

title, any assistance provided under the mitigation assistance program under section 4104c of this title, and any funding provided under section 4030<sup>1</sup> of this title) with respect to a property shall not be considered income or a resource of the owner of the property when determining eligibility for or benefit levels under any income assistance or resource-tested program that is funded in whole or in part by an agency of the United States or by appropriated funds of the United States.

(Pub. L. 90-448, title XIII, §1324, as added Pub. L. 109-64, §1, Sept. 20, 2005, 119 Stat. 1997.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original a reference to “this title” meaning title XIII of Pub. L. 90-448, Aug. 1, 1968, 82 Stat. 572, known as the National Flood Insurance Act of 1968, which is classified principally to 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.

Section 4102a of this title, referred to in text, was repealed by Pub. L. 112-141, div. F, title II, §100225(c), July 6, 2012, 126 Stat. 941.

Section 4030 of this title, referred to in text, was repealed by Pub. L. 112-141, div. F, title II, §100225(b), July 6, 2012, 126 Stat. 941.

### § 4032. Treatment of swimming pool enclosures outside of hurricane season

#### (a) In general

Notwithstanding any other provision of law, including the adequate land use and control measures developed pursuant to section 4102 of this title and applicable to non-one- and two-family structures located within coastal areas, as identified by the Administrator, the following may be permitted:

(1) Nonsupporting breakaway walls in the space below the lowest elevated floor of a building, if the space is used solely for a swimming pool between November 30 and June 1 of any year, in an area designated as Zone V on a flood insurance rate map.

(2) Openings in walls in the space below the lowest elevated floor of a building, if the space is used solely for a swimming pool between November 30 and June 1 of any year, in an area designated as Zone A on a flood insurance rate map.

#### (b) Rule of construction

Nothing in subsection (a) shall be construed to alter the terms and conditions of eligibility and insurability of coverage for a building under the standard flood insurance policy under the national flood insurance program.

(Pub. L. 90-448, title XIII, §1325, as added Pub. L. 112-141, div. F, title II, §100242, July 6, 2012, 126 Stat. 962.)

### § 4033. Designation of Flood Insurance Advocate

#### (a) In general

The Administrator shall designate a Flood Insurance Advocate to advocate for the fair treatment of policy holders under the National Flood Insurance Program and property owners in the mapping of flood hazards, the identification of risks from flood, and the implementation of measures to minimize the risk of flood.

#### (b) Duties and responsibilities

The duties and responsibilities of the Flood Insurance Advocate designated under subsection (a) shall be to—

(1) educate property owners and policyholders under the National Flood Insurance Program on—

(A) individual flood risks;

(B) flood mitigation;

(C) measures to reduce flood insurance rates through effective mitigation;

(D) the flood insurance rate map review and amendment process; and

(E) any changes in the flood insurance program as a result of any newly enacted laws (including this Act);

(2) assist policy holders under the National Flood Insurance Program and property owners to understand the procedural requirements related to appealing preliminary flood insurance rate maps and implementing measures to mitigate evolving flood risks;

(3) assist in the development of regional capacity to respond to individual constituent concerns about flood insurance rate map amendments and revisions;

(4) coordinate outreach and education with local officials and community leaders in areas impacted by proposed flood insurance rate map amendments and revisions; and

(5) aid potential policy holders under the National Flood Insurance Program in obtaining and verifying accurate and reliable flood insurance rate information when purchasing or renewing a flood insurance policy.

(Pub. L. 113-89, §24, Mar. 21, 2014, 128 Stat. 1030.)

#### REFERENCES IN TEXT

This Act, referred to in subsec. (b)(1)(E), is Pub. L. 113-89, Mar. 21, 2014, 128 Stat. 1020, known as the Homeowner Flood Insurance Affordability Act of 2014. For complete classification of this Act to the Code, see Short Title of 2014 Amendment note set out under section 4001 of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Homeowner Flood Insurance Affordability Act of 2014, and not as part of the National Flood Insurance Act of 1968 which comprises this chapter.

#### DEFINITIONS

For definitions of terms used in this section, see section 4005 of this title.

## SUBCHAPTER II—ORGANIZATION AND ADMINISTRATION OF FLOOD INSURANCE PROGRAM

### § 4041. Implementation of program

Following such consultation with representatives of the insurance industry as may be necessary, the Administrator shall implement the flood insurance program authorized under subchapter I in accordance with the provisions of part A of this subchapter and, if a determination is made by him under section 4071 of this title, under part B of this subchapter.

(Pub. L. 90-448, title XIII, §1330, Aug. 1, 1968, 82 Stat. 581; Pub. L. 98-181, title I [title IV, §451(d)(1)], Nov. 30, 1983, 97 Stat. 1229; Pub. L.