

115TH CONGRESS
2D SESSION

H. R. 5559

To transfer functions related to the preparation of flood maps from the Administrator of the Federal Emergency Management Agency to the Director of the United States Geological Survey, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2018

Mr. CRAWFORD introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To transfer functions related to the preparation of flood maps from the Administrator of the Federal Emergency Management Agency to the Director of the United States Geological Survey, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Scientific Flood Map-
5 ping Act”.

1 **SEC. 2. TRANSFER OF FUNCTIONS RELATED TO PREPARA-**
2 **TION OF FLOOD MAPS.**

3 (a) **TRANSFER PLAN.**—Not later than 6 months after
4 the date of the enactment of this Act the Administrator
5 of the Federal Emergency Management Agency and the
6 Director of the United States Geological Survey shall—

7 (1) jointly prepare a report describing the proc-
8 ess by which the Administrator of the Federal
9 Emergency Management Agency shall transfer to
10 the Director of the United States Geological Survey
11 of the Department of the Interior all functions re-
12 lated to the preparation of flood maps as required
13 under section 1360 of the National Flood Insurance
14 Act of 1968 (42 U.S.C. 4101) that the Adminis-
15 trator of the Federal Emergency Management Agen-
16 cy was responsible for performing on date of the en-
17 actment of this Act; and

18 (2) submit such report to Congress.

19 (b) **TRANSFER OF FUNCTIONS.**—Not later than 18
20 months after the date of the enactment of this Act, the
21 Administrator of the Federal Emergency Management
22 Agency shall transfer to the Director of the United States
23 Geological Survey of the Department of the Interior the
24 functions described in subsection (a).

25 (c) **PERSONNEL.**—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the personnel employed in connection with the of-
3 fices and functions of the Federal Emergency Man-
4 agement Agency that are transferred under this Act
5 shall be transferred to the United States Geological
6 Survey.

7 (2) TRANSITION.—The Administrator of the
8 Federal Emergency Management Agency is author-
9 ized to use the services of such personnel employed
10 in connection with the offices and functions of the
11 Federal Emergency Management Agency that are
12 transferred under this Act for such period of time as
13 may reasonably be needed to facilitate the orderly
14 transfer of such functions.

15 (3) EFFECT.—Any full-time or part-time per-
16 sonnel employed in permanent positions shall not be
17 separated or reduced in grade or compensation be-
18 cause of the transfer under this Act during the 1-
19 year period beginning on the date of the enactment
20 of this Act.

21 (d) PROPERTY AND RECORDS.—The contracts, liabil-
22 ities, records, property, and other assets and interests of,
23 or made available in connection with, the functions trans-
24 ferred under this Act shall be transferred to the United
25 States Geological Survey for appropriate allocation.

1 **SEC. 3. CONFORMING AMENDMENTS.**

2 (a) TECHNICAL MAPPING ADVISORY COUNCIL.—Sec-
3 tion 100215 of the Biggert-Waters Flood Insurance Re-
4 form Act of 2012 (42 U.S.C. 4101a) is amended by strik-
5 ing “Administrator” each place it appears, except for sub-
6 sections (b) and (e), and inserting “Director of the United
7 States Geological Survey”.

8 (b) NATIONAL FLOOD MAPPING PROGRAM.—Section
9 100216 of the Biggert-Waters Flood Insurance Reform
10 Act of 2012 (42 U.S.C. 4101b) is amended by striking
11 “Administrator” each place it appears, except for sub-
12 section (f) of such section, and inserting “Director of the
13 United States Geological Survey”.

14 (c) COORDINATION.—Section 100220 of the Biggert-
15 Waters Flood Insurance Reform Act of 2012 (42 U.S.C.
16 4101c) is amended by striking “Administrator” each place
17 it appears and inserting “Director of the United States
18 Geological Survey”.

19 (d) REMAPPING.—Section 100229 of the Biggert-
20 Waters Flood Insurance Reform Act of 2012 (126 Stat.
21 945) is amended by striking “Administrator” each place
22 it appears and inserting “Director of the United States
23 Geological Survey”.

24 (e) IDENTIFICATION OF FLOOD-PRONE AREAS.—
25 Section 1360 of the National Flood Insurance Act of 1968
26 (42 U.S.C. 4101) is amended by striking “Administrator”

1 each place it appears, except for subsections (d) and (k)
2 of such section, and inserting “Director of the United
3 States Geological Survey”.

4 (f) APPEALS.—Section 1363 of the National Flood
5 Insurance Act of 1968 (42 U.S.C. 4104) is amended—

6 (1) by striking “Administrator” each place it
7 appears and inserting “Director of the United States
8 Geological Survey”; and

9 (2) in subsection (f), by striking “Federal
10 Emergency Management Agency” and inserting
11 “United States Geological Survey”.

12 (g) SCIENTIFIC RESOLUTION PANEL.—Section
13 1363A of the National Flood Insurance Act of 1968 (42
14 U.S.C. 4101–1) is amended—

15 (1) by striking “Administrator” each place it
16 appears and inserting “Director of the United States
17 Geological Survey”;

18 (2) by striking “Federal Emergency Manage-
19 ment Agency” each place it appears, except for sub-
20 section (d), and inserting “Director of the United
21 States Geological Survey”; and

22 (3) in subsection (d)—

23 (A) by striking “the Federal Emergency
24 Management Agency shall ensure that for each
25 such community that—”;

1 (B) in paragraph (1), by inserting “the Di-
2 rector of the United States Geological Survey
3 shall ensure that for each such community
4 that” after the enumerator; and

5 (C) in paragraph (2), by inserting “the
6 Federal Emergency Management Agency shall
7 ensure that for each such community that”.

8 (h) INITIAL FLOOD INSURANCE RATE MAPS.—The
9 National Flood Insurance Act of 1968 is amended—

10 (1) in section 1307(f) (42 U.S.C. 4014(f)), by
11 inserting “or the Director of the United States Geo-
12 logical Survey” after “published by the Adminis-
13 trator”; and

14 (2) in section 1312(b) (42 U.S.C. 4019(b)), by
15 inserting “or the Director of the United States Geo-
16 logical Survey” after “published by the Adminis-
17 trator” both places it appears.

18 (i) IDENTIFICATION OF SPECIAL FLOOD HAZARDS.—
19 The National Flood Insurance Act of 1968 is amended—

20 (1) in paragraphs (1) and (2) of section
21 1364(a) (42 U.S.C. 4101a(a)(1) and (2)), by strik-
22 ing “identified by the Administrator” both places
23 such term appears and inserting “identified by the
24 Director of the United States Geological Survey”;
25 and

1 (2) in section 1365(a) (42 U.S.C. 4104b(a)), by
2 striking “identified by the Administrator” and in-
3 serting “identified by the Director of the United
4 States Geological Survey”.

5 **SEC. 4. TECHNICAL MAPPING ADVISORY COUNCIL.**

6 Section 100215 of the Biggert-Waters Flood Insur-
7 ance Reform Act of 2012 (42 U.S.C. 4101a) is amended—

8 (1) by amending subsection (b) to read as fol-
9 lows:

10 “(b) MEMBERSHIP.—The members of the Council
11 shall consist of the following, or a designee of the fol-
12 lowing—

13 “(1) The Director of the United States Geologi-
14 cal Survey.

15 “(2) The Administrator.

16 “(3) The Secretary of Agriculture.

17 “(4) The Undersecretary of Commerce for
18 Oceans and Atmosphere.

19 “(5) The Chief of Engineers of the Army Corps
20 of Engineers.”;

21 (2) by amending subsection (e) to read as fol-
22 lows:

23 “(e) CHAIRPERSON.—The Chairperson of the Council
24 shall be the Director of the United States Geological Sur-
25 vey.”; and

1 (3) in subsection (h)—

2 (A) by striking “, and may take action by
3 a vote of the majority of the members”; and

4 (B) by adding at the end the following:

5 “(3) VOTING.—The Council may take action by
6 a vote of the majority of the members, except that
7 the Chairperson shall only vote in the case of a tie
8 vote among the other members of the Council.”.

9 **SEC. 5. FEDERAL POLICY FEE.**

10 The National Flood Insurance Act of 1968 is amend-
11 ed—

12 (1) in subsection (a)(1)(B)(iii) of section 1307
13 (42 U.S.C. 4014), by striking “which shall be recover-
14 ed by a fee charged to policyholders and such fee
15 shall not be subject to any agent’s commissions,
16 company expense allowances, or State or local pre-
17 mium taxes,”; and

18 (2) in section 1360, by adding at the end the
19 following:

20 “(k) FEDERAL POLICY FEE.—

21 “(1) IN GENERAL.—To the extent provided in
22 advance in an appropriation Act, the Administrator,
23 in consultation with the Director of the United
24 States Geological Survey, shall charge policy holders

1 a fee for the purpose of recovering the cost of map-
2 ping activities under this section.

3 “(2) CONSULTATION.—As part of the consulta-
4 tion under paragraph (1), the Director of the United
5 States Geological Survey shall determine the amount
6 of such fee.

7 “(3) OTHER CONSIDERATIONS.—The fee under
8 this subsection shall not be subject to any agent’s
9 commissions, company expense allowances, or State
10 or local premium taxes.

11 “(4) TRANSFER OF FUNDS.—The Adminis-
12 trator shall deposit the fees collected pursuant to
13 paragraph (1) into a separate account in the Treas-
14 ury to be called the ‘Flood Insurance Risk Mapping
15 Fund’, which shall be available to the Director of the
16 United States Geological Survey for mapping activi-
17 ties under this section without further appropria-
18 tion.”.

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