

signed a Memorandum of Understanding to preclude mineral development along the Flathead. British Columbia completed prohibition of mineral development along the Flathead River in 2011.

The North Fork Watershed Protection Act is necessary to hold up the U.S. end of the bargain and to be a good neighbor. The Canadian province has expended significant resources for the sake of upholding this agreement and strongly supports passage of this legislation so their efforts will be solidified.

The bill also has an unprecedented mix of supporters, from ConocoPhillips, Anadarko, and Chevron, to Ducks Unlimited, Theodore Roosevelt Conservation Partnership, and local chambers of commerce. This unity across diverse stakeholders is reflective of the bill's strong support among Montanans. It is time we get this done.

Montanans have been working toward protecting the Flathead for decades. Senator Max Baucus began work to protect this watershed in his very first year in Congress. That was back in 1974, when he was Montana's Congressman in the House. I am proud to be part of the effort to get it done and across the finish line.

Passage of the North Fork Watershed Protection Act is a major step towards a commonsense goal that Montanans have worked toward together for decades.

Though Senator Bachus has now retired and is serving in China, the passage of the North Fork Watershed Protection Act will send a strong message to the Senate to get it done.

I urge passage of H.R. 2259, the North Fork Watershed Protection Act.

Mr. HORSFORD. Mr. Speaker, I rise again to reiterate our support for H.R. 2259, and I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. HASTINGS) that the House suspend the rules and pass the bill, H.R. 2259, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2014

Mrs. CAPITO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3370

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Homeowner Flood Insurance Affordability Act of 2014”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Definitions.
- Sec. 3. Repeal of certain rate increases.
- Sec. 4. Restoration of grandfathered rates.
- Sec. 5. Requirements regarding annual rate increases.
- Sec. 6. Clarification of rates for properties newly mapped into areas with special flood hazards.
- Sec. 7. Premiums and reports.
- Sec. 8. Annual premium surcharge.
- Sec. 9. Draft affordability framework.
- Sec. 10. Risk transfer.
- Sec. 11. Monthly installment payment for premiums.
- Sec. 12. Optional high-deductible policies for residential properties.
- Sec. 13. Exclusion of detached structures from mandatory purchase requirement.
- Sec. 14. Accounting for flood mitigation activities in estimates of premium rates.
- Sec. 15. Home improvement fairness.
- Sec. 16. Affordability study and report.
- Sec. 17. Flood insurance rate map certification.
- Sec. 18. Funds to reimburse homeowners for successful map appeals.
- Sec. 19. Flood protection systems.
- Sec. 20. Quarterly reports regarding Reserve Fund ratio.
- Sec. 21. Treatment of floodproofed residential basements.
- Sec. 22. Exemption from fees for certain map change requests.
- Sec. 23. Study of voluntary community-based flood insurance options.
- Sec. 24. Designation of flood insurance advocate.
- Sec. 25. Exceptions to escrow requirement for flood insurance payments.
- Sec. 26. Flood mitigation methods for buildings.
- Sec. 27. Mapping of non-structural flood mitigation features.
- Sec. 28. Clear communications.
- Sec. 29. Protection of small businesses, nonprofits, houses of worship, and residences.
- Sec. 30. Mapping.
- Sec. 31. Disclosure.

SEC. 2. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

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

(2) NATIONAL FLOOD INSURANCE PROGRAM.—The term “National Flood Insurance Program” means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

SEC. 3. REPEAL OF CERTAIN RATE INCREASES.

(a) REPEAL.—

(1) IN GENERAL.—Section 1307(g) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(g)) is amended—

(A) by striking paragraphs (1) and (2);

(B) in paragraph (3), by striking “as a result of the deliberate choice of the holder of such policy” and inserting “, unless the decision of the policy holder to permit a lapse in flood insurance coverage was as a result of

the property covered by the policy no longer being required to retain such coverage”; and

(C) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively.

(2) EFFECTIVE DATE.—The Administrator shall promulgate such regulations, and make available such rate tables, as necessary to implement the amendments made by paragraph (1) as if it were enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957).

(3) IMPLEMENTATION, COORDINATION, AND GUIDANCE.—

(A) FACILITATION OF TIMELY REFUNDS.—To ensure the participation of Write Your Own companies (as such term is defined in section 100202(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4004(a)), the Administrator and the Federal Emergency Management Agency shall consult with Write Your Own companies throughout the development of guidance and rate tables necessary to implement the provisions of and the amendments made by this Act.

(B) IMPLEMENTATION AND GUIDANCE.—The Administrator shall issue final guidance and rate tables necessary to implement the provisions of and the amendments made by this Act not later than eight months following the date of the enactment of this Act. Write Your Own companies, in coordination with the Federal Emergency Management Agency, shall have not less than six months but not more than eight months following the issuance of such final guidance and rate tables to implement the changes required by such final guidance and rate tables.

(4) REFUND OF EXCESS PREMIUM CHARGES COLLECTED.—The Administrator shall refund directly to insureds any premiums for flood insurance coverage under the National Flood Insurance Program collected in excess of the rates required under the provisions of and amendments made by this section. To allow for necessary and appropriate implementation of such provisions and amendments, any premium changes necessary to implement such provisions and amendments, including any such premium refund due to policy holders, which shall be paid directly by the National Flood Insurance Program, shall not be charged or paid to policyholders by the National Flood Insurance Program until after the Administrator issues guidance and makes available such rate tables to implement the provisions of and amendments made by this Act.

(b) ASSUMPTION OF POLICIES AT EXISTING PREMIUM RATES.—The Administrator shall provide that the purchaser of a property that, as of the date of such purchase, is covered under an existing flood insurance policy under this title may assume such existing policy and coverage for the remainder of the term of the policy at the chargeable premium rates under such existing policy. Such rates shall continue with respect to such property until the implementation of subsection (a).

SEC. 4. RESTORATION OF GRANDFATHERED RATES.

(a) IN GENERAL.—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsection (i) as subsection (h).

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957).

SEC. 5. REQUIREMENTS REGARDING ANNUAL RATE INCREASES.

Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended—

(1) in the matter preceding paragraph (1), by striking “, the chargeable risk premium rates for flood insurance under this title for any properties”;

(2) in paragraph (1), by inserting “the chargeable risk premium rates for flood insurance under this title for any properties” before “within any”;

(3) in paragraph (2), by inserting “the chargeable risk premium rates for flood insurance under this title for any properties” before “described in”;

(4) by redesignating paragraphs (1) and (2), as so amended, as paragraphs (3) and (4), respectively; and

(5) by inserting before paragraph (3), as so redesignated, the following new paragraphs:

“(1) the chargeable risk premium rate for flood insurance under this title for any property may not be increased by more than 18 percent each year, except—

“(A) as provided in paragraph (4);

“(B) in the case of property identified under section 1307(g); or

“(C) in the case of a property that—

“(i) is located in a community that has experienced a rating downgrade under the community rating system program carried out under section 1315(b);

“(ii) is covered by a policy with respect to which the policyholder has—

“(I) decreased the amount of the deductible; or

“(II) increased the amount of coverage; or

“(iii) was misrated;

“(2) the chargeable risk premium rates for flood insurance under this title for any properties initially rated under section 1307(a)(2) within any single risk classification, excluding properties for which the chargeable risk premium rate is not less than the applicable estimated risk premium rate under section 1307(a)(1), shall be increased by an amount that results in an average of such rate increases for properties within the risk classification during any 12-month period of not less than 5 percent of the average of the risk premium rates for such properties within the risk classification upon the commencement of such 12-month period.”;

(6) in paragraph (3) (as so redesignated by paragraph (4) of this section), by striking “20 percent” and inserting “15 percent”; and

(7) in paragraph (4) (as so redesignated by paragraph (4) of this section), by striking “paragraph (1)” and inserting “paragraph (3)”.

SEC. 6. CLARIFICATION OF RATES FOR PROPERTIES NEWLY MAPPED INTO AREAS WITH SPECIAL FLOOD HAZARDS.

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

“(i) **RATES FOR PROPERTIES NEWLY MAPPED INTO AREAS WITH SPECIAL FLOOD HAZARDS.**—Notwithstanding subsection (f), the premium rate for flood insurance under this title that is purchased on or after the date of the enactment of this subsection—

“(1) on a property located in an area not previously designated as having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in a flood insurance map, becomes designated as such an area, and

“(2) where such flood insurance premium rate is calculated under subsection (a)(1) of section 1307 (42 U.S.C. 4014(a)(1)),

shall for the first policy year be the preferred risk premium for the property and upon renewal shall be calculated in accordance with subsection (e) of this section until the rate reaches the rate calculated under subsection (a)(1) of section 1307.”.

SEC. 7. PREMIUMS AND REPORTS.

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

“(j) **PREMIUMS AND REPORTS.**—In setting premium risk rates, in addition to striving to achieve the objectives of this title the Administrator shall also strive to minimize the number of policies with annual premiums that exceed one percent of the total coverage provided by the policy. For any policies premiums that exceed this one percent threshold, the Administrator shall report such exceptions to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.”.

SEC. 8. ANNUAL PREMIUM SURCHARGE.

(a) **PREMIUM SURCHARGE.**—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) is amended by inserting after section 1308 the following new section:

“SEC. 1308A. PREMIUM SURCHARGE.

“(a) **IMPOSITION AND COLLECTION.**—The Administrator shall impose and collect an annual surcharge, in the amount provided in subsection (b), on all policies for flood insurance coverage under the National Flood Insurance Program that are newly issued or renewed after the date of the enactment of this section. Such surcharge shall be in addition to the surcharge under section 1304(b) and any other assessments and surcharges applied to such coverage.

“(b) **AMOUNT.**—The amount of the surcharge under subsection (a) shall be—

“(1) \$25, except as provided in paragraph (2); and

“(2) \$250, in the case of a policy for any property that is—

“(A) a non-residential property; or

“(B) a residential property that is not the primary residence of an individual.

“(c) **TERMINATION.**—Subsections (a) and (b) shall cease to apply on the date on which the chargeable risk premium rate for flood insurance under this title for each property covered by flood insurance under this title, other than properties for which premiums are calculated under subsection (e) or (f) of section 1307 or section 1336 of this Act (42 U.S.C. 4014, 4056) or under section 100230 of the Biggert-Waters Flood Insurance Reform Act of 2012 (42 U.S.C. 4014 note), is not less than the applicable estimated risk premium rate under section 1307(a)(1) for such property.”.

(b) **DEPOSIT IN RESERVE FUND.**—Subsection (c) of section 1310A of the National Flood Insurance Act of 1968 (42 U.S.C. 4017a) is amended by adding at the end the following new paragraph:

“(4) **DEPOSIT OF PREMIUM SURCHARGES.**—The Administrator shall deposit in the Reserve Fund any surcharges collected pursuant to section 1308A.”.

SEC. 9. DRAFT AFFORDABILITY FRAMEWORK.

(a) **IN GENERAL.**—The Administrator shall prepare a draft affordability framework that proposes to address, via programmatic and regulatory changes, the issues of affordability of flood insurance sold under the National Flood Insurance Program, including issues identified in the affordability study required under section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957).

(b) **CRITERIA.**—In carrying out the requirements under subsection (a), the Administrator shall consider the following criteria:

(1) Accurate communication to consumers of the flood risk associated with their properties.

(2) Targeted assistance to flood insurance policy holders based on their financial abil-

ity to continue to participate in the National Flood Insurance Program.

(3) Individual or community actions to mitigate the risk of flood or lower the cost of flood insurance.

(4) The impact of increases in risk premium rates on participation in the National Flood Insurance Program.

(5) The impact flood insurance rate map updates have on the affordability of flood insurance.

(c) **DEADLINE FOR SUBMISSION.**—Not later than 18 months after the date on which the Administrator submits the affordability study referred to in subsection (a), the Administrator shall submit to the full Committee on Banking, Housing, and Urban Affairs and the full Committee on Appropriations of the Senate and the full Committee on Financial Services and the full Committee on Appropriations of the House of Representatives the draft affordability framework required under subsection (a).

(d) **INTERAGENCY AGREEMENTS.**—The Administrator may enter into an agreement with another Federal agency to—

(1) complete the affordability study referred to in subsection (a); or

(2) prepare the draft affordability framework required under subsection (a).

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to provide the Administrator with the authority to provide assistance to homeowners based on affordability that was not available prior to the enactment of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 916).

SEC. 10. RISK TRANSFER.

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

“(e) **RISK TRANSFER.**—The Administrator may secure reinsurance of coverage provided by the flood insurance program from the private reinsurance and capital markets at rates and on terms determined by the Administrator to be reasonable and appropriate, in an amount sufficient to maintain the ability of the program to pay claims.”.

SEC. 11. MONTHLY INSTALLMENT PAYMENT FOR PREMIUMS.

(a) **IN GENERAL.**—Subsection (g) of section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(g)) is amended by striking “either annually or in more frequent installments” and inserting “annually or monthly”.

(b) **IMPLEMENTATION.**—The Administrator shall implement the requirement under section 1308(g) of the National Flood Insurance Act of 1968, as amended by subsection (a), not later than the expiration of the 18-month period beginning on the date of the enactment of this Act.

SEC. 12. OPTIONAL HIGH-DEDUCTIBLE POLICIES FOR RESIDENTIAL PROPERTIES.

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

“(e) **OPTIONAL HIGH-DEDUCTIBLE POLICIES FOR RESIDENTIAL PROPERTIES.**—

“(1) **AVAILABILITY.**—In the case of residential properties, the Administrator shall make flood insurance coverage available, at the option of the insured, that provides for a loss-deductible for damage to the covered property in various amounts, up to and including \$10,000.

“(2) **DISCLOSURE.**—

“(A) **FORM.**—The Administrator shall provide the information described in subparagraph (B) clearly and conspicuously on the application form for flood insurance coverage or on a separate form, segregated from

all unrelated information and other required disclosures.

“(B) INFORMATION.—The information described in this subparagraph is—

“(i) information sufficient to inform the applicant of the availability of the coverage option required by paragraph (1) to applicants for flood insurance coverage; and

“(ii) a statement explaining the effect of a loss-deductible and that, in the event of an insured loss, the insured is responsible out-of-pocket for losses to the extent of the deductible selected.”.

SEC. 13. EXCLUSION OF DETACHED STRUCTURES FROM MANDATORY PURCHASE REQUIREMENT.

(a) EXCLUSION.—Subsection (c) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(c)) is amended by adding at the end the following new paragraph:

“(3) DETACHED STRUCTURES.—Notwithstanding any other provision of this section, flood insurance shall not be required, in the case of any residential property, for any structure that is a part of such property but is detached from the primary residential structure of such property and does not serve as a residence.”.

(b) RESPA STATEMENT.—Section 5(b) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(b)) is amended—

(1) in paragraph (14), by inserting before the period at the end the following: “, and the following statement: ‘Although you may not be required to maintain flood insurance on all structures, you may still wish to do so, and your mortgage lender may still require you to do so to protect the collateral securing the mortgage. If you choose to not maintain flood insurance on a structure, and it floods, you are responsible for all flood losses relating to that structure.’”; and

(2) by transferring and inserting paragraph (14), as so amended, after paragraph (13).

SEC. 14. ACCOUNTING FOR FLOOD MITIGATION ACTIVITIES IN ESTIMATES OF PREMIUM RATES.

Subparagraph (A) of section 1307(a)(1) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(1)(A)) is amended to read as follows:

“(A) based on consideration of—

“(i) the risk involved and accepted actuarial principles; and

“(ii) the flood mitigation activities that an owner or lessee has undertaken on a property, including differences in the risk involved due to land use measures, floodproofing, flood forecasting, and similar measures.”.

SEC. 15. HOME IMPROVEMENT FAIRNESS.

Section 1307(a)(2)(E)(ii) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(2)(E)(ii)) is amended by striking “30 percent” and inserting “50 percent”.

SEC. 16. AFFORDABILITY STUDY AND REPORT.

(a) STUDY ISSUES.—Subsection (a) of section 100236 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957) is amended—

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

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

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

“(5) options for maintaining affordability if annual premiums for flood insurance coverage were to increase to an amount greater than 2 percent of the liability coverage amount under the policy, including options for enhanced mitigation assistance and means-tested assistance;

“(6) the effects that the establishment of catastrophe savings accounts would have regarding long-term affordability of flood insurance coverage; and

“(7) options for modifying the surcharge under 1308A, including based on homeowner income, property value or risk of loss.”.

(b) TIMING OF SUBMISSION.—Notwithstanding the deadline under section 100236(c) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957), not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the full Committee on Banking, Housing, and Urban Affairs and the full Committee on Appropriations of the Senate and the full Committee on Financial Services and the full Committee on Appropriations of the House of Representatives the affordability study and report required under such section 100236.

(c) AFFORDABILITY STUDY FUNDING.—Section 100236(d) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 957) is amended by striking “\$750,000” and inserting “\$2,500,000”.

SEC. 17. FLOOD INSURANCE RATE MAP CERTIFICATION.

The Administrator shall implement a flood mapping program for the National Flood Insurance Program, only after review by the Technical Mapping Advisory Council, that, when applied, results in technically credible flood hazard data in all areas where Flood Insurance Rate Maps are prepared or updated, shall certify in writing to the Congress when such a program has been implemented, and shall provide to the Congress the Technical Mapping Advisory Council review report.

SEC. 18. FUNDS TO REIMBURSE HOMEOWNERS FOR SUCCESSFUL MAP APPEALS.

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

(1) in the first sentence, by inserting after “as the case may be,” the following: “or, in the case of an appeal that is resolved by submission of conflicting data to the Scientific Resolution Panel provided for in section 1363A, the community,”; and

(2) by striking the second sentence and inserting the following: “The Administrator may use such amounts from the National Flood Insurance Fund established under section 1310 as may be necessary to carry out this subsection.”.

(b) CONFORMING AMENDMENTS.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by striking “and” at the end;

(2) in paragraph (7), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(8) for carrying out section 1363(f).”.

SEC. 19. FLOOD PROTECTION SYSTEMS.

(a) ADEQUATE PROGRESS ON CONSTRUCTION OF FLOOD PROTECTION SYSTEMS.—Section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)) is amended—

(1) in the first sentence, by inserting “or reconstruction” after “construction”; and

(2) by amending the second sentence to read as follows: “The Administrator shall find that adequate progress on the construction or reconstruction of a flood protection system, based on the present value of the completed flood protection system, has been made only if (1) 100 percent of the cost of the system has been authorized, (2) at least 60 percent of the cost of the system has been appropriated, (3) at least 50 percent of the cost of the system has been expended, and (4) the system is at least 50 percent completed.”; and

(3) by adding at the end the following: “Notwithstanding any other provision of law, in determining whether a community has made adequate progress on the construction, reconstruction, or improvement of a

flood protection system, the Administrator shall consider all sources of funding, including Federal, State, and local funds.”.

(b) COMMUNITIES RESTORING DISACCREDITED FLOOD PROTECTION SYSTEMS.—Section 1307(f) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(f)) is amended by amending the first sentence to read as follows: “Notwithstanding any other provision of law, this subsection shall apply to riverine and coastal levees that are located in a community which has been determined by the Administrator of the Federal Emergency Management Agency to be in the process of restoring flood protection afforded by a flood protection system that had been previously accredited on a Flood Insurance Rate Map as providing 100-year frequency flood protection but no longer does so, and shall apply without regard to the level of Federal funding of or participation in the construction, reconstruction, or improvement of the flood protection system.”.

SEC. 20. QUARTERLY REPORTS REGARDING RESERVE FUND RATIO.

Subsection (e) of section 1310A of the National Flood Insurance Act of 1968 (42 U.S.C. 4017a) is amended, in the matter preceding paragraph (1), by inserting “, on a calendar quarterly basis,” after “submit”.

SEC. 21. TREATMENT OF FLOODPROOFED RESIDENTIAL BASEMENTS.

The Administrator shall continue to extend exceptions and variances for floodproofed basements consistent with section 60.6 of title 44, Code of Federal Regulations, which are effective April 3, 2009; and section 60.3 of such title, which are effective April 3, 2009.

SEC. 22. EXEMPTION FROM FEES FOR CERTAIN MAP CHANGE REQUESTS.

Notwithstanding any other provision of law, a requester shall be exempt from submitting a review or processing fee for a request for a flood insurance rate map change based on a habitat restoration project that is funded in whole or in part with Federal or State funds, including dam removal, culvert redesign or installation, or the installation of fish passage.

SEC. 23. STUDY OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDY.—

(1) STUDY REQUIRED.—The Administrator shall conduct a study to assess options, methods, and strategies for making available voluntary community-based flood insurance policies through the National Flood Insurance Program.

(2) CONSIDERATIONS.—The study conducted under paragraph (1) shall—

(A) take into consideration and analyze how voluntary community-based flood insurance policies—

(i) would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches; and

(ii) could satisfy the applicable requirements under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a); and

(B) evaluate the advisability of making available voluntary community-based flood insurance policies to communities, subdivisions of communities, and areas of residual risk.

(3) CONSULTATION.—In conducting the study required under paragraph (1), the Administrator may consult with the Comptroller General of the United States, as the Administrator determines is appropriate.

(b) REPORT BY THE ADMINISTRATOR.—

(1) REPORT REQUIRED.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the

Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains the results and conclusions of the study conducted under subsection (a).

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include recommendations for—

(A) the best manner to incorporate voluntary community-based flood insurance policies into the National Flood Insurance Program; and

(B) a strategy to implement voluntary community-based flood insurance policies that would encourage communities to undertake flood mitigation activities, including the construction, reconstruction, or improvement of levees, dams, or other flood control structures.

(c) **REPORT BY COMPTROLLER GENERAL.**—Not later than 6 months after the date on which the Administrator submits the report required under subsection (b), the Comptroller General of the United States shall—

(1) review the report submitted by the Administrator; and

(2) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(A) an analysis of the report submitted by the Administrator;

(B) any comments or recommendations of the Comptroller General relating to the report submitted by the Administrator; and

(C) any other recommendations of the Comptroller General relating to community-based flood insurance policies.

SEC. 24. DESIGNATION OF FLOOD INSURANCE ADVOCATE.

(a) **IN GENERAL.**—The Administrator shall designate a Flood Insurance Advocate to advocate for the fair treatment of policy holders under the National Flood Insurance Program and property owners in the mapping of flood hazards, the identification of risks from flood, and the implementation of measures to minimize the risk of flood.

(b) **DUTIES AND RESPONSIBILITIES.**—The duties and responsibilities of the Flood Insurance Advocate designated under subsection (a) shall be to—

(1) educate property owners and policyholders under the National Flood Insurance Program on—

(A) individual flood risks;

(B) flood mitigation;

(C) measures to reduce flood insurance rates through effective mitigation;

(D) the flood insurance rate map review and amendment process; and

(E) any changes in the flood insurance program as a result of any newly enacted laws (including this Act);

(2) assist policy holders under the National Flood Insurance Program and property owners to understand the procedural requirements related to appealing preliminary flood insurance rate maps and implementing measures to mitigate evolving flood risks;

(3) assist in the development of regional capacity to respond to individual constituent concerns about flood insurance rate map amendments and revisions;

(4) coordinate outreach and education with local officials and community leaders in areas impacted by proposed flood insurance rate map amendments and revisions; and

(5) aid potential policy holders under the National Flood Insurance Program in obtaining and verifying accurate and reliable flood insurance rate information when purchasing or renewing a flood insurance policy.

SEC. 25. EXCEPTIONS TO ESCROW REQUIREMENT FOR FLOOD INSURANCE PAYMENTS.

(a) **IN GENERAL.**—Section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)) is amended—

(1) in subparagraph (A), in the second sentence, by striking “subparagraph (C)” and inserting “subparagraph (B)”;

and

(2) in subparagraph (B)—

(A) in clause (ii), by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and adjusting the margins accordingly;

(B) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and adjusting the margins accordingly;

(C) in the matter preceding subclause (I), as redesignated by subparagraph (B), by striking “(A) or (B), if—” and inserting the following: “(A)—

“(i) if—”;

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

(E) by adding at the end the following

“(ii) in the case of a loan that—

“(I) is in a junior or subordinate position to a senior lien secured by the same residential improved real estate or mobile home for which flood insurance is being provided at the time of the origination of the loan;

“(II) is secured by residential improved real estate or a mobile home that is part of a condominium, cooperative, or other project development, if the residential improved real estate or mobile home is covered by a flood insurance policy that—

“(aa) meets the requirements that the regulated lending institution is required to enforce under subsection (b)(1);

“(bb) is provided by the condominium association, cooperative, homeowners association, or other applicable group; and

“(cc) the premium for which is paid by the condominium association, cooperative, homeowners association, or other applicable group as a common expense;

“(III) is secured by residential improved real estate or a mobile home that is used as collateral for a business purpose;

“(IV) is a home equity line of credit;

“(V) is a nonperforming loan; or

“(VI) has a term of not longer than 12 months.”

(b) **APPLICABILITY.**—

(1) **IN GENERAL.**—

(A) **REQUIRED APPLICATION.**—The amendments to section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)) made by section 100209(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 920) and by subsection (a) of this section shall apply to any loan that is originated, refinanced, increased, extended, or renewed on or after January 1, 2016.

(B) **OPTIONAL APPLICATION.**—

(i) **DEFINITIONS.**—In this subparagraph—

(I) the terms “Federal entity for lending regulation”, “improved real estate”, “regulated lending institution”, and “servicer” have the meanings given the terms in section 3 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4003);

(II) the term “outstanding loan” means a loan that—

(aa) is outstanding as of January 1, 2016;

(bb) is not subject to the requirement to escrow premiums and fees for flood insurance under section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)) as in effect on July 5, 2012; and

(cc) would, if the loan had been originated, refinanced, increased, extended, or renewed on or after January 1, 2016, be subject to the requirements under section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973, as amended; and

(III) the term “section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973, as amended” means section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)(A)), as amended by—

(aa) section 100209(a) of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 920); and

(bb) subsection (a) of this section.

(ii) **OPTION TO ESCROW FLOOD INSURANCE PAYMENTS.**—Each Federal entity for lending regulation (after consultation and coordination with the Federal Financial Institutions Examination Council) shall, by regulation, direct that each regulated lending institution or servicer of an outstanding loan shall offer and make available to a borrower the option to have the borrower's payment of premiums and fees for flood insurance under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), including the escrow of such payments, be treated in the same manner provided under section 102(d)(1)(A) of the Flood Disaster Protection Act of 1973, as amended.

(2) **REPEAL OF 2-YEAR DELAY ON APPLICABILITY.**—Subsection (b) of section 100209 of the Biggert-Waters Flood Insurance Reform Act of 2012 (Public Law 112-141; 126 Stat. 920) is repealed.

(3) **RULE OF CONSTRUCTION.**—Nothing in this section or the amendments made by this section shall be construed to supersede, during the period beginning on July 6, 2012 and ending on December 31, 2015, the requirements under section 102(d)(1) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(d)(1)), as in effect on July 5, 2012.

SEC. 26. FLOOD MITIGATION METHODS FOR BUILDINGS.

(a) **GUIDELINES.**—

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

“(d) **FLOOD MITIGATION METHODS FOR BUILDINGS.**—The Administrator shall establish guidelines for property owners that—

“(1) provide alternative methods of mitigation, other than building elevation, to reduce flood risk to residential buildings that cannot be elevated due to their structural characteristics, including—

“(A) types of building materials; and

“(B) types of floodproofing; and

“(2) inform property owners about how the implementation of mitigation methods described in paragraph (1) may affect risk premium rates for flood insurance coverage under the National Flood Insurance Program.”

(2) **ISSUANCE.**—The Administrator shall issue the guidelines required under section 1361(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4102(d)), as added by the amendment made by paragraph (1) of this subsection, not later than the expiration of the 1-year period beginning on the date of the enactment of this Act.

(b) **CALCULATION OF RISK PREMIUM RATES.**—Section 1308 of the National Flood Insurance Act of 1968 (42 U.S.C. 4015), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(k) **CONSIDERATION OF MITIGATION METHODS.**—In calculating the risk premium rate charged for flood insurance for a property under this section, the Administrator shall take into account the implementation of any mitigation method identified by the Administrator in the guidance issued under section 1361(d) (42 U.S.C. 4102(d)).”

SEC. 27. MAPPING OF NON-STRUCTURAL FLOOD MITIGATION FEATURES.

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

(1) in subsection (b)(1)(A)—

(A) in clause (iv), by striking “and” at the end;

(B) by redesignating clause (v) as clause (vi);

(C) by inserting after clause (iv) the following new clause:

“(v) areas that are protected by non-structural flood mitigation features; and”;

(D) in clause (vi) (as so redesignated), by inserting before the semicolon at the end the following: “and by non-structural flood mitigation features”; and

(2) in subsection (d)(1)—

(A) by redesignating subparagraphs (A) through (C) as subparagraphs (B) through (D), respectively;

(B) in subparagraph (C) (as so redesignated), by striking “subparagraph (A)” and inserting “subparagraph (B)”;

(C) by inserting before subparagraph (B) (as so redesignated) the following new subparagraph:

“(A) work with States, local communities, and property owners to identify areas and features described in subsection (b)(1)(A)(v).”.

SEC. 28. CLEAR COMMUNICATIONS.

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

“(1) CLEAR COMMUNICATIONS.—The Administrator shall clearly communicate full flood risk determinations to individual property owners regardless of whether their premium rates are full actuarial rates.”.

SEC. 29. PROTECTION OF SMALL BUSINESSES, NON-PROFITS, HOUSES OF WORSHIP, AND RESIDENCES.

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

“(m) PROTECTION OF SMALL BUSINESSES, NON-PROFITS, HOUSES OF WORSHIP, AND RESIDENCES.—

“(1) REPORT.—Not later than 18 months after the date of the enactment of this section and semiannually thereafter, the Administrator shall monitor and report to Committee on Financial Services of the House Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate, the Administrator’s assessment of the impact, if any, of the rate increases required under subparagraphs (A) and (D) of section 1307(a)(2) and the surcharges required under section 1308A on the affordability of flood insurance for—

“(A) small businesses with less than 100 employees;

“(B) non-profit entities;

“(C) houses of worship; and

“(D) residences with a value equal to or less than 25 percent of the median home value of properties in the State in which the property is located.

“(2) RECOMMENDATIONS.—If the Administrator determines that the rate increases or surcharges described in paragraph (1) are having a detrimental effect on affordability, including resulting in lapsed policies, late payments, or other criteria related to affordability as identified by the Administrator, for any of the properties identified in subparagraphs (A) through (D) of such paragraph, the Administrator shall, not later than 3 months after making such a determination, make such recommendations as the Administrator considers appropriate to improve affordability to the Committee on Financial Services of the House Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.”.

SEC. 30. MAPPING.

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

(1) in subparagraph (B)—

(A) by striking “subparagraph (A)” and inserting “subparagraph (D)”;

(B) by striking “and” at the end;

(2) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (D), (E), and (G), respectively;

(3) by inserting before subparagraph (B), as so redesignated, the following new subparagraphs:

“(A) before commencement of any mapping or map updating process, notify each community affected of the model or models that the Administrator plans to use in such process and provide an explanation of why such model or models are appropriate;

“(B) provide each community affected a 30-day period beginning upon notification under subparagraph (A) to consult with the Administrator regarding the appropriateness, with respect to such community, of the mapping model or models to be used; provided that consultation by a community pursuant to this subparagraph shall not waive or otherwise affect any right of the community to appeal any flood hazard determinations;

“(C) upon completion of the first Independent Data Submission, transmit a copy of such Submission to the affected community, provide the affected community a 30-day period during which the community may provide data to Administrator that can be used to supplement or modify the existing data, and incorporate any data that is consistent with prevailing engineering principles;”;

(4) by inserting after subparagraph (E), as so redesignated, the following new subparagraph:

“(F) not less than 30 days before issuance of any preliminary map, notify the Senators for each State affected and each Member of the House of Representatives for each congressional district affected by the preliminary map in writing of—

“(i) the estimated schedule for—

“(I) community meetings regarding the preliminary map;

“(II) publication of notices regarding the preliminary map in local newspapers; and

“(III) the commencement of the appeals process regarding the map; and

“(ii) the estimated number of homes and businesses that will be affected by changes contained in the preliminary map, including how many structures will be that were not previously located in an area having special flood hazards will be located within such an area under the preliminary map; and”.

SEC. 31. DISCLOSURE.

(a) CHANGES IN RATES RESULTING FROM THIS ACT.—Not later than the date that is 6 months before the date on which any change in risk premium rates for flood insurance coverage under the National Flood Insurance Program resulting from this Act or any amendment made by this Act is implemented, the Administrator shall make publicly available the rate tables and underwriting guidelines that provide the basis for the change.

(b) REPORT ON POLICY AND CLAIMS DATA.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the Congress a report on the feasibility of—

(A) releasing property-level policy and claims data for flood insurance coverage under the National Flood Insurance Program; and

(B) establishing guidelines for releasing property-level policy and claims data for flood insurance coverage under the National Flood Insurance Program in accordance with

section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974).

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) an analysis and assessment of how releasing property-level policy and claims data for flood insurance coverage under the National Flood Insurance Program will aid policy holders and insurers to understand how the Administration determines actuarial premium rates and assesses flood risks; and

(B) recommendations for protecting personal information in accordance with section 552a of title 5, United States Code (commonly known as the Privacy Act of 1974).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from West Virginia (Mrs. CAPITO) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from West Virginia.

GENERAL LEAVE

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and submit extraneous materials for the RECORD on H.R. 3370, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

Mrs. CAPITO. Mr. Speaker, I yield myself 1½ minutes.

Mr. Speaker, I rise today in strong support of the Homeowner Flood Insurance Affordability Act.

Last Congress, overwhelming majorities in the House and Senate, including all of my colleagues from West Virginia, voted for the passage of Biggert-Waters. There was near unanimous agreement that significant reforms were needed for the program, but when the new flood insurance rates were published last fall, I began to hear from, and met with, many West Virginians who were shocked by the increases in their flood insurance bills that had far exceeded the worst-case scenario in CBO’s projection. In some cases, their only choice was to spend their life’s savings on their flood insurance bills or walk away from their house, ruining their credit.

The bill before us today will make sure the people who purchased a home after the passage of Biggert-Waters, only to see their premiums skyrocket, can stay in their homes. Under this bill, homeowners will see their premiums rise towards an actuarially sound rate, but on a path that is much more affordable.

Additionally, we are taking steps to fix some of the mapping issues in the flood program. Many of my constituents have told me that they are in a Special Flood Hazard Area, despite no evidence of the area ever flooding. These two issues address the core problems of the flood insurance program: unaffordable rates and incorrect mapping.

There is no question that the NFIP is broken. We need to take steps to put it

on solid financial footing, but immediately hitting people with crushing increases in their premiums just because they bought a new home is not the way to do it, and that was never the original intent of Biggert-Waters.

I urge all of my colleagues to support this bill, and I reserve the balance of my time.

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3307, the Homeowner Flood Insurance Affordability Act.

Today, I am pleased to lead the Democratic Party in delivering this message to the thousands of Americans who are facing unaffordable flood insurance premiums: relief is on the way.

As we committed to many months ago, Democrats have worked to fix this problem from the moment we heard about the unintended consequences of the Biggert-Waters Flood Insurance Reform Act.

Mr. Speaker, because I am the Waters of the Biggert-Waters Flood Insurance Reform Act, I felt a responsibility to make sure that we deal with the concerns that were coming to us from our constituents all over this country. The rate increases were unimaginable. So Democratic lawmakers in the House and the Senate took action, spearheading bipartisan legislation that passed the Senate and garnered the support of a majority of the House of Representatives.

Today, we have worked in good faith with Republican leadership to achieve a measure that isn't perfect but that will provide real relief to the thousands of families currently facing unaffordable premiums.

I believe this House measure strikes an important balance, addressing affordability concerns, bringing accountability to FEMA, and protecting the stability of the National Flood Insurance Program. The legislation ends dramatic increases caused by events such as property sales and restores grandfathered rates for those who played by the rules and built their properties according to code.

For families hit by unaffordable premium increases, this bill provides important relief in the form of a refund.

I am proud of the dramatic improvements to this bill that were made by the Democratic Caucus. These include reasonable limitations on rate increases that one property can experience, including those newly mapped into flood zones. We have ensured that when FEMA engages in the process of remapping, it actually works with communities to make sure it is being done accurately. We have made FEMA more accountable by requiring it provide clear and accurate information to anyone who may be affected by a change in policy.

Mr. Speaker, this bill would not have come together without strong support and participation from the Democratic Party. I would like to thank Leader PELOSI and Whip HOYER, as well as

Senator MARY LANDRIEU and Representative CEDRIC RICHMOND for their leadership, and the leadership of so many Democratic Members across the country, which was critical to taking this bill over the finish line. I applaud them. I strongly urge my colleagues to support this bill.

Let me just say a word of thanks to someone very special on this, Mr. ERIC CANTOR, who weighed in and did everything possible to work this out in a way that we could all be comfortable with. I am pleased for the opportunity I have had to work with him. I also thank Mr. GRIMM. We started this out when others believed that we could not do anything about it. Having said all of that, we have come together to do something good for the people of this country.

I reserve the balance of my time.

Mrs. CAPITO. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. GRIMM), the author of this legislation and someone without whose hard work we wouldn't be here today.

Mr. GRIMM. Thank you, Chairwoman.

Mr. Speaker, it is almost surreal standing here right now. I almost don't believe that I am about to vote on something that I promised my constituents. It is surreal because I am standing here about to do something that was the reason I ran for Congress—to be able to lead on an issue and solve a problem and come home and tell people we actually got something done that is going to change your life for the better.

I have to say a special thank you to MAXINE WATERS, the ranking member, whom I worked with from the beginning; my dear friend, GREGORY MEEKS; CEDRIC RICHMOND; and Congressman CASSIDY, who helped me write this bill. Without him, I could not have gotten this done. FRANK LOBIONDO has been tremendous, as well as Congressman PALAZZO. ERIC CANTOR has been an absolute champion on this issue.

I just have to say this is truly a collaborative effort.

□ 1730

You cannot have a more bipartisan bill. At a time when there has been gridlock and gamesmanship, we have come together to deal with a very, very important issue because it goes to the heart of what we are here to do: make people's lives a little bit better.

So I just want to say thank you to so many that worked so hard, and I will leave the rest of the time for those of my colleagues to explain some particulars of the bill. Again, thank you so much.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS) who has worked so hard on this bill, who serves on the Financial Services Committee and has been intimately involved with it.

Mr. MEEKS. Mr. Speaker, let me first thank Ranking Member WATERS and my good friend, MICHAEL GRIMM,

for working collectively to make this bill happen.

You see, it was just 17 months ago that residents in my congressional district, the Fifth Congressional District of New York, and others throughout America were devastated by Superstorm Sandy. Little did they know then that they were about to be hit by another storm.

Then came FEMA with astronomical rate increases to their flood insurance program. Two strikes in the midst of severe recession, and many of them were out.

This bill, today, once we pass it, and once the Senate passes it, it will finally give relief to individuals who were wondering what they were going to do, many whom had to pay already these astronomical rates. Help is on its way. You will get reimbursed.

Many who did not know what the values of their property would be and, if they choose down the road to sell it, whether they would be able to do it. Help is on its way. This bill fixes that. I congratulate both sides.

Mrs. CAPITO. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the full committee.

Mr. HENSARLING. Mr. Speaker, our Nation is, tragically, going broke. Our national debt, which has skyrocketed under this President, is clearly, by any measure, on a dangerous and unsustainable path, a path that, if unaltered, will leave our children with less freedom, fewer opportunities, and a lower standard of living. That is beyond unfair. That is immoral.

One reason America is going broke is because of poorly designed and costly government-run insurance programs. The National Flood Insurance Program is one such program.

Its chief administrator has already testified that "the NFIP was, by statute and design, not actuarially sound." In fact, the program charges only 70 percent of what its administrators believe they actually need. Perhaps that is why the program is currently \$24 billion in the red to taxpayers and has no way to ever repay them.

The NFIP is not financially sound because pretty much every policyholder receives taxpayer subsidies. Some get explicit subsidies because the law prohibits the program from charging a full and fair rate based upon their calculated actuarial risk.

Others receive implicit subsidies because, according to the GAO, the program uses a faulty model that undermeasures flood risk.

At the end of the day, the program forces roughly 96 percent of all Americans to subsidize the remaining 4 percent, regardless of income or need. That means a single mom in Dallas, where I live, who is working hard as a cashier at the Albertsons grocery store may be forced to subsidize the flood insurance for some millionaire's beachfront vacation home. If that is not the definition of unfair, I don't know what is.

To its credit, in 2012, Congress recognized that the government-run flood insurance program was fundamentally broken and unfair. We passed, almost unanimously, the Biggert-Waters Act. It phases out most of the explicit subsidies over the next few years and requires rates to be more closely based on a property's actuarial degree of flood risk.

Now, the first premiums under Biggert-Waters are starting to come due. There is sticker shock, some based on fact, some based on fear.

Clearly, there are many, many, across our Nation who have been unaware of their taxpayer-funded subsidies. There are some who simply can't afford the new premiums, and others who are now having trouble attempting to sell their homes.

This should be addressed by Congress, and that is why, over the last 8 weeks, Chairman NEUGEBAUER and myself have put four different plans on the tables for Members who approached us about making modifications to the Biggert-Waters Act.

We agreed to go slower on reforms and to temporarily cap payments as long as the program would eventually require all property owners to pay the fair amount that they owe and, overall, the program would begin to bring in more income so taxpayers could avoid yet another bailout.

Regrettably, that is not the approach we are debating today. The House bill before us, although technically PAYGO compliant, would postpone actuarially sound rates for perhaps a generation. It would kill off a key element of risk-based pricing permanently, which is necessary if we are to ever transition to market competition.

Finally, it creates brand new subsidies for a program that is already bailout broke.

Mr. Speaker, the Senate bill isn't any better. It essentially represents a 4-year freeze that is not PAYGO compliant. My fear is that either bill represents a big step backwards from reform and leaves us just a few hurricanes or a few short years away from the next taxpayer bailout.

Either bill will make it incredibly difficult to do what Congress must do, and that is phase out this unneeded, government-run insurance program that fundamentally represents both an unfair and unsustainable middle-income entitlement.

I respect my colleagues who have a different view. I respect my leadership for bringing a bill that may not be optimum to the floor.

But, Mr. Speaker, if we don't protect taxpayers today, how will we ever reform the gargantuan middle-income entitlements that put us on the precipice of a debt crisis?

I, for one, will vote "no" on this well-intended but misguided bill.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. RICHMOND), one of the co-authors of the bill that we put together

to deal with this issue who has been working very hard on it.

Mr. RICHMOND. Mr. Speaker, I thank Ranking Member WATERS, and thank you to the Republican leadership who brought this up.

We often hear in this Chamber over and over again a talk of a financial bankruptcy that is plaguing or potentially plaguing our country, and we say it so much so that we start to believe it, and we miss one thing: that we are on the verge of a moral bankruptcy in this country.

When you talk about homeowners who played by the rules, saved their money, bought a piece of the American Dream, and then all of a sudden, years, if not decades later, we come back with a well-intentioned bill but that had unfortunate, unintended consequences that would strip the American Dream and homeownership right from under them, then the question becomes to this Congress: What do you do about it?

I said this before and I will say it again. What real leadership does when they do something and they realize it had unintended consequences, they fix it.

Congresswoman WATERS realized that her name was attached to a bill that potentially would strip homeowners of the American Dream, of the largest piece of investment that you pass on from generation to generation, and she stepped up and said, that is not what we intended. We are going to fix it.

The Republican leadership, Mr. GRIMM, stepped up and said, this is unsustainable—and more than that, it doesn't make common sense.

So both sides came together to produce a bill that would have affordability, stability, and predictability.

We talk about rules all the time, that corporations just want to know the rules so they can play by them. Well, homeowners want to know that too, and homeowners who built to the building codes and the elevations that they were required to do at the time should not come back and be penalized later.

So I just want to, again, congratulate Congresswoman WATERS because people back in New Orleans and in Louisiana today who are celebrating Fat Tuesday and Mardi Gras and having a good time, they can just party a little bit longer knowing that we are here today and we are going to fix this problem that could strip the American Dream away from them.

Mrs. CAPITO. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. NEUGEBAUER), the chairman of the Housing and Insurance Subcommittee on the Financial Services Committee.

Mr. NEUGEBAUER. I thank the gentlewoman.

Mr. Speaker, I rise in opposition today to H.R. 3370. The National Flood Insurance Program is in trouble. It is in deep debt, and it is putting taxpayers at risk for another government bailout.

The program was added to the GAO's "high-risk list" in 2006 and remains there today because of the financial exposure it represents to the American taxpayers. Today, it is over \$24 billion in debt, and this number will continue to rise.

Recognizing this, Congress passed the Biggert-Waters Act in July of 2012. The act authorized the flood insurance program for 5 years and included important reforms to get it back on sound financial footing. One of these reforms was the gradual elimination of outdated rate subsidies.

In a rare display of bipartisanship, Republicans and Democrats overwhelmingly supported the notion that risk-based premiums were needed for the program to be self-sufficient and to protect the taxpayers from further bailouts. Over 400 Members of Congress voted for that.

Since then, we have heard concerns from homeowners facing sticker shock from the higher rates. I am sympathetic to those concerns, but I believe there are more responsible ways to address this bill than the bill before us today.

The Financial Services Committee put together four different proposals to address these concerns. The last one included an 8- to 10-year phase-in for rates and nearly a 2-year affordability cap of \$5,000. Unfortunately, each one of these proposals were rejected because they fell short of maintaining subsidies indefinitely.

That is unfortunate because maintaining these subsidies hurts everyone in the long run. It hurts taxpayers by putting them on the hook for billions of dollars in subsidies. It hurts the Flood Insurance Program by easing its path toward insolvency. It hurts homeowners by encouraging them to build in areas that jeopardize their lives and their properties.

After more than a decade, if I have learned anything in Congress, it is that the Federal Government does a terrible job of underwriting and pricing risk. Whether it is through subsidies or failures to price risk due to political considerations, the American taxpayers, unfortunately, end up footing the bill.

What is even worse under H.R. 3370 is that the taxpayers will be subsidizing rates that benefit only 1 percent of households. More than 20 percent of the programs policies are heavily subsidized, regardless of need, and of those policyholders, 70 percent go to homes in counties with the highest property values.

While H.R. 3370 may help homeowners facing high rates in the short run, it does them a disservice by not promoting a healthy, stable financial program in the future.

For taxpayers, for homeowners and, ultimately, for the future of the flood insurance, I think we can do better. I urge my colleagues to vote against H.R. 3370.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. CAPUANO), who has spent

an awful lot of time working on this issue with all of us.

Mr. CAPUANO. Mr. Speaker, I thank the ranking member. I want to thank Mr. GRIMM and others for bringing this bill forward.

You have heard what the bill does. I will tell you that I want to associate myself with all of the people who support it. I actually want to associate myself with some of the remarks of people who oppose it.

I think that we need to fix the problem of short funding in the flood insurance program, but I don't think we need to do it overnight, and I don't think we need to do it on the backs of middle class people with a hammer.

So I want to fix this. I think this bill is actually a step forward to say we will fix it, but we will take some time doing it to do it right so innocent people don't get hurt.

I also want to take a minute to point out some of the things that are not in this bill that people need to be aware of. This bill does not address people who own vacation homes.

I know that some people think that everyone who owns a vacation home is a multimillionaire Donald Trump. The average income of a second homeowner is about \$96,000. The average value of a second home is about \$150,000.

Now, you don't see most of these homes on the Home and Garden Network because they are usually on wheels. They are made out of T-111. They are just inexpensive places that people get to bring their families.

Now, most of these homes are not on the shore, but they are, not all of them, but some of them, are in flood plains. We need to take this into account when we continue to address this issue as we move forward.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. KING), a member of the Financial Services Committee.

Mr. KING of New York. Mr. Speaker, I thank the gentlewoman for yielding.

I rise in strong support of H.R. 3370. At the outset, let me thank Congressman GRIMM, Congressman LOBIONDO, and Ranking Member WATERS for the work that they have done in bringing together a true, bipartisan bill to this floor.

The Biggert-Waters bill was well-intended, but there were unintended consequences, and some of those consequences would be absolutely devastating to hundreds, if not thousands, of constituents in my district who were devastated by Hurricane Sandy.

I would just state for the record that these people are not millionaires. They complied with the law, with all the building codes, all the ordinances. They never had any flood damage in their 50, 60 years prior to this—but their homes are devastated. To add to that the incredible increase they will get in premiums for flood insurance would be even the ultimate devastation.

So this bill is absolutely essential. Ironically, it will actually decrease

Federal spending over the next 5 years, but it is important that we stand together to help those in need, people who complied with the laws, hard-working, blue-collar Americans who are proud of their homes, proud of their families, and want the opportunity to get back on their feet.

They were devastated once. Let's not allow Congress to devastate them again.

□ 1745

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlelady from New York, Representative MALONEY, the ranking member of the Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises.

Mrs. CAROLYN B. MALONEY of New York. I thank the gentlelady for her leadership and for authoring the Grimm-Waters bill, which I support.

Mr. Speaker, this bill will protect homeowners from drastic premium increases, provide relief to housing markets, and put the flood insurance program on a path to long-term solvency.

The bill will also put a stop to FEMA's reckless implementation of Biggert-Waters. The GAO found that FEMA doesn't even have the information that the GAO said was key to determining a property's actual flood risk; and yet, FEMA has gone ahead with massive premium increases anyway, based on back-of-the-envelope calculations and a shocking indifference to the impact on the middle class families that are suffering across this country because of Hurricane Sandy, many of whom are in my district.

This bill will require FEMA to actually complete the affordability study that was mandated in the prior legislation, so that independent experts can determine the best way to successfully balance the two main goals, consumer affordability and long-term solvency.

This bill would set a hard cap on rate increases at 18 percent a year and will protect families and businesses from the kinds of 500 percent rate increases that they are suffering from now.

I congratulate the gentlewoman from California (Ms. WATERS) on her leadership and Congressman GRIMM. I urge a "yes" vote on the Grimm-Waters bill.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. Mr. Speaker, our bill is the result of extensive bipartisan, bicameral work over the past year. This bill is both compassionate and fiscally responsible. From the start, my priority has been to ensure that flood insurance remains available and affordable not just in Mississippi, but all across the country. Our bill meets those goals.

Many of the people who are now facing unrealistic, overnight increases followed all the rules. They went to great effort and expense to build back to FEMA standards after storms like Hurricane Katrina.

Congress never intended to punish responsible homeowners, yet that is ex-

actly what FEMA is doing, as it implements the law with flawed maps and procedures.

These actions are threatening individuals and entire communities. I am not talking about wealthy waterfront homeowners. In south Mississippi, I am hearing from teachers, veterans, fishermen, people who work at the shipyards in support of our U.S. Navy, many 100 miles inland.

Our bill holds FEMA accountable. It provides real responsible relief and lasting reforms. I urge my colleagues to join me in strong support of this bill.

Ms. WATERS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts, Representative LYNCH, who is a member of the Financial Services Committee and is also the ranking member on the Subcommittee on Federal Workforce, U.S. Postal Service and the Census, and I thank him for his hard work in putting this bill together.

Mr. LYNCH. Mr. Speaker, I thank the gentlelady from California for her leadership on this bill. She has been a tiger on this issue, trying to get this right.

I also want to thank the gentleman from Virginia (Mr. CANTOR) and the Republican leadership, as well as Mr. GRIMM from New York and Mr. RICHMOND from Louisiana who really, I think, without their work collectively, this would not be happening.

I rise in strong support of H.R. 3370, the Homeowner Flood Insurance Affordability Act. Over the past several months, I have had the honor of working with my colleagues, both Republican and Democrat, to roll back the harmful and unintended consequences of the original Biggert-Waters Act.

This legislation that we take up today is a culmination of a lot of efforts by a lot of individuals, as well as the activism on the part of our constituents.

I have had an opportunity to attend some rallies and meetings in my district with over 1,000 people attending, where the concerns and the fears of my constituents were brought forward in great volume.

H.R. 3370, the Homeowner Flood Insurance Affordability Act, will do a number of things. One, it reinstitutes or expands the grandfathering provisions in section 4 from what they were in the previous bill.

A very important provision here, section 18 allows reimbursements for successful appeals. Now, what that will do is, if FEMA incorrectly—as they have in many cases—if they put homes in a flood zone incorrectly and a homeowner appeals that, they get the money that they expended for that appeal, for the surveying and technical assistance they need.

In addition, section 24 provides for a flood insurance advocate to actually work on behalf of homeowners to make sure that they get the full and meaningful appeal that they deserve and also that they understand what the flood mapping process requires.

More fundamentally, this bill is an example of what we can achieve when Congress works together, and I honestly hope that we will build on this spirit of bipartisan cooperation. I urge my colleagues to vote in favor of this critical bill.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Speaker, I rise in very strong support of this legislation, and we are about to do something tonight that doesn't happen around here very often. We are going to do a bipartisan effort that has common sense and fiscal responsibility, something that we ought to be doing more often.

This is an issue maybe that doesn't affect everyone, but if you are from a district where your constituents have had their lives and their dreams ripped apart—first by Superstorm Sandy and then by the miserable implementation of a flood insurance policy that was well-intended, but not put together—how do you go back and say you are not going to fix it?

This gives us an opportunity to give them hope for the future, to give them a chance to rebuild. 16 months later, I have still got constituents who aren't able to get back into their homes. How do you tell them they are going to have such an outrageous increase on their flood insurance, which will force them to throw their hands up and give it up?

Congress is doing the right thing tonight. We need to follow through on this, have it changed, and understand that this is the approach for the future.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey, Representative PASCRELL, and I thank him for his input on this bill.

Mr. PASCRELL. Mr. Speaker, it must be very painful for people to watch this when affected—whether you are on a river or whether you are on the ocean—because it is painful to see that some of the people who are opposed to this bill also voted “no” on the Sandy relief, so they are being consistent anyway.

After Sandy, many of my constituents in towns such as Moonachie and Little Ferry are now experiencing a second blow from skyrocketing flood insurance rates. In particular, the home sale trigger has resulted in drastically higher flood insurance rates for prospective home buyers, putting a wet blanket on real estate markets in flood-prone areas.

The bill before us today contains some very important changes. It provides immediate relief to homeowners by repealing the home sale trigger and reducing the rate of possible increases. I am hopeful that we can revisit flood insurance reform in a way which will provide relief to second homes and small businesses.

Although these are important first steps, I know we can do better, and I thank all those who contributed to this legislation.

Mrs. CAPITO. Mr. Speaker, I yield 1½ minutes to the gentleman from

Louisiana, Dr. CASSIDY, one of the champions of this bill.

Mr. CASSIDY. Mr. Speaker, I rise in support of H.R. 3370.

First let me say this affects almost all Americans. On this map, you can see, if there is a color, there is a chance that you are affected, and Chairman HENSARLING pointed out that Dallas is a hot spot of red.

That is a place where the woman he referred to will benefit because of this reform, and I will say that all Americans will because it is our job, in Congress, to protect the American citizen from agencies implementing laws in ways which are not sustainable.

The flood maps that FEMA has been using have questionable actuarial calculations, and there have been unrealistic rate increases.

The bill before us today, which I worked closely in developing with the gentleman from New York (Mr. GRIMM) and others, to strike the right balance, takes into consideration both fiscal solvency and consumer affordability.

First, the bill is paid for. It is paid for, and the funds will go into the NFIP reserve fund, so in the future, there will be money in the till, should there be another disaster.

Secondly, I will say that, if we don't do this, the National Flood Insurance Program will enter into a death spiral. CBO estimates that for every 10 percent increase in premiums, 1.4 percent of the subscribers drop off. If people are getting 2,000 percent premium increases, they will all drop off, which puts it into a death spiral.

I would say this is actually the fiscally responsible thing that puts the program on a glide path to actuarial soundness and, in the meantime, benefits Americans across the way.

A broad coalition of Republicans, Democrats, and Realtors have worked hard on this. I would like to thank Neil Bradley in Leader CANTOR's office; from my staff, Chris Gillott; and Richard Hoffman in Representative GRIMM's office, for a lot of tremendous work.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR).

The Florida delegation, both Democrats and Republicans, has been absolutely magnificent in helping to get us to this point, and I thank Representatives CASTOR, HASTINGS, BUCHANAN, and all of those from the Florida delegation for all of the work they have done.

Ms. CASTOR of Florida. I thank the gentlewoman from California for her leadership on behalf of families all across the country.

Mr. Speaker, I rise today to urge all of our colleagues to vote “yes” on H.R. 3370 that will fix this flood insurance debacle.

A year and a half ago, a bill was passed here in the House to address the solvency of the flood insurance trust fund. That was the right thing to do. Unfortunately, it had serious unintended consequences that families and

businessowners and Realtors all across this Nation have been dealing with.

But I am heartened here today because, even though this Congress has an unfortunate reputation for not addressing the challenges that face families all across this country, we are going to come together here today to address a very important financial issue for families.

I would like to thank my colleagues from Florida, Congressman HASTINGS, Congressman BILIRAKIS, Congressman NUGENT, Congressman BUCHANAN, and all of our delegation for fighting, standing together to work for them. I urge all of our colleagues here today to do the same.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a great advocate for this bill.

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of this legislation sponsored by my good friend from New York, Congressman GRIMM. It will provide relief for homeowners struggling to keep their homes. It will ensure that all participants in the program are treated fairly, and it will eliminate an untenable financial burden during these tough economic times.

Some allege this bill will solely benefit the rich in beachside mansions. Middle class retirees and those on fixed incomes are the ones who are suffering from rate increases of \$10,000 or more. They are the ones who risk losing their homes.

If Congress fails to pass this bill, we will risk destroying all the reforms made to the National Flood Insurance Program. We cannot let the perfect be the enemy of the good.

I urge my colleagues on both sides of the aisle to support this commonsense legislation, a solution that addresses a long-term issue and helps people immediately, and I thank Representatives WATERS, CASSIDY, and SHELLEY MOORE CAPITO for their leadership on this bill.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from California, Representative GARAMENDI, who has been advising us that we really do have to make changes to the National Flood Insurance Program, and I thank him for his work.

Mr. GARAMENDI. Mr. Speaker, I rise in support of the bill, and I thank Congresswoman WATERS and Mr. GRIMM for their work.

This is desperately needed. There is a lot to be said, and a lot more work will go into this before this becomes law, but it is a major step forward.

One example: Isleton, California, in my district, in a zone that was mapped with 100-year flood protection, was downgraded by the Army Corps of Engineers and is now a high hazard area. Last year, it cost \$700 a year for the flood insurance. This year, it is \$7,000, which is about twice the mortgage on that \$115,000 house. It is not workable.

We are seeing, across my area, insurance premiums of \$10,000, \$25,000. This bill would stop that, move things back,

give us time to deal with what is the fundamental problem in flood insurance, and that is the catastrophic coverage, which has to be spread out across the Nation.

□ 1800

More to be worked on, good progress, good bill. Let's vote it out of here and get this thing solved.

Mrs. CAPITO. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BUCHANAN) for his hard work.

Mr. BUCHANAN. Mr. Speaker, flood insurance has been devastating to people in Florida. It has been in my region. I have done multiple town halls. It has gone up not 10 or 20 percent but 1,000 percent, 500 percent. Businesses can't sell their businesses. So this bill will bring some immediate relief. It also brings some certainty so people—because the market today is frozen, it will bring some certainty to people so they can buy and sell their homes.

Also, as the cochair of the Florida delegation, I want to thank my colleagues on both sides of the aisle because it is nice once in a while where we can work together to get something done for the American people.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from Oregon, Representative BLUMENAUER.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentelady's courtesy. I have a slightly different perspective. The problem isn't FEMA. The problem is that Congress has not appropriately dealt with these issues over time.

I have spent 10, 15 years now working on flood insurance reform. This is not the last word. We are kicking the can down the road. We are putting a surcharge on other people. We are grandfathering in some of the properties that are going to get these subsidized rates and transferring it. But this money is going to run out. It is going to have to be reauthorized.

With all due respect, I think we need to look at the big picture. We have got to look at the big picture, not keep putting people back in harm's way, subsidizing people, and blaming FEMA because we don't adequately fund them and, of course, we don't want them to accurately map. We go gunnysack when that happens.

I had reservations at the time that this was too abrupt. But I am concerned that we are retreating too much on the reforms that had been made earlier, and it is going to be hard to get back, of course, until the bubble bursts, which it will.

Mrs. CAPITO. Mr. Speaker, next I yield 1½ minutes to the gentleman from Louisiana (Mr. SCALISE), a great advocate for this bill and for his State.

Mr. SCALISE. Mr. Speaker, I thank the gentelady from West Virginia for yielding.

Mr. Speaker, we have a flood insurance program that is broken. In fact, 18 different times in the last 5 years the National Flood Insurance Program has either expired or nearly expired be-

cause of all of the flaws and disagreements within Congress. And yet the result of that was that Biggert-Waters law of 2012 that is now being implemented in a way that is unworkable for the Nation.

Mr. Speaker, I think if you look at what American families expect, they expect a flood insurance program that is both sustainable and affordable, and these two are not mutually exclusive. In fact, what we are achieving with this bill that is on the floor today will accomplish both. It will make the program sustainable for the future with real reforms, reforms that can actually be implemented in a way that will allow the program to move forward and pay for itself. In fact, this bill is fully paid for.

It also allows it to be done in a way that families can afford to pay their flood insurance premiums, because sending somebody a \$10,000- or \$20,000-a-year bill on a \$200,000 house that never flooded is not an actuarially sound rate; it is a death sentence. Federal law should not be implemented in a way that literally forces millions of people out of their homes who played by the rules.

So what we are bringing to the floor today is an actual solution to a problem. This is not some delay. It is a real, long-term solution that pays for itself within the program with real reforms that allow people to move forward with a flood insurance program that will be sustainable and ultimately lead to a private market where you don't just have FEMA to go to, you can actually have private options as well for families. I urge its passage.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York, Ms. NYDIA VELÁZQUEZ, a member of the Financial Services Committee.

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Speaker, I rise in strong support of this bipartisan legislation.

Sixteen months ago, Hurricane Sandy battered New York City. Even today, efforts to rebuild continue. However, because of unforeseen consequences in previous flood insurance laws, many of the businesses, families, and homeowners affected by this storm may be hit again, this time by a flood of rising insurance premiums.

Because of how the law is structured, over 26,000 New York City homeowners and businesses will see their annual flood insurance premiums increase at least 25 percent. In some cases, people who previously paid \$430 annually could see their rates rise to \$5,000 or even \$10,000—an unsustainable amount.

Today's bill will address these unintended consequences of last year's reforms. By eliminating the property transfer trigger, buyers and sellers will now have peace of mind.

Mr. Speaker, we all want to ensure the National Flood Insurance Program is solvent, but we must do it in a way

that does not harm those who have already suffered enough.

Mrs. CAPITO. Mr. Speaker, can you tell me how much time is remaining on both sides?

The SPEAKER pro tempore. The gentlewoman from West Virginia has 2½ minutes remaining. The gentlewoman from California has 4½ minutes remaining.

Mrs. CAPITO. Mr. Speaker, I am prepared to close, but I reserve the balance of my time.

Ms. WATERS. I yield myself the balance of my time.

Mr. Speaker and Members, I am very proud and very pleased about this bipartisan effort to fix a serious problem in this country. As a matter of fact, we should all be pleased because it is said by the media and others that we cannot work together. This is a time when we can demonstrate that we really do care about the citizens of this country and we recognize the problems that were created by the Biggert-Waters bill.

I said earlier that my name was on that Biggert-Waters legislation, and I certainly worked in a bipartisan effort to try and do the right thing, and, of course, some day we would like to move all of these subsidies to actuarial rates.

We have unintended consequences in Biggert-Waters, and we have set out to fix them. So I want you to know that Mr. GRIMM, Mr. RICHMOND, Mr. CASSIDY, and Mrs. CAPITO all have worked very hard to make sure that we addressed the concerns of our constituencies.

Let me tell you, with this bill we are removing certain rate increase triggers, the reinstating of grandfathering, lower rate increases, refund of excess premium charges to homeowners, affordability study and framework; added to that, working with the bill that the Republicans brought to the floor and Democrats added to it, individual property rate increase caps, affordability goal, rate increase protection for newly mapped properties, mapping protections, consumer protections, protections of small businesses, nonprofits, houses of worship, and residences.

Mr. Speaker and Members, again, this is a bill that will address the concerns and the outcry of our constituents, some of whom were experiencing 500 and 600 percent rate increases. I tried to work with the chairman, and I was disappointed that Mr. HENSARLING saw differently. He does not support this bill, and he said so. Mr. NEUGEBAUER and Mr. HENSARLING said they had come up with other ways to deal with it. I never saw any of that. Nobody ever tried to relate to the fact that I was outreaching to try and get Mr. HENSARLING, Mr. NEUGEBAUER, and others who had a different opinion to come and work this out and do what we could for our constituents.

So, I am very pleased that we had Members on the opposite side of the aisle who insisted that their constituents deserved protection and that they

deserved support. Working with their leadership and Mr. CANTOR working with our leadership, with the Democrats on this side of the aisle, we have come up with something that is extremely important and effective.

Now, I must say to both sides of the aisle, we have continuing work to do. This is not a permanent fix on this. What I discovered was none of us knew enough about FEMA. We have been crying for years about remapping. We don't really know how it works. We don't know the discretion that they have in making some of these decisions. We have got to spend the next few years really learning FEMA, how it works and how it makes decisions. We should never get into this kind of a situation again because we simply have allowed them to do what they do without us being involved. They don't report to us on a yearly basis, as I would like to have them do.

So this is an opportunity for us not only to fix this problem at this time but to focus on the fact that we have got oversight responsibility that we have got to carry out to make sure that we are dealing with these issues in a way that makes good sense.

So, again, I am very proud, and I am very pleased with this bipartisan effort. I welcome the opportunity to have been able to work with some Members from the opposite side of the aisle that I had not worked with before. I think I learned a lot about them, and they learned a lot about me. I am so thankful that our leadership gave me the latitude to say go and do everything possible working with the opposite side of the aisle to get this problem fixed. So they have not only supported me, but they have supported all of the Members on our side of the aisle who have said to them that this may be one of the most important fixes that we will do this year.

I yield back the balance of my time.

Mrs. CAPITO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the ranking member, Ms. WATERS, for her hard work on this and Mr. GRIMM, Dr. CASSIDY, and all the speakers we have had today here on both sides. We can work together to fix a definite problem, but I think we need to kind of reflect back on how did we get to this problem. We were trying to fix a bigger problem, the \$24 billion hole that the Flood Insurance Program has created because of mismanagement and not looking at it correctly.

Over 400 of us voted for that bill. So we did not realize at the time the data that we were given by FEMA gave us a certain ceiling that certain folks' premiums could rise, and as we have heard today from everybody, Republicans and Democrats, no matter where you live in the country, some of the premium escalation has just been incredible. So I am proud that we are working together.

I mentioned West Virginia. We flood a lot in West Virginia. We have got a

lot of hills and hollows. Richard in St. Albans came to me in October of last year. He had just bought a home before they put the new FEMA rates into effect. He thought he was going to be paying a little over \$1,000 in his flood insurance program on a \$150,000 house. Guess what? \$14,000 was the rate that he was going to have to pay. He said:

I am just going to walk away. I will get foreclosed on. This is my dream home.

So for Richard, that is why I think all of this is important today, and for all the other Richards out there across the country who have had sticker shock, who haven't been able to cope, who have been very upset about this and wondering, Is anybody really going to help me here?

So what I think we have learned today is whatever the scenario is, whether you are in a mountain situation by a river or if you are in an urban area in New York or if you are in Florida, that these problems were deep, expensive, and discouraging, and people were unable to understand a way out. I think that is what we are giving them today.

Many of the reforms that were built into the first Biggert-Waters bill still remain. We are refining those to make sure they make common sense. We are making sure that folks around the country can afford the homes that they have bought with the flood insurance and then get them on a glide path towards the sustainability of not just their home but also the program in general.

So I am proud of the efforts that all of us working together have had here today. I would like to encourage the other body to pass this. It is not going to work unless we get the Presidential signature that we need to make sure that we get the real relief that people need and deserve.

So with that, I yield back the balance of my time.

Mrs. MILLER of Michigan. Mr. Speaker, I rise today in strong opposition to this bill reauthorizing the hopelessly indebted, unworkable, unfair and failed federal flood insurance program.

The National Flood Insurance Program is hopelessly in debt, over \$25 billion in fact, due to the fact that politics are responsible for setting rates, not actuarial cost. Because of this many Americans across this nation are paying rates far below what actual risk would dictate in the marketplace while others, including many who I represent, are being forced to pay into a program that they do not need or want to help subsidize lower rates for other favored groups whose risk is far greater.

In fact, over the life of the federal flood insurance program the people of my state have paid multiple times more in premiums than has been paid back in claims.

That is wrong. And this problem is expanding across the nation as the flood insurance program sinks deeper into debt.

This problem reminds me of the "risk corridors", also known as the insurance company bailout, included in Obamacare.

This Obamacare provision would be used to provide a federal taxpayer bailout to private in-

surance companies when premiums paid by beneficiaries do not supply enough money to pay claims.

How is the flood insurance program any different? Some have their premiums kept artificially low and then federal taxpayers are asked to pick up the tab when those areas eventually flood.

I think the "risk corridor" included in the flood insurance program is just as wrong as the one included in Obamacare.

Both Obamacare and the National Flood Insurance Program are proof that the federal government is a bad insurance company.

That is why I have continually submitted legislation to bring about a responsible end to the federal flood insurance program and allow for the creation of a private marketplace based upon actual risk.

I urge my colleagues to join me in opposing this terribly flawed bill and in finding a better way forward that brings about the end of the national flood insurance program.

Mr. ENGEL. Mr. Speaker, I rise today in support of the Homeowners Flood Insurance Affordability Act, which removes some of the unintended consequences from the Biggert-Waters law that would increase flood insurance premiums on my constituents. This bill would repeal the premium hikes and would reinstate "grandfathered" rates for properties that were remapped into higher-risk areas.

In my own district following Superstorm Sandy, the changes in flood projections brought on by the storm will hit my constituents with higher flood insurance premiums—some as high as \$10,000 extra per year unless Congress acts to mitigate the hike.

I think we can all agree that we want to address the fiscal concerns faced by the National Flood Insurance Program—but these steep, immediate rate hikes are not the way.

This is a bipartisan bill that offers immediate protection to my constituents from financially devastating flood insurance premium hikes. I urge my colleagues to vote "yes."

Mr. SMITH of New Jersey. Mr. Speaker, I rise today in strong support of the Homeowner Flood Insurance Affordability Act (HR 3370), and would like to thank Mr. GRIMM and Mr. LOBIONDO, all our colleagues from New Jersey, and the Republican leadership for working together to bring this much-needed legislation to the Floor.

After Superstorm Sandy devastated the Northeast, our communities rallied, coming together to help friends and neighbors recover and rebuild. While progress has been made, some shore towns and the families who live along our coast are still struggling. Thousands of homeowners are working to rebuild their properties, and their lives—and the difficulties they continue to face cannot be overstated.

The coming rate hikes will have a chilling and dramatic impact on these communities, and mitigating the consequences for homeowners along the shore is a necessary step in the recovery effort.

At the start of this year, over 80,000 flood insurance policies were in force in Monmouth, Ocean and Mercer Counties in my Congressional District. The exploding cost of flood insurance—a program that many have paid into for years—threatens to roll back much of the progress made, and once again leave homeowners looking for answers.

The bill on the floor today makes targeted and necessary reforms and will prevent massive premium increases from hitting homeowners who simply cannot afford them—and cannot find a buyer to take them on, leaving them stranded and without a solution. Many cannot afford the recommended mitigation measures that may or may not reduce their premiums, creating a further environment of uncertainty.

Accordingly, the Homeowner Flood Insurance Affordability Act slows the rate of increase that was included in the 2012 Biggert-Waters reform bill, allowing homeowners to remain in their homes and plan accordingly to continue flood insurance policies.

While not perfect, this bill will provide relief and stability to these homeowners and their communities while bringing reform to the National Flood Insurance Program (NFIP). It also provides a mechanism for enhanced community participation in the flood mapping process and increases transparency by making information publicly available to impacted parties.

Further, HR 3370 will provide individualized assistance by establishing a flood insurance advocate to help homeowners and towns obtain information and fair treatment during the mapping process. After hearing from hundreds of families, particularly in Monmouth and Ocean Counties, who are simply looking for information on how they will be impacted by changes to the flood mapping process, I am pleased that this important provision was retained in the final bill.

Mr. Speaker, there are NFIP-related issues that still must be resolved—such as ensuring proper and accurate flood mapping—but this bill is an important step in the right direction and will help mitigate the rate shock that many of my constituents are facing.

I urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from West Virginia (Mrs. CAPITO) that the House suspend the rules and pass the bill, H.R. 3370, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. NEUGEBAUER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

□ 1815

YORK RIVER WILD AND SCENIC RIVER STUDY ACT OF 2013

Mr. HASTINGS of Washington. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2197) to amend the Wild and Scenic Rivers Act to designate segments of the York River and associated tributaries for study for potential inclusion in the National Wild and Scenic Rivers System.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2197

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 “York River Wild and Scenic River Study Act of 2013”.

SEC. 2. DESIGNATION FOR STUDY.

Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following:

“() YORK RIVER, MAINE.—(A) The York River that flows 11.25 miles from its headwaters at York Pond to the mouth of the river at York Harbor, and all associated tributaries.

“(B) The study conducted under this paragraph shall—

“(i) determine the effect of the designation on—

“(I) existing commercial and recreational activities, such as hunting, fishing, trapping, recreational shooting, motor boat use, bridge construction;

“(II) the authorization, construction, operation, maintenance, or improvement of energy production and transmission infrastructure; and

“(III) the authority of State and local governments to manage those activities; and

“(ii) identify—

“(I) all authorities that will authorize or require the Secretary to influence local land use decisions (such as zoning) or place restrictions on non-Federal land if designated under this Act;

“(II) all authorities that the Secretary may use to condemn property; and

“(III) all private property located in the area studied under this paragraph.”.

SEC. 3. STUDY AND REPORT.

Section 5(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(b)) is amended by adding at the end the following:

“() YORK RIVER, MAINE.—The study of the York River, Maine, named in paragraph () of subsection (a) shall be completed by the Secretary of the Interior and the report thereon submitted to Congress not later than 3 years after the date on which funds are made available to carry out this paragraph.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. HASTINGS) and the gentlewoman from Maine (Ms. PINGREE) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the legislation under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, H.R. 2197 authorizes the National Park Service to study 11.25 miles of the York River in the State of Maine for possible inclusion into the Wild and Scenic Rivers program.

The Wild and Scenic Rivers Act of 1968 was intended to put a development freeze on rivers to preserve their “free-flowing” characteristics. Although no immediately apparent risks to the river necessitating Federal designation have been identified, proponents of the study explained that they would benefit from the expertise of the National Park Service and its interaction with the surrounding community.

Due to a number of very real concerns that have arisen through prior designations, this bill includes several commonsense provisions aimed at better informing local property owners and communities about the full effects and impacts of a wild and scenic designation.

The National Park Service will be required to consider the effect of designation on commercial and recreational uses, such as hunting and fishing and boating. The study must also look at the impact on construction and maintenance of energy production and transmission.

Furthermore, H.R. 2197 requires the Federal Government to identify all existing authorities that could be utilized to condemn private property. We want property owners to know how much power the government will be given so they can form an educated opinion as to whether they should participate in or support a Wild and Scenic Rivers designation.

Finally, the bill will require the Federal Government to identify those authorities that compel it to become involved in local zoning. While Federal designation of the York River clearly has an appeal to the local advocates supporting this legislation, it is important for the community to be aware that the Wild and Scenic Rivers Act requires local zoning to conform to the dictates of the Federal act.

Lastly, Mr. Speaker, I would note that this exact legislation passed the House last Congress, but because the Senate failed to act on it, it is being considered once again in this Congress.

Mr. Speaker, I reserve the balance of my time.

Ms. PINGREE of Maine. Mr. Speaker, I yield myself such time as I may consume.

I am very happy to stand in support of my bill, H.R. 2197, the York River Wild and Scenic Rivers Study Act, and I want to start by thanking Mr. DEFALZIO, Mr. GRIJALVA, and tonight Mr. HASTINGS for their support in reporting this bill out of committee in September. I thank them and former Congressperson, now Senator MARKEY's help in passing this bill last Congress. I very much appreciate their persistence and their willingness to help get this bill passed and into law. I know the people of Maine will appreciate their commitment, too.

This bill was really proposed by the folks back home, the same people who live and work around the York River and who care deeply about it. This bill would allow organizations working around the York River to partner with the National Park Service to conduct a study that would provide the information that is vital to making smart decisions about the future of the York River and its communities.

I have heard from small business owners, community groups, State and local government, local and national land trusts, fishermen, hunters, school representatives, and historical and environmental conservationists, and all