrator determines are not related to the issues or hydrologically connected, or hydraulically connected, or both, to the areas raised in the appeals.”.

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

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding pro-
visions of this Act, is further amended by adding at the end the following:

“(l) LEVEE-IMPACTED AREAS.—

“(1) IN GENERAL.—To facilitate the implementation of subparagraph (A)(iii) of section 100216(b)(1) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4101b(b)(1)), the Administrator shall—

“(A) separately identify and designate areas of residual flood risk in a manner that the Administrator determines adequately communicates both the flood risk reduction and the remaining risk associated with each levee; and 

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

“(2) TRANSITION.—Until such time as the Administrator establishes insurance rates in accordance with paragraph (1), structures located such areas shall be eligible for rates associated with areas of moderate flood hazards.”.
SEC. 210. AGRICULTURAL STRUCTURES IN SPECIAL FLOOD HAZARD ZONES.

(a) Requirements for State and Local Land Use Controls.—Subsection (a) of section 1315 of the National Flood Insurance Act of 1968 (42 U.S.C. 4022(a)) is amended by adding at the end the following new paragraph:

“(3) Allowable Local Variances for Certain Agricultural Structures.—

“(A) Requirement.—Notwithstanding any other provision of this Act—

“(i) the land use and control measures adopted pursuant to paragraph (1) may not, for purposes of such paragraph, be considered to be inadequate or inconsistent with the comprehensive criteria for land management and use under section 1361 because such measures provide that, in the case of any agricultural structure that is located in an area having special flood hazards, a variance from compliance with the requirements to elevate or floodproof such a structure and meeting the requirements of subparagraph (B) may be granted; and
“(ii) the Administrator may not suspend a community from participation in the national flood insurance program, or place such a community on probation under such program, because such land use and control measures provide for such a variance.

This subparagraph shall not limit the ability of the Administrator to take enforcement action against a community that does not adopt adequate variance criteria or establish proper enforcement mechanisms.

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

“(i) The variance is granted by an official from a duly constituted State or local zoning authority, or other authorized public body responsible for regulating land development or occupancy in flood-prone areas.

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

“(I) that neither floodproofing nor elevation of the new structure to
the base flood elevation nor an alternative location for the new structure are practicable; and

“(II) that the structure is not located in—

“(aa) a designated regulatory floodway;

“(bb) an area riverward of a levee or other flood control structure; or

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

“(iii) In the case of existing structures—

“(I) if such structure is substantially damaged or in need of substantial repairs or improvements, such official has determined that neither floodproofing nor elevation to the base flood elevation is practicable; and

“(II) if such structure is located within a designated regulatory floodway, such official has determined that the repair or improvement does not
result in any increase in base flood levels during the base flood discharge.

“(iv) Such official has determined that the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

“(v) Not more than one claim payment exceeding $1,000 has been made for the structure under flood insurance coverage under this title within any period of 10 consecutive years at any time prior to the granting of the variance.

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

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

“(ii) FLOODPROOFING.—The term ‘floodproofing’ means, with respect to an agricultural structure, any combination of structural and non-structural additions,
changes, or adjustments to the structure, including attendant utilities and equipment, that reduce or eliminate potential flood damage to real estate or improved real property, water and sanitary facilities, structures, or their contents.”.

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

“(n) PREMIUM RATES FOR CERTAIN AGRICULTURAL STRUCTURES WITH VARIANCES.—Notwithstanding any other provision of this Act, the chargeable premium rate for coverage under this title for any structure provided a variance pursuant to section 1315(a)(3) shall be the same as the rate that otherwise would apply to such structure if the structure had been dry floodproofed or a comparable actuarial rate based upon the risk associated with structures within the applicable areas established under section 1360(l).”.

(c) UPDATED GUIDANCE.—Not later than the expiration of the 8-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall update the guidance entitled “Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in accord-
ance with the National Flood Insurance Program” (Technical Bulletin 7-93) to reflect the changes to such program made by the amendments made by this section.

SEC. 211. TECHNICAL MAPPING ADVISORY COUNCIL.

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

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

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

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

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

“(xv) a member of a recognized professional real estate brokerage association.”.

TITLE III—MITIGATION

SEC. 301. INCREASED COST OF COMPLIANCE COVERAGE.

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

(1) in paragraph (4), by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively;
(2) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively (and by adjusting the margins accordingly);

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

(4) by redesignating paragraph (4) as subparagraph (E) (and by adjusting the margin accordingly);

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

“(D) properties identified by the Administrator as priorities for mitigation activities before the occurrence of damage to or loss of property which is covered by flood insurance; and’’;

(6) by inserting before “The national flood insurance program” the following;;

“(1) IN GENERAL.—”.

(7) by striking “The Administrator” and inserting the following:

“(2) PREMIUM.—The Administrator”; and

(9) by adding at the end the following new paragraphs:
“(3) MAXIMIZATION OF COVERAGE.—The Administrator shall make insurance coverage under this subsection available in an amount that maximizes the amount of coverage available, subject to paragraph (2), generally accepted actuarial principles, and any other provision of this Act.

“(4) ELIGIBLE MITIGATION ACTIVITIES.—

“(A) IN GENERAL.—Eligible mitigation methods the cost of which is covered by coverage provided under this subsection shall include—

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

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

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

“(i) IN GENERAL.—An acquisition or relocation project shall be eligible to receive assistance pursuant to subparagraph (A)(iii) only if—
“(I) any property acquired, accepted, or from which a structure will be removed shall be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, or wetlands management practices; and

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

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

“(bb) a restroom; or

“(cc) a structure that the Administrator approves in writing before the commencement of the construction of the structure.

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

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

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

“(C) PRE-DISASTER MITIGATION PROJECTS.—

“(i) AUTHORITY.—The Administrator may, in the Administrator’s discretion, provide that the cost of pre-disaster mitigation projects for eligible structures shall be eligible for coverage under this subsection, except that the Administrator shall not make a payment under this authority for any property that has not yet been insured by a flood insurance policy made available under this title for at least two years prior to submission of such claim.

“(ii) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may prescribe such additional terms and conditions as the Administrator may consider appropriate with respect to a claim under coverage provided pursuant to this subsection for a property that has not suffered flood
damage, including as provided in clause (iii).

“(iii) Authority to require maintenance of flood insurance coverage.—If the Administrator provides pursuant to clause (i) that such projects are eligible for coverage under this subsection, the Administrator may require that—

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

“(II) in any case in which such coverage is not so maintained, that the owner reimburse the Administrator in the amount of the claim for the cost of the pre-disaster mitigation project.

“(iv) Noncompliance.—Notwithstanding any other provision of law, no Federal disaster relief assistance may be used to make a payment (including any loan assistance payment) to a person for repair, replacement, or restoration for
damage to any personal, residential, or commercial property if such person failed to comply with the requirements of subclauses (I) and (II) of clause (iii).

“(v) Authority to require additional assessments.—If the Administrator provides pursuant to clause (i) that such projects are eligible for coverage under this subsection, the Administrator may require that the policyholder be required to agree to an additional assessment for such period as the Administrator may provide as a condition of receiving such assistance. The aggregate amount of assessments collected shall not exceed the amount of voluntary claim payments for the property.

“(D) Assignment of claims for mitigation grant recipients.—

“(i) In general.—A policyholder may assign the rights or benefits of the coverage made available under this subsection to satisfy a required non-Federal contribution for a flood-related mitigation project funded by mitigation assistance
programs described in clauses (i) through (iii) of paragraph (1)(E).

“(ii) Eligible expenses.—If a policyholder assigns rights or benefits of coverage pursuant to clause (i), a required non-Federal contribution for a flood-related mitigation project funded by mitigation assistance programs described in clauses (i) through (iii) of paragraph (1)(E) shall be an eligible expense for coverage made available under this subsection.

“(iii) Terms and Conditions.—The Administrator may adopt procedures for assigning rights or benefits of coverage pursuant to clause (i).

“(E) Eligible structure defined.—For purposes of this paragraph, the term ‘eligible structure’ means any structure that—

“(i) was constructed in compliance with the flood map and flood risk data and local building and zoning codes in effect at the date of construction of the structure; and
“(ii) has not previously been altered, improved, replaced, or repaired using assistance provided under this subsection.

“(5) Treatment of Coverage Limits.—Any amount of coverage for a property provided pursuant to this subsection shall not be considered or counted for purposes of any limitation on coverage applicable to such property under section 1306(b) (42 U.S.C. 4013(b)) and any claim on such coverage shall not be considered a claim for purposes of section 1307(h) or subsection (a)(3) or (h)(3) of section 1366.

“(6) Annual Reports.—The Administrator shall submit a report to the Congress annually, and shall make such report publicly available, that sets forth detailed information regarding the fees and surcharges for coverage under this subsection, the amount of revenue received from such fees and surcharges during the most recently completed fiscal year, and how such revenue was used, including the types of mitigation activities funded with such amounts.

“(7) Implementation.—Notwithstanding any other provision of law, the Administrator may implement this subsection by adopting one or more stand-
ard endorsements to the Standard Flood Insurance Policy by publication of such standards in the Federal Register, or by comparable means.”.

SEC. 302. MULTIPLE-LOSS PROPERTIES.

(a) FINANCIAL ASSISTANCE.—Section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) is amended by adding at the end the following new subsection:

“(e) MULTIPLE-LOSS PROPERTIES.—In making determinations regarding financial assistance under the authorities of this Act, the Administrator may consider the extent to which a community is working to remedy problems with addressing multiple-loss properties.”.

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

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

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

“(7) MULTIPLE-LOSS PROPERTY.—The term ‘multiple-loss property’ means any property that is a repetitive-loss property, a severe repetitive-loss property, or an extreme repetitive-loss property.
“(8) Repetitive-loss property.—The term ‘repetitive-loss property’ means a structure that has incurred flood-related damage for which 2 or more separate claims payments of any amount in excess of the loss-deductible for damage to the covered structure have been made under flood insurance coverage under this title.

“(9) Severe repetitive-loss property.—The term ‘severe repetitive-loss property’ means a structure that has incurred flood-related damage for which—

“(A) 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding $5,000, and with the cumulative amount of such claims payments exceeding $20,000; or

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

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

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

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

(2) in section 1307 (42 U.S.C. 4014)—

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

(B) in subsection (g)(2)(B), by striking
clauses (i) and (ii) and inserting the following:
“(i) an extreme repetitive-loss prop-
erty; or
“(ii) a severe repetitive-loss prop-
erty.”;

(C) by striking subsection (h); and

(D) by redesignating subsection (i), as
added by the preceding provisions of this Act,
as subsection (h);
(3) in section 1315(a)(2)(A)(i) (42 U.S.C. 4022(a)(2)(A)(i)), by striking “repetitive loss structure” and inserting “repetitive-loss property”; and

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

(A) in subsection (a)(2), by striking “repetitive loss structures” and inserting “repetitive-loss properties”;

(B) in subsection (c)(2)(A)(ii), by striking “repetitive loss structures” and inserting “multiple-loss properties”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the paragraph heading, by striking “REPETITIVE LOSS STRUCTURES” and inserting “REPETITIVE-LOSS AND EXTREME REPETITIVE LOSS PROPERTIES”; and

(II) in the matter preceding sub-paragraph (A), by striking “repetitive loss structures” and inserting “repetitive-loss properties or extreme repetitive-loss properties”; and

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking “REPETITIVE LOSS STRUC-
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TURES’’ and inserting “REPEITIVE-
LOSS PROPERTIES’’; and

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

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

SEC. 303. PREMIUM RATES FOR CERTAIN MITIGATED PROP-
ERTIES.

(a) Mitigation Strategies.—Paragraph (1) of sec-
tion 1361(d) of the National Flood Insurance Act of 1968
(42 U.S.C. 4102(d)(1)) is amended—

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

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

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

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

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

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

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

“(1) take into account”;

(2) in paragraph (1), as so designated by the amendment made by paragraph (1) of this subsection, by striking the period at the end and inserting “; and”; and

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

“(2) offer a reduction of the risk premium rate charged to a policyholder based on the estimated reduction in flood damage, as determined by the Administrator, if the policyholder implements any mitigation method described in paragraph (1).”.

SEC. 304. COVERAGE FOR COOPERATIVES.

(a) EQUAL TREATMENT WITH CONDOMINIUMS.—

Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013), as amended by the preceding provisions of this Act is further amended by adding at the end the following:

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

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

(1) in subsection (c)—

(A) by striking “flood insurance to condo-
minium owners” and inserting the following:
“flood insurance—
“(1) to condominium owners”; and

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

(C) by adding at the end the following:
“(2) to individuals with a membership interest
and occupancy agreement in a cooperative housing
project who purchased such flood insurance separate
and apart from the flood insurance purchased by the
cooperative association in which such individual is a
member, based solely, or in any part, on the flood
insurance coverage of the cooperative association or
others on the overall property owned by the coopera-
tive association.”; and

(2) by adding at the end the following:
“(d) DEFINITIONS.—For purposes of this section and section 1306(e), the terms ‘cooperative association’ and ‘cooperative housing project’ shall have such meaning as the Administrator shall provide.”.

SEC. 305. VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE PILOT PROGRAM.

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

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

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

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

(e) REQUIREMENTS FOR COMMUNITY-WIDE POLICIES.—The Administrator shall ensure that a community-wide flood insurance policy made available under the pilot
program under this section incorporates the following requirements:

(1) A mapping requirement for properties covered by the policy.

(2) A deductible.

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

(4) A community audit.

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

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

(d) TIMING.—The Administrator shall establish the demonstration program under this section not later than the expiration of the 180-day period beginning on the date of the enactment of this Act and the program shall terminate on September 30, 2026.

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

SEC. 306. MITIGATION FUNDING.

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

SEC. 307. COMMUNITY RATING SYSTEM IMPROVEMENTS.

(a) Provision of Community Rating System
Premium Credits to Maximum Number of Commu-
nities Eligible.—Subsection (b) of section 1315 of the
4022(b)) is amended—

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

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

(b) Grants for Community Rating System Pro-
gram Coordinators.—Section 1315 of the National
Flood Insurance Act of 1968 (42 U.S.C. 4022) is amended
by adding at the end the following new subsection:
“(d) GRANTS FOR COMMUNITY RATING SYSTEM PROGRAM COORDINATORS.—

“(1) AUTHORITY.—The Administrator shall carry out a program to make grants to consortia of States and communities for use only for costs of employing or otherwise retaining an individual or individuals to coordinate and carry out training, technical assistance, and assistance with application to the community rating system program under subsection (b) for States and communities that are members of such consortia.

“(2) ELIGIBILITY.—The Administrator shall establish such criteria as the Administrator considers appropriate for a consortium of States and communities to be eligible for grants under this subsection, which shall include requiring a consortium to provide evidence to the Administrator that the consortium has sufficient authority and administrative capability to use grant amounts in accordance with this subsection on behalf of its member jurisdictions.

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

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

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

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

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

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

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

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

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

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

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

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

(a) IN GENERAL.—Chapter I of the National Flood
Insurance Act of 1968 (42 U.S.C. 4011 et seq.), as
amended by the preceding provisions of this Act, is further
amended by adding at the end the following:
"SEC. 1327. COMMUNITY ASSISTANCE PROGRAM FOR EFFECTIVE FLOODPLAIN MANAGEMENT.

(a) In General.—The Administrator shall establish a community assistance program under this section to increase the capacity and capability of States, Indian tribes, and communities to effectively manage flood risk and participate in the national flood insurance program, including the community rating system program under section 1315(b), by providing financial and technical assistance to States, tribes and communities.

(b) Components.—The community assistance program under this program shall include—

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

(2) conducting periodic assessments, not less often than once every 5 years, of the technical assistance and training needs of States, Indian tribes, and communities;

(3) providing technical assistance and training to States, Indian tribes, and communities in accordance with the needs identified by such assessments;

(4) conducting periodic reviews of State, Indian tribe, and community floodplain management standards by the Administrator to promote continuous improvement in building and maintaining effec-
tive State floodplain management programs (as such
term is defined in subsection (d));

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

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

“(A) provide technical assistance to com-

munities, including small and rural commu-
nities, and Indian tribes within the State; and

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

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

“(c) COMMUNITY ASSISTANCE GRANTS TO

STATES.—

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

“(A) to increase the capacity and capa-

bility of the State and communities and Indian

tribes in the State to effectively manage flood
risk and to fully participate in the national
flood insurance program, including the commu-

ity rating system program; and

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

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

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

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

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

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

“(4) APPLICATION; SELECTION CRITERIA.—The
Administrator shall provide for States to submit ap-
applications for grants under this subsection, which
shall include such information, assurances, and cer-
tifications as the Administrator may require, and
may establish criteria for selection of qualifying ap-
plications to be selected for grants under this sub-
section.

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

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

“(1) INDIAN TRIBE.—The term ‘Indian tribe’
has the meaning given such term in section 4 of the
Native American Housing Assistance and Self-De-

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

“(A) are specifically authorized under

State law and do not conflict with or inhibit the
implementation of the National Flood Insurance Act of 1968;

“(B) designate an entity responsible for coordinating the national flood insurance program in the State;

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

“(D) address on a long-term basis—

“(i) integration of floodplain management activities with other State functions and activities;

“(ii) identification of flood hazards;

“(iii) management of natural floodplain functions and resources;

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

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

“(vi) strategies for informing communities and citizens about flood risk and mitigation options; and

“(vii) measures for evaluating the effectiveness of State floodplain management efforts;
“(E) include a long-term plan that will facilitate the prioritization and provision of training and technical assistance to communities and Indian tribes in the State to increase local and tribal capacity and capability for floodplain management, including the capacity and capability to participate in the national flood insurance program and the community rating system program;

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

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

“(e) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—
There is authorized to be appropriated $20,000,000 for each of fiscal years 2022 through 2027 for the National Flood Insurance Fund for carrying out this section. Any amounts appropriated pursuant to this subsection shall remain available until expended.

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

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

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

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

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

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

(3) by adding at the end the following:

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

TITLE II—MODERNIZATION

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

Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding pro-
visions of this Act, is further amended by adding at the end the following:

“(o) Effect of Private Flood Insurance Coverage on Continuous Coverage Requirements.—
For purposes of applying any statutory, regulatory, or administrative continuous coverage requirement, including under section 1307(g)(1), the Administrator shall consider any period during which a property was continuously covered by a flood insurance policy, either offered through the national flood insurance program or private market, that was used to satisfy the requirements under subsections (a) and (b) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to be a period of continuous coverage.”.

SEC. 402. OPTIONAL COVERAGE FOR BLANKET PROPERTY POLICIES.

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

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

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

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

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

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

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

SEC. 403. ANNUAL INDEPENDENT ACTUARIAL STUDY.

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

“SEC. 1349. ANNUAL INDEPENDENT ACTUARIAL STUDY.

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

SEC. 403. ANNUAL INDEPENDENT ACTUARIAL STUDY.
Program. The report shall recommend adjustments to underwriting standards, program participation, or premiums, if necessary, to ensure that the Program remains financially sound. The report shall also include an evaluation of the quality control procedures and accuracy of information utilized in the process of underwriting National Flood Insurance Program policies. Such evaluation shall include a review of the risk characteristics of policies.”.

SEC. 404. DATA EXCHANGE PROGRAM.

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

(1) by inserting after the section enumerator the following: “(a) AVAILABILITY OF FLOOD INSURANCE INFORMATION.—”; and

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

“(b) DATA EXCHANGE PROGRAM.—

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

“(2) DATA ELIGIBLE FOR SHARING.—The Administrator shall disclose the following claims and
policy information, obtained in connection with a flood insurance policy made available under this title or through a data sharing agreement executed pursuant to paragraph (3), pursuant to paragraph (1):

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

“(B) Amount of coverage in force.

“(C) Dates of loss.

“(D) The amount paid on claims.

“(E) Any other claims and policy information the Administrator determines necessary and appropriate.

“(3) DATA SHARING AGREEMENT.—A data sharing agreement entered into pursuant to paragraph (1) shall include—

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

“(i) the insurance company may only use information provided under the agreement for the purposes of underwriting, establishing premium rates, and adjusting claims; and
“(ii) the insurance company may not use the information provided as part of the agreement for marketing purposes;

“(B) an agreement by the insurance company to provide to the Administrator the insurance company’s policy and claims data in a form prescribed by the Administrator; and

“(C) any other terms and conditions the Administrator determines are necessary and appropriate.

“(c) ACCESS TO FLOOD INSURANCE INFORMATION.—Upon the request of a purchaser, lessee, or current owner of a property, the Administrator shall provide to the purchaser, lessee, or current owner of the property information pertaining to the property the purchaser or lessee is under contract to buy or lease, respectively, or the current owner’s property, as follows:

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

“(A) a flood insurance policy made available under this Act; and

“(B) a private flood insurance policy.
“(2) Information on whether the property owner may be required to purchase flood insurance coverage due to previous receipt of Federal disaster assistance subject to the mandatory purchase requirement under section 102 of the Flood Disaster Protection Act of 1973.

“(3) Such other available information about the property as determined by the Administrator to accurately and adequately characterize the true flood risk to the property.

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

“(e) FEE.—

“(1) IN GENERAL.—To carry out subsections (b) and (c), the Administrator may charge a fee to participating insurance companies under subsection (b) and purchasers or lessees requesting flood insurance information under subsection (c). The Administrator shall not charge a fee to the current owner requesting flood insurance information under subsection (c).
“(2) DEPOSIT.—The Administrator shall de-
posit the fee collected under this subsection into the
National Flood Insurance Fund established under
section 1310.

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

“(1) INSURANCE COMPANY.—The term ‘insur-
ance company’ means an insurance company that
meets the requirements of subparagraph (A) of sec-
section 102(b)(7) of the Flood Disaster Protection Act

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

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

SEC. 405. ELEVATION CERTIFICATES.

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

“SEC. 1328. ELEVATION CERTIFICATES.

“Surveyed elevation data and other information relat-
ing to a building that is recorded on a National Flood
Insurance Program Elevation Certificate by an individual licensed to record that information shall continue to be in effect, and the Elevation Certificate shall not expire, until the date on which there is an alteration in the building.”.

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

(a) In general.—Subsection (e) of section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081(e)) is amended—

(1) by striking “(e) RISK TRANSFER.—The Administrator” and inserting the following:

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

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

(2) by adding at the end the following:

“(2) LEVERAGING RISK TRANSFER OPPORTUNITIES.—On an annual basis, the Administrator shall evaluate ceding a portion of the risk of the flood insurance program under this title to the private reinsurance or capital markets, or any combination thereof, if the Administrator determines—

“(A) the rates and terms are reasonable and appropriate; and
“(B) doing so would further the development and maintenance of a sound financial framework for the National Flood Insurance Program.”.

(b) Effective Date.—The amendments made by subsection (a) shall become effective upon the expiration of the 18-month period that begins upon the date of the enactment of this Act.

SEC. 407. WRITE-YOUR-OWN ARRANGEMENTS.

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

“(f) Authority to Terminate Write Your Own Arrangements.—The Administrator may cancel any Write Your Own (as such term is defined in section 100202(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4004)) arrangement in its entirety upon 30 days written notice to the Write Your Own company involved by certified mail stating one of the following reasons for such cancellation:

“(1) Fraud or misrepresentation by the company after the inception of the arrangement.

“(2) Nonpayment to the Administrator of any amount due.
“(3) Material failure to comply with the requirements of the arrangement or with the written standards, procedures, or guidance issued by the Administrator relating to the National Flood Insurance Program and applicable to the company.

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

SEC. 408. REGISTRATION OF ADJUSTERS; TRAINING OF FLOODPLAIN MANAGERS.

(a) Registration of Adjusters.—Section 1345 of the National Flood Insurance Act of 1968 (42 U.S.C. 4081), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(h) Registration of Adjusters.—

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

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

“(B) pays a fee to the Administrator imposed pursuant to paragraph (5);

“(C) complies with any other requirements determined by the Administrator to be reasonable and appropriate to support the effective implementation of the National Flood Insurance Program.

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

“(A) COURSE CONTENT.—The training course shall include material relevant to the adjustment of claims under flood insurance made available pursuant to this Act, such as the following:

“(i) POLICY TERMS AND CONDITIONS.—The coverages, exclusions, and other terms and conditions of the policy
forms and endorsements sold pursuant to this Act.

“(ii) CLAIMS.—The policyholder’s responsibilities following a flood loss and how the National Flood Insurance Program investigates, approves, and pays claims, including conducting substantial damage and substantial improvement determinations.

“(iii) APPEAL AND JUDICIAL REVIEW.—How a policyholder may—

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

“(II) seek judicial review following a claim denial.

“(iv) OTHER TOPICS.—Any other appropriate topics as determined by the Administrator.

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

“(4) RULE OF CONSTRUCTION.—This subsection may not be construed to—
“(A) affect the Administrator’s liability under a flood insurance policy made available pursuant to this Act; or

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

“(5) REGISTRATION FEE.—The Administrator may require a person seeking registration under this subsection to pay a fee sufficient to cover the Administrator’s expense associated with the implementation of this subsection, but such fee shall not exceed $100 per year.

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

“(A) Providing incorrect, misleading, incomplete, or materially untrue information in the registration application.

“(B) Violating any regulation, guidance, or other requirement adopted by the Administrator.

“(C) Obtaining or attempting to obtain a registration through misrepresentation or fraud.
“(D) Improperly withholding, misappropriating or converting any monies or properties received in the course of doing insurance business.

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

“(F) Having admitted or been found to have committed any insurance unfair trade practice or fraud.

“(G) Failing to comply with all applicable laws regarding professional licensure and conduct.

“(H) Any other cause of so serious or compelling a nature that it affects the person’s present responsibility.”.

(b) Training Opportunities for Floodplain Managers.—

(1) In General.—Section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(f) Training Opportunities for Floodplain Managers.—The Administrator shall—
“(1) make available training courses and other
guidance materials for local floodplain managers
with respect to—

“(A) implementing and enforcing the flood-
plain management requirements necessary to
remain in compliance with the National Flood
Insurance Program; and

“(B) being better prepared to recover from
future disasters; and

“(2) work with applicable State agencies to pro-
vide the training described in paragraph (1) and
verify that local floodplain managers are completing
the training.’’

(2) EFFECTIVE DATE.—Subsection (f) of sec-
tion 1361 of the National Flood Insurance Act of
1968, as added by the amendment made by para-
graph (1), shall take effect upon the expiration of
the 12-month period beginning on the date of the
enactment of this Act.

SEC. 409. STUDY ON INCREASING PARTICIPATION.

(a) IN GENERAL.—The Comptroller General of the
United States shall conduct a study that proposes to ad-
dress, through programmatic and regulatory changes, how
to increase participation in flood insurance coverage.
(b) ISSUES.—In conducting the study under subsection (a), the Comptroller General shall consider the following:

(1) Expanding participation in flood insurance coverage, beyond areas having special flood hazards, to areas of moderate or minimal flood hazard risk.

(2) Automatically enrolling consumers in flood insurance while providing consumers the opportunity to decline enrollment.

(3) Bundling flood insurance coverage that diversifies risk across all or multiple-peril forms.

c) DETERMINATIONS.—In conducting the study under subsection (a), the Comptroller General shall determine the following:

(1) The percentage of properties with federally backed mortgages located in an area having special flood hazards that are covered by flood insurance that satisfies the requirement under section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)).

(2) The percentage of properties with federally backed mortgages located in the 500-year floodplain that are covered by flood insurance that would satisfy the requirement described in paragraph (1) if that requirement applied to such properties.
(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report on the study conducted under subsection (a) to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

(e) DEFINITIONS.—For purposes of this section—

(1) the term “500-year floodplain” has the meaning given the term in section 100202(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (40 U.S.C. 4004(a));

(2) the terms “Federal agency lender”, “improved real estate”, and “regulated lending institution” have the meanings given such terms in section 3(a) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4003(a)); and

(3) the term “property with a federally backed mortgage” means improved real estate or a mobile home securing a loan that was—

(A) made by a regulated lending institution or Federal agency lender; or

(B) purchased by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.