



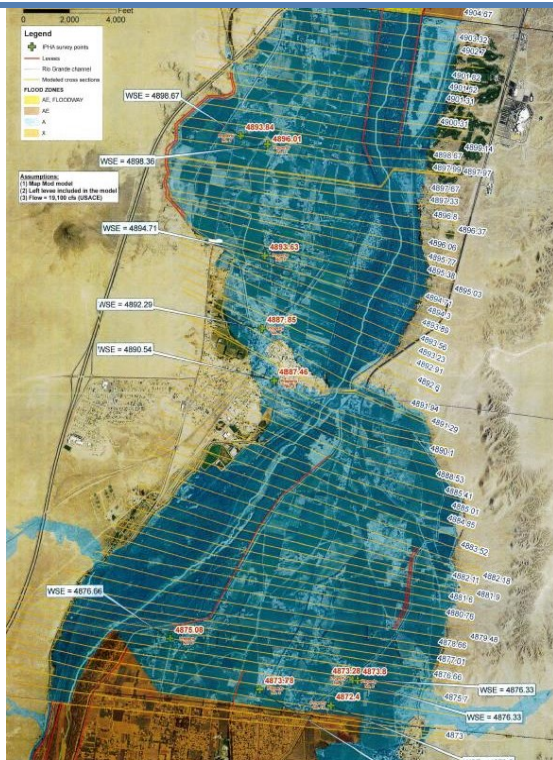
**SEEKING A LEGISLATIVE EXEMPTION TO THE REQUIREMENTS OF THE FEDERAL FLOOD DISASTER PROTECTION ACT OF 1973**

**Background**

The Federal Emergency Management Agency (FEMA) flood maps communities. In some instances, flood mapping of tribal lands occur while FEMA is aerially flood mapping communities surrounding a tribe. Many tribes have been flood mapped in this manner. The Federal Flood Disaster Protection Act of 1973 (the “Act”) prohibits the use of federal funds, including the Indian Housing Block Grant (IHBG) and the Indian Community Development Block Grant (ICDBG), on sites that FEMA has mapped as being in a flood plain, unless a community or tribe participates in the National Flood Insurance Program (NFIP) and purchases flood insurance. Flood insurance is very expensive and continues to increase. The Act also requires regulated lenders to impose flood insurance on their borrowers on flood plains.

**Who is impacted by FEMA’s published Flood Insurance Rate Maps?**

Many tribes in New Mexico and other states have large residential housing, including 1937 Act housing, in areas whose sites have been flood mapped as being below the Base Flood Elevation (BFE). A map amendment, FEMA’s process of removing a site from a flood plain, cannot be obtained on a site that is below the BFE. This means that homes on these sites can’t have federal funds spent on them if a tribe joined the NFIP.



**National American Indian Housing Council**

122 C Street N.W.  
Suite 350  
Washington, D.C. 20001

**Point of Contact:**  
Denise Zuni  
Sh’eh Wheel Law Offices,  
P.C.  
(505)869-3836  
dzuni@live.com

© 2017 NAIHC

