

FLOODPLAIN MANAGEMENT

For provisions relating to the reduction of the risk of flood loss, the minimization of the impact of floods on human safety, health and welfare, and the management of floodplains, see Ex. Ord. No. 11988, May 24, 1977, 42 F.R. 26951, set out as a note under section 4321 of this title.

§ 4129. Federal Insurance Administrator; establishment of position

There is hereby established in the Federal Emergency Management Agency the position of Federal Insurance Administrator.

(Pub. L. 90-448, title XI, §1105(a), Aug. 1, 1968, 82 Stat. 567; Pub. L. 96-153, title VI, §603(a), Dec. 21, 1979, 93 Stat. 1138.)

CODIFICATION

Section was formerly classified to section 3533a of this title.

Section was enacted as part of the Urban Property Protection and Reinsurance Act of 1968 and also as part of the Housing and Urban Development Act of 1968, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

AMENDMENTS

1979—Pub. L. 96-153 substituted “Federal Emergency Management Agency” for “Department of Housing and Urban Development”.

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 4130. 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 subtitle or any amendment made by this subtitle.

(Pub. L. 112-141, div. F, title II, §100249, July 6, 2012, 126 Stat. 969.)

REFERENCES IN TEXT

This subtitle, referred to in text, is subtitle A (§§100201-100249) of title II of div. F of Pub. L. 112-141, known as the Biggert-Waters Flood Insurance Reform Act of 2012. For complete classification of this subtitle to the Code, see Short Title of 2012 Amendment note set out under section 4001 of this title and Tables.

CODIFICATION

Section was enacted as part of the Biggert-Waters Flood Insurance Reform Act of 2012, and also as part of the Moving Ahead for Progress in the 21st Century Act, also known as the MAP-21, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

§ 4131. Levee certifications

(a) Implementation of Flood Protection Structure Accreditation Task Force

In carrying out section 100226 of Public Law 112-141 (42 U.S.C. 4101 note; 126 Stat. 942), the Secretary shall—

(1) ensure that at least 1 program activity carried out under the inspection of completed works program of the Corps of Engineers provides adequate information to the Secretary to reach a levee accreditation decision under section 65.10 of title 44, Code of Federal Regulations (or successor regulation); and

(2) to the maximum extent practicable, carry out activities under the inspection of completed works program of the Corps of Engineers in alignment with the schedule established for the national flood insurance program established under chapter 1¹ of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.).

(b) Accelerated levee system evaluations

(1) In general

On receipt of a request from a non-Federal interest, the Secretary may carry out a levee system evaluation of a federally authorized levee for purposes of the national flood insurance program established under chapter 1¹ of the National Flood Insurance Act of 1968 (42 U.S.C. 4011 et seq.) if the evaluation will be carried out earlier than such an evaluation would be carried out under subsection (a).

(2) Requirements

A levee system evaluation under paragraph (1) shall—

(A) at a minimum, comply with section 65.10 of title 44, Code of Federal Regulations (as in effect on June 10, 2014); and

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

(3) Funding

(A) In general

The Secretary may use amounts made available under section 1962d-16 of this title to carry out this subsection.

(B) Cost share

The Secretary shall apply the cost share under section 1962d-16(b) of this title to any activities carried out under this subsection.

(Pub. L. 113-121, title III, §3014, June 10, 2014, 128 Stat. 1287.)

REFERENCES IN TEXT

The National Flood Insurance Act of 1968, referred to in subsecs. (a)(2) and (b)(1), is title XIII of Pub. L. 90-448, Aug. 1, 1968, 82 Stat. 572, which is classified principally to this chapter. Chapter I of the Act is classified principally to subchapter I (§4011 et seq.) of this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4001 of this title and Tables.

CODIFICATION

Section was enacted as part of the Water Resources Reform and Development Act of 2014, and not as part of

¹ So in original. Probably should be “chapter I”.