To postpone the remapping of areas protected by certain levees for purposes of the National Flood Insurance Act of 1968, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2011

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

A BILL

To postpone the remapping of areas protected by certain levees for purposes of the National Flood Insurance Act of 1968, and for other purposes.

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

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Redundant Remapping
5 Reform Act of 2011”.

6 SEC. 2. DEFINITIONS.

7 In this Act—

8 (1) the term “Administrator” means the Admin-
9  istrator of the Federal Emergency Management
10   Agency;
(2) the term “covered period” means—

(A) with respect to a levee for which the Army Corps of Engineers has entered into a cost sharing agreement, the 48-month period beginning on the date on which the Army Corps of Engineers makes available any funds required to be made available by the Army Corps of Engineers under the agreement; and

(B) with respect to a levee not described in subparagraph (A), the 48-month period beginning on the date on which the Administrator commences an update of a National Flood Insurance Program rate map that includes an area protected by the levee;

(3) the term “National Flood Insurance Program” means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.); and

(4) the term “qualified levee” means a levee that is being constructed or modified, if the owner of the levee enters into an agreement with the Administrator that the construction or modification will be completed before the end of a covered period relating to the qualified levee.
SEC. 3. REMAPPING OF AREAS PROTECTED BY CERTAIN LEVEES.

(a) LEVEES UNDERGOING ACCREDITATION.—The Administrator may not update or publish a National Flood Insurance Program rate map during a covered period with respect to an area that is protected by a levee—

(1) for which a community or other party has sought recognition under section 65.10 of title 44, Code of Federal Regulations, or any successor thereto; and

(2) with respect to which the Administrator has not issued a Letter of Final Determination.

(b) LEVEES UNDERGOING PLANNING, CONSTRUCTION, OR REHABILITATION.—

(1) PROHIBITION.—Except as provided in paragraph (2), the Administrator may not update or publish a National Flood Insurance Program rate map during a covered period with respect to an area that is protected by a qualified levee that is being planned, constructed, or rehabilitated, if the scheduled completion date for the planning, construction, or rehabilitation occurs during the covered period.

(2) EXCEPTIONS.—The Administrator may update or publish a National Flood Insurance Program rate map during a covered period with respect to an
area that is protected by a qualified levee described in paragraph (1)—

(A) on or after the date on which the construction or rehabilitation of the qualified levee is completed; or

(B) on or after the date on which the Administrator determines that the planning, construction, or rehabilitation of the qualified levee is experiencing an indefinite delay.

(3) SCHEDULED COMPLETION DATE.—For purposes of this subsection, the scheduled completion date for planning, construction, or rehabilitation of a qualified levee shall be determined by an engineer responsible for the design, modification, or construction of the qualified levee, taking into consideration the actual condition of the qualified levee.

(c) NOTIFICATION OF AFFECTED PERSONS.—

(1) DRAFT NOTICE.—Not later than 60 days after the date of enactment of this Act, the Administrator shall publish a notice to be used by owners of qualified levees subject to this section to disclose to persons affected by the qualified levees—

(A) information relating to the possible dangers of living in an area affected by the
qualified levees without flood insurance coverage;

(B) information relating to the availability of flood insurance coverage; and

(C) any other information that the Administrator determines is necessary.

(2) NOTICE BY OWNERS OF LEVEES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 30 days after the commencement of a covered period, the owner of the qualified levee to which the covered period relates shall provide the notice published under paragraph (1) to each person identified by the owner of the qualified levee as a person affected by the qualified levee.

(B) EXCEPTION.—In the case of a covered period that commences before the date on which the Administrator publishes the notice under paragraph (1), the owner of the qualified levee to which the covered period relates shall provide the notice required under subparagraph (A) to each person identified by the owner of the qualified levee as a person affected by the qualified levee as soon as practicable after the date
on which the Administrator publishes the notice.

(d) REPORTING REQUIREMENTS.—During a covered period relating to a qualified levee, the owner of the qualified levee (or a designee of the owner) shall submit to the Administrator a quarterly report that contains—

(1) a description of the progress of the construction or modification of the qualified levee; and

(2) an estimate of the scheduled completion date of the construction or modification of the qualified levee, as determined by an engineer responsible for the design, modification, or construction of the qualified levee, taking into consideration the actual condition of the qualified levee.