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AMENDMENT TO H.R. 3121, AS REPORTED
OFFERED BY MR. FRANK OF MASSACHUSETTS

In the matter proposed to be inserted by section 7(a)(2) of the bill, amend paragraph (2) of subsection (c) to read as follows:

1 "(2) COMMUNITY PARTICIPATION REQUIRE-
2 MENT.—Multiperil coverage pursuant to this sub-
3 section may not be provided in any area (or subdivi-
4 sion thereof) unless an appropriate public body shall
5 have adopted adequate mitigation measures (with ef-
6 fective enforcement provisions) which the Director
7 finds are consistent with the criteria for construction
8 described in the International Code Council building
9 codes relating to wind mitigation.".

In the matter proposed to be inserted by section 7(d) of the bill, in paragraph (1) of subsection (d) strike "windstorm-prone areas as to land management and use, windstorm zoning, and windstorm damage prevention" and inserting "wind events as to wind hazard prevention".

In the matter proposed to be inserted by the amendment made by section 22(a) of the bill, in subsection (k),

redesignate paragraphs (4) through (8) as paragraphs (5) through (9), respectively.

In the matter proposed to be inserted by the amendment made by section 22(a) of the bill, after subsection (k)(3) insert the following new paragraph:

1 "(4) MAPPING ELEMENTS.—Each map updated
2 under this section shall meet the following require-
3 ments:
4 "(A) GROUND ELEVATION DATA.—The
5 maps shall assess the accuracy of current
6 ground elevation data used for hydrologic and
7 hydraulic modeling of flooding sources and
8 mapping of the flood hazard and wherever nec-
9 essary acquire new ground elevation data uti-
10 lizing the most up-to-date geospatial tech-
11 nologies in accordance with the existing guide-
12 lines and specifications of the Federal Emer-
13 gency Management Agency.
14 "(B) DATA ON A WATERSHED BASIS.—The
15 maps shall develop national flood insurance pro-
16 gram flood data on a watershed basis—
17 "(i) to provide the most technically ef-
18 fective and efficient studies and hydrologic
19 and hydraulic modeling; and

1 "(ii) to eliminate, to the maximum ex-
2 tent possible, discrepancies in base flood
3 elevations between adjacent political sub-
4 divisions.
5 "(C) OTHER DATA.—The maps shall in-
6 clude any other relevant information as may be
7 recommended by the Technical Mapping Advi-
8 sory Council reestablished by section 22(b) of
9 the Flood Insurance Reform and Modernization
10 Act of 2007.".

In section 22(b)(2)(A), strike "14" and insert "15".

In section 22(b)(2)(B), strike "(N), and (O)" and insert "(O), and (P)".

In the matter proposed to be inserted by the amendment made by section 22(b)(2)(E) of the bill, after subparagraph (M) insert the following new subparagraph:

11 "(N) a member of a professional mapping
12 association or organization;".

At the end of the bill add the following new sections:

13 **SEC. 30. PROHIBITION ON ENFORCEMENT OF PENALTY AS-**
14 **SESSED ON CONDOMINIUM ASSOCIATIONS.**
15 Notwithstanding any other provision of law, the Di-
16 rector of the Federal Emergency Management Agency

1 shall not apply or enforce any penalty relating to the na-
2 tional flood insurance program assessed, during 2005 or
3 thereafter, on condominium associations that are under-
4 insured under such program.

5 **SEC. 31. REPORT OF ADMINISTRATIVE EXPENSES OF**
6 **WRITE-YOUR-OWN INSURERS; INDEPENDENT**
7 **AUDITS.**

8 Section 1348 of the National Flood Insurance Act of
9 1968 (42 U.S.C. 4084) is amended by adding at the end
10 the following new subsections:

11 "(c) Any insurance company or other private organi-
12 zation executing any contract, agreement, or other appro-
13 priate arrangement with the Director under this part
14 shall—

15 "(1) annually submit to the Director a record
16 of all administrative and operating costs of the pro-
17 gram undertaken; and

18 "(2) biennially submit to the Director an inde-
19 pendent audit of the program undertaken that is
20 conducted by a certified public accountant to ensure
21 that payments made are proper and in accordance
22 with this Act.

23 "(d) The Director shall review the records and audits
24 submitted under paragraphs (1) and (2) of subsection (c)
25 to determine if such payments are reasonable and if the

1 system by which the Director makes payments to an insur-
2 ance company or other private organization under this
3 part should be revised.

4 **"SEC. 32. PLAN TO VERIFY MAINTENANCE OF FLOOD IN-**
5 **SURANCE ON MISSISSIPPI AND LOUISIANA**
6 **PROPERTIES RECEIVING EMERGENCY SUP-**
7 **PLEMENTAL FUNDS.**

8 "The Director of the Federal Emergency Manage-
9 ment Agency shall develop and implement a plan to verify
10 that persons receiving funds under the Homeowner Grant
11 Assistance Program of the State of Mississippi or the
12 Road Home Program of the State of Louisiana from
13 amounts allocated to the State of Mississippi or the State
14 of Louisiana, respectively, from the Community develop-
15 ment fund under the Emergency Supplemental Appropria-
16 tions Act to Address Hurricanes in the Gulf of Mexico and
17 Pandemic Influenza, 2006 (Public Law 109-148) are
18 maintaining flood insurance on the property for which
19 such persons receive such funds as required by each such
20 Program.".