

**BYLAWS FOR  
THE NATIONAL DAM SAFETY REVIEW BOARD  
Revised and Reaffirmed**

***Article I: Name***

The name of this organization is the National Dam Safety Review Board, hereafter referred to as "the Board."

***Article II: Purpose***

The purpose of the advisory Board is as follows:

- To monitor the safety of dams in the United States;
- To monitor State implementation of the National Dam Safety Program;
- To advise the Administrator of the Federal Emergency Management Agency (FEMA) on national dam safety policy.

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***Article III: Board Role***

Generally, the Board's duties are to encourage the establishment and maintenance of effective programs, policies, and guidelines to enhance dam safety for the protection of human life and property throughout the United States and to encourage coordination and information exchange among Federal and State dam safety agencies. Specifically :

To monitor state implementation of the assistance program by (1) reviewing state progress toward meeting all of the criteria pursuant to Section 8(e)(2) of the Act; (2) assisting FEMA in the periodic review of state dam safety programs (the Board will notify FEMA of its finding of any state program that fails to reasonably protect life and property); and (3) making recommendations as to the reasonable costs of implementing a state dam safety program pursuant to Section 13(a)(2)(B) of the Act to assist FEMA in determining the amount allocated to States. To recommend technical and archival research needs to FEMA. and upon FEMA's request, to identify and recommend training needs for state dam safety programs and to make recommendations to the Administrator on national dam safety policy and other issues affecting dam safety. .

***Article IV: Membership***

Section 1: The membership of the Board shall consist of 11 voting members selected by the Administrator of FEMA for expertise in dam safety, of whom:

- One member shall represent the United States Department of Agriculture;
- One member shall represent the Department of Defense;
- One member shall represent the Department of the Interior;
- One member shall represent FEMA;
- One member shall represent the Federal Energy Regulatory Commission;
- Five members shall be selected by the Administrator of FEMA from among state dam safety officials; and
- One member shall be selected by the Administrator to represent the private sector.

- Section 2: The Administrator, in consultation with the Board, may invite a representative from the National Laboratories of the Department of Energy (DOE), and may invite representatives from Federal or State agencies, or dam safety experts, as needed, to participate in Board meetings as non-voting members.
- Section 3: Each Voting member of the Board will serve a 2-year term (terms will begin on April 1 and will conclude on March 31). At the FEMA Administrator's invitation, board members may serve more than one term.
- Section 4: Any vacancy on the Board shall be filled by FEMA. The appointee will serve the unexpired term of the member whose position became vacant.

***Article V: Leadership***

The FEMA Administrator or the Administrator's Agency designee acts as chair, provides leadership to the Board, and works with FEMA's program officials to establish priorities, identify issues which must be addressed, and serves as the focal point for the Board's membership.

FEMA's designated voting representative selected by the Administrator or the Administrator's designee for expertise in dam safety acts as FEMA chair at meetings of the Board when so directed by the Administrator or the Administrator's designee.

Designated Program Officer: FEMA's designated program officer serves as the government's agent for all matters related to the Board's activities, including but not limited to, to approve or call the meeting of the board; approve agendas; attend all meetings; adjourn the meetings, chair meetings of the Board or act for FEMA's designated representative when so directed by the Administrator, the Administrator's designee or the FEMA voting representative.

***Article VI: Meetings***

The Board will meet at least twice each year, as determined by the Chair. Other meetings may be called by the Chair.

***Article VII: Voting***

When a decision or recommendation of the Board is required, the Chair will request a motion for a vote. Any member, including the Chair, may make a motion for a vote. No second after a proper motion will be required to bring any issue to vote.

***Article VIII: Quorum***

The Board may conduct business with less than 11 voting members.

***Article IX: Minutes***

FEMA shall prepare and maintain minutes of the Board meetings. Draft minutes shall be transmitted to the Board members for review and comment no later than 30 days after each meeting. The Board members will have 30 days to return comments on the minutes to FEMA. Final approval of the minutes will be obtained by majority vote of the Board members at the next meeting of the Board.

**Article X: Compensation**

Each member of the Board who is an officer or employee of the United States will serve without compensation in addition to compensation received for the services of the member as an officer or employee of the United States. Each member of the Board who is not an officer or employee of the United States will serve without additional compensation. As specified in the Act, each non-Federal member of the Board or a Work Group established by the Administrator will be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under Subchapter 1 of Chapter 57 of Title 5, United States Code. Expenditures of any kind must be approved in advance by the Designated Program Officer.

**Article XI: Work Groups**

The Administrator may establish Work Groups under the Board and will select the work group members from the Board and other individuals. 33 U.S.C. § 467f (f)(6). The Administrator determines the duration of a Work Group. Expenditures of any kind must be approved in advance by the Designated Program Officer.

A. Currently-established Work Groups are: the Work Group on Dam Safety Research; the Work Group on Dam Safety Training; the Work Group on the National Inventory of Dams (NID) and the Work Group on Emergency Action Planning for Dams. The Board may recommend members and the Chairs of the Work Group on Dam Safety Research, the Work Group on Dam Safety Training, and the Work Group on Emergency Action Planning for Dams, to the Administrator's designee through the designated program officer. The United States Army Corps of Engineers Board representative will serve as the Chair of the Work Group on the NID.

The Chairs and members of the Work Groups may serve for 2 years subject to the Administrator's appointment. The Work Groups may meet at the call of the Chairs but will meet at least once each fiscal year. A verbal report for the Work Groups shall be presented at each Board meeting and the Work Group Chairs shall submit an annual report to the Board each fiscal year.

The Administrator may establish work groups under the Board of short-term, limited duration (hereinafter "Task Groups") to address specific issues that arise related to the National Dam Safety Program. The Board may make recommendations for Task Group membership to the FEMA Administrator for the Administrator's selection of members and chair. The Task Group will meet at the call of the Chair. A written and verbal report for the Task Group shall be presented at each Board meeting and the Task Group Chair shall submit a report to the Board on completion of the work of the Task Group.

**Article XII: Applicability of Federal Advisory Committee Act**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board. 33 U.S.C. § 467f(f)(9).

**Article XIII: Conflict of Interest**

Members of the Board Work Groups, or Task Groups shall not (1) be part of any transaction in which they have a direct or indirect personal financial interest; (2) obtain an economic benefit as

a result of their service to the Board, Work Group, or Task Group; or (3) enter into a relationship with vendors for pay in matters that are currently being considered by the Board, Work Group, or Task Group.