

112TH CONGRESS
1ST SESSION

S. 2025

To postpone the remapping of areas protected by certain levees for purposes of the National Flood Insurance Act of 1968, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2011

Mr. MORAN introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To postpone the remapping of areas protected by certain levees for purposes of the National Flood Insurance Act of 1968, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Redundant Remapping
5 Reform Act of 2011”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Administrator” means the Ad-
9 ministrator of the Federal Emergency Management
10 Agency;

1 (2) the term “covered period” means—

2 (A) with respect to a levee for which the
3 Army Corps of Engineers has entered into a
4 cost sharing agreement, the 48-month period
5 beginning on the date on which the Army Corps
6 of Engineers makes available any funds re-
7 quired to be made available by the Army Corps
8 of Engineers under the agreement; and

9 (B) with respect to a levee not described in
10 subparagraph (A), the 48-month period begin-
11 ning on the date on which the Administrator
12 commences an update of a National Flood In-
13 surance Program rate map that includes an
14 area protected by the levee;

15 (3) the term “National Flood Insurance Pro-
16 gram” means the program established under the Na-
17 tional Flood Insurance Act of 1968 (42 U.S.C. 4011
18 et seq.); and

19 (4) the term “qualified levee” means a levee
20 that is being constructed or modified, if the owner
21 of the levee enters into an agreement with the Ad-
22 ministrator that the construction or modification will
23 be completed before the end of a covered period re-
24 lating to the qualified levee.

1 **SEC. 3. REMAPPING OF AREAS PROTECTED BY CERTAIN**
2 **LEVEES.**

3 (a) **LEVEES UNDERGOING ACCREDITATION.**—The
4 Administrator may not update or publish a National Flood
5 Insurance Program rate map during a covered period with
6 respect to an area that is protected by a levee—

7 (1) for which a community or other party has
8 sought recognition under section 65.10 of title 44,
9 Code of Federal Regulations, or any successor there-
10 to; and

11 (2) with respect to which the Administrator has
12 not issued a Letter of Final Determination.

13 (b) **LEVEES UNDERGOING PLANNING, CONSTRUC-**
14 **TION, OR REHABILITATION.**—

15 (1) **PROHIBITION.**—Except as provided in para-
16 graph (2), the Administrator may not update or
17 publish a National Flood Insurance Program rate
18 map during a covered period with respect to an area
19 that is protected by a qualified levee that is being
20 planned, constructed, or rehabilitated, if the sched-
21 uled completion date for the planning, construction,
22 or rehabilitation occurs during the covered period.

23 (2) **EXCEPTIONS.**—The Administrator may up-
24 date or publish a National Flood Insurance Program
25 rate map during a covered period with respect to an

1 area that is protected by a qualified levee described
2 in paragraph (1)—

3 (A) on or after the date on which the con-
4 struction or rehabilitation of the qualified levee
5 is completed; or

6 (B) on or after the date on which the Ad-
7 ministrator determines that the planning, con-
8 struction, or rehabilitation of the qualified levee
9 is experiencing an indefinite delay.

10 (3) SCHEDULED COMPLETION DATE.—For pur-
11 poses of this subsection, the scheduled completion
12 date for planning, construction, or rehabilitation of
13 a qualified levee shall be determined by an engineer
14 responsible for the design, modification, or construc-
15 tion of the qualified levee, taking into consideration
16 the actual condition of the qualified levee.

17 (c) NOTIFICATION OF AFFECTED PERSONS.—

18 (1) DRAFT NOTICE.—Not later than 60 days
19 after the date of enactment of this Act, the Adminis-
20 trator shall publish a notice to be used by owners of
21 qualified levees subject to this section to disclose to
22 persons affected by the qualified levees—

23 (A) information relating to the possible
24 dangers of living in an area affected by the

1 qualified levees without flood insurance cov-
2 erage;

3 (B) information relating to the availability
4 of flood insurance coverage; and

5 (C) any other information that the Admin-
6 istrator determines is necessary.

7 (2) NOTICE BY OWNERS OF LEVEES.—

8 (A) IN GENERAL.—Except as provided in
9 subparagraph (B), not later than 30 days after
10 the commencement of a covered period, the
11 owner of the qualified levee to which the cov-
12 ered period relates shall provide the notice pub-
13 lished under paragraph (1) to each person iden-
14 tified by the owner of the qualified levee as a
15 person affected by the qualified levee.

16 (B) EXCEPTION.—In the case of a covered
17 period that commences before the date on which
18 the Administrator publishes the notice under
19 paragraph (1), the owner of the qualified levee
20 to which the covered period relates shall provide
21 the notice required under subparagraph (A) to
22 each person identified by the owner of the
23 qualified levee as a person affected by the quali-
24 fied levee as soon as practicable after the date

1 on which the Administrator publishes the no-
2 tice.

3 (d) REPORTING REQUIREMENTS.—During a covered
4 period relating to a qualified levee, the owner of the quali-
5 fied levee (or a designee of the owner) shall submit to the
6 Administrator a quarterly report that contains—

7 (1) a description of the progress of the con-
8 struction or modification of the qualified levee; and

9 (2) an estimate of the scheduled completion
10 date of the construction or modification of the quali-
11 fied levee, as determined by an engineer responsible
12 for the design, modification, or construction of the
13 qualified levee, taking into consideration the actual
14 condition of the qualified levee.

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