

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 1¹ 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 subsecs. (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, see Short Title note set out under section 4001 of this title and Tables.

CODIFICATION

Section was enacted as part of the Water Resources Reform and Development Act of 2014, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

AMENDMENTS

2020—Subsec. (a)(1). Pub. L. 116–260, §142(b)(1)(A), substituted “for levee systems under the levee safety and dam safety programs” for “under the inspection of completed works program” and struck out “and” at end.

Subsec. (a)(2). Pub. L. 116–260, §142(b)(1)(B), substituted “the activities referred to in paragraph (1)” for “activities under the inspection of completed works program of the Corps of Engineers”, “chapter I” for “chapter 1”, and “; and” for period at end.

Subsec. (a)(3). Pub. L. 116–260, §142(b)(1)(C), added par. (3).

Subsec. (b)(3)(C). Pub. L. 116–260, §142(b)(2), added subpar. (C).

¹ So in original. Probably should be “chapter I”.