

## OP-ED CONTRIBUTOR

### ***False Claims***

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IN mid-April, the Federal Emergency Management Agency released its long-awaited guidelines for rebuilding homes and businesses in New Orleans. Americans throughout the country should pay attention, because although these requirements were devised with the best of intentions to spur the reconstruction of a devastated city, they will have negative repercussions far beyond Louisiana.

The new guidelines will cripple FEMA's National Flood Insurance Program, which is the only assistance available to most Americans trying to protect themselves from flooding caused by natural disasters. They will also cause taxpayers to subsidize dangerous and improper rebuilding in New Orleans, putting many residents in harm's way.

The National Flood Insurance Program, which I administered from 1974 to 1978, was introduced in 1968 as a way to assist families devastated by flooding and to encourage safe construction in flood plains. Communities on flood plains receive taxpayer-financed insurance subsidies on existing buildings, in exchange for which they must use their land and construct new buildings in ways that reduce the risk of flood damage.

The program discouraged such communities from building in areas vulnerable to hurricane storm surges, for example, or where water rushes at high velocity when rivers overflow. New buildings in safer parts of flood plains were to be elevated to at least the level of a flood that had a 1 percent chance of happening in a year — the so-called 100-year flood. The program also requires that homes and businesses be raised to the 100-year flood level after suffering damage of 50 percent or more of their structural value.

Taxpayers will subsidize more than \$20 billion in flood insurance claims for the victims of Hurricane Katrina. This is as it should be; residents purchased policies for

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TIFF (Uncompressed) decompressor  
are needed to see this picture.

exactly this purpose. But now it seems that the National Flood Insurance Program is not living up to its promise to reduce flood damage. Significantly, FEMA's flood risk maps are old — in some cases two decades old — and grossly underestimate the hazards. My research on Hancock County in Mississippi shows that the 100-year flood levels predicted on the old maps are about 10 feet below what new maps forecast.

By allowing the maps to get so out of date, FEMA has misled people into building houses at levels that appear to be safe but are not. In some cases, the low projected flood levels also mislead people into thinking that they live outside the flood zones. As a result, they fail to purchase the flood insurance they need.

FEMA's new guidance for the area bounded by the New Orleans levees will allow rebuilding even though, as the agency has stated, "the flood control system will not meet the standards necessary for providing protection" against a 100-year flood. People whose houses sustained less than 50 percent damage can rebuild where they were. Those with more than 50 percent damage have lined up at City Hall to talk inspectors into altering damage assessments and thus avoid elevating their homes.

Those whose certificates still state that their homes were more than 50 percent damaged — many had water over their roofs — will be allowed to rebuild at elevations dictated by the old maps or lifted a mere three feet higher than they were before the flooding, whichever is greater. New maps for New Orleans won't be released for six more months. Some parish officials have indicated that they may not enforce even this inadequate interim standard.

The desire to help the displaced residents of New Orleans return is understandable, but to do so at the expense of the National Flood Insurance Program's principles of safe construction is shortsighted, dangerous and costly. In order to protect the lives and livelihoods of the city's residents and not saddle taxpayers with avoidable insurance claims, houses in New Orleans must be built above the new 100-year level.

There is a way to maintain National Flood Insurance Program standards and help New Orleans rebuild quickly. First, Congress should require FEMA to enforce all of the standards. Second, Congress should provide the generous financial assistance necessary to help the people of New Orleans raise their homes or move to higher, safer ground. We do nobody in New Orleans a favor if residents are allowed to rebuild in a way that puts their property — or lives — at risk.

If FEMA does not enforce the standards, Congress should end the National Flood Insurance Program. No flood insurance is better than continuing to have taxpayers subsidize unsafe construction in the nation's flood plains.

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