

Tipton Walz (MN) Womack
 Upton West Woodall
 Velázquez Westmoreland Woolsey
 Visclosky Whitfield Young (AK)
 Walberg Wilson (SC) Young (FL)
 Walden Wittman
 Walsh (IL) Wolf

Stark
 Thompson (CA)
 Tierney
 Tonko
 Towns
 Tsongas

Van Hollen
 Velázquez
 Walz (MN)
 Wasserman
 Schultz
 Waters

Watt
 Waxman
 Wilson (FL)
 Woolsey
 Wu
 Yarmuth

Womack
 Woodall
 Cummings
 Deutch
 Giffords
 Heinrich

Yoder
 Young (AK)
 Young (FL)
 Young (IN)
 NOT VOTING—10
 Hinchey
 Holden
 Keating
 Luján
 Palazzo
 Pearce

NOT VOTING—7

Deutch Hinchey Pearce
 Giffords Holden
 Heinrich Luján

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1456

Ms. LEE changed her vote from
 “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

AMENDMENT OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from California (Mr.
 GARAMENDI) on which further pro-
 ceedings were postponed and on which
 the noes prevailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 145, noes 276,
 not voting 10, as follows:

[Roll No. 553]

AYES—145

Ackerman Eshoo McGovern
 Andrews Farr McNerney
 Baca Fattah Michaud
 Baldwin Filner Miller, George
 Bartlett Frank (MA) Moore
 Bass (CA) Fudge Moran
 Bass (NH) Garamendi Nadler
 Becerra Grijalva Napolitano
 Berkley Gutierrez Neal
 Berman Hanabusa Olver
 Bishop (NY) Hastings (FL) Pallone
 Blumenauer Higgins Pascarell
 Boswell Himes Pastor (AZ)
 Brady (PA) Hirono Paul
 Braley (IA) Hochul Payne
 Brown (FL) Holt Pelosi
 Butterfield Honda Perlmutter
 Capps Hoyer Peters
 Capuano Inslee Pingree (ME)
 Cardoza Israel Polis
 Carnahan Jackson (IL) Price (NC)
 Carney Johnson (GA) Quigley
 Carson (IN) Johnson, E. B. Rangel
 Castor (FL) Jones Reyes
 Chu Kaptur Richardson
 Cicilline Kildee Rothman (NJ)
 Clarke (MI) Kind Roybal-Allard
 Clarke (NY) Kucinich Rush
 Clyburn Langevin Sánchez, Linda
 Cohen Larsen (WA) T.
 Connolly (VA) Lee (CA) Sanchez, Loretta
 Conyers Levin Sarbanes
 Crowley Lewis (GA) Schakowsky
 Davis (CA) Loeb sack Schiff
 Davis (IL) Lofgren, Zoe Schwartz
 DeFazio Lowey Scott (VA)
 DeGette Lynch Scott, David
 Dicks Maloney Serrano
 Dingell Markey Sherman
 Doggett Matsui Sires
 Edwards McCarthy (NY) Slaughter
 Ellison McCollum Smith (WA)
 Engel McDermott Speier

NOES—276

Adams
 Aderholt
 Akin
 Alexander
 Altmire
 Amash
 Austria
 Bachman
 Bachus
 Barletta
 Barrow
 Barton (TX)
 Benishek
 Berg
 Biggart
 Bilbray
 Bilirakis
 Bishop (GA)
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Chandler
 Clay
 Cleaver
 Coble
 Coffman (CO)
 Cole
 Conaway
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Cuellar
 Culberson
 Davis (KY)
 DeLauro
 Denham
 Dent
 DeJarlais
 Diaz-Balart
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Duffey
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett
 Gerlach

Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Hensarling
 Herger
 Herrera Beutler
 Hinojosa
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jackson Lee
 (TX)
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Labrador
 Lamborn
 Lance
 Landry
 Lankford
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lewis (CA)
 Lipinski
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marchant
 Marino
 Matheson
 McCarthy (CA)
 McCard
 McClintock
 McCotter
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Meeks
 Mica
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Mulvaney

Murphy (CT)
 Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Paulsen
 Pence
 Peterson
 Petri
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Ribble
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ruppberger
 Ryan (OH)
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schrader
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Sewell
 Shimkus
 Shuler
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Visclosky
 Walberg
 Walden
 Walsh (IL)
 Webster
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1500

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

Stated against:
 Mr. PALAZZO. Mr. Chair, on rollcall No. 553
 I was unavoidably detained. Had I been
 present, I would have voted “no.”

Mr. FRELINGHUYSEN. Mr. Chair-
 man, I move that the Committee do
 now rise.

The motion was agreed to.
 Accordingly, the Committee rose;
 and the Speaker pro tempore (Mr.
 JOHNSON of Ohio) having assumed the
 chair, Mr. LANDRY, Acting Chair of the
 Committee of the Whole House on the
 State of the Union, reported that that
 Committee, having had under consider-
 ation the bill (H.R. 2354) making appro-
 priations for energy and water develop-
 ment and related agencies for the fiscal
 year ending September 30, 2012, and for
 other purposes, had come to no resolu-
 tion thereon.

GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker,
 I ask unanimous consent that all Mem-
 bers may have 5 legislative days in
 which to revise and extend their re-
 marks and include extraneous material
 on H.R. 2354.

The SPEAKER pro tempore. Is there
 objection to the request of the gen-
 tleman from New Jersey?
 There was no objection.

FLOOD INSURANCE REFORM ACT
 OF 2011

The SPEAKER pro tempore. Pursuant
 to House Resolution 340 and rule
 XVIII, the Chair declares the House in
 the Committee of the Whole House on
 the State of the Union for the further
 consideration of the bill, H.R. 1309.

□ 1503

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved
 itself into the Committee of the Whole
 House on the State of the Union for the
 further consideration of the bill (H.R.
 1309) to extend the authorization of the
 national flood insurance program, to
 achieve reforms to improve the finan-
 cial integrity and stability of the pro-
 gram, and to increase the role of pri-
 vate markets in the management of
 flood insurance risk, and for other pur-
 poses, with Mr. LANDRY (Acting Chair)
 in the chair.

The Clerk read the title of the bill.
 The Acting CHAIR. When the Com-
 mittee of the Whole rose earlier today,
 all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule the amendment in the nature of a substitute printed in the bill. The committee amendment in the nature of a substitute shall be considered as read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1309

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 “Flood Insurance Reform Act of 2011”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Extensions.
- Sec. 3. Mandatory purchase.
- Sec. 4. Reforms of coverage terms.
- Sec. 5. Reforms of premium rates.
- Sec. 6. Technical Mapping Advisory Council.
- Sec. 7. FEMA incorporation of new mapping protocols.
- Sec. 8. Treatment of levees.
- Sec. 9. Privatization initiatives.
- Sec. 10. FEMA annual report on insurance program.
- Sec. 11. Actuarial rates for severe repetitive loss properties refusing mitigation or purchase offers.
- Sec. 12. Mitigation assistance.
- Sec. 13. Grants for direct funding of mitigation activities for individual repetitive claims properties.
- Sec. 14. Notification to homeowners regarding mandatory purchase requirement applicability and rate phase-ins.
- Sec. 15. Notification of establishment of flood elevations.
- Sec. 16. Notification to tenants of availability of contents insurance.
- Sec. 17. Notification to policy holders regarding direct management of policy by FEMA.
- Sec. 18. Notice of availability of flood insurance and escrow in RESPA good faith estimate.
- Sec. 19. Reimbursement for costs incurred by homeowners obtaining letters of map amendment.
- Sec. 20. Treatment of swimming pool enclosures outside of hurricane season.
- Sec. 21. CDBG eligibility for flood insurance outreach activities and community building code administration grants.
- Sec. 22. Technical corrections.
- Sec. 23. Report on Write-Your-Own Program.
- Sec. 24. Studies of voluntary community-based flood insurance options.
- Sec. 25. Report on inclusion of building codes in floodplain management criteria.
- Sec. 26. Study on graduated risk.
- Sec. 27. No cause of action.

SEC. 2. EXTENSIONS.

(a) **EXTENSION OF PROGRAM.**—Section 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4026) is amended by striking “September 30, 2011” and inserting “September 30, 2016”.

(b) **EXTENSION OF FINANCING.**—Section 1309(a) of such Act (42 U.S.C. 4016(a)) is amended by striking “September 30, 2011” and inserting “September 30, 2016”.

SEC. 3. MANDATORY PURCHASE.

(a) **AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.**—

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

amended by adding at the end the following new subsection:

“(i) **AUTHORITY TO TEMPORARILY SUSPEND MANDATORY PURCHASE REQUIREMENT.**—

“(1) **FINDING BY ADMINISTRATOR THAT AREA IS AN ELIGIBLE AREA.**—For any area, upon a request submitted to the Administrator by a local government authority having jurisdiction over any portion of the area, the Administrator shall make a finding of whether the area is an eligible area under paragraph (3). If the Administrator finds that such area is an eligible area, the Administrator shall, in the discretion of the Administrator, designate a period during which such finding shall be effective, which shall not be longer in duration than 12 months.

“(2) **SUSPENSION OF MANDATORY PURCHASE REQUIREMENT.**—If the Administrator makes a finding under paragraph (1) that an area is an eligible area under paragraph (3), during the period specified in the finding, the designation of such eligible area as an area having special flood hazards shall not be effective for purposes of subsection (a), (b), and (e) of this section, and section 202(a) of this Act. Nothing in this paragraph may be construed to prevent any lender, servicer, regulated lending institution, Federal agency lender, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation, at the discretion of such entity, from requiring the purchase of flood insurance coverage in connection with the making, increasing, extending, or renewing of a loan secured by improved real estate or a mobile home located or to be located in such eligible area during such period or a lender or servicer from purchasing coverage on behalf of a borrower pursuant to subsection (e).

“(3) **ELIGIBLE AREAS.**—An eligible area under this paragraph is an area that is designated or will, pursuant to any issuance, revision, updating, or other change in flood insurance maps that takes effect on or after the date of the enactment of the Flood Insurance Reform Act of 2011, become designated as an area having special flood hazards and that meets any one of the following 3 requirements:

“(A) **AREAS WITH NO HISTORY OF SPECIAL FLOOD HAZARDS.**—The area does not include any area that has ever previously been designated as an area having special flood hazards.

“(B) **AREAS WITH FLOOD PROTECTION SYSTEMS UNDER IMPROVEMENTS.**—The area was intended to be protected by a flood protection system—

“(i) that has been decertified, or is required to be certified, as providing protection for the 100-year frequency flood standard;

“(ii) that is being improved, constructed, or reconstructed; and

“(iii) for which the Administrator has determined measurable progress toward completion of such improvement, construction, reconstruction is being made and toward securing financial commitments sufficient to fund such completion.

“(C) **AREAS FOR WHICH APPEAL HAS BEEN FILED.**—An area for which a community has appealed—

“(i) designation of the area as having special flood hazards in a timely manner under section 1363; or

“(ii) any decertification or deaccreditation of a dam, levee, or other flood protection system or the level of protection afforded by a dam, levee, or system.

“(4) **EXTENSION OF DELAY.**—Upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, the Administrator may extend the period during which a finding under paragraph (1) shall be effective, except that—

“(A) each such extension under this paragraph shall not be for a period exceeding 12 months; and

“(B) for any area, the cumulative number of such extensions may not exceed 2.

“(5) **RULE OF CONSTRUCTION.**—Nothing in this subsection may be construed to affect the applicability of a designation of any area as an area

having special flood hazards for purposes of the availability of flood insurance coverage, criteria for land management and use, notification of flood hazards, eligibility for mitigation assistance, or any other purpose or provision not specifically referred to in paragraph (2).

“(6) **REPORTS.**—The Administrator shall, in each annual report submitted pursuant to section 1320, include information identifying each finding under paragraph (1) by the Administrator during the preceding year that an area is an area having special flood hazards, the basis for each such finding, any extensions pursuant to paragraph (4) of the periods of effectiveness of such findings, and the reasons for such extensions.”.

(2) **NO REFUNDS.**—Nothing in this subsection or the amendments made by this subsection may be construed to authorize or require any payment or refund for flood insurance coverage purchased for any property that covered any period during which such coverage is not required for the property pursuant to the applicability of the amendment made by paragraph (1).

(b) **TERMINATION OF FORCE-PLACED INSURANCE.**—Section 102(e) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(e)) is amended—

(1) in paragraph (2), by striking “insurance.” and inserting “insurance, including premiums or fees incurred for coverage beginning on the date on which flood insurance coverage lapsed or did not provide a sufficient coverage amount.”;

(2) by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively; and

(3) by inserting after paragraph (2) the following new paragraphs:

“(3) **TERMINATION OF FORCE-PLACED INSURANCE.**—Within 30 days of receipt by the lender or servicer of a confirmation of a borrower’s existing flood insurance coverage, the lender or servicer shall—

“(A) terminate the force-placed insurance; and

“(B) refund to the borrower all force-placed insurance premiums paid by the borrower during any period during which the borrower’s flood insurance coverage and the force-placed flood insurance coverage were each in effect, and any related fees charged to the borrower with respect to the force-placed insurance during such period.

“(4) **SUFFICIENCY OF DEMONSTRATION.**—For purposes of confirming a borrower’s existing flood insurance coverage, a lender or servicer for a loan shall accept from the borrower an insurance policy declarations page that includes the existing flood insurance policy number and the identity of, and contact information for, the insurance company or agent.”.

(c) **USE OF PRIVATE INSURANCE TO SATISFY MANDATORY PURCHASE REQUIREMENT.**—Section 102(b) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(b)) is amended—

(1) in paragraph (1)—

(A) by striking “lending institutions not to make” and inserting “lending institutions—

“(A) not to make”;

(B) in subparagraph (A), as designated by subparagraph (A) of this paragraph, by striking “less.” and inserting “less; and”;

(C) by adding at the end the following new subparagraph:

“(B) to accept private flood insurance as satisfaction of the flood insurance coverage requirement under subparagraph (A) if the coverage provided by such private flood insurance meets the requirements for coverage under such subparagraph.”;

(2) in paragraph (2), by inserting after “provided in paragraph (1).” the following new sentence: “Each Federal agency lender shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.”;

(3) in paragraph (3), in the matter following subparagraph (B), by adding at the end the following new sentence: “The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation shall accept private flood insurance as satisfaction of the flood insurance coverage requirement under the preceding sentence if the flood insurance coverage provided by such private flood insurance meets the requirements for coverage under such sentence.”; and

(4) by adding at the end the following new paragraph:

“(5) PRIVATE FLOOD INSURANCE DEFINED.—In this subsection, the term ‘private flood insurance’ means a contract for flood insurance coverage allowed for sale under the laws of any State.”

SEC. 4. REFORMS OF COVERAGE TERMS.

(a) MINIMUM DEDUCTIBLES FOR CLAIMS.—Section 1312 of the National Flood Insurance Act of 1968 (42 U.S.C. 4019) is amended—

(1) by striking “The Director is” and inserting the following: “(a) IN GENERAL.—The Administrator is”; and

(2) by adding at the end the following:

“(b) MINIMUM ANNUAL DEDUCTIBLES.—

“(1) SUBSIDIZED RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, and for which the chargeable rate for such coverage is less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be \$2,000.

“(2) ACTUARIAL RATE PROPERTIES.—For any structure that is covered by flood insurance under this title, for which the chargeable rate for such coverage is not less than the applicable estimated risk premium rate under section 1307(a)(1) for the area (or subdivision thereof) in which such structure is located, the minimum annual deductible for damage to or loss of such structure shall be \$1,000.”

(b) CLARIFICATION OF RESIDENTIAL AND COMMERCIAL COVERAGE LIMITS.—Section 1306(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (2)—

(A) by striking “in the case of any residential property” and inserting “in the case of any residential building designed for the occupancy of from one to four families”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance so as to enable such insured or applicant to receive coverage up to a total amount (including such limits specified in paragraph (1)(A)(i)) of \$250,000” and inserting “shall be made available, with respect to any single such building, up to an aggregate liability (including such limits specified in paragraph (1)(A)(i)) of \$250,000”; and

(2) in paragraph (4)—

(A) by striking “in the case of any nonresidential property, including churches,” and inserting “in the case of any nonresidential building, including a church.”; and

(B) by striking “shall be made available to every insured upon renewal and every applicant for insurance, in respect to any single structure, up to a total amount (including such limit specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000 for each structure and \$500,000 for any contents related to each structure” and inserting “shall be made available with respect to any single such building, up to an aggregate liability (including such limits specified in subparagraph (B) or (C) of paragraph (1), as applicable) of \$500,000, and coverage shall be made available up to a total of \$500,000 aggregate liability for contents owned by the building owner and \$500,000 aggregate liability for each unit within the building for contents owned by the tenant”.

(c) INDEXING OF MAXIMUM COVERAGE LIMITS.—Subsection (b) of section 1306 of the Na-

tional Flood Insurance Act of 1968 (42 U.S.C. 4013(b)) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) in paragraph (5), by striking the period at the end and inserting “; and”;

(3) by redesignating paragraph (5) as paragraph (7); and

(4) by adding at the end the following new paragraph:

“(8) each of the dollar amount limitations under paragraphs (2), (3), (4), (5), and (6) shall be adjusted effective on the date of the enactment of the Flood Insurance Reform Act of 2011, such adjustments shall be calculated using the percentage change, over the period beginning on September 30, 1994, and ending on such date of enactment, in such inflationary index as the Administrator shall, by regulation, specify, and the dollar amount of such adjustment shall be rounded to the next lower dollar; and the Administrator shall cause to be published in the Federal Register the adjustments under this paragraph to such dollar amount limitations; except that in the case of coverage for a property that is made available, pursuant to this paragraph, in an amount that exceeds the limitation otherwise applicable to such coverage as specified in paragraph (2), (3), (4), (5), or (6), the total of such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1).”

(d) OPTIONAL COVERAGE FOR LOSS OF USE OF PERSONAL RESIDENCE AND BUSINESS INTERRUPTION.—Subsection (b) of section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(b)), as amended by the preceding provisions of this section, is further amended by inserting after paragraph (4) the following new paragraphs:

“(5) the Administrator may provide that, in the case of any residential property, each renewal or new contract for flood insurance coverage may provide not more than \$5,000 aggregate liability per dwelling unit for any necessary increases in living expenses incurred by the insured when losses from a flood make the residence unfit to live in, except that—

“(A) purchase of such coverage shall be at the option of the insured;

“(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

“(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such determination to be published in the Federal Register that—

“(i) a competitive private insurance market for such coverage does not exist; and

“(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise;

“(6) the Administrator may provide that, in the case of any commercial property or other residential property, including multifamily rental property, coverage for losses resulting from any partial or total interruption of the insured’s business caused by damage to, or loss of, such property from a flood may be made available to every insured upon renewal and every applicant, up to a total amount of \$20,000 per property, except that—

“(A) purchase of such coverage shall be at the option of the insured;

“(B) any such coverage shall be made available only at chargeable rates that are not less than the estimated premium rates for such coverage determined in accordance with section 1307(a)(1); and

“(C) the Administrator may make such coverage available only if the Administrator makes a determination and causes notice of such deter-

mination to be published in the Federal Register that—

“(i) a competitive private insurance market for such coverage does not exist; and

“(ii) the national flood insurance program has the capacity to make such coverage available without borrowing funds from the Secretary of the Treasury under section 1309 or otherwise.”

(e) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—Section 1306 of the National Flood Insurance Act of 1968 (42 U.S.C. 4013) is amended by adding at the end the following new subsection:

“(d) PAYMENT OF PREMIUMS IN INSTALLMENTS FOR RESIDENTIAL PROPERTIES.—

“(1) AUTHORITY.—In addition to any other terms and conditions under subsection (a), such regulations shall provide that, in the case of any residential property, premiums for flood insurance coverage made available under this title for such property may be paid in installments.

“(2) LIMITATIONS.—In implementing the authority under paragraph (1), the Administrator may establish increased chargeable premium rates and surcharges, and deny coverage and establish such other sanctions, as the Administrator considers necessary to ensure that insureds purchase, pay for, and maintain coverage for the full term of a contract for flood insurance coverage or to prevent insureds from purchasing coverage only for periods during a year when risk of flooding is comparatively higher or canceling coverage for periods when such risk is comparatively lower.”

SEC. 5. REFORMS OF PREMIUM RATES.

(a) INCREASE IN ANNUAL LIMITATION ON PREMIUM INCREASES.—Section 1308(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(e)) is amended by striking “10 percent” and inserting “20 percent”.

(b) PHASE-IN OF RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—

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

(A) in subsection (a), in the matter preceding paragraph (1), by inserting “or notice” after “prescribe by regulation”;

(B) in subsection (c), by inserting “and subsection (g)” before the first comma; and

(C) by adding at the end the following new subsection:

“(g) 5-YEAR PHASE-IN OF FLOOD INSURANCE RATES FOR CERTAIN PROPERTIES IN NEWLY MAPPED AREAS.—

“(1) 50 PERCENT RATE FOR INITIAL YEAR.—Notwithstanding subsection (c) or any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area that was not previously designated as an area having special flood hazards and that, pursuant to any issuance, revision, updating, or other change in flood insurance maps, becomes designated as such an area, during the 12-month period that begins, except as provided in paragraph (2), upon the date that such maps, as issued, revised, updated, or otherwise changed, become effective, the chargeable premium rate for flood insurance under this title with respect to any covered property that is located within such area shall be 50 percent of the chargeable risk premium rate otherwise applicable under this title to the property.

“(2) APPLICABILITY TO PREFERRED RISK RATE AREAS.—In the case of any area described in paragraph (1) that consists of or includes an area that, as of date of the effectiveness of the flood insurance maps for such area referred to in paragraph (1) as so issued, revised, updated, or changed, is eligible for any reason for preferred risk rate method premiums for flood insurance coverage and was eligible for such premiums as of the enactment of the Flood Insurance Reform Act of 2011, the 12-month period referred to in paragraph (1) for such area eligible for preferred risk rate method premiums shall

begin upon the expiration of the period during which such area is eligible for such preferred risk rate method premiums.

“(3) PHASE-IN OF FULL ACTUARIAL RATES.—With respect to any area described in paragraph (1), upon the expiration of the 12-month period under paragraph (1) or (2), as applicable, for such area, the Administrator shall increase the chargeable risk premium rates for flood insurance under this title for covered properties in such area by 20 percent, and by 20 percent upon the expiration of each successive 12-month period thereafter until the chargeable risk premium rates comply with subsection (c).

“(4) COVERED PROPERTIES.—For purposes of the subsection, the term ‘covered property’ means any residential property occupied by its owner or a bona fide tenant as a primary residence.”.

(2) REGULATION OR NOTICE.—The Administrator of the Federal Emergency Management Agency shall issue an interim final rule or notice to implement this subsection and the amendments made by this subsection as soon as practicable after the date of the enactment of this Act.

(c) PHASE-IN OF ACTUARIAL RATES FOR CERTAIN PROPERTIES.—

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

(A) by redesignating paragraph (2) as paragraph (7); and

(B) by inserting after paragraph (1) the following new paragraphs:

“(2) COMMERCIAL PROPERTIES.—Any nonresidential property.

“(3) SECOND HOMES AND VACATION HOMES.—Any residential property that is not the primary residence of any individual.

“(4) HOMES SOLD TO NEW OWNERS.—Any single family property that—

“(A) has been constructed or substantially improved and for which such construction or improvement was started, as determined by the Administrator, before December 31, 1974, or before the effective date of the initial rate map published by the Administrator under paragraph (2) of section 1360(a) for the area in which such property is located, whichever is later; and

“(B) is purchased after the effective date of this paragraph, pursuant to section 5(c)(3)(A) of the Flood Insurance Reform Act of 2011.

“(5) HOMES DAMAGED OR IMPROVED.—Any property that, on or after the date of the enactment of the Flood Insurance Reform Act of 2011, has experienced or sustained—

“(A) substantial flood damage exceeding 50 percent of the fair market value of such property; or

“(B) substantial improvement exceeding 30 percent of the fair market value of such property.

“(6) HOMES WITH MULTIPLE CLAIMS.—Any severe repetitive loss property (as such term is defined in section 1361A(b)).”.

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

(A) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking “the limitations provided under paragraphs (1) and (2)” and inserting “subsection (e)”; and

(ii) in paragraph (1), by striking “, except” and all that follows through “subsection (e)”; and

(B) in subsection (e), by striking “paragraph (2) or (3)” and inserting “paragraph (7)”.

(3) EFFECTIVE DATE AND TRANSITION.—

(A) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall apply beginning upon the expiration of the 12-month period that begins on the date of the enactment of this Act, except as provided in subparagraph (B) of this paragraph.

(B) TRANSITION FOR PROPERTIES COVERED BY FLOOD INSURANCE UPON EFFECTIVE DATE.—

(i) INCREASE OF RATES OVER TIME.—In the case of any property described in paragraph (2), (3), (4), (5), or (6) of section 1308(c) of the National Flood Insurance Act of 1968, as amended by paragraph (1) of this subsection, that, as of the effective date under subparagraph (A) of this paragraph, is covered under a policy for flood insurance made available under the national flood insurance program for which the chargeable premium rates are less than the applicable estimated risk premium rate under section 1307(a)(1) of such Act for the area in which the property is located, the Administrator of the Federal Emergency Management Agency shall increase the chargeable premium rates for such property over time to such applicable estimated risk premium rate under section 1307(a)(1).

(ii) AMOUNT OF ANNUAL INCREASE.—Such increase shall be made by increasing the chargeable premium rates for the property (after application of any increase in the premium rates otherwise applicable to such property), once during the 12-month period that begins upon the effective date under subparagraph (A) of this paragraph and once every 12 months thereafter until such increase is accomplished, by 20 percent (or such lesser amount as may be necessary so that the chargeable rate does not exceed such applicable estimated risk premium rate or to comply with clause (iii)).

(iii) PROPERTIES SUBJECT TO PHASE-IN AND ANNUAL INCREASES.—In the case of any pre-FIRM property (as such term is defined in section 578(b) of the National Flood Insurance Reform Act of 1974), the aggregate increase, during any 12-month period, in the chargeable premium rate for the property that is attributable to this subparagraph or to an increase described in section 1308(e) of the National Flood Insurance Act of 1968 may not exceed 20 percent.

(iv) FULL ACTUARIAL RATES.—The provisions of paragraphs (2), (3), (4), (5), and (6) of such section 1308(c) shall apply to such a property upon the accomplishment of the increase under this subparagraph and thereafter.

(d) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—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—

(1) in subsection (e), by inserting “or subsection (h)” after “subsection (c)”; and

(2) by adding at the end the following new subsection:

“(h) PROHIBITION OF EXTENSION OF SUBSIDIZED RATES TO LAPSED POLICIES.—Notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, the Administrator shall not provide flood insurance coverage under this title for any property for which a policy for such coverage for the property has previously lapsed in coverage as a result of the deliberate choice of the holder of such policy, at a rate less than the applicable estimated risk premium rates for the area (or subdivision thereof) in which such property is located.”.

(e) RECOGNITION OF STATE AND LOCAL FUNDING FOR CONSTRUCTION, RECONSTRUCTION, AND IMPROVEMENT OF FLOOD PROTECTION SYSTEMS IN DETERMINATION OF RATES.—

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

(A) in subsection (e)—

(i) in the first sentence, by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system (without respect to the level of Federal investment or participation)”; and

(ii) in the second sentence—

(1) by striking “construction of a flood protection system” and inserting “construction, reconstruction, or improvement of a flood protection system”; and

(II) by inserting “based on the present value of the completed system” after “has been expended”; and

(B) in subsection (f)—

(i) in the first sentence in the matter preceding paragraph (1), by inserting “(without respect to the level of Federal investment or participation)” before the period at the end;

(ii) in the third sentence in the matter preceding paragraph (1), by inserting “, whether coastal or riverine,” after “special flood hazard”; and

(iii) in paragraph (1), by striking “a Federal agency in consultation with the local project sponsor” and inserting “the entity or entities that own, operate, maintain, or repair such system”.

(2) REGULATIONS.—The Administrator of the Federal Emergency Management Agency shall promulgate regulations to implement this subsection and the amendments made by this subsection as soon as practicable, but not more than 18 months after the date of the enactment of this Act. Paragraph (3) may not be construed to annul, alter, affect, authorize any waiver of, or establish any exception to, the requirement under the preceding sentence.

SEC. 6. TECHNICAL MAPPING ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is established a council to be known as the Technical Mapping Advisory Council (in this section referred to as the “Council”).

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of—

(A) the Administrator of the Federal Emergency Management Agency (in this section referred to as the “Administrator”), or the designee thereof;

(B) the Director of the United States Geological Survey of the Department of the Interior, or the designee thereof;

(C) the Under Secretary of Commerce for Oceans and Atmosphere, or the designee thereof;

(D) the commanding officer of the United States Army Corps of Engineers, or the designee thereof;

(E) the chief of the Natural Resources Conservation Service of the Department of Agriculture, or the designee thereof;

(F) the Director of the United States Fish and Wildlife Service of the Department of the Interior, or the designee thereof;

(G) the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration of the Department of Commerce, or the designee thereof; and

(H) 14 additional members to be appointed by the Administrator of the Federal Emergency Management Agency, who shall be—

(i) an expert in data management;

(ii) an expert in real estate;

(iii) an expert in insurance;

(iv) a member of a recognized regional flood and storm water management organization;

(v) a representative of a State emergency management agency or association or organization for such agencies;

(vi) a member of a recognized professional surveying association or organization;

(vii) a member of a recognized professional mapping association or organization;

(viii) a member of a recognized professional engineering association or organization;

(ix) a member of a recognized professional association or organization representing flood hazard determination firms;

(x) a representative of State national flood insurance coordination offices;

(xi) representatives of two local governments, at least one of whom is a local levee flood manager or executive, designated by the Federal Emergency Management Agency as Cooperating Technical Partners; and

(xii) representatives of two State governments designated by the Federal Emergency Management Agency as Cooperating Technical States.

(2) QUALIFICATIONS.—Members of the Council shall be appointed based on their demonstrated

knowledge and competence regarding surveying, cartography, remote sensing, geographic information systems, or the technical aspects of preparing and using flood insurance rate maps. In appointing members under paragraph (1)(I), the Administrator shall ensure that the membership of the Council has a balance of Federal, State, local, and private members.

(c) DUTIES.—

(1) NEW MAPPING STANDARDS.—Not later than the expiration of the 12-month period beginning upon the date of the enactment of this Act, the Council shall develop and submit to the Administrator and the Congress proposed new mapping standards for 100-year flood insurance rate maps used under the national flood insurance program under the National Flood Insurance Act of 1968. In developing such proposed standards the Council shall—

(A) ensure that the flood insurance rate maps reflect true risk, including graduated risk that better reflects the financial risk to each property; such reflection of risk should be at the smallest geographic level possible (but not necessarily property-by-property) to ensure that communities are mapped in a manner that takes into consideration different risk levels within the community;

(B) ensure the most efficient generation, display, and distribution of flood risk data, models, and maps where practicable through dynamic digital environments using spatial database technology and the Internet;

(C) ensure that flood insurance rate maps reflect current hydrologic and hydraulic data, current land use, and topography, incorporating the most current and accurate ground and bathymetric elevation data;

(D) determine the best ways to include in such flood insurance rate maps levees, decertified levees, and areas located below dams, including determining a methodology for ensuring that decertified levees and other protections are included in flood insurance rate maps and their corresponding flood zones reflect the level of protection conferred;

(E) consider how to incorporate restored wetlands and other natural buffers into flood insurance rate maps, which may include wetlands, groundwater recharge areas, erosion zones, meander belts, endangered species habitat, barrier islands and shoreline buffer features, riparian forests, and other features;

(F) consider whether to use vertical positioning (as defined by the Administrator) for flood insurance rate maps;

(G) ensure that flood insurance rate maps differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(H) ensure that flood insurance rate maps take into consideration the best scientific data and potential future conditions (including projections for sea level rise); and

(I) consider how to incorporate the new standards proposed pursuant to this paragraph in existing mapping efforts.

(2) ONGOING DUTIES.—The Council shall, on an ongoing basis, review the mapping protocols developed pursuant to paragraph (1), and make recommendations to the Administrator when the Council determines that mapping protocols should be altered.

(3) MEETINGS.—In carrying out its duties under this section, the Council shall consult with stakeholders through at least 4 public meetings annually, and shall seek input of all stakeholder interests including State and local representatives, environmental and conservation organizations, insurance industry representatives, advocacy groups, planning organizations, and mapping organizations.

(d) PROHIBITION ON COMPENSATION.—Members of the Council shall receive no additional compensation by reason of their service on the Council.

(e) CHAIRPERSON.—The Administrator shall serve as the Chairperson of the Council.

(f) STAFF.—

(1) FEMA.—Upon the request of the Council, the Administrator may detail, on a nonreimbursable basis, personnel of the Federal Emergency Management Agency to assist the Council in carrying out its duties.

(2) OTHER FEDERAL AGENCIES.—Upon request of the Council, any other Federal agency that is a member of the Council may detail, on a nonreimbursable basis, personnel to assist the Council in carrying out its duties.

(g) POWERS.—In carrying out this section, the Council may hold hearings, receive evidence and assistance, provide information, and conduct research, as the Council considers appropriate.

(h) TERMINATION.—The Council shall terminate upon the expiration of the 5-year period beginning on the date of the enactment of this Act.

SEC. 7. FEMA INCORPORATION OF NEW MAPPING PROTOCOLS.

(a) NEW RATE MAPPING STANDARDS.—Not later than the expiration of the 6-month period beginning upon submission by the Technical Mapping Advisory Council under section 6 of the proposed new mapping standards for flood insurance rate maps used under the national flood insurance program developed by the Council pursuant to section 6(c), the Administrator of the Federal Emergency Management Agency (in this section referred to as the “Administrator”) shall establish new standards for such rate maps based on such proposed new standards and the recommendations of the Council.

(b) REQUIREMENTS.—The new standards for flood insurance rate maps established by the Administrator pursuant to subsection (a) shall—

(1) delineate and include in any such rate maps—

(A) all areas located within the 100-year flood plain;

(B) areas of residual risk, including areas behind levees, dams, and other man-made structures; and

(C) areas subject to graduated and other risk levels, to the maximum extent possible;

(2) ensure that any such rate maps—

(A) include levees, including decertified levees, and the level of protection they confer;

(B) reflect current land use and topography and incorporate the most current and accurate ground level data;

(C) take into consideration the impacts and use of fill and the flood risks associated with altered hydrology;

(D) differentiate between a property that is located in a flood zone and a structure located on such property that is not at the same risk level for flooding as such property due to the elevation of the structure;

(E) identify and incorporate natural features and their associated flood protection benefits into mapping and rates; and

(F) identify, analyze, and incorporate the impact of significant changes to building and development throughout any river or costal water system, including all tributaries, which may impact flooding in areas downstream; and

(3) provide that such rate maps are developed on a watershed basis.

(c) REPORT.—If, in establishing new standards for flood insurance rate maps pursuant to subsection (a) of this section, the Administrator does not implement all of the recommendations of the Council made under the proposed new mapping standards developed by the Council pursuant to section 6(c), upon establishment of the new standards the Administrator shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate specifying which such recommendations were not adopted and explaining the reasons such recommendations were not adopted.

(d) IMPLEMENTATION.—The Administrator shall, not later than the expiration of the 6-

month period beginning upon establishment of the new standards for flood insurance rate maps pursuant to subsection (a) of this section, commence use of the new standards and updating of flood insurance rate maps in accordance with the new standards. Not later than the expiration of the 5-year period beginning upon the establishment of such new standards, the Administrator shall complete updating of all flood insurance rate maps in accordance with the new standards, subject to the availability of sufficient amounts for such activities provided in appropriation Acts.

(e) TEMPORARY SUSPENSION OF MANDATORY PURCHASE REQUIREMENT FOR CERTAIN PROPERTIES.—

(1) SUBMISSION OF ELEVATION CERTIFICATE.—Subject to paragraphs (2) and (3) of this subsection, subsections (a), (b), and (e) of section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a), and section 202(a) of such Act, shall not apply to a property located in an area designated as having a special flood hazard if the owner of such property submits to the Administrator an elevation certificate for such property showing that the lowest level of the primary residence on such property is at an elevation that is at least three feet higher than the elevation of the 100-year flood plain.

(2) REVIEW OF SURVEY.—The Administrator shall accept as conclusive each elevation survey submitted under paragraph (1) unless the Administrator conducts a subsequent elevation survey and determines that the lowest level of the primary residence on the property in question is not at an elevation that is at least three feet higher than the elevation of the 100-year flood plain. The Administrator shall provide any such subsequent elevation survey to the owner of such property.

(3) DETERMINATIONS FOR PROPERTIES ON BORDERS OF SPECIAL FLOOD HAZARD AREAS.—

(A) EXPEDITED DETERMINATION.—In the case of any survey for a property submitted to the Administrator pursuant to paragraph (1) showing that a portion of the property is located within an area having special flood hazards and that a structure located on the property is not located within such area having special flood hazards, the Administrator shall expeditiously process any request made by an owner of the property for a determination pursuant to paragraph (2) or a determination of whether the structure is located within the area having special flood hazards.

(B) PROHIBITION OF FEE.—If the Administrator determines pursuant to subparagraph (A) that the structure on the property is not located within the area having special flood hazards, the Administrator shall not charge a fee for reviewing the flood hazard data and shall not require the owner to provide any additional elevation data.

(C) SIMPLIFICATION OF REVIEW PROCESS.—The Administrator shall collaborate with private sector flood insurers to simplify the review process for properties described in subparagraph (A) and to ensure that the review process provides for accurate determinations.

(4) TERMINATION OF AUTHORITY.—This subsection shall cease to apply to a property on the date on which the Administrator updates the flood insurance rate map that applies to such property in accordance with the requirements of subsection (d).

SEC. 8. TREATMENT OF LEVEES.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101) is amended by adding at the end the following new subsection:

“(k) TREATMENT OF LEVEES.—The Administrator may not issue flood insurance maps, or make effective updated flood insurance maps, that omit or disregard the actual protection afforded by an existing levee, floodwall, pump or other flood protection feature, regardless of the accreditation status of such feature.”.

SEC. 9. PRIVATIZATION INITIATIVES.

(a) **FEMA AND GAO REPORTS.**—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess a broad range of options, methods, and strategies for privatizing the national flood insurance program and shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with recommendations for the best manner to accomplish such privatization.

(b) PRIVATE RISK-MANAGEMENT INITIATIVES.—

(1) **AUTHORITY.**—The Administrator of the Federal Emergency Management Agency may carry out such private risk-management initiatives under the national flood insurance program as the Administrator considers appropriate to determine the capacity of private insurers, reinsurers, and financial markets to assist communities, on a voluntary basis only, in managing the full range of financial risks associated with flooding.

(2) **ASSESSMENT.**—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Administrator shall assess the capacity of the private reinsurance, capital, and financial markets by seeking proposals to assume a portion of the program's insurance risk and submit to the Congress a report describing the response to such request for proposals and the results of such assessment.

(3) **PROTOCOL FOR RELEASE OF DATA.**—The Administrator shall develop a protocol to provide for the release of data sufficient to conduct the assessment required under paragraph (2).

(c) **REINSURANCE.**—The National Flood Insurance Act of 1968 is amended—

(1) in section 1331(a)(2) (42 U.S.C. 4051(a)(2)), by inserting “, including as reinsurance of insurance coverage provided by the flood insurance program” before “, on such terms”;

(2) in section 1332(c)(2) (42 U.S.C. 4052(c)(2)), by inserting “or reinsurance” after “flood insurance coverage”;

(3) in section 1335(a) (42 U.S.C. 4055(a))—

(A) by inserting “(1)” after “(a)”;

(B) by adding at the end the following new paragraph:

“(2) The Administrator is authorized to secure reinsurance coverage of coverage provided by the flood insurance program from private market insurance, reinsurance, and capital market sources 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 and that minimizes the likelihood that the program will utilize the borrowing authority provided under section 1309.”;

(4) in section 1346(a) (12 U.S.C. 4082(a))—

(A) in the matter preceding paragraph (1), by inserting “, or for purposes of securing reinsurance of insurance coverage provided by the program,” before “of any or all of”;

(B) in paragraph (1)—

(i) by striking “estimating” and inserting “Estimating”;

(ii) by striking the semicolon at the end and inserting a period;

(C) in paragraph (2)—

(i) by striking “receiving” and inserting “Receiving”;

(ii) by striking the semicolon at the end and inserting a period;

(D) in paragraph (3)—

(i) by striking “making” and inserting “Making”;

(ii) by striking “; and” and inserting a period;

(E) in paragraph (4)—

(i) by striking “otherwise” and inserting “Otherwise”;

(ii) by redesignating such paragraph as paragraph (5); and

(F) by inserting after paragraph (3) the following new paragraph:

“(4) Placing reinsurance coverage on insurance provided by such program.”;

(5) in section 1370(a)(3) (42 U.S.C. 4121(a)(3)), by inserting before the semicolon at the end the following: “, is subject to the reporting requirements of the Securities Exchange Act of 1934, pursuant to section 13(a) or 15(d) of such Act (15 U.S.C. 78m(a), 78o(d)), or is authorized by the Administrator to assume reinsurance on risks insured by the flood insurance program”.

(d) **ASSESSMENT OF CLAIMS-PAYING ABILITY.—**

(1) **ASSESSMENT.**—Not later than September 30 of each year, the Administrator of the Federal Emergency Management Agency shall conduct an assessment of the claims-paying ability of the national flood insurance program, including the program's utilization of private sector reinsurance and reinsurance equivalents, with and without reliance on borrowing authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016). In conducting the assessment, the Administrator shall take into consideration regional concentrations of coverage written by the program, peak flood zones, and relevant mitigation measures.

(2) **REPORT.**—The Administrator shall submit a report to the Congress of the results of each such assessment, and make such report available to the public, not later than 30 days after completion of the assessment.

SEC. 10. FEMA ANNUAL REPORT ON INSURANCE PROGRAM.

Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027) is amended—

(1) in the section heading, by striking “REPORT TO THE PRESIDENT” and inserting “ANNUAL REPORT TO CONGRESS”;

(2) in subsection (a)—

(A) by striking “biennially”;

(B) by striking “the President for submission to”;

(C) by inserting “not later than June 30 of each year” before the period at the end;

(3) in subsection (b), by striking “biennial” and inserting “annual”;

(4) by adding at the end the following new subsection:

“(c) **FINANCIAL STATUS OF PROGRAM.**—The report under this section for each year shall include information regarding the financial status of the national flood insurance program under this title, including a description of the financial status of the National Flood Insurance Fund and current and projected levels of claims, premium receipts, expenses, and borrowing under the program.”.

SEC. 11. ACTUARIAL RATES FOR SEVERE REPETITIVE LOSS PROPERTIES REFUSING MITIGATION OR PURCHASE OFFERS.

Subsection (h) of section 1361A of the National Flood Insurance Act of 1968 (42 U.S.C. 4102a(h)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking “150 percent” and all that follows through “paragraph (3)” and inserting “the applicable estimated risk premium rate for such coverage for the area (or subdivision thereof) determined in accordance with section 1307(a), subject to phase-in of such rates in the same manner provided under paragraph (2) of section 1308(g) for properties described in paragraph (1) of such section”;

(B) by inserting after and below subparagraph (B) the following:

“An offer to take action under paragraph (1) or (2) of subsection (c) shall be considered to be made for purposes of this paragraph with respect to a severe repetitive loss property regardless of the time that the offer was made and regardless of whether the Administrator has transferred financial assistance under this section to the State or community making the offer for funding such action, but only if the owner of the property is provided a reasonable period of time, not to exceed 15 days, to respond to the offer.”;

(2) by striking paragraphs (2) and (3); and

(3) by redesignating paragraphs (4) through (6) as paragraphs (2) through (4), respectively.

SEC. 12. MITIGATION ASSISTANCE.

Subsection (e) of section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(e)) is amended by adding at the end the following new paragraph:

“(6) **ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.**—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood levels or higher, if required by the Administrator or if required by any State or local ordinance, and in accordance with project implementation criteria established by the Administrator.”.

SEC. 13. GRANTS FOR DIRECT FUNDING OF MITIGATION ACTIVITIES FOR INDIVIDUAL REPETITIVE CLAIMS PROPERTIES.

(a) **DIRECT GRANTS TO OWNERS.**—Section 1323 of the National Flood Insurance Act of 1968 (42 U.S.C. 4030) is amended—

(1) in the section heading, by inserting “DIRECT” before “GRANTS”;

(2) in subsection (a), in the the matter preceding paragraph (1)—

(A) by inserting “, to owners of such properties,” before “for mitigation actions”;

(B) by striking “1” and inserting “two”.

(b) **AVAILABILITY OF FUNDS.**—Paragraph (9) of section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended by inserting “which shall remain available until expended,” after “any fiscal year.”.

SEC. 14. NOTIFICATION TO HOMEOWNERS REGARDING MANDATORY PURCHASE REQUIREMENT APPLICABILITY AND RATE PHASE-INS.

Section 201 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4105) is amended by adding at the end the following new subsection:

“(f) **ANNUAL NOTIFICATION.**—The Administrator, in consultation with affected communities, shall establish and carry out a plan to notify residents of areas having special flood hazards, on an annual basis—

“(1) that they reside in such an area;

“(2) of the geographical boundaries of such area;

“(3) of whether section 1308(h) of the National Flood Insurance Act of 1968 applies to properties within such area;

“(4) of the provisions of section 102 requiring purchase of flood insurance coverage for properties located in such an area, including the date on which such provisions apply with respect to such area, taking into consideration section 102(i); and

“(5) of a general estimate of what similar homeowners in similar areas typically pay for flood insurance coverage, taking into consideration section 1308(g) of the National Flood Insurance Act of 1968.”.

SEC. 15. NOTIFICATION OF ESTABLISHMENT OF FLOOD ELEVATIONS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(l) **NOTIFICATION TO MEMBERS OF CONGRESS OF MAP MODERNIZATION.**—Upon any revision or update of any floodplain area or flood-risk zone pursuant to subsection (f), any decision pursuant to subsection (f)(1) that such revision or update is necessary, any issuance of preliminary maps for such revision or updating, or any other significant action relating to any such revision or update, the Administrator shall notify the Senators for each State affected, and each Member of the House of Representatives for each congressional district affected, by such revision or update in writing of the action taken.”.

SEC. 16. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

The National Flood Insurance Act of 1968 is amended by inserting after section 1308 (42 U.S.C. 4015) the following new section:

“SEC. 1308A. NOTIFICATION TO TENANTS OF AVAILABILITY OF CONTENTS INSURANCE.

“(a) IN GENERAL.—The Administrator shall, upon entering into a contract for flood insurance coverage under this title for any property—

“(1) provide to the insured sufficient copies of the notice developed pursuant to subsection (b); and

“(2) require the insured to provide a copy of the notice, or otherwise provide notification of the information under subsection (b) in the manner that the manager or landlord deems most appropriate, to each such tenant and to each new tenant upon commencement of such a tenancy.

“(b) NOTICE.—Notice to a tenant of a property in accordance with this subsection is written notice that clearly informs a tenant—

“(1) whether the property is located in an area having special flood hazards;

“(2) that flood insurance coverage is available under the national flood insurance program under this title for contents of the unit or structure leased by the tenant;

“(3) of the maximum amount of such coverage for contents available under this title at that time; and

“(4) of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator where such information is available.”

SEC. 17. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

Part C of chapter II of the National Flood Insurance Act of 1968 (42 U.S.C. 4081 et seq.) is amended by adding at the end the following new section:

“SEC. 1349. NOTIFICATION TO POLICY HOLDERS REGARDING DIRECT MANAGEMENT OF POLICY BY FEMA.

“(a) NOTIFICATION.—Not later than 60 days before the date on which a transferred flood insurance policy expires, and annually thereafter until such time as the Federal Emergency Management Agency is no longer directly administering such policy, the Administrator shall notify the holder of such policy that—

“(1) the Federal Emergency Management Agency is directly administering the policy;

“(2) such holder may purchase flood insurance that is directly administered by an insurance company; and

“(3) purchasing flood insurance offered under the National Flood Insurance Program that is directly administered by an insurance company will not alter the coverage provided or the premiums charged to such holder that otherwise would be provided or charged if the policy was directly administered by the Federal Emergency Management Agency.

“(b) DEFINITION.—In this section, the term ‘transferred flood insurance policy’ means a flood insurance policy that—

“(1) was directly administered by an insurance company at the time the policy was originally purchased by the policy holder; and

“(2) at the time of renewal of the policy, direct administration of the policy was or will be transferred to the Federal Emergency Management Agency.”

SEC. 18. NOTICE OF AVAILABILITY OF FLOOD INSURANCE AND ESCROW IN RESPA GOOD FAITH ESTIMATE.

Subsection (c) of section 5 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2604(c)) is amended by adding at the end the following new sentence: “Each such good faith estimate shall include the following conspicuous statements and information: (1) that flood insurance coverage for residential real estate is generally available under the national flood insurance program whether or not the real estate is located in an area having special flood hazards and that, to obtain such coverage, a home

owner or purchaser should contact the national flood insurance program; (2) a telephone number and a location on the Internet by which a home owner or purchaser can contact the national flood insurance program; and (3) that the escrowing of flood insurance payments is required for many loans under section 102(d) of the Flood Disaster Protection Act of 1973, and may be a convenient and available option with respect to other loans.”

SEC. 19. REIMBURSEMENT FOR COSTS INCURRED BY HOMEOWNERS OBTAINING LETTERS OF MAP AMENDMENT.

(a) IN GENERAL.—Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(m) REIMBURSEMENT.—

“(1) REQUIREMENT UPON BONA FIDE OFFER.—If an owner of any property located in an area described in section 102(i)(3) of the Flood Disaster Protection Act of 1973 obtains a letter of map amendment due to a bona fide error on the part of the Administrator of the Federal Emergency Management Agency, the Administrator shall reimburse such owner, or such entity or jurisdiction acting on such owner’s behalf, for any reasonable costs incurred in obtaining such letter.

“(2) REASONABLE COSTS.—The Administrator shall, by regulation or notice, determine a reasonable amount of costs to be reimbursed under paragraph (1), except that such costs shall not include legal or attorneys fees. In determining the reasonableness of costs, the Administrator shall only consider the actual costs to the owner of utilizing the services of an engineer, surveyor, or similar services.”

(b) REGULATIONS.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall issue the regulations or notice required under section 1360(m)(2) of the National Flood Insurance Act of 1968, as added by the amendment made by subsection (a) of this section.

SEC. 20. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended by adding at the end the following new section:

“SEC. 1325. TREATMENT OF SWIMMING POOL ENCLOSURES OUTSIDE OF HURRICANE SEASON.

“In the case of any property that is otherwise in compliance with the coverage and building requirements of the national flood insurance program, the presence of an enclosed swimming pool located at ground level or in the space below the lowest floor of a building after November 30 and before June 1 of any year shall have no effect on the terms of coverage or the ability to receive coverage for such building under the national flood insurance program established pursuant to this title, if the pool is enclosed with non-supporting breakaway walls.”

SEC. 21. CDBG ELIGIBILITY FOR FLOOD INSURANCE OUTREACH ACTIVITIES AND COMMUNITY BUILDING CODE ADMINISTRATION GRANTS.

Section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)) is amended—

(1) in paragraph (24), by striking “and” at the end;

(2) in paragraph (25), by striking the period at the end and inserting a semicolon; and

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

“(26) supplementing existing State or local funding for administration of building code enforcement by local building code enforcement departments, including for increasing staffing, providing staff training, increasing staff competence and professional qualifications, and supporting individual certification or departmental accreditation, and for capital expendi-

tures specifically dedicated to the administration of the building code enforcement department, except that, to be eligible to use amounts as provided in this paragraph—

“(A) a building code enforcement department shall provide matching, non-Federal funds to be used in conjunction with amounts used under this paragraph in an amount—

“(i) in the case of a building code enforcement department serving an area with a population of more than 50,000, equal to not less than 50 percent of the total amount of any funds made available under this title that are used under this paragraph;

“(ii) in the case of a building code enforcement department serving an area with a population of between 20,001 and 50,000, equal to not less than 25 percent of the total amount of any funds made available under this title that are used under this paragraph; and

“(iii) in the case of a building code enforcement department serving an area with a population of less than 20,000, equal to not less than 12.5 percent of the total amount of any funds made available under this title that are used under this paragraph;

except that the Secretary may waive the matching fund requirements under this subparagraph, in whole or in part, based upon the level of economic distress of the jurisdiction in which is located the local building code enforcement department that is using amounts for purposes under this paragraph, and shall waive such matching fund requirements in whole for any recipient jurisdiction that has dedicated all building code permitting fees to the conduct of local building code enforcement; and

“(B) any building code enforcement department using funds made available under this title for purposes under this paragraph shall empanel a code administration and enforcement team consisting of at least 1 full-time building code enforcement officer, a city planner, and a health planner or similar officer; and

“(27) provision of assistance to local governmental agencies responsible for floodplain management activities (including such agencies of Indians tribes, as such term is defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) in communities that participate in the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), only for carrying out outreach activities to encourage and facilitate the purchase of flood insurance protection under such Act by owners and renters of properties in such communities and to promote educational activities that increase awareness of flood risk reduction; except that—

“(A) amounts used as provided under this paragraph shall be used only for activities designed to—

“(i) identify owners and renters of properties in communities that participate in the national flood insurance program, including owners of residential and commercial properties;

“(ii) notify such owners and renters when their properties become included in, or when they are excluded from, an area having special flood hazards and the effect of such inclusion or exclusion on the applicability of the mandatory flood insurance purchase requirement under section 102 of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a) to such properties;

“(iii) educate such owners and renters regarding the flood risk and reduction of this risk in their community, including the continued flood risks to areas that are no longer subject to the flood insurance mandatory purchase requirement;

“(iv) educate such owners and renters regarding the benefits and costs of maintaining or acquiring flood insurance, including, where applicable, lower-cost preferred risk policies under this title for such properties and the contents of such properties;

“(v) encourage such owners and renters to maintain or acquire such coverage;

“(vi) notify such owners of where to obtain information regarding how to obtain such coverage, including a telephone number, mailing address, and Internet site of the Administrator of the Federal Emergency Management Agency (in this paragraph referred to as the ‘Administrator’) where such information is available; and

“(vii) educate local real estate agents in communities participating in the national flood insurance program regarding the program and the availability of coverage under the program for owners and renters of properties in such communities, and establish coordination and liaisons with such real estate agents to facilitate purchase of coverage under the National Flood Insurance Act of 1968 and increase awareness of flood risk reduction;

“(B) in any fiscal year, a local governmental agency may not use an amount under this paragraph that exceeds 3 times the amount that the agency certifies, as the Secretary, in consultation with the Administrator, shall require, that the agency will contribute from non-Federal funds to be used with such amounts used under this paragraph only for carrying out activities described in subparagraph (A); and for purposes of this subparagraph, the term ‘non-Federal funds’ includes State or local government agency amounts, in-kind contributions, any salary paid to staff to carry out the eligible activities of the local governmental agency involved, the value of the time and services contributed by volunteers to carry out such services (at a rate determined by the Secretary), and the value of any donated material or building and the value of any lease on a building;

“(C) a local governmental agency that uses amounts as provided under this paragraph may coordinate or contract with other agencies and entities having particular capacities, specialties, or experience with respect to certain populations or constituencies, including elderly or disabled families or persons, to carry out activities described in subparagraph (A) with respect to such populations or constituencies; and

“(D) each local governmental agency that uses amounts as provided under this paragraph shall submit a report to the Secretary and the Administrator, not later than 12 months after such amounts are first received, which shall include such information as the Secretary and the Administrator jointly consider appropriate to describe the activities conducted using such amounts and the effect of such activities on the retention or acquisition of flood insurance coverage.”

SEC. 22. TECHNICAL CORRECTIONS.

(a) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 (42 U.S.C. 4002 et seq.) is amended—

(1) by striking “Director” each place such term appears, except in section 102(f)(3) (42 U.S.C. 4012a(f)(3)), and inserting “Administrator”; and

(2) in section 201(b) (42 U.S.C. 4105(b)), by striking “Director’s” and inserting “Administrator’s”.

(b) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) is amended—

(1) by striking “Director” each place such term appears and inserting “Administrator”; and

(2) in sections 1363 (42 U.S.C. 4104), by striking “Director’s” each place such term appears and inserting “Administrator’s”.

(c) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15(e) of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414(e)) is amended by striking “Director” each place such term appears and inserting “Administrator”.

SEC. 23. REPORT ON WRITE-YOUR-OWN PROGRAM.

Not later than one year after the date of the enactment of this Act, the Administrator of the

Federal Emergency Management Agency shall submit to Congress a report describing procedures and policies that the Administrator can implement to limit the percentage of flood insurance policies directly managed by the Agency to not more than 10 percent, if possible, of all flood insurance policies issued in accordance with the National Flood Insurance Program.

SEC. 24. STUDIES OF VOLUNTARY COMMUNITY-BASED FLOOD INSURANCE OPTIONS.

(a) STUDIES.—The Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each conduct a separate study to assess options, methods, and strategies for offering voluntary community-based flood insurance policy options and incorporating such options into the national flood insurance program. Such studies shall take into consideration and analyze how the policy options would affect communities having varying economic bases, geographic locations, flood hazard characteristics or classifications, and flood management approaches.

(b) REPORTS.—Not later than the expiration of the 18-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency and the Comptroller General of the United States shall each submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate on the results and conclusions of the study such agency conducted under subsection (a), and each such report shall include recommendations for the best manner to incorporate voluntary community-based flood insurance options into the national flood insurance program and for a strategy to implement such options that would encourage communities to undertake flood mitigation activities.

SEC. 25. REPORT ON INCLUSION OF BUILDING CODES IN FLOODPLAIN MANAGEMENT CRITERIA.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall conduct a study and submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate regarding the impact, effectiveness, and feasibility of amending section 1361 of the National Flood Insurance Act of 1968 (42 U.S.C. 4102) to include widely used and nationally recognized building codes as part of the floodplain management criteria developed under such section, and shall determine—

(1) the regulatory, financial, and economic impacts of such a building code requirement on homeowners, States and local communities, local land use policies, and the Federal Emergency Management Agency;

(2) the resources required of State and local communities to administer and enforce such a building code requirement;

(3) the effectiveness of such a building code requirement in reducing flood-related damage to buildings and contents;

(4) the impact of such a building code requirement on the actuarial soundness of the National Flood Insurance Program;

(5) the effectiveness of nationally recognized codes in allowing innovative materials and systems for flood-resistant construction;

(6) the feasibility and effectiveness of providing an incentive in lower premium rates for flood insurance coverage under such Act for structures meeting whichever of such widely used and nationally recognized building code or any applicable local building code provides greater protection from flood damage;

(7) the impact of such a building code requirement on rural communities with different building code challenges than more urban environments; and

(8) the impact of such a building code requirement on Indian reservations.

SEC. 26. STUDY ON GRADUATED RISK.

(a) STUDY.—The National Academy of Sciences shall conduct a study exploring methods for understanding graduated risk behind levees and the associated land development, insurance, and risk communication dimensions, which shall—

(1) research, review, and recommend current best practices for estimating direct annualized flood losses behind levees for residential and commercial structures;

(2) rank such practices based on their best value, balancing cost, scientific integrity, and the inherent uncertainties associated with all aspects of the loss estimate, including geotechnical engineering, flood frequency estimates, economic value, and direct damages;

(3) research, review, and identify current best floodplain management and land use practices behind levees that effectively balance social, economic, and environmental considerations as part of an overall flood risk management strategy;

(4) identify examples where such practices have proven effective and recommend methods and processes by which they could be applied more broadly across the United States, given the variety of different flood risks, State and local legal frameworks, and evolving judicial opinions;

(5) research, review, and identify a variety of flood insurance pricing options for flood hazards behind levees which are actuarially sound and based on the flood risk data developed using the top three best value approaches identified pursuant to paragraph (1);

(6) evaluate and recommend methods to reduce insurance costs through creative arrangements between insureds and insurers while keeping a clear accounting of how much financial risk is being borne by various parties such that the entire risk is accounted for, including establishment of explicit limits on disaster aid or other assistance in the event of a flood; and

(7) taking into consideration the recommendations pursuant to paragraphs (1) through (3), recommend approaches to communicating the associated risks to community officials, homeowners, and other residents.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the National Academy of Sciences shall submit a report to the Committees on Financial Services and Science, Space, and Technology of the House of Representatives and the Committees on Banking, Housing, and Urban Affairs and Commerce, Science and Transportation of the Senate on the study under subsection (a) including the information and recommendations required under such subsection.

SEC. 27. 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 Act or any amendment made by this Act.

The Acting CHAIR. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in House Report 112-138, and amendments en bloc described in section 3 of House Resolution 340. Each amendment printed in the report may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time for the chair of the Committee on Financial Services or his designee to offer

amendments en bloc consisting of amendments printed in the report not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the committee or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The original proponent of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

AMENDMENTS EN BLOC OFFERED BY MRS. BIGGERT

Mrs. BIGGERT. Mr. Chairman, pursuant to House Resolution 340, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendments numbered 1, 6, 7, 8, 9, 12, 15, 18, 21, 22, and 24 printed in House Report 112-138 offered by Mrs. BIGGERT:

AMENDMENT NO. 1 OFFERED BY MRS. BIGGERT

Page 38, line 23, strike "5-year" and insert "10-year".

Page 39, line 18 strike "SURVEY" and insert "CERTIFICATE".

Page 39, line 19 strike "survey" and insert "certificate".

Page 50, line 7, strike "1308(h)" and insert "1308(g)".

Page 50, lines 20 and 21 strike "OF ESTABLISHMENT OF FLOOD ELEVATIONS" and insert "TO MEMBERS OF CONGRESS OF FLOOD MAP REVISIONS AND UPDATES".

Page 55, line 11, strike "OFFER" and insert "ERROR".

Page 64, line 16, strike "sections" and insert "section".

AMENDMENT NO. 6 OFFERED BY MS. MATSUI

Page 20, line 3, strike "50 PERCENT RATE FOR INITIAL YEAR" and insert "5-YEAR PHASE-IN PERIOD".

Page 20, line 11, strike "12-month period" and insert "5-year period".

Page 20, lines 17 through 19, strike "50 percent of the chargeable risk premium rate otherwise applicable under this title to the property" and insert "the rate described in paragraph (3)".

Page 21, line 4, strike "12-month period" and insert "5-year period".

Page 21, strike lines 11 through 18, and insert the following:

"the chargeable risk premium rate for flood insurance under this title for a covered property that is located in such area shall be—

"(A) for the first year of the 5-year period referred to in paragraph (1), the greater of—

"(i) 20 percent of the chargeable risk premium rate otherwise applicable under this title to the property; and

"(ii) in the case of any property that, as of the beginning of such first year, is eligible for preferred risk rate method premiums for flood insurance coverage, such preferred risk rate method premium for the property;

"(B) for the second year of such 5-year period, 40 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

"(C) for the third year of such 5-year period, 60 percent of the chargeable risk premium rate otherwise applicable under this title to the property;

"(D) for the fourth year of such 5-year period, 80 percent of the chargeable risk pre-

mium rate otherwise applicable under this title to the property; and

"(E) for the fifth year of such 5-year period, 100 percent of the chargeable risk premium rate otherwise applicable under this title to the property.".

AMENDMENT NO. 7 OFFERED BY MR. TERRY

Page 19, after line 8, insert the following new subsection:

(F) EFFECTIVE DATE OF POLICIES COVERING PROPERTIES AFFECTED BY FLOODS IN PROGRESS.—Paragraph (1) of section 1306(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4013(c)) is amended by adding after the period at the end the following: "With respect to any flood that has commenced or is in progress before the expiration of such 30-day period, such flood insurance coverage for a property shall take effect upon the expiration of such 30-day period and shall cover damage to such property occurring after the expiration of such period that results from such flood, but only if the property has not suffered damage or loss as a result of such flood before the expiration of such 30-day period.".

AMENDMENT NO. 8 OFFERED BY MS. WATERS

Page 23, line 17, strike "section 1361A(b)" and insert "section 1366(j)".

Strike line 10 on page 47 and all that follows through page 48, line 15.

Strike line 16 on page 48 and all that follows through page 49, line 19 and insert the following new section:

SEC. 12. MITIGATION ASSISTANCE.

(a) MITIGATION ASSISTANCE GRANTS.—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: "Such financial assistance shall be made available—

"(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

"(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

"(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants.".

(2) by striking subsection (b);

(A) by striking "flood risk" and inserting "multi-hazard";

(B) by striking "provides protection against" and inserting "examines reduction of"; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

"(1) REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the Administrator and identified under subparagraph (4).";

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

"(2) REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF

NFIF.—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

"(3) PRIORITY FOR MITIGATION ASSISTANCE.—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

"(A) severe repetitive loss structures;

"(B) repetitive loss structures; and

"(C) other subsets of structures as the Administrator may establish.";

(C) in paragraph (5)—

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

"(4) ELIGIBLE ACTIVITIES.—Eligible activities may include—";

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (F), (H), and (I);

(iv) by inserting after subparagraph (C) the following new subparagraphs:

"(D) demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator;

"(E) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);";

(v) by inserting after subparagraph (F), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

"(G) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed \$50,000 for any mitigation plan of a State or \$25,000 for any mitigation plan of a local government or Indian tribe";

(vi) in subparagraph (I); as so redesignated by clause (iii) of this subparagraph, by striking "and" at the end; and

(vii) by adding at the end the following new subparagraphs:

"(J) other mitigation activities not described in subparagraphs (A) through (H) or the regulations issued under subparagraph (I), that are described in the mitigation plan of a State, community, or Indian tribe; and

"(K) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed \$50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least \$1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph."; and

(D) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

"(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

"(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

“(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

“(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.”;

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking “certified under subsection (g)” and inserting “required under subsection (d)”;

(ii) by striking “3 times the amount” and inserting “the amount”;

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) in paragraph (1), by striking “Riegle Community Development and Regulatory Improvement Act of 1994” and inserting “Flood Insurance Reform Act of 2011”;

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

“(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

“(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed \$40,000,000 and shall remain available until expended.

“(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) COMMUNITY.—The term ‘community’ means—

“(A) a political subdivision that—

“(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

“(ii) is participating in the national flood insurance program; or

“(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

“(2) REPETITIVE LOSS STRUCTURE.—The term ‘repetitive loss structure’ has the meaning given such term in section 1370.

“(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term ‘severe repetitive loss structure’ means a structure that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding \$15,000, and with the cumulative amount of such claims payments exceeding \$60,000; or

“(ii) for which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the value of the insured structure.”.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National

Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by inserting “and” after the semicolon;

(2) in paragraph (7), by striking the semicolon and inserting a period; and

(3) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

“(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding \$90,000,000 to remain available until expended, of which—

“(A) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

“(B) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

“(C) not more than \$10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).”.

(B) in paragraph (3), by striking “section 1366(i)” and inserting “section 1366(e)”;

(2) in subsection (c), by striking “sections 1366 and 1323” and inserting “section 1366”;

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

“(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

“(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.”.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

AMENDMENT NO. 9 OFFERED BY MR. PALAZZO

Page 32, line 6, before the period insert the following: “, and includes an adequate number of representatives from the States with coastline on the Gulf of Mexico and other States containing areas identified by the Administrator of the Federal Emergency Management Agency as at high-risk for flooding or special flood hazard areas”.

AMENDMENT NO. 12 OFFERED BY MR. BURTON OF INDIANA

Page 50, line 20, insert “TO MEMBERS OF CONGRESS” after “NOTIFICATION”.

Page 51, after line 11, insert the following new section:

SEC. 16. NOTIFICATION AND APPEAL OF MAP CHANGES; NOTIFICATION TO COMMUNITIES OF ESTABLISHMENT OF FLOOD ELEVATIONS.

Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended by striking the section designation and all that follows through the end of subsection (a) and inserting the following:

“SEC. 1363. (a) In establishing projected flood elevations for land use purposes with respect to any community pursuant to section 1361, the Director shall first propose such determinations—

“(1) by providing the chief executive officer of each community affected by the proposed elevations, by certified mail, with a return receipt requested, notice of the elevations, including a copy of the maps for the elevations for such community and a statement explaining the process under this section to appeal for changes in such elevations;

“(2) by causing notice of such elevations to be published in the Federal Register, which notice shall include information sufficient to identify the elevation determinations and the communities affected, information explaining how to obtain copies of the elevations, and a statement explaining the process under this section to appeal for changes in the elevations;

“(3) by publishing in a prominent local newspaper the elevations, a description of the appeals process for flood determinations, and the mailing address and telephone number of a person the owner may contact for more information or to initiate an appeal; and

“(4) by providing written notification, by first class mail, to each owner of real property affected by the proposed elevations of—

“(A) the status of such property, both prior to and after the effective date of the proposed determination, with respect to flood zone and flood insurance requirements under this Act and the Flood Disaster Protection Act of 1973;

“(B) the process under this section to appeal a flood elevation determination; and

“(C) the mailing address and phone number of a person the owner may contact for more information or to initiate an appeal.”.

AMENDMENT NO. 15 OFFERED BY MR. CUELLAR

Page 56, after line 9, insert the following new section:

SEC. 20. ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(n) ENHANCED COMMUNICATION WITH CERTAIN COMMUNITIES DURING MAP UPDATING PROCESS.—In updating flood insurance maps under this section, the Administrator shall communicate with communities located in areas where flood insurance rate maps have not been updated in 20 years or more and the appropriate State emergency agencies to resolve outstanding issues, provide technical assistance, and disseminate all necessary information to reduce the prevalence of outdated maps in flood-prone areas.”.

AMENDMENT NO. 18 OFFERED BY MR. PALAZZO

Page 57, after line 2, insert the following new section:

SEC. 21. INFORMATION REGARDING MULTIPLE PERILS CLAIMS.

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:

“(d) INFORMATION REGARDING MULTIPLE PERILS CLAIMS.—

“(1) IN GENERAL.—Subject to paragraph (2), if an insured having flood insurance coverage

under a policy issued under the program under this title by the Administrator or a company, insurer, or entity offering flood insurance coverage under such program (in this subsection referred to as a "participating company") has wind or other homeowners coverage from any company, insurer, or other entity covering property covered by such flood insurance, in the case of damage to such property that may have been caused by flood or by wind, the Administrator and the participating company, upon the request of the insured, shall provide to the insured, within 30 days of such request—

"(A) a copy of the estimate of structure damage;

"(B) proofs of loss;

"(C) any expert or engineering reports or documents commissioned by or relied upon by the Administrator or participating company in determining whether the damage was caused by flood or any other peril; and

"(D) the Administrator's or the participating company's final determination on the claim.

"(2) **TIMING.**—Paragraph (1) shall apply only with respect to a request described in such paragraph made by an insured after the Administrator or the participating company, or both, as applicable, have issued a final decision on the flood claim involved and resolution of all appeals with respect to such claim."

AMENDMENT NO. 21 OFFERED BY MR. LUTKEMEYER

Page 70, after line 5, insert the following new section:

SEC. 27. REPORT ON FLOOD-IN-PROGRESS DETERMINATION.

The Administrator of the Federal Emergency Management Agency shall review the processes and procedures for determining that a flood event has commenced or is in progress for purposes of flood insurance coverage made available under the national flood insurance program under the National Flood Insurance Act of 1968 and for providing public notification that such an event has commenced or is in progress. In such review, the Administrator shall take into consideration the effects and implications that weather conditions, such as rainfall, snowfall, projected snowmelt, existing water levels, and other conditions have on the determination that a flood event has commenced or is in progress. Not later than the expiration of the 6-month period beginning upon the date of the enactment of this Act, the Administrator shall submit a report to the Congress setting forth the results and conclusions of the review undertaken pursuant to this section and any actions undertaken or proposed actions to be taken to provide for a more precise and technical determination that a flooding event has commenced or is in progress.

AMENDMENT NO. 22 OFFERED BY MR. CANSECO

On page 70, after line 5, insert the following new section:

SEC. 27. STUDY ON REPAYING FLOOD INSURANCE DEBT.

Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency shall submit a report to the Congress setting forth a plan for repaying within 10 years all amounts, including any amounts previously borrowed but not yet repaid, owed pursuant to clause (2) of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)(2)).

AMENDMENT NO. 24 OFFERED BY MR. WALZ OF MINNESOTA

At the end of the bill, add the following new section:

SEC. 28. AUTHORITY FOR THE CORPS OF ENGINEERS TO PROVIDE SPECIALIZED OR TECHNICAL SERVICES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, upon the request of a State or local government, the Secretary of the Army may evaluate a levee system that was designed or constructed by the Secretary for the purposes of the National Flood Insurance Program established under chapter 1 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) **REQUIREMENTS.**—A levee system evaluation under subsection (a) shall—

(1) comply with applicable regulations related to areas protected by a levee system;

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

(3) be carried out only if the State or local government agrees to reimburse the Secretary for all cost associated with the performance of the activities.

AMENDMENT NO. 8, AS MODIFIED

Mrs. BIGGERT. Mr. Chairman, I ask unanimous consent that amendment No. 8 be modified in the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

Page 23, line 17, strike "section 1361A(b)" and insert "section 1366(j)".

Strike line 10 on page 47 and all that follows through page 48, line 15.

Strike line 16 on page 48 and all that follows through page 49, line 19 and insert the following new section:

SEC. 12. MITIGATION ASSISTANCE.

(a) **MITIGATION ASSISTANCE GRANTS.**—Section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c) is amended—

(1) in subsection (a), by striking the last sentence and inserting the following: "Such financial assistance shall be made available—

"(1) to States and communities in the form of grants under this section for carrying out mitigation activities;

"(2) to States and communities in the form of grants under this section for carrying out mitigation activities that reduce flood damage to severe repetitive loss structures; and

"(3) to property owners in the form of direct grants under this section for carrying out mitigation activities that reduce flood damage to individual structures for which 2 or more claim payments for losses have been made under flood insurance coverage under this title if the Administrator, after consultation with the State and community, determines that neither the State nor community in which such a structure is located has the capacity to manage such grants."

(2) by striking subsection (b);

(3) in subsection (c)—

(A) by striking "flood risk" and inserting "multi-hazard";

(B) by striking "provides protection against" and inserting "examines reduction of"; and

(C) by redesignating such subsection as subsection (b);

(4) by striking subsection (d);

(5) in subsection (e)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through the end of the first sentence and inserting the following:

"(1) **REQUIREMENT OF CONSISTENCY WITH APPROVED MITIGATION PLAN.**—Amounts provided under this section may be used only for mitigation activities that are consistent with mitigation plans that are approved by the

Administrator and identified under subparagraph (4).";

(B) by striking paragraphs (2), (3), and (4) and inserting the following new paragraphs:

"(2) **REQUIREMENTS OF TECHNICAL FEASIBILITY, COST EFFECTIVENESS, AND INTEREST OF NFIF.**—The Administrator may approve only mitigation activities that the Administrator determines are technically feasible and cost-effective and in the interest of, and represent savings to, the National Flood Insurance Fund. In making such determinations, the Administrator shall take into consideration recognized benefits that are difficult to quantify.

"(3) **PRIORITY FOR MITIGATION ASSISTANCE.**—In providing grants under this section for mitigation activities, the Administrator shall give priority for funding to activities that the Administrator determines will result in the greatest savings to the National Flood Insurance Fund, including activities for—

"(A) severe repetitive loss structures;

"(B) repetitive loss structures; and

"(C) other subsets of structures as the Administrator may establish.";

(i) by striking all of the matter that precedes subparagraph (A) and inserting the following:

"(4) **ELIGIBLE ACTIVITIES.**—Eligible activities may include—";

(ii) by striking subparagraphs (E) and (H);

(iii) by redesignating subparagraphs (D), (F), and (G) as subparagraphs (E), (G), and (H);

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

"(D) elevation, relocation, and floodproofing of utilities (including equipment that serve structures);";

(v) by inserting after subparagraph (E), as so redesignated by clause (iii) of this subparagraph, the following new subparagraph:

"(F) the development or update of State, local, or Indian tribal mitigation plans which meet the planning criteria established by the Administrator, except that the amount from grants under this section that may be used under this subparagraph may not exceed \$50,000 for any mitigation plan of a State or \$25,000 for any mitigation plan of a local government or Indian tribe";

(vi) in subparagraph (H); as so redesignated by clause (iii) of this subparagraph, by striking "and" at the end; and

(vii) by adding at the end the following new subparagraphs:

"(I) other mitigation activities not described in subparagraphs (A) through (G) or the regulations issued under subparagraph (H), that are described in the mitigation plan of a State, community, or Indian tribe; and

"(J) personnel costs for State staff that provide technical assistance to communities to identify eligible activities, to develop grant applications, and to implement grants awarded under this section, not to exceed \$50,000 per State in any Federal fiscal year, so long as the State applied for and was awarded at least \$1,000,000 in grants available under this section in the prior Federal fiscal year; the requirements of subsections (d)(1) and (d)(2) shall not apply to the activity under this subparagraph.";

(D) by adding at the end the following new paragraph:

"(6) **ELIGIBILITY OF DEMOLITION AND REBUILDING OF PROPERTIES.**—The Administrator shall consider as an eligible activity the demolition and rebuilding of properties to at least base flood elevation or greater, if required by the Administrator or if required by any State regulation or local ordinance, and in accordance with criteria established by the Administrator."; and

(E) by redesignating such subsection as subsection (c);

(6) by striking subsections (f), (g), and (h) and inserting the following new subsection:

“(d) MATCHING REQUIREMENT.—The Administrator may provide grants for eligible mitigation activities as follows:

“(1) SEVERE REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to severe repetitive loss structures, in an amount up to 100 percent of all eligible costs.

“(2) REPETITIVE LOSS STRUCTURES.—In the case of mitigation activities to repetitive loss structures, in an amount up to 90 percent of all eligible costs.

“(3) OTHER MITIGATION ACTIVITIES.— In the case of all other mitigation activities, in an amount up to 75 percent of all eligible costs.”;

(7) in subsection (i)—

(A) in paragraph (2)—

(i) by striking “certified under subsection (g)” and inserting “required under subsection (d)”;

(ii) by striking “3 times the amount” and inserting “the amount”;

(B) by redesignating such subsection as subsection (e);

(8) in subsection (j)—

(A) in paragraph (1), by striking “Riegle Community Development and Regulatory Improvement Act of 1994” and inserting “Flood Insurance Reform Act of 2011”;

(B) by redesignating such subsection as subsection (f); and

(9) by striking subsections (k) and (m) and inserting the following new subsections:

“(g) FAILURE TO MAKE GRANT AWARD WITHIN 5 YEARS.—For any application for a grant under this section for which the Administrator fails to make a grant award within 5 years of the date of application, the grant application shall be considered to be denied and any funding amounts allocated for such grant applications shall remain in the National Flood Mitigation Fund under section 1367 of this title and shall be made available for grants under this section.

“(h) LIMITATION ON FUNDING FOR MITIGATION ACTIVITIES FOR SEVERE REPETITIVE LOSS STRUCTURES.—The amount used pursuant to section 1310(a)(8) in any fiscal year may not exceed \$40,000,000 and shall remain available until expended.

“(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

“(1) COMMUNITY.—The term ‘community’ means—

“(A) a political subdivision that—

“(i) has zoning and building code jurisdiction over a particular area having special flood hazards, and

“(ii) is participating in the national flood insurance program; or

“(B) a political subdivision of a State, or other authority, that is designated by political subdivisions, all of which meet the requirements of subparagraph (A), to administer grants for mitigation activities for such political subdivisions.

“(2) REPETITIVE LOSS STRUCTURE.—The term ‘repetitive loss structure’ has the meaning given such term in section 1370.

“(3) SEVERE REPETITIVE LOSS STRUCTURE.—The term ‘severe repetitive loss structure’ means a structure that—

“(A) is covered under a contract for flood insurance made available under this title; and

“(B) has incurred flood-related damage—

“(i) for which 4 or more separate claims payments have been made under flood insurance coverage under this title, with the amount of each such claim exceeding \$15,000, and with the cumulative amount of such claims payments exceeding \$60,000; or

“(ii) for which at least 2 separate claims payments have been made under such cov-

erage, with the cumulative amount of such claims exceeding the value of the insured structure.”.

(b) ELIMINATION OF GRANTS PROGRAM FOR REPETITIVE INSURANCE CLAIMS PROPERTIES.—Chapter I of the National Flood Insurance Act of 1968 is amended by striking section 1323 (42 U.S.C. 4030).

(c) ELIMINATION OF PILOT PROGRAM FOR MITIGATION OF SEVERE REPETITIVE LOSS PROPERTIES.—Chapter III of the National Flood Insurance Act of 1968 is amended by striking section 1361A (42 U.S.C. 4102a).

(d) NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (6), by inserting “and” after the semicolon;

(2) in paragraph (7), by striking the semicolon and inserting a period; and

(3) by striking paragraphs (8) and (9).

(e) NATIONAL FLOOD MITIGATION FUND.—Section 1367 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104d) is amended—

(1) in subsection (b)—

(A) by striking paragraph (1) and inserting the following new paragraph:

“(1) in each fiscal year, from the National Flood Insurance Fund in amounts not exceeding \$90,000,000 to remain available until expended, of which—

“(A) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(1);

“(B) not more than \$40,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(2); and

“(C) not more than \$10,000,000 shall be available pursuant to subsection (a) of this section only for assistance described in section 1366(a)(3).”.

(B) in paragraph (3), by striking “section 1366(i)” and inserting “section 1366(e)”;

(2) in subsection (c), by striking “sections 1366 and 1323” and inserting “section 1366”;

(3) by redesignating subsections (d) and (e) as subsections (f) and (g), respectively; and

(4) by inserting after subsection (c) the following new subsections:

“(d) PROHIBITION ON OFFSETTING COLLECTIONS.—Notwithstanding any other provision of this title, amounts made available pursuant to this section shall not be subject to offsetting collections through premium rates for flood insurance coverage under this title.

“(e) CONTINUED AVAILABILITY AND REALLOCATION.—Any amounts made available pursuant to subparagraph (A), (B), or (C) of subsection (b)(1) that are not used in any fiscal year shall continue to be available for the purposes specified in such subparagraph of subsection (b)(1) pursuant to which such amounts were made available, unless the Administrator determines that reallocation of such unused amounts to meet demonstrated need for other mitigation activities under section 1366 is in the best interest of the National Flood Insurance Fund.”.

(f) INCREASED COST OF COMPLIANCE COVERAGE.—Section 1304(b)(4) of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)(4)) is amended—

(1) by striking subparagraph (B); and

(2) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (B), (C), and (D), respectively.

Mrs. BIGGERT (during the reading). Mr. Chairman, I ask unanimous consent to dispense with the reading of the modification.

The Acting CHAIR. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

The Acting CHAIR. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Massachusetts (Mr. CAPUANO) each will control 5 minutes.

The Chair recognizes the gentlewoman from Illinois.

Mrs. BIGGERT. Mr. Chairman, this is a bipartisan package of amendments that we are accepting. I urge my colleagues to support the amendments en bloc.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. I thank the gentleman from Massachusetts for yielding me time.

Mr. Chairman, I want to commend Chairwoman BIGGERT and Ranking Member WATERS for their leadership and their support for my amendment to phase in higher flood insurance rates when preferred risk policies are no longer available in a community.

I represent the city of Sacramento, which is home to both the American and Sacramento rivers. After New Orleans, we are the most at-risk river city in our Nation.

Since Hurricane Katrina, more than 25,000 homeowners in my district have been remapped, and for them flood insurance is now mandatory.

Their flood insurance costs increased from the PRP rate of \$350 to over \$1,350 overnight.

□ 1510

The sticker shock to a homeowner, whether it be a senior citizen on a fixed income or a family struggling to make ends meet, is unreasonable.

My amendment would simply raise the cost of flood insurance from remapped areas from the PRP rate to the full price rate over a period of 5 years. Specifically, my amendment would start the phase-in for homeowners at their current PRP rate. Each year after that, the price of flood insurance would rise by 20 percent until it reaches its full price in year 5.

My amendment will save the average policyholder in a remapped area about \$843 over 5 years while not impacting the solvency of the NFIP. I believe this to be a fair and equitable way forward, especially in these trying economic times.

Again, I thank Chairwoman BIGGERT and Ranking Member WATERS for their leadership. I urge my colleagues to join me in supporting this amendment.

Mrs. BIGGERT. I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, this en bloc amendment is perfectly fine with us, and I urge its adoption.

I have no further requests for time, and I yield back the balance of my time.

Mrs. BIGGERT. I yield such time as he may consume to the gentleman from Mississippi (Mr. PALAZZO).

Mr. PALAZZO. I would like to thank Chairwoman BIGGERT for yielding and for her leadership on this issue.

I rise today in support of the reauthorization of the National Flood Insurance Reform Act. As a representative of the Katrina-devastated Mississippi Gulf Coast, I understand both the importance of the National Flood Insurance Program but also the need for its reform.

I have introduced two amendments to the bill which will be a part of the en bloc amendment. The first calls for the newly created Technical Mapping Advisory Council to include members from coastal or other high-risk flood areas. This assures that the advisory council has members that are not just technical experts but have experienced firsthand the hardship and heartbreak catastrophic flooding and damage causes families and communities.

My other amendment allows any claimant to obtain from the administrator any engineering reports or other documents relied on in determining whether the damage was caused by flood or any other peril. When the FEMA administrator or participating company have the task of determining whether a home's damage was caused by wind or by water, the policyholder would now have the right to request those documents relied upon in making that determination.

It is my belief that transparency in government is important, especially for policyholders. For those who may have lost their property, they have the right to know the details in the determination of their claim.

I urge your support of both of my amendments as well as the full passage of H.R. 1309.

Mrs. NOEM. Mr. Chair, I rise today in support of Representatives TERRY and BERG's amendment to H.R. 1309.

As you may know, the Missouri River Basin is in the midst of record flooding. In order to determine a trigger date for a flood-in-progress, FEMA's National Flood Insurance Program sent an examiner to Garrison Dam in North Dakota at the end of May on a fact-finding mission. After looking at the dam and both sides of the river, the adjuster determined a flood was in progress and declared June 1st as the trigger date for the entire Missouri River Basin.

The flooding along the Missouri River stretches more than one thousand miles and is affecting multiple states. Very few homes in South Dakota were underwater on June 1st, yet this trigger date is used to determine if flood insurance policies are valid, regardless of location and when flooding actually began.

Not all my constituents along the Missouri River have flood insurance. Some, however, had the foresight to purchase a policy prior to being underwater, and, more importantly, prior to FEMA's declaration that June 1st was the universal flood-in-progress date. Flood insurance requires a 30-day wait period before the policy becomes effective. Individuals who purchased flood insurance on May 1st will be covered for their losses in this flood, but those who waited until May 2nd are out of luck. This amendment rectifies this problem. It would

allow for reasonable flexibility for policy holders when a universal trigger date is used for such a vast multi-state event.

I urge my colleagues to support this amendment.

Mrs. BIGGERT. I urge support for the amendments en bloc.

I have no further requests for time, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentlewoman from Illinois (Mrs. BIGGERT).

The amendments en bloc, as modified, were agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SCHOCK

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-138.

Mr. SCHOCK. Mr. Chairman, as the designee for Mr. BACHUS, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 7, strike the dash in line 3 and all that follows through line 10 and insert "designation of the area as having special flood hazards in a timely manner under section 1363."

Page 7, after line 21 insert the following:

"(5) ADDITIONAL EXTENSION FOR COMMUNITIES MAKING MORE THAN ADEQUATE PROGRESS ON FLOOD PROTECTION SYSTEM.—

"(A) EXTENSION.—

"(i) AUTHORITY.—Except as provided in subparagraph (B), in the case of an eligible area for which the Administrator has, pursuant to paragraph (4), extended the period of effectiveness of the finding under paragraph (1) for the area, upon a request submitted by a local government authority having jurisdiction over any portion of the eligible area, if the Administrator finds that more than adequate progress has been made on the construction of a flood protection system for such area, as determined in accordance with the last sentence of section 1307(e) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(e)), the Administrator may, in the discretion of the Administrator, further extend the period during which the finding under paragraph (1) shall be effective for such area for an additional 12 months.

"(ii) LIMIT.—For any eligible area, the cumulative number of extensions under this subparagraph may not exceed 2.

"(B) EXCLUSION FOR NEW MORTGAGES.—

"(i) EXCLUSION.—Any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) shall not be effective with respect to any excluded property after the origination, increase, extension, or renewal of the loan referred to in clause (ii)(II) for the property.

"(ii) EXCLUDED PROPERTIES.—For purposes of this subparagraph, the term 'excluded property' means any improved real estate or mobile home—

"(I) that is located in an eligible area; and

"(II) for which, during the period that any extension under subparagraph (A) of this paragraph of a finding under paragraph (1) is otherwise in effect for the eligible area in which such property is located—

"(aa) a loan that is secured by the property is originated; or

"(bb) any existing loan that is secured by the property is increased, extended, or renewed."

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman

from Illinois (Mr. SCHOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. SCHOCK. Mr. Chairman, I rise in strong support of amendment No. 2, drafted by the chairman and my friend, Mr. BACHUS, to help solve a problem that is prevalent in my district as well as many rural districts across the heartland.

As you know, this flood insurance issue affects every town, but especially those along the riverbanks. And FEMA's new requirements that require many of these small towns to make necessary improvements in their upgrades of their levees and dams require significant investment, investment that America's small businesses, family farms, and private properties will have to come up with the revenue to pay for.

This amendment in no way seeks to get anyone off the hook but, rather, to give them the necessary time given the large investments that many of these small towns will have to make, given the economic times that we are in right now, and recognizing that many of these small towns will require more than the 3 years as is allowed in the underlying bill to make the necessary improvements.

It does require, however, in years 4 and 5, which this amendment allows for an extension of the years 4 and 5, to allow to make the improvements. But those communities have to show stated improvement or at least progress toward the final necessary improvements in years 4 and 5 in order for them to get the necessary extension.

So I think it makes sense. It's a pretty commonsense amendment.

And I just want to say thank you personally to Chairman BACHUS for his work with other members of my delegation in Illinois and, I know, those along the Mississippi and other waterways whose towns are feeling the pain of many of these new unfunded mandates put forward by FEMA.

With that, I would urge passage of amendment No. 2.

I reserve the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise to claim the time in opposition, though I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Massachusetts is recognized for 5 minutes.

There was no objection.

Mr. CAPUANO. I yield to the gentleman from Illinois.

Mr. COSTELLO. Let me thank my friend Mr. CAPUANO for yielding.

Mr. Chairman, I would like to first thank the chair of the subcommittee, the gentlelady from Illinois (Mrs. BIGGERT), and also the ranking member, MAXINE WATERS, as well as Chairman BACHUS and Ranking Member FRANK of the full committee, and also my friend Mr. SCHOCK and Mr. SHIMKUS from Illinois. We all worked on this amendment together. It's a good amendment.

As I think Mr. SCHOCK just explained, the Bachus amendment gives the administrator the authority to allow for a possible fourth and fifth suspension of the mandatory purchase for certain communities that are making adequate progress in construction of the flood protection system.

It's a commonsense amendment. It's a bipartisan agreement. I urge its adoption, and I not only support the amendment but the underlying bill as well.

Mr. SCHOCK. Mr. Chairman, I yield the balance of my time to the author of the amendment, the chairman of the committee, SPENCER BACHUS.

Mr. BACHUS. I appreciate the remarks of the gentleman from Illinois.

I believe this is a noncontroversial amendment. It will encourage local governments to undertake repairs and remedial efforts. And I believe it is a fair, equitable change in the bill to reward local and State governments for their efforts.

With that, I would recommend passage of the amendment.

Mr. CAPUANO. Mr. Chairman, I support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. SCHOCK).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MS. SPEIER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-138.

Ms. SPEIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 11, after line 22, insert the following new subsection:

(d) PENALTIES FOR REQUIRING PURCHASE OF COVERAGE EXCEEDING MINIMUM MANDATORY PURCHASE REQUIREMENT.—Paragraph (2) of section 102(f) of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(f)(2)) is amended—

(1) in subparagraph (A)(iii), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

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

“(C) in connection with the making, increasing, extending, servicing, or renewing of any loan, requiring the purchase of flood insurance coverage under the National Flood Insurance Act of 1968, or purchasing such coverage pursuant to subsection (e)(2), in an amount in excess of the minimum amount required under subsections (a) and (b) of this section.”.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from California (Ms. SPEIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

□ 1520

Ms. SPEIER. Mr. Chairman, I am pleased to present this amendment. This actually was adopted by a voice vote in the Financial Services Com-

mittee in 2010; and my good friend and colleague, Congresswoman BIGGERT, may recall it. It was something that came up in my district where an elderly woman, living on Social Security, had a mortgage balance on her home of \$13,000; but because she was being included in a newly mapped flood zone, her bank required her to purchase the full \$250,000 in flood insurance at a cost of more than \$2,400 per year.

I would venture to say that we don't see ourselves as being in the insurance business by choice. We are in the flood insurance business out of necessity, and it would seem to me that it doesn't make a lot of sense to impose an obligation on homeowners to purchase insurance that exceeds the actual cost of their mortgage, especially when we note that the average flood damage claims are anywhere from \$25,000 to \$35,000. So to require someone who has a \$13,000 loan balance to purchase flood insurance for \$250,000 and pay a fee, a yearly premium of \$2,400, is just, I think, unacceptable; and I would think my colleagues on both sides of the aisle would like to do something for those people who have been responsible, pay down their mortgages, and have small balances.

This particular amendment makes it a violation for a lender, whose only interest in the property is the amount of the outstanding mortgage indebtedness, to use the National Flood Insurance Program to require a homeowner to purchase more than the legally required amount of flood insurance, an amount equal to the outstanding principal balance. Nothing, however, would prohibit a homeowner who wished to purchase more coverage from doing so, and nothing would preclude a mortgage lender from including such a requirement in the mortgage contract up front, as long as it was fully disclosed. In both cases, the homeowner would be able to make a choice, and this would be full disclosure as well.

In California, where we have mandatory auto insurance, once a car owner has discharged their debt on the car, they are no longer obligated to carry coverage for the damage to their own car, only the liability insurance if they crash into someone else's car. This amendment is very consistent with giving people a choice as well. Again, I offer this amendment and ask for its support.

Mr. Chairman, I yield back the balance of my time.

Mrs. BIGGERT. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman.

This amendment would impose penalties against lenders who require borrowers to maintain flood insurance in an amount greater than the outstanding principal balance of the loan.

Limiting the amount of coverage to the unpaid principal balance leaves

consumers at risk of having to incur the costs of repair on their own and, additionally, is not reflective of the current state of industry practices. In fact, with the exception of VA loans, limiting insurance to the unpaid principal balance is not recommended under existing law.

Consumers, not lenders, will bear the financial brunt of a disaster. Limiting flood insurance to the unpaid principal balance may protect the lender's financial interest in the property; however, it doesn't protect the consumer's equity and investment in the property.

NFIP establishes the minimum amount of coverage required at the lesser of the outstanding balance of the loan or the maximum available NFIP coverage, which today is \$250,000 for residential and \$500,000 for commercial properties.

The standard NFIP dwelling flood policy requires that one to two family owner-occupied dwellings be insured for the replacement value in order for losses to be paid for the cost to repair or replace the property. If these properties are not insured for at least 80 percent of the replacement value at the time of loss, the policyholder cannot obtain the full benefits of the policy and may not receive sufficient funds to repair or replace the property damaged by flood.

Guidelines issued by Federal regulators encourage and authorize lenders to require flood insurance at replacement cost, not to exceed NFIP maximum available coverage. The guidelines also urge lenders to follow the same rules in calculating flood coverage as they do in calculating hazard coverage, where standard industry practice is to require coverage at replacement cost.

In the case of condominiums, the guidelines issued by Federal regulators require lenders to ensure that flood protection has been obtained for the replacement value of the property improvements, not to exceed the NFIP maximum limits.

I would request a “no” vote on the Speier amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SPEIER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. BIGGERT. I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. FLAKE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-138.

Mr. FLAKE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 14, line 24, strike the second semicolon and insert “; and”.

Strike paragraph (3) of section 4(c) (page 15, lines 1 and 2).

Page 15, line 5, strike “(8)” and insert “(6)”.

Page 15, line 6, strike “(2), (3), (4), (5), and (6)” and insert “(2), (3), and (4)”.

Strike subsection (d) of section 4 (page 16, line 1 and all that follows through page 18, line 10).

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair.

This amendment would strike additional flood-related coverage provided in the underlying bill for business interruption and cost-of-living expenses. Specifically, this amendment would prohibit FEMA from offering individuals up to \$5,000 for living expenses and up to \$20,000 for interruption of business expenses.

I understand that the committee worked to ensure that the inclusion of this additional coverage would be provided at fully actuarial rates, but let me remind this body that Congress does not have a great track record when it comes to pricing risks. One has to look no further than Fannie Mae and Freddie Mac to see an example of that, or just look at this program, itself.

The National Flood Insurance Program is about \$18 billion in the red. Let me say that again. We have a Federal flood insurance program that currently owes the Treasury Department nearly \$18 billion, so we shouldn't take at face value the notion that any new coverage that's offered is priced at fully actuarial rates.

This expansion of coverage will only increase taxpayer liability, which is the last thing that this Congress ought to do with a program so severely in debt and with a country so severely in debt. Instead, we should be passing legislation to narrow the scope of the NFIP, not to expand it.

Simply put, any reform to the NFIP should be moving toward privatization, and I am sure this belief is shared by a number of my colleagues. Voting against this amendment is a vote to expand the current National Flood Insurance Program. Again, a vote against this amendment is a vote to expand the current flood insurance program, a program that is currently \$18 billion in debt to the U.S. Treasury.

My understanding is that private market participants are hesitant to offer this type of coverage because it is not profitable for them to do so. I'm not sure I've ever seen an instance where government involvement in the market incentivized the private sector to compete. In fact, according to testimony from Taxpayers for Common Sense:

“We have learned from Federal flood insurance itself that the best way to

stifle a private market is to have the Federal Government provide the same product.” That simply makes sense.

When you have a Federal Government borrowing 41 cents on the dollar, the last thing we need to do is expand an insurance program that is already \$18 billion in the red. Again, voting for this amendment isn't to cut this program—I wish it were—but it is simply to not allow the program to expand further.

□ 1530

FEMA estimated that had this same policy been enacted in 2005 before Katrina and Rita hit, combined losses from additional expenses and business interruption would have been about \$600 million in net losses. If you consider the increase in policies since 2005, they estimated if we had another 2005-like year, this additional coverage would result in \$850 million in net losses just for 2011. We can't afford to do that, Mr. Chairman.

If there is no private market for this type of coverage, we ought to understand why there is no private market, and having government enter the marketplace will only ensure there is no private market for it. We shouldn't be comforted by the notion that we will hear, I am sure, that the premiums will be priced at fully actuarial rates. That's saying that there's no private market out there, government has to be involved, but we have priced it as if the private sector were involved. Anybody who believes that, I have a bridge somewhere to sell you. Government entrance into this type of marketplace is simply not right. We shouldn't be doing it. And to my colleagues who think that we have a debt problem today, think what problem we will have if we have another year like 2005.

According to FEMA's only projections, it could result in \$850 million in net losses. So I would urge adoption of the amendment.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise to claim the time in opposition.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS), the chairman of the full committee.

Mr. BACHUS. Mr. Chairman, I don't think anyone in this Congress is more sincere on cutting government spending than Mr. FLAKE. I believe he comes here with pure motivation. I would simply say this to him and my colleagues: this is an issue that we carefully considered. It was first proposed as a result of Katrina and the losses there. As he said correctly, this program is \$16 billion in the red. After Katrina, the Federal Government through FEMA, SBA and others, paid out several billion dollars not on the flood insurance program but paid out an estimated \$6 billion or \$7 billion to

businesses because of their losses from business interruption and temporary shelter and living expenses.

In 2006, really as a result of that, the subcommittee chairman, Richard Baker, held hearings and determined that business interruption and cost-of-living coverage should be included. It has passed the House, but we have actually since then never passed a flood insurance reform bill.

As all of us know, and I think all of us agree, the legislation before us today has already been scored as a \$4.2 billion savings. The reason that it saves money, the reason that it takes a program that is costing taxpayers money every day is because it requires a risk-based premium. Now, beyond that, it also requires reinsurance if the risk-based premium proves insufficient. So it has a cushion.

It also says that if private insurers will offer this plan, then the government will not. It makes a finding that a competitive private market for such coverage does not exist. That was actually based on 2006 and again last year. It certifies that the National Flood Insurance Program will offer such coverage with the prohibition that it is supplemented by taxpayer money from the Treasury. This was a concern that many of us, including Mr. FLAKE, you know, had, that the taxpayer would end up subsidizing this.

This legislation with this provision actually scores as a \$4.2 billion savings over the next 10 years. Actually, I think it could be greater than that because, as Mr. FLAKE said, we don't know what is going to happen next year or the year after that. We do know this: we know when we have one of these, and in fact this year is a great example, when we have four \$1 billion disasters, what did this Congress do? It appropriated disaster assistance. And that included reimbursement for living expenses and business interruption. Not only that, but the SBA, the Agricultural Department and I can't imagine how many others that we don't know about, FEMA, as a realistic matter, they are handing out checks every day when we have these disasters. Local and State governments are doing the same.

Why not, instead of this being handed out, why not have the people who own the businesses, who are living there, why not offer them coverage and let them pay the premium and let them share the loss? There are many places in the West where a flood, it would be almost impossible. There are many places in this country where a flood is simply not a problem. Why should those people be required to pay taxpayer money for what has become basically the Federal Government coming in and reimbursing everyone that doesn't have insurance? That is a question that we have asked.

We have just had the largest outbreak of tornadoes and death in the United States in Alabama. I have heard people say we have a situation where

there is no insurance and the Federal Government comes in and says, if you have insurance, you have got it covered; and if you don't, we'll make it up. I don't like that idea. I think it encourages people not to have coverage.

This offers them coverage. The next step is telling them no to these others program; you should have had insurance.

Mr. CAPUANO. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. ROS-LEHTINEN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-138.

Ms. ROS-LEHTINEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 19, strike lines 10 to 13.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. ROS-LEHTINEN. I thank the chairman.

My amendment is quite simple. It removes the 100 percent increase and possible flood insurance rate increases from the underlying bill. Currently, rate increases are capped at 10 percent a year; yet this bill would double that to 20 percent per year.

Homeowners in this down-turned economy can little afford to have this looming possibility. One in four Floridians is covered under the National Flood Insurance Program, and they collectively pay nearly \$900 million in premiums per year. Since 1978, Florida policyholders have paid \$14.1 billion in premiums and have received only \$3.6 billion in payments. That is 3.9 times more in premiums than they received in claims.

Our residents, usually in high-risk flood areas, pay disproportionately more in premiums than they will likely ever see in payments on claims. Despite this fact, Floridians were near the cap of a 10 percent increase in the premium rates from the years 2009 and 2010, while the average national increase during the same time was 8 percent.

□ 1540

Despite these problems, the residents in my area say they need this program,

but they need this cap where it is. People outside of at-risk areas file over 20 percent of NFIP claims and receive one-third of disaster assistance for flooding. Floridians, my constituents, know that the doubling of the amount that FEMA can charge for their flood insurance is aimed at them.

I urge my colleagues to support my amendment, which is one that will prevent unnecessary and unprecedented rate hikes for hardworking Americans on their flood insurance bills.

I yield the balance of my time to my good friend from Florida (Ms. WILSON). (Ms. WILSON of Florida asked and was given permission to revise and extend her remarks.)

Ms. WILSON of Florida. I rise today in support of this bipartisan amendment that strikes a blow for fairness for those consumers who need flood insurance. I rise along with my colleagues from Florida: Representative LEANA ROS-LEHTINEN, DAVID RIVERA, RUBÉN HINOJOSA, and RUSH HOLT.

I am a proud Floridian by birth. I make Florida my home. Most of my family and friends live in the great State of Florida. On top of our sunshine, Florida has a regular hurricane season and torrential rainfalls. The majority of the people who live in Florida live in this reality for the majority of their lives. However, flooding does not only affect the State of Florida, so I want to ensure that taxpayers who live in flood zones do not pay too much for their vitally needed flood insurance. This amendment is very simple:

It prevents flood insurance rates from potentially going up 100 percent. The current cap on flood insurance rate increases in a given year is 10 percent. My amendment would keep it that way. This commonsense, bipartisan amendment is fiscally responsible. It protects consumers, and it ensures that the National Flood Insurance Program will remain sound.

Mr. Chair, I rise today in support of my bipartisan amendment that strikes a blow for fairness for those consumers who need flood insurance. Along with my colleagues Reps. LEANA ROS-LEHTINEN, DAVID RIVERA, RUBÉN HINOJOSA, and RUSH HOLT, I want to ensure that taxpayers who live in flood zones do not pay too much for their vitally needed flood insurance. My amendment is very simple. It prevents flood insurance rates from going up 100%. The current cap on flood insurance rates is ten percent. My amendment would keep it that way.

I am a proud Floridian by birth. I make Florida my home. Most of my family and friends live in the great State of Florida. On top of our sunshine, Florida has a regular hurricane season and torrential rainfalls. The majority of the people who live in Florida live with this reality for the majority of their lives. However, flooding does not only affect the State of Florida. Flooding is our Nation's most common disaster. While flooding affects every State, most private insurance companies do not offer their own flood insurance. Plus, standard homeowner insurance policies do not cover flooding.

In 1968, Congress started the National Flood Insurance Program, or the NFIP. This

allows homebuyers to purchase flood insurance for their homes. In Florida, you cannot get a mortgage on your property if you do not have a flood insurance policy on your home. Ninety percent of all flood insurance is done through the NFIP. There are more than 20,000 NFIP communities throughout our nation and all of them are not in Florida.

Since 1978, Florida policyholders have paid 14.1 billion dollars in premiums and have had 231,595 individual losses and received ONLY \$3.6 billion in payments—3.9 times more in premiums than they receive in claims. Yet Floridians had a 9.6% increase in premium rates from 2009 to 2010. Nationally, from 2009 to 2010, premiums increased an average of 8%.

The NFIP today covers approximately 5.6 billion households and businesses across the country for a total of \$1.25 trillion in exposure. Forty percent of those policies are held in Florida, and one in four Floridians is covered under NFIP. Floridians collectively pay nearly \$900 million in premiums per year.

The near \$19 billion in debts held by the NFIP are mostly as a result of the 2005 hurricane season (Hurricanes Katrina, Rita, and Wilma) and the 2008 Midwest floods. While the average flood insurance policy is about \$600 per year, residents of high-risk flood areas pay disproportionately more in premiums. However, these residents do not take near the same proportion in payments on claims. Furthermore, individuals outside of high-risk areas file over 20% of NFIP claims and receive one-third of disaster assistance for flooding.

The NFIP paid \$709 million in flood insurance claims to homeowners, business owners, and renters in 2010. In fact, in 2010, New Jersey had the highest number of claims, and Tennessee had the highest payments on claims—not Florida. As a matter of fact, Florida was not in the top 10 in either category of claims or payments.

I thank the Chair for the time. My commonsense amendment is fiscally responsible, protects consumers, and ensures that the NFIP will remain sound.

Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Congresswoman ROS-LEHTINEN's amendment, while well intentioned, would prevent the National Flood Insurance Program from moving toward a more actuarially sound basis for calculating premiums in as quick a manner as possible.

The underlying bill provides that FEMA, at the discretion of the administrator, can increase the chargeable premiums for flood policyholders by up to 20 percent once every 12 months until the premium being paid properly reflects the risk associated with the property.

The amendment is intended to save policyholders from the "sticker shock" premium increases potentially pose, but the underlying bill addresses this concern by allowing for a gradual phase-in of the actuarial rates instead of an abrupt adjustment.

One of the core goals of this bill is to move the NFIP towards a more actuarially sound, properly functioning

program, and any amendment to slow down that effort must be opposed.

The amendment would strike part of section 5 that would increase annual limits on premium rates. It increases from 10 to 20 percent. The sponsors of the amendment have stated that their objective is to prevent a 100 percent increase in possible premium hikes, but what it's doing is really going to delay our being able to have a more actuarially sound basis for calculating the premiums in as quick a manner as possible.

Section 5 really addresses this concern by phasing in all of the non-FIRM properties to full actuarial rates over time to eliminate the subsidy and to allow the premiums paid for policies to reflect the risk covered by those policies. So I would oppose this amendment.

Mr. HOLT. Mr. Chair, I rise in support of this bipartisan amendment to maintain the 10 percent statutory NFIP premium increases.

While it is important to keep NFIP authorized and to begin solving its funding problems, we must make sure we are improving participation in the program and keeping premiums affordable. Low participation in NFIP in high-risk areas has been one of the program's most persistent challenges.

That is why I joined my colleagues in sponsoring this amendment. Doubling the maximum premium rate increase from 10 to 20 percent would hurt existing policyholders nationwide and in my Central New Jersey district.

If homeowners get hit with annual premium increases in excess of 10 percent, I am concerned that that they will decide flood insurance is something they can do without. And when a catastrophic event occurs, taxpayers will pick up the tab with disaster aid.

I have heard from homeowners, flood plain managers, insurers, and realtors in my congressional district about the importance of passing an extension of NFIP. Although I am pleased that we are considering the underlying bill, we should be encouraging more homeowners to obtain flood insurance, not placing an extra burden on policyholders who are doing the right thing protecting their homes from flood.

I ask my colleagues to join me supporting this amendment.

Mrs. BIGGERT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Ms. ROSELEHTINEN).

The amendment was rejected.

AMENDMENT NO. 10 OFFERED BY MR. WALBERG

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 112-138.

Mr. WALBERG. I have an amendment at the desk, Mr. Chairman.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, after line 3, insert the following new subsection:

(1) MORATORIUM ON FLOOD MAP CHANGES.—

(1) MORATORIUM.—Except as provided in paragraph (2) and notwithstanding any other

provision of this Act, the National Flood Insurance Act of 1968, or the Flood Disaster Protection Act of 1973, during the period beginning upon the date of the enactment of this Act and ending upon the submission by the Council to the Administrator and the Congress of the proposed new mapping standards required under subsection (c)(1), the Administrator may not make effective any new or updated rate maps for flood insurance coverage under the national flood insurance program that were not in effect for such program as of such date of enactment, or otherwise revise, update, or change the flood insurance rate maps in effect for such program as of such date.

(2) LETTERS OF MAP CHANGE.—During the period described in paragraph (1), the Administrator may revise, update, and change the flood insurance rate maps in effect for the national flood insurance program only pursuant to a letter of map change (including a letter of map amendment, letter of map revision, and letter of map revision based on fill).

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Michigan (Mr. WALBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, the amendment I am offering today addresses the most pressing concern my constituents have with the National Flood Insurance Program, and that problem is inaccurate flood maps.

I certainly understand that the NFIP is on shaky financial ground, and I commend Chairman BACHUS and Congresswoman BIGGERT and the Financial Services Committee for their work in crafting this bill; but as we vote today to put the NFIP on a path to solvency, we must not let this opportunity to strengthen the program pass us by.

Since I returned to Congress in January, my office has been barraged with letters and phone calls expressing concerns about the new and revised flood insurance rate maps that FEMA is rolling out in my district. These maps determine whether property owners will be required to purchase flood insurance, and evidence shows that the current mapping methods are oftentimes inaccurate, onerous or punitive; and while this insurance represents an essential lifeline to some property owners who face a real risk of flood damage, it is a costly, unnecessary mandate on those who face no actual threat of being flooded.

I am encouraged that the underlying bill, H.R. 1309, establishes a Technical Mapping Advisory Council to review the current mapping standards and that it proposes revised standards to be implemented by the FEMA administrator. Within 12 months of organization, the TMAC is required to report to Congress and the administrator on how to improve mapping methodology. H.R. 1309 clearly instructs the TMAC on their task, and that is to ensure that the flood insurance rate maps reflect true risk and that the most current and accurate data is used.

I look forward to receiving this report from TMAC and to the adminis-

trator's implementation of the new mapping standards; but in my view, this review is a tacit admission that the current practices are not working and that they represent a poorly implemented government mandate that cannot continue. The maps FEMA has been rolling out across the country are not based on the best information available, and this needs to stop.

My amendment improves on the work of the TMAC, simply requiring that, while the TMAC studies the best possible mapping methods, none of our constituents will be at risk of inclusion in a new map that uses the faulty, questionable methods currently in place. Simply put, this amendment would implement a moratorium on the issuance of new flood maps until the TMAC has done its due diligence and has issued its report on new mapping standards.

I am glad to have the support of Chairman BACHUS, and I ask that you support me in voting for this common-sense amendment.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. CAPUANO. While I understand the gentleman's concern about the accuracy of the FEMA maps, this bill does contain a 3-year delay of mandatory purchase and a 5-year phase-in thereafter. That's 8 years. We already have mechanisms in this bill that would insulate homeowners from the sticker shock of mandatory purchase while still alerting them to the fact that they actually live in a flood zone.

I am very concerned that, in the absence of any maps, we place our homeowners and communities in the dark about the risks they may be facing. This is why the bill does not delay the maps, themselves, but only the mandatory purchase requirement. So, while I understand the gentleman's concerns, I must oppose his amendment.

I yield back the balance of my time.

□ 1550

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. CARDOZA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 112-138.

Mr. CARDOZA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 36, line 23, after the semicolon insert "and".

Page 37, strike lines 1 through 3.

Page 37, line 4, strike "(C)" and insert "(B)".

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman

from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARDOZA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment that would remove onerous requirements on properties that already have existing flood protection and would prevent unnecessary economic harm to communities already struggling to recover.

My amendment strikes the language in the legislation requiring FEMA to include on its flood maps areas of residual risk. I'm offering this amendment because large areas across the country, such as large parts of the Central Valley and Los Angeles and Orange Counties, are already protected by existing levees and have no history of flooding, but would find themselves in newly designated "residual risk" floodplains under H.R. 1309. Such a policy would essentially map the entire area in the new residual risk flood zone as though the levee that had been protecting the community for years had never existed. This would have a significant economic impact, and in many cases more than double the insurance premiums of those regions throughout the country.

In the area I represent of Stockton, California, and other affected areas of the San Joaquin Valley, this bill would place in the floodplain an additional 280,000 people who currently have flood protection provided by significant levees.

In 1995, annual premium payments were estimated at \$30 million. The CBO estimates that rates will more than double under this bill, totaling an estimated \$68 million in annual premiums from the greater Stockton area alone. Floodplain building restrictions for these protected areas would have an even greater impact on the cost of construction. These building restrictions would substantially increase the cost of home construction and severely impact housing affordability at a time when the housing market is already on life support in my area.

For my district and many other districts across the country, entire communities would be mapped into the floodplain. Mapping areas that have existing flood protection for residual risk effectively amounts to double taxation of these regions, where citizens are paying taxes to the local flood control agencies and then having to pay additional flood insurance as well as a result of being mapped into these areas.

This mapping requirement would also remove an important incentive for State and local governments to invest in flood control projects. If communities will still have to buy flood insurance after they improve and protect their communities, then why would they devote precious resources to these expensive projects? The cost benefits just simply wouldn't exist.

Mr. Chairman, at this point, I would like to yield 1 minute to my colleague from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I rise in support of the amendment offered by Mr. CARDOZA.

He and I are fortunate to represent San Joaquin County in California, which is home to many, many miles of levees and waterways. His amendment is especially important to our constituents.

While the "residual risk" section of H.R. 1309 may be well intended, I believe it should be removed. We all believe that homeowners living in high-risk areas for flooding should have an insurance policy, but this language is overly broad and will hurt my constituents.

I've consulted closely with flood control officials from my district who share this concern and have expressed strong support for this amendment.

Our country is experiencing tough economic times, and we should take great care to protect homeowners from unnecessary burdens. Our homeowners are losing their homes; let's not give them an extra burden that will send many of them into the street.

I am proud to rise in support of this amendment offered by my colleague, Mr. CARDOZA, which will significantly improve the bill we are considering today.

Mr. CARDOZA. Mr. Chairman, I urge my colleagues to vote for this commonsense amendment and prevent undue economic harm to our communities.

I yield back the balance of my time. Mrs. BIGGERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Under H.R. 1309, FEMA is required to update its flood maps according to the Technical Mapping Advisory Council's recommendations within 6 months or report to Congress why it has rejected them. As part of the new standard for the flood insurance rate maps, FEMA must include in any rate map areas of residual risk, including areas behind levees, dams and other manmade structures. I'm afraid that the Cardoza amendment would fail to provide homeowners with a real assessment of their risks, thereby impairing their ability to prepare for such natural disasters.

And to address concerns about the mapping process, H.R. 1309 reinstates the Technical Mapping Advisory Council to bring in the expertise and perspectives of other stakeholders in FEMA's process for setting new mapping standards. The amendment I think would weaken these new mapping standards that are designed to give homeowners and the NFIP an accurate portrait of flood risk, and I would oppose the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CARDOZA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. MCGOVERN

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 112-138.

Mr. MCGOVERN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 55, line 4, before "OBTAINING" insert "AND COMMUNITIES".

Page 55, line 5, before the period insert "OR REVISION".

Page 55, line 14, after "1973" insert ", or a community in which such a property is located."

Page 55, line 15, before "due" insert ", or a letter of map revision."

Page 55, line 19, after "behalf," insert "or such community, as applicable."

Page 56, line 2, after "owner" insert "or community, as applicable."

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I will be brief.

My amendment is simple. If FEMA makes a mistake in designing a flood map, communities can be reimbursed for the cost of mounting a successful challenge. If FEMA makes a mistake in mapping a flood area, then they should pay for it. Doing so will result in significant savings for cities and towns and homeowners. And to me, this is something that should be non-controversial and hopefully wins bipartisan support.

Mr. Chair, I was pleased that the Rules Committee made in order my amendment to H.R. 1309.

My amendment is simple: if FEMA makes a mistake in designing a flood map, communities can be reimbursed the costs of mounting a successful challenge.

Currently, communities that dispute FEMA's flood elevations can hire a private engineering firm to get a "second opinion" flood map.

While this may sound like an attractive option, it puts small communities in a very difficult financial position. Hiring a private engineering firm is expensive and cost-prohibitive for many small communities.

On the one hand, if the community decides that it's too expensive to get a second opinion, homeowners are forced to pay higher, or in some cases, needless flood insurance premiums.

On the other hand, if the community does mount a successful challenge to the original FEMA map, homeowners are spared from having to pay the higher flood insurance premiums. But, the town must still pay the costs associated with obtaining that second map.

I've heard of many small communities that are forced into this tough situation, including the Town of Holliston in my district. There is substantial evidence to support the case that the FEMA flood map is inaccurate, but town officials are struggling to find a way to pay the estimated \$30,000 it would cost to conduct a second engineering study.

I feel for these town officials. They want to do the right thing and help their residents, but these small towns are already cash-strapped and cutting funding left and right for essential services like teachers, cops and firefighters. There simply is no money for a legitimate but expensive second opinion map.

If FEMA makes a mistake in mapping a flood area, they should pay for it. Doing so would relieve towns like Holliston from the enormous burden of fixing a mistake they did not make and saving residents hundreds of dollars in unnecessary flood insurance premiums.

I urge my colleagues to support my amendment.

Mr. Chairman, I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I support the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. McGOVERN).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. BRADY OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 112-138.

Mr. BRADY of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 56, after line 9, insert the following new section:

SEC. 20. NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREAS.

Section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(n) NOTIFICATION TO RESIDENTS NEWLY INCLUDED IN FLOOD HAZARD AREA.—In revising or updating any areas having special flood hazards, the Administrator shall provide to each owner of a property to be newly included in such a special flood hazard area, at the time of issuance of such proposed revised or updated flood insurance maps, a copy of the proposed revised or updated flood insurance maps together with information regarding the appeals process under section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104).”

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Texas (Mr. BRADY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Mr. Chairman, this amendment might well be described as the “Homeowner’s Right to Know.”

The original bill, H.R. 1309, contains several very positive notification requirements to help ensure that our constituents are more aware of the Na-

tional Flood Insurance Program, the flood mapping process, and how they can protect their property from the risk of flood. However, one critical area in which the underlying bill needs to require adequate notification is when a homeowner is being newly added into a revised or updated flood map.

□ 1600

My amendment would require the FEMA Administrator to provide a copy of a flood insurance risk map to property owners who are newly added to such a map along with information regarding the appeals process at the time the map is issued. The purpose is simple: One, bring more transparency to the flood mapping process; and, two, protect homeowners’ rights by ensuring they have adequate notice their property is being added to the floodplain while ensuring that they have the information about the appeals process.

Too often, homeowners aren’t even aware that FEMA is making changes to the flood maps in their communities until after a map is finalized and they receive a notice from their mortgage lender that they are now required to purchase flood insurance. Perhaps just as often, properties are not only unknowingly added to the floodplain, but they are added based on inconsistent or inaccurate data used by FEMA to create the maps. As a result, many homeowners are forced into buying flood insurance for the first time and mandated to do so when, in fact, their flood risk hasn’t changed.

Constituents in my own district have experienced these issues firsthand. One county in my district has been going through the remapping process for the past couple of years. Last year, FEMA introduced a draft map that would have added literally thousands of homes into the floodplain. In one portion of the county, I would estimate that nearly 10 percent of the total number of homes would be added by FEMA’s draft map, yet few people were even aware. I know they weren’t aware because I had conversations with insurance agents who write flood policies in the community, and they weren’t aware. I have had major developers who are building in that area talk to me about other related issues but didn’t know about the new draft map. To make matters worse, we believe the map was technically inaccurate. FEMA was using incongruent data. As a result, new floodplains were proposed when, in fact, flood risk could not increase.

In a second community, the outcry was so great that FEMA had to come back for a public town hall meeting to discuss the mapping process after the map went into effect. Local residents started getting notifications from their lenders that they needed to purchase flood insurance, and they simply didn’t know why. My office received calls from residents in one portion of that community where the homes have been

confirmed as nearly 8 feet above the highest recorded level of flooding in that area ever, but they were now in the floodplain. No one had bothered to tell them.

My amendment would ensure that in all these scenarios the homeowner would simply be notified that their home was potentially being added to a floodplain and tell them about their right to appeal. Homeowners deserve to be informed when the government is making decisions that impact their property. This simple amendment will ensure that they do.

I yield back the balance of my time.

Mr. CAPUANO. Mr. Chairman, as I understand it, the amendment is perfectly fine, and we hope that it will be adopted.

The Acting CHAIR (Mr. HASTINGS of Washington). The question is on the amendment offered by the gentleman from Texas (Mr. BRADY).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. SHERMAN

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 112-138.

Mr. SHERMAN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

SEC. 21. FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.

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:

“(d) FEMA AUTHORITY TO REJECT TRANSFER OF POLICIES.—Notwithstanding any other provision of this Act, the Administrator may, at the discretion of the Administrator, refuse to accept the transfer of the administration of policies for coverage under the flood insurance program under this title that are written and administered by any insurance company or other insurer, or any insurance agent or broker.”

Strike line 23 on page 64 and all that follows through page 65, line 5, and insert the following new section:

SEC. 24. REQUIRING COMPETITION FOR NATIONAL FLOOD INSURANCE PROGRAM POLICIES.

(a) REPORT.—Not later than the expiration of the 90-day period beginning upon the date of the enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with insurance companies, insurance agents and other organizations with which the Administrator has contracted, shall submit to the Congress a report describing procedures and policies that the Administrator shall implement to limit the percentage of policies for flood insurance coverage under the national flood insurance program that are directly managed by the Agency to not more than 10 percent of the aggregate number of flood insurance policies in force under such program.

(b) IMPLEMENTATION.—Upon submission of the report under subsection (a) to the Congress, the Administrator shall implement the policies and procedures described in the report. The Administrator shall, not later than the expiration of the 12-month period beginning upon submission of such report, reduce the number of policies for flood insurance coverage that are directly managed by

the Agency, or by the Agency's direct servicing contractor that is not an insurer, to not more than 10 percent of the aggregate number of flood insurance policies in force as of the expiration of such 12-month period.

(C) CONTINUATION OF CURRENT AGENT RELATIONSHIPS.—In carrying out subsection (b), the Administrator shall ensure that—

(1) agents selling or servicing policies described in such subsection are not prevented from continuing to sell or service such policies; and

(2) insurance companies are not prevented from waiving any limitation such companies could otherwise enforce to limit any such activity.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from California (Mr. SHERMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SHERMAN. I rise to offer an amendment that is coauthored by Chairman BACHUS and by my friend GREGORY MEEKS from New York. It is a bipartisan and, I hope, noncontroversial amendment.

This flood insurance program is usually a partnership between private companies and the Federal Government. The Write Your Own Program involves the companies servicing the policies. And one major company that used to write policies in this area decided to pull out of the program and turned over 800,000 policies to the Federal Government. The whole idea behind the program is that the Federal Government will administer as few of these insurance policies as possible.

The purpose of this amendment is to require that the vast majority of these policies be made available to be handled by private insurance companies. It is simply a privatization amendment. This includes language in the amendment designed to protect the agents of State Farm, which is the company that is no longer in this business, ensuring that they will be able to continue servicing the policies that shift from the Federal Government to private insurance companies. This is an effort to ensure that these policies are taken off the taxpayers' books without interfering in the relationship between consumers and their insurance agents.

I would hope that this would be a noncontroversial amendment. As I said, it is supported by the chairman of the committee and is offered on his behalf as well as the gentleman from New York (Mr. MEEKS).

With that, I reserve the balance of my time.

Mr. BACHUS. I rise to claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Alabama is recognized for 5 minutes.

There was no objection.

Mr. BACHUS. Mr. Chairman, this is a commonsense amendment. As many of us on the Financial Services Committee know, the flood insurance program is a public-private partnership where private insurance companies

write the coverage and service the policies, with the government setting the coverage and the requirements.

Recently, State Farm Insurance decided that they no longer wanted to participate in the program, and they transferred—I guess that's a nice word. An unflattering term which is more accurate would be they dumped 800,000 policies back on the Federal Government. This was after they collected premiums and their agents sold the coverage.

This amendment would make changes to that, where if an insurance company wants to participate in the plan, they can; if they want to profit from the plan, they can. But they don't have the unilateral right to dump those policies back on the government agencies.

Prior to that, there were about 150 policies that the government was administering directly.

What this amendment would do is called a depopulation amendment. It directs FEMA and the National Flood Insurance Program to take those policies and distribute them among insurance companies who are willing to service those contracts. And I'm happy to report to the Congress and the Members that many mainline insurance companies have agreed to take up these policies.

Out of respect for State Farm agents, many of whom I think were displeased and surprised by their parent company abandoning these policies, it would give them the right to also service those policies. However, there may be some legal problems with that, but we at least don't rule that out.

The depopulation of these policies—and by that, the return to what the program was set up to function like, and that was with private servicers and agents. Handling the policies would be done over a 1-year time frame.

I actually believe that we should have actually depopulated more than we did, but we did this as an accommodation to FEMA and to some of the State Farm agents. I think this is a noncontroversial amendment.

Mr. JOHNSON of Illinois. Mr. Chair, I rise today in opposition to the amendment offered by Mr. Sherman and would like to make a few points.

First, I would like to point out that I fully understand and support the goal of encouraging private sector involvement in offering flood insurance and exploring ways to diminish unnecessary reliance on government programs.

However, I am not convinced that this amendment gets us any closer to achieve this goal. In fact, this Amendment may actually put Congress in the position of picking winners and losers in the market place, interfering with private contracts, and creating millions of dollars in new federal spending.

I would like to make the following points:

Regardless of whether a flood insurance policy is provided through NFIP Direct or through a WYO insurer, the federal government is responsible for all losses covered under the policy. Regardless of whether a policy is issued by NFIP Direct of a WYO insurer,

a private company will handle all aspects of policy issuance and claims administration and these services will be paid for through the federal government.

FEMA has informed Congress that private contractors handling NFIP Direct policies can manage the recently transferred policies for \$50 million less each year than WYO carriers. This is a savings of \$250 million for the life of the bill.

Redistribution of these policies destroys consumer choice and dictates to consumers the company and agent they are required to use for flood insurance while taking property from the agents who produce the business. This redistribution affects flood insurance policy holders and insurance agents in every Congressional District across the country.

The only thing this amendment accomplishes is the forcible transfer of policies from one group to another, with absolutely no cost savings and no improvement in customer service.

There are many questions to answer, and I believe the Committee took the right step in requesting a study before acting on the issue. Unfortunately, we seem to be acting today before we have these answers.

I would like to submit the following statements: (1) A summary of the issue provided to the Senate Banking Committee in connection with their hearings on NFIP authorization; and (2) A letter from FEMA to House Financial Services and Oversight and Investigations Subcommittee Chairman NEUGEBAUER answering questions about the redistribution amendment and highlighting the increased cost to taxpayers of this amendment.

STATE FARM INSURANCE—JUNE 30, 2011

STATE FARM FIRE AND CASUALTY COMPANY
(STATE FARM) VIEWS ON EFFORTS TO REDISTRIBUTE NFIP DIRECT POLICIES TO WRITE YOUR OWN INSURERS

State Farm supports reauthorizing the National Flood Insurance Program (NFIP) and would like to take this opportunity to clear up any confusion surrounding State Farm's and its agents' participation in the NFIP and the operational differences between flood insurance policies distributed through the Write Your Own (WYO) program and NFIP Direct.

1. The Proposed Redistribution of NFIP Policies Will Not Decrease the Federal Government's Risk

Unfortunately, under the guise of NFIP "reform," the attributes of the WYO and NFIP Direct distribution channels have been mischaracterized in order to pursue an ill-advised scheme to enlist the federal government's powers to take insurance business marketed, solicited, and sold by one group of private insurance agents and redistribute those policies to other agents and companies who had no role in generating these policies in the first instance. There are proprietary rights of insurance agents at stake in this matter.

Characterized as NFIP "depopulation," this scheme hijacks familiar terminology relating to programs used in several states that transfer insurance policies out of state-run insurance pools into the private sector. However, unlike "depopulation" at the state level, where the entire risk of a policy is shifted to the private insurer, the scheme as advocated for NFIP merely redistributes customers, policies, and revenues associated with administering those policies from private businesses connected with NFIP Direct to selected WYO insurers. No changes are made in the risk bearing of companies in the

WYO distribution channel. The federal government retains 100% responsibility for paying all covered flood losses.

Far from being an effort towards privatization reform, the true nature of WYO participation is captured best in the U.S. Securities and Exchange Commission filing of a firm that is the largest WYO insurer—Fidelity National Financial, Inc. As described in the firm's most recent Form 10-K for calendar year 2010:

"We earn fees under [the NFIP] program for settling flood claims and administering the program. We serve as administrator and processor in our flood insurance business, and bear none of the underwriting or claims risk. The U.S. federal government is guarantor of flood insurance coverage written under the NFIP and bears the underwriting risk. Revenues from our flood insurance business are impacted by the volume and magnitude of claims processed as well as the volume and rates for policies written. For example, when a large number of claims are processed as a result of a natural disaster, such as a hurricane, we experience an increase in the fees that we receive for settling the claims."

The suggestion that this confiscatory redistribution scheme would shrink the public sector while growing the private sector is wrong. It also completely ignores the fact that, just like the WYO program, NFIP Direct fully utilizes the private sector in handling flood insurance policies.

To be clear:

(1) Regardless of whether a flood insurance policy is provided through NFIP Direct or through a WYO insurer, the policy provides federal insurance coverage and the federal government is responsible for all losses covered under the policy;

(2) NFIP redistribution is a confiscatory scheme that does not diminish federal obligations on a flood insurance policy placed with a WYO insurer;

(3) Whether a policy is issued by NFIP Direct or a WYO insurer, a private company will handle all aspects of policy issuance and claims administration and these services will be paid for through the federal government;

(4) Since NFIP costs are funded entirely with federal monies and FEMA utilizes private parties for handling policies under both the WYO program and NFIP Direct, there are no demonstrated federal savings from redistributing federal flood insurance policies from NFIP Direct to WYO insurers;

(5) Redistribution of NFIP Direct policies to WYO insurers does nothing to increase consumer participation rates which are critical to program solvency; redistribution actually creates disincentives for more than 17,000 agents to increase such participation rates; and

(6) Redistribution destroys consumer choice and dictates to consumers the company and/or agent they are required to use for flood insurance while taking property from the agents who produced the business.

Following is more detailed background information.

II. Background on NFIP

a. The WYO Program and State Farm's Participation

The NFIP program has been in place since 1968. The NFIP's WYO program began in 1983 through statute and federal rule as a financial arrangement between participating property and casualty insurers and the Federal Emergency Management Agency (FEMA). The WYO program permits participating property and casualty insurers to sell and service the NFIP's standard flood insurance policies in their own names. Although participating insurance companies receive

an expense allowance for policies written and claims processed, the federal government retains full responsibility for underwriting losses and all premiums paid by purchasers of flood insurance go into the U.S. Treasury. Currently, about 88 insurance companies participate in the WYO arrangement with FEMA; this is a decrease from previous years.

Insurers participate in the program through a WYO Arrangement. FEMA publishes the WYO Arrangement, which is a federal rule, in the Federal Register before the end of August every year. Each WYO insurer considers annually whether or not to sign the WYO arrangement.

State Farm began its WYO participation in 1985. Following its entry in the program, each year State Farm carefully evaluated its continuing participation in the WYO Arrangement. In recent years, NFIP has presented a more challenging landscape of changing requirements and directives which requires the expenditure of resources with varying degrees of notice and clarity of instruction. In addition, the WYO program's continuing existence became more uncertain with each gap in authorizations and there were numerous occasions when the program was allowed to lapse. These situations complicated our ability to serve our customers' needs. Subsequently, State Farm made a very difficult business decision to no longer participate in the WYO Arrangement.

b. Transition to NFIP Direct and Meeting Customer Needs:

Based on existing regulations, State Farm's orderly transfer plan was structured in a way that permitted State Farm agents to continue servicing their customers' needs through NFIP Direct, regardless of whether State Farm itself participated as a WYO insurer. For example, under the Arrangement, a WYO company has the option to sell its book of business to another WYO insurer (subject to FEMA approval) or to transfer policies to the NFIP Direct program. State Farm exercised the option to transfer the policies to the NFIP Direct Program, which avoided the potential for substantial customer confusion and disrupting the relationship customers have with their State Farm agent. More specifically, in utilizing NFIP Direct, the State Farm agent remains the agent of record on transferred policies. This means that State Farm's decision to discontinue participation in the WYO Arrangement did nothing to undermine our exclusive independent contractor agents' ability to continue servicing the needs of their flood insurance customers who maintained or sought federal flood insurance protection in the future. From a consumer perspective, this seamless transition of the policies was effortless; renewal of flood insurance coverage did not require any additional steps by policyholders. The customer placed their coverage as they did previously—through their State Farm agent, an individual who was a familiar face to the customer and had an existing understanding of the customer's property and needs.

State Farm did not receive any compensation for its orderly transfer of policies to NFIP Direct. Of approximately 800,000 policies, State Farm has transferred to date over 550,000 policies. Each State Farm WYO policyholder has already received a notice regarding the transfer plan. Each policyholder has also received or will receive a second notice prior to the policy transfer.

c. The Critical Role of State Farm Agents

Perhaps more important to the functioning of NFIP, active agent participation in the marketing and selling flood insurance is a significant issue of concern to FEMA. It is widely recognized that one major short-

coming of the NFIP is that the purchase of flood insurance is often limited to only those who need coverage or are mandated to purchase coverage in connection with the purchase of a home. This limited demand impedes the ability of the NFIP to broaden its insurance base to satisfy a fundamental tenet of insurance underwriting—spreading the risk of loss among a larger and more diverse pool of policyholders who are unlikely to experience losses at the same time. Consequently, an agent workforce actively engaged in marketing and soliciting NFIP policies is a critical component of making the program more actuarially sound.

Indeed, FEMA recognized that having State Farm agents actively market and sell NFIP Direct policies is a major benefit to the program. However, if the federal government were to redistribute policies brought into NFIP by an agent to another company or agent (which includes commissions), the incentive for agents to originate policies in NFIP Direct would be removed without any commensurate benefit, which would undermine the entire program. Equally pernicious, it would be tantamount to a government taking of business property from individual businessmen and businesswomen solely for the benefit of another private party.

III. Proposed Redistribution Scheme Offers No Cost Advantage: Private Parties Handle the Servicing of all NFIP Policies Regardless of Who Distributes Them

Contrary to the assertions made by supporters of NFIP "depopulation," the confiscatory redistribution of NFIP Direct policies to WYO insurers will not create smaller government, increase the role of the private sector, or diminish the government's risk of loss on flood insurance policies. All NFIP policies have an agent of record that handles the sales and some aspects of servicing. These agents may or may not be associated with a WYO company, but they are paid a commission through NFIP, regardless of whether they are affiliated with a WYO company or not. A similar pattern is followed for claims handling where private sector parties service all NFIP claims regardless of how they are distributed.

Claims handling for NFIP Direct policies is done by a private contractor, Computer Sciences Corporation (CSC), through a competitively bid contract. Furthermore, as described in its own marketing materials, CSC provides identical services to several WYO carriers, including some of the largest. As a result, there is a strong probability that the so-called "reforms" achieved through confiscatory redistribution would do nothing more than transfer the handling of flood insurance policies from CSC under its NFIP Direct hat to CSC wearing its WYO hat. Significantly, the proponents of confiscatory redistribution have not produced any evidence suggesting that their servicing will save the NFIP money. Indeed, the only difference for policies so redistributed would be that insurance agents—primarily small businesspeople who sold the flood policy in the first instance, would see their book of business confiscated by the federal government and simply handed over to another company. This is not reform and is not about "making the government smaller."

IV. Proposed Redistribution Scheme Destroys Consumer Choice

Another insidious result of NFIP confiscatory redistribution is the elimination of consumer choice and engaging the federal government to forcibly require consumers to accept companies and/or agents with whom they have no prior relationship, or, even worse, whom they have affirmatively rejected in the past. Far from creating a seamless transition for consumers, redistribution

generates several problems. For example, if a consumer has chosen to work with an agent and has been with an agent for many years, should the federal government overrule the consumer's choice through redistribution? What if a policy has been redistributed to a company with whom the consumer does not want to do business? Does the consumer have any control? Does the federal government really want to be involved in this type of decision?

V. Conclusion

"Depopulation" of NFIP is a myth. Current efforts along these lines are nothing more than a scheme to use the federal government's authority to redistribute existing policies from one group of private insurance agents and give that business to other private entities. This confiscatory redistribution scheme makes no changes in the federal government's risk exposure under NFIP, fails to increase participation rates in purchasing flood insurance, provides no demonstrated savings to the federal government, and destroys consumer choice. Such measures should be opposed.

U.S. DEPARTMENT OF
HOMELAND SECURITY,
Washington, DC, June 27, 2011.

Hon. RANDY NEUGEBAUER,
Chairman, Oversight and Investigations Subcommittee,
Financial Services Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN NEUGEBAUER: Thank you for your letter of May 23, 2011, in which you requested clarification of the Federal Emergency Management Agency's (FEMA) position on a proposed "depopulation amendment" to H.R. 1309. As a preliminary matter, please accept my assurances that FEMA is committed to administering the National Flood Insurance Program (NFIP) in a manner that provides affordable insurance combined with a floodplain management program designed to reduce the nation's risk from flood. Since 1983, FEMA has taken advantage of the expertise of the private insurance industry through the Write Your Own (WYO) program, and we remain convinced that a public-private partnership provides the appropriate vehicle for administering the NFIP.

Below are FEMA's responses to your questions.

1. *Please explain in detail how the NFIP plans to expand its ability to administer the additional 800,000 policies which State Farm is ceding to the NFIP program, when it is currently handling approximately 120,000 policies under the NFIP Direct program? What is the anticipated additional annual expense to the program to administer this vastly expanded book of business?*

The NFIP Direct program is administered by a contractor acting as FEMA's servicing agent. That contractor, Computer Sciences Corporation (CSC), has increased its capacity to process the transferred policies by hiring additional staff. State Farm will transfer the policies to NFIP Direct on a monthly basis as they expire. The transition is already underway, with all policies anticipated to be transferred by September 30, 2011.

We estimate that the transfer will reduce NFIP expenses by about \$50 million a year for FY 2012 and subsequent years. During FY 2011 while the policies transition from State Farm to NFIP Direct, the savings will be slightly less. NFIP policyholders and the National Flood Insurance Fund will share the \$50 million in savings. Thirty million dollars of the savings comes from our full-risk policyholders, and the NFIP will pass the savings back to them through slightly lower premiums. We estimate that the average savings per policy will be about \$7, which will be a 1.5% premium reduction. Twenty million

dollars of this savings comes from our subsidized policyholders. By retaining that savings within the NFIP, we can slightly reduce the average amount of the subsidy and there will be more funds available either to pay claims or to reduce the current borrowing.

2. *Does FEMA or the NFIP support, oppose, or take a neutral position with respect to an amendment to HR. 1309, which would have required the NFIP to make the right to service these policies available to other WYO companies, their agents, or to independent agents in a timely, orderly and reasonable manner?*

Without seeing the specific language of the amendment, FEMA would oppose such an amendment unless it allowed, but did not require, the individuals who hold the State Farm policies to move to other companies. Requiring the policies to be transferred to other WYO companies, their agents, or independent agents could harm agents who work with State Farm because State Farm prohibits its agents from working with any other insurance companies, so its agents would have to choose between continuing to work with State Farm or continuing to work with the individuals who hold the State Farm flood insurance policies. FEMA does plan to notify policyholders of their right to voluntarily move from the NFIP Direct program to other companies or agents at the time of policy renewal. We estimate that providing such notifications will cost NFIP over \$900,000 annually.

3. *What, if any, contractual obligations prevent FEMA or the NFIP from making available to the remaining WYO companies the right to service flood insurance policies no longer being serviced by State Farm? If such contracts or agreements exist, please provide a copy to my staff in electronic format.*

State Farm policyholders may move from the NFIP Direct program to a WYO company, and FEMA plans to notify policyholders of that fact at the time of their policy renewals.

Without seeing specific legislative language, FEMA cannot fully assess the nature of the contractual obligations that may be impacted by an amendment. However, to require FEMA to transfer the policies to a WYO company could impact existing contractual obligations.

FEMA has a contractual agreement with the Computer Science Corporation (CSC) to act as its NFIP Direct servicing agent. As the NFIP Direct servicing agent, CSC services flood insurance policies sold directly by FEMA, collects premiums, adjusts and settles claims, and disseminates insurance information to the public, lenders, and agents. Prior to State Farm's decision to terminate its participation in the WYO Program, CSC acted as NFIP Direct servicing agent for approximately 150,000 policies. In March 2011, FEMA competitively awarded a contract to CSC to handle approximately 900,000 State Farm policies that will move to NFIP Direct upon policy renewal. The contract is valid for five years. Because of the increased volume of business now handled by NFIP Direct, FEMA negotiated a 40% per policy discount on the amount charged for each policy handled by CSC through NFIP Direct, which is a significant cost savings to NFIP. Pursuant to the newly-awarded contract, CSC has stepped up its operations, including hiring new employees to assist in servicing the 900,000 new NFIP Direct policies.

Additionally, as explained below, the State Farm insurance agents have contractual obligations that make it difficult to implement a broad-based transfer of policies.

4. *Does NFIP currently possess the legal authority to offer the right to service these policies to the remaining WYO companies, their agents, or independent agents? If so, have there been any efforts on the part of the NFIP to make*

these rights available to these companies or agents? If the NFIP does in fact have such authority, and if there have been no such efforts to utilize that authority to return these rights to the private market, why has NFIP not made these rights available to the remaining WYO companies or agents? Does NFIP intend to make these rights available to the private market?

Once a policy has been transferred to NFIP Direct, FEMA has the authority to allow the policy to be written by participating WYO companies, and typically, policies tend to migrate to WYO companies as those companies compete for the business. FEMA is committed to notifying the insureds in NFIP Direct of the option to take their business elsewhere and has formulated a proposal to provide notice upon policy renewal.

Without seeing the specific language of the amendment, FEMA cannot fully assess the legal implications of such an amendment. However, there are impediments to requiring FEMA to offer the opportunity to service NFIP Direct policies to WYO companies, their agents, or independent agents, particularly with respect to policies that were written by State Farm insurance agents.

When the State Farm policies transfer to NFIP Direct at the time the policies are renewed, State Farm agents will be the agents of record for the policies. While State Farm allows its agents to work with NFIP Direct to provide policyholders with flood insurance, the company prohibits its agents from working with any other private insurance companies. Therefore, State Farm agents would have to choose between continuing to work with State Farm or continuing to work with the approximately 900,000 policyholders who have other lines of insurance with the agents. Moreover, mandating that all, or a certain subset, of NFIP Direct policies be transferred to WYO carriers would harm the agents of record on those policies if those agents are not affiliated with the particular WYO carrier that receives those policies.

Requiring FEMA to offer the opportunity to service NFIP Direct policies to WYO companies, their agents, or independent agents could also create a disincentive to policy renewal and negatively affect the number of policies in force because of the additional steps that would be required to obtain a new carrier and transfer the policy to the new carrier. This may require a policyholder to obtain more than one agent to handle all of their insurance needs. Additionally, such a provision could limit individual citizens' right to choose their insurance agent because some policyholders may not be able to work with their current agents if those agents are not affiliated with the particular WYO carriers that received the policyholder's business from the NFIP Direct.

Although the NFIP has not transferred NFIP Direct policies to the WYO insurers, their agents, or independent insurance agents for the reasons provided above, the NFIP intends to advise NFIP Direct policyholders of the option to move their policies to another WYO carrier or to continue with NFIP Direct at the time their policies are renewed. This notification will inform policyholders that they have a choice about who handles their business, while allowing the policyholders' current agents the opportunity to compete to retain that business.

I trust that this information is helpful. If you have further questions or concerns, please do not hesitate to contact the Federal Emergency Management Agency's Legislative Affairs at Division.

Sincerely,

EDWARD L. CONNOR,
Deputy Federal Insurance and
Mitigation Administration Insurance.

I yield back the balance of my time.

Mr. SHERMAN. I move the adoption of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. SHERMAN).

The amendment was agreed to.

□ 1610

AMENDMENT NO. 17 OFFERED BY MR. LOEBSACK

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 112-138.

Mr. LOEBSACK. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

SEC. 21. APPEALS.

(a) TELEVISION AND RADIO ANNOUNCEMENT.—Section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104) is amended—

(1) in subsection (a), by inserting after “determinations” by inserting the following: “by notifying a local television and radio station.”; and

(2) in the first sentence of subsection (b), by inserting before the period at the end the following: “and shall notify a local television and radio station at least once during the same 10-day period”.

(b) EXTENSION OF APPEALS PERIOD.—Subsection (b) of section 1363 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104(b)) is amended—

(1) by striking “(b) The Director” and inserting “(b)(1) The Administrator”; and

(2) by adding at the end the following new paragraph:

“(2) The Administrator shall grant an extension of the 90-day period for appeals referred to in paragraph (1) for 90 additional days if an affected community certifies to the Administrator, after the expiration of at least 60 days of such period, that the community—

“(A) believes there are property owners or lessees in the community who are unaware of such period for appeals; and

“(B) will utilize the extension under this paragraph to notify property owners or lessees who are affected by the proposed flood elevation determinations of the period for appeals and the opportunity to appeal the determinations proposed by the Administrator.”.

(c) APPLICABILITY.—The amendments made by subsections (a) and (b) shall apply with respect to any flood elevation determination for any area in a community that has not, as of the date of the enactment of this Act, been issued a Letter of Final Determination for such determination under the flood insurance map modernization process.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Iowa (Mr. LOEBSACK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. LOEBSACK. Mr. Chairman, I yield myself such time as I may consume.

I want to thank Congresswoman BIGGERT for bringing this bill to the floor. I look forward to supporting this important legislation that will address many of the issues I have been experi-

encing in my district, and ones that I know are occurring all across the country.

In Iowa, we are all too familiar with the flood insurance program because of the devastating floods of 2008, and again on the Missouri River in western Iowa this summer. We also have many communities throughout the State going through the mapping process. Unfortunately, due to a lack of adequate notification during the process of flood mapping, many homeowners continue to be surprised when they find out that their homes are newly placed in a floodplain and they will be required to purchase flood insurance.

My amendment will help ensure communities and property owners that are affected by new maps are made aware of the process taking place from the beginning. Currently, FEMA is only required to publish notice of new flood elevations in a local newspaper. For one community in my district, this translated literally to a paragraph in the legal notice section. My amendment will require FEMA to notify not only the local paper, but also a local television and radio station, because I think it's time we update this law to be more reflective of all the media our constituents use daily.

Ensuring communities have the information needed at the beginning is one step. The next is ensuring that there is appropriate time and ability for communities and property owners to appeal the drafts. Currently, there is a 90-day appeal period for property owners to dispute FEMA's draft maps. Many property owners don't find out this process is taking place until after the map is finalized, meaning the 90-day appeal period has long passed, and they no longer have the ability to ensure their houses are not included in the final map in error.

My amendment ensures that communities and property owners have an additional 90 days to appeal the draft maps if they weren't aware of the original appeal period and believe there are property owners that haven't been made aware of the appeals process already.

I think we can all agree that every property owner who might be affected by flood maps should have an opportunity to fully participate in the established process, and that we should strive to have the most accurate maps possible. My amendment will ensure that homeowners have the information they need to make informed decisions and preparations at the beginning of the process and fully participate in the existing appeals process.

The more homeowners that are aware of flood maps, the more participation there is in the process, in the program; and the more accurate our maps will be. Greater map accuracy will give us better awareness of the flood risks in our communities and allow homeowners and community leaders alike to take steps to mitigate and prepare for that risk.

I urge my colleagues to support this amendment on behalf of property owners in all of our districts.

I reserve the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I claim time in opposition to the amendment, even though I support the amendment.

The Acting CHAIR. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mrs. BIGGERT. Mr. Chairman, I rise in support of this amendment.

I think that proper and effective notification by FEMA allows the protection provided by the NFIP to reach out to those who need it. And the amendment also includes provisions designed to benefit communities that believe that they have been incorrectly mapped in the flood program, further enhancing the validity of the maps by providing an appeal for newly mapped areas. I support it.

I reserve the balance of my time.

Mr. LOEBSACK. In closing, I urge my colleagues to support this amendment. Again, I thank Mrs. BIGGERT for her support of this amendment.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I would like to commend Mr. LOEBSACK for his amendment. I also would like to say that because it does require or ask that TV and radio be utilized to get the word out, the next amendment by the lady from Michigan actually would—and I have taken no position on her amendment—but it actually asks that national flood insurance not incur advertising expenses. And I think there is some good points to that, some bad points. But as this amendment proves, the local stations themselves and the local media can get these things out. So that might be a point in favor of her first amendment.

I am very opposed to her second amendment. I don't want the Members to confuse support, or at least non-opposition to her first amendment, as support for her second. But I commend the gentleman, and I think it's a good sense amendment and would urge strong support to the Loeb sack amendment.

Mrs. BIGGERT. I now yield 2 minutes to the gentleman from Illinois (Mr. JOHNSON).

Mr. JOHNSON of Illinois. I thank the distinguished sponsor and would preface my comments by saying I am strongly in support of Congresswoman BIGGERT's superb piece of legislation.

However, I rise today in opposition to this amendment offered by Representative SHERMAN. I would like to point out first that I fully understand and support the goal of encouraging private sector involvement and exploring ways to diminish unnecessary reliance on government programs. However, I am not convinced, in fact I am unconvinced, this amendment gets us any

closer to achieving that goal. In fact, this amendment may put Congress in the position of choosing winners and losers in the marketplace, interfering with private contracts, and creating millions of dollars in new Federal spending.

I would like to make the following points: regardless of whether a flood insurance policy is provided through NFIP Direct or WIO, the Federal Government's responsible for all the losses incurred under the policy. FEMA has informed Congress that private contractors handling NFIP Direct policies can manage the recently transferred policies for \$50 million less, which is a saving of \$250 million over the life of the bill. I don't have to tell any individuals in today's world what that means.

Redistribution of these policies destroys, in my judgment, consumer choice, dictates to consumers the company and agent they are required to use for flood insurance, while taking property from the agents who produce the business. This redistribution affects flood insurance policyholders and insurance agents in every district in the country.

Really, the only thing this amendment does is the forcible transfer of policies from one group to the other with not only no cost savings, with significant costs to the Federal Government. A lot of questions to answer.

I believe the committee and Representative BIGGERT took the right approach in requesting a study before acting on the issue. Unfortunately, today, we seem to be acting contrary-wise before we have these answers. With all due respect again to the sponsor of the amendment, and certainly in concert with the sponsor of the bill, I urge a "no" vote on this amendment.

Mrs. BIGGERT. I yield such time as he may consume to the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I think the gentleman from Illinois was arguing on the last amendment, not this amendment. If the Members will take everything he said, transfer it to the amendment before, it would be appropriate. But I disagree with his argument.

Mrs. BIGGERT. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. LOEBSACK).

The amendment was agreed to.

□ 1620

AMENDMENT NO. 19 OFFERED BY MR. WESTMORELAND

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 112-138.

Mr. WESTMORELAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 57, after line 2, insert the following new section:

SEC. 21. RESERVE FUND.

(a) ESTABLISHMENT.—Chapter I of the National Flood Insurance Act of 1968 is amended by inserting after section 1310 (42 U.S.C. 4017) the following new section:

“SEC. 1310A. RESERVE FUND.

“(a) ESTABLISHMENT OF RESERVE FUND.—In carrying out the flood insurance program authorized by this title, the Administrator shall establish in the Treasury of the United States a National Flood Insurance Reserve Fund (in this section referred to as the ‘Reserve Fund’) which shall—

“(1) be an account separate from any other accounts or funds available to the Administrator; and

“(2) be available for meeting the expected future obligations of the flood insurance program.

“(b) RESERVE RATIO.—Subject to the phase-in requirements under subsection (d), the Reserve Fund shall maintain a balance equal to—

“(1) 1 percent of the sum of the total potential loss exposure of all outstanding flood insurance policies in force in the prior fiscal year; or

“(2) such higher percentage as the Administrator determines to be appropriate, taking into consideration any circumstance that may raise a significant risk of substantial future losses to the Reserve Fund.

“(c) MAINTENANCE OF RESERVE RATIO.—

“(1) IN GENERAL.—The Administrator shall have the authority to establish, increase, or decrease the amount of aggregate annual insurance premiums to be collected for any fiscal year necessary—

“(A) to maintain the reserve ratio required under subsection (b); and

“(B) to achieve such reserve ratio, if the actual balance of such reserve is below the amount required under subsection (b).

“(2) CONSIDERATIONS.—In exercising the authority under paragraph (1), the Administrator shall consider—

“(A) the expected operating expenses of the Reserve Fund;

“(B) the insurance loss expenditures under the flood insurance program;

“(C) any investment income generated under the flood insurance program; and

“(D) any other factor that the Administrator determines appropriate.

“(3) LIMITATIONS.—In exercising the authority under paragraph (1), the Administrator shall be subject to all other provisions of this Act, including any provisions relating to chargeable premium rates and annual increases of such rates.

“(d) PHASE-IN REQUIREMENTS.—The phase-in requirements under this subsection are as follows:

“(1) IN GENERAL.—Beginning in fiscal year 2012 and not ending until the fiscal year in which the ratio required under subsection (b) is achieved, in each such fiscal year the Administrator shall place in the Reserve Fund an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(2) AMOUNT SATISFIED.—As soon as the ratio required under subsection (b) is achieved, and except as provided in paragraph (3), the Administrator shall not be required to set aside any amounts for the Reserve Fund.

“(3) EXCEPTION.—If at any time after the ratio required under subsection (b) is achieved, the Reserve Fund falls below the required ratio under subsection (b), the Administrator shall place in the Reserve Fund for that fiscal year an amount equal to not less than 7.5 percent of the reserve ratio required under subsection (b).

“(e) LIMITATION ON RESERVE RATIO.—In any given fiscal year, if the Administrator deter-

mines that the reserve ratio required under subsection (b) cannot be achieved, the Administrator shall submit a report to the Congress that—

“(1) describes and details the specific concerns of the Administrator regarding such consequences;

“(2) demonstrates how such consequences would harm the long-term financial soundness of the flood insurance program; and

“(3) indicates the maximum attainable reserve ratio for that particular fiscal year.

“(f) AVAILABILITY OF AMOUNTS.—The reserve ratio requirements under subsection (b) and the phase-in requirements under subsection (d) shall be subject to the availability of amounts in the National Flood Insurance Fund for transfer under section 1310(a)(10), as provided in section 1310(f).”

(b) FUNDING.—Subsection (a) of section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017(a)) is amended—

(1) in paragraph (8), by striking “and” at the end;

(2) in paragraph (9), by striking the period at the end and inserting “; and”; and

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

“(10) for transfers to the National Flood Insurance Reserve Fund under section 1310A, in accordance with such section.”

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Georgia (Mr. WESTMORELAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. I want to thank Chairwoman BIGGERT for her hard work on this bill and the ranking member, Mr. GUTIERREZ, and the gentlewoman from California, who is the overseer of this program.

This amendment is a forward thinking amendment to put the flood insurance program on sound footing. Consider this amendment the national flood insurance emergency fund. Currently premiums come in, payments go out, but nothing is reserved for the events that no one can predict.

Claims are paid with existing premiums and everyone crosses their fingers that nothing really bad happens.

If incoming premiums are not enough, then the National Flood Insurance Program has no other option than to ask for a bailout.

In fact, the NFIP program has carried debt in 18 of the past 30 years. Most interesting of all is that not all of these years saw catastrophic flooding. FEMA just didn't do a good job managing premiums and claims. It's clear that in good years and in bad the flood insurance program does not have a good grasp on how much they will pay out in claims.

However, when catastrophic flooding does happen, the NFIP program is even less prepared for the claims. The year of 2005 was one of those years that nobody could predict. Hurricanes Katrina, Rita, and Wilma together cost \$17 billion in losses for the National Flood Insurance Program. Six years later, including principal and interest, the NFIP debt is now \$18 billion.

Every year it seems like flooding impacts a wide swath of the United

States, and 2011 has been no different. No one can predict the weather. What NFIP needs is the ability to save up to help smooth out those unpredictable years. If the program could stash money away in good times, it would have money to pay for the years when the estimates were incorrect.

My amendment does just that. It establishes a reserve fund in NFIP. This is just common sense, so much so, NFIP is one of the few Federal funds that does not have a reserve fund. FHA has a 2 percent reserve requirement. The FDIC deposit insurance fund is required to have a 1.35 percent reserve ratio.

Now I want to take a moment to address some of the possible concerns with the amendment.

First, this amendment does not expand the NFIP to other catastrophic events, like earthquakes or tornados. This fund and the bill remains specific to flooding.

Second, the administrator gets the funds from the existing premiums. The administrator and this amendment are bound to adhere to the parameters established in the underlying bill on premium rates and annual increases.

Third, this amendment does not take away from debt repayment. Any premium collected would be spent to cover losses because the program is running up the deficit. This takes precedent.

At some point in the future, the program might be able to collect enough to cover all costs and set aside a reserve. But given the magnitude of the current debt, this is not likely to occur in the short-term.

Finally, this amendment does not stand in the way of reinsurance opportunity for the flood program. I support reinsurance for the flood program and firmly believe that both reinsurance and a reserve fund can coexist.

In fact, many private insurers reserve for losses and purchase reinsurance. Private insurers will use reserve funds as a deductible for reinsurance coverage.

However, I fundamentally believe that as long as taxpayers are involved, it's an ultimate backstop. This program needs a reserve. It is not responsible to tell taxpayers no more bailouts but offer no solution to the ongoing bailout of NFIP.

If there is no reserve fund, there will be more bailouts. It is just a matter of when.

Adopting this amendment would address a fundamental deficiency in the program that is ripe for bailouts. I urge adoption of the amendment.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I oppose the gentleman's amendment.

In drafting this bill, the chairwoman and I sought to strike the right balance

between protecting homeowners and strengthening the flood insurance program. I believe that the bill before us today does just that.

Unfortunately, I do not believe that the gentleman's amendment strikes the same balance. Specifically, by creating a reserve fund, the gentleman's amendment would allow the NFIP to increase insurance premiums on homeowners.

So regardless of their flood risk, homeowners will have to pay more in order to fund a reserve fund that will never have enough money to pay out claims for catastrophic events. This isn't fair to our taxpayers, Mr. Chairman, and, in fact, would stall the already slow recovery of the housing market.

I understand the problem that the gentleman is attempting to solve. We all know that the flood insurance program is over \$17 billion in debt due to claims resulting from Hurricane Katrina.

However, I think we have to be clear that Hurricane Katrina was a catastrophic, once in a lifetime event. Prior to Katrina, the flood insurance program operated completely in the black.

In addition, I believe that the bill contains many provisions that would allow the flood insurance program to reform its premium structure so that it can collect the premiums it needs to pay out claims. For example, the bill ends subsidies for 350,000 pre-FIRM properties, including second homes, commercial properties, homes with new owners, homes substantially damaged or improved, and homes with repetitive claims.

By making these properties pay actuarial rates that reflect their full risk, the bill would make these properties pay their fair share, thereby increasing the amount of funding to the flood insurance fund.

Mr. Chairman, while I believe that the gentleman's amendment is very well intended, I believe that it is unnecessary given the strong reforms in this bill and the potential problems it may cause for homeowners, particularly those that have been phased into actuarial rates.

For these reasons, Mr. Chairman, I must oppose the amendment and I would urge a "no" vote.

I yield back the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, I respect the gentlewoman's opinion, and I know that she is very familiar with this program, but I don't think a reserve fund would cost anybody any additional money. It does not go up on premiums. The premium amount stays the same.

This is a rainy day thing, excuse the pun, a fund that would be there. It would not even be started until this current \$18 billion in debt is paid off. But we are fooling ourselves if we think that we can predict the weather, if we think we know when Katrina or Rita or Wilma is going to come.

This fund would only be established after the debt is repaid, and so it's a very commonsense measure to have this reserve fund, as many other government agencies do.

With that, I would ask for a "yes" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 20 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 20 printed in House Report 112-138.

Mrs. MILLER of Michigan. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 64, after line 22, insert the following new section:

SEC. 23. TERMINATION OF BROADCAST PERSONIFIED FLOOD INSURANCE COMMERCIALS.

(a) PROHIBITION.—The Administrator of the Federal Emergency Management Agency may not, after the date of the enactment of this Act, obligate any amounts for purchasing time or space for any advertisement or commercial for flood insurance coverage under the national flood insurance program under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.). This subsection may not be construed to prohibit obligation of amounts for dissemination of information regarding such program to holders of flood insurance policies under such program.

(b) REDUCTION OF NATIONAL FLOOD INSURANCE FUND DEBT.—Any amounts made available to the Administrator and allocated for advertising or commercials described in subsection (a) that remain unobligated on the date of the enactment of this Act shall be used only for reducing the debt of the National Flood Insurance Fund incurred pursuant to the authority under section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016).

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, today I am offering an amendment that would end TV and radio ads that I believe to be a total waste of taxpayers' dollars. Over the past 2 years FEMA has actually spent over half a million dollars on the production of what they called "Home Personified flood insurance commercials." These slick commercials sort of depict actors with roofs hovering over their heads talking about the need to

obtain flood insurance, and about the fact that one in four homes are in a high-risk flood zone, and they pitch to contact FEMA for a free brochure about the program.

□ 1630

These commercials between April of 2010 and April of 2011 cost over \$7 million in airtime to broadcast all across the 50 States, and they are slated to be aired for an additional year at least. Seven million dollars spent on promoting the National Flood Insurance Program, which is a federally mandated flood program, which has been mentioned all across the day here, is already almost \$18 billion in debt. I would say, why not spend that \$7 million to pay back the American taxpayers? Or better yet, to begin paying off the program's \$18 billion in debt?

Mr. Chairman, last year in the election in the fall, the American people sent a very clear message to Washington. And I don't think the message to Congress here was urging us to spend millions of dollars of taxpayers' money on TV commercials asking them to put money into a failing, bloated, and completely unnecessary government program. No, they were demanding that we get a grip on government spending, on out-of-control government spending, and they were asking us to end programs where the government is trying to fill a role best done by the private sector.

Shortly, Mr. Chairman, all of us in this House, in the Congress, in both Chambers, are going to be asked to raise the national debt limit because we have not been able to get our fiscal house in order. And this week, here we are being asked to renew a Federal program that is over \$17 billion in debt currently, all of which falls on the backs of the American taxpayers, and we need to raise the debt ceiling of the flood insurance program, as well, to almost \$25 billion. Who cares? I guess it's just taxpayers' money.

If we want to stop adding to our national debt, we should not continue the Federal flood insurance program—and I'm going to be offering an amendment to that in a moment—nor should we continue to spend millions each year on TV commercials for a program that constituents in many, many States, most of the States across the Nation, are wondering about, at a minimum, and many of them are outraged. I certainly hear from my constituents back in Michigan who are looking for some relief. These hard-pressed taxpayers from my State are asking for less spending, for less government, for lower taxes and less government intrusion into their lives. They're certainly not asking us for wasteful government programs to be shoved down their throats on television with television ads.

My amendment today, Mr. Chairman, to end unnecessary spending on TV commercials for the National Flood Insurance Program will be a downpay-

ment on the relief that we owe to the American taxpayers who are concerned about these commercials that seem to be on repeat all across the airwaves in all of the States across our Nation.

Mr. Chairman, I would ask that my colleagues support this amendment today and vote in favor of saving money, taxpayers' money, for the American taxpayers.

I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I oppose the gentlewoman's amendment.

The gentlewoman's amendment would prohibit FEMA from spending any funds on television or radio commercials to promote the purchase of flood insurance.

Floods are the most common natural disaster in the United States. Unfortunately, even areas that aren't in floodplains experience floods sometimes. When that happens, the Federal Government provides aid to those homeowners and communities, and it is the taxpayer who pays for that aid.

Under the National Flood Insurance Program, insurance premiums pay for the cost of flood damage. Therefore, if homeowners outside floodplains buy flood insurance, taxpayers won't be on the hook if their properties flood. However, in order to have these homeowners buy flood insurance, they have to learn about the program and its benefits to them. This is where radio and television advertising are helpful—essential, that is. The ads reach a wide audience and present clear facts about the availability and affordability of flood insurance.

To take away FEMA's ability to let the people know what's available to them would actually place the millions of Americans who choose and are not required to purchase flood insurance at risk. Given these times of record deficits, this is simply irresponsible. That is why I urge a "no" vote on this amendment.

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

Mrs. MILLER of Michigan. Mr. Chairman, I would simply observe that, for the most part, the reason that folks, property owners, get national flood insurance is because the Federal Government holds a gun to their heads and says that you cannot get a federally backed mortgage unless you buy Federal national flood insurance through the National Flood Insurance Program. So I don't think we have to spend millions and millions of dollars to convince them to do something that, in my mind, I question whether it is even constitutional that we are forcing people to do this kind of a thing; but I certainly don't think we need to spend millions of dollars to notify them of something that we are mandating for them.

Certainly if you live in a flood-prone area, you probably know it. And with everything going on in the Nation, I just can't believe we're wasting money like this. And I would certainly urge my colleagues to support this amendment.

I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, as I mentioned earlier, when the gentlewoman offered her views during the general discussion, she certainly does not join with her colleagues who have joined with us in a bipartisan way to produce a bill that is in the best interests of all of the citizens of this country. As a matter of fact, I have referred to her views on this issue as rather radical. I think that for us to have an insurance program that allows participation by the average citizen so that they can be in a position to make themselves whole after a disaster, to basically repair their homes, to replace their furnishings, and to basically have a way of continuing a decent quality of life is not too much to ask of your government.

So I would oppose this amendment and consider this amendment also just as radical. To say that you have a program but you can't tell anybody about it simply does not make good sense.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

AMENDMENT NO. 23 OFFERED BY MR. SCOTT

The Acting CHAIR. It is now in order to consider amendment No. 23 printed in House Report 112-138.

Mr. SCOTT of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 70, after line 5, insert the following new section:

SEC. 27. STUDY OF ALL-PERIL INSURANCE COVERAGE FOR RESIDENTIAL PROPERTIES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study to determine various means and methods by which a market could be established, and the effectiveness and feasibility of each such means and method, for providing all-peril insurance coverage for residential properties. Such study shall analyze and determine, for only residential properties with mortgages insured under the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for all residential properties—

(1) whether a viable insurance market could be established, including by establishment of a Federal program for reinsurance for such all-peril insurance coverage and by other means and methods;

(2) the effects of each such means and method of establishing such a market in facilitating and encouraging the private insurance market to develop and offer all-peril insurance products for residential properties;

(3) the cost of such all-peril insurance coverage for various types of residential properties; and

(4) the effects that requiring such insurance coverage would have on prices for existing housing and for housing constructed in the future.

(b) REPORT.—Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General shall submit to the Congress a report describing the study conducted pursuant to subsection (a) and the analysis conducted under such study, and setting forth the results and determinations of the study.

(c) ALL-PERIL INSURANCE.—For purposes of this section, the term “all-peril insurance” means, with respect a residential property, insurance coverage meeting the following requirements:

(1) SUBSTANTIAL DEDUCTIBLE.—The coverage is made available subject to a substantial deductible in relation to the amount of coverage provided.

(2) COVERED LOSSES.—The coverage covers only damage and losses to the property that—

(A) render the property uninhabitable or substantially impair the habitability of the property; and

(B) result from any of the following hazards—

(i) movement of the earth, including earthquakes, shockwaves, sinkholes, landslides, and mudflows;

(ii) water damage, including floods, sewer back-ups, and water seepage through the foundation;

(iii) war, including undeclared war and civil war;

(iv) nuclear hazards, including explosion of nuclear devices and nuclear reactor accidents;

(v) governmental action, including the destruction, confiscation, or seizure of covered property by any governmental or public authority; or

(vi) bad repair or workmanship on a property, use of faulty construction materials in a property, or defective maintenance to a property.

The Acting CHAIR. Pursuant to House Resolution 340, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment today to propose what I believe would be a proactive solution for homeowners when they face unforeseen disasters. My amendment will simply ask the GAO to report to Congress the means and effects of facilitating a market for all-peril insurance policies. This amendment comes directly from an issue faced by many of my constituents and in nearly 4,000 households around the country—problems associated with the unforeseen disaster caused by the use of toxic Chinese drywall.

Over the last 5 years, nearly 4,000 homes in over 40 States have been discovered to contain toxic Chinese

drywall. This drywall has been tested by the Consumer Product Safety Commission and has been found to be responsible for hazardous chemicals oozing into these homes. Americans living in these homes have experienced everything from cold and flu-like symptoms to migraine headaches, chronic nosebleeds, gastrointestinal problems, and other debilitating symptoms.

Homeowners with homes tainted with toxic drywall have had the expectation that the costs associated with remediating their home would be covered by their homeowner's insurance policy. But virtually all of their policies exclude from coverage many of the different classes of damages. In the case of Chinese drywall, a standard homeowner's policy does not cover “losses to property resulting from faulty zoning, bad repair or workmanship, faulty construction materials, or defective maintenance.” And so these families are stuck with paying mortgages and have homes that are essentially uninhabitable.

This problem is not limited to just Chinese drywall. In the aftermath of hurricanes, many homeowners discover that they are not covered for water damage and frequently have to argue whether or not their home was destroyed by water or by wind. Sinkholes, which are normally associated with areas with histories of mining or seismic activity are springing up outside of these typical areas, and homeowners are learning the hard way that they are not covered by damages caused by them.

I believe that homeowners need all-peril insurance, insurance that covers homeowners from catastrophic losses regardless of cause, provided, of course, that the homeowners did not cause the loss themselves.

□ 1640

All-peril plans would be supplemental insurance policies that would cover losses resulting from any of the causes currently excluded from the standard homeowners policy. These policies could be limited to catastrophic losses and provide for substantial deductibles and possibly only cover losses that rendered a property uninhabitable.

With that in mind, Mr. Chairman, my amendment would direct the GAO to fully study the implications of an all-peril policy. Why can't a policy be bought now? Is there no interest in it? Could the Federal Government successfully market the plans with the private sector? I feel that answers to these questions are needed.

What we do know is that when circumstances beyond a homeowner's control make a home uninhabitable, the last thing they want to do is look through a policy and find that their completely destroyed home isn't protected by the insurance policy that they bought. It is for this reason that I offer the amendment, Mr. Chairman, for a GAO study and ask that the amendment be adopted.

I reserve the balance of my time.

Mrs. BIGGERT. I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Thank you, Mr. Chairman.

This amendment, which would direct the GAO to conduct a study on all-peril insurance policies for residential properties, to me really expands beyond the scope of this bill.

Fundamental reform of the National Flood Insurance Program should be the priority of this Congress, including the removal of subsidies over time to improve the long-term solvency of the program. In contrast, the Scott amendment would dramatically increase the scope at a time when government insurance programs, such as the NFIP, are essentially insolvent and remain grossly underfunded.

If the gentleman would like to have an all-peril study, he has the option to write a letter to the GAO and request such a study, and that will be done, but to tie it into the flood insurance makes it seem like we're going to expand the flood insurance when we're really trying to decrease the expansion and really to bring in the private sector to do this. I really think that this is way beyond what we should be doing.

His amendment would pave the way to expand the Federal Government's role in the private insurance market by creating a massive new program to offer government-provided coverage backed by taxpayer dollars against property losses. If the gentleman is really interested in the drywall particularly, this is something that he can ask for a study on that, and it really should not be within the scope of this bill.

I would urge opposition to this amendment.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, this study would not affect the underlying provisions of the bill. The priorities of the bill remain the priorities of the bill. This would just affect the situation where people find their homes uninhabitable and are looking for help.

This does not have to be a government program. The GAO could recommend that it could be a private program and possibly get out of the flood insurance business altogether if it covered all perils.

I would hope that we would at least study the issue to see if it is feasible. Anybody who has talked to people with Chinese drywall and find that their house is uninhabitable, they're paying their mortgage, they don't have anywhere to go, they can't afford another mortgage, and their insurance policy that they paid premiums for every

month, month after month after month, doesn't cover anything. I think if you're buying insurance, it ought to insure you for unforeseen circumstances, and that is what this study would provide.

I hope you would adopt the amendment.

I yield back the balance of my time.

Mrs. BIGGERT. I yield back the balance of my time and request a "no" vote.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mrs. BIGGERT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 25 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 25 printed in House Report 112-138.

Mrs. MILLER of Michigan. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Flood Insurance Program Termination Act of 2011".

SEC. 2. TERMINATION OF NATIONAL FLOOD INSURANCE PROGRAM.

(a) TERMINATION OF AUTHORITY TO PROVIDE COVERAGE.—Effective January 1, 2012, the Administrator of the Federal Emergency Management Agency (in this section referred to as the "Administrator") shall not provide any new flood insurance coverage, or renew any coverage provided before such date, under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(b) TREATMENT OF EXISTING COVERAGE.—Subsection (a) shall not—

(1) affect any flood insurance coverage provided under such Act under a contract or agreement entered into before the date specified in such subsection and, notwithstanding the repeals under section 3, such provisions as in effect immediately before such repeal shall continue to apply with respect to flood insurance coverage in force after such repeal; or

(2) require the termination of any contract or other agreement for flood insurance coverage entered into before such date.

(c) WIND-UP.—After the date specified in subsection (a), the Administrator shall take such actions as may be necessary steps to wind up the affairs of the National Flood Insurance Program.

(d) TREATMENT OF FUNDS.—Amounts in the National Flood Insurance Fund established under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) shall be available to the Administrator for performing the functions of the Administrator with respect to flood insurance coverage remaining in force after the date specified in subsection (a). Upon the expiration of the

contracts and agreements for such coverage, any unexpended balances in such Fund shall be deposited in the Treasury as miscellaneous receipts.

(e) SAVINGS PROVISIONS.—

(1) TREATMENT OF PRIOR DETERMINATIONS.—The repeals made by section 3 of the provisions of law specified in such section shall not affect any order, determination, regulation, or contract that has been issued, made, or allowed to become effective under such provisions before the effective date of the repeal. All such orders, determinations, regulations, and contracts shall continue in effect until modified, superseded, terminated, set aside, or revoked in accordance with law by the President, the Administrator, or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PENDING PROCEEDINGS.—

(A) EFFECT ON PENDING PROCEEDINGS.—The repeals made by section 3 shall not affect any proceedings relating to the National Flood Insurance Program, including notices of proposed rulemaking, pending on the effective date of the repeals, before the Federal Emergency Management Agency, except that no assistance or flood insurance coverage may be provided pursuant to any application pending on such effective date. Such proceedings, to the extent that they relate to functions performed by the Administrator after such repeal, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Administrator, by a court of competent jurisdiction, or by operation of law.

(B) CONSTRUCTION.—Nothing in this subsection may be construed to prohibit the discontinuance or modification of any proceeding described in subparagraph (A) under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) ACTIONS.—This section shall not affect suits commenced before the effective date of the repeals made by section 3, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this section had not been enacted.

(4) LIABILITIES INCURRED.—No suit, action, or other proceeding commenced by or against an individual in the official capacity of such individual as an officer of the Federal Emergency Management Agency having any responsibility for the National Flood Insurance Program shall abate by reason of the enactment of this section. No cause of action relating to such Program, by or against the Federal Emergency Management Agency, or by or against any officer thereof in the official capacity of such officer having any responsibility for such program, shall abate by reason of the enactment of this section.

SEC. 3. REPEALS AND CONTINUATION OF FEMA MAPPING RESPONSIBILITIES.

(a) NATIONAL FLOOD INSURANCE ACT OF 1968.—The National Flood Insurance Act of 1968 is amended—

(1) by striking section 1302 (42 U.S.C. 4001);

(2) by striking chapters I and II (42 U.S.C. 4011 et seq.);

(3) in section 1360 (42 U.S.C. 4101)—

(A) in subsection (a)(2), by striking "until the date specified in section 1319";

(B) by striking subsection (d);

(C) in subsection (g)—

(i) by striking "To promote compliance with the requirements of this title, the" and inserting "The";

(ii) by striking "directly responsible for coordinating the national flood insurance program";

(iii) in the last sentence, by striking "National Flood Insurance Fund, pursuant to section 1310(b)(6)" and inserting the following: "General Fund of the Treasury and shall be used only for reducing the budget deficit of the Federal Government"; and

(D) in subsection (i)—

(i) by striking "free of charge" and inserting "at cost";

(ii) by striking "and States and communities participating in the national flood insurance program pursuant to section 1310 and at cost to all other" and inserting "States and communities, and other interested"; and

(iii) in the he last sentence, by striking "National Flood Insurance Fund, pursuant to section 1310(b)(6)" and inserting the following: "General Fund of the Treasury and shall be used only for reducing the budget deficit of the Federal Government";

(4) by striking sections 1361A (42 U.S.C. 4102a);

(5) in section 1363(e) (42 U.S.C. 4104(e)), by striking the third and fifth sentences; and

(6) in section 1364 (42 U.S.C. 4104a)—

(A) in subsection (a)—

(i) in paragraphs (1) and (2), by striking "or the Flood Disaster Protection Act of 1973" each place such term appears; and

(ii) in paragraph (3)—

(I) by striking subparagraphs (B) and (C) and inserting the following:

"(B) a statement that flood insurance coverage may be available in the private market or through a State-sponsored program; and";

(II) by redesignating subparagraph (D) as subparagraph (C);

(B) by striking subsections (b) and (c);

(7) in section 1365 (42 U.S.C. 4104b)—

(A) in subsection (a), by striking "and in which flood insurance under this title is available"; and

(B) in subsection (b)—

(i) by striking paragraph (1); and

(ii) in paragraph (2)—

(I) in the first sentence, by striking "the community identification number and community participation status (for purposes of the national flood insurance program) of the community in which the improved real estate or such property is located."; and

(II) in the third sentence, by striking "because the building or mobile home is not located in a community that is participating in the national flood insurance program or";

(8) by striking sections 1366 and 1367 (42 U.S.C. 4104c, 4104d);

(9) in section 1370 (42 U.S.C. 4121)—

(A) by striking paragraphs (3), (4), (5), (7), (14), and (15);

(B) in paragraph (12)(B), by striking the semicolon at the end and inserting "and";

(C) in paragraph (13), by striking the semicolon at the end and inserting a period; and

(D) by redesignating paragraphs (6), (8), (9), (10), (11), (12), and (13), as so amended, as paragraphs (3), (4), (5), (6), (7), (8), and (9), respectively;

(10) by striking sections 1371 through 1375 (42 U.S.C. 4122-26);

(11) in section 1376 (42 U.S.C. 4127)—

(A) in subsection (a), by striking "to carry out this title" and all that follows through the end of paragraph (3) and inserting "to carry out the mapping, studies, investigations, and other responsibilities of the Director under this title"; and

(B) by striking subsection (c); and

(12) by striking section 1377 (42 U.S.C. 4001 note).

(b) FLOOD DISASTER PROTECTION ACT OF 1973.—The Flood Disaster Protection Act of 1973 is amended—

- (1) by striking section 2 (42 U.S.C. 4002);
 (2) by striking section 102 (42 U.S.C. 4012a);
 (3) in section 201 (42 U.S.C. 4105)—

(A) by striking subsection (a) and inserting the following new subsection:

“(a) As information becomes available to the Director concerning the existence of flood hazards, the Director shall publish information in accordance with section 1360(a)(1) of the National Flood Insurance Act of 1968 and shall notify the chief executive officer of each known flood-prone community of its tentative identification as a community containing one or more areas having special flood hazards.”;

(B) in subsection (b), by striking “shall either (1) promptly make proper application to participate in the national flood insurance program or (2)” and inserting “may”;

(C) by striking subsections (c) and (d);

(D) by redesignating subsection (e) as subsection (c); and

(4) by striking section 202 (42 U.S.C. 4106).

(c) BUNNING-BEREUTER-BLUMENAUER FLOOD INSURANCE REFORM ACT OF 2004.—Title II of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (42 U.S.C. 4011 note).

(d) NATIONAL FLOOD INSURANCE REFORM ACT OF 1994.—The National Flood Insurance Reform Act of 1994 is amended by striking sections 561 (42 U.S.C. 4011 note), 562 (42 U.S.C. 4102 note), 578 (42 U.S.C. 4014 note), 579(b), and 582 (42 U.S.C. 5154a).

(e) FEDERAL FLOOD INSURANCE ACT OF 1956.—Section 15 of the Federal Flood Insurance Act of 1956 (42 U.S.C. 2414) is amended by striking subsection (e).

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2012.

SEC. 4. INTERSTATE COMPACTS FOR FLOOD INSURANCE COVERAGE.

(a) CONGRESSIONAL CONSENT.—The consent of the Congress is hereby given to any two or more States to enter into agreement or compacts, not in conflict with any law of the United States, for making available to interested persons insurance coverage against loss resulting from physical damage to or loss of real property or personal property related thereto arising from any flood occurring in the United States.

(b) RIGHTS RESERVED.—The right to alter, amend, or repeal this section, or consent granted by this section, is expressly reserved to the Congress.

The Acting CHAIR. Pursuant to House Resolution 340, the gentlewoman from Michigan (Mrs. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. MILLER of Michigan. I yield myself such time as I may consume.

I would begin by asking a very fundamental question: Why in the world is the Federal Government in the flood insurance business? Really, I do not understand it.

I don't think anyone should be surprised to learn that the Federal Government is not a very good insurance agent, that they run a terrible insurance program, as evidenced by the \$18 billion in debt that the NFIP, the National Flood Insurance Program, has racked up over the years and will probably never repay. I don't think they'll ever repay it. If you don't believe me, you can consider the testimony that the administrator of FEMA made before the Financial Services Committee.

In congressional testimony, he said the program will likely always be in debt, massive debt.

Congress set up the NFIP to ostensibly be an insurance company, but it is not held to the same standards as private insurance companies. Instead of holding cash reserves, the NFIP has a bottomless pit of money that it shamelessly taps into. That money pit is also known as the U.S. Treasury, or the American taxpayers. If the NFIP were a private insurance company, it would have gone bankrupt years ago, or it would have been in need of a Federal bailout. In other words, when this government-authorized Ponzi scheme runs out of money, it simply gets more by dipping into the pockets of taxpayers. Mr. Chairman, I would say that this is a program that would make Bernie Madoff blush.

The American people are fed up with bailouts, and this bill is just that: another bailout for another broken program. If we want to stop adding to our national debt, we should not continue the Federal flood insurance program.

My home State of Michigan is just one of a majority of States that is actually disadvantaged by this Ponzi scheme. The State House of Representatives has recently passed a resolution condemning the NFIP as fundamentally flawed and unfair, and I would expect the State Senate to follow suit shortly. So there is an entire State. I don't think that's radical.

My amendment would actually end the program at the end of this year and allow States to work together to form a regional coalition to shape insurance policies that meet the needs of their particular State. There is no way that a one-size-fits-all insurance program that dramatically subsidizes rates in some of the most flood-prone areas of our Nation while at the same time forcing those in less flood-prone areas to pay much higher rates can be sustained. States like mine will simply become fed up and opt out, which is what's going to happen, so that they can better protect their citizens. Then, of course, it would force this program even deeper into debt. It is time to end this program now.

My amendment would also, and perhaps more importantly, allow the private market to get into the flood insurance business without the Federal Government's unfair competition of politically based premiums, which would allow premiums to be set based on actual risk.

If you want to get a handle on out-of-control Federal spending and start eliminating government programs that do nothing except enforce bad policy and recklessly spend the taxpayers' money, I would ask my colleagues to support my amendment.

A RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO MAKE SIGNIFICANT REFORMS TO THE NATIONAL FLOOD INSURANCE PROGRAM

Whereas, Under the National Flood Insurance Program, most property owners must

purchase flood insurance if their property is located within a mapped floodplain; and

Whereas, The Federal Emergency Management Agency (FEMA) has recently revised existing floodplain maps in Michigan that, in many cases, have increased the amount of land within the floodplain without adequate explanation of perceived additional flood risk. Flood insurance for buildings within redrawn areas is a significant added expense. These revisions amount to a penalty that will be felt far into the future, especially as the market value of impacted properties suffers needlessly; and

Whereas, The revised maps exacerbate disparities between the premiums paid by Michigan residents relative to claims received. Michigan residents have paid nearly five times as much in flood insurance premiums than they have received back in claims over the last 30 years. The remaining funds from these premiums goes to subsidize flood insurance claims in higher risk areas of the country; and

Whereas, The National Flood Insurance Program is operated without transparency to the public in rate-setting methods. Rebuilding within a floodplain has continued in higher risk areas of the country where multiple recent flood events have occurred, contributing to the \$20 billion in debt of the National Flood Insurance Program. Rebuilding in very high risk areas would be avoided if flood insurance was set at actuarially sound rates; and

Whereas, The National Flood Insurance Program is fundamentally flawed and unfair. Year after year, the program takes money from property owners in most states and uses that money to rebuild in only a few states. Congresswoman Candice Miller has introduced legislation (H.R. 435) to eliminate the National Flood Insurance Program in 2013 and to authorize states to work together to provide flood insurance as they deem appropriate; and

Whereas, Congresswoman Judy Biggert has introduced legislation, the Flood Insurance Reform Act of 2011 (H.R. 1309), to begin the process of modernizing and reforming the National Flood Insurance Program; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to make significant reforms to the National Flood Insurance Program; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

Adopted by the House of Representatives, June 21, 2011.

I reserve the balance of my time.

Ms. WATERS. I claim time in opposition.

The Acting CHAIR. The gentlewoman from California is recognized for 5 minutes.

Ms. WATERS. Mr. Chairman, I strongly oppose this amendment.

The gentlewoman's amendment would terminate entirely the flood insurance program, which provides much needed insurance for 5.5 million homeowners. The flood insurance program was created in 1968 after record flooding led the private insurance industry to stop writing flood policies. The private sector didn't want to write these policies because floods are very common and very expensive. However, the Federal Government didn't want to

simply write a blank check for homeowners every time it flooded. This is why the flood insurance program was created.

□ 1650

Mr. Chairman, I yield the balance of my time to the gentlewoman from Illinois, Chairwoman BIGGERT, who has worked so hard on this legislation.

The Acting CHAIR. Without objection, the gentlewoman from Illinois will control the time.

There was no objection.

Mrs. BIGGERT. I thank the gentlewoman for yielding.

I know we have had quite a bit of discussion about this already, but maybe we will bring this to a close with this amendment, for a while anyway.

Let me just say that the underlying bill really doesn't ask for additional borrowing authority. In fact, the reforms in the underlying bill will accelerate the ability of NFIP to pay down its debt. This bill is a revenue raiser and will bring in \$4.2 billion to the program.

We have addressed the fact that there have been some problems with NFIP. I think there was some mismanagement, and there was a need for reform. That is why we have spent so much time on this bill to talk to all of the different groups, to talk to all of the Members who have had concerns.

I have got here a list. According to a broad coalition of industry experts and trade associations who all support this, more than 5.6 million policyholders depend on the NFIP as their only source of protection against economic devastation from a flood. In fact, I could read all of those who asked for a "no" vote on this amendment. We have the American Insurance Association, American Land Title Association, Building Owners and Management Association, CCIM Institute, Chamber SWLA, Council of Insurer Agents and Brokers, The Financial Services Roundtable, Independent Insurance Agents and Brokers of America, Institute of Real Estate Management, International Council of Shopping Centers, Manufactured Housing Institute, Mortgage Bankers Association, National Association of Home Builders, National Association of Mutual Insurance Companies, National Association of REALTORS, National Association of Ready Mix Concrete Association, Society of Industrial and Office Realtors, Property and Casualty Insurance Association of America, The Risk and Insurance Management Society, and the U.S. Chamber of Commerce.

You know, if 5.6 million property owners can't rely on this, what is going to happen? What is going to happen is we wouldn't have flood insurance. And on May 13, the Financial Services Committee favorably reported the Flood Insurance Reform Act by a unanimous vote of 54-0. Anybody who doesn't think that is something on how much time we put into this and how much people care about it, 54-0 in this Con-

gress, I don't think that has happened for a bill that is this important for a long, long time. It really reflects the hard work and the bipartisan support of the Financial Services Committee.

Again, it has a series of reforms that are going to make this a much better program. It improves the financial stability of the NFIP. It reduces the burden on taxpayers. It restores integrity to the FEMA mapping system and explores ways to increase private market participation. It helps to bring certainty to the housing market. I would oppose this amendment strongly.

I reserve the balance of my time.

Mrs. MILLER of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. HIGGINS).

Mr. HIGGINS. I thank my friend and colleague from Michigan for yielding.

Mr. Chairman, I rise in strong support of this amendment to terminate the National Flood Insurance Program. The National Flood Insurance Program is, both in its design and execution, the worst Federal program I have encountered in my time in Congress.

This program levies a mandatory flood tax on homeowners who are at virtually no risk of flooding and see absolutely no benefit from the program. In western New York, the requirement to purchase flood insurance has increased mortgage costs and created economic dead zones in once-vibrant neighborhoods.

This amendment will finally end this unfair burden on homeowners in communities like Buffalo and Lackawanna, New York, who neither want nor need to purchase flood insurance. I urge my colleagues to support it as well. I thank the gentlelady from Michigan.

Mrs. MILLER of Michigan. Mr. Chairman, I would simply reiterate that I don't think this is something that the Federal Government should be involved in. If you are truly a friend of the taxpayers, and believe me, I appreciate the bipartisanship and the hard work about reforming this program. I understand the need to reform programs, but I also understand the need to get a handle on the Federal debt and deficit; and one way to do that is to eliminate unnecessary programs, not just nibble around the edges, which is what I think we are doing here today.

I certainly urge my colleagues to support this amendment.

I yield back the balance of my time.

Mrs. BIGGERT. Mr. Chairman, I yield myself the balance of my time.

If this bill were not to pass and if this amendment were to be agreed to, it would be devastating to at least 20,000 communities if there was no flood insurance. Congress would inevitably have to bail out flood disaster victims, as it did prior to 1968; and it would cost so much more money. And the President would have to sign on to any devastation that might be made, as is what happened in Louisiana after Katrina. I oppose this amendment and support the underlying bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. MILLER of Michigan. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-138 on which further proceedings were postponed, in the following order:

Amendment No. 3 by Ms. SPEIER of California.

Amendment No. 4 by Mr. FLAKE of Arizona.

Amendment No. 11 by Mr. CARDOZA of California.

Amendment No. 19 by Mr. WESTMORELAND of Georgia.

Amendment No. 20 by Mrs. MILLER of Michigan.

Amendment No. 23 by Mr. SCOTT of Virginia.

Amendment No. 25 by Mrs. MILLER of Michigan.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MS. SPEIER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. SPEIER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 230, not voting 6, as follows:

[Roll No. 554]

AYES—195

Ackerman	Capuano	Cuellar
Andrews	Cardoza	Cummings
Baca	Carnahan	Davis (CA)
Baldwin	Carson (IN)	Davis (IL)
Barletta	Castor (FL)	DeFazio
Bartlett	Chaffetz	DeGette
Bass (CA)	Chandler	DeLauro
Becerra	Chu	Dicks
Berkley	Cicilline	Dingell
Berman	Clarke (MI)	Doggett
Bishop (GA)	Clarke (NY)	Donnelly (IN)
Bishop (NY)	Clay	Doyle
Bono Mack	Cleaver	Edwards
Boswell	Clyburn	Ellison
Brady (PA)	Cohen	Engel
Braley (IA)	Connolly (VA)	Eshoo
Brown (FL)	Conyers	Farr
Burgess	Costa	Fattah
Butterfield	Costello	Filner
Camp	Courtney	Fitzpatrick
Campbell	Critz	Frank (MA)
Capps	Crowley	Fudge

Garamendi Mack
Gibson Maloney
Gonzalez Markey
Green, Al Matsui
Green, Gene McCollum
Grijalva McDermott
Gutierrez McGovern
Hanabusa McIntyre
Harris McNerney
Hastings (FL) Meeks
Heinrich Michaud
Higgins Miller (MI)
Hinojosa Miller (NC)
Hirono Miller, George
Hochul Moore
Holden Moran
Holt Nadler
Honda Napolitano
Insolee Neal
Israel Olver
Jackson (IL) Pallone
Jackson Lee Pascrell
(TX) Pastor (AZ)
Johnson (GA) Paul
Johnson, E. B. Payne
Jones Peters
Kaptur Petri
Keating Pingree (ME)
Kildee Polis
Kind Posey
Kingston Price (NC)
Kissell Quigley
Kucinich Rahall
Langevin Rangel
Larsen (WA) Renacci
Larson (CT) Reyes
Lee (CA) Richardson
Levin Richmond
Lewis (GA) Rigell
Lipinski Ros-Lehtinen
Lofgren, Zoe Rothman (NJ)
Lowey Roybal-Allard
Luján Ruppersberger
Lynch Rush

NOES—230

Adams Dreier
Aderholt Duffy
Akin Duncan (SC)
Alexander Duncan (TN)
Altmire Ellmers
Amash Emerson
Austria Farenthold
Bachmann Fincher
Bachus Flake
Barrow Fleischmann
Barton (TX) Fleming
Bass (NH) Flores
Benishek Forbes
Berg Fortenberry
Biggert Foss
Bilbray Franks (AZ)
Bilirakis Frelinghuysen
Bishop (UT) Gallegly
Black Gardner
Blackburn Garrett
Blumenauer Gerlach
Bonner Gibbs
Boren Gingrey (GA)
Boustany Gohmert
Brady (TX) Goodlatte
Brooks Gosar
Broun (GA) Gowdy
Buchanan Granger
Buchson Graves (GA)
Buerkle Graves (MO)
Burton (IN) Griffin (AR)
Calvert Griffith (VA)
Canseco Grimm
Capito Guinta
Carney Guthrie
Carter Hall
Cassidy Hanna
Chabot Harper
Coble Hartzler
Coffman (CO) Hastings (WA)
Cole Hayworth
Conaway Heck
Cooper Hensarling
Cravaack Heger
Crawford Herrera Beutler
Crenshaw Himes
Culberson Huelskamp
Davis (KY) Huizenga (MI)
Denham Hultgren
Dent Hunter
DesJarlais Hurt
Diaz-Balart Issa
Dold Jenkins

Ryan (OH) Olson
Sánchez, Linda Owens
T. Palazzo
Sanchez, Loretta Paulsen
Sarbanes Pearce
Schakowsky Pence
Schiff Perlmutter
Schrader Peterson
Schwartz Pitts
Scott (VA) Platts
Scott, David Poe (TX)
Serrano Pompeo
Sewell Price (GA)
Sherman Quayle
Shuler Reed
Sires Rehberg
Slaughter Reichert
Smith (WA) Ribble
Speier Rivera
Stark Roby
Sutton Roe (TN)
Thompson (CA) Rogers (AL)
Thompson (MS) Rogers (KY)
Paul Tierney
Tonko Rogers (MI)
Townes Rohrabacher
Tsongas
Upton
Van Hollen
Velázquez
Vislosky
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—6
Cantor Giffords
Deutch Hinchey

□ 1731

Messrs. WESTMORELAND, RIBBLE, BLUMENAUER, GARY G. MILLER of California, HALL, and AKIN changed their vote from “aye” to “no.”

Messrs. POSEY, UPTON, SHERMAN, Ms. ROS-LEHTINEN, Mr. PAUL, Mrs. BONO MACK, Messrs. BARTLETT, WALDEN, BURGESS, HOLDEN, KINGSTON, and HARRIS changed their vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. FLAKE
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 305, not voting 8, as follows:

[Roll No. 555]

AYES—118

Adams Conaway
Akin Culberson
Amash DesJarlais
Bachmann Duncan (SC)
Benishek Duncan (TN)
Bishop (UT) Eshoo
Blackburn Flake
Blumenauer Fleischmann
Bono Mack Flores
Brady (TX) Fortenberry
Brooks Foss
Broun (GA) Franks (AZ)
Buerkle Gallegly
Burgess Garamendi
Burton (IN) Gardner
Camp Garrett
Campbell Gingrey (GA)
Chabot Goodlatte
Chaffetz Gowdy
Coffman (CO) Granger

Labrador Nunnelee
Lamborn Olson
Lankford Paul
Latta Paulsen
Lummis Pence
Mack Pitts
Marchant Poe (TX)
Marino Pompeo
McCauley Posey
McClintock Quayle
McDermott Quigley
West Reed
Westmoreland Ribble
Whitfield Rodgers
Wilson (SC) Miller (FL)
Wittman Miller (MI)
Wolf Mulvaney
Womack Murphy (PA)
Woodall Neugebauer
Yoder Nugent

NOES—305

Ackerman Denham
Aderholt Dent
Alexander Diaz-Balart
Altmire Dicks
Andrews Dingell
Austria Doggett
Baca Dold
Bachus Donnelly (IN)
Baldwin Doyle
Barletta Dreier
Barrow Duffy
Bartlett Edwards
Barton (TX) Ellison
Bass (CA) Ellmers
Bass (NH) Emerson
Becerra Engel
Berg Farenthold
Berkley Farr
Berman Fattah
Biggert Filner
Bilbray Fincher
Bilirakis Fitzpatrick
Bishop (GA) Fleming
Bishop (NY) Forbes
Black Frank (MA)
Bonner Frelinghuysen
Boren Fudge
Boswell Gerlach
Boustany Gibbs
Brady (PA) Gibson
Braley (IA) Gonzalez
Brown (FL) Gosar
Buchanan Graves (MO)
Buchson Green, Al
Butterfield Green, Gene
Calvert Griffin (AR)
Canseco Grijalva
Capito Grimm
Capps Guinta
Capuano Guthrie
Cardoza Gutierrez
Carnahan Hall
Carney Hanabusa
Carson (IN) Hanna
Carter Harper
Cassidy Hartzler
Castor (FL) Hastings (FL)
Chandler Heinrich
Chu Higgins
Cicilline Himes
Clarke (MI) Hinojosa
Clarke (NY) Hirono
Clay Hochul
Cleave Holden
Clyburn Holt
Coble Honda
Cohen Huizenga (MI)
Cole Insolee
Connolly (VA) Israel
Conyers Jackson (IL)
Cooper Jackson Lee
Costa (TX)
Costello Johnson (GA)
Courtney Johnson (OH)
Cravaack Johnson, E. B.
Crawford Jones
Crenshaw Kaptur
Critz Keating
Crowley Kelly
Cuellar Kildee
Cummings Kind
Davis (CA) King (IA)
Davis (IL) King (NY)
Davis (KY) Kinzinger (IL)
DeFazio Kissell
DeGette Kucinich
DeLauro Lance

Ryan (WI) Landry
Schmidt Langevin
Schweikert Diaz-Balart
Scott (SC) Larson (CT)
Sensenbrenner Latham
Stark LaTourette
Stutzman Lee (CA)
Sullivan Levin
Thornberry Lewis (CA)
Tipton Lewis (GA)
Upton Lipinski
Van Hollen LoBiondo
Walsh (IL) Loebsack
Webster Lofgren, Zoe
Westmoreland Lowey
Wilson (SC) Lucas
Woodall Luetkemeyer
Young (IN) Luján
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCollum
McCotter
McGovern
McIntyre
McKeon
McKinley
McNerney
Meehan
Meeks
Mica
Michaud
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Murphy (CT)
Myrick
Nadler
Napolitano
Neal
Noem
Nunes
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Payne
Pearce
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Platts
Polis
Price (GA)
Price (NC)
Rahall
Rangel
Rehberg
Reichert
Renacci
Reyes
Richardson
Richmond
Rigell

Rivera	Scott, David	Tonko	Dent	Langevin	Richmond	Markey	Price (NC)	Shuster
Roby	Serrano	Towns	Dicks	Larson (CT)	Roe (TN)	McCarthy (NY)	Quayle	Simpson
Rogers (AL)	Sessions	Tsongas	Dingell	Latham	Rohrabacher	McCaul	Quigley	Sires
Rogers (KY)	Sewell	Turner	Doggett	LaTourette	Rooney	McClintock	Reed	Smith (NE)
Rogers (MI)	Sherman	Velázquez	Donnelly (IN)	Lee (CA)	Ross (AR)	McCollum	Renacci	Smith (TX)
Ros-Lehtinen	Shimkus	Visclosky	Doyle	Levin	Rothman (NJ)	McKinley	Rigell	Stearns
Ross (AR)	Shuler	Walden	Duncan (SC)	Lewis (CA)	Roybal-Allard	Michaud	Rivera	Stivers
Rothman (NJ)	Shuster	Walz (MN)	Duncan (TN)	Lewis (GA)	Ruppersberger	Miller (NC)	Roby	Sullivan
Roybal-Allard	Simpson	Wasserman	Edwards	Lipinski	Rush	Mulvaney	Rogers (AL)	Thompson (PA)
Runyan	Sires	LoBiondo	Ellison	LoBiondo	Ryan (OH)	Murphy (CT)	Rogers (KY)	Thornberry
Ruppersberger	Slaughter	Long	Emerson	Long	Sánchez, Linda	Murphy (PA)	Rogers (MI)	Tipton
Rush	Smith (NE)	Lowe	Engel	Lowe	T.	Myrick	Rokita	Tonko
Ryan (OH)	Smith (NJ)	Luetkemeyer	Farr	Luetkemeyer	Sánchez, Loretta	Neugebauer	Ros-Lehtinen	Turner
Sánchez, Linda	Smith (TX)	Luján	Fattah	Luján	Olson	Noem	Roskam	Walberg
T.	Smith (WA)	Lungren, Daniel	Filner	Lungren, Daniel	Palazzo	Ross (FL)	Ross (FL)	Walden
Sanchez, Loretta	Southerland	E.	Fincher	E.	Schakowsky	Royce	Royce	Walsh (IL)
Sarbanes	Speier	Lynch	Fitzpatrick	Lynch	Schiff	Pence	Runyan	Watt
Scalise	Stearns	Maloney	Fleming	Maloney	Schock	Perlmutter	Ryan (WI)	Watt
Schakowsky	Stivers	Matheson	Fortenberry	Matheson	Schrader	Petri	Schilling	Wilson (SC)
Schiff	Sutton	Matsui	Frank (MA)	Matsui	Schwartz	Pingree (ME)	Schmidt	Wittman
Schilling	Terry	McCarthy (CA)	Frank (AZ)	McCarthy (CA)	Scott (VA)	Pitts	Schweikert	Wolf
Schock	Thompson (CA)	McCotter	Fudge	McCotter	Scott (TX)	Poe (TX)	Scott (SC)	Woodall
Schrader	Thompson (MS)	McDermott	Gardner	McDermott	Polis	Scott, Austin	Scott, Austin	Young (IN)
Schwartz	Thompson (PA)	McGovern	Yoder	McGovern	Posey	Shimkus		
Scott (VA)	Tiberi	McHenry	Gohmert	McHenry				
Scott, Austin	Tierney	McIntyre	Gonzalez	McIntyre				

NOT VOTING—8

Cantor	Gohmert	McHenry
Deutch	Hinchey	Pelosi
Giffords	Hoyer	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1736

Ms. ESHOO changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. CARDOZA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CARDOZA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 163, not voting 7, as follows:

[Roll No. 556]

AYES—261

Ackerman	Bishop (NY)	Chu
Adams	Bono Mack	Cicilline
Aderholt	Boren	Clarke (MI)
Akin	Boswell	Clarke (NY)
Alexander	Boustany	Clay
Altmire	Brady (PA)	Cleaver
Amash	Brady (TX)	Clyburn
Andrews	Braley (IA)	Cohen
Austria	Broun (GA)	Connolly (VA)
Baca	Brown (FL)	Conyers
Bachmann	Buerkle	Costa
Baldwin	Burgess	Costello
Barrow	Calvert	Courtney
Bartlett	Camp	Crawford
Bass (CA)	Campbell	Critz
Bass (NH)	Capps	Crowley
Becerra	Capuano	Cuellar
Benishkek	Cardoza	Cummings
Berg	Carnahan	Davis (CA)
Berkley	Carson (IN)	Davis (IL)
Berman	Cassidy	DeFazio
Bilbray	Castor (FL)	DeLauro
Bishop (GA)	Chandler	Denham

Graves (MO)	Green, Al	Green, Gene	Griffin (AR)	Griffith (VA)	Grijalva	Guthrie	Gutierrez	Hanabusa	Harris	Hastings (FL)	Hastings (WA)	Heck	Heinrich	Herger	Herrera Beutler	Higgins	Hinojosa	Hochul	Holden	Honda	Inslee	Israel	Issa	Jackson (IL)	Jackson Lee (TX)	Jenkins	Johnson (OH)	Johnson, E. B.	Jordan	Kaptur	Keating	Kelly	Kildee	King (IA)	Kinzinger (IL)	Kissell	Kucinich	Landry
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NOES—163

Bachus	DesJarlais	Hayworth
Barletta	Diaz-Balart	Hensarling
Barton (TX)	Dold	Himes
Biggett	Dreier	Hirono
Bilirakis	Duffy	Holt
Bishop (UT)	Ellmers	Huelskamp
Black	Eshoo	Huizenga (MI)
Blackburn	Farenthold	Hultgren
Blumenauer	Flake	Hunter
Bonner	Fleischmann	Hurt
Brooks	Flores	Johnson (IL)
Buchanan	Forbes	Johnson, Sam
Bucshon	Fox	Jones
Burton (IN)	Frelinghuysen	Kind
Butterfield	Gallegly	King (NY)
Canseco	Garamendi	Kingston
Capito	Garrett	Kline
Carney	Gibbs	Labrador
Carter	Gibson	Lamborn
Chabot	Gingrey (GA)	Lance
Chaffetz	Goodlatte	Lankford
Coble	Gosar	Larsen (WA)
Coffman (CO)	Gowdy	Latta
Cole	Granger	Loeb
Conaway	Graves (GA)	Lofgren, Zoe
Cooper	Grimm	Lucas
Cravaack	Guinta	Lummis
Crenshaw	Hall	Mack
Culberson	Hanna	Manzullo
Davis (KY)	Harper	Marchant
DeGette	Hartzler	Marino

NOT VOTING—7

Cantor	Hinchey	Pelosi
Deutch	Hoyer	
Giffords	Johnson (GA)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining in this vote.

□ 1740

Mr. MULVANEY changed his vote from “aye” to “no.”

Messrs. DUNCAN of South Carolina and WESTMORELAND changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR.

WESTMORELAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 183, not voting 7, as follows:

[Roll No. 557]

AYES—241

Adams	Boren	Coble
Aderholt	Boustany	Coffman (CO)
Akin	Brady (TX)	Cole
Alexander	Brooks	Conaway
Altmire	Buchanan	Costa
Austria	Bucshon	Cravaack
Bachmann	Buerkle	Crawford
Bachus	Burgess	Crenshaw
Barletta	Burton (IN)	Cuellar
Bartlett	Calvert	Culberson
Barton (TX)	Camp	Davis (KY)
Bass (NH)	Campbell	Denham
Berg	Canseco	Dent
Biggett	Capito	DesJarlais
Bilirakis	Cardoza	Diaz-Balart
Bishop (UT)	Carter	Dold
Black	Cassidy	Dreier
Blackburn	Chabot	Duffy
Bonner	Chaffetz	Duncan (SC)
Bono Mack	Chandler	Duncan (TN)

Ellmers Lamborn
 Farenthold Lance
 Fincher Landry
 Fitzpatrick Lankford
 Flake Latham
 Fleischmann LaTourrette
 Fleming Latta
 Flores Lewis (CA)
 Forbes LoBiondo
 Fortenberry Long
 Foxx Lucas
 Franks (AZ) Luetkemeyer
 Frelinghuysen Lummis
 Gardner Lungren, Daniel
 Garrett E.
 Gerlach Manzullo
 Gibbs Marchant
 Gibson Marino
 Gingrey (GA) Matheson
 Gohmert McCarthy (CA)
 Goodlatte McCaul
 Gosar McCotter
 Gowdy McHenry
 Granger McKeon
 Graves (GA) McKinley
 Graves (MO) McMorris
 Griffin (AR) Rodgers
 Griffith (VA) Meehan
 Grimm Mica
 Guinta Miller (FL)
 Guthrie Miller (MI)
 Hall Miller, Gary
 Hanna Mulvaney
 Harper Murphy (PA)
 Harris Myrick
 Hartzler Neugebauer
 Hastings (WA) Noem
 Hayworth Nugent
 Heck Nunes
 Hensarling Nunnelee
 Herger Olson
 Herrera Beutler Owens
 Hochul Palazzo
 Huelskamp Paul
 Huizenga (MI) Paulsen
 Hultgren Pearce
 Hunter Pence
 Hurt Petri
 Issa Pitts
 Jenkins Platts
 Johnson (IL) Poe (TX)
 Johnson (OH) Pompeo
 Johnson, Sam Posey
 Jordan Price (GA)
 Kelly Quayle
 King (IA) Reed
 King (NY) Rehberg
 Kingston Reichert
 Kinzinger (IL) Renacci
 Kline Ribble
 Labrador Richmond

NOES—183

Ackerman Conyers
 Amash Cooper
 Andrews Costello
 Baca Courtney
 Baldwin Critz
 Barrow Crowley
 Bass (CA) Cummings
 Becerra Davis (CA)
 Benishek Davis (IL)
 Berkley DeFazio
 Berman DeGette
 Bilbray DeLauro
 Bishop (GA) Dicks
 Bishop (NY) Dingell
 Blumenauer Doggett
 Boswell Donnelly (IN)
 Brady (PA) Doyle
 Braley (IA) Edwards
 Brown (GA) Ellison
 Brown (FL) Emerson
 Butterfield Engel
 Capps Eshoo
 Capuano Farr
 Carnahan Fattah
 Carney Filner
 Carson (IN) Frank (MA)
 Castor (FL) Fudge
 Chu Gallegly
 Cicilline Garamendi
 Clarke (MI) Gonzalez
 Clarke (NY) Green, Al
 Clay Green, Gene
 Cleaver Grijalva
 Clyburn Gutierrez
 Cohen Hanabusa
 Connolly (VA) Hastings (FL)

Rigell Rivera
 Roby Roby
 Roe (TN) Roe
 Rogers (AL) Rogers
 Rogers (KY) Rogers
 Rogers (MI) Rogers
 Rohrabacher Rohrabacher
 Rokita Rokita
 Rooney Rooney
 Ros-Lehtinen Ros
 Roskam Roskam
 Ross (AR) Ross
 Ross (FL) Ross
 Royce Royce
 Runyan Runyan
 Ryan (WI) Ryan
 Scalise Scalise
 Schilling Schilling
 Schmidt Schmidt
 Schock Schock
 Schrader Schrader
 Schweikert Schweikert
 Scott (SC) Scott
 Scott, Austin Scott
 Sensenbrenner Sensenbrenner
 Sessions Sessions
 Shimkus Shimkus
 Shuster Shuster
 Simpson Simpson
 Smith (NE) Smith
 Smith (NJ) Smith
 Smith (TX) Smith
 Southernland Southernland
 Stearns Stearns
 Stivers Stivers
 Stutzman Stutzman
 Sullivan Sullivan
 Terry Terry
 Thompson (PA) Thompson
 Thornberry Thornberry
 Tiberi Tiberi
 Tipton Tipton
 Turner Turner
 Upton Upton
 Walberg Walberg
 Walsh (IL) Walsh
 Webster Webster
 West West
 Westmoreland Westmoreland
 Whitfield Whitfield
 Wilson (SC) Wilson
 Wittman Wittman
 Wolf Wolf
 Womack Womack
 Woodall Woodall
 Yoder Yoder
 Young (AK) Young
 Young (FL) Young
 Young (IN) Young

Markey Markey
 Matsui Matsui
 McCarthy (NY) McCarthy
 McClintock McClintock
 McCollum McCollum
 McDermott McDermott
 McGovern McGovern
 McIntyre McIntyre
 McNeerney McNeerney
 Meeks Meeks
 Michaud Michaud
 Miller (NC) Miller
 Miller, George Miller
 Moore Moore
 Moran Moran
 Murphy (CT) Murphy
 Nadler Nadler
 Napolitano Napolitano
 Neal Neal
 Oliver Oliver
 Pallone Pallone
 Pascrell Pascrell
 Pastor (AZ) Pastor
 Perlmutter Perlmutter
 Peters Peters
 Peterson Peterson

Cantor
 Deutch
 Giffords

Pingree (ME) Pingree
 Polis Polis
 Price (NC) Price
 Quigley Quigley
 Rahall Rahall
 Rangel Rangel
 Reyes Reyes
 Richardson Richardson
 Rothman (NJ) Rothman
 Roybal-Allard Roybal-Allard
 Ruppersberger Ruppersberger
 Rush Rush
 Ryan (OH) Ryan
 Sanchez, Linda Sanchez
 T. T.
 Sanchez, Loretta Sanchez
 Sarbanes Sarbanes
 Schakowsky Schakowsky
 Schiff Schiff
 Schwartz Schwartz
 Scott (VA) Scott
 Scott, David Scott
 Serrano Serrano
 Sewell Sewell
 Sherman Sherman
 Shuler Shuler

NOT VOTING—7

Hinchey
 Hoyer
 Payne

Sires Sires
 Slaughter Slaughter
 Smith (WA) Smith
 Speier Speier
 Stark Stark
 Sutton Sutton
 Thompson (CA) Thompson
 Thompson (MS) Thompson
 Tierney Tierney
 Tonko Tonko
 Towns Towns
 Tsongas Tsongas
 Van Hollen Van Hollen
 Velázquez Velázquez
 Visclosky Visclosky
 Walz (MN) Walz
 Wasserman Wasserman
 Schultz Schultz
 Waters Waters
 Watt Watt
 Waxman Waxman
 Welch Welch
 Wilson (FL) Wilson
 Woolsey Woolsey
 Wu Wu
 Yarmuth Yarmuth

Pelosi

Hall
 Hanna
 Harper
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Herger
 Herrera Beutler
 Higgins
 Hochul
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson, Sam
 Jones
 Jordan
 Kelly
 King (IA)
 Kingston
 Kline
 Labrador
 Lamborn
 Lance
 Latta
 Lewis (CA)
 Long
 Lucas
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant

Marino
 Matheson
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McKeon
 McMorris
 Rodgers
 Meehan
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney
 Myrick
 Neugebauer
 Nugent
 Nunes
 Nunnelee
 Olson
 Paul
 Paulsen
 Pearce
 Pence
 Petri
 Pitts
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Reichert
 Ribble
 Roby
 Roe (TN)
 Rogers (KY)

NOES—238

DeFazio
 DeGette
 DeLauro
 Denham
 Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Edwards
 Engel
 Eshoo
 Farr
 Fattah
 Filner
 Fincher
 Fitzpatrick
 Forbes
 Frank (MA)
 Fudge
 Garamendi
 Gonzalez
 Green, Al
 Green, Gene
 Grijalva
 Guthrie
 Gutierrez
 Hanabusa
 Harris
 Hastings (FL)
 Hensarling
 Himes
 Hinojosa
 Hirono
 Holden
 Holt
 Honda
 Inslee
 Israel
 Jackson (IL)
 Jackson Lee
 (TX)
 Johnson (GA)
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Kaptur
 Keating
 Kildee
 Kind
 Kinzinger (IL)
 Kucinich
 Landry

Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ross (FL)
 Royce
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott, Austin
 Sensenbrenner
 Sessions
 Smith (NE)
 Southernland
 Stearns
 Stutzman
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 Westmoreland
 Whitfield
 Wilson (SC)
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (IN)

Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourrette
 Lee (CA)
 Levin
 Lewis (GA)
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Luetkemeyer
 Lujan
 Lynch
 Maloney
 Markey
 Matsui
 McCarthy (NY)
 McCollum
 McDermott
 McGovern
 McIntyre
 McKinley
 McNeerney
 Meeks
 Michaud
 Miller (NC)
 Miller, George
 Moore
 Moran
 Murphy (CT)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Noem
 Oliver
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Payne
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reed
 Rehberg
 Renacci

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining in this vote.

□ 1744

So the amendment was agreed to.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 20 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 238, not voting 7, as follows:

[Roll No. 558]
 AYES—186

Adams
 Aderholt
 Akin
 Altmire
 Amash
 Bachmann
 Bachus
 Barton (TX)
 Bass (NH)
 Benishek
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Bono Mack
 Boustany
 Brady (TX)
 Brooks
 Brown (GA)
 Buchanan
 Burgess
 Burton (IN)
 Calvert

Camp
 Campbell
 Canseco
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)
 Cole
 Conaway
 Cravaack
 Crawford
 Culberson
 Dent
 DesJarlais
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Flake
 Fleischmann

Fleming
 Flores
 Fortenberry
 Foxx
 Franks (AZ)
 Frelinghuysen
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta

Carson (IN)
 Castor (FL)
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Crensshaw
 Critz
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)

Reyes	Scott (SC)	Tonko	Holt	Michaud	Schiff	Ribble	Schweikert	Thompson (PA)
Richardson	Scott (VA)	Towns	Honda	Miller (MI)	Schrader	Rivera	Scott (SC)	Thornberry
Richmond	Scott, David	Tsongas	Inlee	Miller (NC)	Schwartz	Roby	Scott, Austin	Tiberi
Rigell	Serrano	Van Hollen	Israel	Miller, George	Scott (VA)	Roe (TN)	Sensenbrenner	Tipton
Rivera	Sewell	Velázquez	Jackson (IL)	Moore	Scott, David	Rogers (AL)	Sessions	Turner
Rogers (AL)	Sherman	Visclosky	Jackson Lee	Moran	Serrano	Rogers (MI)	Shimkus	Walberg
Ros-Lehtinen	Shimkus	Walz (MN)	(TX)	Murphy (CT)	Sewell	Rohrabacher	Shuler	Walden
Roskam	Shuler	Wasserman	Johnson (GA)	Nadler	Sherman	Rokita	Shuster	Walsh (IL)
Ross (AR)	Shuster	Schultz	Johnson, E. B.	Napolitano	Simpson	Rooney	Smith (NE)	West
Rothman (NJ)	Simpson	Waters	Jones	Neal	Sires	Ros-Lehtinen	Smith (NJ)	Westmoreland
Roybal-Allard	Sires	Watt	Kaptur	Olver	Slaughter	Roskam	Smith (TX)	Whitfield
Runyan	Slaughter	Waxman	Keating	Owens	Stark	Ross (AR)	Smith (WA)	Wilson (SC)
Ruppersberger	Smith (NJ)	Welch	Kildee	Pallone	Sutton	Ross (FL)	Southerland	Womack
Rush	Smith (TX)	West	Kind	Pascrell	Terry	Royce	Speier	Woodall
Ryan (OH)	Smith (WA)	Wilson (FL)	Kissell	Pastor (AZ)	Thompson (CA)	Runyan	Stearns	Yoder
Sánchez, Linda	Speier	Wittman	Kucinich	Peters	Tierney	Ryan (WI)	Stivers	Young (AK)
T.	Stark	Wittman	Peterson	Pingree (ME)	Tonko	Schilling	Stutzman	Young (IN)
Sanchez, Loretta	Stivers	Wolf	Langevin	Platts	Towns	Schmidt	Sullivan	
Sarbanes	Sullivan	Woolsey	Larsen (WA)	Polis	Tsongas	Schock	Thompson (MS)	
Schakowsky	Sutton	Wu	Larson (CT)	Price (NC)	Upton			
Schiff	Thompson (CA)	Yarmuth	Latham	Rahall	Van Hollen			
Schrader	Thompson (MS)	Young (FL)	Lee (CA)	Rangel	Velázquez			
Schwartz	Tierney		Levin	Reyes	Visclosky			
			Lewis (GA)	Richardson	Walz (MN)			
			Lipinski	Richmond	Wasserman			
			Loeb sack	Rigell	Schultz			
			Loefgren, Zoe	Watt	Waters			
			Lowey	Waxman	Webster			
			Lujan	Welch	Wilson (FL)			
			Lynch	Ruppersberger	Wittman			
			Maloney	Rush	Wolf			
			Markey	Ryan (OH)	Woolsey			
			Matsui	Sánchez, Linda	Wu			
			McCarthy (NY)	T.	Yarmuth			
			McCollum	Sanchez, Loretta	Young (FL)			
			McDermott	Sarbanes				
			McGovern	Scalise				
			McNerney	Schakowsky				

NOT VOTING—7

Cantor Giffords Pelosi
Deutch Hinchey
Ellison Hoyer

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1749

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 23 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 230, not voting 9, as follows:

[Roll No. 559]

AYES—192

Ackerman	Chu	Donnelly (IN)
Andrews	Cicilline	Doyle
Baca	Clarke (MI)	Edwards
Baldwin	Clarke (NY)	Ellison
Barrow	Clay	Engel
Barton (TX)	Cleaver	Eshoo
Bass (CA)	Clyburn	Farr
Becerra	Coble	Fattah
Berkley	Cohen	Filner
Berman	Connolly (VA)	Forbes
Bishop (GA)	Conyers	Frank (MA)
Bishop (NY)	Cooper	Fudge
Boren	Costa	Garamendi
Boswell	Courtney	Gibson
Boustany	Critz	Gonzalez
Brady (PA)	Crowley	Green, Al
Braley (IA)	Cuellar	Green, Gene
Brown (FL)	Cummings	Grijalva
Butterfield	Davis (CA)	Gutierrez
Capps	Davis (IL)	Hanabusa
Capuano	DeFazio	Hastings (FL)
Cardoza	DeGette	Higgins
Carnahan	DeLauro	Himes
Carney	Diaz-Balart	Hinojosa
Carson (IN)	Dicks	Hirono
Cassidy	Dingell	Hochul
Castor (FL)	Doggett	Holden

NOES—230

Adams	Farenthold	Lamborn
Aderholt	Fincher	Lance
Akin	Fitzpatrick	Lankford
Alexander	Flake	LaTourette
Altmire	Fleischmann	Latta
Amash	Fleming	Lewis (CA)
Austria	Flores	LoBiondo
Bachmann	Fortenberry	Long
Bachus	Fox	Lucas
Barletta	Franks (AZ)	Luetkemeyer
Bartlett	Frelinghuysen	Lummis
Bass (NH)	Gallegly	Lungren, Daniel
Benishek	Gardner	E.
Berg	Garrett	Mack
Biggart	Gerlach	Manzullo
Bilbray	Gibbs	Marchant
Bilirakis	Gingrey (GA)	Marino
Bishop (UT)	Gohmert	Matheson
Black	Goodlatte	McCarthy (CA)
Blackburn	Gosar	McCaul
Blumenauer	Gowdy	McClintock
Bonner	Granger	McCotter
Bono Mack	Graves (GA)	McHenry
Brady (TX)	Graves (MO)	McIntyre
Brooks	Griffin (AR)	McKeon
Broun (GA)	Griffith (VA)	McKinley
Buchanan	Grimm	McMorris
Bucshon	Guinta	Rodgers
Buerkle	Guthrie	Meehan
Burgess	Hall	Mica
Burton (IN)	Hanna	Miller (FL)
Calvert	Harper	Miller, Gary
Camp	Harris	Mulvaney
Campbell	Hartzler	Murphy (PA)
Canseco	Hastings (WA)	Myrick
Capito	Hayworth	Neugebauer
Carter	Heck	Noem
Chabot	Heinrich	Nugent
Chaffetz	Hensarling	Nunes
Chandler	Herger	Nunnelee
Coffman (CO)	Herrera Beutler	Olson
Cole	Huelskamp	Palazzo
Conaway	Huizenga (MI)	Paul
Costello	Hultgren	Paulsen
Cravaack	Hunter	Pearce
Crawford	Hurt	Pence
Crenshaw	Issa	Perlmutter
Culberson	Jenkins	Petri
Davis (KY)	Johnson (IL)	Pitts
Denham	Johnson (OH)	Poe (TX)
Dent	Johnson, Sam	Pompeo
DesJarlais	Jordan	Posey
Dold	Kelly	Price (GA)
Dreier	King (IA)	Quayle
Duffy	King (NY)	Quigley
Duncan (SC)	Kingston	Reed
Duncan (TN)	Kinzinger (IL)	Rehberg
Ellmers	Kline	Reichert
Emerson	Labrador	Renacci

NOT VOTING—9

Cantor Hinchey Payne
Deutch Hoyer Pelosi
Giffords Meeks Rogers (KY)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1752

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 25 OFFERED BY MRS. MILLER OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mrs. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 38, noes 384, not voting 9, as follows:

[Roll No. 560]

AYES—38

Amash	Goodlatte	Myrick
Bartlett	Graves (GA)	Nunes
Barton (TX)	Hensarling	Paul
Benishek	Higgins	Petri
Broun (GA)	Holden	Price (GA)
Brown (FL)	Huelskamp	Quayle
Chaffetz	Labrador	Rohrabacher
DesJarlais	Lamborn	Royce
Duncan (TN)	Mack	Sensenbrenner
Flake	McClintock	Walsh (IL)
Fox	McHenry	Westmoreland
Franks (AZ)	Miller (MI)	Woodall
Gallegly	Mulvaney	

NOES—384

Ackerman	Becerra	Boswell
Adams	Berg	Boustany
Aderholt	Berkley	Brady (PA)
Akin	Berman	Brady (TX)
Alexander	Biggart	Braley (IA)
Altmire	Bilbray	Brooks
Andrews	Bilirakis	Buchanan
Austria	Bishop (GA)	Bucshon
Baca	Bishop (NY)	Buerkle
Bachmann	Bishop (UT)	Burgess
Bachus	Black	Burton (IN)
Baldwin	Blackburn	Butterfield
Barletta	Blumenauer	Calvert
Barrow	Bonner	Camp
Bass (CA)	Bono Mack	Campbell
Bass (NH)	Boren	Capito

Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Carson (IN)
 Carter
 Cassidy
 Castor (FL)
 Chabot
 Chandler
 Chu
 Cicilline
 Clarke (MI)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Coble
 Coffman (CO)
 Cohen
 Cole
 Conaway
 Connolly (VA)
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cravaack
 Crawford
 Crenshaw
 Critz
 Crowley
 Cuellar
 Culberson
 Cummings
 Davis (CA)
 Davis (IL)
 Davis (KY)
 DeFazio
 DeGette
 DeLauro
 Denham
 Dent
 Diaz-Balart
 Dicks
 Dingell
 Doggett
 Dold
 Donnelly (IN)
 Doyle
 Dreier
 Duffy
 Duncan (SC)
 Edwards
 Ellison
 Ellmers
 Emerson
 Engel
 Eshoo
 Farenthold
 Farr
 Fattah
 Filner
 Fincher
 Fitzpatrick
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Frank (MA)
 Frelinghuysen
 Fudge
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gonzalez
 Gosar
 Gowdy
 Granger
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grijalva
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hall
 Hanabusa
 Hanna

Harper
 Harris
 Hartzler
 Hastings (FL)
 Hastings (WA)
 Hayworth
 Heck
 Heinrich
 Herger
 Herrera Beutler
 Himes
 Hinojosa
 Hirono
 Hochul
 Holt
 Honda
 HuiZENga (MI)
 Hultgren
 Hunter
 Hurt
 Inslee
 Israel
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, E. B.
 Johnson, Sam
 Jones
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Kucinich
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Lee (CA)
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 LoebSack
 Lofgren, Zoe
 Long
 Lowey
 Lucas
 Luetkemeyer
 Lujan
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Maloney
 Manzullo
 Marchant
 Marino
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul
 McCollum
 McCotter
 McDermott
 McGovern
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNeerney
 Meehan
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (NC)
 Miller, Gary
 Miller, George

Moore
 Moran
 Murphy (CT)
 Murphy (PA)
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunnelee
 Olson
 Oliver
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Payne
 Pearce
 Pence
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Ribble
 Richardson
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Runyan
 Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Speier
 Stark
 Stearns

Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas

Turner
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Welch

West
 Whitfield
 Wilson (FL)
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woolsey
 Wu
 Yarmuth
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

NOT VOTING—9
 Canseco
 Cantor
 Deutch
 Giffords
 Gohmert
 Hinchey
 Hoyer
 Johnson (GA)
 Pelosi

ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining in this vote.

□ 1756
 The amendment was rejected.
 The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. HULTGREN).
 The question is on the committee amendment in the nature of a substitute, as amended.
 The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.
 Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. HULTGREN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1309) to extend the authorization of the national flood insurance program, to achieve reforms to improve the financial integrity and stability of the program, and to increase the role of private markets in the management of flood insurance risk, and for other purposes, and, pursuant to House Resolution 340, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.
 The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT
 Mr. BOSWELL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BOSWELL. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:
 Mr. BOSWELL moves to recommit the bill, H.R. 1309, to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 57, after line 2, insert the following new sections:

SEC. 14. SENSE OF CONGRESS REGARDING RELIEF FOR 2011 FLOOD VICTIMS.

(a) FINDINGS.—The Congress finds the following:

- (1) The flood disasters and emergencies of 2011 have been unprecedented.
- (2) Such flood disasters and emergencies cover 696 counties in 29 States.
- (3) The President has declared a major disaster from flooding in 2011 for 26 counties in Louisiana, 32 counties in Indiana, 34 counties in Montana, 7 counties in Vermont, 23 counties in New York, 3 counties in Alaska, 21 counties in Illinois, 16 counties in Oklahoma, 6 counties in Idaho, 37 counties in South Dakota, 48 counties in Mississippi, 34 counties in Minnesota, 47 counties in North Dakota, 38 counties in Missouri, 64 counties in Tennessee, 76 counties in Kentucky, 57 counties in Arkansas, 23 counties in Georgia, 67 counties in Alabama, 20 counties in North Carolina, 13 counties in California, 3 counties in Hawaii, 8 counties in Oregon, 7 counties in Washington, 3 counties in Utah, and 3 counties in Maine.
- (4) The President has declared an emergency from flooding in 2011 for 28 counties in Missouri, 4 counties in Kansas, 18 counties in Nebraska, 26 counties in Louisiana, 4 counties in Tennessee, 14 counties in Mississippi, and 22 counties in North Dakota.

(b) PURPOSE.—It is the sense of the Congress that relief should be provided in the form of grants to families in areas affected by flooding to repair damage to their homes and in the form of assurances that such homeowners are not subjected to additional flood insurance premium increases as they struggle in the aftermath of disaster recovery.

SEC. 15. EMERGENCY AID TO ASSIST 2011 FLOOD VICTIMS.

(a) ASSISTANCE WITH INCREASED COST OF COMPLIANCE.—Subsection (b) of section 1304 of the National Flood Insurance Act of 1968 (42 U.S.C. 4011(b)) is amended—

- (1) in paragraph (3), by striking the period at the end and inserting a semicolon;
- (2) in paragraph (4), by striking the period at the end and inserting “; and”; and
- (3) by adding at the end the following new paragraph:

“(5) properties for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.”.

(b) GRANTS.—

(1) AUTHORITY.—Chapter I of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

“SEC. 1326. GRANTS FOR REPAIRING FLOOD DAMAGE TO HOMES IN DISASTER AREAS.

“(a) AUTHORITY.—The Administrator may make grants under this section to owners of qualified residences for costs of repairing damage to such residences caused by flooding for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2011.

“(b) TERMS.—The Administrator shall issue such regulations as may be necessary to establish appropriate limitations and terms regarding grants under this section, which may include limitations and terms regarding the amount of grants, avoiding duplication of reimbursement for damages, use

of grant amounts, and such other issues as the Administrator considers appropriate.

“(C) QUALIFIED RESIDENCE.—For purposes of this section, the term ‘qualified residence’ means a residential structure that—

“(1) consists of from 1 to 4 dwelling units;

“(2) is located within the area for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act as a result of flooding; and

“(3) is covered, upon issuance of such declaration, by a contract for flood insurance coverage under this title.”

(2) AVAILABILITY OF NATIONAL FLOOD INSURANCE FUND.—Section 1310(a) of the National Flood Insurance Act of 1968 (42 U.S.C. 4017), as amended by the preceding provisions of this Act, is further amended—

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

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

(C) by adding at the end the following new paragraph:

“(8) for grants under section 1326.”

Page 21, line 22, strike the closing quotation marks and the last period.

Page 21, after line 22, insert the following new paragraph:

“(5) TOLLING OF PERIODS AFTER DISASTERS.—In the case of any covered property that is subject under subsection (i) to a prohibition on increases in chargeable risk premium rates, any 12-month period applicable to such covered property under paragraph (1), (2), or (3) shall be tolled for the duration of the 36-month period applicable to such covered property under subsection (i), and any increases in risk premium rates otherwise effective upon expiration of any of such 12-month periods shall take effect upon the expiration of such periods as resumed after such tolling.”

Page 27, after line 11, insert the following new subsection:

(e) RELIEF FROM PREMIUM INCREASES TO ASSIST 2011 FLOOD VICTIMS.—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—

(1) in subsection (c), in the matter that precedes paragraph (1), as amended by the preceding provisions of this Act, by inserting “, and subsection (i)” after “subsection (g)”;

(2) by adding at the end the following new subsection:

“(i) RELIEF FROM PREMIUM INCREASES TO ASSIST 2011 FLOOD VICTIMS.—Subject to subsection (h) and notwithstanding any other provision of law relating to chargeable risk premium rates for flood insurance coverage under this title, in the case of any area for which a major disaster or emergency has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2011, as a result of flooding, the chargeable risk premium rates for flood insurance coverage under this title for any structure located within such area upon the issuance of such declaration may not be increased at any time during the 36-month period beginning upon issuance of such declaration.”

Page 27, line 12, strike “(e)” and insert “(f)”.

Page 19, line 22, strike “and” and insert a comma.

Page 20, lines 3 and 4, strike “Notwithstanding” and insert the following: “Subject only to subsections (h) and (i) and notwithstanding”.

Mr. BOSWELL (during the reading). Mr. Speaker, I ask unanimous consent to dispense with further reading.

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

Mr. DOLD. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

Mr. DOLD (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Iowa is recognized for 5 minutes.

Mr. BOSWELL. Thank you, Mr. Speaker.

At the outset, let me say this amendment does not—repeat, does not—kill the underlying bill.

Mr. Speaker, our Nation has been hit by devastating and unprecedented flooding this past spring that has displaced and damaged homes in 29 States and nearly 700 counties. That is right. Nearly three-fifths of the States in this country, 60 percent, have counties that have been declared emergency areas by the President. I would like to insert into the RECORD the list of States and counties that have been hit by the floods of 2011.

In my home State of Iowa, right as we stand here in this Chamber, we are seeing flooding as the Missouri River rises on the western border. Just last week, the Department of Agriculture declared Fremont, Harrison, Mills, Monona, Pottawattamie, and Woodbury Counties in Iowa as agriculture disaster areas. Farmers, homeowners, and small business owners are seeing their lives and their very livelihoods quite literally being washed away. As I talk to mayors, county supervisors, and my friends across the State who are being affected, they want to know if their government, this Congress, will stand with them in their time of dire need. We need to step up to the plate and help these flood victims rebuild their lives and repair the damage, and they should not be subjected to premium increases as they struggle to get back on their feet.

This final amendment helps flood victims in three important ways:

First, this amendment builds on a bipartisan program that was established in 1994 following the devastating Midwestern floods by reimbursing a flood policyholder for the cost of rebuilding a flood-damaged structure as needed to comply with State and local floodplain management laws.

Second, this amendment provides a new important tool to aid victims of the 2011 floods by giving the agency discretion to provide grants to homeowners to repair flood damage.

Third, this amendment provides a temporary reprieve from any increases in flood insurance premiums for policyholders as they struggle to rebuild their homes and their lives. It does so by suspending any increases in flood insurance premiums for a period of 36 months—we’re talking about in-

creases—for policyholders located in areas designated by the President as a major disaster or emergency.

Importantly, this amendment accomplishes this in a responsible way by limiting such assistance to homeowners with existing flood policies. It rewards those who have obtained flood insurance and have paid into the Flood Insurance Fund. This amendment is consistent with the underlying policy of this bill by encouraging homeowners to obtain flood insurance, and by placing the program on stronger financial footing through a responsible phase-in of risk premium rates to full actuarial rates.

In past years, Congress has stepped up to the plate and provided assistance to victims of natural disasters. That is what epitomizes our great country and its spirit. Yet this Congress has shown a disregard for flood victims at a time when we are struggling to recover from the worst financial crisis since the Great Depression. Yes, we are a country marked by individual initiative, but we are also a country of compassion.

□ 1810

This final amendment is not a hand-out. It provides immediate assistance and relief to those homeowners who have paid into the Flood Insurance Fund. The Flood Insurance Fund is paid through premiums and fees paid by policyholders, not the taxpayer.

I urge my colleagues to read the list of 29 States and 696 counties that have been hit by these devastating floods and join me in providing swift and immediate assistance to your constituents. These are your friends, your neighbors; and they are asking for your help. So I ask you to stand with them, and I ask my colleagues to do the same.

Vote “yes” on this final amendment; and, remember, it does not kill the underlying bill.

STATEMENT OF REP. LEONARD L. BOSWELL TO ACCOMPANY THE MOTION TO RECOMMEND THE BILL, H.R. 1309 WITH INSTRUCTIONS

According to the Federal Emergency Management Agency, there have been a total of 696 counties in 29 states for which a Major Disaster or Emergency has been declared. There is some overlap of states for which a major disaster and emergency have been declared and some overlap of counties for which a major disaster and emergency have been declared. Below is a breakdown of the affected counties and states by major disaster and by emergency.

26 STATES FOR WHICH A MAJOR DISASTER HAS BEEN DECLARED IN 2011 FOR FLOODING*

Alabama, Alaska, Arkansas, California, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Minnesota, Mississippi, Missouri, Montana, New York, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Tennessee, Utah, Vermont, Washington

696 COUNTIES IN 26 STATES COVERED BY A MAJOR DISASTER DECLARATION IN 2011 FOR FLOODING*

Alabama Counties

Autauga County, Baldwin County, Barbour County, Bibb County, Blount County, Bullock County, Butler County, Calhoun County, Chambers County, Cherokee County,

Chilton County, Choctaw County, Clarke County, Clay County, Cleburne County, Coffee County, Colbert County, Conecuh County, Coosa County, Covington County, Crenshaw County, Cullman County, Dale County, Dallas County, DeKalb County, Elmore County, Escambia County, Etowah County, Fayette County, Franklin County, Geneva County, Greene County, Hale County, Henry County, Houston County, Jackson County, Jefferson County, Lamar County, Lauderdale County, Lawrence County, Lee County, Limestone County, Lowndes County, Macon County, Madison County, Marengo County, Marion County, Marshall County, Mobile County, Monroe County, Montgomery County, Morgan County, Perry County, Pickens County, Pike County, Randolph County, Russell County, Saint Clair County, Shelby County, Sumter County, Talladega County, Tallapoosa County, Tuscaloosa County, Walker County, Washington County, Wilcox County, and Winston County.

Alaska Counties

Crooked Creek (ANV/ANVSA), Kuspuk Regional Educational Attendance Area, and Red Devil (ANV/ANVSA).

Arkansas Counties

Arkansas County, Baxter County, Benton County, Boone County, Bradley County, Calhoun County, Carroll County, Chicot County, Clark County, Clay County, Cleburne County, Cleveland County, Conway County, Craighead County, Crawford County, Crittenden County, Dallas County, Faulkner County, Franklin County, Fulton County, Garland County, Greene County, Hot Spring County, Howard County, Independence County, Izard County, Jackson County, Johnson County, Lawrence County, Lee County, Lincoln County, Lonoke County, Madison County, Marion County, Mississippi County, Monroe County, Montgomery County, Nevada County, Newton County, Perry County, Phillips County, Pike County, Poinsett County, Polk County, Prairie County, Pulaski County, Randolph County, Saint Francis County, Saline County, Searcy County, Sharp County, Stone County, Van Buren County, Washington County, White County, Woodruff County, and Yell County.

California Counties

Del Norte County, Inyo County, Kern County, Kings County, Monterey County, Orange County, Riverside County, San Bernardino County, San Diego County, San Luis Obispo County, Santa Barbara County, Santa Cruz County, and Tulare County.

Georgia Counties

Bartow County, Catoosa County, Cherokee County, Coweta County, Dade County, Floyd County, Gordon County, Greene County, Harris County, Heard County, Jasper County, Lamar County, Lumpkin County, Meriwether County, Monroe County, Morgan County, Newton County, Pickens County, Rabun County, Spalding County, Troup County, Walker County, and White County.

Hawaii Counties

Hawaii County, Honolulu County, and Maui County.

Idaho Counties and Indian Reservations

Bonner County, Clearwater County, Idaho County, Nez Perce County, Nez Perce Indian Reservation, and Shoshone County.

Illinois Counties

Alexander County, Franklin County, Gallatin County, Hamilton County, Hardin County, Jackson County, Jefferson County, Lawrence County, Marion County, Massac County, Perry County, Pope County, Pulaski County, Randolph County, Saline County, Union County, Wabash County, Washington County, Wayne County, White County, and Williamson County.

Indiana Counties

Benton County, Clark County, Crawford County, Daviess County, Dearborn County, Dubois County, Floyd County, Franklin County, Gibson County, Harrison County, Jackson County, Jefferson County, Jennings County, Knox County, Martin County, Monroe County, Ohio County, Orange County, Parke County, Perry County, Pike County, Posey County, Putnam County, Ripley County, Scott County, Spencer County, Starke County, Sullivan County, Switzerland County, Vanderburgh County, Warrick County, and Washington County.

Iowa Counties

Fremont County, Harrison County, Mills County, Monona County, Pottawattamie County, and Woodbury County.

Kentucky Counties

Anderson County, Ballard County, Bath County, Boone County, Boyd County, Bracken County, Breathitt County, Breckinridge County, Butler County, Caldwell County, Calloway County, Campbell County, Carlisle County, Carroll County, Carter County, Christian County, Clay County, Crittenden County, Daviess County, Edmonson County, Elliott County, Estill County, Fleming County, Floyd County, Frankfort County, Franklin County, Fulton County, Gallatin County, Grant County, Graves County, Grayson County, Green County, Greenup County, Hancock County, Harlan County, Henderson County, Henry County, Hickman County, Hopkins County, Johnson County, Kenton County, Knott County, Lawrence County, Lee County, Lewis County, Livingston County, Logan County, Lyon County, Magoffin County, Marion County, Marshall County, Martin County, Mason County, McCracken County, McLean County, Meade County, Menifee County, Mercer County, Monroe County, Morgan County, Nelson County, Nicholas County, Oldham County, Owen County, Owsley County, Pendleton County, Perry County, Robertson County, Rowan County, Spencer County, Todd County, Trigg County, Trimble County, Union County, Washington County, Webster County, and Wolfe County.

Maine Counties

Aroostook County, Piscataquis County, and Washington County.

Minnesota Counties

Becker County, Beltrami County, Big Stone County, Blue Earth County, Brown County, Carver County, Chippewa County, Clay County, Grant County, Kittson County, Lac qui Parle County, Le Sueur County, Lyon County, Marshall County, McLeod County, Nicollet County, Norman County, Otter Tail County, Polk County, Ramsey County, Red Lake County, Red Lake Indian Reservation, Redwood County, Renville County, Roseau County, Scott County, Sibley County, Stevens County, Swift County, Traverse County, Washington County, Wilkin County, Wright County, and Yellow Medicine County.

Mississippi Counties

Adams County, Alcorn County, Attala County, Benton County, Bolivar County, Calhoun County, Carroll County, Chickasaw County, Choctaw County, Claiborne County, Clarke County, Clay County, Coahoma County, DeSoto County, Greene County, Hinds County, Holmes County, Humphreys County, Issaquena County, Itawamba County, Jasper County, Jefferson County, Kemper County, Lafayette County, Lee County, Marshall County, Monroe County, Montgomery County, Neshoba County, Newton County, Noxubee County, Panola County, Prentiss County, Quitman County, Scott County, Sharkey County, Smith County, Tate County, Tippah County, Tishomingo County,

Tunica County, Union County, Warren County, Washington County, Webster County, Wilkinson County, Winston County, and Yazoo County.

Missouri Counties

Barry County, Bollinger County, Butler County, Cape Girardeau County, Carter County, Christian County, Douglas County, Dunklin County, Howell County, Iron County, Jasper County, Madison County, McDonald County, Miller County, Mississippi County, New Madrid County, Newton County, Oregon County, Ozark County, Pemiscot County, Perry County, Pettis County, Polk County, Reynolds County, Ripley County, Saint Francois County, Saint Louis County, Sainte Genevieve County, Scott County, Shannon County, Stoddard County, Stone County, Taney County, Texas County, Washington County, Wayne County, Webster County, and Wright County.

Montana Counties and Indian Reservations

Big Horn County, Blaine County, Broadwater County, Carbon County, Carter County, Cascade County, Chouteau County, Crow Indian Reservation, Custer County, Dawson County, Fallon County, Fergus County, Fort Belknap Indian Reservation, Garfield County, Golden Valley County, Hill County, Judith Basin County, McCone County, Meagher County, Musselshell County, Petroleum County, Phillips County, Powder River County, Prairie County, Rocky Boy's Indian Reservation, Roosevelt County, Rosebud County, Stillwater County, Sweet Grass County, Treasure County, Valley County, Wheatland County, Wibaux County, and Yellowstone County.

New York Counties

Allegany County, Broome County, Chemung County, Chenango County, Clinton County, Delaware County, Essex County, Franklin County, Hamilton County, Herkimer County, Lewis County, Livingston County, Madison County, Niagara County, Oneida County, Onondaga County, Ontario County, Steuben County, Tioga County, Ulster County, Warren County, Wyoming County, and Yates County.

North Carolina Counties

Alamance County, Bertie County, Bladen County, Craven County, Cumberland County, Currituck County, Greene County, Halifax County, Harnett County, Hertford County, Hoke County, Johnston County, Lee County, Onslow County, Pitt County, Robeson County, Sampson County, Tyrrell County, Wake County, and Wilson County.

North Dakota Counties and Indian Reservations

Barnes County, Benson County, Billings County, Bottineau County, Burke County, Burleigh County, Cass County, Cavalier County, Dickey County, Divide County, Eddy County, Fort Berthold Indian Reservation, Foster County, Grand Forks County, Grant County, Griggs County, Kidder County, LaMoure County, Logan County, McHenry County, McIntosh County, McKenzie County, McLean County, Mercer County, Morton County, Mountrail County, Nelson County, Pembina County, Pierce County, Ramsey County, Ransom County, Renville County, Richland County, Rolette County, Sargent County, Sheridan County, Spirit Lake Reservation, Steele County, Stutsman County, Towner County, Traill County, Turtle Mountain Indian Reservation, Walsh County, Ward County, Wells County, and Williams County.

Oklahoma Counties

Adair County, Caddo County, Canadian County, Cherokee County, Delaware County, Grady County, Haskell County, Kingfisher County, Le Flore County, Logan County, McClain County, McIntosh County,

Muskogee County, Okmulgee County, Pittsburg County, and Sequoyah County.

Oregon Counties

Clackamas County, Clatsop County, Coos County, Crook County, Curry County, Douglas County, Lincoln County, and Tillamook County.

South Dakota Counties

Aurora County, Beadle County, Brookings County, Brown County, Buffalo County, Butte County, Charles Mix County, Clark County, Clay County, Codington County, Day County, Deuel County, Edmunds County, Faulk County, Grant County, Hamlin County, Hand County, Hanson County, Hughes County, Hutchinson County, Hyde County, Jackson County, Jerauld County, Kingsbury County, Lake County, Marshall County, Miner County, Moody County, Perkins County, Potter County, Roberts County, Sanborn County, Spink County, Stanley County, Sully County, Union County, and Yankton County.

Tennessee Counties

Benton County, Bledsoe County, Blount County, Bradley County, Campbell County, Carroll County, Chester County, Cocke County, Crockett County, Davidson County, Decatur County, Dickson County, Dyer County, Fayette County, Fentress County, Franklin County, Gibson County, Giles County, Grainger County, Greene County, Hamilton County, Hardeman County, Hardin County, Henderson County, Henry County, Hickman County, Houston County, Humphreys County, Jackson County, Jefferson County, Johnson County, Knox County, Lake County, Lauderdale County, Lawrence County, Lewis County, Lincoln County, Loudon County, Madison County, Marion County, Marshall County, McMinn County, McNairy County, Monroe County, Montgomery County, Moore County, Morgan County, Obion County, Perry County, Pickett County, Polk County, Rhea County, Scott County, Sequatchie County, Shelby County, Smith County, Stewart County, Sullivan County, Sumner County, Tipton County, Union County, Washington County, Wayne County, and Weakley County.

Utah Counties

Garfield County, Kane County, and Washington County.

Vermont Counties

Addison County, Chittenden County, Essex County, Franklin County, Grand Isle County, Lamoille County, and Orleans County.

Washington Counties

King County, Kittitas County, Klickitat County, Lewis County, Skagit County, Skamania County, and Wahkiakum County.

7 STATES FOR WHICH AN EMERGENCY HAS BEEN DECLARED IN 2011 FOR FLOODING*

Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Tennessee

116 COUNTIES IN 7 STATES COVERED BY EMERGENCY DECLARATION IN 2011 FOR FLOODING*

Kansas Counties

Atchison County, Doniphan County, Leavenworth County, and Wyandotte County.

Louisiana Counties

Ascension Parish, Assumption Parish, Avoyelles Parish, Catahoula Parish, Concordia Parish, East Baton Rouge Parish, East Carroll Parish, East Feliciana Parish, Franklin Parish, Iberia Parish, Iberville Parish, La Salle Parish, Lafourche Parish, Madison Parish, Pointe Coupee Parish, Richland Parish, Saint Charles Parish, Saint James Parish, Saint John the Baptist Parish, Saint Landry Parish, Saint Martin Parish, Saint Mary Parish, Tensas Parish, Terrebonne Parish, West Baton Rouge Parish, and West Feliciana Parish.

Mississippi Counties

Adams County, Bolivar County, Claiborne County, Coahoma County, DeSoto County, Humphreys County, Issaquena County, Jefferson County, Sharkey County, Tunica County, Warren County, Washington County, Wilkinson County, and Yazoo County.

Missouri Counties

Andrew County, Atchison County, Boone County, Buchanan County, Callaway County, Carroll County, Chariton County, Clark County, Clay County, Cole County, Cooper County, Franklin County, Gasconade County, Holt County, Howard County, Jackson County, Lafayette County, Lewis County, Moniteau County, Montgomery County, Osage County, Platte County, Ray County, Saint Charles County, Saint Louis, Saint Louis County, Saline County, and Warren County.

Nebraska Counties

Boyd County, Burt County, Cass County, Cedar County, Dakota County, Dixon County, Douglas County, Garden County, Knox County, Lincoln County, Morrill County, Nemaha County, Otoe County, Richardson County, Sarpy County, Scotts Bluff County, Thurston County, and Washington County.

North Dakota Counties

Barnes County, Benson County, Burleigh County, Cass County, Eddy County, Emmons County, Grand Forks County, McLean County, Mercer County, Morton County, Nelson County, Oliver County, Pembina County, Ramsey County, Ransom County, Richland County, Sioux County, Standing Rock Indian Reservation (also SD), Towner County, Traill County, Walsh County, and Ward County.

Tennessee Counties

Dyer County, Lake County, Shelby County, and Stewart County.

*Data is based on information publicly available on the Federal Agency Management Association (FEMA) website at: <http://www.fema.gov/news/disasters.fema>.

I yield back the balance of my time. Mr. DOLD. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. DOLD. Mr. Speaker, I rise in strong opposition to this motion to recommit, and I must say that I'm very disappointed in my friends on the other side of the aisle for offering up yet another politically motivated motion, especially considering that the flood insurance bill passed out of the Financial Services Committee 54-0; 54-0 out of the Financial Services Committee.

On top of that, we spent the majority of today debating the bill before the House and entertaining some 25 motions and amendments to the bill. The motion to recommit cynically undermines the broad bipartisan cooperation I have been pleased to see throughout this legislative process.

Mr. Speaker, this is exactly the type of political bickering that the American people have loudly rejected. This circumvents the flood insurance program. It is actually a disservice to the people who you are attempting to try to help. The point of flood insurance is to prevent assistance packages like this and should be taken up in regular order. We have no idea of the cost of the new grants, the new programs, and

the new spending in this disaster relief package.

It prohibits us from charging actuarial rates. What the flood insurance bill tries to do is infuse more private sector solutions, put in a new map, and provide actuarial rates which will help benefit the American public. Over 5 million residents and commercial properties rely on flood insurance today; 20,000 American communities rely on it. We must make sure that this flood insurance bill goes through, not circumvent the process with some disaster relief package.

This is an attempt to have an insurance program without paying the premiums. Frankly, we can't afford to do that. I would urge my colleagues, especially those on the Financial Services Committee who again passed it out of committee 54-0, to vote "no" on this motion to recommit.

I want to thank the chairmen, Chairman BIGGERT and the chairman of the full committee, Chairman BACHUS, and also the ranking member, Mr. FRANK, and the ranking member in the subcommittee, Ms. WATERS, for their leadership. What we don't need now is to have the other side try to circumvent this process with a disaster relief bill.

I urge my colleagues on this side and that side to support the underlying bill and reject the motion to recommit.

I yield back the balance of my time. The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BOSWELL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered; and the motion to suspend the rules on H.R. 2417.

The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 6, as follows:

[Roll No. 561]

AYES—181

Ackerman	Carney	Davis (CA)
Altmire	Carson (IN)	Davis (IL)
Andrews	Castor (FL)	DeGette
Baca	Chandler	DeLauro
Baldwin	Chu	Dicks
Barrow	Cicilline	Dingell
Bass (CA)	Clarke (MI)	Doggett
Becerra	Clarke (NY)	Donnelly (IN)
Berkley	Clay	Doyle
Berman	Cleaver	Edwards
Bishop (GA)	Clyburn	Ellison
Bishop (NY)	Cohen	Engel
Boren	Connolly (VA)	Eshoo
Boswell	Conyers	Farr
Brady (PA)	Cooper	Fattah
Braley (IA)	Costello	Filner
Brown (FL)	Courtney	Frank (MA)
Butterfield	Critz	Fudge
Capps	Crowley	Garamendi
Carnahan	Cummings	Gonzalez

Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
King (IA)
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Latham
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lowey
Lujan
Lynch

Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Schiff
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)

Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stivers

Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Waters
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Connaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes

Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick

Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Oliver
Owens
Pallazzo
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Pingree (ME)
Price (GA)
Price (NC)
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier
Stark
Stearns

NOT VOTING—6

Deutch
Giffords
Himes
Hinchev
Rush
Stearns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (Mr. WEBSTER) (during the vote). There are 2 minutes remaining in this vote.

□ 1831

Mr. COSTA changed his vote from “aye” to “no.”

Mr. BUTTERFIELD changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. STEARNS. Mr. Speaker, on rollcall No. 561 I was unavoidably detained. Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. WATERS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 406, noes 22, not voting 3, as follows:

[Roll No. 562]

AYES—406

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggert
Billray
Bilirakis
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capuano
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)

DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp

Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
LaTourette
Latta
Lewis (CA)
LoBiondo
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McGovern
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Berg
Berkeley
Berman
Biggert

Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Brady (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)

Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay

Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes

Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick

Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas

Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Welch

West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)
Young (IN)

Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)

Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Rehberg

Renacci
Ribble
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters

Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Reyes
Richardson
Richmond
Rigell
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman

Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—22

Amash
Benishek
Broun (GA)
Chaffetz
Duncan (TN)
Flake
Franks (AZ)
Gallegly

Graves (GA)
Higgins
Huelskamp
Labrador
Mack
McClintock
Miller (MI)
Paul

Petri
Quayle
Rohrabacher
Sensenbrenner
Walsh (IL)
Yoder

NOT VOTING—3

Deutch Giffords Hinchey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1839

So the bill was passed.
The result of the vote was announced as above recorded.
A motion to reconsider was laid on the table.

BETTER USE OF LIGHT BULBS ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on the motion to suspend the rules previously postponed.

The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2417) to repeal certain amendments to the Energy Policy and Conservation Act with respect to lighting energy efficiency, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.
The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BARTON) that the House suspend the rules and pass the bill.

This is a 5-minute vote.
The vote was taken by electronic device, and there were—yeas 233, nays 193, answered “present” 1, not voting 4, as follows:

[Roll No. 563]
YEAS—233

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilirakis
Black
Blackburn
Bonner

Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter

Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold

NAYS—193

Ackerman
Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bilbray
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)

Conyers
Cooper
Costa
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Garrett
Gonzalez
Green, Al
Green, Gene
Griffith (VA)
Grijalva
Gutierrez
Hanabusa

Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeback
Lofgren, Zoe
Lowey

ANSWERED “PRESENT”—1

Bishop (UT)

NOT VOTING—4

Bishop (GA)
Deutch

Giffords
Hinchey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There is 1 minute remaining in this vote.

□ 1845

So (two-thirds not being in the affirmative) the motion was rejected.
The result of the vote was announced as above recorded.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2018, CLEAN WATER COOPERATIVE FEDERALISM ACT OF 2011

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-144) on the resolution (H. Res. 347) providing for consideration of the bill (H.R. 2018) to amend the Federal Water Pollution Control Act to preserve the authority of each State to make determinations relating to the State’s water quality standards, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, I was on official business on last Friday, July 8, with the privilege of seeing the last shuttle launch in Florida, the Atlantis, a very important issue for my congressional district and, I might say, a mighty, magnificent expression of American genius.

Because of that, I missed the following roll call votes on Thursday, July 7, which I would like to submit into the RECORD. I will read them very briefly. For roll call vote No. 521—and these were under the Defense appropriations bill—I would have voted “yes.” For roll call vote 522, I would have voted “no.” Roll call vote 523, I