To ensure fair treatment of existing levees and flood control structures under the national flood insurance program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2011

Mr. ALEXANDER introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To ensure fair treatment of existing levees and flood control structures under the national flood insurance program.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fair Treatment of Existing Levees Act of 2011”.

SEC. 2. TREATMENT OF EXISTING LEVEES AND FLOOD CONTROL STRUCTURES.

(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may not use the assumption that a currently existing levee or flood control struc-
ture does not exist to designate an area as having new
flood hazards pursuant to issuance, revision, updating, or
any other process to implement changes in flood insurance
maps used under the national flood insurance program
under the National Flood Insurance Act of 1968 (42
U.S.C. 4001 et seq.), except in cases where no affected
community notifies the Federal Emergency Management
Agency of objections to the Administrator’s hazard mod-
eling processes within 90 days of the enactment of this
Act, and provided that prior to implementation of this pro-
vision the affected community provides sufficient notifica-
tion to the affected residents that the level of protection
provided by such levee or flood control structure is under
review.

(b) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to establish, provide, or otherwise
imply that the presence of an existing levee or flood con-
trol structure pursuant to subsection (a) thereby accredits
such levee with providing protection from a flood of a level
that has a 1-percent chance of being equaled or exceeded
in any single year.