

115TH CONGRESS
1ST SESSION

S. _____

To amend the Omnibus Public Land Management Act of 2009 to clarify the authority of the Administrator of the Federal Emergency Management Agency with respect to post-storm assessments, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. WICKER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Omnibus Public Land Management Act of 2009 to clarify the authority of the Administrator of the Federal Emergency Management Agency with respect to post-storm assessments, 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 “COASTAL Implemen-
5 tation Act”.

1 **SEC. 2. NAMED STORM EVENT MODEL AND POST-STORM**
2 **ASSESSMENTS.**

3 (a) AMENDMENTS TO THE OMNIBUS PUBLIC LAND
4 MANAGEMENT ACT OF 2009.—Section 12312 of the Om-
5 nibus Public Land Management Act of 2009 (33 U.S.C.
6 3611) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (6), by inserting “sus-
9 tained” before “winds”; and

10 (B) in paragraph (7), by striking “that
11 threaten any portion of a coastal State” and in-
12 sserting “for which post-storm assessments are
13 conducted”;

14 (2) in subsection (b)—

15 (A) in paragraph (1)—

16 (i) in subparagraph (A)—

17 (I) by striking “540 days after
18 the date of the enactment of the Con-
19 sumer Option for an Alternative Sys-
20 tem to Allocate Losses Act of 2012”
21 and inserting “June 1, 2019”; and

22 (II) by striking “by regulation”;

23 (ii) in subparagraph (B), by striking
24 “every” and inserting “an”; and

25 (iii) by adding at the end the fol-
26 lowing:

1 “(C) PUBLIC REVIEW.—The Administrator
2 shall seek input and suggestions from the public
3 before the Named Storm Event Model, or any
4 modification to the Named Storm Event Model,
5 takes effect.”;

6 (B) in paragraph (2)—

7 (i) by redesignating subparagraphs
8 (B) and (C) as subparagraphs (D) and
9 (E), respectively;

10 (ii) by inserting after subparagraph
11 (A) the following:

12 “(B) DATA COLLECTION.—

13 “(i) IN GENERAL.—Upon identifica-
14 tion of a named storm under subparagraph
15 (A), and pursuant to the protocol estab-
16 lished under subsection (c), the Adminis-
17 trator may deploy sensors to enhance the
18 collection of covered data in the areas in
19 coastal States that the Administrator de-
20 termines are at the highest risk of experi-
21 encing geophysical events that would cause
22 indeterminate losses.

23 “(ii) RULE OF CONSTRUCTION.—If
24 the Administrator takes action under
25 clause (i), that action may not be con-

1 suffered such indeterminate losses as
2 a result of the named storm”;

3 (iv) in subparagraph (E), as so reded-
4 ignated—

5 (I) by striking “an identification
6 of a named storm is made under sub-
7 paragraph (A)” and inserting “inde-
8 terminate losses are identified under
9 subparagraph (C)”;

10 (II) by striking “for such storm
11 under subparagraph (B)” and insert-
12 ing “under subparagraph (D) for any
13 coastal State that suffered such
14 losses”;

15 (v) by adding at the end the following:

16 “(F) SEPARATE POST-STORM ASSESS-
17 MENTS FOR A SINGLE NAMED STORM.—

18 “(i) IN GENERAL.—The Administrator
19 may conduct a separate post-storm assess-
20 ment for each coastal State in which inde-
21 terminate losses are identified under sub-
22 paragraph (C).

23 “(ii) TIMELINE.—If the Administrator
24 conducts a separate post-storm assessment
25 under clause (i), the Administrator shall

1 complete the assessment based on the
2 dates of actions that the Administrator
3 takes under subparagraphs (C) and (D).”;
4 and

5 (3) in subsection (c)—

6 (A) in paragraph (1), by striking “540
7 days after the date of the enactment of the
8 Consumer Option for an Alternative System to
9 Allocate Losses Act of 2012” and inserting
10 “June 1, 2019”;

11 (B) in paragraph (2), by inserting “, in the
12 discretion of the Administrator,” after “of sen-
13 sors as may”; and

14 (C) in paragraph (4)(B), by inserting “and
15 expend” after “receive”.

16 (b) AMENDMENT TO THE NATIONAL FLOOD INSUR-
17 ANCE ACT OF 1968.—Section 1337(a)(5) of the National
18 Flood Insurance Act of 1968 (42 U.S.C. 4057(a)(5)) is
19 amended by inserting “sustained” after “maximum”.