

112TH CONGRESS  
1ST SESSION

# H. R. 764

To ensure fair treatment of existing levees and flood control structures under the national flood insurance program.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2011

Mr. ALEXANDER introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To ensure fair treatment of existing levees and flood control structures under the national flood insurance program.

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 “Fair Treatment of Ex-  
5 isting Levees Act of 2011”.

6 **SEC. 2. TREATMENT OF EXISTING LEVEES AND FLOOD CON-**  
7 **TROL STRUCTURES.**

8 (a) IN GENERAL.—The Administrator of the Federal  
9 Emergency Management Agency may not use the assump-  
10 tion that a currently existing levee or flood control struc-

1 ture does not exist to designate an area as having new  
2 flood hazards pursuant to issuance, revision, updating, or  
3 any other process to implement changes in flood insurance  
4 maps used under the national flood insurance program  
5 under the National Flood Insurance Act of 1968 (42  
6 U.S.C. 4001 et seq.), except in cases where no affected  
7 community notifies the Federal Emergency Management  
8 Agency of objections to the Administrator's hazard mod-  
9 eling processes within 90 days of the enactment of this  
10 Act, and provided that prior to implementation of this pro-  
11 vision the affected community provides sufficient notifica-  
12 tion to the affected residents that the level of protection  
13 provided by such levee or flood control structure is under  
14 review.

15 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
16 tion shall be construed to establish, provide, or otherwise  
17 imply that the presence of an existing levee or flood con-  
18 trol structure pursuant to subsection (a) thereby accredits  
19 such levee with providing protection from a flood of a level  
20 that has a 1-percent chance of being equaled or exceeded  
21 in any single year.

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