

111TH CONGRESS
1ST SESSION

H. R. 3415

To suspend flood insurance rate map updates in geographic areas in which certain levees are being repaired.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2009

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

A BILL

To suspend flood insurance rate map updates in geographic areas in which certain levees are being repaired.

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. SUSPENSION OF FLOOD INSURANCE RATE MAP**

4 **UPDATES IN GEOGRAPHIC AREAS IN WHICH**

5 **CERTAIN LEVEES ARE BEING REPAIRED.**

6 Section 1360 of the National Flood Insurance Act of
7 1968 (42 U.S.C. 4101) is amended by adding at the end
8 the following new subsection:

9 “(k) SUSPENSION OF FLOOD INSURANCE RATE MAP
10 UPDATES IN CERTAIN GEOGRAPHIC AREAS.—

1 “(1) SUSPENSION.—Except as provided in
2 paragraph (2), the Director shall not update a flood
3 plain area or a flood risk zone in accordance with
4 subsection (f) in a geographic area that meets the
5 following conditions:

6 “(A) The geographic area is intended to be
7 protected by a levee determined by the Army
8 Corps of Engineers to have a design deficiency.

9 “(B) The entity responsible for the repair
10 of such levee has implemented a plan to repair
11 the levee that—

12 “(i) has been developed by the Army
13 Corps of Engineers or a professional engi-
14 neer licensed by a State licensing board;

15 “(ii) has been approved by the Army
16 Corps of Engineers or the Federal Emer-
17 gency Management Agency;

18 “(iii) is based on sufficient and rea-
19 sonably current design data that accurately
20 reflects the condition of such levee and
21 other flood protection facilities in the geo-
22 graphic area;

23 “(iv) upon completion of the repair will
24 provide protection from the one percent

1 annual chance flood for the geographic
2 area; and

3 “(v) includes an adequate financing
4 mechanism to pay for the implementation
5 of the plan.

6 “(C) Each State or local government with
7 jurisdiction over any portion of the geographic
8 area has developed and implemented a surveil-
9 lance and operations plan to provide for timely
10 alerts and immediate remedial action when sig-
11 nificant underseepage or potential failure occurs
12 in such portion of the geographic area.

13 “(D) Each State or local government with
14 jurisdiction over any portion of the geographic
15 area has an evacuation plan to be implemented
16 in the event of flooding in such portion of the
17 geographic area.

18 “(E) Each State or local government with
19 jurisdiction over any portion of the geographic
20 area has developed and implemented an out-
21 reach and communication plan to advise occu-
22 pants in such portion of the geographic area of
23 potential flood risks, the opportunity to pur-
24 chase flood insurance, and the consequences of
25 failure to purchase flood insurance.

1 “(2) EXCEPTIONS.—Paragraph (1) shall not
2 apply with respect to a geographic area if—

3 “(A) the Director determines that such ge-
4 ographic area is protected by a flood protection
5 system that provides protection from the one
6 percent annual chance flood; or

7 “(B) the Director has suspended the up-
8 dating of flood plain areas or flood risk zones
9 in such geographic area in accordance with
10 paragraph (1) for seven consecutive years.”.

○