

115TH CONGRESS
1ST SESSION

H. R. 3824

To direct the Secretary of the Army to submit to Congress a report with respect to dams, reservoirs, lakes, and other water retention facilities in Texas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2017

Mr. POE of Texas (for himself, Mr. GENE GREEN of Texas, Mr. BABIN, Mr. CULBERSON, Mr. AL GREEN of Texas, and Mr. OLSON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To direct the Secretary of the Army to submit to Congress a report with respect to dams, reservoirs, lakes, and other water retention facilities in Texas, 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 “Texas Flood Account-
5 ability Act of 2017”.

1 **SEC. 2. REPORT ON DAMS, RESERVOIRS, LAKES, AND**
2 **OTHER WATER RETENTION FACILITIES IN**
3 **TEXAS.**

4 (a) REPORT.—Not later than 90 days after the date
5 of enactment of this Act, the Secretary of the Army, act-
6 ing through the Chief of Engineers, shall submit to Con-
7 gress and make publicly available a report with respect
8 to covered facilities.

9 (b) CONTENTS.—The report under subsection (a)
10 shall include the following:

11 (1) For each covered facility—

12 (A) the maximum water capacity that
13 would necessitate an unplanned release of
14 water;

15 (B) the water level at which the facility
16 and each spillway of the facility will overflow;
17 and

18 (C) existing plans to notify first respond-
19 ers, local officials, and communities of flood
20 emergencies and the projected water levels dur-
21 ing such emergencies.

22 (2) A description of steps taken by the Sec-
23 retary to limit or prevent unplanned releases of
24 water or overflows from covered facilities.

25 (3) Recommendations of the Secretary for in-
26 frastructure improvements and dredging of existing

1 covered facilities needed to limit or prevent un-
2 planned releases of water or overflows from covered
3 facilities.

4 (4) Existing plans to coordinate among covered
5 facilities during a flood emergency.

6 (5) A list identifying the covered facilities under
7 the jurisdiction of the Federal Energy Regulatory
8 Commission that includes, with respect to each such
9 facility, a description of the process for lowering
10 water levels at the facility.

11 (c) SECURITY EXCLUSION.—The Secretary may ex-
12 clude from the report information that the Secretary de-
13 termines necessary to exclude for national security pur-
14 poses.

15 (d) INFORMATION FROM NON-FEDERAL ENTI-
16 TIES.—

17 (1) REQUIREMENT FOR NON-FEDERAL ENTI-
18 TIES.—Upon the request of the Secretary, a non-
19 Federal entity that owns, operates, or has jurisdic-
20 tion over a covered facility shall provide to the Sec-
21 retary the information described in subsection (b)(1)
22 with respect to that facility.

23 (2) ELIGIBILITY FOR FEDERAL FINANCIAL AS-
24 SISTANCE.—An entity that fails to comply with
25 paragraph (1) is not eligible for Federal financial as-

1 sistance otherwise available to the facility owned or
2 operated by or under the jurisdiction of the entity
3 until such time as the entity complies with such
4 paragraph.

5 (3) APPLICABILITY.—Paragraph (2) shall apply
6 with respect to Federal financial assistance made
7 available on or after the date of enactment of this
8 Act.

9 (e) COVERED FACILITY DEFINED.—In this section,
10 the term “covered facility” means a dam, reservoir, lake,
11 or other water retention facility in Texas.

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