

[DISCUSSION DRAFT]

117TH CONGRESS
2^D SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

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

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Flood Insurance Program Reauthorization Act
6 of 2022”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Congressional findings.

TITLE I—REAUTHORIZATION AND AFFORDABILITY

- Sec. 101. Program extension.
- Sec. 102. Demonstration program for policy affordability.
- Sec. 103. Premium and fees relief for families and small businesses.
- Sec. 104. Monthly installment payment of premiums.
- Sec. 105. Use of replacement cost value in estimating premium rates.
- Sec. 106. Refund of Premiums.

TITLE II—MAPPING

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

TITLE III—MITIGATION

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

TITLE II—MODERNIZATION

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

1 SEC. 2. CONGRESSIONAL FINDINGS.

2 The Congress finds that—

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

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

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

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

13 (5) affordability of flood insurance coverage re-
14 mains a serious concern;

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

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

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

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

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

4 (a) **FINANCING.**—Subsection (a) of section 1309 of
5 the National Flood Insurance Act of 1968 (42 U.S.C.
6 4016(a)) is amended by striking “September 30, 2022”
7 and inserting “[September 30, 2027]”.

8 (b) **PROGRAM EXPIRATION.**—Section 1319 of the Na-
9 tional Flood Insurance Act of 1968 (42 U.S.C. 4026) is
10 amended by striking “September 30, 2022” and inserting
11 “[September 30, 2027]”.

12 **[(c) RETROACTIVE EFFECTIVE DATE.**—If this Act is
13 enacted after September 30, 2022, the amendments made
14 by subsections (a) and (b) shall take effect as if enacted
15 on September 30, 2022.]

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

18 (a) **AUTHORITY.**—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14 (g) REPORT TO CONGRESS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 (i) TERMINATION.—The authority under this section
13 to provide discounted premium rates for flood insurance
14 coverage shall terminate on **【May 31, 2027】**.

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

17 (a) REPEAL OF SURCHARGE.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3 “(A) EXEMPTION FROM RULEMAKING.—

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

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

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

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

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

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

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

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

1 **SEC. 105. USE OF REPLACEMENT COST VALUE IN ESTI-**
2 **MATING PREMIUM RATES.**

3 Section 1307 of the National Flood Insurance Act of
4 1968 (42 U.S.C. 4014) is amended by adding at the end
5 the following new subsection:

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

11 **SEC. 106. REFUND OF PREMIUMS.**

12 Chapter I of the National Flood Insurance Act of
13 1968 is amended by inserting after section 1307 (42
14 U.S.C. 4014) the following new section:

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

16 “(a) REQUIRED REFUND.—Notwithstanding any
17 other provision of law, if at any time an insured under
18 a policy for flood insurance coverage for a property that
19 is made available under this title cancels such policy be-
20 cause other duplicate flood insurance coverage for the
21 same property has been obtained from a source other than
22 the National Flood Insurance Program under this title,
23 the Administrator shall refund to the former insured a
24 portion of the premiums paid for the coverage made avail-
25 able under this title, as determined consistent with indus-
26 try practice according to the portion of the term of the

1 policy that such coverage was in effect, but only if a copy
2 of declarations page of the new policy obtained from a
3 source other than the program under this title is provided
4 to the Administrator.

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

10 “(1) on the effective date of the new policy ob-
11 tained from a source other than the program under
12 this title, if the request for such cancellation was re-
13 ceived by the Administrator before the expiration of
14 the 6-month period beginning on the effective date
15 of the new policy; or

16 “(2) on the date of the receipt by the Adminis-
17 trator of the request for cancellation, if the request
18 for such cancellation was received by the Adminis-
19 trator after the expiration of the 6-month period be-
20 ginning on the effective date of the new policy.

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

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

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

9 **TITLE II—MAPPING**

10 **SEC. 201. REAUTHORIZATION OF APPROPRIATIONS FOR** 11 **NATIONAL FLOOD MAPPING PROGRAM.**

12 Subsection (f) of section 100216 of the Biggert-
13 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
14 4101b(f)) is amended by striking “\$400,000,000 for each
15 of fiscal years 2013 through 2017” and inserting
16 “\$500,000,000 for each of [fiscal years 2023 through
17 2027]”.

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

19 (a) INCLUSION OF CADASTRAL FEATURES IN FLOOD
20 MAPS AND FLOOD RISK DATA.—Section 100216(b)(3) of
21 the Biggert-Waters Flood Insurance Reform Act of 2012
22 (42 U.S.C. 4101b(b)(3)) is amended—

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

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

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

4 “(F) cadastral features.”.

5 (b) **FORMAT OF FLOOD MAPS AND FLOOD RISK**
6 **DATA.**—Section 100216(c)(2) of the Biggert-Waters
7 Flood Insurance Reform Act of 2012 (42 U.S.C.
8 4101b(c)(2)) is amended—

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

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

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

14 “(D) spatially accurate in accordance with
15 the common protocols for geospatial data under
16 section 757 of the Geospatial Data Act of 2018
17 (43 U.S.C. 2806).”.

18 (c) **ADDITIONAL CONSIDERATIONS.**—Section 100216
19 of the Biggert-Waters Flood Insurance Reform Act of
20 2012 (42 U.S.C. 4101b) is amended—

21 (1) by redesignating subsection (f) as sub-
22 section (m); and

23 (2) by inserting after subsection (e) the fol-
24 lowing:

25 “(g) **STREAM FLOW NETWORKS.**—

1 “(1) IN GENERAL.—The Administrator shall co-
2 ordinate with the United States Geological Survey
3 for the sharing of data from stream flow networks
4 critical to the National Flood Insurance Program,
5 flood risk mapping, and flood risk assessments, to
6 ensure that—

7 “(A) the stream gage stations in such
8 stream flow networks are operational and use
9 modern hardware;

10 “(B) such stream flow networks are suffi-
11 ciently densified by adding new stream gage
12 stations in high-risk areas;

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

16 “(D) the speed of the geospatial real-time
17 data feeds from such stream gage stations is in-
18 creased.

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

20 “(A) STREAM FLOW NETWORK.—The term
21 ‘stream flow network’ means a network of
22 stream flow gages maintained under the direc-
23 tion of the United States Geological Survey and
24 its partners that is used to measure or record
25 the flow of water down a stream or river, or

1 through an entire watershed system, and trans-
2 mit such information using a geospatial real-
3 time data feed.

4 “(B) STREAM GAGE STATION.—The term
5 ‘stream gage station’ means a device installed
6 at the edge of a river or stream that measures
7 or records the flow of water down the stream
8 and additional information such as water
9 height, water chemistry, and water tempera-
10 ture.

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

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

21 “(1) provides access to the raw data used to in-
22 clude the cadastral features and parcel identification
23 data in National Flood Insurance Program flood
24 maps and flood risk data;

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

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

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

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

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

13 “(C) flood depth grids;

14 “(D) flood risk reports;

15 “(E) flood risk assessments (Hazus anal-
16 yses);

17 “(F) hazard mitigation plans; and

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

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

22 “(i) ENSURING CURRENT DATA.—Not less fre-
23 quently than once every 5 years, the Administrator shall
24 verify that each National Flood Insurance Program flood

1 map and flood risk data contains data that is current and
2 credible.

3 “(j) QUALIFICATIONS-BASED SELECTION CON-
4 TRACTING.—

5 “(1) IN GENERAL.—With respect to a contract
6 awarded by the Administrator under this Act, for ar-
7 chitectural and engineering services, such a contract
8 shall be awarded to a contractor selected in accord-
9 ance with the procedures described in section 1103
10 of title 40, United States Code (or an applicable
11 equivalent State qualifications-based statute). The
12 Administrator, or entity, as the case may be, shall
13 require such contractor, as a condition of such con-
14 tract, to award any subcontract for architectural and
15 engineering services in accordance with the proce-
16 dures described in the previous sentence, or the ap-
17 plicable equivalent State statute.

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

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

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

6 **SEC. 203. FLOOD MAPPING MODERNIZATION AND HOME-**
7 **OWNER EMPOWERMENT PILOT PROGRAM.**

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

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

18 (1) To develop a methodology for assessing
19 urban flood risk through the deployment of tech-
20 nology-based mapping tools that are easily under-
21 standable by the public and effectively convey infor-
22 mation regarding the level of flood risk.

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

1 (3) To provide structure-based flood-risk assess-
2 ments.

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

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

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

15 (c) ELIGIBLE RECIPIENTS.—

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

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

4 (A) any unit of general local governmental,
5 or stormwater management authority of a unit
6 of general government, that has previously re-
7 ceived a grant under the pilot program;

8 (B) any unit of general local government if
9 the stormwater management agency for such
10 unit has previously received a grant under the
11 pilot program; or

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

16 (3) TREATMENT OF STORMWATER MANAGE-
17 MENT AUTHORITIES.—In the case of a stormwater
18 management authority that operates with respect to
19 more than one unit of general local government, the
20 application of such authority shall be considered for
21 purposes of paragraph (2) of this subsection and
22 subsections (e), (f), and (g)(1) to be made for the
23 largest unit of general local government for which
24 such authority operates. The preceding sentence
25 shall not limit the ability of such authority to carry

1 out activities under the demonstration project in any
2 other jurisdictions or unit of local government with
3 respect to which the authority operates.

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

9 (e) SELECTION OF RECIPIENTS.—

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

20 (2) AGGREGATE LIMIT.—Subject only to the
21 submission of approvable applications, the Adminis-
22 trator shall select, in the aggregate over the entire
23 duration of the pilot program under this section, 12
24 units of general government or stormwater manage-

1 ment authorities to receive grants under the pilot
2 program, as follows:

3 (A) TIER 1.—Three of the applicants se-
4 lected shall be units of general local govern-
5 ment, or stormwater management authorities
6 for such units, having a population exceeding
7 800,000, as follows:

8 (i) PELAGIC COASTAL CITY.—One
9 shall be a unit of general local government,
10 or stormwater authority for such a unit,
11 that is a pelagic unit.

12 (ii) NON-PELAGIC COASTAL CITY.—
13 One shall be unit of general local govern-
14 ment, or stormwater authority for such a
15 unit, that is a coastal unit, but not a pe-
16 lagic unit.

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

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

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

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

9 (C) TIER 3.—Three of the applicants se-
10 lected shall be units of general local govern-
11 ment, or stormwater management authorities
12 for such units, having a population exceeding
13 50,000 but not exceeding 200,000.

14 (f) PRIORITY.—

15 (1) IN GENERAL.—The Administrator shall se-
16 lect applicants for grants under the pilot program
17 under this section based on the extent to which their
18 applications will achieve the objectives set forth in
19 subsection (b).

20 (2) TIERS 2 AND 3.—In selecting applicants to
21 receive grants under the pilot program under this
22 section pursuant to subparagraphs (B) and (C) of
23 subsection (e)(2), the Administrator shall give pri-
24 ority to applicants—

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

3 (B) within which are located a military in-
4 stallation or other facility relating to national
5 security concerns; or

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

10 (g) AMOUNT.—

11 (1) CONSIDERATIONS.—In determining the
12 amount of grant under the pilot program under this
13 section, the Administrator shall consider the popu-
14 lation of the grant recipient, which may be consid-
15 ered in terms of the tier under subsection (e)(2) of
16 the recipient.

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

22 (h) DURATION.—The Administrator shall require
23 each recipient of a grant under the pilot program under
24 this section to complete the activities under subsection (b)
25 to be carried out using the grant amounts before the expi-

1 ration of the 18-month period beginning upon the initial
2 receipt of grant amounts under the pilot program.

3 (i) USE OF CENSUS DATA.—The Administrator shall
4 make all determinations under the pilot program regard-
5 ing population using the most recent available data from
6 the decennial census.

7 (j) GRANTEE REPORTS TO FEMA.—Each recipient
8 of a grant under the pilot program under this section
9 shall, not later than the expiration of the 30-month period
10 beginning upon the initial receipt of any such grant
11 amounts, submit to the Administrator a report that de-
12 scribes—

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

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

18 (3) any lessons learned in carrying out such ac-
19 tivities and any recommendations for future map-
20 ping modernization efforts by the Federal Emer-
21 gency Management Agency.

22 (k) BIENNIAL REPORTS BY FEMA.—Not later than
23 the expiration of the 24-month period beginning on the
24 date of the enactment of this Act, and not later than the
25 expiration of each successive 24-month period thereafter

1 until the completion of all activities carried out with
2 amounts from grants under the pilot program under this
3 section, the Administrator shall submit to the Congress
4 and make available to the public on an internet website
5 a report that—

6 (1) describes—

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

9 (B) the effectiveness of technology-based
10 mapping tools used in carrying out the activi-
11 ties described in subparagraph (A); and

12 (2) with respect to the final report that the Ad-
13 ministrator is required to submit under this sub-
14 section, includes recommendations to the Congress
15 and the executive branch of the Federal Government
16 for implementing strategies, practices, and tech-
17 nologies to mitigate the effects of urban flooding.

18 (l) SENSE OF CONGRESS.—It is the sense of the Con-
19 gress that, because the pilot program is limited with re-
20 spect to scope and resources, communities that participate
21 in the pilot program should acknowledge that the most
22 successful efforts to mitigate the effects of urban flood-
23 ing—

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

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

3 (B) pursuing designs that proactively mini-
4 mize future flood damage;

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

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

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

17 (1) ADMINISTRATOR.—The term “Adminis-
18 trator” means the Administrator of the Federal
19 Emergency Management Agency.

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

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

24 (B) is not a river.

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

7 (4) URBAN FLOODING.—

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

16 (i) situations in which stormwater en-
17 ters buildings through windows, doors, or
18 other openings;

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

21 (iii) seepage through walls and floors;

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

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

1 (B) EXCLUSION.—Such term does not in-
2 clude flooding in undeveloped or agricultural
3 areas.

4 (n) FUNDING.—There is authorized to be appro-
5 priated for grants under the pilot program under this sec-
6 tion—

7 (1) \$1,200,000 for [fiscal year 2023]; and

8 (2) \$4,300,000 for [fiscal year 2024, to remain
9 available through 2026].

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

11 (a) EXPANDING MAPPING TO ALL AREAS OF THE
12 UNITED STATES.—Subparagraph (A) of section
13 100216(b)(1) of the Biggert-Waters Flood Insurance Re-
14 form Act of 2012 (42 U.S.C. 4101b(b)(1)(A)) is amend-
15 ed—

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

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

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

21 and

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

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

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

5 (1) in subsection (b)(1)—

6 (A) by redesignating subparagraphs (B)
7 and (C) as subparagraphs (C) and (D), respec-
8 tively;

9 (B) by inserting after subparagraph (A)
10 the following:

11 “(B) as soon as practicable—

12 “(i) modernize the flood mapping in-
13 ventory for communities for which the Na-
14 tional Flood Insurance Program flood
15 maps and flood risk data have not been
16 modernized; and

17 “(ii) in coordination with commu-
18 nities, utilize the digital display environ-
19 ment established under subsection
20 (f)(1)(A) to produce, store, and dissemi-
21 nate any flood hazard data, models, and
22 flood maps and flood risk data generated
23 under clause (i) while ensuring that the
24 flood mapping inventory described in that

1 clause may be printed in order to carry
2 out—

3 “(I) floodplain management pro-
4 grams under the National Flood In-
5 surance Act of 1968 (42 U.S.C. 4001
6 et seq.); and

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

9 (C) in subparagraph (C), as so redesign-
10 nated, by striking “and” at the end;

11 (D) in subparagraph (D), as so redesign-
12 nated, by striking the period at the end and in-
13 serting “, and including the most current and
14 most appropriate remote sensing or other
15 geospatial mapping technology;”;

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

17 “(E) when appropriate, partner with other
18 Federal agencies, States, communities, and pri-
19 vate entities in order to meet the objectives of
20 the program; and

21 “(F) when appropriate, consult and coordi-
22 nate with the Secretary of Defense, the Direc-
23 tor of the United States Geological Survey, and
24 the Administrator of the National Oceanic and
25 Atmospheric Administration to obtain the most

1 up-to-date maps and other information of those
2 agencies, including information relating to to-
3 pography, water flow, watershed characteristics,
4 and any other issues that are relevant to identi-
5 fying, reviewing, updating, maintaining, and
6 publishing National Flood Insurance Program
7 flood maps and flood risk data.”;

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

10 “(f) DIGITAL DISPLAY ENVIRONMENT AND BUILD-
11 ING-SPECIFIC FLOOD HAZARD AND RISK INFORMA-
12 TION.—

13 “(1) ESTABLISHMENT.—

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

23 “(B) CONSULTATION WITH STATES AND
24 COMMUNITIES.—In designing and constructing

1 the digital display environment under subpara-
2 graph (A), the Administrator shall—

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

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

11 “(2) DIGITAL DISPLAY SYSTEM.—

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

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

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

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

1 “(I) flood hazard and risk assess-
2 ment determinations;

3 “(II) flood insurance; and

4 “(III) flood risk mitigation ef-
5 forts;

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

9 “(I) have been developed by
10 State and community partners; and

11 “(II) the Administrator finds are
12 acceptable;

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

16 “(vi) where feasible, allow for the
17 maintenance and storage of elevation cer-
18 tificates.

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

1 Code, or any regulation implementing that sec-
2 tion.”;

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

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

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

21 “(3) FUTURE FLOOD RISK.—The Administrator
22 shall, in consultation with the Technical Mapping
23 Council established under section 100215, provide fi-
24 nancial and technical assistance to communities to
25 incorporate future flood hazard conditions as an in-

1 formational layer on their Flood Insurance flood
2 maps and flood risk data.”.

3 **SEC. 205. REFUNDS FOR PROPERTIES INADVERTENTLY IN-**
4 **CLUDED IN AREAS OF SPECIAL FLOOD HAZ-**
5 **ARD.**

6 Section 1307A of the National Flood Insurance Act
7 of 1968, as added by the preceding provisions of this Act,
8 is amended by adding at the end the following new sub-
9 section:

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

12 “(1) IN GENERAL.—Notwithstanding any other
13 provision of law, the Administrator shall cancel a
14 policy for flood insurance made available under this
15 Act if—

16 “(A) the Administrator issues a final de-
17 termination based on updated scientific or tech-
18 nical information that demonstrates the insured
19 property was inadvertently included in a des-
20 ignated area of special flood hazard;

21 “(B) the updated scientific and technical
22 information is not based on any alteration of
23 topography caused by human modification of
24 the environment subsequent to the initial des-

1 ignation of the area of special flood hazard for
2 the insured property;

3 “(C) the insured property was covered by
4 Federal flood insurance required as a condition
5 of any Federal requirement to obtain and main-
6 tain flood insurance on the date of the deter-
7 mination satisfying subparagraph (A);

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

11 “(E) the policyholder requests cancellation
12 of the flood insurance policy within 12 months
13 of the determination satisfying subparagraph
14 (A).

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

20 **SEC. 206. APPEALS AND PUBLICATION OF PROJECTED SPE-**
21 **CIAL FLOOD HAZARD AREAS.**

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

24 (1) in subsection (b), by striking the first and
25 second sentences and inserting the following: “After

1 first notifying the affected local governments, the
2 Administrator shall publish notification of flood ele-
3 vation determinations and designations of areas hav-
4 ing special flood hazards in a prominent local news-
5 paper or other legal format that the Administrator
6 determines is functionally equivalent. Any owner or
7 lessee of real property within the community who be-
8 lieves their property rights to be adversely affected
9 by the Administrator’s proposed determination may
10 submit a notice of appeal of such determination to
11 the local government [no later than 30 days as set
12 forth in the publication notice]. The appellant shall
13 have 150 days from the commencement of the ap-
14 peal period to submit a completed appeal, which
15 shall include all data and analysis in support of the
16 appeal.”;

17 (2) in subsection (c)—

18 (A) by inserting before “Appeals” the fol-
19 lowing: “Within the 30-day appeal period speci-
20 fied in the notification required under sub-
21 section (a), the community shall submit a notice
22 of appeal to the Administrator indicating
23 whether it intends to appeal the proposed deter-
24 mination.”; and

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

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

10 (A) by striking “receive an” and inserting
11 “receive a completed”;

12 (B) by striking “ninety” and inserting
13 “150”; and

14 (C) by striking “subsection (e)” and in-
15 serting “subsection (f)”;

16 (4) by redesignating subsections (e), (f), and
17 (g) as subsections (f), (g), and (h), respectively; and

18 (5) by inserting after subsection (d) the fol-
19 lowing new subsection:

20 “(e) DETERMINATION BY ADMINISTRATOR IN THE
21 ABSENCE OF APPEALS.—If the Administrator has not re-
22 ceived any notices of appeals, upon expiration of the 90-
23 day appeal period established under subsection (b) of this
24 section the Administrator’s proposed determination shall
25 become final upon the expiration of the 14-day period be-

1 ginning upon expiration of the 30-day appeal period. The
2 community shall be given a reasonable time after the Ad-
3 ministrator’s final determination in which to adopt local
4 land use and control measures consistent with the Admin-
5 istrator’s determination.”.

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

10 **SEC. 207. COMMUNICATION AND OUTREACH REGARDING**
11 **CHANGES TO FLOOD MAPS AND FLOOD RISK**
12 **DATA.**

13 Paragraph (1) of section 100216(d) of the Biggert-
14 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
15 4101b(d)(1)) is amended—

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

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

20 **SEC. 208. ADOPTION OF PARTIAL FLOOD MAPS AND FLOOD**
21 **RISK DATA.**

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

1 “If the Administrator proposes to update flood hazard de-
2 terminations and a complete appeal is filed, the Adminis-
3 trator may consider the determination final with respect
4 to the areas that the Administrator determines are not
5 related to the issues or hydrologically connected, or hy-
6 draulically connected, or both, to the areas raised in the
7 appeals.”.

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

9 Section 1360 of the National Flood Insurance Act of
10 1968 (42 U.S.C. 4101), as amended by the preceding pro-
11 visions of this Act, is further amended by adding at the
12 end the following:

13 “(l) LEVEE-IMPACTED AREAS.—

14 “(1) IN GENERAL.—To facilitate the implemen-
15 tation of subparagraph (A)(iii) of section
16 100216(b)(1) of the Biggert-Waters Flood Insur-
17 ance Reform Act of 2012 (42 U.S.C. 4101b(b)(1)),
18 the Administrator shall—

19 “(A) separately identify and designate
20 areas of residual flood risk in a manner that
21 the Administrator determines adequately com-
22 municates both the flood risk reduction and the
23 remaining risk associated with each levee; and

24 “(B) for communities participating in the
25 National Flood Insurance Program, make flood

1 insurance available to properties located within
2 those areas identified pursuant to subparagraph
3 (A) at rates that reflect the remaining flood
4 risk.

5 “(2) TRANSITION.—Until such time as the Ad-
6 ministrator establishes insurance rates in accordance
7 with paragraph (1), structures located such areas
8 shall be eligible for rates associated with areas of
9 moderate flood hazards.”.

10 **SEC. 210. AGRICULTURAL STRUCTURES IN SPECIAL FLOOD**
11 **HAZARD ZONES.**

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

17 “(3) ALLOWABLE LOCAL VARIANCES FOR CER-
18 TAIN AGRICULTURAL STRUCTURES.—

19 “(A) REQUIREMENT.—Notwithstanding
20 any other provision of this Act—

21 “(i) the land use and control meas-
22 ures adopted pursuant to paragraph (1)
23 may not, for purposes of such paragraph,
24 be considered to be inadequate or incon-
25 sistent with the comprehensive criteria for

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

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

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

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

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

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

9 “(I) that neither floodproofing
10 nor elevation of the new structure to
11 the base flood elevation nor an alter-
12 native location for the new structure
13 are practicable; and

14 “(II) that the structure is not lo-
15 cated in—

16 “(aa) a designated regu-
17 latory floodway;

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

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

24 “(iii) In the case of existing struc-
25 tures—

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

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

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

20 “(v) Not more than one claim pay-
21 ment exceeding \$1,000 has been made for
22 the structure under flood insurance cov-
23 erage under this title within any period of
24 10 consecutive years at any time prior to
25 the granting of the variance.

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

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

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

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

20 “(n) PREMIUM RATES FOR CERTAIN AGRICULTURAL
21 STRUCTURES WITH VARIANCES.—Notwithstanding any
22 other provision of this Act, the chargeable premium rate
23 for coverage under this title for any structure provided a
24 variance pursuant to section 1315(a)(3) shall be the same
25 as the rate that otherwise would apply to such structure

1 if the structure had been dry floodproofed or a comparable
2 actuarial rate based upon the risk associated with struc-
3 tures within the applicable areas established under section
4 1360(l).”.

5 (c) UPDATED GUIDANCE.—Not later than the expira-
6 tion of the 8-month period beginning on the date of the
7 enactment of this Act, the Administrator of the Federal
8 Emergency Management Agency shall update the guid-
9 ance entitled “Wet Floodproofing Requirements for Struc-
10 tures Located in Special Flood Hazard Areas in accord-
11 ance with the National Flood Insurance Program” (Tech-
12 nical Bulletin 7-93) to reflect the changes to such program
13 made by the amendments made by this section.

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

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

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

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

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

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

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

4 **TITLE III—MITIGATION**

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

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

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

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

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

17 (4) by redesignating paragraph (4) as subpara-
18 graph (E) (and by adjusting the margin accord-
19 ingly);

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

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

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

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

5 “(1) IN GENERAL.—”;

6 (7) by striking the last sentence (relating to
7 surcharge); and

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

10 “(2) COVERAGE AMOUNTS.—

11 “(A) BASIC COVERAGE.—Unless a policy-
12 holder chooses additional coverage pursuant to
13 subparagraph (B), the Administrator shall
14 make available coverage provided under para-
15 graph (1) in an amount equal to 20 percent of
16 the maximum amount of flood insurance cov-
17 erage allowable under section 1306(b)(2) (42
18 U.S.C. 4013(b)(2)) with respect to a residential
19 building described in such section.

20 “(B) ADDITIONAL COVERAGE.—The Ad-
21 ministrator may offer, and a policyholder may
22 choose to purchase for an additional premium,
23 coverage provided under paragraph (1) in an
24 amount greater than that offered pursuant to
25 subparagraph (A), but not exceeding an amount

1 equal to 40 percent of the maximum amount of
2 flood insurance coverage allowable under section
3 1306(b)(2) (42 U.S.C. 4013(b)(2)) with respect
4 to a residential building described in such sec-
5 tion.

6 “(C) TREATMENT OF COVERAGE LIMITS.—
7 Any amount of coverage for a property provided
8 pursuant to this subsection shall not be consid-
9 ered or counted for purposes of any limitation
10 on coverage applicable to such property under
11 section 1306(b) and any claim on such coverage
12 shall not be considered a claim for purposes of
13 identifying properties with multiple losses, [in-
14 cluding for purposes of section 1307(h) and for
15 purposes of subsection (a)(3) and (h)(3) of sec-
16 tion 1366].

17 [“(D) MAXIMIZATION OF COVERAGE.—
18 The Administrator shall make insurance cov-
19 erage under this subsection available in an
20 amount that maximizes the amount of coverage
21 available, subject to this paragraph, generally
22 accepted actuarial principles, and any other
23 provision of this Act.]

24 “(3) PREMIUMS.—The Administrator shall
25 charge risk premium rates for coverage made avail-

1 able pursuant to this subsection in accordance with
2 section 1307(a)(1).

3 “(4) ELIGIBLE MITIGATION ACTIVITIES.—

4 “(A) IN GENERAL.—Eligible mitigation
5 methods the cost of which is covered by cov-
6 erage provided under this subsection shall in-
7 clude—

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

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

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

18 “(i) IN GENERAL.—An acquisition or
19 relocation project shall be eligible to re-
20 ceive assistance pursuant to subparagraph
21 (A)(iii) only if—

22 “(I) any property acquired, ac-
23 cepted, or from which a structure will
24 be removed shall be dedicated and
25 maintained in perpetuity for a use

1 that is compatible with open space,
2 recreational, or wetlands management
3 practices; and

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

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

10 “(bb) a restroom; or

11 “(cc) a structure that the
12 Administrator approves in writ-
13 ing before the commencement of
14 the construction of the structure.

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

18 “(I) no person may apply to a
19 Federal entity for disaster assistance
20 with regard to any property acquired,
21 accepted, or from which a structure
22 was removed as part of such acqui-
23 sition or relocation project; and

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

4 “(C) PRE-DISASTER MITIGATION
5 PROJECTS.—

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

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

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

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

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

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

1 to comply with the requirements of sub-
2 clauses (I) and (II) of clause (iii).

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

16 “(D) ASSIGNMENT OF CLAIMS FOR MITIGA-
17 TION GRANT RECIPIENTS.—

18 “(i) IN GENERAL.—A policyholder
19 may assign the rights or benefits of the
20 coverage made available under this sub-
21 section to satisfy a required non-Federal
22 contribution for a flood-related mitigation
23 project funded by mitigation assistance
24 programs described in clauses (i) through
25 (iii) of paragraph (1)(E).

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

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

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

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

22 “(ii) has not previously been altered,
23 improved, replaced, or repaired using as-
24 sistance provided under this subsection.

1 “(5) ANNUAL REPORTS.—The Administrator
2 shall submit a report to the Congress annually, and
3 shall make such report publicly available, that sets
4 forth detailed information regarding the fees and
5 surcharges for coverage under this subsection, the
6 amount of revenue received from such fees and sur-
7 charges during the most recently completed fiscal
8 year, and how such revenue was used, including the
9 types of mitigation activities funded with such
10 amounts.

11 “(6) IMPLEMENTATION.—Notwithstanding any
12 other provision of law, the Administrator may imple-
13 ment this subsection by adopting one or more stand-
14 ard endorsements to the Standard Flood Insurance
15 Policy by publication of such standards in the Fed-
16 eral Register, or by comparable means.”.

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

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

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

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

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

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

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

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

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

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

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

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

12 “(10) EXTREME REPETITIVE-LOSS PROP-
13 ERTY.—The term ‘extreme repetitive-loss property’
14 means a structure that has incurred flood-related
15 damage for which at least 2 separate claims have
16 been made under flood insurance coverage under
17 this title, with the cumulative amount of such claims
18 payments exceeding 150 percent of the maximum
19 coverage amount available for the structure.”.

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

22 (1) in section 1304(b)(1)(A) (42 U.S.C.
23 4011(b)(1)(A)), as amended by section 301 of this
24 Act, by striking “repetitive loss structures” and in-
25 serting “repetitive-loss properties”;

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

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

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

7 “(i) an extreme repetitive-loss prop-
8 erty; or

9 “(ii) a severe repetitive-loss prop-
10 erty.”;

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

12 (D) by redesignating subsection (i), as
13 added by the preceding provisions of this Act,
14 as subsection (h);

15 (3) in section 1315(a)(2)(A)(i) (42 U.S.C.
16 4022(a)(2)(A)(i)), by striking “repetitive loss struc-
17 ture” and inserting “repetitive-loss property”; and

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

19 (A) in subsection (a)(2), by striking “re-
20 petitive loss structures” and inserting “repet-
21 itive-loss properties”;

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

25 (C) in subsection (d)—

1 (i) in paragraph (1)—

2 (I) in the paragraph heading, by
3 striking “REPETITIVE LOSS STRUC-
4 TURES” and inserting “REPETITIVE-
5 LOSS AND EXTREME REPETITIVE LOSS
6 PROPERTIES”; and

7 (II) in the matter preceding sub-
8 paragraph (A), by striking “repetitive
9 loss structures” and inserting “repet-
10 itive-loss properties or extreme repet-
11 itive-loss properties”; and

12 (ii) in paragraph (2)—

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

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

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

1 **SEC. 303. PREMIUM RATES FOR CERTAIN MITIGATED PROP-**
2 **ERTIES.**

3 (a) MITIGATION STRATEGIES.—Paragraph (1) of sec-
4 tion 1361(d) of the National Flood Insurance Act of 1968
5 (42 U.S.C. 4102(d)(1)) is amended—

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

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

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

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

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

17 (b) MITIGATION CREDIT.—Subsection (k) of section
18 1308 of the National Flood Insurance Act of 1968 (42
19 U.S.C. 4015(k)) is amended—

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

22 “(1) take into account”;

23 (2) in paragraph (1), as so designated by the
24 amendment made by paragraph (1) of this sub-
25 section, by striking the period at the end and insert-
26 ing “; and”; and

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

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

8 **SEC. 304. COVERAGE FOR COOPERATIVES.**

9 (a) **EQUAL TREATMENT WITH CONDOMINIUMS.**—
10 Section 1306 of the National Flood Insurance Act of 1968
11 (42 U.S.C. 4013), as amended by the preceding provisions
12 of this Act is further amended by adding at the end the
13 following:

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

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

23 (1) in subsection (c)—

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

3 “flood insurance—

4 “(1) to condominium owners”; and

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

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

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

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

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

22 **SEC. 305. VOLUNTARY COMMUNITY-BASED FLOOD INSUR-**
23 **ANCE PILOT PROGRAM.**

24 (a) ESTABLISHMENT.—The Administrator of the
25 Federal Emergency Management Agency (in this section

1 referred to as the “Administrator”) shall carry out a com-
2 munity-based flood insurance pilot program to make avail-
3 able, for purchase by participating communities, a single,
4 community-wide flood insurance policy under the National
5 Flood Insurance Program that—

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

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

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

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

20 (1) A mapping requirement for properties cov-
21 ered by the policy.

22 (2) A deductible.

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

25 (4) A community audit.

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

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

11 (d) **TIMING.**—The Administrator shall establish the
12 demonstration program under this section not later than
13 the expiration of the 180-day period beginning on the date
14 of the enactment of this Act and the program shall termi-
15 nate on **[September 30, 2027]**.

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

20 **SEC. 306. MITIGATION FUNDING.**

21 For each of the first 5 fiscal years beginning after
22 following the date of the enactment of this Act, there is
23 authorized to be appropriated \$200,000,000 to carry out
24 the flood mitigation assistance grant program under sec-

1 tion 1366 of the National Flood Insurance Act of 1968
2 (42 U.S.C. 4104c).

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

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

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

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

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

19 “(d) GRANTS FOR COMMUNITY RATING SYSTEM
20 PROGRAM COORDINATORS.—

21 “(1) AUTHORITY.—The Administrator shall
22 carry out a program to make grants to consortia of
23 States and communities for use only for costs of em-
24 ploying or otherwise retaining an individual or indi-
25 viduals to coordinate and carry out training, tech-

1 nical assistance, and assistance with application to
2 the community rating system program under sub-
3 section (b) for States and communities that are
4 members of such consortia.

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

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

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

24 “(A) the evidence referred to in paragraph
25 (2);

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

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

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

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

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

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

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

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

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

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

15 **“SEC. 1326. COMMUNITY ASSISTANCE PROGRAM FOR EF-**
16 **FFECTIVE FLOODPLAIN MANAGEMENT.**

17 “(a) IN GENERAL.—The Administrator shall estab-
18 lish a community assistance program under this section
19 to increase the capacity and capability of States, Indian
20 tribes, and communities to effectively manage flood risk
21 and participate in the national flood insurance program,
22 including the community rating system program under
23 section 1315(b), by providing financial and technical as-
24 sistance to States, tribes and communities.

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

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

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

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

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

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

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

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

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

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

9 “(c) COMMUNITY ASSISTANCE GRANTS TO
10 STATES.—

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

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

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

24 “(2) GUIDELINES.—The Administrator shall es-
25 tablish guidelines governing the use of grant funds

1 under this subsection, including setting forth activi-
2 ties eligible to be funded with such amounts.

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

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

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

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

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

23 “(5) ONGOING REVIEW OF FLOODPLAIN MAN-
24 AGEMENT STANDARDS.—Each State that is awarded
25 funds under this section shall provide periodic re-

1 ports, certifications, and information regarding the
2 floodplain management standards of such State as
3 the Administrator may require for the duration of
4 the use of grant amounts.

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

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

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

14 “(A) are specifically authorized under
15 State law and do not conflict with or inhibit the
16 implementation of the National Flood Insur-
17 ance Act of 1968;

18 “(B) designate an entity responsible for co-
19 ordinating the national flood insurance program
20 in the State;

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

23 “(D) address on a long-term basis—

1 “(i) integration of floodplain manage-
2 ment activities with other State functions
3 and activities;

4 “(ii) identification of flood hazards;

5 “(iii) management of natural flood-
6 plain functions and resources;

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

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

11 “(vi) strategies for informing commu-
12 nities and citizens about flood risk and
13 mitigation options; and

14 “(vii) measures for evaluating the ef-
15 fectiveness of State floodplain management
16 efforts;

17 “(E) include a long-term plan that will fa-
18 cilitate the prioritization and provision of train-
19 ing and technical assistance to communities and
20 Indian tribes in the State to increase local and
21 tribal capacity and capability for floodplain
22 management, including the capacity and capa-
23 bility to participate in the national flood insur-
24 ance program and the community rating system
25 program;

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

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

7 “(e) FUNDING.—

8 “(1) AUTHORIZATION OF APPROPRIATIONS.—

9 There is authorized to be appropriated \$20,000,000
10 for each of **■**fiscal years 2023 through 2028**■** for the
11 National Flood Insurance Fund for carrying out this
12 section. Any amounts appropriated pursuant to this
13 subsection shall remain available until expended.

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

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

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

23 (b) USE OF NATIONAL FLOOD INSURANCE FUND
24 AMOUNTS.—Subsection (a) of section 1310 of the Na-

1 tional Flood Insurance Act of 1968 (42 U.S.C. 4017(a))

2 is amended—

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

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

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

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

11 **TITLE II—MODERNIZATION**

12 **SEC. 401. EFFECT OF PRIVATE FLOOD INSURANCE COV-** 13 **ERAGE ON CONTINUOUS COVERAGE RE-** 14 **QUIREMENTS.**

15 Section 1308 of the National Flood Insurance Act of
16 1968 (42 U.S.C. 4015), as amended by the preceding pro-
17 visions of this Act, is further amended by adding at the
18 end the following:

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

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

1 the national flood insurance program or private market,
2 that was used to satisfy the requirements under sub-
3 sections (a) and (b) of section 102 of the Flood Disaster
4 Protection Act of 1973 (42 U.S.C. 4012a) to be a period
5 of continuous coverage.”.

6 **SEC. 402. OPTIONAL COVERAGE FOR BLANKET PROPERTY**
7 **POLICIES.**

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

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

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

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

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

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

1 “(B) any such coverage shall be made
2 available only at chargeable rates that are not
3 less than the estimated premium rates for such
4 coverage determined in accordance with section
5 1307(a)(1).”.

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

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

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

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

1 **SEC. 404. DATA EXCHANGE PROGRAM.**

2 Section 1313 of the National Flood Insurance Act of
3 1968 (42 U.S.C. 4020) is amended—

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

7 (2) by adding at the end the following new sub-
8 sections:

9 “(b) DATA EXCHANGE PROGRAM.—

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

16 “(2) DATA ELIGIBLE FOR SHARING.—The Ad-
17 ministrator shall disclose the following claims and
18 policy information, obtained in connection with a
19 flood insurance policy made available under this title
20 or through a data sharing agreement executed pur-
21 suant to paragraph (3), pursuant to paragraph (1):

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

24 “(B) Amount of coverage in force.

25 “(C) Dates of loss.

26 “(D) The amount paid on claims.

1 “(E) Any other claims and policy informa-
2 tion the Administrator determines necessary
3 and appropriate.

4 “(3) DATA SHARING AGREEMENT.—A data
5 sharing agreement entered into pursuant to para-
6 graph (1) shall include—

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

11 “(i) the insurance company may only
12 use information provided under the agree-
13 ment for the purposes of underwriting, es-
14 tablishing premium rates, and adjusting
15 claims; and

16 “(ii) the insurance company may not
17 use the information provided as part of the
18 agreement for marketing purposes;

19 “(B) an agreement by the insurance com-
20 pany to provide to the Administrator the insur-
21 ance company’s policy and claims data in a
22 form prescribed by the Administrator; and

23 “(C) any other terms and conditions the
24 Administrator determines are necessary and ap-
25 propriate.

1 “(c) ACCESS TO FLOOD INSURANCE INFORMA-
2 TION.—Upon the request of a purchaser, lessee, or current
3 owner of a property, the Administrator shall provide to
4 the purchaser, lessee, or current owner of the property in-
5 formation pertaining to the property the purchaser or les-
6 see is under contract to buy or lease, respectively, or the
7 current owner’s property, as follows:

8 “(1) The number and dollar value of claims
9 filed for the property, and factors related to the
10 cause of loss, over the life of the property, as known
11 to the Administrator, including claims made under—

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

14 “(B) a private flood insurance policy.

15 “(2) Information on whether the property
16 owner may be required to purchase flood insurance
17 coverage due to previous receipt of Federal disaster
18 assistance subject to the mandatory purchase re-
19 quirement under section 102 of the Flood Disaster
20 Protection Act of 1973.

21 “(3) Such other available information about the
22 property as determined by the Administrator to ac-
23 curately and adequately characterize the true flood
24 risk to the property.

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

7 “(e) FEE.—

8 “(1) IN GENERAL.—To carry out subsection
9 (b), the Administrator may charge a fee to partici-
10 pating insurance companies under subsection (b).
11 The Administrator shall not charge a fee to the cur-
12 rent owner requesting flood insurance information
13 under subsection (c).

14 “(2) DEPOSIT.—The Administrator shall de-
15 posit the fee collected under this subsection into the
16 National Flood Insurance Fund established under
17 section 1310.

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

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

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

4 “(3) PURCHASER.—The term ‘purchaser’
5 means a person or entity that enters into an agree-
6 ment to purchase an interest in a property.”.

7 **SEC. 405. ELEVATION CERTIFICATES.**

8 Chapter I of the National Flood Insurance Act of
9 1968 (42 U.S.C. 4011 et seq.), as amended by the pre-
10 ceding provisions of this Act, is further amended by add-
11 ing at the end the following:

12 **“SEC. 1327. ELEVATION CERTIFICATES.**

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

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

22 (a) IN GENERAL.—Subsection (e) of section 1345 of
23 the National Flood Insurance Act of 1968 (42 U.S.C.
24 4081(e)) is amended—

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

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

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

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

7 “(2) LEVERAGING RISK TRANSFER OPPORTUNI-
8 TIES.—On an annual basis, the Administrator shall
9 evaluate ceding a portion of the risk of the flood in-
10 surance program under this title to the private rein-
11 surance or capital markets, or any combination
12 thereof, if the Administrator determines—

13 “(A) the rates and terms are reasonable
14 and appropriate; and

15 “(B) doing so would further the develop-
16 ment and maintenance of a sound financial
17 framework for the National Flood Insurance
18 Program.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall become effective upon the expiration
21 of the 18-month period that begins upon the date of the
22 enactment of this Act.

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

2 Section 1345 of the National Flood Insurance Act of
3 1968 (42 U.S.C. 4081) is amended by adding at the end
4 the following new subsections:

5 “(f) **AUTHORITY TO TERMINATE WRITE YOUR OWN**
6 **ARRANGEMENTS.**—The Administrator may cancel any
7 Write Your Own (as such term is defined in section
8 100202(a) of the Biggert-Waters Flood Insurance Reform
9 Act of 2012 (42 U.S.C. 4004)) arrangement in its entirety
10 upon 30 days written notice to the Write Your Own com-
11 pany involved by certified mail stating one of the following
12 reasons for such cancellation:

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

15 “(2) Nonpayment to the Administrator of any
16 amount due.

17 “(3) Material failure to comply with the re-
18 quirements of the arrangement or with the written
19 standards, procedures, or guidance issued by the Ad-
20 ministrator relating to the National Flood Insurance
21 Program and applicable to the company.

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

1 **SEC. 408. REGISTRATION OF ADJUSTERS; TRAINING OF**
2 **FLOODPLAIN MANAGERS.**

3 (a) REGISTRATION OF ADJUSTERS.—Section 1345 of
4 the National Flood Insurance Act of 1968 (42 U.S.C.
5 4081), as amended by the preceding provisions of this Act,
6 is further amended by adding at the end the following new
7 subsection:

8 “(h) REGISTRATION OF ADJUSTERS.—

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

14 “(2) REGISTRATION REQUIREMENTS.—The Ad-
15 ministrator shall not register a person pursuant to
16 paragraph (1) unless the person—

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

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

22 “(C) complies with any other requirements
23 determined by the Administrator to be reason-
24 able and appropriate to support the effective
25 implementation of the National Flood Insur-
26 ance Program.

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

4 “(A) COURSE CONTENT.—The training
5 course shall include material relevant to the ad-
6 justment of claims under flood insurance made
7 available pursuant to this Act, such as the fol-
8 lowing:

9 “(i) POLICY TERMS AND CONDI-
10 TIONS.—The coverages, exclusions, and
11 other terms and conditions of the policy
12 forms and endorsements sold pursuant to
13 this Act.

14 “(ii) CLAIMS.—The policyholder’s re-
15 sponsibilities following a flood loss and how
16 the National Flood Insurance Program in-
17 vestigates, approves, and pays claims, in-
18 cluding conducting substantial damage and
19 substantial improvement determinations.

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

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

1 “(II) seek judicial review fol-
2 lowing a claim denial.

3 “(iv) OTHER TOPICS.—Any other ap-
4 propriate topics as determined by the Ad-
5 ministrator.

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

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

12 “(A) affect the Administrator’s liability
13 under a flood insurance policy made available
14 pursuant to this Act; or

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

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

23 “(6) REGISTRATION DENIAL, NONRENEWAL, OR
24 REVOCATION.—The Administrator may place on pro-
25 bation, suspend, revoke, or refuse to issue or renew

1 a registration issued pursuant to this subsection for
2 any one of more of the following causes:

3 “(A) Providing incorrect, misleading, in-
4 complete, or materially untrue information in
5 the registration application.

6 “(B) Violating any regulation, guidance, or
7 other requirement adopted by the Adminis-
8 trator.

9 “(C) Obtaining or attempting to obtain a
10 registration through misrepresentation or fraud.

11 “(D) Improperly withholding, misappro-
12 priating or converting any monies or properties
13 received in the course of doing insurance busi-
14 ness.

15 “(E) Intentionally misrepresenting the
16 terms of an actual or proposed insurance con-
17 tract or application for insurance.

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

21 “(G) Failing to comply with all applicable
22 laws regarding professional licensure and con-
23 duct.

1 “(H) Any other cause of so serious or com-
2 pelling a nature that it affects the person’s
3 present responsibility.”.

4 (b) TRAINING OPPORTUNITIES FOR FLOODPLAIN
5 MANAGERS.—

6 (1) IN GENERAL.—Section 1361 of the Na-
7 tional Flood Insurance Act of 1968 (42 U.S.C.
8 4102), as amended by the preceding provisions of
9 this Act, is further amended by adding at the end
10 the following new subsection:

11 “(f) TRAINING OPPORTUNITIES FOR FLOODPLAIN
12 MANAGERS.—The Administrator shall—

13 “(1) make available training courses and other
14 guidance materials for local floodplain managers
15 with respect to—

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

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

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

1 (2) EFFECTIVE DATE.—Subsection (f) of sec-
2 tion 1361 of the National Flood Insurance Act of
3 1968, as added by the amendment made by para-
4 graph (1), shall take effect upon the expiration of
5 the 12-month period beginning on the date of the
6 enactment of this Act.

7 **SEC. 409. STUDY ON INCREASING PARTICIPATION.**

8 (a) IN GENERAL.—The Comptroller General of the
9 United States shall conduct a study that proposes to ad-
10 dress, through programmatic and regulatory changes, how
11 to increase participation in flood insurance coverage.

12 (b) ISSUES.—In conducting the study under sub-
13 section (a), the Comptroller General shall consider the fol-
14 lowing:

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

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

21 (3) Bundling flood insurance coverage that di-
22 versifies risk across all or multiple-peril forms.

23 (c) DETERMINATIONS.—In conducting the study
24 under subsection (a), the Comptroller General shall deter-
25 mine the following:

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

7 (2) The percentage of properties with federally
8 backed mortgages located in the 500-year floodplain
9 that are covered by flood insurance that would sat-
10 isfy the requirement described in paragraph (1) if
11 that requirement applied to such properties.

12 (d) REPORT.—Not later than 18 months after the
13 date of enactment of this Act, the Comptroller General
14 of the United States shall submit a report on the study
15 conducted under subsection (a) to the Committee on Fi-
16 nancial Services of the House of Representatives and the
17 Committee on Banking, Housing, and Urban Affairs of
18 the Senate.

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

20 (1) the term “500-year floodplain” has the
21 meaning given the term in section 100202(a) of the
22 Biggert-Waters Flood Insurance Reform Act of
23 2012 (40 U.S.C. 4004(a));

24 (2) the terms “Federal agency lender”, “im-
25 proved real estate”, and “regulated lending institu-

1 tion” have the meanings given such terms in section
2 3(a) of the Flood Disaster Protection Act of 1973
3 (42 U.S.C. 4003(a)); and

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

7 (A) made by a regulated lending institu-
8 tion or Federal agency lender; or

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