

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 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.

**§ 4130. No cause of action**

No cause of action shall exist and no claim may be brought against the United States for violation of any notification requirement imposed upon the United States by this subtitle or any amendment made by this subtitle.

(Pub. L. 112-141, div. F, title II, §100249, July 6, 2012, 126 Stat. 969.)

**Editorial Notes**

## REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A (§§100201-100249) of title II of div. F of Pub. L. 112-141, known as the Biggert-Waters Flood Insurance Reform Act of 2012. For complete classification of this subtitle to the Code, see Short Title of 2012 Amendment note set out under section 4001 of this title and Tables.

## CODIFICATION

Section was enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012, and also as part of the Moving Ahead for Progress in the 21st Century Act, also known as the MAP-21, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

**§ 4131. Levee certifications****(a) Implementation of Flood Protection Structure Accreditation Task Force**

In carrying out section 100226 of Public Law 112-141 (42 U.S.C. 4101 note; 126 Stat. 942), the Secretary shall—

- (1) ensure that at least 1 program activity carried out for levee systems under the levee safety and dam safety programs of the Corps of Engineers provides adequate information to

the Secretary to reach a levee accreditation decision under section 65.10 of title 44, Code of Federal Regulations (or successor regulation);

(2) to the maximum extent practicable, carry out the activities referred to in paragraph (1) in alignment with the schedule established for the national flood insurance program established under chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.); and

(3) in the case of a levee system that is operated and maintained by the Corps of Engineers, to the maximum extent practicable, cooperate with local governments seeking a levee accreditation decision for the levee to provide information necessary to support the accreditation decision in a timely manner.

**(b) Accelerated levee system evaluations****(1) In general**

On receipt of a request from a non-Federal interest, the Secretary may carry out a levee system evaluation of a federally authorized levee for purposes of the national flood insurance program established under chapter 1<sup>1</sup> of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) if the evaluation will be carried out earlier than such an evaluation would be carried out under subsection (a).

**(2) Requirements**

A levee system evaluation under paragraph (1) shall—

(A) at a minimum, comply with section 65.10 of title 44, Code of Federal Regulations (as in effect on June 10, 2014); and

(B) be carried out in accordance with such procedures as the Secretary, in consultation with the Administrator of the Federal Emergency Management Agency, may establish.

**(3) Funding****(A) In general**

The Secretary may use amounts made available under section 1962d-16 of this title to carry out this subsection.

**(B) Cost share**

The Secretary shall apply the cost share under section 1962d-16(b) of this title to any activities carried out under this subsection.

**(C) Contributed funds**

Notwithstanding subparagraph (B), a non-Federal interest may fund up to 100 percent of the cost of any activity carried out under this subsection.

(Pub. L. 113-121, title III, §3014, June 10, 2014, 128 Stat. 1287; Pub. L. 116-260, div. AA, title I, §142(b), Dec. 27, 2020, 134 Stat. 2653.)

**Editorial Notes**

## REFERENCES IN TEXT

The National Flood Insurance Act of 1968, referred to in subssecs. (a)(2) and (b)(1), is title XIII of Pub. L. 90-448, Aug. 1, 1968, 82 Stat. 572, which is classified principally to this chapter. Chapter I of the Act is classified principally to subchapter I (§4011 et seq.) of this chapter. For complete classification of this Act to the Code,

<sup>1</sup> So in original. Probably should be “chapter I”.