



Legislative Bulletin.....September 5, 2002

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H.R. 4727—Dam Safety and Security Act

H.R. 4727—Dam Safety and Security Act (Shuster)

Order of Business: The bill is scheduled to be considered on Thursday, September 5th, subject to an open rule (agreed to by unanimous consent on September 4th).

Summary: H.R. 4727 would reauthorize and amend the National Dam Safety Program through fiscal year 2006.

The bill would replace the requirement for an *implementation* plan under the Program with a *strategic* plan. This strategic plan, prepared by the Program Director, would be for establishing goals, priorities, and target dates to improve the safety of dams in the U.S. and for establishing cooperation and coordination with, and assistance to, interested governmental agencies in the states.

In addition to the Program Director's existing duties under current law (including establishing dam *safety* programs and awareness initiatives, for example), the Director would now have to develop technical assistance materials, seminars, and guidelines to improve *security* for dams in the U.S. In providing training for state dam safety staff and inspectors, the Director's financial and other assistance to states would have to also be directed at efforts to improve dam *security*.

The Director would also have to create and maintain information resources systems for managing the safety of dams and to formulate public policy initiatives that advance dam safety engineering, security, and management.

H.R. 4727 would make the Director's establishment of the National Dam Safety Review Board mandatory (rather than at the Director's discretion, as in current law). The Board's mission would be expanded to include monitoring the safety of dams in the U.S., monitoring state implementation of dam safety and security efforts, and advising the Director on national dam safety policy. In fulfilling its mission, the Board would encourage the establishment and maintenance of effective programs, policies, and guidelines to enhance dam safety; and encourage coordination and information sharing among federal and state dam safety agencies. The Board would also have to coordinate with the Director on research into rapid dam

construction, rehabilitation, and inspection (including new devices for such construction and monitoring). State dam safety officials could participate on the Board.

The bill would make the Interagency Committee on Dam Safety (comprised of representatives from various federal agencies) responsible only for encouraging the establishment and maintenance of effective *federal* programs, policies, and guidelines for enhancing dam safety. Current law makes the Committee responsible for encouraging federal *and state* programs, policies, and guidelines.

H.R. 4727 would authorize appropriations for each of fiscal years 2003-2006 as follows:

- \$6.0 million annually for dam safety grants to states (*up from \$4.0 million for each of fiscal years 2000-2002*)— **\$24.0 million total**
- \$1.5 million annually for research (*up from \$1.0 million for each of fiscal years 1998-2002*)— **\$6.0 million total**
- \$500,000 annually for dam safety training (*same as level for each of fiscal years 1998-2002*)— **\$2.0 million total**
- \$600,000 annually for additional emergency-management personnel (*up from \$400,000 for each of fiscal years 1998-2002*)— **\$2.4 million total**

The bill does not authorize appropriations for the Army's maintenance and publishing of updated information on the inventory of dams (previously authorized at \$500,000 for each of fiscal years 1998-2002).

Additional Background: Passed in 1996, the National Dam Safety Program Act (33 U.S.C. 467 et seq.) has as its mission the reduction of the “risks to life and property from dam failure in the United States through the establishment and maintenance of an effective national dam safety program to bring together the expertise and resources of the federal and non-federal communities in achieving national dam safety hazard reduction.”

Cost to Taxpayers: H.R. 4727 would authorize appropriations of \$8.6 million in FY2003 and a total of **\$34.4 million** over the FY2003-FY2006 period.

Does the Bill Create New Federal Programs or Rules?: The bill would reauthorize the existing federal dam safety program and make certain adjustments to its authorities.

Constitutional Authority: At press time, the Transportation and Infrastructure Committee's report #107-626 citing constitutional authority was unavailable.

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