

chapter may be paid with amounts from the National Flood Insurance Fund (as provided under section 4017(a)(4) of this title), subject to approval in appropriations Acts.

(Pub. L. 90-448, title XIII, §1375, Aug. 1, 1968, 82 Stat. 589; Pub. L. 101-508, title II, §2302(e)(4), Nov. 5, 1990, 104 Stat. 1388-25.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in text, was in the original a reference to “this title” meaning title XIII of Pub. L. 90-448, Aug. 1, 1968, 82 Stat. 572, known as the National Flood Insurance Act of 1968, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4001 of this title and Tables.

##### AMENDMENTS

1990—Pub. L. 101-508 substituted “and floodplain management programs authorized under this chapter may be paid with amounts from the National Flood Insurance Fund (as provided under section 4017(a)(4) of this title), subject to approval in appropriations Acts” for “program authorized under this chapter may be paid out of appropriated funds”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective 120 days following Aug. 1, 1968, or such later date prescribed by the Secretary but in no event more than 180 days following Aug. 1, 1968, see section 1377 of Pub. L. 90-448, set out as a note under section 4001 of this title.

#### § 4127. Authorization of appropriations; availability

(a) There are hereby authorized to be appropriated such sums as may from time to time be necessary to carry out this chapter, including sums—

(1) to cover administrative expenses authorized under section 4126 of this title;

(2) to reimburse the National Flood Insurance Fund established under section 4017 of this title for—

(A) premium equalization payments under section 4054 of this title which have been made from such fund; and

(B) reinsurance claims paid under the excess loss reinsurance coverage provided under section 4055 of this title; and

(3) to make such other payments as may be necessary to carry out the purposes of this chapter.

(b) All such funds shall be available without fiscal year limitation.

(c) There are authorized to be appropriated such sums as may be necessary through the date specified in section 4026 of this title, for studies under this chapter.

(Pub. L. 90-448, title XIII, §1376, Aug. 1, 1968, 82 Stat. 589; Pub. L. 94-375, §14(c), Aug. 3, 1976, 90 Stat. 1075; Pub. L. 95-128, title VII, §702, Oct. 12, 1977, 91 Stat. 1144; Pub. L. 95-557, title III, §309, Oct. 31, 1978, 92 Stat. 2098; Pub. L. 96-153, title VI, §602(c), Dec. 21, 1979, 93 Stat. 1137; Pub. L. 96-399, title III, §304, Oct. 8, 1980, 94 Stat. 1639; Pub. L. 97-35, title III, §341(a), Aug. 13, 1981, 95

Stat. 418; Pub. L. 98-181, title I [title IV, §451(c)], Nov. 30, 1983, 97 Stat. 1229; Pub. L. 100-242, title V, §543, Feb. 5, 1988, 101 Stat. 1940; Pub. L. 101-137, §4, Nov. 3, 1989, 103 Stat. 825; Pub. L. 104-204, title III, Sept. 26, 1996, 110 Stat. 2915; Pub. L. 105-65, title III, Oct. 27, 1997, 111 Stat. 1377; Pub. L. 105-276, title III, Oct. 21, 1998, 112 Stat. 2503; Pub. L. 106-74, title III, Oct. 20, 1999, 113 Stat. 1088; Pub. L. 106-377, §1(a)(1) [title III], Oct. 27, 2000, 114 Stat. 1441, 1441A-47; Pub. L. 107-73, title III, Nov. 26, 2001, 115 Stat. 689; Pub. L. 108-3, §2(a)(4), Jan. 13, 2003, 117 Stat. 7; Pub. L. 108-171, §2(a)(4), Dec. 6, 2003, 117 Stat. 2064; Pub. L. 108-199, div. H, §136(a)(4), Jan. 23, 2004, 118 Stat. 442; Pub. L. 108-264, title I, §101(d), June 30, 2004, 118 Stat. 714.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (c), was in the original a reference to “this title” meaning title XIII of Pub. L. 90-448, Aug. 1, 1968, 82 Stat. 572, known as the National Flood Insurance Act of 1968, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4001 of this title and Tables.

##### AMENDMENTS

2004—Subsec. (c). Pub. L. 108-264 substituted “through the date specified in section 4026 of this title, for studies under this chapter.” for “through the date specified in section 4026 of this title, for studies under this chapter. Any amount appropriated under this subsection shall remain available until expended.”

Pub. L. 108-199 made amendment identical to that made by Pub. L. 108-171. See 2003 Amendment note below.

2003—Subsec. (c). Pub. L. 108-171 substituted “the date specified in section 4026 of this title” for “December 31, 2003”.

Pub. L. 108-3 substituted “December 31, 2003” for “December 31, 2002”.

2001—Subsec. (c). Pub. L. 107-73 substituted “2002” for “2001”.

2000—Subsec. (c). Pub. L. 106-377 substituted “December 31, 2001” for “September 30, 2000”.

1999—Subsec. (c). Pub. L. 106-74 substituted “2000” for “1999”.

1998—Subsec. (c). Pub. L. 105-276 substituted “1999” for “1998”.

1997—Subsec. (c). Pub. L. 105-65 substituted “such sums as may be necessary through September 30, 1998, for studies under this chapter” for “for studies under this chapter not to exceed \$36,283,000 for fiscal year 1990, and such sums as may be necessary for fiscal year 1991”.

1996—Subsec. (c). Pub. L. 104-204, which directed amendment of first sentence by substituting “such sums as may be necessary through September 30, 1997 for studies under this chapter.” for “this subsection” and all that follows, could not be executed because phrase “this subsection” does not appear in first sentence.

1989—Subsec. (c). Pub. L. 101-137 substituted provisions authorizing appropriations of not to exceed \$36,283,000 for fiscal year 1990 and such sums as may be necessary for fiscal year 1991 for provisions authorizing appropriations of \$37,000,000 for fiscal year 1988, and \$37,000,000 for fiscal year 1989.

1988—Subsec. (c). Pub. L. 100-242 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “There are authorized to be appropriated for studies under this chapter not to exceed \$100,000,000 for the fiscal year 1977, not to exceed \$108,000,000 for the fiscal year 1978, not to exceed \$114,000,000 for the fiscal year 1979, not to exceed \$74,000,000 for the fiscal year

1980, not to exceed \$61,600,000 for the fiscal year 1981, not to exceed \$42,600,000 for the fiscal year 1982, not to exceed \$49,752,000 for the fiscal year 1984, and such sums as may be necessary for fiscal year 1985.”

1983—Subsec. (c). Pub. L. 98-181 inserted “not to exceed \$49,752,000 for the fiscal year 1984, and such sums as may be necessary for fiscal year 1985”.

1981—Subsec. (c). Pub. L. 97-35 authorized appropriation of not to exceed \$42,600,000 for fiscal year 1982.

1980—Subsec. (c). Pub. L. 96-399 authorized appropriation of not to exceed \$61,600,000 for fiscal year 1981.

1979—Subsec. (c). Pub. L. 96-153 authorized appropriation of \$74,000,000 for fiscal year 1980.

1978—Subsec. (c). Pub. L. 95-557 substituted “not to exceed \$108,000,000 for the fiscal year 1978, and not to exceed \$114,000,000 for the fiscal year 1979” for “and not to exceed \$108,000,000 for the fiscal year 1978”.

1977—Subsec. (c). Pub. L. 95-128 authorized appropriation of \$108,000,000 for fiscal year 1978.

1976—Subsec. (c). Pub. L. 94-375 added subsec. (c).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-199 considered to have taken effect on Dec. 31, 2003, see section 136(b) of div. H of Pub. L. 108-199, set out as a note under section 4016 of this title.

##### EFFECTIVE DATE OF 2003 AMENDMENTS

Amendment by Pub. L. 108-171 effective Dec. 31, 2003, see section 2(b) of Pub. L. 108-171, set out as a note under section 4016 of this title.

Amendment by Pub. L. 108-3 effective Dec. 31, 2002, see section 2(b) of Pub. L. 108-3, set out as a note under section 4016 of this title.

##### EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 371 of Pub. L. 97-35, set out as an Effective Date note under section 3701 of Title 12, Banks and Banking.

##### EFFECTIVE DATE

Section effective 120 days following Aug. 1, 1968, or such later date prescribed by the Secretary but in no event more than 180 days following Aug. 1, 1968, see section 1377 of Pub. L. 90-448, set out as a note under section 4001 of this title.

#### § 4128. Rules and regulations

(a) The Administrator is authorized to issue such regulations as may be necessary to carry out the purpose of this Act.

(b) The head of each Federal agency that administers a program of financial assistance relating to the acquisition, construction, reconstruction, repair, or improvement of publicly or privately owned land or facilities, and each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions, shall, in cooperation with the Administrator, issue appropriate rules and regulations to govern the carrying out of the agency’s responsibilities under this Act.

(Pub. L. 93-234, title II, §205, Dec. 31, 1973, 87 Stat. 983; Pub. L. 98-181, title I [title IV, §451(e)(1)], Nov. 30, 1983, 97 Stat. 1229; Pub. L. 112-141, div. F, title II, §100238(a)(1), July 6, 2012, 126 Stat. 958.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 93-234, Dec. 31, 1973, 87 Stat. 975, known as the Flood Disaster

Protection Act of 1973. For complete classification of this Act to the Code, see Short Title of 1973 Amendment note set out under section 4001 of this title and Tables.

##### CODIFICATION

Section was enacted as part of the Flood Disaster Protection Act of 1973, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

##### AMENDMENTS

2012—Pub. L. 112-141 substituted “Administrator” for “Director” in subssecs (a) and (b).

1983—Pub. L. 98-181 substituted “Director” for “Secretary” in subssecs. (a) and (b).

#### Statutory Notes and Related Subsidiaries

##### TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

#### Executive Documents

##### FLOODPLAIN MANAGEMENT

For provisions relating to the reduction of the risk of flood loss, the minimization of the impact of floods on human safety, health and welfare, and the management of floodplains, see Ex. Ord. No. 11988, May 24, 1977, 42 F.R. 26951, set out as a note under section 4321 of this title.

#### § 4129. Federal Insurance Administrator; establishment of position

There is hereby established in the Federal Emergency Management Agency the position of Federal Insurance Administrator.

(Pub. L. 90-448, title XI, §1105(a), Aug. 1, 1968, 82 Stat. 567; Pub. L. 96-153, title VI, §603(a), Dec. 21, 1979, 93 Stat. 1138.)

#### Editorial Notes

##### CODIFICATION

Section was formerly classified to section 3533a of this title.

Section was enacted as part of the Urban Property Protection and Reinsurance Act of 1968 and also as part of the Housing and Urban Development Act of 1968, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

##### AMENDMENTS

1979—Pub. L. 96-153 substituted “Federal Emergency Management Agency” for “Department of Housing and Urban Development”.

#### Statutory Notes and Related Subsidiaries

##### TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of